

## Further success for Richard Wright QC and Howard Shaw in the Divisional Court

[Richard Wright QC](#) leading [Howard Shaw](#) have again succeeded in the Divisional Court in the case of *R v Sheffield Magistrates Court, ex p. Chesterfield Poultry Ltd*. They appeared on behalf of the CPS in Judicial Review proceedings regarding the time limit certificate provisions of the Welfare of Animals at the Time of Killing (England) Regulations 2015. The Court held, significantly, that, in the absence of fraud, a prosecutor's certificate in proper form which contains no error on its face is conclusive evidence of the start date of the 6-month period during which proceedings must be issued; and such a certificate not open to challenge by reference to extraneous evidence showing that it is wrong.

The judgment is reported as [2019] EWHC 2953 (Admin)

This case builds on the decisions in *Woodward* [2017] EWHC 1008 (Admin) and *Riley v DPP* [2016] EWHC 2531 (Admin); cases relating to animal welfare time-limit provisions in which Howard successfully appeared.

Richard and Howard were successful in the Divisional Court in 2018 in the case of *Highbury Poultry Farm Produce Ltd v CPS* [2018] EWHC 3122 (Admin), which dealt with the issue of whether mens rea is required for animal welfare offences under the same Regulations.

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