

LEGAL ENFORCEMENT

A. Picking, planning and running a legal campaign

Animals suffer in numerous ways, and every area has some animal welfare issue that needs attention. It is very important to zero in on the issue that you will work on - in terms of number of animals suffering or the gravity of suffering. You could also choose an issue on the basis of how easy it would be to tackle, as small wins can go a long way in motivating the community to become more legally active for animals. In each of these situations, there will usually be one or more violations of laws, and different approaches to resolve them.

Therefore, the key steps to identifying a legal campaign in your area are as follows:

- Make a list of common animal-related problems that activists in your city find themselves addressing. Identify the issue that needs the most attention. Some common examples are: Resident welfare associations' cruelty towards dogs, trade of exotic animals in shanty markets, trafficking of wild animals, or existence of illegal meat shops.
- Based on the animal welfare issue that needs the most attention, choose the kind of work you will do to tackle the issue. Does the police need to be alerted about any illegal activities in the area? Does the police need to be sensitized about animal welfare laws so that they can better respond to instances of cruelty? Does the community need to be educated about animal welfare laws? Some research on the issue and discussions with activists who have handled such cases in the past will help you decide.
 - If the police needs to be alerted about illegal activities in an area, then you need a basic idea of the following laws:
 - Prevention of Cruelty to Animals Act, 1960
 - Wildlife Protection Act, 1972
 - Indian Penal Code, 1860
 - Criminal Procedure Code, 1973
 - Rules under each of these Acts
 - If the police needs to be sensitized about animal welfare laws, you could do the following:
 - Keep booklets/leaflets at the police station.
 - Keep the police abreast with developments in other areas where police action has worked well.
 - Be thorough when you list down legal provisions in your cruelty complaints, so that the police's work becomes minimal in the filing of the FIR.

To run a successful legal campaign, you must do the following:

- Sensitize your local community to take better legal action, by ensuring that:
 - They have the knowledge of all relevant laws as mentioned above.

- You have a core group that will manage all legal affairs in the area, and a bigger group for cruelty response. The contact numbers of the core group must be readily available to the rest of the community.
- Do a reconnaissance of the area that has to be investigated. This should be done with care, and never alone. Collect evidence from the area in terms of photos and videos and preserve them carefully.
- Submit all of this evidence to the police, through the following steps:
 - Brief a police officer you have established good relations with, and explain the urgency of the matter.
 - Write down a formal complaint. This complaint will be turned into an FIR by the police.
 - Make sure that your complaint is written in great detail. Do not leave anything to their imagination.
 - Make sure to include details such as the offenders' address, number of animals in trouble, etc. – if you have this information.
 - Make sure to include a vast number of sections under the various Acts listed above. It is imperative that sections be added from outside just the Prevention of Cruelty to Animals Act, as the fines under this Act are very low. Spend some quality time combing the Indian Penal Code and add some violations from there as well to your complaint – to make it as robust as possible. Some examples of offences that can be added to your complaint – which are not directly related to animal suffering are: public nuisance, health hazards, environmental hazards, mischief, etc. Find out if the action violates any other local laws, and add those violations to your complaint as well. If there are non-bailable offences that can be added to the complaint, add them on priority.
 - Follow up persistently with the police to ensure the creation of the final FIR.
 - After the FIR has been registered, be regular in your follow-up with the police.
 - Pursue the case in court:
 - This time is crucial for preparation for your legal case. The first step involves finding a legal team and a counsel who will take up your case. It helps to have a prior list of pro-bono lawyers and to maintain good relations with them, so that they are willing to take on such cases. It also helps to create good contacts with animal-friendly lawyers and those who work for environmental cases.
 - Prepare diligently with your legal team, attend court hearings regularly. Far too many people get disillusioned by the slow legal process and leave the case midway. It is only the hassle of the court proceedings that will truly convey to the offender the gravity of his/her crime. It is *this* hassle, and not only the final fine/jail term that will be a true deterrent for the future.
 - Engage with non-legal regulatory agencies:

- The legal process is often long and cumbersome, and so it helps to have other simultaneous approaches as well. Are there any other regulatory agencies that can be approached to take action on your case? Some examples are the municipal corporation, the animal husbandry department, the health department, and your local food safety and standards authority. Success with these non-legal authorities can even help bolster your case in court. It also ensures a diversity of approach in tackling the problem, should the legal case not go in your favour.

II. Best Practices for a successful legal campaign

- Getting people to join you:
 - Posters, flyers and online posts are easy and inexpensive ways to get new volunteers.
 - Comb through legal cells, law colleges, animal and environmental clubs of schools and colleges and Honorary Animal Welfare Officer (HAWO) groups in your city to find more interested people.
 - It is important to keep them interested once they have joined you. Speak to them individually and regularly, see where their interests lie and if their work can be aligned with them, and ensure that they get help when they face problems. Also make sure to participate as a group in fun activities once in a while, so that the whole group is able to bond better and take their minds off work.
- Training your core group:
 - Ensure that they are well acquainted with the relevant laws.
 - Divide your city/town into zones, and make some people responsible for each zone. If a complaint comes from a particular zone, then the volunteers closest to that should respond.
 - Volunteers should be inspired to file more complaints. Rounds can be done regularly in the area to find out instances of cruelty that can be reported. Additionally, volunteers should be alert to such situations around them.
- A watertight system for collection of evidence:
 - Speak discreetly to the locals in the area to find out information that can help you make your case more robust.
 - It is always safer and more helpful to go with a trusted friend or someone who has done investigations like these before.
 - Maintain an alias for yourself. Do not reveal that you are an animal activist. It helps to show interest in their work – be a good listener.
 - Take as many photos and videos as you can.
 - Keep a strict watch for physical evidence too.

- Care for animals during the legal process:
 - As per Section 29 and 35 of the Prevention of Cruelty to Animals Act, the injured/suffering animals will be in the custody of the government authorities or infirmaries during the case.
 - While pursuing the offender, it is very important to ensure that the animal receives adequate treatment and support. It is easy to get consumed by the legalities and often the animal(s) end up suffering.
 - If the government is not able to provide the animal(s) shelter or veterinary care, then find private individuals/organisations that are willing to do so.
- Establishing and maintaining good relationships with the law enforcement authorities:
 - Law enforcement authorities are the key stakeholders and it becomes imperative to maintain positive and friendly relationship with them in order to get their co-operation. Having a good rapport with the relevant police authorities goes a long way. Speak to them in the local language, appreciate the work they do, and keep in regular touch with them. Cultivate a positive relationship with them outside of the work you wish them to help you with.
 - This is not bribery. This is just to maintain a good working relationship with them, so that they give you the necessary assistance in your case.
 - There should be a system for reporting the same to the core group, so that the core group can best decide how to proceed once the volunteers have approached the scene.

II. Fundraising for a successful legal campaign

After having laid the foundation as outlined above, fundraising is essential to start your campaign and keep it alive. To effectively fundraise for your legal campaign, keep in mind the following:

- Be clear about your vision, goals and approach as a group. What kind of organization are you? Are you a shelter? Are you a policy organization? What is the size of your organization?
- Accordingly assess how much you will need to spend, on what, and in what period of time.
- Spread word about your organisation – through newspapers, radio, and online. Create an online portal so that people are able to view your organisation's/network's page and see the work that you do. Make sure you have a website and an organizational email ID that people can subscribe to, to receive mailers, newsletters, etc.
- Ensure you have enough paid staff or volunteers who will be able to fundraise – this can be tricky if you are a small organization. If it is not possible to hire someone, get your friends, family and well-wishers to spend some time each day reaching out to animal-friendly people in their networks for donations.

- You can fundraise in the following ways:
 - Approach people in your community – door-to-door funding, if it's a smaller amount.
 - Put up a fundraising event – such as selling food items, performing a service or cleaning up the local area.
 - Approach high net-worth individuals (HNIs) for donations.
 - Put out advertisements during festival seasons, when people are more likely to donate.
 - Create a page on a crowd-funding platform such as Kickstarter, GoFundMe, Indiegogo, etc.
 - Ask other organisations for funding – this could be corporates through their CSR set-up, religious organisations or other bigger NGOs.