

PE1736/C

Police Scotland submission of 28 October 2019

Road Safety and Road Crime have been key priorities for Police Scotland since its inception in 2013.

Police Scotland would like to highlight that matters under the Road Traffic Act 1988, are reserved.

The two questions posed by the public petitions committee are dealt with separately below;

What would the implications be for Police Scotland in enforcing the actions called for in the petition and is the action called for practical?

The background information of the petition has been noted and the aim of, reducing suffering and ensuring suitable veterinary care is rendered, noted and we would broadly support suitable provision to reduce the suffering of any animal. Police Scotland consider, however, that the anticipated outcome of the petitioned change may not be achieved, by virtue of the requirement, within the legislation being, to report the accident and not the rendering of care to any suffering animal.

Animals, currently falling within the category of being reportable, under the provisions of Section 170 of the Road Traffic Act 1988 generally have some form of restriction placed upon their movement. Cats are not subject to any such restriction and are allowed to roam freely.

Alignment of cats into the category of an animal, within Section 170(8) of the Road Traffic Act 1988, would undoubtedly necessitate the provision of additional legislation to address such movement restrictions and to ensure that sufficient legislative provision was in place to facilitate the additional enquiries generated for police officers, both in road traffic collisions enquiries and to ensure compliance with any legislative requirement restricting movement. Like any public agency Police Scotland have a finite resource and it can be reasonably anticipated that such changes would incur significant increases in the work demands for officers, the level of which, would be of concern to Police Scotland.

What current powers are available to Police Scotland in addressing the issues raised by the petition?

There is no current legislative provision to address the issues raised by the petition.

To conclude, Police Scotland will consider supporting suitable provisions to reduce the suffering of any animal, however we have concerns that in the absence of changes to a significant number of statutory provisions the content of the petition would be onerous for Police to manage and enforce.