

PE1588/C

Agriculture, Food and Rural Communities Directorate

Animal Health and Welfare Division



T: 0300-244 9240
E: phil.burns@gov.scot

Ned Sharratt
Public Petitions Clerks
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

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Dear Mr Sharratt

Thank you for your letter of 16 December 2015 on behalf of the Public Petitions Committee of the Scottish Parliament to Tony Romain, Committee Liaison Officer for the Scottish Government. You ask for the Scottish Government's views on Petition PE1588 lodged by Ms Daisy Harris calling on the Scottish Parliament to urge the Scottish Government to make microchip scanning of all domestic animals found dead or alive on all Scottish roads compulsory. The petitioner corresponded along these lines, via her MSP Jackie Baillie, with the Cabinet Secretary for Rural Affairs, Food and Environment in November 2015.

The Scottish Government recognises that losing an animal is traumatic for all those involved and it is important to reunite owner and animal or bring resolution or closure to owners wherever possible. Scanning stray or dead domestic animals is already best practice for anyone in Scotland finding them, so that the animal can either be returned to their keeper or the owner be given closure as appropriate.

The Scottish Government has long recognised the benefits of microchipping in re-uniting pets with their owners, and recommends it as best practice in our Codes of Practice for the welfare of cats and for the welfare of dogs, both published in 2010. The compulsory microchipping of dogs is planned to take effect from 6 April 2016 in Scotland; however, the draft regulations enabling this have yet to be approved by a resolution of the Scottish Parliament. As noted in the SPICe briefing on this petition, the Scottish Government does not consider compulsory microchipping to be required for cats.

It is recognised that making microchipping mandatory for all dogs may raise an expectation that scanning will also be made compulsory, for dogs at least. However, enforcement of such a requirement would require offences and penalties for not scanning, which would potentially criminalise veterinarians, dog wardens and charity workers, all of whom are already undertaking a crucial role in reuniting pets with owners as quickly as possible. This is not something that I intend to take forward. A requirement to scan dead animals could not be

made in any legislation made under the Animal Health and Welfare (Scotland) Act 2006, as it would not act to secure the welfare of that animal, a requirement under Section 26(1).

If stray or injured animals are found by, or on, a road, the Scottish Government expects that the finder will contact Police Scotland, a local authority warden, an animal welfare organisation or a veterinary surgeon. It is for Local Authorities to supply their dog wardens with a scanner, and for Police Scotland to provide the same for their police stations. Veterinary practices are already likely to possess a scanner to check any microchips that they implant, as are the major rescue centres such as the SSPCA and Dogs Trust. Each of these will be placed to scan, or arrange scanning, and potentially treat and reunite a domestic animal with an owner.

Arrangements for animals found dead on trunk roads have been put in place by Transport Scotland, an agency of the Scottish Government that manages and maintains the trunk road network in Scotland. The agency employs Operating Companies to undertake relevant works. The contract with these companies includes a requirement that if a domestic pet is found dead, they must remove any identification tags and give them to the police, together with a brief description of the animal.

The Operating Company must also attempt to contact the owner of the animal and must keep the carcass in a suitable facility for two weeks in case the owner wishes to claim it back. Operating Companies do not hold microchip scanners; however, when a domestic animal is found with no obvious means of identification, they and/or the police may contact a local vet or animal shelter to gain access to a scanner.

In terms of animals that may be killed on other roads, Council Cleansing Departments are most likely to deal with these. Councils are subject to a number of requirements for handling animals that have died in various pieces of EU and domestic legislation. These only relate to public health and environmental protection requirements and none of them require councils to scan the animal for microchips. However, scanning should, again, be carried out as best practice. Individual local authorities may be able to provide further information on this, or the Committee may wish to contact the Convention of Scottish Local Authorities (COSLA).

I trust that this information is helpful, and if you require any further information please let me know.

Yours sincerely

Phil Burns