

PE1770/G

COSLA submission of 27 October 2020

COSLA welcomes the opportunity to respond to the Parliament's Public Petitions Committee regarding PE1770: Improving Water Safety. We trust our brief response is helpful to the Committee's considerations on the following proposals: -

- *All waterways have life-saving equipment such as lifebelts and buoyancy Throw Bags, with ropes, to allow multiple attempts at rescue; and*
- *Tampering with water safety equipment is made a criminal offence of endangering public safety.*

We would be supportive of life saving equipment to be available on waterways, where it is deemed appropriate or necessary for life saving equipment to be available. In some cases, it is absolutely necessary that there is life saving equipment on a waterway, but it is not appropriate or necessary to have life saving equipment on every waterway.

We would therefore be supportive of a process by which those responsible for bodies of water risk assess and consider the necessity of life saving equipment. As a result, this would entail understanding the evidence in relation to previous incidents on a waterway and the risk of an injury or fatality, which could help determine the appropriateness of this.

We would urge caution on criminalising individuals as a matter of course in respect of tampering with equipment, and draw attention to work underway on the presumption against short sentences and what is known about avoiding the criminalisation of young people (who may likely be the offenders) without consideration of other options.

We would also support the promotion of education and preventative activities to avoid the criminalisation of people. It may also be the case that existing legislation, local bye-laws and other legislation may cover both the theft and damage of life saving devices.

The Scottish Community Safety Network (SCSN) have informed COSLA that there is not a large amount of evidence that making something a criminal offence is a good deterrent, particularly if a lack of education on the consequences of an action like tampering with equipment is an issue. As a result, education and preventative campaigns in local areas where theft/damage is an issue may be a more effective approach to prevent vandalism.

Further, we understand in local authority areas such as Glasgow City Council that anti-theft measures are used along the River Clyde with distinctive throw ropes. As a result, this seems to be a positive action for places that experience damage or theft issues. This approach also highlights where there are opportunities for improvement. In addition, it underlines that local authorities in these very challenging financial times would require adequate resources to fund these improvements.

We are grateful to have the opportunity to respond to this petition and hope our response is useful to the Committee.

COSLA
October 2020