



## DEBATE PACK

Number CDP 2019/0153, 13 June 2019

# Debate on an e-petition relating to the identification of pets

This pack has been prepared ahead of the debate to be held in Westminster Hall at 4.30pm on Monday 17 June 2019. The subject for the debate has been selected by the Petitions Committee and the debate will be opened by Martyn Day MP.

The petition [New law that cats killed injured by a vehicle are checked for a chip: Round 3](#) had 107,062 signatures when it closed on 1 April 2019. It reads:

Thousands of cats are just disposed of every year without being scanned for a chip after being involved in RTAs. Owners search for months and years and never get closure. Scanning takes two minutes. Cats are a part of a family and deserve to be returned home, not thrown into landfill.

Why do councils not have the same respect for cats as they do for dogs? They are someone's family pet. The law must be changed so all cats are scanned and returned to their owners.

A scanner is not expensive and all councils need providing with one and need to use it.

Many councils who say they scan, often don't. There is NO excuse. It takes two minutes. How dare they throw our beloved pets away.

EVERYONE needs to sign the petition to get this law passed for the cats.

Thank you

Gizmos Legacy

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

By Dr Elena Ares  
Nikki Sutherland

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# 1. Summary

A [parliamentary petition](#), launched by the owner of a [cat killed in a collision](#), calling for legislation requiring councils to scan killed or injured cats for a microchip had received 107,062 signatures by the time it closed on 1 April 2019. The petitions states:

The law must be changed so all cats are scanned and returned to their owners. A scanner is not expensive, and all councils need providing with one and need to use it. Many councils who say they scan, often don't.<sup>1</sup>

This is an issue that the NGO [Cat Matters](#) campaigns on. [Their aim](#) is to ensure it becomes illegal to leave the scene of a collision involving a cat in the UK and to make scanning of killed or injured cats mandatory.

The Government responded to the petition on 15 February 2019. There will be debate on the petition in Westminster Hall on 17 June 2019.

## Background

Under [Section 170 of the Road Traffic Act 1988](#) anyone involved in accident which causes damage to an animal must report it. For the purpose of the legislation animal is defined as horse, cattle, ass, mule, sheep, pig, goat or dog. Cats are not covered by the legislation.

The Highways Agency [Network Management Manual \(2009\)](#) requires efforts to be made by service providers to identify dog fatalities only. This includes microchip scanning and contacting owners if they can be identified.

Following the [Harvey's Law campaign and parliamentary petition](#) from 2014, calling for compulsory scanning of all domestic animals retrieved from the highways, the Government committed to mandatory requirements for identifying and recording domestic animals to be included in Highways England tenders for contracts. It also committed to retrofit existing contracts.<sup>2</sup> The Government also committed to contact Transport for London and Local Highways Agencies which are responsible for the rest of the road network:

I intend not only to communicate with Transport for London but to write to all local highways authorities throughout the country to draw their attention to the Government's position and invite them to reflect on their own local policy.<sup>3</sup>

A Private Members [Cat's Bill](#) introduced by Rehman Chishti in July 2018, would legislate to require the compulsory microchipping of cats. It would also require motorist to reports accidents with cats. The Bill has not made any further progress. However, a [debate on cat welfare](#) took place in Westminster Hall on 11 December 2018. In its response the Government did not support either of these options, but did highlight

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<sup>1</sup> HC Petition, [New law that cats killed/injured by a vehicle are checked for a chip: round 3](#), 1 September 2019

<sup>2</sup> HC Deb [2 March 2015](#) c222WH

<sup>3</sup> HC Deb [2 March 2015](#) c224WH

that the [Code of Practice for the Welfare of Cats](#), updated in April 2018, encourages microchipping cats to ensure they can be identified.

Proposals for scanning cats are supported by the [London Assembly](#) which unanimously passed a motion on 7 June 2018 “calling on the Mayor to use his powers to push for the mandatory scanning of all deceased cats collected from the roadside”.

The Labour Party [Animal Welfare Plan](#) includes commitments to require motorists to report accidents where an animal has been injured and expand mandatory microchipping to cats.

## Devolved administrations

Following a [campaign in Wales](#), and a 2017 [petition](#) to the Welsh Assembly, it [was reported](#) that all Welsh councils were voluntarily looking at practices, and those that did not currently have procedures in place, had begun scanning, or were looking at new policies.

There was a similar [campaign in Scotland](#) and in 2019, it was [reported by the campaign group ‘Cats Matter’](#) that all Scottish councils had a scanning procedure in place.

## Government petition response

The Government provided the following [response](#), in which it highlighted that it is already best practice for councils to check cats for microchips. It also highlighted that as guidance requires all dogs to be scanned local authorities should already possess scanners, and that many councils increasingly require street cleaning contractors to scan pets found on the street:

We encourage microchipping of cats and it is established good practice for local authorities and the Highways Agency to scan domestic pets found on our streets so that the owner can be informed.

We do not consider that it is necessary to introduce a new law requiring cats involved in road traffic accidents to be checked for a microchip because it is already good practice for local authorities to do so. Cats and dogs become members of the family and it is a great source of worry and uncertainty when they are injured or lost. The Government encourages veterinary practices and rehoming centres to scan cats and dogs brought to their premises so that their owners can be identified. In cases of road traffic accidents, we encourage local authorities to identify the owners where possible.

We welcome the move by many local authorities to include a requirement in street cleaning contracts to scan pets found on the road for a microchip. All local authorities should already be in possession of handheld microchip scanners as they are required to enforce dog microchipping controls. In addition, Rule 286 of The Highway Code advises drivers to report any accident involving an animal to the police, which we hope would lead to their owners being made aware of the incident.

It is compulsory for all dogs to be microchipped in Great Britain and this enables stray dogs to be quickly reunited with their owners. Compulsory microchipping for dogs was introduced because of the particular public safety risk posed by stray dogs.

The same risk is not associated with stray cats. Local authorities have powers to enforce the dog microchipping controls and in relation to stray dogs which means that all local authorities should already be in possession of handheld microchip scanners.

The Government strongly recommends cat owners get their cat microchipped and keep their records up to date. We support cat charities' microchipping campaigns and the statutory Code of Practice for the Welfare of Cats, made under the Animal Welfare Act 2006, contains advice about identifying cats including by use of a microchip.

Whilst microchipping cats is good for their welfare, and it is important to publicise those benefits, lost and stray cats do not pose the same public safety risk as dogs, and therefore making cat microchipping compulsory is not considered necessary at this time. We will continue to work, therefore, with the relevant stakeholders to stress the importance of cat microchipping, and the scanning of stray or lost pets

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## 2. News items

BBC News Online

**Cats need change in road accident law, campaigner urges**

11 February 2019

<https://www.bbc.co.uk/news/uk-england-manchester-47203786>

Your Cat

**Wales to become the first all-scanning nation in the world**

28 November 2018

<https://www.yourcat.co.uk/the-your-cat-blog/wales-to-become-the-first-all-scanning-nation-in-the-world/>

Transport Network

**Call for 'Tigger' law to make drivers report cat collisions**

8 August 2017

<https://www.transport-network.co.uk/Call-for-Tigger-law-to-make-drivers-report-cat-collisions/14369>

iNews

**Animal lovers urge Government: give cats the same rights as dogs**

7 August 2017

<https://inews.co.uk/news/animal-lovers-urge-government-give-cats-rights-dogs/>

## 3. Press releases

### Cats Protection

#### **Cats Protection welcomes Government commitment to work with charity to increase number of owned cats that are microchipped**

**12 December 2018**

The UK's largest cat welfare charity is continuing to call for compulsory microchipping of cats following a parliamentary debate on cat welfare.

Cats Protection welcomed the House of Commons debate, on Tuesday 11 December, but said more could be done to ensure cats receive the same legal protections as dogs

Responding to the debate, Cats Protection's Head of Advocacy & Government Relations Jacqui Cuff, said:

It's encouraging to see cat welfare on the political agenda, and we welcome any action towards improving feline welfare and protection for cats in the UK.

We are pleased this debate recognised the importance of microchipping of owned cats and indicated that the Government will work with Cats Protection to increase microchipping rates.

We're calling for microchipping of owned cats to be made compulsory, as it is for dogs, to aid reunification of cats with their owners and to identify and inform a cats owner in the sad event that a cat is a victim of a road traffic accident.

This would promote and encourage responsible cat ownership, as well as tackle the problem of cats needlessly being handed into rehoming centres because their owners cannot be traced.

In the last 12 months 62% of the cats taken in by Cats Protection's Adoption Centres across the UK were not microchipped. A survey conducted for Cats Protection showed that only 27% of owned cats in England are not microchipped.

The charity said it was encouraged by the debate's discussion of how microchipping can be used to inform owners if their cat has died in a road accident.

Jacqui said:

Cats Protection has already been working with local authorities to promote the routine scanning of cats and dogs which have died as a result of road accidents. We were therefore pleased that this debate discussed how this could be further improved with a commitment that the issue would be raised with the Secretary of State for Housing, Communities and Local Government.

As well as microchipping, the debate also discussed the current review of air weapons regulation for England and Wales.

Jacqui said:

We have been calling for air guns to be licenced in England and Wales in the same way that they are in Scotland and Northern

Ireland. Air guns can be used to inflict appalling suffering on animals such as cats, and it's unfair that huge parts of the UK do not have proper and fit regulations in place.

Cats Protection has already delivered a petition of over 100,000 names to 10 Downing Street calling for improvements to air gun laws in England and Wales.

Cats Protection is the UK's largest cat charity, helping around 200,000 cats every year through a network of over 250 voluntary-run branches and 36 centres.

## **Greater London Assembly**

### **Assembly wants dead cat scans**

**07 June 2018**

Cats are owned by 18% of the UK population. Under section 170 of the Road Traffic Act 1988, motorists are required to stop and report an accident involving animals including horses, cattle, mules, sheep, pigs, goats or dogs, but not for cats.

Today, the London Assembly unanimously agreed a motion calling on the Mayor to use his powers to push for the mandatory scanning of all deceased cats collected from the roadside.

Sian Berry AM, who proposed the motion said:

The problem highlighted in this motion is something I wasn't aware of until I was told about Cats Matter's campaign.

When I had the exact experience of my cat going missing and just not knowing where he was. I assumed the microchip would mean I would find out.

But no. Luckily my cat came back soaking wet after three nights who knows where, but there are so many pet owners who never know. And that's grim when so many of them have done the right thing and got a microchip.

The problem is cats are not equal to dogs in the way the Government and local authorities treat them.

Steve O'Connell AM, who seconded the motion said:

I am pleased to support this motion.

It's a heart-breaking experience to not know what happened to a pet.

This motion will help pet owners across London find out exactly what happened to their loved ones.

The full text of the motion is:

This Assembly notes that there is currently no obligation to report all cat deaths on roads. Section 170 of the Road Traffic Act 1988 requires people to report collisions involving animals including dogs but not cats.<sup>[1]</sup>

This Assembly recognises the distress that can be caused to London's cat owners if they are not informed of the death of their pets.

We therefore call on the Mayor to lobby government to enact legislation that would require local authorities to ensure the mandatory scanning of all deceased cats collected from the roadside.

We also call on the Mayor of London and the Chair of the London Assembly to write to councils in London to make sure their own street cleaning teams treat all cats with respect and ensure microchips are checked when cats are found dead in the street.

#### *Notes to editors*

1. Road Traffic Act 1988 <http://www.legislation.gov.uk/ukpga/1988/52/section/170>
2. [Watch the full webcast.](#)
3. [Watch Sian Berry AM explain why she proposed the motion](#)
4. The motion was agreed unanimously.
5. [Sian Berry AM](#), who proposed the motion, is available for interviews. Please see contact details below.
6. As well as investigating issues that matter to Londoners, the London Assembly acts as a check and a balance on the Mayor.

## **Road Safety GB**

### **Should drivers be made to report cat collisions?**

#### **9 August 2017**

Campaigners are calling for a change in law which would require drivers who knock down cats to report the incident. (Transport Network)

Under section 170 of the Road Traffic Act 1988 drivers are required to stop and report an accident involving specified animals including horses, cattle, sheep or dogs, but not cats or wild animals.

However, campaign group [Cats Matter](#) is calling for it to be made illegal for drivers to leave the scene without reporting that they have hit a cat.

The issue has been the subject of a number of petitions in recent years, including one in 2015 that gained 115,000 signatures on the change.org website – [and one set up this year by Rebecca Leigh](#), whose own cat, Tigger, was knocked down and left for dead.

Ms Leigh, whose petition has nearly 5,000 signatures, called for a 'Tigger law' in memory of her cat.

The DfT [told Transport Network](#) that it understands the distress that can be caused when cats are run over and explained that the distinction between animals arises from the status of some as working animals rather than as domestic pets.



Although there is no obligation to report all animal deaths on roads, the police advise drivers that, if possible, they should make enquiries to ascertain the owner of domestic animals, such as cats, and advise them of the situation.

In addition, Rule 286 of The Highway Code also advises drivers to report any accident involving an animal to the police.

## 4. Parliamentary material

### Private Member's Bill

#### **Cats Bill 2017-19**

<https://services.parliament.uk/Bills/2017-19/cats.html>

A Bill to require the driver of a mechanically propelled vehicle involved in an accident resulting in injury or death to a cat to stop and give information or report the accident to the police; to require the keepers of certain cats to ensure they are microchipped; and for connected purposes.

### Debate

#### **Cat Welfare**

**HC Deb 11 December 2018 | Vol 651 c66WH-**

<http://bit.ly/2X1A64A>

### PQs

[Pets: Death](#)

#### **Asked by: Farrelly, Paul**

To ask the Secretary of State for Environment, Food and Rural Affairs, what steps he is taking to obligate councils to scan dead pets they collect from roads and paths.

#### **Answering member: David Rutley | Department: Department for Environment, Food and Rural Affairs**

I recognise how painful it is to lose a pet and it must be very difficult to not have closure when a beloved pet is killed on the road, and the owner is not informed. It is established good practice for local authorities to scan any dog or cat found on the streets so that the owner can be informed and I am keen to work together with local authorities and others to further promote best practice in this area.

In 2015, the necessary arrangements were made to all Highways England's contracts to collect and identify cats and dogs killed on the strategic road network and contact owners where possible. This included retrofitting the Network Management Manual (NMM) where in addition to dogs, cat fatalities are collected and identified where possible.

In addition, under the Road Traffic Act 1988, there is a requirement for drivers to stop and report accidents involving certain working animals including cattle, horses and dogs. The Highway Code also advises

drivers to report accidents involving any animal to the police. This should lead to many owners being notified when their pets are killed on roads.

I am pleased to have the opportunity to debate these issues in the Westminster Hall on 17 June.

**HC Deb 11 June 2019 | PQ 259058**

[Road Traffic Offences](#)

**Asked by: Hendry, Drew**

To ask the Secretary of State for Transport, what assessment his Department has made of the potential merits of bringing forward legislative proposals to introduce a penalty for (a) failing to stop for and (b) report hitting a domestic cat under the Road Traffic Act 1988.

**Answering member: Jesse Norman | Department: Department for Transport**

The Government has no current plans to amend legislation on reporting animal accidents or deaths on the road. However, the police do advise drivers that, if possible, they should make enquiries to ascertain the owner of domestic animals such as cats, and inform them of the situation. In addition, Rule 286 of The Highway Code also advises drivers to report any accident involving an animal to the police.

**HC Deb 09 July 2018 | PQ 160783**

[Roads: Accidents](#)

**Asked by: Drew, Dr David |**

To ask the Secretary of State for Transport, if he will bring forward proposals to amend animal welfare legislation to give greater protection to cats injured or killed in road traffic accidents.

**Answering member: Jesse Norman | Department: Department for Transport**

The Department has no plans at present to bring forward proposals to amend legislation on reporting animal deaths on the road. However, the police do advise drivers that, if possible, they should make enquiries to ascertain the owner of domestic animals such as cats, and inform them of the situation. In addition, Rule 286 of The Highway Code also advises drivers to report any accident involving an animal to the police.

**HC Deb 11 December 2017 | PQ 117426**

[Roads: Accidents](#)

**Asked by: David, Wayne**

To ask the Secretary of State for Transport, with reference to the Answer of 10 February 2016 to Question HL5729, if his Department will

discuss with representatives of local highway authorities the Government's recommendation that those authorities consider scanning any deceased cats or dogs found on the highway for which they are responsible as a matter of standard practice.

**Answering member: Jesse Norman | Department: Department for Transport**

The Department for Transport has already highlighted to local highway authorities the importance of scanning deceased dogs and cats found on the highway as part of standard practice. This advice was included in a letter sent in March 2015 to highway authorities in England, outside London. It is the responsibility of each highway authority to determine whether to do so or not based on their own policies and procedures. However, the Department for Transport will look for opportunities to highlight the issue to local authorities.

**HC Deb 20 November 2017 | PQ 113225**

## 5. Useful links and further reading

Cats Matter campaign

<https://www.catsmatter.org/>

Cats Protection *Microchipping - Cats are lost without it*

<https://www.cats.org.uk/microchips-reunite>

Cats Protection *What to do if you find a dead cat*

<https://www.cats.org.uk/found-dead-cat>

PDSA *Keeping cats safe on the roads*

<https://www.pdsa.org.uk/taking-care-of-your-pet/looking-after-your-pet/kittens-cats/keeping-cats-safe-on-the-roads>

Labour Animal Welfare Manifesto – *Domestic pets*

<https://labour.org.uk/issues/animal-welfare-plan/>

[includes

- Require motorists to report accidents where an animal has been injured.
- Expand mandatory microchipping to cats.]

Welsh Government consultation on *Code of practice for the welfare of cats*

<https://gov.wales/code-practice-welfare-cats>

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