

2016.04.26

3.4 Deputy P.D. McLinton of St. Saviour of the Minister for Environment regarding provision for making it illegal to fail to report having struck a cat with a vehicle:

Further to the statement of the Minister for Infrastructure on 3rd November 2015 that he would work with the Minister for Environment to bring a provision into the Animal Welfare Law to make it illegal to strike a cat with a vehicle of any description and not report it to a recommended body or organisation, what progress, if any, has the Minister made towards the drafting of legislation to date?

Deputy S.G. Luce of St. Martin (The Minister for Environment):

Following the Deputy's question to the Minister for Infrastructure in November last year a meeting was held between Ministers, interested parties and the Deputy. At this meeting we concluded that sufficient protection existed for all domestic animals, including cats, from cruelty under the Animal Welfare (Jersey) Law 2004. Consequently I am not progressing any change to the Animal Welfare Law. However the Deputy will also recall that when we met the Minister for Infrastructure did agree to explore an amendment to the Road Traffic (Jersey) Law 1956 to require car drivers to report accidents involving cats to the police. I believe officers of the Department of Infrastructure have discussed this matter with the Law Draftsman and with the States of Jersey Police. I am further informed that they intend to consult with the Comité des Connétables and the Comité des Chefs de Police, and I believe the Minister for Infrastructure will then be in a position to consider what changes to legislation he may wish to make, and I am sure the Minister will bring this matter before the States Assembly as soon as he can.

3.4.1 Deputy P.D. McLinton:

I am not entirely sure I remember any agreement being made to the law covered cruelty to cats in that particular meeting. It seems that the Minister was at a different meeting to me. But still all that said: is the Minister therefore stating that it is in fact the Minister for Infrastructure and therefore it is his department that is responsible for the moving forward of an amendment to the law because I need to know who is running this particular show, because I am very unsure at the moment?

The Deputy of St. Martin:

I would like to think my first answer made that clear but I will just reiterate that the Animal Welfare Law says very clearly: "It shall be an offence for a person without reasonable cause or excuse to do or to omit to do any act so as to cause unnecessary suffering to a domestic animal or captive animal. That, to me, gives us plenty of powers if cruelty is being done to dogs, cats or any animal to take action. The action of informing the police when a cat is involved in an accident is one that comes under the Traffic Law and I just feel that we agreed at this meeting that there was a way forward here and that the Minister for Infrastructure, in his ability to control this law, was going to move forward with the process.

3.4.2 Deputy M. Tadier:

On the subject of animal cruelty, the Minister will be aware that also recently there was fairly high profile social media coverage in Jersey to do with strangle collars, spike collars in particular, for dogs, which seemed to me to be intrinsically cruel insofar as they cannot be used without causing suffering for the animal. Is it therefore the case that under the current law those kind of collars would be contravening the law, the use of those collars ...

The Deputy Bailiff:

I am sorry, Deputy, I cannot allow that question. It is too far outside the parameters of the original one, which relates to striking a cat with a vehicle.

Deputy M. Tadier:

We can bat it back to the Minister for a different department it would seem. I will discuss that later with the Minister, thank you.

The Deputy Bailiff:

Final supplementary, Deputy McLinton?

Deputy P.D. McLinton:

No, it seems I am talking to the wrong Minister.