

The Convener: Amendment 2, in the name of Mark Ruskell, is in a group on its own.

Mark Ruskell: I hope that it is clear to the minister and most members of the committee that we have yet to put in place the right resources to successfully detect and prosecute wildlife crime, especially in our most remote areas. A pilot involving special constables was run in the Cairngorms, but it was found that that was not the solution. There is a glaring need for a team of professionals who can work to assist the police in evidence gathering and enforcement.

The SSPCA is working successfully in most areas of animal welfare enforcement, but as we heard in evidence at stage 1, there is a mismatch in its powers. For example, an SSPCA inspector can visit an illegal trap that has a live bird inside it, gather evidence and intervene, but they would have no jurisdiction over a trap with a dead bird inside it, even if it was just 2m away.

I am aware that the minister knows that that needs to be fixed, and soon, and I am aware of the Government's work with stakeholders including the SSPCA to discuss the extension of the powers that are needed. However, I am concerned that, despite the consensus on what needs to change, we could wait a long time before the Parliament has another opportunity to pass primary legislation. The last time that we had primary legislation that could have fixed the issue was in 2006. We cannot wait another 14 years while our bird of prey populations continue to be decimated.

Amendment 2 would allow ministers to act, when the time is right, to confer further powers on wildlife inspectors through regulations under the affirmative procedure. That would enable the Parliament to move at pace, but with proper scrutiny. The SSPCA's offer to extend its role in wildlife inspection has been on the table for years. We need a robust route to make progress on the issue, which is what I am proposing.

I move amendment 2.

Mairi Gougeon: Mark Ruskell's amendment would allow the Scottish Government to make broad changes to the function of wildlife inspectors through secondary legislation. I have concerns about that, because the amendment does not place any caveats or limitations on what the powers could be, and it is not clear why the powers would be needed or what they are for.

11:15

I appreciate that the committee has raised concerns previously about the resourcing of wildlife law enforcement and that it is keen to explore whether it would be possible to extend the powers of SSPCA inspectors to undertake investigations in that area. The committee will be aware that the First Minister has given a commitment that the Government will look at the issue further. I can confirm that I plan to convene a task force later this year to consider the matter in detail. I will write to the committee to provide more information about the purpose and remit of that group and the timescales that it will work to. I intend to do that ahead of stage 3.

It would be inappropriate to pre-empt the findings of that task force by doing anything in the bill that could be viewed as paving the way to extend further powers to persons who are involved in the investigation of wildlife crime. We should first have a clear view of what those powers could and should be, as well as any potential wider implications. I understand that the Scottish SPCA is happy with the approach that I propose.

Therefore, I cannot support amendment 2. I ask Mark Ruskell, rather than pressing the amendment now, to withdraw the amendment and allow the task force the time to complete its work.

Mark Ruskell: I am tempted to seek to withdraw the amendment. I take on board what the minister is saying about the task force and the commitment that she has given to write to the committee about its purpose and remit. However, I still have a concern about the legislative timescale, which is the point that I made in my opening remarks. The SSPCA's offer to extend its powers has been on the table for many years and we have been going round the houses on the matter for a long time. If feedback on the remit and work of the task force is to come to the committee, I would like that to include a clear indication of a legislative approach and a legislative timescale for the issue.

I take on board the minister's comments about the amendment being quite broad, but I need to see more detail on how the Government intends to take on board the task force's conclusions and deliver them in legislation. Otherwise, we could be waiting for years and years for the next piece of

primary legislation to come through in order to make a change that we all want and that is logical.

I will not press amendment 2. I will look carefully at the letter that the minister sends, and I hope to have further discussions with her ahead of stage 3. I will consider options at that point.

Amendment 2, by agreement, withdrawn.