

Mr David Stewart

Your ref:
Our ref: 2013/0030703
December 2013

Mr Stewart

Thank you for your letter of 22nd November to Scottish Ministers in which you seek confirmation of when the Scottish Government plans to publish the consultation on a ban on the use of wild animals in travelling circuses. I have been asked to respond as the Scottish Government team leader for animal welfare.

As you are aware, we are currently considering an offer from Lord de Mauley to extend the scope of planned primary legislation to ban the use of wild animals in travelling circuses on ethical grounds to Scotland. I appreciate your concerns regarding the potential for missing the opportunity of joining in with Defra's Bill; however, you will also be aware that clarification of the legalities of a ban in Scotland and proper consultation remain the first steps before any legislative action can be taken and that there are also processes that would need to be followed to allow Defra to draft legislation on behalf of the Scottish Government.

Although we are still awaiting clarification of the legalities surrounding a ban on wild animals in travelling circuses in Scotland; you will be pleased to note that a consultation on the matter has been drafted. This takes into account the concerns of the EFRA committee regarding Defra's draft Bill and Defra's response; the issue of whether there are any wild animals that it might be appropriate to exempt from such a ban is one of the topics now covered. I anticipate that this consultation will be published later this month or early in the New Year.

If appropriate in light of legal clarification, consultation and developments with the Defra Bill, a joint approach would be more efficient and provide greater consistency across the UK. However, if necessary or desirable the Scottish Government could put in place separate Scottish legislation.

I hope that this information is helpful to you and your constituent.

Dr Beverley Williams
Animal Welfare Team Leader