

Rùnaire a' Chaibineit airson Cùisean Dùthchail agus na h- Arainneachd
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Thank you for your letter dated 8th May 2012, in which you ask for confirmation of when a decision will be taken on whether to accept the offer from the UK Government to extend the scope of the draft Wild Animals in Circuses Bill to Scotland.

As my officials informed the Public Petitions Committee in their letter of 20th December 2012 relating to Petition PE1400, this offer is being seriously considered, but any decision will need to take into account the legal situation in Scotland and the views of the people of Scotland. I am aware that my officials expressed hope in December last year that legal clarification would be obtained in the New Year, and that plans for a consultation would then be put in place.

Legal competence in this area is a complex matter, complicated further by the requirement for any ban to be on ethical rather than welfare grounds, and for those ethical arguments to be able to stand up to potential legal challenge. Unfortunately, clarification of the legal situation in Scotland has not yet been received; however, my officials have drafted a consultation, which will be finalised in light of any advice received.

Once the legalities are clear and the consultation has been undertaken, I will be in a better position to properly consider whether a ban is right for Scotland and my officials will then consider the best mechanism for achieving the desired outcome. While there would be advantages to joining with the England Bill, this is not the only option available for consideration.

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It is not currently possible to put a timeframe on when a decision may be taken, but I can assure you that both I and my officials are keen to resolve this matter.

RICHARD LOCHHEAD