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Speech in the Scottish Parliament

Wildlife Crime

This is a welcome debate, and I am sure that, notwithstanding any debate about amendments, there will be a strong core of consensus among members about wildlife crime, how it is to be tackled and a timetable for action.

Labour welcomes the Tomkins report.

We acknowledge the Government's initiative in commissioning it and call for full implementation of the 24 recommendations.

I echo the Solicitor General in congratulating the fiscals, police officers and others who have built up tremendous expertise in the subject.

In my brief remarks, I will look at some of the bigger pictures and international issues relating to wildlife crime and I will comment on some of the specific recommendations in the Tomkins report.

It was the American President Benjamin Franklin who once said:

"In this world nothing can be said to be certain, except death and taxes."

Looking back in time, we may argue that there is a third: wildlife crime.

I understand that, in the 1600s in Scotland, the beaver was hunted to extinction for its pelts, which were traded all over the world.

Even at that early stage, that had major implications for biodiversity.

The bulk of what was even at that time an internationally organised business was carried out by poachers on large estates.

Jamie McGrigor (Highlands and Islands) (Con): *Could the member tell me in which areas of Scotland beavers lived?*

David Stewart: Argyll and Bute was a very important area.

I understand that that is one area where piloting the reintroduction of the beaver has been considered.

At a naive level, it could be argued that we are a nation of animal lovers, but the harsh reality on the ground is that laws are broken and wildlife is destroyed and exploited for profit.

All over the world, animals are sold illegally to satisfy consumer demand.

For example, trading in ivory has been banned worldwide since 1989, apart from the trade in so-called antique ivory that predates 1947.

However, the International Fund for Animal Welfare estimates that 90 per cent of the internet ivory trade may breach international conventions.

We could argue that wildlife crime has three elements: the illegal trade in endangered species; crimes that involve native species that are endangered or of conservation concern, to which the Nature Conservation (Scotland) Act 2004 applies; and cruelty to and persecution of wildlife species, which includes badger baiting and illegal snaring, poaching and poisoning.

What wildlife crimes have occurred in Scotland?

Members will be well aware of examples in their areas.

For instance, the eggs of protected birds have been stolen on a massive scale.

It is estimated that more than 10,000 badgers in the United Kingdom have been killed through badger baiting, and deer poaching is undertaken by commercial gangs.

I have found two examples in the national press, at which the Solicitor General hinted. In November 2007, a Dalry man was convicted of badger baiting—that was the first such conviction.

He allowed his dog to attack two young badgers in a sett and to maul them to death.

Kilmarnock sheriff court ordered him to serve 175 hours of community service, awarded compensation to the Scottish Society for the Prevention of Cruelty to Animals and banned him from keeping dogs for two years.

In another case, a London man was sent to prison for six months for taking more than 500 bird eggs, many of which were from endangered species such as the red kite and the barn owl.

That was the first imprisonment of an individual under the reinforced legislation.

There are good examples of best practice. Tayside Police has co-ordinated a nationwide operation to tackle egg collectors who are known to the police and the Royal Society for the Protection of Birds.

In March 2002, osprey eggs that had been taken from Scotland were seized by police as part of operation Easter.

As members know, the osprey is particularly vulnerable, as only 140 pairs remain in Scotland.

The previous Administration introduced the 2004 act, to which I have referred.

The act provided a series of protection and enforcement measures to safeguard Scotland's natural heritage.

The key driver was the protection and conservation of biodiversity.

The act introduced the concept of recklessness and created the offence of possessing a pesticide that contains any prescribed ingredient, to reduce incidents of poisoning.

Side by side with that went the new powers for the police to search and arrest in the complementary Criminal Justice (Scotland) Act 2003.

I must mention the National Wildlife Crime Unit in North Berwick, which is doing good work and is working extremely well towards achieving co-ordinated action.

I like the fact that the Tomkins report is well written and well researched and that it is not embarrassed to talk about potentially embarrassing issues.

I will ask the Minister for Environment a couple of questions.

What is the timescale for implementing the report's recommendations?

Will the achievement of recommendations be funded centrally or from the core police budget?

How quickly can each police force appoint a wildlife crime co-ordinator?

Will an early goal be to train all police officers in the general awareness of wildlife crime?

Will the minister follow up my work by contacting the Department for Environment, Food and Rural Affairs on the concerns about restricting the Britain-wide registration of rare birds, which might have a detrimental effect on conservation?

Has the minister taken advice to determine whether Scotland breaches the European Union habitats directive by indiscriminate use of snaring of European protected species such as otters?

Has progress been made on snaring since the minister made his announcement?

Has he ruled out a ban on snaring?

The debate is important.

Scotland's wildlife protection laws are among the best in Europe, but concern is felt about levels of wildlife crime, and the link between organised crime and crimes such as badger baiting is recognised.

The Tomkins report provides a major contribution to the debate and I commend it to Parliament.

I move amendment S3M-1954.1, to insert at end:

"supports in full the recommendations of the Tomkins report, and calls on the Scottish Government to produce an action plan on tackling wildlife crime, including a timetable for the implementation of the report."

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