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Dear Sirs,

This is our submission to the Scottish Government Consultation on Wildlife Crime Investigative Powers for Inspectors in the Scottish Society for the Prevention of Cruelty to Animals. We give the Scottish Government our permission for our submission to be published and circulated as required by the consultation process.

We also note with regret that despite having a history of campaigning for animals in Scotland which can be traced back to 1876 Animal Concern and Animal Concern Advice Line (a member of the Scottish Parliament Cross-Party Group on Animal Welfare) were not included in the distribution list for this consultation.

In brief Animal Concern Advice Line is very reluctantly in favour of granting extra powers to SSPCA Inspectors. However we regret seeing the Government follow the same process as they have done in health and social services by giving responsibilities and tasks which are the duty of official Government agencies to charities.

We also question why it is only the SSPCA which is being considered for these extra powers when other organisations, notably the RSPB, are also involved in the investigation of wildlife crimes.

In the consultation documents it is stated; ***“When incidents are discovered it is often impossible for police officers to attend the scene quickly and delays increase the likelihood of any evidence being destroyed – either deliberately or simply as a result of exposure.”*** Why is this the case? On Saturdays during the 1980s and 1990s, including Saturdays when there were Old Firm matches in Glasgow, Strathclyde Police regularly deployed van loads of personnel and plain clothes officers to prevent hunt saboteurs from legally opposing fox hunts. On occasions they even used the force helicopter to monitor the activities of the “antis”. Now that killing foxes with hounds is illegal the police do not even bother sending PC Murdoch on his bike to see if hunts are observing the law.

Why can the police not respond quickly to deal with wildlife crime? The SSPCA do not have helicopters, hundreds of officers and forensic teams at their disposal. In wildlife crime you are often dealing with people who carry shotguns and rifles as part of their work and/or as tools of their criminality. This could put SSPCA Inspectors at grave risk. It is not SSPCA officers who are now routinely wearing side arms on Scottish streets.

The consultation document also refers to the SSPCA as; ***“an additional, specialist, resource made available at no cost to the public purse”***. Why should charitable donations be used to do the job of the police? When the SSPCA asked for financial help after spending large sums of money assisting local authority and government agencies during the last foot and mouth epidemic the Government refused. The SSPCA recently closed their Shetland centre and a few years ago their centre in Stirling. If they cannot afford to maintain these services how can they be expected to take on more responsibilities which should be paid for out of the public purse?

The SSPCA should be spending their charitable funds rescuing, treating, rehabilitating and releasing casualty wild animals and birds for whom no-one has legal responsibility instead of using donations to do the work of Police Scotland and other agencies.

Here are our answers to the specific questions put in the consultation:

Q1. Do you agree that the law in Scotland should be changed to give the SSPCA the powers as set out in section 4.1? Yes with grave reservations that charity money will increasingly be used to do the job of the police at a time when the SSPCA do not appear to have enough resources to deal with general animal welfare issues and the provision of rescue, treatment and rehabilitation of wild animals from Shetland to Selkirk. We are also concerned that unarmed SSPCA Inspectors will be dealing with suspects of very serious crimes who routinely carry firearms.

Q2. Please set out your reasons for your answer to Q1. Until the Government fully resources Police Scotland to deal with crimes against wildlife and other animals the SSPCA and perhaps the RSPB, need all the powers available to investigate and gather evidence of wildlife crime.

Q3. If you would prefer to see changes to the SSPCA's powers to investigate wildlife crime other than those set out in section 4.1, please describe them. I'd like to see the SSPCA given the power to prosecute the Scottish Government for failing to ensure that Police Scotland are fully resourced and fully committed to investigating wildlife crime and other crimes against animals.

Yours faithfully,

John F. Robins,
Secretary to Animal Concern Advice Line