



First Quinquennial Review of Schedules 1-8 of the Wildlife (Jersey) Law 2021

Report and Recommendations October 2024



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1.0 PART I

Introduction

1.1 Wildlife (Jersey) Law 2021

- 1.1.1 The Wildlife (Jersey) Law 2021¹ (hereafter referred to as the 'WL') is the primary legislation for nature conservation purposes in Jersey. The WL provides a legal framework for the protection of Jersey's wildlife (that is, wild animals, wild birds and wild plants) for the regulation of activities affecting protected species and their habitat and for the control of invasive non-native species.
- 1.1.2 The Land Resource Management (LRM) team within Infrastructure and Environment, Government of Jersey is responsible for administering the WL and for ensuring that this Law meets the conservation requirements of the species in the Island and current environmental best practice, as well as complying with international obligations.
- 1.1.3 The WL confers different levels of protection on wild animals, wild birds and wild plants, as set out in Article 5 and the Schedules to the Law specifying various categories of wildlife and the protections applicable to each (Appendix 1). The Schedules may be amended or varied by Order made by the Minister of the Environment under Article 49 of the Law. The Schedules are as follows:
- **Schedule 1** – protected wild animals
 - **Schedule 2** – protected wild birds
 - **Schedule 3** – protected wild animals (Part 1) and protected wild birds (Part 2) which re-use their dens or nests
 - **Schedule 4** - wild animals whose breeding sites and resting sites are protected at any time (Part 1) and when in use (Part 2)
 - **Schedule 5** - wild birds whose breeding sites and resting sites are protected at any time (Part 1) and when in use (Part 2)
 - **Schedule 6** - wild birds (Part 1) and wild animals (Part 2) which are protected from disturbance
 - **Schedule 7** – wild birds (Part 1) and wild animals (Part 2) which may not be held for longer than 48 hours
 - **Schedule 8** – protected wild plants
 - **Schedule 9** lists prohibited devices, substances, and methods of killing, injuring or taking wild animals
 - **Schedule 10** lists prohibited devices, substances, and methods of killing, injuring or taking wild birds
 - **Schedule 11** lists the prohibited possession of things capable of being used to kill, injure or take wild animals or wild birds
 - **Schedule 12** lists species of wild animals and wild birds which are permitted to be introduced into the wild
 - **Schedule 13** lists certain prohibited invasive non-native "INN species"

¹ [Wildlife \(Jersey\) Law 2021](#)

1.2 Quinquennial Review (QQR) Process

- 1.2.1 The UK reviews its Schedules of protected wild animals, birds and plants every five years, using a set of robust criteria and rationale produced by the Joint Nature Conservation Committee (JNCC) and using data from the International Union for Conservation of Nature (IUCN) Red List of Threatened Species. This process is known as the Quinquennial Review (QQR)².
- 1.2.2 In December 2016 a review of the Schedules of protected species in Jersey was undertaken under the framework of the previous wildlife law (the Conservation of Wildlife (Jersey) Law 2000 (CWL)). This review was carried out in consultation with species focus groups and undertaken using a set of criteria and rationale for listing and selection of species for protection that was derived from the approach carried out in the UK and adapting the IUCN guidelines to a local context. A report was produced and published³ setting out the results of the review and a set of recommendations for changes to the Schedules to the Law and the consultation process.
- 1.2.3 A key outcome of the 2016 review proposed the establishment of a regime for the periodic review of protected species Schedules. Jersey is a signatory, via the UK, to several Multilateral Environmental Agreements (MEAs). These MEAs require the provision of adequate protection to specific species, for example EUROBATS protects all European species of bat and Jersey is committed to ensuring long term, sustainable protection of its natural environment and biodiversity.

Therefore, a periodic review was deemed necessary to ensure that the Island continues to meet these international commitments. This regime has been adopted and is to be known as the Quinquennial Review of Schedules 1-8 of the Wildlife (Jersey) Law 2021 (QQR).

- 1.2.4 This report presents the findings of the 1st QQR under the WL, undertaken by the LRM team, Government of Jersey between August 2023 and October 2024.

1.3 Aims of the 1st QQR under the WL

- 1.3.1 The key aims of this QQR are as follows:

1. To ensure that the levels of protection afforded to species of wild animal, bird and plant in Jersey are an appropriate reflection of their individual/respective current conservation status, locally and internationally.
2. To review each of Schedules 1 to 8 of the WL, to identify any changes needed in respect of the level of protection given to species currently listed.
3. To evaluate proposals for new species to be added to one or more of Schedules 1 to 8 and to consider the need to remove any species from protection under the WL.

² <https://jncc.gov.uk/our-work/qqr/>

³ [Review of schedules and protected species under the Conservation of Wildlife \(Jersey\) Law 2000 \(gov.je\)](#)

4. To produce a report on the 1st QQR process together with a set of recommendations for any identified amendments, additions or removal from Schedules where justified.as well as any recommended changes to the review process or to the criteria/rationale used.
5. To provide a baseline that will be used to guide the future development of strategic policy for biodiversity conservation, species monitoring strategies and to inform local and international reporting requirements.

2.0 PART II

Conduct of the 1st QQR under the WL

2.1 Summary

2.1.1 The 1st QQR was conducted by the LRM team within Infrastructure and Environment, Government of Jersey. The process was carried out following the timetable in Table 1.

Table 1. Timetable for the 1st QQR under the WL

Phase	Dates	Description
Planning and data gathering	August 2023 - January 2024	Review of Jersey's international commitments Review of the recommendations arising from the 2016 review Identify and engage with key stakeholders Develop and publish criteria for listing of species Develop and publish Information Pack and Assessment Form
Stakeholder Consultation	February 2024 - May 2024	Launch 12-week stakeholder consultation Respond to comments
Analysis of submissions	June 2024 – August 2024	2-week consultation on submitted forms Independent review of proposals seeking to increase the level of protection of species Review and analysis of submitted forms and sign off
Report and recommendations (see Section 3.0)	September - October 2024	Publish report and recommendations
Next steps (see Section 4.0)	October 2024 - December 2024	To implement the recommendations arising from the QQR including any amendments to the Schedules of the WL by Order under Article 49.

2.2 Planning and data gathering

2.2.1 The planning and data-gathering phase commenced in August 2023. A fresh analysis of the conservation status of Jersey's protected species was undertaken to understand how the current levels of protection under the WL meet the conservation requirements of the species. This included a desk-based review of the status of Jersey's protected species under

European and international MEAs and corresponding Red Lists in other jurisdictions, to include (but not exclusively):

- Convention on Biological Diversity (CBD)⁴
- Bern Convention⁵
- Bonn Convention (Convention on Migratory Species CMS) and related Protocols and Agreements⁶
- Ramsar Convention⁷
- IUCN Red List Status⁸

- 2.2.2 An analysis of the 2016 Results and Recommendations report was undertaken. This report identified 18 key recommendations⁹ to be implemented to ensure that Schedules for protected species remain consistent in accordance with best practice. The progress update of implementing these recommendations is provided in Section 3.2.
- 2.2.3 Key stakeholders and species focus groups were identified at an early stage, including members of the Société Jersiaise, National Trust for Jersey, ecological consultants and individuals with appropriate experience and specialist knowledge. All stakeholders were invited to participate in initial engagement workshops to discuss the process of the 1st QQR under the WL and the upcoming consultation. These workshops were held between the 15th-19th January 2024.
- 2.2.4 Information on the 1st QQR and the opportunity for members of the general public to contribute was also published on www.gov.je.
- 2.2.5 In consideration of recommendations 11 and 12 arising out of the 2016 review, the rationale and criteria for listing of species was updated to reflect the approach undertaken in the UK, adapting to a local context. This was published as the 'Criteria for listing of species in the Schedules to the Wildlife (Jersey) Law 2021' (January 2024)¹⁰ and is provided in Appendix 2.
- 2.2.6 Additionally, an Information Pack and Assessment Form were produced, as per recommendation 16 of the 2016 review. The Information Pack contained the necessary information to support the 1st QQR under the WL, a step-by-step guidance to stakeholders on how to complete the associated Assessment Form and the criteria required for recommending a species to be added, removed or to change their level of protection under the WL.
- 2.2.7 A three-week advance notice period was used to notify the stakeholders of the upcoming consultation, in which the Information Pack, Assessment Form and Criteria for listing of species was sent to all stakeholders. Stakeholders were contacted by email regularly to raise awareness of the timetable set out in Table 1 and its important dates.

⁴ [Convention on Biological Diversity \(cbd.int\)](http://cbd.int)

⁵ [Convention on the conservation of European wildlife and natural habitats \(Bern Convention\)](http://www.bernconvention.org)

⁶ [CMS | Convention on the Conservation of Migratory Species of Wild Animals](http://www.cms.int)

⁷ [The Convention on Wetlands \(ramsar.org\)](http://www.ramsar.org)

⁸ [IUCN Red List of Threatened Species](http://www.iucn.org)

⁹ [NE-R-Executive Summary for CWL schedules review \(gov.je\)](http://www.gov.je)

¹⁰ [Criteria for listing of species in the Schedules to the Wildlife \(Jersey\) Law 2021.pdf \(gov.je\)](http://www.gov.je)

2.3 Schedules under consideration

- 2.3.1 The schedules subject to review as part of the 1st QQR under the WL were Schedules 1-8 inclusive, as these Schedules serve to define the varying levels of protection afforded to species under the Law.
- 2.3.2 Schedules 9, 10 and 11 of the WL list prohibited devices, substances and methods of capture as they apply to different species or species groups. Opportunity was given in the Assessment Form for comments to be submitted on the content of Schedules 9, 10 and 11.
- 2.3.3 Schedule 13 of the Law lists certain invasive non-native 'INN' species that may be subject to control measures under Part 4 of the Law. This Schedule was not included in this QQR as it has been subject to a separate review and scoring process undertaken as part of a wider horizon scanning project¹¹ of invasive non-native species across the Channel Islands.
- 2.3.4 Further information regarding Schedules 1-8 of the WL and relevant definitions are provided in Appendix 1.

2.4 Stakeholder consultation

- 2.4.1 The stakeholder consultation was held between 23rd February to 17th May 2024. Stakeholders had 12 weeks to consider and submit recommendations for amendments to Schedules 1-8 of the WL, using the relevant Assessment Form and supporting documentation.
- 2.4.2 As part of the consultation, opportunity was given in the Assessment Form to gather the stakeholders' views on the rationale and criteria for listing of species. Any comments received will be used to inform recommendations for possible amendments in relation to the 2nd QQR under the WL.

2.5 Analysis of submissions

- 2.5.1 Following the stakeholder consultation, the LRM team analysed the submitted Assessment Forms and, where necessary, contacted relevant stakeholders to discuss any issues that were unclear or required further evidence and justification.
- 2.5.2 All submissions were assessed using the approved 'Criteria for listing of species in the Schedules to the Wildlife (Jersey) Law 2021' (January 2024) (Appendix 2). As part of the assessment and in order to allow for objective and evidence-based decisions to be made, independent expert advice was sought where appropriate.
- 2.5.3 During the analysis period, the submissions were published on www.gov.je for a two week period, between 12th to 26th July 2024, with an invitation for any person to submit any further comments on such submissions.

¹¹ [Horizon scanning \(gov.gg\)](http://www.gov.gg)

3.0 PART III

Results and recommendations of the 1st QQR under the WL

3.1 Results and recommendations for changes to Schedules 1-8 of the WL

- 3.1.1 A total of 18 species submissions were submitted through the 1st QQR under the WL, including 9 species proposed to be added to Schedules of the WL, and 9 species proposed to increase their existing level of protection.
- 3.1.2 The final recommendations for changes to the Schedules to the WL following the analysis of stakeholder consultation submissions are summarised overleaf in Table 2.
- 3.1.3 Further details regarding each submission and its evaluation under the rationale and eligibility criteria outlined in Appendix 2 can be made available on request from the LRM team.

Table 2. Summary of submissions and decisions in respect of changes to Schedules 1-8 of the WL

Species	Current protection under the WL	Submission	Decision made	Justification	Schedules for protection under the WL
Approved submissions to add new species to the Schedules of the WL					
<i>Heteropterus morpheus</i> Large chequered skipper	None	To provide full protection for the species and its breeding and resting site	Agree to full protection	<p>Resident in Jersey, confined to only 3 distinct breeding populations on the North coast. Area of occupancy is only 3 x 1 km squares, with 55 adults recorded in 2022. Previously believed to be extinct locally before being re-discovered in the early 2000s. Resident in Europe but not on mainland UK.</p> <p>This species is sedentary and faithful to its chosen breeding site. In Jersey it is closely associated with Purple Moor Grass (<i>Molinia</i>) habitat for breeding/food source. Purple Moor Grass is a restricted habitat in Jersey and habitat loss/fragmentation would put the species at risk. Butterfly collection is an additional identified threat. The local rarity of this species and fragility of the known populations makes the species at risk.</p>	Schedules 1 and 4 (Part 2)
<i>Inocybe griseotarda</i>	None	Full protection	Agree to full protection	Only known from a single site on sandy soil in Jersey which is adjacent to a public car park. This single	Schedule 8

				population is at risk of extinction through vehicular trampling. Found in mainland Europe but not recorded elsewhere in the British Isles.	
<i>Mycenastrum corium</i>	None	Full protection	Agree to full protection	Only known from 2 locations in Jersey, reduced from 3 previously known sites. Rare/threatened in Europe and only recorded in one location in UK. Saprobic species, found locally in dune habitat and vulnerable to disturbance through trampling. Recent decline in known locations makes the species at risk.	Schedule 8
<i>Scleroderma meridionale</i>	None	Full protection	Agree to full protection	Only known from a single site in Jersey, on sandy soil. Only one known site for this species in the UK. The known local site is within a built-up area and is at risk of habitat disturbance or habitat loss which would cause local extinction.	Schedule 8
<i>Blackstonia perfoliata</i> Yellow-wort	None	Full protection	Agree to full protection	Currently recorded in only one site in Jersey, previously known from two sites. Total population is estimated at no more than 40-60 plants. Known to a restricted habitat type in Jersey (calcareous grassland, stoney shallow soil), and is vulnerable to impacts of climate change, storms and coastal erosion. The current known locality is within an area of archaeological potential which is subject to	Schedule 8

				archaeological digs/investigations/disturbance.	
<i>Chara globularis</i> Fragile stonewort	None	Full protection	Agree to full protection	Only known from two sites in Jersey, in small populations. <i>Chara globularis</i> is a habitat specialist requiring stable habitats of calcium-rich, hard water (e.g. excavated pits and ponds) and is therefore vulnerable to habitat loss, changes in water quality and inappropriate pond management/drainage. The fragility and small size of local populations makes this species at risk in Jersey.	Schedule 8
<i>Epipactis palustris</i> Marsh helleborine	None	Full protection	Agree to full protection	Currently known from only a single site in Jersey with an estimated population of less than 50 mature individuals. In the early 1950's this species was found over a wider area but not recorded at all after 1960, until the discovery of a small population in 2020. Widespread but declining in Europe and listed as Near Threatened on the Vascular Plant Red List for England. Not currently endangered in Jersey but as a species of orchid could be collected or sold.	Schedule 8

<i>Limonium auriculae-ursifolium</i> Broad-leaved sea-lavender	None	Full protection	Agree to full protection	Known from only a single site with two clumps containing approximately 15 plants. Historically recorded over a wider area. This is the only single site in the entire British Isles, and therefore of national significance. The species is found on damp rocky ledges on marine cliffs and the remaining locality vulnerable to the impacts of severe storms, erosion and wider climate change.	Schedule 8
<i>Stuckenia pectinata</i> Fennel pondweed	None	Full protection	Agree to full protection	Currently known from only two sites in Jersey with small populations in each. Until the 1900's had been recorded in a third site. The species has a wide global distribution but has specific habitat requirements in the form of eutrophic or brackish waters in ponds or streams, which are restricted habitats in Jersey. Not currently endangered but vulnerable to the impacts of habitat loss and inappropriate drainage works.	Schedule 8
Approved submissions to make amendments to existing levels of protection under the WL					
<i>Bubulcus ibis</i> Cattle egret	Currently protected under Schedules 2, 6 (Part 1) and 7 (Part 1)	To raise level of protection to include resting site	Agree to enhanced protection	Listed in Appendix II to Bern, Appendix II to Bonn and Annex II to AEW, all of which require protection of breeding and resting sites. There are currently no breeding populations in Jersey, but overwintering numbers c100 that are	Schedule 5 (Part 1)

				faithful to two specific roost sites. Not currently endangered but listed as Amber on Jersey's Red List. Their roosting sites are vulnerable to potential development and/or human disturbance.	
<i>Tadorna tadorna</i> Common Shelduck	Currently protected under Schedules 2, 6 (Part 1) and 7 (Part 1)	To raise protection to include breeding site	Agree to enhanced protection	Listed in Appendix II to Bern, Appendix II to Bonn and Annex II to AEWA, all of which require protection of breeding and resting sites. In Jersey the species is a rare breeding species plus rare migrant and winter visitor. In 2023 four breeding pairs were located, all in open coastal locations and subject to human disturbance.	Schedule 5 (Part 2)
<i>Glaucium flavum</i> Yellow horned-poppy	Currently protected under Schedule 8 (Articles 22 and 24 only)	To provide full protection under Schedule 8	Agree to full protection	Currently this species is protected only from illegal sale and export (Articles 22 and 24). There has been no change to the local conservation status since the species was afforded protection in 2016, however the identified threats from human disturbance and habitat loss remain present. It is therefore considered appropriate to protect this species from illegal destruction and disturbance under Article 21 of the Law.	Schedule 8
<i>Anacamptis pyramidalis</i>	Currently protected under Schedule 8	To provide full protection under Schedule 8	Agree to full protection	Currently this species is protected only from illegal sale and export (Articles 22 and 24). There has been	Schedule 8

Pyramidal orchid	(Articles 22 and 24 only)			no change to the local conservation status since the species was afforded protection in 2016, however the identified threats from human disturbance and illegal collection remain present. It is therefore considered appropriate to protect this species from illegal collection and disturbance under Article 21 of the Law.	
<i>Fragaria vesca</i> Wild strawberry	Currently protected under Schedule 8 (Articles 22 and 24 only)	To provide full protection under Schedule 8	Agree to full protection	Currently this species is protected only from illegal sale and export (Articles 22 and 24). There has been no change to the local conservation status since the species was afforded protection in 2016, however the identified threats from the impacts of inappropriate habitat management remain present. It is therefore considered appropriate to protect this species from illegal destruction and disturbance under Article 21 of the Law.	Schedule 8
<i>Linaria vulgaris</i> Common toadflax	Currently protected under Schedule 8 (Articles 22 and 24 only)	To provide full protection under Schedule 8	Agree to full protection	Currently this species is protected only from illegal sale and export (Articles 22 and 24). There has been no change to the local conservation status since the species was afforded protection in 2016, however the identified threats from the impacts of inappropriate habitat management remain present. It is therefore	Schedule 8

				considered appropriate to protect this species from illegal destruction and disturbance under Article 21 of the Law.	
Submissions that have not been approved					
<i>Egretta garzetta</i> Little egret	Currently protected under Schedules 2, 5 (Part 1), 6 (Part 1) and 7 (Part 1)	To add to Schedule 3 to protect nest at all times	No change to current protection	The species currently benefits from maximum protection under the Law, as it is listed under Schedule 5, Part 1, thereby protecting its breeding site and resting site at all times. Protection of breeding sites under Article 12 of the Law includes protection of any nest within such breeding site. There would therefore be no additional benefit in adding the species to Schedule 3.	As existing – Schedules 2, 5 (Part 1), 6 (Part 1) and 7 (Part 1)
<i>Crocidura suaveolens</i> Lesser white-toothed shrew	Currently listed on Schedule 1, protected from killing or harm but without protection of their den	To give protection of their den under Schedule 1, and to add to Schedules 3(Part 1), Schedule 4(Part 1) and Schedule 6.	No change to current protection	The criteria needed to support the raise in level of protection for this species were not met through the scoring process. Under Section C – Conservation Status, insufficient evidence is available to show that the species is or is likely to be in a Threatened category, or that raising the level of protection will afford significant benefits to local populations.	As existing – Schedule 1 (Articles 7, 14, 15, 19 and 20)

<p><i>Sorex coronatus</i> Millet's shrew</p>	<p>Currently listed on Schedule 1, protected from killing or harm but without protection of their den</p>	<p>To give protection of their den under Schedule 1, and to add to Schedules 3(Part 1), Schedule 4(Part 1) and Schedule 6.</p>	<p>No change to current protection</p>	<p>The criteria needed to support the raise in level of protection for this species were not met through the scoring process. Under Section C – Conservation Status, insufficient evidence is available to show that the species is or is likely to be in a Threatened category, or that raising the level of protection will afford significant benefits to local populations.</p>	<p>As existing – Schedule 1 (Articles 7, 14, 15, 19 and 20)</p>
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3.2 Implementation of recommendations from the 2016 review

- 3.2.1 Table 3 below provides an update on progress in implementing the 18 key recommendations arising from the 2016 review.
- 3.2.2 A number of these recommendations were incorporated within the new WL which came into force in June 2021, including the need for multiple species to be added or removed from the Schedules of protection, as well as the provision of a hierarchical framework for varying levels of protection.

Table 3. Implementation of the recommendations from the 2016 review

Recommendation		Progress to date
1	Provide year-round protection for nests or nest sites of certain bird species	COMPLETE Schedules 3, 4 & 5 of the WL lists species of wild animal or wild bird whose nest or den is protected even whilst not in use
2	Review the conservation status of unprotected bird species (carrion crows, magpies, wood pigeons and feral pigeons) to consider whether they should be given protected status Introduce general licence regulating capture of unprotected species using prohibited methods such as cage traps	COMPLETE Undertaken as part of the 1 st QQR A wild bird trapping General Licence (GL01) ¹² was introduced in April 2023. This licence requires users to register traps used to capture wild birds
3	To carry out research into conservation status of the Common pheasant in Jersey	COMPLETE A study (MSc) of the conservation status of the Common Pheasant was completed and published November 2016
4	To consider means of preventing release into the wild of species of unknown provenance or of non-native species that have established in the wild To consider the wildlife law's relationship with the Weeds (Jersey) Law 1961 with respect to the regulation of planting in the wild	COMPLETE Article 20 of the WL prohibits the release of any animal or bird without a licence or unless it is listed on Schedule 12 of the WL The WL supports the Weeds Law in that Article 23 prohibits the planting/release of invasive non-native species (INN species) or protected wild plants into the wild. Article 33 prohibits the possession control

¹² [Protected species licences \(gov.je\)](https://www.gov.je/Protected-species-licences)

		<p>or transport of certain INN species that are listed in Schedule 13 to the Law</p> <p>The WL also provides powers to contain and remove INN species</p>
5	To consider means of regulating the sale and release of INN species	<p>COMPLETE</p> <p>The sale and release of INN species are regulated under Parts 3 and 4 of the WL</p>
6	To review prohibited methods of capture and the species to which they apply	<p>COMPLETE</p> <p>Schedules 9, 10 and 11 of the WL provide an updated list of prohibited methods, devices and substances used to capture certain species/groups of species. These meet Jersey's international obligations to prohibit harmful methods of capture under the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention)</p> <p>Comments were invited during the 1st QQR process but no comments were received</p>
7	To consider making provision for invertebrate species to be protected species	<p>COMPLETE</p> <p>In the new WL 'animal' is defined as including an invertebrate animal</p> <p>Schedule 1 of the WL lists the invertebrate species that are currently protected. This Schedule was reviewed as part of the 1st QQR</p>
8	To consider making provision for bryophyte, fungi and lichen species to be protected	<p>COMPLETE</p> <p>In the new WL 'plant' is defined as including any algae, fungi or lichen</p> <p>Schedule 8 of the WL lists the wild plant species that are currently protected. This Schedule was reviewed as part of the 1st QQR</p>
9	To work with Marine Resources, Government of Jersey to consider adding marine species for protection, to ensure compliance with international obligations	<p>COMPLETE</p> <p>A number of marine species of animal, plants and fish have been added to the Schedules of protected species to the WL, and which were subject to the 1st QQR</p>

10	To consider establishing a hierarchical framework with varying levels of protection according to the conservation status of species	COMPLETE The new WL and associated Schedules provides varying levels of protection
11 and 12	To establish a rationale and rigorous set of criteria for the listing of protected species and changes to schedules, based on the results and recommendations from the Review of Schedules and Protected Species of the Conservation of Wildlife (Jersey) Law 2000 report (2016)	COMPLETE A rationale and criteria for listing of protected species has been adopted and published based on the findings and recommendations of the 2016 report. This criteria for listing of species has been used to assess submitted forms as part of the 1 st QQR under the WL. Further comments on the rationale and criteria were invited during the 1 st QQR but no comments were received.
13 and 15	To consider the establishment of Red Lists for Jersey for each taxon group, in consultation with all relevant stakeholders	IN PROGRESS Jersey Red Lists were discussed with stakeholders during the initial engagement workshops held in January 2024 as part of the 1 st QQR under the WL. The LRM team will continue to engage and work with stakeholders with a view to defining a way forward in establishing Red Lists for Jersey
14	To adopt a methodology for reporting on compliance with international commitments for wildlife and nature conservation	IN PROGRESS A comprehensive review of Jersey's reporting requirements under all relevant MEAs is underway
16	To provide an information pack to support the QQR process and to provide guidance for the listing/delisting/amendment of Schedules of protected species	COMPLETE An Information Pack has been produced to support participants as part of the 1 st QQR under the WL to support stakeholders
17	To provide for a five yearly review period of the protected species schedules, whilst allowing for species to be added or removed during this period	COMPLETE Following the recommendations of the 2016 review, a five yearly review (QQR) of the species on the Schedules to the Wildlife Law has been adopted, based on the rationale, criteria and guidelines contained within the Information Pack. This is to be known as the Quinquennial Review of Schedules 1-8 of the Wildlife (Jersey) Law 2021 (QQR)

18	On completion of recommendations 12 and 16, to contact each taxon group to complete an assessment for existing and proposed species for listing as protected under the Law	COMPLETE Completed as part of the 1 st QQR under the WL
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4.0 PART III

Next Steps

4.1 Publication of the QQR process and report and recommendations

4.1.1 Full details of the QQR process and this report will be published on the Government website.

4.2 Revisions to Schedules

4.2.1 Revisions to the Schedules to the WL to reflect the decisions made in Table 2 in this report will be made by Order made by the Minister, under Article 49 of the Law. Once the Order has been made all stakeholders involved in the QQR will be informed and a link to the updated version of the Law will be placed on the Government website.

4.3 Outstanding recommendations from 2016 Results and Recommendations report

4.3.1 The Land Resource Management team will progress Items 13, 14 and 15 of Table 3 in this report, and will continue to explore the development of Red Lists for different taxon groups in close consultation with stakeholders.

The 2nd QQR will be scheduled to take place in 2029, however please note that submissions to amend, remove or change an existing level of protection of a species under the WL are accepted at any time using the published Criteria for listing of species and associated Assessment Form.

Appendix 1: Schedules 1-8 of the Wildlife (Jersey) Law 2021

The main purpose of the WL is to conserve wild animals, wild birds and wild plants in Jersey from activities affecting protected species and their habitat. The use of certain lethal methods of taking or killing all wildlife is also prohibited. The Law confers different levels of protection on wild animals, wild birds and wild plants, as set out in Article 5 and the Schedules to the Law specifying various categories of wildlife and the protections applicable to each.

A brief summary of the Schedules that were subject to review during the 1st QQR process is given below but should not be taken as a true legal interpretation. See also the relevant definitions given overleaf.

Schedule 1 – protected wild animals

Lists the wild animals (including both marine and terrestrial species and invertebrates) that are afforded the base level of protection under the Law. This includes protection from killing, injury or capture, and the removal, damage or disturbance of dens and nests whilst in use. Defined exceptions include where the activity is carried out under a licence, or where the animal is injured or disabled. Some animals in this list are afforded additional protection under Schedules, 3, 4 and 6 (see below).

Schedule 2 – protected wild birds

States that all wild birds (except for four named species) are afforded the base level of protection under the Law (see above). Some wild birds are afforded additional protection under Schedules 3, 5 and 6 (see below).

Schedule 3 – protected wild animals and wild birds which re-use their dens or nests

Lists the protected wild animals (Part 1) and protected wild birds (Part 2) which are afforded additional protection, through the protection of their den or nest all year round, even when not in use (Articles 9 and 10). This is usually because the species is very faithful to the same den or nest for breeding from year to year.

Schedule 4 – protected wild animals whose breeding sites and resting sites are protected

Lists the protected wild animals whose breeding sites and resting sites are protected at all times (Part 1) or whilst in use (Part 2). This extends protection for these listed species to include the wider habitat upon which they may rely for breeding success or during its life cycle; such as places that are regularly used for mating or for hibernation.

Further guidance on what is meant by ‘breeding sites’ and ‘resting sites’ as they apply to different species groups is given in separate published guidance: [Wildlife \(Jersey\) Law 2021 guidance \(gov.je\)](https://www.gov.je)

Schedule 5 – protected wild birds whose breeding sites and resting sites are protected

This Schedule provides the same additional level of protection as described above under Schedule 4, as it applies to protected wild birds.

Schedule 6 – protected wild animals and wild birds which are protected from disturbance

Lists the protected wild birds (Part 1) and protected wild animals (Part 2) which are afforded additional protection from disturbance at all times. Further guidance on what is meant by 'disturbance' as it applies to different species groups is given in the guidance published at [Wildlife \(Jersey\) Law 2021 guidance \(gov.je\)](#)

Schedule 7 – protected wild animals and wild birds which may not be held for longer than 48 hours

Lists the species that may not be held in possession for longer than 48 hours, without a licence issued under the Law to do so.

Schedule 8 – protected wild plants

Lists the wild plants that are protected under the Law. This includes protection from cutting, picking, uprooting and disturbance, without a licence to do so. This list includes vascular plants, bryophytes, lichens, fungi and algae.

Relevant definitions

Wild animal or wild bird is an animal or bird, which is not captive bred and which:

- (a) is of a species naturally occurring in the wild in Jersey; or
- (b) is, or before being killed or taken was, living wild in Jersey, or both.

Note, a wild animal or wild bird is deemed to include in the WL, unless otherwise indicated or required by the context, the eggs, larva, pupa or other immature stage of an animal or bird of that kind. Additionally, an egg includes an egg of any oviparous species.

Wild plant is a plant, which is not a cultivated plant, and which:

- (a) is of a species naturally occurring in the wild in Jersey; or
- (b) is growing, or before the occurrence of any act which constitutes an offence under this Law relating to a wild plant was growing, or has at any time grown, wild in Jersey, or both.

Den includes any roost, lair or burrow or other place used by a wild animal as a place of refuge, protection or shelter.

Breeding site refers to the breeding site of a species of protected wild animal listed in Schedule 4 or of a species of protected wild bird listed in Schedule 5.

Resting site refers to the resting site of a species of protected wild animal listed in Schedule 4 or of a species of protected wild bird listed in Schedule 5.

Disturb means to do any act, or carry out any activity, which in fact does, or might reasonably be foreseen to

- (a) Impair the ability of the wild animal or wild bird in question –
 - (i) to survive, to breed or reproduce, to rear or nurture offspring, or
 - (ii) in the case of a hibernating or migratory species, to hibernate or migrate; or

(b) affect significantly the local distribution or abundance of a species.

Endangered in this instance is interpreted as “threatened” (includes the categories; Critically Endangered, Endangered and Vulnerable) under the IUCN Red List Categories and Criteria (See Appendix 3)

Endemic a species which is only found in a given location or region and nowhere else in the world.

Native to Jersey being indigenous to Jersey / is known from records to originally grow or live in Jersey.

Nomenclature the system or process for prescribing a scientific name to a species.

Schedule in this instance is a list / appendix to the law.

Taxonomy the science of classifying organisms.

Vagrant outside of its normal range.

Appendix 2: Criteria used for the listing of species in the Schedules to the Wildlife (Jersey) Law 2021 during the 1st QQR

Rationale for listing

The rationale for listing a wild animal, bird or plant in the Schedules to the Wildlife Law is that legal protection should be provided where the species is close to extinction in Jersey, or is likely to become so, and where such protection is likely to improve its chances of survival. Protection should also be provided where there is an international obligation to do so. Listing will need to be supported by evidence to show that the species meets the above requirements. An animal, bird or plant species meeting the Eligibility Criteria below will only be recommended for listing in the relevant Schedule to the Law where there is a strong case that such protection will remove the risk of its extinction or risk of it becoming threatened, through the reduction of one or more of the direct human pressures listed in the Decision Criteria below. Protection should then facilitate an increase in population size, number of localities occupied or range.

Eligibility Criteria

Eligibility criteria for native species

For a species to be eligible for listing in a Schedule to the Wildlife Law, one of the Eligibility Criteria in each of sections A, B and C below should be met and supported by evidence.

Section A - Nomenclature

The species must satisfy the following:

1. The taxonomic status of the species must meet recognised international standards of nomenclature (i.e., with an authenticated authority¹³).
2. Taxa below the species level may be considered, provided that they are:
 - i. clearly recognisable (i.e., morphologically distinct); or
 - ii. geographically or ecologically distinct.

Section B – Jersey Status

The species must satisfy one or more of the following:

- i. The species is native in the wild in Jersey i.e., arrived in Jersey without intervention by man, whether intentional or unintentional, having come from an area in from which it is native or a species which has arisen de novo in Jersey (Preston *et al* 2002)¹⁴; or
- ii. The species occurs as a vagrant in Jersey and requires international protection; or
- iii. The species is a native that is believed extinct in Jersey as a breeding species, but is in the process of being reintroduced to the Island; or
- iv. The species is a native that is believed extinct in Jersey, but with the possibility that it could become re-established naturally; or

¹³e.g., [International Commission on Zoological Nomenclature \(iczn.org\)](http://www.iczn.org)

¹⁴ Preston, C.D., Pearman, D.A. & Dines, T.D. (2002). *New Atlas of the British and Irish Flora*. Oxford University Press, Oxford.

- v. The species is native to Jersey and listed on Appendices I, II or III of the Bern Convention¹⁵; Appendices I and II of the Bonn Convention¹⁶ (unless specific derogations apply); or
- vi. The species is threatened internationally, but Jersey provides or could provide a refuge for a wild population.

Section C – Conservation Status

The species must satisfy one or more of the following:

- i. The species is considered Threatened¹⁷ in Jersey; or
- ii. The species is likely to become Threatened, unless conservation measures are taken; or
- iii. There is an international obligation to afford the species legal protection (if not protected elsewhere e.g., International or European designation); or
- iv. The species or sub species is widely recognised and accepted by the scientific community (or other relevant community) as being endemic to Jersey; or
- v. Where a protected species is easily confused with another species or sub species.

NOTES REGARDING ‘THREATENED’: the term Threatened is interpreted according to the IUCN Red List Categories and Criteria to encompass the categories of Vulnerable, Endangered and Critically Endangered (IUCN 2012).

A species is considered to be or to be likely to be within a Threatened Category when:

- It is included in an approved Jersey Red List, using the IUCN criteria, as Critically Endangered, Endangered or Vulnerable; or
- Records indicate that the species is known locally from only a single locality or from a severely fragmented range.

For species yet to be assessed for Red Listing or where an approved Jersey Red List for the species group concerned has not yet been published, the species may be added if it can be shown to meet IUCN criteria for a Threatened category. For example, if a species is rapidly declining in population, with a reduction in number of localities occupied or range according to the IUCN criteria. The decline must transcend normal fluctuations.

To be recommended for listing, the classification of a species within a Threatened category must, at least in part, be due to one or more of the direct human pressures listed in the Decision Criteria.

Eligibility criteria for non-native species

- i. Generally, only native (including reintroduced native) taxa are to be considered (see Eligibility Criteria for native species above). In exceptional circumstances, non-native species which have been introduced or thought to have been introduced to Jersey by man could be considered if the

¹⁵ [Convention on the Conservation of European Wildlife and Natural Habitats \(Bern Convention\)](#)

¹⁶ [CMS | Convention on the Conservation of Migratory Species of Wild Animals \(Bonn Convention\)](#)

¹⁷ [IUCN Red List of Threatened Species](#)

species is endangered or extinct in its native range and if current information suggests that the species is unlikely to have an adverse impact on native species or ecosystems.

If a non-native species meets criterion (i) above, preference will be given to those non-native species whose native range reaches the north-west coast of Europe (i.e., continental distribution extends to the Atlantic coast of France, Belgium, the Netherlands, Germany or Scandinavia and the northern Mediterranean Countries) and for marine taxa, the distribution includes the north-west Atlantic area.

There are different types of non-native plants:

- Non-native species brought into Jersey by man, intentionally or unintentionally, even if native to the source area or which have come into Jersey without man's intervention, but from an area in which it is present as a non-native (Preston *et al* 2002)
- Neophytes: (naturalised after AD 1500). Where there is clear evidence that a species is a neophyte it will be excluded from listing except where new evidence shows these neophytes to be considered native (Cheffings and Farrell 2005)¹⁸
- Archaeophytes: (naturalised before AD 1500) can be included in the selection process (Cheffings and Farrell 2005)
- "Native or Alien": evidence for and against native status is too finely balanced to decide the status. These species will be eligible for the selection process under the precautionary principle unless new evidence is available to decide the status one way or the other (Cheffings and Farrell 2005)

Decision Criteria

An animal, bird or plant species meeting the Eligibility Criteria will be recommended for listing in the relevant Schedule to the Wildlife Law where there is a strong case that scheduling will afford significant benefits to it through a decrease in any of the direct human pressures listed below:

- i. deliberate or reckless killing or injuring, picking or uprooting or reckless disturbance of the species; or
- ii. 'Collection' including possession, dead or alive, in full or part thereof; or
- iii. Deliberate or reckless damage to the habitat, disturbance or obstruction to any structure or place of shelter and protection which is regarded as essential for the survival of the species (such as nests, burrows, holes, scrapes, or similar resting sites; sites used to raise young (and eggs)); or
- iv. A currently or potentially damaging trade, or other forms of exploitation or pressure;
- v. Incidental pressure from land use or other activity affecting the population or its habitat.

Removing species and changing the protection status

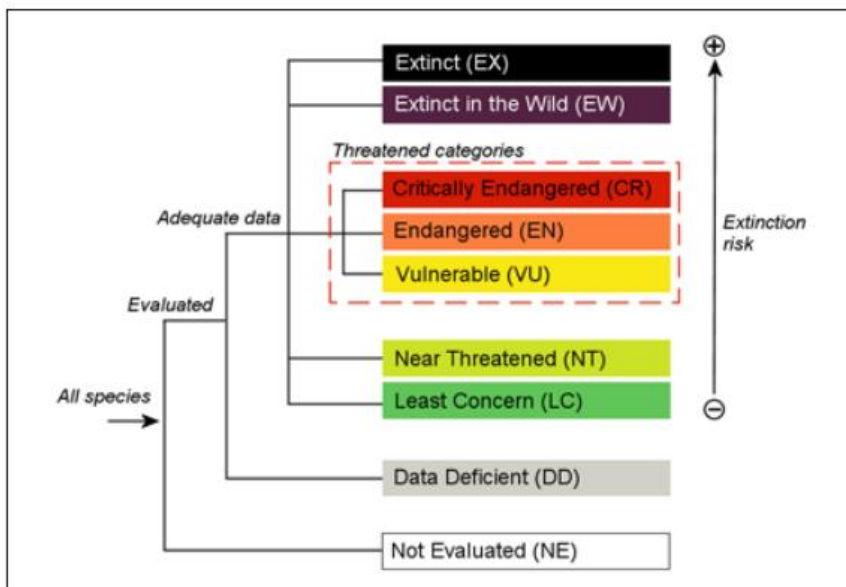
Where a species that is already listed in a Schedule to the Wildlife Law is no longer considered to meet the Eligibility or Decision Criteria for listing, then it may be reassessed for the purposes of

¹⁸ Cheffings, C. and Farrell, L. (2005) (Editors). The Vascular Plant Red Data List for Great Britain. Species Status 7: 1-116. JNCC, Peterborough.

removing from the Schedule concerned. Similarly, the level of protection may be varied if the protection currently afforded to a species is no longer appropriate. In each case evidence must be provided to support any recommendations for change.

Appendix 3: IUCN Red List Categories and Criteria

IUCN Red List Categories and Criteria (v. 3.1) [IUCN Red List categories and criteria, version 3.1, second edition](#). The term 'Threatened' is interpreted according to the IUCN Red List Categories and Criteria to encompass the categories of Vulnerable, Endangered and Critically Endangered (IUCN 2012).



Extinct (EX)

A taxon is extinct when there is no reasonable doubt that the last individual has died. A taxon is presumed Extinct when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon's life cycles and life form.

Extinct in the Wild (EW)

A taxon is Extinct in the Wild when it is known only to survive in cultivations, in captivity or as a naturalised population (or populations) well outside the past range. A taxon is presumed Extinct in the Wild when exhaustive surveys in known and/or expected habitat, at appropriate times (diurnal, seasonal, annual), throughout its historic range have failed to record an individual. Surveys should be over a time frame appropriate to the taxon's life cycles and life form.

Critically Endangered (CR)

A taxon is Critically Endangered when the best available evidence indicates that it meets any of the criteria A to E for Critically Endangered and it is therefore considered to be facing an extremely high risk of extinction in the wild.

Endangered (EN)

A taxon is Endangered when the best available evidence indicates that it meets any of the criteria A to E for Endangered, and it is therefore considered to be facing a very high risk of extinction in the wild.

Vulnerable (VU)

A taxon is Vulnerable when the best available evidence indicates that it meets any of the criteria A to E for Vulnerable, and it is therefore considered to be facing a high risk of extinction in the wild.

Near Threatened (NT)

A taxon is Near Threatened when it has been evaluated against the criteria but does not qualify for Critically Endangered, Endangered, or Vulnerable now, but is close to qualifying for or is likely to qualify for a threatened category in the near future.

Least Concern (LC)

A taxon Least Concern is when it has been evaluated against the criteria but does not qualify for Critically Endangered, Endangered, Vulnerable or Near Threatened. Widespread and abundant taxa are included in this category.

Data Deficient (DD)

A taxon is Data Deficient when there is inadequate information to make a direct or indirect assessment of its risk of extinction based on its distribution and/or population status. A taxon in this category may be well studied, and its biology well known, but

appropriate data on abundance and/or distribution are lacking. Data Deficient is therefore not a category of threat. Listing of taxa in this category indicates that more information is required and acknowledges the possibility that future research will show that threatened classification is appropriate. It is important to make positive use of whatever data are available. In many cases great care should be exercised in choosing between Data Deficient and a threatened status. If the range of a taxon is suspected to be relatively circumscribed, or if a considerable period of time has elapsed since the last record of the taxon, threatened status may well be justified.

Not Evaluated (NE)

A taxon is Not Evaluated when it has not yet been evaluated against the criteria.