

PART I

Review of Schedules and protected species under the Conservation of Wildlife (Jersey) Law 2000

Report Authors

**Nina Cornish
Denise McGowan**

**Department of the Environment
Howard Davis Farm
Trinity**

CONTENTS		Page no.
	Introduction	3
	Project Aims	5
TASK 1	Review and describe Jersey species that are protected under current European and international MEA commitments	6
1.1)	CWL species conservation status and designations	6
1.2)	UK JNCC's conservation designation for UK taxa	7
TASK 2	Consider and compare legal Schedules and biodiversity policies of protected species elsewhere, including the EU, UK and other crown dependencies	8
2.1)	Review of other jurisdictions biodiversity and legislative policy frameworks	8
2.2)	EU influence and Directives	8
TASK 3	Selection criteria for listing species under legal Schedules	10
3.1)	Review selection criteria for listing onto schedules	10
3.2)	Process of list species on Schedules 5 and 8 for Great Britain	10
3.3)	General rationale for the Government's (DEFRA) decisions	11
3.4)	Review selection criteria for listing species under biodiversity policy framework	12
TASK 4	Implement and manage consultation process with all appropriate stakeholders	13
4.1)	Taxon focus groups	13
4.2)	Focus group purpose statement	14
4.3)	Focus group meetings format	14
4.4)	Focus group Supporting documents	15
4.5)	Focus group participants	15
4.6)	Focus group facilitators & assistants	16
4.7)	Focus group summary	16
APPENDICES		17
1	Jersey protected species designations	18
2	Joint Nature Conservation Committee (JNCC) Conservation Designation Spreadsheet	19
3	Biodiversity Legislation review	20
4	Biodiversity Policy review	26
5	Selection criteria for adding and removing species onto legislation	30
6	Selection criteria for listing species onto biodiversity policy	36
7	Focus Group evaluation from	40
8	CWL Addition/Amendment Form	41

Introduction

The Conservation of Wildlife (Jersey) Law 2000 (CWL) was implemented in 2000, since which time, environmental legislation has developed in several countries. In order to meet current environmental best practice, (including implementing parts of recent European Union Directives) and to ensure that we meet our international obligations under Multi-lateral Environmental Agreements (MEAs), a review of our law is needed so Jersey can amend wildlife legislation in order to provide the mechanism and powers to protect, maintain and enhance biodiversity in Jersey.

As a member of the EU, the UK is required to provide specific protection for certain species that are listed on a European scale (e.g. Habitats Directive, Birds Directive, etc.). Although Jersey is not legally required to follow suit, it is nevertheless appropriate to consider the approach taken regarding European Protected Species and to follow best practice where appropriate, as we are ecologically, if not politically, linked to the European ecosystems.

The UK is a signatory to multilateral environmental agreements several of which have been extended to Jersey, including the Convention on Biological Diversity (CBD) (1994). Some of these international commitments require the provision of adequate protection to specific species, for example EUROBATs protects all European species of bat. Jersey is committed to ensuring long term, sustainable protection of its natural environment and biodiversity, therefore periodic review is needed to ensure that the island is meeting these international commitments.

The CWL delivers protection from harm to certain animals, birds and plants which are listed in the Schedules of the law. The principle legislation is fixed and can only be amended by reference to the UK and sanctioned by the Queen. The Schedules to the CWL serve to list the wild animals, birds and plants that qualify for protection under Parts 2 and 3 of the Law. The Schedules may be amended or varied by Order made by the Minister under Article 23 of the Law -

The Schedules are as follows:

- **Schedule 1** lists protected wild animals and protected wild birds
- **Schedule 2** lists specially protected wild birds
- **Schedule 3** lists animals which may not be killed or taken by certain methods
- **Schedule 4** lists reptiles and amphibians which may not be exported
- **Schedule of protected wild plants** established by Order in 2009

In 2000 species protected under the CWL were chosen for their general rarity and significance in the local context, loosely based on a set of criteria used by the UK for selecting species onto Schedules to the Wildlife and Countryside Act 1981. The Schedules of the CWL have been amended slightly over the past 14 years but there has never been a set of robust criteria to justify the inclusion of species on each of these Schedules. Therefore this review deals with the Schedules to the Law only, enabling us to make any changes which are recommended in order to remain compliant with environmental best practice.

This project is part of a much wider project reviewing the whole of the Conservation of Wildlife (Jersey) Law 2000 (CWL). Since 2000 a number of issues have arisen in connection with the Schedules which include the following:

a) A range of policy based measures to protect the species in Jersey exist, including the Biodiversity Strategy for Jersey 2000 and its associated Biodiversity Action Plans (BAPs) for specific species. The species listed in the Biodiversity Strategy 2000 have not been reviewed since their adoption. More BAPs were adopted in 2006, 2008 and 2011 recommending inclusion on the CWL. It has become apparent that species listed on these plans have not been reviewed since 2000.

b) Recent developments in policy include The Jersey Island Plan 2011 and the Rural Economic Strategy which have offered greater potential for other non-statutory protection (protection via policy) of the island's biodiversity.

c) Climate Change and the arrival of non-native species is driving change in our ecosystems, both marine and terrestrial. Human population is growing and their effects are putting greater pressure on the natural environment and make the protection of the island's remaining hotspots of biological diversity more critical to conserve. Identification of pressures, solutions and controls in the best feasible way for the protection of local species is required.

d) Currently, all wild animals included on Schedule 1 are afforded the same level of protection under the Law. This does not reflect differences in local status (distribution and rarity) of each species listed. This is difficult to implement and enforce in practice, for example where a development proposal is likely to impact upon a protected but widespread species, such as the hedgehog, the same level of mitigation is strictly required for that of a grass snake, the rarest reptile in Jersey.

e) The Department has identified a need to consider expanding the current Schedules to include other forms of protection, along the lines of the Wildlife and Countryside Act in the UK. For example, a Schedule for birds which reuse their nests and nest sites.

f) In addition, no fungi, invertebrates or lower plants are currently listed as protected under the Law.

We plan to address the above issues within this review.

Project Aims

1. To carry out an evaluation of current protected species listed under the Schedules to the CWL. Determine their international, national and local designation and status.
2. Ensure that current Schedules are up-to-date, workable and make relevant recommendations for amendments, additions and structure for levels of protection.
3. To provide a rationale and a robust set of criteria used to support the inclusion of species on the Schedules to the CWL, as well as justification for inclusion of those currently listed, based on best practice elsewhere.
4. To establish a regime for the long term monitoring and periodic review of Schedules of protected species under the CWL. To be integrated into Jersey's Biodiversity Monitoring Framework.

To achieve these aims the project has been split into the following tasks:

- 1) Review and describe Jersey species that are protected under current European and international MEA commitments.**
- 2) Consider and compare legal Schedules and biodiversity policies of protected species elsewhere, including the EU, UK and other Crown Dependencies.**
- 3) Review other jurisdictions' legislation to ensure species selection criteria for listing species on the CWL Schedules are in line with international standards but also meet Jersey's local requirements in regard to the Biodiversity Strategy and other relevant policy.**
- 4) To Implement and manage a consultation process with all appropriate stakeholders to encompass and review tasks 1, 2 and 3. Carry out a consultation through small focus groups to include members of the Jersey Biodiversity Partnership, Société Jersiaise, Durrell, National Trust for Jersey and private individuals with appropriate experience and knowledge.**
- 5) Provide results and recommendations from previous tasks 2, 3 and 4.**

TASK 1

1) Review and describe Jersey species that are protected under current European and international MEA commitments (species designations), to include (but not exclusively):

- CBD
- Bern Convention
- Bonn Convention and related protocols and agreements
- Ramsar Convention
- IUCN
- Red Data Books

Provide a list of locally protected species that are also listed under the above European and international policies (e.g. European protected species should be included as examples of best practice).

1.1) A spreadsheet has been produced containing all of Jersey protected species. Each species has some form of conservation status or designation under the following lists:

- Lists associated with international conventions and European Directives.
- Lists based on local, French and UK legislation.
- List associated with status e.g. red lists, biodiversity action plan priority lists together with lists of rare and scarce species.

This means an individual species has been assigned some form of rarity, threatened or legal status either based on legislation or policies related to the species protection.

The spreadsheet provides a snapshot* into the conservation designation of each species by providing insight into its global and local importance (see appendix 1). A full explanation of the lists and their conservation designations are found in the spreadsheet. The spreadsheet contains several worksheets for each taxon group.

CWL species conservation status and designations.xls (See associated spreadsheet on the States of Jersey website)

***We do not claim that these lists are up-to-date. Updates will need to be carried out annually and more content will be added in future updates.**

1.2) To determine Jersey's protected species designations the Joint Nature Conservation Committee (JNCC) Conservation Designation Spreadsheet was used.

The JNCC has attempted to collate many of the current lists e.g. Red Lists, Biodiversity Action Plan Priority Lists, species listed on European Directives, species listed on the Schedules of the Wildlife & Countryside Act, together with lists of rare and scarce species into one place and made this available to users as a downloadable spreadsheet. The 'species designations' collation has been built largely from the same components used for the Species of Conservation Concern listing produced as a part of the UK Biodiversity Action Plan (UK BAP) process in 1999–2000. It has however also been substantially updated to incorporate:

- Newly published status lists
- accepted revisions to a status list
- changes to legislative lists and annexes.

Their spreadsheet contains over 8,000 species that have been assigned some form of rarity, threat or legal status in Great Britain or the UK. We have utilised their list to determine the status and designation of species protected in Jersey providing us with the CWL species conservation status and designations.

An example of how this spreadsheet can be used is demonstrated in appendix 2. When a species is proposed to be protected under local law this spreadsheet can be used to provide a summary of that species UK and international designations.

More information on the JNCC's conservation designation for UK taxa can be found here <http://jncc.defra.gov.uk/page-3408>.

TASK 2

2.) Consider and compare legal Schedules and biodiversity policies for protected species elsewhere, including the EU, UK and other Crown Dependencies. *Note: the jurisdictions below include the Republic of Ireland.*

2.1) Protection of certain species of wild plants, birds and animals in the EU and the British Isles is carried out through implementing numerous biodiversity policies and pieces of legislation.

Legislation is adopted to conserve biodiversity or mitigate threats to it, and is largely driven by an International or European agenda to comply with biological conventions, directives and regulations. Biodiversity conservation policies, either international or local are often plans or strategies delivered by a range of bodies, from the statutory, voluntary, academic and business sectors, which work together to conserve biodiversity and can provide the core information needed to inform what should be legally protected.

We have undertaken a review of the following jurisdictions' current biodiversity legislative and policy frameworks to make comparison with Jersey's current frame work.

- England*
- Scotland*
- Wales*
- Northern Ireland*
- Ireland*
- Isle of Man

****members of the EU***

This involves providing an audit of what each jurisdiction has in place, where to find it and what it includes (see appendix 3 - Biodiversity Legislation review and appendix 4 – Biodiversity Policy review).

2.2) The EU plays a crucial role in influencing the British Isles' nature and biodiversity legislation and policy. It has specific targets for biodiversity conservation with legislative protection for key habitats and species. Approximately 80% of all UK environmental legislation is derived from EU law with more than 200 legal acts currently in force. Acts relate to a wide range of issues, including biodiversity, farming and forestry, fisheries, air pollution, waste and climate change. As a Member State, the UK Government provides evidence and expertise to develop policies and is responsible (together with the other Member States' Governments) for agreeing and implementing EU legislation.

The EU and global biodiversity targets are partly delivered through a range of legislative measures, which place obligations on Member States to protect biodiversity and the natural environment. The EU and Member States have shared legal competence - shared responsibility – in forming and implementing legislation for the environment.

In relation to wildlife and nature conservation, two key Directives have been adopted by the European Union and provide for the protection of animal and plant species of European importance and the habitats which support them;

- Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (**Habitats Directive**).

The main aim of the Habitats Directive is to promote the maintenance of biodiversity by requiring Member States to take measures to maintain or restore natural habitats and wild species listed on the Annexes to the Directive at a favorable conservation status. All in all the directive protects over 1,000 animals and plant species and over 200 so called "habitat types" (e.g. special types of forests, meadows, wetlands, etc.), which are of European importance.

For more information see

<http://ec.europa.eu/environment/nature/legislation/habitatsdirective/>

<http://jncc.defra.gov.uk/page-1374>

- Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (**Birds Directive**)

Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (this is the codified version of Directive 79/409/EEC as amended) is the EU's oldest piece of nature legislation and one of the most important, creating a comprehensive scheme of protection for all wild bird species naturally occurring in the Union. The directive recognises that habitat loss and degradation are the most serious threats to the conservation of wild birds. It therefore places great emphasis on the protection of habitats for endangered as well as migratory species (listed in Annex I), especially through the establishment of a coherent network of Special Protection Areas (SPAs) comprising all the most suitable territories for these species. The Annexes to the Birds Directive have been adapted on a number of occasions in response to scientific and technical progress and to the successive enlargements of the European Union.
http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

For more information see <http://jncc.defra.gov.uk/page-1373>

TASK 3

3) Ensuring selection criteria for listing species under legal Schedules are in line with international standards and also meeting Jersey's local requirements in regard to the Biodiversity Strategy and other relevant policy.

3.1) This part examines the selection criteria for protected species listed under legislation in the selected jurisdictions.

A thorough review was carried out looking at individual jurisdictions criteria for selecting species on to their wildlife legislation. Appendix 5 summarises selection criteria for adding and removing species onto each jurisdiction's legislation.

3.2) Process of listing species on Schedules 5 and 8 of the Wildlife and Countryside Act 1981 (WACA) for Great Britain. Every five years, the statutory nature conservation agencies (Natural England, Countryside Council for Wales and Scottish Natural Heritage), working jointly through the Joint Nature Conservation Committee (JNCC), are required to review Schedules 5 and 8 of the Wildlife and Countryside Act 1981, and to make recommendations to the Secretary of State for the Environment, Food and Rural Affairs and to Ministers for the Environment in the Scottish Government and Welsh Assembly Government for changes to these Schedules (Schedule 5 lists animals (other than birds) which are specially protected, and Schedule 8 lists plants which are specially protected).

Under Section 22 (<http://www.legislation.gov.uk/ukpga/1981/69/section/22>) of the 1981 Act, the Secretary of State for the Environment (or Ministers for the Environment in Scotland and Wales) may, by order, add any animal (other than a bird) to Schedule 5 or any plant to Schedule 8 when one or both of the following circumstances apply:

- in his opinion, the animal or plant is in danger of extinction in Great Britain or likely to become so endangered unless conservation measures are taken;
- for the purpose of complying with an international obligation.

Conversely, the Secretary of State (or Ministers) may remove any animal from Schedule 5 or any plant from Schedule 8, if, in his opinion, it is no longer endangered or likely to become so.

The protection afforded by the Act to animals and plants listed on Schedules 5 and 8 extends throughout Great Britain unless otherwise specified, and to adjacent territorial waters, which currently extend 12 miles out to sea. The Secretary of State may apply all or only some of the relevant provisions of the Act to animals and plants listed on the Schedules and may limit the protection afforded to certain times of the year or to particular areas of Great Britain.

Section 24 (<http://www.legislation.gov.uk/ukpga/1981/69/section/24>) of the Wildlife and Countryside Act (WACA) 1981 requires Great Britain's statutory

nature conservation agencies (Natural England, Natural Resources Wales and Scottish Natural Heritage), working jointly through the Joint Nature Conservation Committee (JNCC), to review Schedules 5 and 8 every five years and to recommend any changes to the Secretary of State for the Environment. A process called the Quinquennial Review (QQR).

The sixth QQR was submitted to Defra, the Welsh Government and the Scottish Government in April 2014. Once these governments have considered the review, they will respond formally and publish amendments to the Wildlife and Countryside Act (1981).

During each quinquennial review the stakeholders, including government agencies, fishing and water industries and conservation charities, are consulted which is coordinated by the JNCC. Each stakeholder is sent an information pack containing the following;

1. Introduction
2. How it will work
3. Criteria for selection of species
4. Performa
5. Contact details

http://jncc.defra.gov.uk/pdf/QQR6_informationpack_2012.pdf

The JNCC then submits a report with recommendations for listing or delisting specific species <http://jncc.defra.gov.uk/PDF/5qr.pdf> to the Department of Environment Food and Rural Affairs (Defra) and the Welsh Government (WG) Defra then prepare a public summary of responses to the consultation on the quinquennial review http://jncc.defra.gov.uk/pdf/QQR5_wildlife-countryside-act-gov-response110805.pdf. The Scottish government consults its consultees separately.

3.3) General rationale for the Governments' (DEFRA) decisions

At the end of the summary of responses for each individual species submitted by JNCC before Defra can reach a decision a number of overarching considerations are applied to the recommendations from the JNCC. These are as follows:

1. Marine species – fisheries industries in European Union waters are managed under the Common Fisheries Policy (CFP), meaning decisions relating to the management of fish stocks are generally taken at an EU level. Only where a) protection under the Wildlife and Countryside Act 1981 offers additional safeguards that cannot be provided by the CFP and b) International Council for the Exploration of the Sea (ICES) advice is that a species requires long term protection by being added to the prohibited species list under the CFP, will a species be listed on schedule 5 of the WACA.

2. Effective use of legislation – in all cases of adding and removing species consideration has been given as to whether: a) legislation is the best approach; and b) whether the WACA is the most effective means of legislating. In some cases problems are localised and in the case of some

marine species existing by-laws may offer the most effective protection. In other cases, other legislative regimes may offer more appropriate conservation measures.

3. Evidence versus precautionary principle – where species face a particular threat, decisions to provide legislative protection sometimes need to be taken on a precautionary basis – i.e. without all evidence of the status of the species being available. But where research is planned or is underway and its findings will help in determining the most appropriate form of protection it may be appropriate to await these findings.

4. Commercial impacts – in all cases where there is a potential impact on commercial interests thorough consideration has been given as to whether the impacts on business are justified by the need for species protection.

3.4) This part provides the selection criteria for species listed under selected jurisdictions' biodiversity policy framework.

International- The IUCN Red List - The IUCN Red List categories and criteria are intended to be an easily and widely understood system for classifying species at high risk of global extinction. The general aim of the system is to provide an explicit, objective framework for the classification of the broadest range of species according to their extinction risk. However, while the Red List may focus attention on those taxa at the highest risk, it is not the sole means of setting priorities for conservation measures for their protection.

For more detailed and specific criteria for listing species internationally, take a look at the following;

<http://www.iucnredlist.org/technical-documents/categories-and-criteria/2001-categories-criteria>

TASK 4

4) Implement and manage a consultation process with all appropriate stakeholders to encompass and review tasks 1, 2 and 3. Hold consultation through small focus groups, including members of the Jersey Biodiversity Partnership, Société Jersiaise, Durrell, National Trust for Jersey and private individuals with appropriate experience and knowledge.

4.1) Taxon focus groups

During October and November 2013 seven focus groups were undertaken to establish local opinion amongst groups and individuals with specialist knowledge on wild species in Jersey.

It was decided that focus groups should be held on separate taxon groups to provide clarity and unity when discussing issues associated with their protection. These were as follows;

- Birds
- Herpetology
- Higher Plants
- Invertebrates
- Mammals
- Lower Plants
- Marine Species

Individuals were invited to attend focus groups based on the above taxon groups. Each group was presented with a series of documents and questions prior to the meeting in order to prepare if they so wished.

The questions which were presented to each group and discussed at each meeting were:

- a) Schedules - Are the current Schedules enough? How could the Schedules be structured to create different levels of protection for listed species?
- b) Schedules - Are we protecting the species effectively? What further Schedules do you suggest should be included in the law to enhance the protection of biodiversity in Jersey?
- c) Criteria - Are our reasons for protecting species clear? Discuss and consider a foundation for a robust set of criteria and the justification to support the inclusion of species on the Schedules to the CWL.
- d) Review – How often should we review species listed on the Schedules and their associated criteria?
- e) Additions and Amendments - Are there any species additions based on the above criteria that you suggest should be added to the law?
- f) Are there any species that should be removed based on the above criteria?
- g) Are there any amendments to species listed under the law that need to be changed/made?

4.2 The purpose statement of the focus groups

The States of Jersey has legal responsibilities for regulating activities that may harm the natural environment, particularly towards species that are protected under international conventions. As a signatory to multilateral environmental agreements (MEAs) Jersey is committed to ensuring long term sustainable protection of its natural environment and biodiversity. Some of these international commitments include providing adequate protection to specific species, for example the Bonn Convention, where contracting parties work together conserving migratory species and their habitats. Although Jersey is not legally required to follow the European Union (EU) Directives, it is nevertheless appropriate to consider the approach taken by the UK to provide specific protection for certain species that are listed on a European scale and to follow best practice where appropriate.

The principal legislation for protecting species in Jersey is the 'Conservation of Wildlife (Jersey) Law 2000' (CWL) which relates to the conservation of wild animals, wild birds and wild plants in Jersey. The Law has not been reviewed since coming into force in 2000 and it is considered that a review is now needed so that Jersey can amend our conservation of wildlife legislation, ensuring we are up to date with current species protection mechanisms and compliant with our international obligations under Multi-lateral Environmental Agreements and are meeting best practice guidelines.

The following Schedules under CWL serve to list the wild animals, birds and plants that qualify for protection under Parts 2 and 3 of the Law. The Schedules may be amended or varied by Order made by the Minister under Article 23 of the Law.

- Schedule 1 lists protected wild animals and protected wild birds
- Schedule 2 lists specially protected wild birds
- Schedule 3 lists animals which may not be killed or taken by certain methods
- Schedule 4 lists reptiles and amphibians which may not be exported
- Schedule of protected wild plants established by Order in 2009

4.3) Format of the meeting

19:00	Presentation
19:15	Introductions Current species international, national and local designations
19:30	Discussion Topics 1 - Are our reasons for protecting species clear? 2 - Are the current Schedules broad enough? 3 - Are we protecting the species effectively? 4 - How often should we review species listed on the Schedules? 5 - Suggestions for an additions or amendments
21:00	Summary & Close

4.4) Supporting Documents Provided

- 1. Taxon specific species status and designation list
- 2. Example of UK criteria for listing species on Schedules
- 3. Example of UK legislation and associated Schedules
- 4. CWL Addition/Amendment Form (appendix 7)
- 5. Focus Group evaluation Form (appendix 8)

4.5) Focus group participants

Marine Focus Group 8.10.2013

Participants

Paul Chambers	Andy Farmer	Courtney Farmer
Kevin McIlwee	Jez Payne	Hugh Forshaw (arrived 7.30)
Bob Tompkins	Francis Binney	Gareth Jeffreys

Amphibian and Reptile Focus Group 9.10.2013

Participants

Nina Cornish	Tim Liddiard	Jon Wilkinson (Skype)
Hugh Forshaw	Paul Wagstaffe	Richard Griffiths (Skype)
Matt Goetz	Jon Horn	Rob Ward (phd grass snake) (Skype)

Plants (higher) Focus Group 15.10.2013

Participants

Sally Dalman	Tina Hull	John Pinel	Tim Liddiard	Henry Glynn
Marc Woodhall	Julia Meldrum	Tim Wright	Caroline Orpin	Richard Perchard
Anne Haden	Lyn Jones	Ally Caldeira	Sheila Mallet	

Mammals Focus Group 16.10.2013

Participants

Sally Dalman	David Tipping	John Pinel	Dr Amy Hall	Denise McGowan
Henry Glynn	Miranda Collet	John Gurnell	Hugh Forshaw	Dr Louise Magris

Bird Focus Group Minutes 24.10.2013

Participants

Glyn Young	Elizabeth Corry	Mick Dryden	John Banks
Roger Long	Richard Perchard	Cristina Sellares	Neil Singleton
Tony Paintin	Roger Noel	Dave Buxton	Alan Gicquel
Caroline Orpin			

Invertebrate Focus Group 30.10.2013**Participants**

Roger Long	Richard Perchard	Piers Sangan
Tim Ransom	John Martins	Henry Glynn

Lower Plants Focus Group 06.11.2013**Participants**

Anne Haden	Henry Glynn	John Pinel.
Nick Aubin		

4.6) Focus group facilitators, assistants and minute takers

Minutes typed by:	Denise McGowan	From the Environment Department
Focus Group Facilitators:	Nina Cornish Denise McGowan John Pinel	From the Environment Department
Focus Group assistants:	Henry Glynn Julia Meldrum Denise McGowan	From the Environment Department

4.7) Summary

At the end of each focus group the participants were asked to complete a focus group assessment form (appendix 7) and describe how they felt the group had gone. They were also asked to take away a conservation and wildlife law addition and amendment form (appendix 8), and provide, as either individuals or groups, recommendations for species to be added to or removed from existing Schedules to the Law, including suggestions of any new species not currently listed. These changes were based on what had been discussed at the group.

APPENDICES

Appendix 1

A spreadsheet has been produced containing all of Jersey's protected species that have been assigned some form of rarity, threat or legal status. A full explanation of the lists and their conservation designations are found in the spreadsheet. The spreadsheet contains several worksheets for each taxon group. Below is an example of a locally protected species providing its international, national and local designations.

CWL species conservation status and designations.xls (See associated link on the States of Jersey website.)

Example of the Barn Owl, a local protected species including their designations:

Current Taxon Name	Common Name	Reporting Category	Designation	Source	Year
Tyto alba	Barn Owl	Wildlife and Countryside Act 1981	Schedule 1 Part 1	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	1981
Tyto alba	Barn owl	Red data categories - birds (not based on IUCN criteria)	Bird Population Status - amber	Birds of Conservation Concern 3 The population status of birds in the United Kingdom, Channel Islands and Isle of Man. Eaton et al British Birds 102 June 2009 pages 296–341 http://www.britishbirds.co.uk/BoCC3final.pdf	2009
Tyto alba	Barn Owl	Biodiversity Lists - Northern Ireland	Priority Species (Northern Ireland)	Northern Ireland Priority Species List, March 2010	2010
Tyto alba	Barn Owl	Global Red list status	Lower risk - least concern	The IUCN Red List of Threatened Species (2010)	2009
Tyto alba	Barn Owl	Biodiversity Lists - Scotland	Scottish Biodiversity List	Scottish Biodiversity List of species of principal importance for biodiversity conservation	2005
Tyto alba	Barn Owl	EC Cites	Annex A	CITES UK Species only	1997
Tyto alba	Barn Owl	The Wildlife (Northern Ireland) Order 1985	Schedule 1 Part 1	Wildlife (Northern Ireland) Order (1985)	1985
Strigiformes	Barn Owl	Bern Convention	Appendix 2	Bern Convention	1979
Strigiformes	Barn Owl	French Law	Bird Order - Article 3	Official Journal of the French Republic	2011
Strigiformes	Barn Owl	French Red List of Threatened Species	Least concern	Red list of Endangered Species in France	2011
Strigiformes	Barn Owl	Conservation of Wildlife (Jersey) Law 2000	Schedule 1, 2	Conservation of Wildlife (Jersey) Law 2000	2000
Strigiformes	Barn Owl	Conservation Status of Jersey's Birds	Green	Conservation of Jersey's Birds	2011
Strigiformes	Barn Owl	Working List of Channel Island Birds	Scarce resident	Working List of Channel Island Birds to Dec 2011	2011

Appendix 2

Joint Nature Conservation Committee (JNCC) Conservation Designation Spreadsheet <http://jncc.defra.gov.uk/page-3408>. Their spreadsheet contains over 8000 taxa that have been assigned some form of rarity, threat or legal status in the UK. When a species is proposed to be protected under local law this spreadsheet can be used to provide a summary of that species' UK and international designations. An example of how this spreadsheet can be used is demonstrated in the following table.

Example of the Long-snouted (Spiny) Seahorse, a local species proposed for protection:

Current Taxon Name	Common Name	Reporting Category	Designation	Source	Year
Hippocampus guttulatus	spiny seahorse	Wildlife and Countryside Act 1981	Schedule 5 Section 9.5a	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	2008
Hippocampus guttulatus	spiny seahorse	Wildlife and Countryside Act 1981	Schedule 5 Section 9.1 (taking)	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	2008
Hippocampus guttulatus	spiny seahorse	Wildlife and Countryside Act 1981	Schedule 5 Section 9.2	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	2008
Hippocampus guttulatus	spiny seahorse	Wildlife and Countryside Act 1981	Schedule 5 Section 9.1 (killing/injuring)	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	2008
Hippocampus guttulatus	spiny seahorse	Wildlife and Countryside Act 1981	Schedule 5 Section 9.4a	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	2008
Hippocampus guttulatus	spiny seahorse	Wildlife and Countryside Act 1981	Schedule 5 Section 9.5b	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	2008
Hippocampus guttulatus	spiny seahorse	Wildlife and Countryside Act 1981	Schedule 5 Section 9.4b	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	2008
Hippocampus guttulatus	spiny seahorse	Wildlife and Countryside Act 1981	Schedule 5 Section 9.4c	Wildlife and Countryside Act Schedules 1,5 and 8 (protected birds, animals and plants)	2007
Hippocampus guttulatus	Long-snouted seahorse	OSPAR	OSPAR	OSPAR List of Threatened and/or Declining Species and Habitats, 2008.	2008
Hippocampus guttulatus	Long-snouted Seahorse	Global Red list status	Data Deficient	The IUCN Red List of Threatened Species (2010)	2003
Hippocampus guttulatus	Long-snouted Seahorse	Biodiversity Lists - England	England NERC S.41	Natural Environment and Rural Communities Act 2006 - Species of Principal Importance in England (section 41) and Wales (section 42)	2008
Hippocampus guttulatus	Long-snouted Seahorse	Biodiversity Lists - Wales	Wales NERC S.42	Natural Environment and Rural Communities Act 2006 - Species of Principal Importance in England (section 41) and Wales (section 42)	2009
Hippocampus guttulatus	Seahorse	Bern Convention	Appendix 2	Bern Convention	1996
Hippocampus guttulatus	Seahorse	EC Cites	Annex B	CITES UK Species only	2004
Hippocampus guttulatus	Long snouted seahorse	Biodiversity Action Plan UK list of priority species	Priority Species	UK list of Priority Habitats and Species	2007

* Joint Nature Conservation Committee (JNCC) Conservation Designation Spreadsheet (note: lists based on local, French legislation is not included in this spreadsheet).

Appendix 3

The following table summarises of the biodiversity legislation each jurisdiction has to protect and manage certain species of wild plants, birds and animals.

England, Scotland, Wales, Northern Ireland and Ireland implement the EU biodiversity conservation measures with legislative protection in different way to achieve the same goal. Independent interpretation is shown below.

Jurisdiction	Species protection under Law
ENGLAND	<p>The Conservation Regulations (Natural Habitats &c.) 1994 – European Protected Species <u>Schedule 1</u> – Procedure in connection with orders under regulation 22 <u>Schedule 2</u> - European Protected Species of Animals <u>Schedule 3</u> - Animals which may not be taken or killed in certain ways <u>Schedule 4</u> - European protected species of plants. http://www.legislation.gov.uk/ukxi/1994/2716/contents/made</p> <p>The 1994 Regulations transposed [the European Commission] Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law.</p> <p>The Conservation of Habitats and Species Regulations 2010 consolidate all the various amendments made to the Conservation (Natural Habitats, &c.) Regulations 1994 in respect of England and Wales.</p>
(EU interpretation)	<p>The Conservation of Habitats and Species Regulations 2010 Schedule 1 ... <u>Schedule 2</u> European Protected species of animals <u>Schedule 3</u> Excluded Populations of certain species <u>Schedule 4</u> Animals which may not be captured or killed in certain ways. <u>Schedule 5</u> European protected species of plants Schedule 6 & 7 ... http://www.legislation.gov.uk/ukxi/2010/490/contents/made</p> <p>- The Conservation of Habitats and Species Regulations 2010 above consolidates all amendments to the 1994 act – it adds a few more species to its list – http://jncc.defra.gov.uk/page-1379</p> <p>Links and more information to UK species protected under European Protected Species http://jncc.defra.gov.uk/page-3415 https://www.gov.uk/search?q=European+protected+species</p>
(EU interpretation)	<p>Wildlife and Countryside Act 1981 <u>Schedule ZA1</u> Birds which re-use their nests <u>Schedule A1</u> Protected nests and nest sites: birds <u>Schedule 1</u> Birds which are protected by special penalties <u>Schedule 2</u> Birds which may be killed or taken <u>Schedule 3</u> Birds which may be sold <u>Schedule 4</u> Birds which must be registered and ringed if kept in captivity <u>Schedule 5</u> Animals which are protected <u>Schedule 6</u> Animals which may not be killed or taken by certain methods <u>Schedule 7</u> Protection of Certain animals</p>

	<p><u>Schedule 8</u> Plants which are protected <u>Schedule 9</u> Animals and plants to which section 14 applies Schedule 10 Amendment of the Endangered species (Import and Export) Act 1976 Schedule 10A Delegation of appellate function Schedule 11 → Schedule 17 (no species lists – just procedures and orders etc.) http://www.legislation.gov.uk/ukpga/1981/69/contents</p> <p>Natural Environment and Rural Communities Act 2006 (An act for conservation under the body known as Natural England) Natural England's general purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Adds 3 more bird spp to the W&C Act. –) http://www.legislation.gov.uk/ukpga/2006/16/contents</p>
SCOTLAND	<u>LAW</u>
	<p>The Conservation Regulations (Natural Habitats &c.) 1994 - aka the Habitats Regulations 1994 (as amended in Scotland). – European protected species. These implement the species protection requirements of the Habitats Directive in Scotland on land and inshore waters. These Scottish regulations do not mirror the 2010 Regs (which apply in England and Wales.) <u>Schedule 2</u> European protected species <u>Schedule 3</u> those animal in Annex V of the Habitats and Species Directive whose natural range includes Great Britain. <u>Schedule 4</u> European protected species of plants. http://www.legislation.gov.uk/uksi/1994/2716/contents/made</p> <p>The Conservation of Habitats and Species Regulations 2010 Schedule 1 Special Nature Conservation Orders: Procedures <u>Schedule 2</u> European Protected species of animals <u>Schedule 3</u> Excluded Populations of certain species <u>Schedule 4</u> Animals which may not be captured or killed in certain ways. <u>Schedule 5</u> European protected species of plants Schedule 6 & 7 ... http://www.legislation.gov.uk/uksi/2010/490/contents/made</p> <p>- The 2010 above consolidates all amendments to the 1994 act – it adds a few more species to its list – http://jncc.defra.gov.uk/page-1379</p> <p>Wildlife and Countryside Act 1981 (as amended) <u>Schedule ZA1</u> Birds which re-use their nests <u>Schedule A1</u> Protected nests and nest sites: birds <u>Schedule 1</u> Birds which are protected by special penalties <u>Schedule 1A</u> Birds which are protected from harassment <u>Schedule 2</u> Birds which may be killed or taken <u>Schedule 3</u> Birds which may be sold</p>

	<p><u>Schedule 4</u> Birds which must be registered and ringed if kept in captivity <u>Schedule 5</u> Animals which are protected <u>Schedule 6</u> Animals which may not be killed or taken by certain methods <u>Schedule 7</u> Protection of Certain animals <u>Schedule 8</u> Plants which are protected <u>Schedule 9</u> Animals and plants to which section 14 applies Schedule 10 Amendment of the Endangered species (Import and Export) Act 1976 Schedule 10A Delegation of appellate function Schedule 11 → Schedule 17 (no species lists – just procedures and orders etc.) http://www.legislation.gov.uk/ukpga/1981/69/contents</p> <p>Nature Conservation (Scotland) Act 2004 This Act makes amendments to the 1981 Act (above) to convert the Law into Scottish Law and it came about after devolution.</p> <p><u>Schedule 6</u> of this act sets out amendments and repeals to the 1981 Act (W&CA as in England) – so it appears that the Act follows the 1981 Act in regard to species listing – it just adds extra provisions for white tailed eagle and invasive species. http://www.legislation.gov.uk/asp/2004/6/contents</p> <p>Wildlife and Natural Environment (Scotland) Act 2011 This extended the regime for controlling non-native and invasive species. The new legislation adopts the internationally recognised approach for dealing with invasive non-native species. It is an offence to release, allow to escape, or cause any animal to be outwith its native range. It is an offence to plant or cause to grow in the wild any plant outwith its native range. There is no additional species list. http://www.legislation.gov.uk/asp/2011/6/contents/enacted</p>
WALES	<u>LAW</u>
	<p>The Conservation Regulations (Natural Habitats &c.) 1994 – European Protected Species <u>Schedule 1</u> – Procedure in connection ... <u>Schedule 2</u> - European Protected Species of Animals <u>Schedule 3</u> - Animals which may not be taken or killed in certain ways <u>Schedule 4</u> - European protected species of plants. http://www.legislation.gov.uk/uksi/1994/2716/contents/made</p> <p>The 1994 Regulations transposed [the European Commission] Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law.</p> <p>The Conservation of Habitats and Species Regulations 2010 Schedule 1 ... <u>Schedule 2</u> European Protected species of animals <u>Schedule 3</u> Excluded Population of certain species <u>Schedule 4</u> Animals which may not be captured or killed in certain ways.</p>

	<p><u>Schedule 5</u> European protected species of plants <u>Schedule 6 & 7</u> ... http://www.legislation.gov.uk/uksi/2010/490/contents/made</p> <p>Wildlife and Countryside Act 1981 <u>Schedule ZA1</u> Birds which re-use their nests <u>Schedule A1</u> Protected nests and nest sites: birds <u>Schedule 1</u> Birds which are protected by special penalties <u>Schedule 2</u> Birds which may be killed or taken <u>Schedule 3</u> Birds which may be sold <u>Schedule 4</u> Birds which must be registered and ringed if kept in captivity <u>Schedule 5</u> Animals which are protected <u>Schedule 6</u> Animals which may not be killed or taken by certain methods <u>Schedule 7</u> Protection of Certain animals <u>Schedule 8</u> Plants which are protected <u>Schedule 9</u> Animals and plants to which section 14 applies (as above – England).</p>
NORTHERN IRELAND	<u>LAW</u>
	<p>The Conservation (Natural Habitats etc.) Regulations (Northern Ireland) 1995 <u>Schedule 1</u>... <u>Schedule 2</u> – European Protected Species of Animals <u>Schedule 3</u> – Animals which may not be taken or killed in certain ways. <u>Schedule 4</u> – European Protected Species of Plants This is a transposition of the EC Habitats Directive in relation to Northern Ireland. http://www.legislation.gov.uk/nisr/1995/380/contents/made</p> <p>Wildlife (NI) Order 1985 - provides protection for wild birds, animals and plants. It is the primary means by which Northern Ireland meets the requirements of the 'Wild Birds' Directive with regard to the protection of birds and their nests. <u>Schedule 1</u> Birds which are protected by special penalties <u>Schedule 2</u> Birds which may be killed or taken <u>Schedule 3</u> Birds which may be sold dead at all times <u>Schedule 4</u> Birds which may be shown for competitive purposes <u>Schedule 5</u> Animals which are protected at all times <u>Schedule 6</u> Animals which may not be killed or taken by certain methods <u>Schedule 7</u> Animals which may not be sold alive or dead at any time <u>Schedule 8</u> Plants which are protected <u>Schedule 9</u> Animals and plants to which article 15 applies</p> <p>http://www.legislation.gov.uk/nisi/1985/171/contents</p> <p>Wildlife and Natural Environment (NI) Act 2011 Amends the Wildlife (NI) Order 1985, in this the list of birds, animals and plant species receiving special protection was significantly enlarged. <u>Schedule 1</u> Amendments to the Schedules to the wildlife order http://www.legislation.gov.uk/nia/2011/15/contents/enacted</p> <p>The Environment (NI) Order 2002 - provides legal protection for Northern Ireland's important habitats through its powers to designate,</p>

	protect and manage Areas of Special Scientific Interest (ASSI's). These powers are also used to complement or 'underpin' protection and management of their European sites (i.e. SACs and SPAs) and Ramsar sites. (NO SPP LIST) http://www.legislation.gov.uk/nisi/2002/3153/made
ISLE OF MAN	<u>LAW</u>
	<p>Wildlife Act 1990 (Isle of Man)</p> <p><u>Schedule 1</u> Birds which are protected by special penalties</p> <p><u>Schedule 2</u> Birds which may be killed or taken</p> <p><u>Schedule 3</u> Birds which may be sold</p> <p><u>Schedule 4</u> Captive birds which may be possessed by registered persons only</p> <p><u>Schedule 5</u> Animals which are protected</p> <p><u>Schedule 6</u> Animals which may not be killed or taken by certain methods</p> <p><u>Schedule 7</u> Plants which are protected</p> <p><u>Schedule 8</u> Animals and plants to which section 14 applies</p> <p><u>Schedule 9 & 10</u> (not spp related)</p> <p>https://www.gov.im/categories/the-environment-and-greener-living/wildlife/protected-species/</p> <p>http://www.legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/1990/1990-0002/WildlifeAct1990_2.pdf</p>
IRELAND (EIRE)	<u>LAW</u>
	<p>Wildlife Act 1976</p> <p>This is the principal national legislation providing the protection of wildlife and the control of activities that may adversely affect wildlife. The aims of the Wildlife Act, 1976, are to provide for the protection and conservation of wild fauna and flora, to conserve a representative sample of important ecosystems, to provide for the development and protection of game resources and to regulate their exploitation, and to provide the services necessary to accomplish such aims.</p> <p>This Act is in response and followed the EU Habitats and Species Directive.</p> <p>http://www.irishstatutebook.ie/eli/1976/act/39/enacted/en/print</p> <p>Wildlife (Amendment) Act 2000</p> <p>http://www.irishstatutebook.ie/eli/2000/act/38/enacted/en/html</p> <p>This Act is usually quoted alongside the above Act.</p> <p>It has many objectives including those linked to NHAs (Natural Heritage Areas), however it also broadens the scope of the Wildlife Acts to include more species, including the majority of fish and aquatic invertebrate species which were excluded from the 1976 Act.</p>
Jersey CI	<u>LAW</u>
	<p>Conservation of Wildlife (Jersey) Law 2000</p> <p>https://www.jerseylaw.je/laws/revised/pages/22.450.aspx</p> <p>This protects a number of species in Jersey. There are four Schedules and a more recent Order.</p>

	<ul style="list-style-type: none">• Schedule 1 lists protected wild animals (part 1) and protected wild birds (part 2)• Schedule 2 lists specially protected wild birds• Schedule 3 lists animals which may not be killed or taken by certain methods• Schedule 4 lists reptiles and amphibians which may not be exported• Schedule of protected wild plants established by Order in 2009 https://www.jerseylaw.je/laws/revised/pages/22.450.70.aspx
--	--

Appendix 4

The following table summarises the biodiversity policies each jurisdiction has to assist with protecting certain species wild plants, birds and animals.

Jurisdiction	Species protection under biodiversity policy frameworks
ENGLAND	<p>UK Biodiversity Action Plan (BAP) Priority Species http://jncc.defra.gov.uk/page-5717</p> <p>The UK BAP, published in 1994 sets out a programme for conserving biodiversity in the UK. The UK BAP has published lists of species and habitats that are conservation priorities which are under threat because of their rarity and rate of decline.</p> <p>A review of the UK BAP priority list in 2007 led to the identification of 1,150 species and 65 habitats that meet the BAP criteria at UK level. Priorities for England have been published under Section 41 of the NERC Act 2006 (http://www.legislation.gov.uk/ukpga/2006/16/section/41).</p> <p>The list of priority species can be viewed by major taxonomic group:</p> <ul style="list-style-type: none"> Birds Fish Fungi (including lichens) Herptiles Terrestrial Mammals Terrestrial Invertebrates Non-vascular plants Vascular plants Marine-only species <p>The UK list of priority species remains an important reference source and has been used to help draw up statutory lists of priorities in England, Scotland, Wales and Northern Ireland.</p> <p>As a result of devolution, and new country-level and international drivers and requirements, much of the work previously carried out by the UK BAP is now focussed as a country-level rather than a UK-level and the UK BAP has been succeeded by the 'UK Post-2010 Biodiversity Framework'.</p> <p>UK Post-2010 Biodiversity Framework The Environment Departments of all four governments in the UK work together through the Four Countries Biodiversity Group. Together they have agreed, and Ministers have signed, a framework of priorities for UK-level work for the Convention on Biological Diversity. Published on 17 July 2012, the 'UK Post-2010 Biodiversity Framework' covers the period from 2011 to 2020. Use the link below to download a copy. http://jncc.defra.gov.uk/page-6189</p> <p>Biodiversity 2020: A strategy for England's wildlife and ecosystem</p>

	<p>services.</p> <p>This strategy builds on the Natural Environment White Paper. It sets out the strategic direction for biodiversity policy for the next decade. There is no species list within but it refers to “priority” species – identified as being of principal importance in England, according to Section 41 of the Natural Environment and Rural Communities Act 2006. (criteria as above)</p> <p>https://www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services</p>
SCOTLAND	<u>POLICY</u>
	<p>Species Action Framework</p> <p>This sets out a 5 year plan for saving a particular list of Scotland's species. It has four categories. 1) Species for conservation (22 species), 2) Invasive non-native species (6 spp), 3) Conflicts of interest involving native spp. (1 spp. – Hen Harrier), 4) Sustainable use of species (2 spp).</p> <p>http://www.snh.gov.uk/protecting-scotlands-nature/species-action-framework/</p> <p>Scottish Biodiversity List</p> <p>This comes from the Scottish Biodiversity Forum. The List is a list of animals, plants and habitats that Scottish Ministers consider to be of principal importance for biodiversity conservation in Scotland.</p> <p>The Scottish Biodiversity List has been updated to take account of changes to the UKBAP priorities list. The list has also been divided into categories to help pull out priorities for action.</p> <p>http://www.biodiversityscotland.gov.uk/advice-and-resources/scottish-biodiversity-list/how/</p>
WALES	<u>POLICY</u>
	<p>Section 42 Lists-(species and Habitats) – Wales Biodiversity Partnership</p> <p>The Section 42 list of habitats and species of principal importance in Wales is the definite list and is a key requirement of the NERC Biodiversity Duty.</p> <p>http://www.biodiversitywales.org.uk/Section-42-Lists</p>
NORTHERN IRELAND	<u>POLICY</u>
	<p>Prioritised Action Framework</p> <p>The European Union Biodiversity Strategy 2020 requires each member state to produce a PAF. Should be one for England, Scotland and Wales. It has a few spp lists including “Spp for which Northern Ireland has a special responsibility”.</p> <p>http://jncc.defra.gov.uk/pdf/NI_PAF.pdf</p> <p>Northern Ireland Biodiversity Strategy</p> <p>https://www.daera-ni.gov.uk/publications/biodiversity-strategy-northern-ireland-2020-0</p>

	<p>NI Biodiversity Delivery Groups Within the strategy there are different delivery groups inc. the Species Delivery Group They have published 33 NI Species Action Plans and 7 All Ireland Species Action Plans as a key objective of the NI Biodiversity Strategy. An ongoing partnership was needed between government and other groups in order to deliver these action plans (which is why the delivery groups were set up.)</p> <p>Northern Ireland Priority Species This is a list of species which require conservation action because of their decline, rarity and importance in an all-Ireland and UK context. (subject to review) https://www.daera-ni.gov.uk/articles/northern-ireland-priority-species</p>
ISLE OF MAN	<u>POLICY</u>
	<p>Biodiversity strategy and delivery plan</p> <p>“Managing our natural wealth to 2020” is the Isle of Man’s first published biodiversity strategy https://www.gov.im/categories/the-environment-and-greener-living/biodiversity-strategy-and-delivery-plan/</p> <p>The Strategy aims, by 2020, to manage biodiversity change and minimise loss, maintain and where necessary restore or enhance native biodiversity and actively involve society in understanding, appreciating and safeguarding our biodiversity.</p>
IRELAND (EIRE)	<u>POLICY</u>
	<p>National Biodiversity Plan 2002</p> <p>‘<u>Actions for Biodiversity 2011-2016</u>’, Ireland’s 2nd National Biodiversity Plan, launched on 9 November 2011 builds upon the achievements of the first plan and focuses on actions that were not fully completed and addresses emerging issues.</p> <p>The first National Biodiversity of Ireland (as set out by the Government) 2002, also set out species action plans. RoI - [Threat Response Plan – Kerry Slug, Vesper bats, Otter, Conservation Plan – Irish Cetaceans] [All Ireland Species Plan – Bats, Killarney Fern, Red Squirrel, Irish Lady’s Tresses, Pollan (fish), Hare, Corncrake]</p> <p>http://www.npws.ie/legislationandconventions/nationalbiodiversityplan/</p> <p>National Strategy for Plant Conservation Sets out 16 targets (modelled on the GSPC – Global Strategy for Plant Conservation http://www.plants2020.net/) to bring about better comprehension and conservation of native plants and fungi. <u>Target 8</u> - All threatened Irish plant species in accessible ex situ collections, and all Critically Endangered and Endangered category species included in effective conservation management programmes. <u>Target 10</u> -</p>

	<p><u>Management</u> plans in place for at least 10 major alien species that threaten plants, plant communities and associated habitats and ecosystems in Ireland. http://www.botanicgardens.ie/gspc/inspc.htm</p> <p>Ireland Red List of Species for assessing species for conservation purposes. NPWS (National Parks and Wildlife Services) in Ireland have, at present, 10 red lists, with more planned in associated with Northern Ireland. These include bryophytes. Mayflies, damsel and dragonflies, amphibian's reptiles and freshwater fish, butterflies, terrestrial mammals, non-marine molluscs, water beetles, irish bees, vascular plants. https://www.npws.ie/publications/red-lists</p>
Jersey CI	<u>POLICY</u>
	<p><u>Biodiversity Strategy 2000</u></p> <p>This strategy has taken into account best international practice as well as incorporating the substantial work carried out to date within the Island by local naturalist groups and Government bodies. It aims to</p> <ul style="list-style-type: none"> - Identify the major issues and key concerns affecting Biodiversity in the Island. - Clarify the location of expertise on Biodiversity issues. - Confirm areas of responsibility for Biodiversity issues among States' departments and other groups. <p>It also represents an opportunity to compare existing local practices against our commitments. http://www.gov.je/PlanningBuilding/LawsRegs/IslandPlan/Background/Pages/BiodiversityStrategy.aspx</p> <p><u>Biodiversity Action Plans 2006</u></p> <p>One of the commitments of the above biodiversity strategy was to produce local biodiversity action plans. Each plan sets out the problems faced by the animal or plant and lists the practical actions and targets necessary to ensure its survival. There are now 67 species covered by action plans. http://www.gov.je/Environment/ProtectingEnvironment/Land/Endangered/Pages/IslandSpecies.aspx</p>

Appendix 5

The following table summarises selection criteria for adding and removing species, onto each jurisdiction's biodiversity legislation.

Jurisdiction	Species Selection Criteria – Legislation
<p>EU</p>	<p>The Conservation Regulations</p> <p>This is a transposition of the Habitats Directive (Council Directive 92/43/EEC) into UK legislation (including England, Wales, Scotland and Northern Ireland). Therefore the criteria and species lists for these regulations come from the Directive.</p> <p>Council Directive Online: http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:01992L0043-20070101&from=EN</p> <p>The criteria for species listed in the directive is saved in full on the system Criteria\Regulations – Habitats and Species Criteria.doc and summarised below.</p> <p>In section (g) of Article 1 of the Directive, species which are</p> <ul style="list-style-type: none"> i) endangered, except those species whose natural range is marginal in that territory. ii) vulnerable i.e. believed likely to move into the endangered category in the near future if the causal factors continue operating iii) rare i.e. with small populations that are not at present endangered or vulnerable, but are at risk. The species are located within restricted geographical areas or are thinly scattered over a more extensive range iv) endemic and requiring particular attention by reason of the specific nature of their habitat and/or the potential impact of their exploitation on their habitat and/or the potential impact of their exploitation on their conservation status; <p>are listed as <i>pecies of Community Interest</i>.</p> <p>In section (h) of Article 1, the Directive describes <i>priority species</i> as species which are referred to as endangered [g(i) above] and that there is a particular responsibility towards them.</p> <p>Site assessment criteria for a given species in Annex II:</p> <ul style="list-style-type: none"> a) Size and density of the population of the species present on the site in relation to the populations present within national territory. b) Degree of conservation of the features of the habitat which are important for the species concerned and restoration possibilities. c) Degree of isolation of the population present on the site in relation to the natural range of the species. d) Global assessment of the value of the site for conservation of the species concerned.
Jurisdiction	Species Selection Criteria – Legislation
<p>UK (including</p>	<p>Wildlife and Countryside Act (1981) http://www.legislation.gov.uk/ukpga/1981/69/contents</p>

England, Wales Scotland and Northern Ireland)	<p>Below is the rationale or criteria list for a species to be included on the Schedules.</p> <p>Every five years, the statutory nature conservation agencies (Natural England, Natural Resources Wales (formally Countryside Council for Wales) and Scottish Natural Heritage), working jointly through the Joint Nature Conservation Committee (JNCC), review Schedules 5 and 8 of the Wildlife and Countryside Act 1981 in a process called the Quinquennial Review (QQR).</p> <p>This sixth QQR was submitted to Defra, the Welsh Government and the Scottish Government in April 2014. Once these governments have considered the review, they will respond formally and publish amendments to the Wildlife and Countryside Act (1981).</p> <p>The detail below comes from the 6th Quinquennial Review of Schedules 5 (Animals which are protected) and 8 (Plants which are protected) of the which is organised every 5 years by JNCC. http://jncc.defra.gov.uk/page-6194 . The current 6th Quinquennial Review pack can be found here—http://jncc.defra.gov.uk/pdf/QQR6_informationpack_2012.pdf</p> <p>*The above applies to the UK (including England, Wales, Scotland and Northern Ireland).</p> <p>1. Rationale underlying scheduling</p> <p>1.1 In compliance with the purpose and provisions of the relevant Sections of the Wildlife and Countryside Act 1981, the statutory nature conservation agencies will pursue scheduling when:</p> <ul style="list-style-type: none"> i. there is an international obligation to afford to the species legal protection; ii. an animal or plant is in danger of extinction in Great Britain, or is likely to become so endangered unless conservation measures are taken, and legal protection is likely to improve its chances of survival. <p>1.2 Scheduling is considered to be particularly appropriate where there is a need to:</p> <ul style="list-style-type: none"> iii. protect an animal or plant species from direct human pressure such as persecution, collection or trade; iv. protect elements of habitat essential for the survival of an endangered species. <p>Scheduling also has the effect of raising awareness of the threats to species and thus the need for their protection.</p> <p>For a species to be recommended for scheduling one of the <u>eligibility criteria</u> in each of the Sections A to D below should be met:</p> <p>A Generally, only native (including re-established) taxa are to be considered. Taxa introduced or thought to be introduced to Great Britain by man could be considered exceptionally, with the following provisos:</p> <ul style="list-style-type: none"> i. the organism is endangered or extinct in its native range (in Great Britain or elsewhere), and ii. preferably, the natural range reaches the north west coast of Europe (<i>i.e.</i> continental distribution extends to the Atlantic coast of France, Belgium, the Netherlands, Germany or Scandinavia; for marine taxa, the distribution includes the north west Atlantic area), and provided that
--	---

iii. information suggests that the organism is unlikely to have an adverse impact on important native species or ecosystems.

B The taxon must be either:

- i. established in the wild in Great Britain, or
- ii. occur as a vagrant in Great Britain and require international protection, or
- iii. be believed extinct in Great Britain as a breeding species, but be in the process of re-establishment or
- iv. be believed extinct in Great Britain, but with the possibility that it could become re-established naturally.

C The taxonomic status of the organism must be well authenticated. Taxa below the species level could be considered, providing they are:

- i. clearly recognisable (*i.e.* morphologically distinct), and
- ii. geographically or ecologically distinct.

D The taxon must be endangered in Great Britain, or likely to become so unless conservation measures are taken, and/or be subject to an international obligation for protection.

One or more of the following may indicate that a taxon is or may become endangered:

- vii. it is included in a JNCC-approved British Red Data Book as *Extinct*, *Endangered* or *Vulnerable* (or, in Red Lists drawn up using the recently revised IUCN criteria, as *Extinct in the Wild*, *Critically Endangered*, *Endangered* or *Vulnerable*);
- ii. it has been well searched for but is known from only a single locality;
- iii. it is confined to a particularly threatened habitat. The extent or quality of the habitat is being significantly reduced or is likely to become significantly reduced, thus threatening the survival of the organism;
- iv. it is rapidly declining in population, number of localities occupied or range. Indicative would be at least 50% decline observed, estimated inferred or suspected in the last 20 years, or a decline of at least 50% projected, inferred or suspected to be likely in the near future. The decline must transcend normal fluctuations;
- v. it is endangered, or likely to become endangered through being targeted for exploitation or killing for commercial reasons and/or through being particularly attractive to collectors.

International obligations apply to a taxon which is:

- vi. naturally resident and listed on Appendices I, II or III of the Bern Convention; Annexes II, IV or V of the EC Habitats and Species Directive; Appendix I of the Bonn Convention (unless derogations are in force); and/or
- vii. endemic to Great Britain and included in a JNCC-approved British Red List.

This process of reviewing the species schedule is carried out by the JNCC every 5 years. They compile any amendments, additions or removals and send them off to the relevant devolved jurisdictions.

Natural Environment and Rural communities Act 2006

	The act appears to amend the WACA by adding a schedule to protect certain birds' nests (those that return – Golden Eagle, White Tailed Eagle and Osprey). Therefore the criteria for this Law are the same as the CAWA.
--	---

The following jurisdictions which have introduced either extra legislation or are independent jurisdictions with their own legislation and have their own criteria for species selection associated to them.

Jurisdiction	Species Selection Criteria – Legislation
Scotland	<p>Nature Conservation (Scotland) Act 2004</p> <p>This is the Act that has made changes and repeals the SSSI provisions of the Wildlife and Countryside Act 1981 (as amended), in relation to the devolution of Scotland. Schedule 6 of this act sets out amendments and repeals to the 1981 Act (WACA as in England), they have also added 2 Schedules for further bird protection. The Act follows the 1981 Act (WACA) with regards to species listing – it just adds extra provisions for some large birds of prey. Therefore the criteria for this are the same as above.</p> <p>http://www.legislation.gov.uk/asp/2004/6/schedule/6</p>
Northern Ireland	<p>Species Selection Criteria – Law</p>
	<p>Wildlife (NI) Order 1985</p> <p>During the review of the Wildlife Order in 2008, the criteria for this order were recognised. This is saved on the system - Criteria\NI review - the wildlife order - criteria included 2008.pdf</p> <p>Regarding birds; they are included on <u>Schedule 1</u> if they are</p> <ul style="list-style-type: none"> i) regularly breeding in small numbers ii) breed regularly or irregularly but locally in Ireland iii) birds whose range is expanding elsewhere in Britain and Ireland which may be expected to breed in NI in the near future. iv) Birds which a significant proportion of the UK or European breeding population occurs in NI v) Birds of Prey which are regular breeding species vi) Birds which have a history of persecution or which are likely to be persecuted vii) Birds which are particularly sensitive to disturbance viii) Birds which are rare migrants <p><u>Schedule 5</u> covers animals which are protected</p> <ul style="list-style-type: none"> i) animals which are rare or declining in abundance ii) animals which have a history of persecution or are likely to be persecuted. <p><u>Schedule 8</u> covers protected plants with the criteria that they are one or more of the following;</p> <ul style="list-style-type: none"> i) extremely rare

	<ul style="list-style-type: none"> ii) known to exist at no more than 5 locations in NI iii) are rare and which NI has a high proportion of the British Isles or European population. iv) are a UK priority species v) representative of a group of threatened species.
Isle of Man	Species Selection Criteria – Law
	<p>Wildlife Act 1990</p> <p>Under Section 23 (Power to vary Schedules) of the Wildlife Act, any bird may be added to or removed from Schedule 1 and any animal or plant may be added to Schedules 5 and 7:</p> <ul style="list-style-type: none"> • if in the Department’s opinion, it is in danger of extinction in the Island or is likely to become so endangered unless conservation measures are taken; or • for the purpose of complying with an international obligation. <p>The eligibility criteria is detailed in the link below and summarised as follows:</p> <ul style="list-style-type: none"> • Native species; generally, only native (including re-established) taxa to be considered for inclusion on protected Schedules. Taxa introduced or thought to be introduced to the Isle of Man by man could be considered. • The taxonomic status of the organism must be well authenticated. Sub-species could be considered, but only if they are clearly recognisable. • Threats: included on another jurisdictions list e.g. British Red List. Has been well searched for but is known on three or fewer sites in IOM. Confined to a particularly threatened habitat. Is rapidly declining, endangered or likely to become endangered for commercial reasons or being attractive to collectors. • International obligations; listed on International Conventions (e.g. Bern or Bonn) • Endemic to the British Isles and included in a British or Irish Red List or a Red List drawn up under the revised IUCN criteria, for which the IOM has a particular responsibility due to the scarcity of the spp abroad, but perhaps common on IOM. • Confusable species; where a particular species is easily confused with other species, those other species may be considered for protection too.
Republic of Ireland	Species Selection Criteria – Law
	At present Ireland uses the Habitats Directive (any species protected on that is protected in Ireland) and the IUCN red list criteria too for the Wildlife (Amendment) Act.
Jersey	Species Selection Criteria – Law
	<p>The selection of species for scheduling under the conservation of wildlife (Jersey) Law 1999-</p> <p>The information below is a summary of Appendix 5 from the Report Part II Results and recommendations from the review of Schedules and protected species under the CWL.</p>

	<p><u>Rationale</u> The Conservation of Wildlife (Jersey) Law 2000 is based on the U.K. Wildlife and Countryside Act 1981.</p> <p><u>Criteria</u> The following set of criteria has been developed which attempts to take into account the U.K. criteria and to make provision for local conditions.</p> <p>Except where inapplicable to Jersey, the criteria follow those suggested by UK Local Issues Advisory Group (1997)</p> <ul style="list-style-type: none"> • World status - species listed by the IUCN or other sources as globally threatened. • Local decline rate - Rapidly declining >50% decline in range / numbers in last 25 years Declining 25-50% decline in range / numbers in last 25 years • Local threat • UK status - species listed in the British red data book or Biodiversity Steering Group short, middle and long lists. • France status - species listed in the French red data book. • Local rarity – <ul style="list-style-type: none"> • Rare - currently occurs in 1-5 squares. • Scarce - currently occurs in 6-15 squares. • Common - currently occurs in 16 squares or more. <p>Note also the addition of a French status criterion, considered to be of equal importance to UK status as Jersey is much closer biogeographically to France than the UK. Additionally, the UK Local Issues Advisory Group “position in geographical range” criterion is omitted because as an island all Jersey plant species are effectively isolated from other populations and thus carry equal weighting under this criterion.</p>
--	---

Appendix 6

The following table summarises the species selection criteria used for listing species in each jurisdiction onto their biodiversity policy frameworks.

Jurisdiction	Species Selection Criteria - Policy
<p>England</p>	<p>UK List of priority habitats and species <u>Species criteria</u> Species were assessed according to four criteria:</p> <ol style="list-style-type: none"> 1. Threatened internationally. 2. International responsibly and a 25% decline in the UK. 3. More than 50% decline in the UK. 4. Other important factors, where quantitative data on decline were lacking but there is other evidence of extreme threat.
Jurisdiction	Species Selection Criteria – Policy
<p>Scotland</p>	<p>Species Action Framework http://www.snh.gov.uk/protecting-scotlands-nature/species-action-framework/background/</p> <p><u>Stage 1:</u> Species covered by this framework and due for management are;</p> <ul style="list-style-type: none"> • Native species that are Critically Endangered in Scotland or elsewhere, or significantly declining, or for which Scotland is their stronghold ((including species that are only found here, i.e. endemic)) and a continuing threat to the species in the immediate future. • Native but extinct in UK, whose international conservation status could be improved by reintroduction to Scotland or which could play a significant role in enhancing ecosystem health and resilience. • Non-native species which present a great risk to biodiversity of high conservation value. • Threatened native species which are at the centre of a conflict of interest with stakeholders. (Coexistence is difficult) • Native species that threaten wider biodiversity (ecosystems, habitats, or other species). • Native species that provide important socio-economic benefits in the wild and whose use impacts upon biodiversity. <p><u>Stage 2:</u> Species that qualify under stage 1 were then assessed against questions about practicality and feasibility of delivering benefits for biodiversity.</p> <ul style="list-style-type: none"> • Is there sufficient knowledge of the species (ecology requirements etc.) to inform management action? (if not then such species should become a research priority). • Is targeted action likely to make any difference? (three question linked to this one see link) • For species under the first criteria above, particularly those that are widespread in Scotland – Would broader management improvements to their habitat or ecosystem be more effective in the species' recovery than action targeted at the individual species? If

	<p>so then broader management is the preferred approach.</p> <ul style="list-style-type: none"> For species under the second criteria above, would any reintroduction proposal once developed into a project be likely to meet the IUCN Guidelines e.g. sufficient habitat and public support? <p>Scottish Biodiversity List http://www.biodiversityscotland.gov.uk/advice-and-resources/scottish-biodiversity-list/how/</p> <p><u>Scientific criteria – terrestrial and freshwater species</u></p> <ul style="list-style-type: none"> All UK Priority species present in Scotland. Species for which Scotland (through the UK) has an international obligation to safeguard species. All species defined as nationally rare at a GB or UK level which are present in Scotland. Species with populations present (resident, wintering or breeding) in 5 or fewer 10km squares OR sites in Scotland. Species present in Scotland for which a decline of 25% or more abundance or range, (defined by number of sites where appropriate) has occurred in Scotland over the last 25 years or other appropriate time period. All endemic species to Scotland. Any sub-species or race, that is widely recognized and accepted by the scientific (or other relevant community) and that is endemic to Scotland, if it meets one of the other criteria.
Wales	Species Selection Criteria – Policy
	<p>Section 42 lists</p> <p>http://www.biodiversitywales.org.uk/49/en-GB/Section-42-Lists</p>
NI	Species Selection Criteria – Policy
	<p>Northern Ireland Priority Species</p> <p>This is a list of species which require conservation action because of their decline, rarity and importance in an all-Ireland and UK context. (subject to review)</p> <p>Northern Ireland\NI priority species list with criteria.pdf</p> <ul style="list-style-type: none"> Listed as a UK Priority Species Rapid Decline (2% per year). Decline (1% per year) with Northern Ireland being a stronghold (S) consisting of either - >50% Irish population or 20% UK population/range or with the Irish or UK population restricted (R) to Northern Ireland i.e. Decline + S or R. Rare - confined to a small population of one or two sites in Northern Ireland with Northern Ireland being a stronghold (S) consisting of either >50% Irish population or 20% UK population/range or with the Irish or UK population restricted (R) to Northern Ireland. At least 20% of international population of species or well-recognised subspecies occurring in Northern Ireland. Irish Red Data Book (RDB) species classed as critically endangered (CR), endangered (EN) or vulnerable (VU). Red-listed species in either <i>Birds of Conservation Concern in Ireland (BOCCI)</i> or the <i>UK Birds of Conservation Concern (UK</i>

	<p>BOCC) lists.</p> <p>A wide range of species are known to meet the Priority Species criteria. However, some species are poorly recorded and there is not sufficient information to assess their status and any required conservation action. This is especially true for invertebrate groups such as spiders and flies, and lower plants such as lichens. For these little known species, increased recording effort is required.</p>
Jurisdiction	Species Selection Criteria – Policy
Isle of Man	<p>Isle of Man Biodiversity Strategy</p> <p>https://www.gov.im/categories/the-environment-and-greener-living/biodiversity-strategy-and-delivery-plan/</p>
Jurisdiction	Species Selection Criteria – Policy
Republic of Ireland	<p>Ireland’s Species Action Plans</p> <p>The priorities for Species Action Plans are determined by the need to meet Ireland’s responsibilities under EU Directives. (taken from review of national biodiversity plan – link is in middle of webpage http://www.npws.ie/legislationandconventions/nationalbiodiversityplan/</p> <p>Ireland Red List Species</p> <p>The criteria for the Irish Red list is the same as in the IUCN http://www.iucnredlist.org/technical-documents/categories-and-criteria If listed as Critically Endangered, Endangered, Vulnerable, Near Threatened. The criteria for these are lengthy and contained in the pdf above. This is a link to the IUCN website where a species can be searched.</p>
Jurisdiction	Species Selection Criteria - Policy
Jersey	<p>Biodiversity strategy</p> <p>This strategy identifies key species for protection. These are then included in Jersey’s Biodiversity Action Plans. Criteria include</p> <ul style="list-style-type: none"> - World Status (spp listed by the IUCN or other sources as globally threatened - Local decline rate - Rapidly declining; >50% decline in range / numbers in last 25 years - Declining; 25-50% decline in range/numbers in last 25 years - UK status; spp listed in the British red data book - French status – spp listed in EU Birds Directive or Habitats Directive, Bern Bonn or CITES convention of under the CWL (Jersey). <p>This approach produces a long list of species. The short list, drawn from the long list applies two more criteria:</p> <ul style="list-style-type: none"> - Local threat - Local rarity - Rare – currently occurs in 1-5 squares - Scare – currently occurs in 6-15 squares or more - Common – currently occurs in 16 squares or more - Local distinctiveness – includes potential flagship, keystone or typical species. This criterion is intended to add extra weight to

	<p>species already identified under other criteria.</p> <p>From the short list, a list is drawn up containing species for which action plans will be prepared. The criteria applying to the action plan list are:</p> <ul style="list-style-type: none">- substantial decline in recent years- local rarity- covered by relevant Conventions, Directives and legislation- high popular appeal also meeting one of the above criteria.
--	--

Appendix 7

Focus Group evaluation from

FOCUS-GROUP-EVALUATION-SHEET

Date	Name-if-you-wish-your-comments-to-be-attributed-to-you
Focus-Group-you-attended	

Was the workshop easy to follow? → → → → Comment

1	2	3	4	5	6
Very-poor			Excellent		

Was the information provided useful? → → → Comment

1	2	3	4	5	6
Very-poor			Very-Useful		

Overall how would you rate the event?


1	2	3	4	5	6
Very-poor			Excellent		

Comments in General on Status of Species Protection in Jersey

Would you be interested in becoming a member of a working party managed under the Jersey Biodiversity Party to review Jersey's protected species? → YES → NO → Email: _____

Appendix 8

CWL Addition/Amendment Form

Recommendation for amendment, addition or retraction of species on existing schedules of the Conservation of Wildlife (Jersey) Law 2000. or New species not listed on the Conservation of Wildlife (Jersey) Law 2000.		
Scientific Name	Common Name	Recommendation
International Status What is the distribution of the species worldwide? How is the species protected? E.g., by convention, red list, IUCN? Is it protected in Great Britain?		
Jersey Status What is the distribution of the species in Jersey (Islandwide etc)?		

Habitat What type of habitat(s) does the species occupy? Is the species specific to this habitat? How much of this habitat does the species occupy in Jersey, e.g., area, range?

Threats What are the current threats in Jersey to this species? Are these human induced threats or threats from other species?

Recommendation How would you like to see this species protected (in relation to the existing schedules in Jersey Law)? What is your justification for this recommendation? What benefits would occur from the acceptance of this recommendation?

Reference Please provide any references for the justification of your recommendation.