

## Governance and enforcement of Invasive Non-Native Species (INNS) legislation after Brexit

### **SUMMARY**

- Invasive non-native species (INNS) – damaging species introduced to new areas and ecosystems by human action – are one of the principal threats to biodiversity both in the UK and globally. INNS already cost the UK economy at least £1.7 billion per year.
- The EU Invasive Alien Species Regulation, widely regarded as a strong and essential piece of legislation to tackle biodiversity loss, has been converted into domestic law via a Statutory Instrument in anticipation of Brexit. However, Westminster government has failed to give adequate assurance on the replacement of essential governance structures after Brexit to enforce this legislation effectively.
- **If these structures are not in place by the time we leave the EU, the cost and impact of INNS is likely to increase dramatically, risking serious damage to British wildlife, an even greater burden on our economy, and compromising the inheritance of future generations.**

### **INTRODUCTION**

Invasive non-native species (INNS) are one of the five principal drivers of global biodiversity loss. Through a range of processes including competition, predation, hybridisation and the transfer of novel diseases, invasive species have been, for example, the primary cause of human-induced bird extinctions – being responsible for around half since 1500. INNS currently pose an extinction threat to thousands more species. The Convention on Biological Diversity considers the combined synergistic effect of climate change and invasive species to be the main driver of biodiversity loss across the planet.

They also constitute a major drain on public finances, **costing the UK an estimated minimum of £1.7 billion per year** due to impacts such as damage and loss of crops, increased flooding and additional building construction costs.

**There are currently hundreds of INNS established on the island of Great Britain, with new non-native species arriving every year, and the issue is known to be intensifying in the UK across terrestrial, freshwater and marine habitats<sup>1</sup>.** Climate change is improving establishment conditions for new species brought in, deliberately or accidentally, by human activities, and the globalisation of trade and tourism facilitates their movement. If the UK signs new trade deals after Brexit, species movements are likely to intensify.

**Link calls for a step-change in the resourcing and effectiveness of the Westminster government's response to the growing threat of INNS to our environment and economy. This step-change must be matched in the devolved administrations to address this cross-border threat.**

### **POLITICAL AND LEGISLATIVE CONTEXT**

The EU Invasive Alien Species (IAS) Regulation came into force in 2015. It balances prevention, early warning and rapid response, and long-term control measures, with a correct emphasis on **prevention as by far the most cost effective and efficient approach**. This regulation added considerably to pre-existing domestic legislation, and is essential to combat the threat of INNS.

Defra converted this regulation into domestic law via a Statutory Instrument ('Draft Invasive Non-native Species (Amendment etc.) (EU Exit) Regulations 2019'). This was laid on 5 December 2018, and on 30

<sup>1</sup> [http://jncc.defra.gov.uk/pdf/UKBI\\_2018.pdf](http://jncc.defra.gov.uk/pdf/UKBI_2018.pdf)

January 2019 became law. The SI legislates for England, Wales and Northern Ireland. Scottish Government is bringing forward its own SI.

### **CONCERNS WITH GOVERNANCE AND ENFORCEMENT**

We consider the Statutory Instrument to be an adequate conversion of the EU IAS Regulation. However, **the Westminster government has provided insufficient assurances on the associated governance structures required to secure the ecological, social and financial benefits that the legislation should deliver.**

The EU's existing structures and governance mechanisms, such as information and intelligence sharing systems and the IAS Scientific Forum – which embodies considerable independent scientific and technical expertise – cannot be effectively replaced by the current proposals.

Ministers have [specified](#) that existing domestic bodies, in particular the Great Britain Non-Native Species Programme Board and Risk Analysis Panel, will take on the role of these EU structures. However, apart from extending their remit to Northern Ireland, **the Westminster government has provided no clarity on how it will increase the knowledge, expertise and capacity of these existing bodies to carry out these new and essential functions effectively.** It has also failed to provide clarity on how essential coordination with governments in Scotland and the Republic of Ireland will be achieved.

**Defra's current proposals risk INNS legislation quickly becoming out of date,** inaccurate, and unresponsive to new threats as the nature of INNS threats change.

If adequate INNS governance mechanisms are not in place by the time we have left the EU, we risk both a rapidly increasing number of INNS establishing on the island of Great Britain and in Northern Ireland, exacerbated by new patterns of trade, and already established non-native species spreading and further threatening native ecosystems and burdening the economy.

### **CASE STUDY – ASIAN HORNETS**

The Asian Hornet was inadvertently brought to France in 2004 in a shipment of goods from Asia, and has spread rapidly throughout France and into neighbouring countries.

An aggressive predator of native insects, Asian Hornets pose a serious threat to the EU's already-declining populations<sup>2</sup> of pollinator insects – a single hornet can catch up to 50 honey bees a day. Asian hornets are now common across France: in summer 2018, 2,230 nests were identified.

**Asian Hornets have been recorded in the UK at least 12 times – most recently in October 2018 – and six nests have been destroyed.** Nine of these recordings occurred in 2018, which shows a clear and worrying upwards trend. Close monitoring, rigorous biosecurity and effective rapid response must continue in perpetuity, or Asian Hornets would quickly become established with potentially devastating ecological and economic impacts.

### **NEW ZEALAND – THE GLOBAL LEADER IN INVASIVE SPECIES MANAGEMENT**

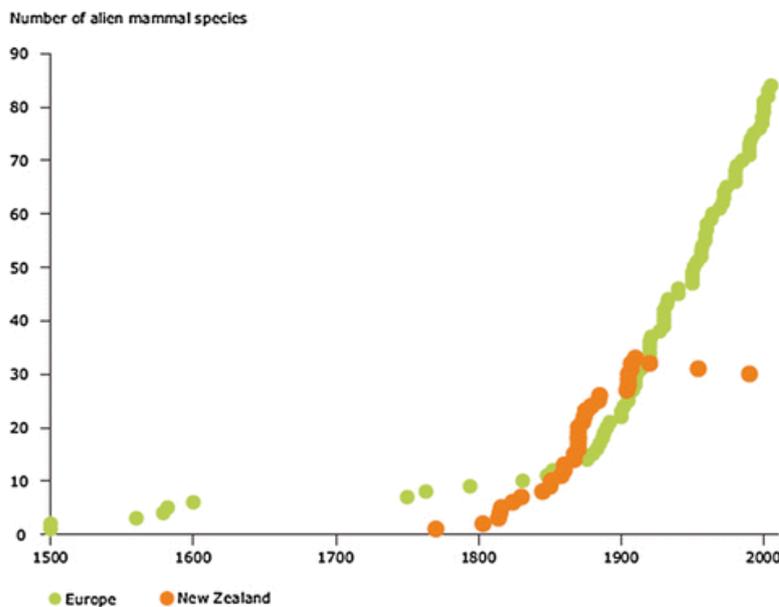
New Zealand has been ecologically isolated for much of its biological history and, as a consequence, has developed a unique and distinct flora and fauna. For example, there are no mammals native to New Zealand, other than bats and marine mammals.

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<sup>2</sup> <https://www.sciencedirect.com/science/article/pii/S0006320718313636>

That flora and fauna is highly susceptible to invasive species impacts – numerous extinctions of unique endemic species have resulted from human species introductions, particularly of non-native mammals.

Through the 20th and 21st centuries, the response has been the development of public policy that encourages strict biosecurity and drastic, early action to tackle non-native species arrivals. The impact of these policies is a striking reduction in the rate of establishment of new non-native species:



**Fig 1.** The establishment of non-native mammal species in New Zealand and in Europe since 1500<sup>3</sup>

### **OUR KEY ASKS**

**Link calls for a step-change in the resourcing and effectiveness of the Westminster government’s response to the growing threat of INNS to our environment and economy. This step-change must be matched in the devolved administrations to address this cross-border threat.**

Defra must provide urgent clarity on how domestic arrangements post-Brexit will ensure there is no regression on governance and enforcement of INNS legislation, in particular:

- The remit, expertise and capacity of existing domestic bodies will be extended, with appropriate increases in funding, to replicate functions currently carried out at EU level, including a mechanism for the frequent reviewing and updating of emerging INNS threats. Alternatively, the Westminster Government must negotiate continued access to the EU IAS Scientific Forum and its associated research and expertise.
- The remit of the GB Non-Native Species Secretariat will be extended, with the appropriate increase in resourcing, to support the expanded functions of the aforementioned bodies.
- Details must be given on how devolved administrations and Defra will coordinate and cooperate on INNS regarding information transfer and sharing, biosecurity and rapid response coordination, control and eradication action and public awareness. Similar cooperation must exist on the island of Ireland.
- Provisions must be made for sufficient stop-gap measures in the event of a no-deal Brexit
- There must be a comprehensive analysis of INNS arrival pathways, and a clear timetable and funding package for the drafting and implementation of pathway action plans, including trade routes.

<sup>3</sup> Armon R.H., Zenetos A. (2015) Invasive Alien Species and Their Indicators. In: Armon R., Hänninen O. (eds) Environmental Indicators. Springer, Dordrecht

**WILDLIFE AND COUNTRYSIDE LINK**

Wildlife and Countryside Link (Link) is the largest environment and wildlife coalition in England, bringing together 51 organisations to use their strong joint voice for the protection of nature. Our members campaign to conserve, enhance and access our landscapes, animals, plants, habitats, rivers and seas. Together we have the support of over eight million people in the UK and directly protect over 750,000 hectares of land and 800 miles of coastline.

This response is supported by the following Link members:

**amphibian and reptile  
conservation**



**For questions or further information please contact:**

Zoe Davies, Policy and Campaigns Manager, Wildlife and Countryside Link

T: 020 7820 8600

E: [zoe@wcl.org.uk](mailto:zoe@wcl.org.uk)