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invasive species council

Engaging the Environmental Community Sector on Biosecurity

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In this paper, we outline the benefits and costs of community engagement in decision-making and policy-setting in environmental biosecurity, assess the current state of engagement at the national level and make recommendations for improvement.

Engagement of the community in decision-making and policy-setting is essential for transparent, participatory and accountable governance. Potential benefits include higher quality policies and decisions, improved biosecurity practices and stronger community and political support for biosecurity. Current engagement of the environmental community sector in biosecurity policy setting and decision-making by federal, state and territory governments is limited and often ineffectual. It contrasts poorly with the much more extensive engagement with industry sectors and in other areas of environmental policy.

We have made six recommendations for engagement reform: (1) establish Environment Health Australia, (2) establish a consultative committee for environmental biosecurity, (3) include greater representation of the environmental sector on advisory and consultative committees, (4) establish an environmental engagement position within the biosecurity agency, (5) develop a memorandum of understanding between DAFF and representative bodies and best practice guidelines as a joint government-community sector project, and (6) publish more extensive information about biosecurity on the internet to facilitate community understanding and evaluation of biosecurity decisions and performance.

CONTENTS

1. INTRODUCTION

Community 'engagement' and 'partnership' are prominent buzzwords in biosecurity. As recognised by the Nairn and Beale reviews of biosecurity, they are also essential for transparent, participatory and accountable biosecurity governance. Engagement is challenging, and if done poorly – eg. consultation for the sake of process box-ticking rather than improved outcomes – it is a waste of government (public) and community resources, both of which are anathema to the community sector.

The Invasive Species Council is an environmental NGO, more formally engaged in current federal biosecurity processes than any other community (non-industry) group. The environmental NGO sector has a major stake in biosecurity and warrants a strong role in policy-setting and decision-making by virtue of at least the following:

- a healthy natural environment is both a community right and responsibility,
- the community bears the costs of ineffective biosecurity in suffering the effects of and paying for and conducting control of invasive species,
- many biosecurity services are provided voluntarily by the community sector,
- there are many types of biosecurity expertise within the sector, and
- environmental biosecurity lags behind industry biosecurity in part because there is limited community involvement within biosecurity policy-setting and decision-making.

More than most issues in modern Australia, environmental biosecurity needs effective community engagement. Invasive species are currently the second most severe threat to biodiversity (in terms of threatened species and ecological communities) and the threat is worsening as existing invaders spread and new ones arrive. The importance of biosecurity to conservation is at least as great as it is to agriculture but environmental threats are much harder to quantify in dollar terms. Invasive species are an immensely difficult and escalating problem that can't be solved so much as managed for harm minimisation. They are a quintessential wicked problem, arising from complex interactions across environmental, social, economic and political systems, with high levels of uncertainty and non-linear effects. Biosecurity is far from just technical decision-making. It requires prioritising, balancing, planning, innovating and foresighting, all of which require or benefit from the advocated community engagement and partnerships. That is why ISC has proposed the establishment of Environment Health Australia as the 'relationship and brains infrastructure' for grappling with priority environmental biosecurity challenges.

ISC has been heartened by the recently growing inclusion of the environmental sector in biosecurity processes. However, there is still far to go to achieve effective engagement of the environmental community sector.

NAIRN REVIEW (1996):

[Q]uarantine is a partnership. The formulation of quarantine policies and programs must be a consultative process involving the Australian community.

BEALE REVIEW (2008):

The imperative of One Biosecurity: a working partnership and shared responsibility

Engagement with business and the general community on biosecurity must occur consistently and continually at several levels, from policy setting through co-regulatory alternatives to actions by individuals and companies, before, at and after the border.

A new approach is needed which provides a common understanding between the Commonwealth, the states, business and the community at large of their respective roles and responsibilities and how these will be met…

1.1 Focus and definitions

Engagement and partnership

Effective engagement requires ensuring community access to information, participation, and justice to empower groups and individuals to have a meaningful voice in decisions relevant to their health, wellbeing, communities and environment. Our focus here is on:

- comprehensive access to information, and
- meaningful participation in policy-setting and decision-making.

'Partnership' is a more demanding concept than 'engagement', implying a more equal relationship and shared decision-making power. A relevant definition is 'a relationship characterised by mutual cooperation and responsibility for the achievement of a specified goal.' A partnership is not appropriate for all biosecurity processes. Governments are entrusted with biosecurity responsibilities, such as import decisions, on behalf of the community and should engage the community without divesting responsibility. We advocate a partnership approach for functions proposed for Environment Health Australia. A partnership approach may also be appropriate for the development of biosecurity strategies and plans and the implementation of eradication and control programs on public and private conservation land.

Community sector

The community encompasses all Australians. Our focus is the diverse array of groups and individuals who have a particular interest and stake in environmental biosecurity – the 'environmental community sector' – which includes:

- NGOs focused on environmental advocacy – national, state, regional and local;
- professional bodies – eg. weed societies, representative bodies for conservation practitioners;
- research groups and individuals, including universities, CSIRO, consultancies;
- natural resource management, catchment management and Landcare groups;
- Indigenous land managers and representative bodies;
- bush rehabilitation groups and individuals;
- non-government protected area managers – groups and individuals; and
- biosecurity and conservation experts – practitioners and researchers in ecology, invasive species management.

Environment NGOs are a distinct and recognised category of community stakeholder with a clear stake in biosecurity, including:

- as advocates for and contributors to more effective environmental policies and programs (the majority of environmental gains in Australia have been catalysed by advocacy by environmental NGOs),
- as active participants in biosecurity, particularly in eradication and control programs for biodiversity conservation, on public and private lands, and
- as educators and information providers to a much wider range of stakeholders than government agencies can hope to reach.

2. RATIONALE, BENEFITS AND COSTS

Effective biosecurity is just as vital to conservation as it is to primary industries. The lack of direct financial benefit (apart from some avoidance of additional costs in community control programs) does not make its stakeholders any less legitimate or important than those from industry sectors. The advocated access to information and participation in decision-making and policy-setting should be community entitlements but, more importantly, are practical vehicles for achieving effective biosecurity. There are many characteristics of environmental biosecurity that render engagement more essential and more challenging than for industry biosecurity.

DISTINCTIVE ASPECTS OF ENVIRONMENTAL BIOSECURITY

Environment NGOs support the 'one biosecurity' approach recommended by the 2008 Beale review that envisions a seamless cross-sectoral, cross-jurisdictional approach to biosecurity. 'One biosecurity' requires, however, recognition of the distinctive requirements of environmental biosecurity. Protecting the natural environment differs in many ways from protecting industry assets and requires a distinctive ecologically based approach to biosecurity. Environmental biosecurity cannot just be a bolt-on to existing industry approaches. Following is a brief outline of some of the differences that underpin distinctive requirements.

The values at stake – biodiversity and environmental health: Conservation requires a biosecurity focus on hundreds of thousands of species and their interactions that constitute ecosystems and ecosystem processes in terrestrial, freshwater and marine systems. In contrast, industry biosecurity is mostly focused on protecting individual economically valuable species that are far less numerous. The values at stake for industry are quantifiable in economic terms and are often replaceable (by new breeds, species or enterprises) whereas those for conservation are not replaceable and usually cannot be quantified in economic terms. This means they are often undervalued when biosecurity priorities are decided.

Scale and complexity of threats: Invasive species threatening the environment outnumber those threatening industry assets and the impacts are more complex and costly.

State of knowledge: Much less is known about biodiversity than about cultivated species at biosecurity risk. The lack of knowledge about native biota means that most invasive species impacts are not documented or monitored. The impacts of even high-profile invasive species are often poorly known – development of the NSW threat abatement plan for biotou bush increased the number of known species at risk from six to 158.

Predictability and timeframes: There are high levels of uncertainty about impacts in the natural environment due to complex interactions, long timeframes (centuries) and lack of knowledge. Many are facilitated by or synergistic with other threats, eg. fragmentation and climate change. Impacts in the natural environment may not be observed for decades due to lag effects, lack of monitoring or their insidious nature. A cow or crop killed by a new pathogen is more easily detected than a dead bird in a forest.

Management approaches and options: There are many more management options in agricultural systems than there are in complex natural environments. For example, in response to myrtle rust, plant industries can use fungicides, breed resistant varieties or use tolerant species, none of which are options in the natural environment. In many natural situations, weeds cannot be controlled with broadacre mechanical or chemical methods.

Stakeholders and resources: There are commercial incentives for industry to manage invasive species but environmental biosecurity relies on government and community investment for the public good. Commercial incentives and greater government spending also mean that industry biosecurity is better resourced than environmental biosecurity. A multitude of stakeholders, often with conflicting agendas, make environmental biosecurity a more socially and politically challenging policy area than industry biosecurity. Some of the most damaging environmental invaders have been ignored because of economic or social reasons that are rarely subject to cost-benefit analysis – many aquarium fish, pasture grasses and garden plants for example.

2.1 Benefits

The Government's greatest ally in achieving stronger environmental biosecurity will be the environmental community sector. The potential benefits from greater engagement include the following.

Higher quality policies and decisions

- Ensuring community access to information and participation in decision-making increases the transparency and integrity of decision-making and the legitimacy of decisions.
- Involving the community sector avails decision-makers of information vital for sound decision-making. The sector includes experts and practitioners in many fields.
- The meaningful participation of the community sector delivers different perspectives, expertise and ideas to increase innovation in biosecurity policy.

Improved biosecurity practices

- Ensuring that community sectors have a strong stake in effective biosecurity will motivate influential groups and individuals to work to improve biosecurity awareness and practices in the community.
- Involving environmental practitioners in policy and planning will increase the prospects of implementation.

Stronger community and political support for biosecurity

- Engaging the environmental community sector will result in stronger biosecurity advocacy for public and private support for and investment in biosecurity.

2.2 Challenges and costs

Effective engagement requires much more than including an environmental representative on relevant committees and inviting community submissions on some decisions. It requires commitment, resources and effort by both government and the community sector. Challenges of engagement for environmental biosecurity include the following:

- There are a multitude of legitimate stakeholders, with multiple and sometimes conflicting agendas.
- There are capacity deficiencies in the community sector, particularly lack of resources and time. The previous lack of involvement in biosecurity policy also means there is lack of intimate knowledge of processes. Biosecurity is an information-dense issue, demanding much of community representatives.
- Within the environmental community sector, biosecurity does not receive the attention and priority it warrants (for reasons of complexity, culture, history). The focus has traditionally been on controlling the most damaging invaders rather than on the continuum.
- Engagement is essential but not a panacea for resolving contentious policy issues. There will inevitably be tensions between different parties, including where economic and environmental interests are in conflict. There are cultural differences and lack of mutual understanding between many in the biosecurity sector and the environmental community sector.
- There is a lack of integration of environmental and biosecurity functions in government. At federal and state/territory levels, there is limited involvement of environment departments and environment stakeholders in biosecurity policy setting and decision-making. There is a dominant primary industries focus in biosecurity agencies, and a lack of ecologists in management positions. Despite the importance of biosecurity to conservation, biosecurity agencies have not participated in developing and have not adopted the relevant goals of biodiversity conservation strategies – such as the 2015 target of the national strategy 'to reduce by at least 10% the impacts of invasive species on threatened species and ecological communities in terrestrial, aquatic and marine environments.' There are difficulties in quantifying the costs and impacts of environmental invaders and thus of ensuring they are granted equivalent priority to industry threats of similar magnitude.

3. THE CURRENT STATE OF BIOSECURITY ENGAGEMENT

Recently, there has been some progress in engagement of the environmental community sector – for example, the appointment of a representative to the National Biosecurity Committee Stakeholder Engagement Consultative Group. But it has involved adding the occasional environmental representative to existing processes rather than being derived from analysis of what is required for effective engagement of the sector. Overall engagement is very limited and much less than that for industry sectors. It is not reflective of the importance of biosecurity to the environment sector and is insufficient for biosecurity benefits to manifest. There has been no engagement on very important environmental issues such as the National Environmental Biosecurity Response Agreement (NEBRA).

It appears that community 'partners' are regarded as more biosecurity brawn than brain, to comply with policies and decisions that are largely shielded from their views and expertise.

3.1 ENVIRONMENTAL COMPARED TO INDUSTRY ENGAGEMENT

There has been only a limited role for environment NGOs in most biosecurity institutions, in contrast to the active role they play in other environmental policy areas. Of about 20 federal biosecurity consultative forums noted by the Beale review – 14 AQIS Industry Consultative Committees, Animal Health Australia, Plant Health Australia, Aquatic Animal Health Committee, Australian Wildlife Health Network and Quarantine and Exports Advisory Council (replaced by the Biosecurity Advisory Council), only the latter two have an environmental representative or expert (as far as we are aware). The lack of involvement of the environmental community sector is in stark contrast to the close involvement of industry bodies in biosecurity processes – in advisory and consultative committees, contingency planning, policy setting and decisions on incursions. Industry biosecurity benefits in particular from the work of Plant Health Australia and Animal Health Australia on contingency planning and other projects, for which there is no environmental equivalent.

A similar lack of engagement of the environmental community sector exists at a state level. Typically, advisory committees have one environmental representative and several industry representatives.

DAFF funded a three-year 'Engaging in Biosecurity' project to develop a biosecurity engagement framework. Most of the resulting reports discuss community engagement in general terms but focus almost entirely on agriculture. The reference group for the project did not have any environment NGO representation. Biosecurity Engagement Guidelines list 12 'key stakeholders in biosecurity' that do not include environment NGOs. Community groups are listed but are described as groups like Lions and Neighbourhood Watch. Numerous industry-based groups are acknowledged.

COMPARISON OF PARTICIPATION BY ENGO AND INDUSTRY REPRESENTATIVES IN FEDERAL BIOSECURITY PROCESSES

BIOSECURITY PROCESS	INDUSTRY INVOLVEMENT	ENGO INVOLVEMENT
Biosecurity Advisory Council	5 members with agricultural expertise or industry involvement.	0 members from the ENGO sector, 1 member with primary ecological expertise.
Contingency planning for incursions	Industry membership in Plant Health Australia and Animal Health Australia.	No responsible body for environmental pests, no ENGO involvement.
Responding to incursions	Represented in National Management Group for relevant incursions and through the involvement of Plant Health Australia and Animal Health Australia.	No involvement in decisions. No proposed role under NEBRA. Limited or no role through the National Management Group to date.
Consultative committees	14 industry-specific consultative committees; industry representation on animal health, plant health and national biosecurity committees.	Generally no representation, 1 ENGO representative recently appointed to National Biosecurity Committee Stakeholder Engagement Consultative Group.

3.2 Biosecurity engagement compared to other environmental engagement

In general, biosecurity decision-making provides far fewer opportunities for community engagement in other environmental decision-making, as exemplified in the decision-making for live animal imports under the EPBC Act and the process proposed for similar decisions under the Biosecurity Act.

COMPARISON OF DECISION-MAKING PROCESSES FOR IMPORTS ASSESSED UNDER THE EPBC ACT AND THE BIOSECURITY BILL

FEATURES OF DECISION-MAKING	EPBC ACT	BIOSECURITY BILL
Public notification of import applications and publication of assessments	Publication of applications for imports of non-approved specimens and assessments.	No notification or publication of applications or assessments, except for biosecurity import risk analyses (BIRAs).
Rights to make representations	Formal consultation process with invitation for public submissions.	Formal consultation process on BIRAs but not on other import decisions.
Assessment	Undertaken by proponent with advice by SEWPaC staff to Minister	Undertaken by DAFF staff
Decision-maker	Minister for Environment	DAFF Secretary
Obtaining reasons	Community right to obtain reasons for decision.	No community right, only the applicant can obtain reasons.
Appeal rights	Third party rights for judicial review.	No third party rights. Appeal rights only for the import applicant.

3.3 The need for Environment Health Australia

The complexity and scale of environmental challenges warrants a comprehensive biosecurity focus facilitated by a new national body to engender a genuine partnership approach. It will not be sufficient to bolt on environmental responsibilities to existing structures and cultures.

Environment NGOs propose the establishment of Environment Health Australia to bring together major participants in environmental biosecurity, effectively involve the community sector, and facilitate a cross-jurisdictional, cross-sector collaboration to achieve much stronger environmental biosecurity. It would be the environmental equivalent of, and collaborate with, Animal Health Australia and Plant Health Australia. For more details, see *Keeping Nature Safe: A proposal for the establishment of Environment Health Australia* at www.invasives.org.au%2Fdocuments%2Ffile%2Frpt_keepingnaturesafe.pdf.

Environment NGOs think AHA and PHA are an excellent model for engendering partnerships on biosecurity. Federal and state/territory governments have been contributing public funding to AHA and PHA for over a decade and much has been achieved. We support their continuation. However, it is now time for a similar effort and level of public funding to be focused on environmental biosecurity priorities, with comprehensive involvement of the community sector.

4. RECOMMENDATIONS

1. Establish Environment Health Australia, as the most practicable way to engender partnerships with community to address priority environmental biosecurity issues.
2. Establish a consultative committee for environmental biosecurity, involving representatives from the range of environmental community stakeholders, to engage with DSEWPaC and DAFF on priority environmental biosecurity issues.
3. On all consultative and advisory committees relevant to environmental biosecurity, ensure there is representation from the environmental community sector adequate to represent the diversity of views and expertise of the sector and proportionate to the environmental relevance of the committee. Where the issues are equally relevant to industry and the environment, ensure there is equivalent representation from both sectors. The membership of the Biosecurity Advisory Council should have equal representation of expertise in agriculture and the environment.
4. Establish an 'environmental engagement' position within the biosecurity agency to work with the sector to facilitate access to information and participation within biosecurity processes.
5. Develop a memorandum of understanding between DAFF and representative organisations within the environmental community sector and best practice engagement guidelines for the sector as a project undertaken in partnership with the sector. This project would include assessment of the capacity needs of the sector to fully engage in biosecurity processes at all levels.
6. Publish extensive information about biosecurity on the internet, providing open access to information to allow the community sector to better understand and evaluate biosecurity decisions and performance.