



BIODIVERSITY DUTY REPORT 2018 - 2020

1.0 INTRODUCTION

- 1.1 The Nature Conservation (Scotland) Act 2004 places a duty on all public bodies to further the conservation of biodiversity in the course of carrying out their responsibilities. The Wildlife and Natural Environment (Scotland) Act 2011 places a further obligation on public bodies to provide a publicly available report, every three years, on the actions taken to comply with the biodiversity duty. This is the report of the Scottish Criminal Cases Review Commission for the years 2018 – 2020.
- 1.2 The Scottish Criminal Cases Review Commission was established as an independent public body in 1999 to review alleged miscarriages of justice. The Commission was created by section 194A of the Criminal Procedure (Scotland) Act 1995 and has the power to refer cases to the High Court for determination. Anyone convicted of a criminal offence in Scotland can apply to the Commission to have their convictions and/or sentences reviewed (but normally only after a previously unsuccessful appeal). Thereafter the Commission has a statutory obligation to provide a statement of reasons for making a referral to the High Court or for deciding not to refer a case.
- 1.3 As of 31 December 2020 the Commission's Board was made up of a Chairman and 6 Members. The Commission's staff complement was as follows: a Chief Executive, a Director of Corporate Services, a Head of Casework, 2 Senior Legal Officers, 3 Legal Officers and 4 Administration Staff. The Commission's Legal Officers investigate cases under the direction of the Chief Executive and Board Members. The Board is responsible for deciding whether or not cases should be referred to the High Court.
- 1.4 Details of the Commission's remit, specific powers of investigation and case review procedures can be found on our website, www.sccrc.org.uk or by request from the Commission's office.
- 1.5 The Commission does not own land and its main statutory responsibilities are not directly linked to biodiversity. However, the Commission is mindful of its obligations to the environment and the direct impact which environmental policies have upon biodiversity. The Commission has a designated Environmental Guardian, appointed from its staff body, who works with the Director of Corporate Services and Chief Executive to ensure that the Commission's policies and procedures promote sustainability and protect biodiversity. Through its governance the Commission supports the Scottish Government's biodiversity aims in an appropriate and measured way, in keeping with its duties and size. All staff members at the Commission receive training about best practice and protocol in respect of the environmental impact of their work. The Commission has an environmental policy and action plan which is regularly reviewed and updated. Both the environmental

policy and the action plan illustrate the Commission's commitment to furthering the conversation of biodiversity, as far as is practicable, in the exercise of its functions.

1.6 The Commission notes that the Scottish Government's aims in respect of biodiversity are considered under the following headings:

- Actions to protect biodiversity and connect people with nature;
- Mainstreaming biodiversity;
- Nature-based solutions, climate change and biodiversity;
- Workforce development;
- Research and monitoring; and
- Biodiversity highlights and challenges.

2.0 ACTIONS TO PROTECT BIODIVERSITY AND CONNECT PEOPLE WITH NATURE

2.1 The Commission operates from an office on the fourth floor of 17 Renfield Street, Glasgow. Operational policies and actions that have been implemented within the organisation to support the biodiversity agenda include¹:

- Members and Staff are encouraged to use active travel to commute to the office;
- Showering facilities are provided to support this aim;
- The Commission offers a Cycle to Work scheme for staff;
- Staff are encouraged to think about their travel choices for meetings and appointments during the working day, making use of public transport where possible;
- Facilities are in place to allow staff to undertake virtual meetings via video conferencing, where possible;
- All meeting agendas and papers are issued only in electronic form allowing paper usage to be kept to a minimum;
- All paper that is used is purchased only from recycled sources.
- Office waste is minimised and all paper, plastic, glass, metal and cardboard is recycled;
- The Commission's office has a modern, centralised air conditioning and heating system;
- Individual staff heaters are prohibited;
- Office lighting is sensor controlled to ensure energy saving;
- All staff are advised of their responsibility in switching off non sensor lights when appropriate do so; and
- Staff are authorised to keep house plants in individual work pods.

2.2 These policies and actions allow the Commission to:

- reduce its energy consumption thus reducing harmful emissions to the atmosphere which are a major component in climate change;

¹ Temporary alterations to the Commission's working practices were introduced in March 2020 in response to the global Coronavirus pandemic. These changes were in line with Scottish Government's pandemic guidance and included the implementation of a blended working policy which included a mixture of office and home working for all staff and the introduction of video conference committee & boarding meetings. For safety reasons and in line with Scottish Government guidelines staff were encouraged to minimise public transport usage during the pandemic.

- reduce its impact on landfill usage, deforestation and other land uses which undermine biodiversity; and
- reduce its transport emissions which are a major component in air pollution.

3.0 MAINSTREAMING BIODIVERSITY

- 3.1 In 2019 the Commission’s move to new premises afforded it the opportunity to conserve its energy usage via sensor controlled lighting and a modern centralised, air conditioning and heating system.
- 3.2 The Commission continues to operate a procurement framework which procures materials and services that encourages sustainability. The Commission requires suppliers of goods and services to operate to high environmental performance standards. Suppliers are asked to demonstrate their commitment to environmental best practice. The Commission specifies, wherever practicable, the purchase of the least environmentally damaging materials.
- 3.3 The Commission has worked with stakeholders within the justice system (including Crown Office, Justiciary Office and criminal defence solicitors) to facilitate the transfer of review materials in electronic format in order to reduce paper usage and mail/courier transportation.

4.0 NATURE-BASED SOLUTIONS, CLIMATE CHANGE AND BIODIVERSITY

- 4.1 Whilst the Commission recognises that nature-based solutions can play a vital role in helping to protect and enhance biodiversity, achieve net zero targets, and improve quality of life, the general nature of the work of the Commission has not afforded the Commission opportunity to undertake processes or activities that promote nature based solutions to climate change and biodiversity. However, the Commission believes that a commitment to supporting biodiversity through these means should be included in the on-going work of the organisation where possible, and it will consider options to support biodiversity in this manner in future corporate planning.

5.0 WORKFORCE DEVELOPMENT

- 5.1 The Commission trains all members and staff, on an ongoing basis, in connection with their duties under its Environmental Policy.

6.0 RESEARCH AND MONITORING

- 6.1 The Commission monitors the following environmental related indicators (all of which have biodiversity impact):

- energy usage is recorded and monitored on an ongoing basis with the aim of price/unit reduction.
- paper usage is recorded and monitored on an ongoing basis with the aim of usage reduction;
- that the volume of waste (recyclable and other) for disposal collected from the Commission is monitored with a view to overall reduction in volume;
- transport usage in connection with Commission business is recorded and monitored with the aim of ensuring positive environmental outcomes; and

- a bi-annual environmental audit is conducted of all Commission operations.

6.2 All data monitored and recorded are brought to the attention of, and reviewed by, the Commission's Environmental Committee.

7.0 BIODIVERSITY HIGHLIGHTS AND CHALLENGES.

7.1 The Commission considers that its key achievements in the reporting period have been:

- Its move to new premises created the opportunity, via sensor controlled lighting and a new air conditioning system, to reduce its impact on biodiversity through the minimisation reduction in harmful emissions from energy usage; and
- The continued development of paperless policies, internally and with stakeholders, allowed the Commission to reduce its impact on biodiversity through the minimisation of deforestation and landfill use and relating to paper usage.

7.1 The Commission considers that the challenges ahead are:

- Finding opportunities to further support the biodiversity aims, having regard to the Commission's purpose, size and function and well-developed Environmental Policy;
- Ensuring that any efforts to build upon and further develop new ways of working which arose during the Coronavirus pandemic, are achieved in a manner that is mindful of the need to continue to support biodiversity; and
- To continue to support biodiversity aims through a post-pandemic period where there is a threat of increased economic uncertainty which may adversely impact upon funding in all areas of the public sector.

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