

BIODIVERSITY DUTY REPORT 2021 - 2023

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 2021-2023.
- 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 December 2023, the Commission's Board was made up of a Chairman and 7 Members. The Commission's staff complement was as follows: a Chief Executive, a Director of Corporate Services, 2 Senior Legal Officers, 3 Legal Officers and 3 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 policies and practices have upon biodiversity.
- 1.6 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. 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 conservation of

biodiversity, as far as is practicable, in the exercise of its functions. Staff at the Commission receive training about good practice and procedures in respect of the environmental impact of their work.

1.7 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 AND ENHANCE BIODIVERSITY

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 protect and enhance biodiversity include:

- Members and staff are encouraged to use active travel or public transport to commute to the office;
- Showering facilities are provided to support this aim;
- The Commission offers a Cycle to Work scheme for staff;
- Facilities are in place to allow members and staff to undertake virtual meetings via video conferencing, where this is suitable. A virtual meeting is the preferred means of meeting applicants and witnesses, and holding committee meetings and over the current and immediately preceding reporting periods, has led to a significant reduction in member and staff travel;
- Staff are encouraged to think about their travel choices for meetings and appointments during the working day, making use of active travel or public transport where possible;
- The Commission's office has a modern, centralised air conditioning and heating system and individual staff heaters are prohibited;
- The majority of office lighting is sensor controlled to ensure energy saving and staff are advised of their responsibility in switching off non sensor lights when appropriate do so;
- Staff are authorised to keep house plants in individual work pods.
- Office waste is minimised and all paper, plastic, glass, metal and cardboard are recycled;
- All paper is purchased only from recycled sources;
- Printing defaults are set to double-sided and in black and white only;
- The Commission no longer relies on paper case files and casework is managed electronically which has significantly reduced printing of case papers; and
- All meeting papers are issued only in electronic form allowing paper usage and disposal to be kept to a minimum.

2.2 These policies and actions allow the Commission to:

- reduce its transport emissions which are a major component in air pollution;

- reduce its energy consumption thus reducing harmful emissions to the atmosphere which are a major component in climate change; and
- reduce its impact on landfill usage, deforestation and other land uses which undermine biodiversity.

3.0 MAINSTREAMING BIODIVERSITY

- 3.1 In 2019, the Commission's move to new premises afforded it the opportunity to reduce its energy usage via sensor controlled lighting and a modern centralised, air conditioning and heating system. As part of the development and review of new ways of working following the coronavirus pandemic, arrangements for hybrid working are being trialled. This enables staff to work from home for up to two days per week, thereby reducing overall staff commuting.
- 3.2 The Commission continues to operate a procurement framework which procures materials and services that encourages sustainability. Where it is feasible to do so, the Commission uses Scottish Government framework contracts. 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 continued to work with stakeholders within the justice system (including Justiciary Office, Crown Office and criminal defence solicitors) over this reporting period 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 afforded the Commission little 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 PUBLIC ENGAGEMENT AND WORKFORCE DEVELOPMENT

- 5.1 The Commission trains all members and staff, on an ongoing basis, in connection with their duties under its Environmental Policy. New members and staff are provided with appropriate induction training. Resources and information are shared with staff to help them reduce their environmental impacts in and outside work.
- 5.2 In July 2023, the Commission commenced a one-year pilot of offering staff a paid weekly wellbeing hour (pro-rata for part-time staff). This pilot mirrors that offered by Scottish Government to its staff. The purpose of the initiative is to enhance the Commission's commitment towards supporting work-life balance and the mental and physical wellbeing of staff. Staff can use their wellbeing hour as they wish, which

could include an activity that improves access to nature (for example, walking or gardening).

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:

- Trialling arrangements for hybrid working following the Coronavirus pandemic, which enables the Commission to reduce overall staff commuting;
- The commencement of a pilot of offering staff a paid weekly wellbeing hour which may be used by staff for an activity that improves access to nature; and
- The continued development of paperless policies which has 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:

- Continuing to embed the move towards paperless case handling;
- Finding fresh opportunities to further support the biodiversity aims, having regard to the Commission's purpose, size and function and well-developed Environmental Policy;
- To continue to support biodiversity aims during a period of increased economic uncertainty which may adversely impact upon funding in all areas of the public sector.

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