



Law Society  
of Scotland



# Consultation response

The role of Public Sector Bodies in tackling climate change

December 2019



## Introduction

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The Law Society of Scotland is the professional body for around 12,000 Scottish solicitors. With our overarching objective of leading legal excellence, we strive to excel and to be a world-class professional body, understanding and serving the needs of our members and the public. We set and uphold standards to ensure the provision of excellent legal services and ensure the public can have confidence in Scotland's solicitor profession.

We have a statutory duty to work in the public interest, a duty which we are strongly committed to achieving through our work to promote a strong, varied and effective solicitor profession working in the interests of the public and protecting and promoting the rule of law. We seek to influence the creation of a fairer and more just society through our active engagement with the Scottish and United Kingdom Governments, Parliaments, wider stakeholders and our membership.

Our Environmental Law sub-committee welcomes the opportunity to consider and respond to the Scottish Government's consultation on *The role of Public Sector Bodies in tackling climate change*<sup>1</sup>. We do not seek to answer the consultation questions but have the following comments to put forward for consideration.

## General comments

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We note that while the reporting requirements on public sector bodies may be seen to be burdensome, we welcome the clarity and consistency which the proposals seek to achieve in relation to the requirements.

In relation to the proposal that bodies will set their own emission reduction targets, we note the potential for inconsistency between the bodies if targets are set in isolation and question whether there would be merit in either targets being set at a national level or national guidance being issued to assist bodies in setting appropriate targets.

With regards to the reporting requirements, we suggest that consideration be given to whether the information which requires to be reported is readily accessible to bodies to obtain in the normal course of their business. This will help to ensure that the requirements are proportionate.

We consider it appropriate that the list of bodies required to report is updated to reflect current designations.

In relation to the contents of the reports, we note the proposal to stop collecting data around procurement. We consider that procurement strategies can play a significant role in a body's emissions and approach

<sup>1</sup> <https://consult.gov.scot/energy-and-climate-change-directorate/role-of-public-sector-in-decarbonising/>

to climate change and it is therefore important that the initiatives on procurement referred to in the consultation make the most of this opportunity. We consider that the approach to procurement strategies should be as consistent as possible across different policies, for example the circular economy and action on climate change. We also note that it is proposed that the 'Validation of the Report' requirements be removed. We suggest that consideration will require to be given as to how the contents of the report can be assured if these formal requirements are removed.

Finally, we welcome the proposal that bodies be required to make their reports publicly accessible and that Scottish Government will provide a publicly accessible analysis of reports to assist the understanding of stakeholders and members of the public of progress. We consider that these steps will help to support accountability of the bodies required to report and allow actions to be subject to scrutiny.

**For further information, please contact:**

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