

Sustainability

Sustainability recognises that the three pillars of the economy, society and the environment are interconnected. It is a long-term, integrated approach, to achieving quality of life improvements while respecting the need to live within environmental limits.

During 2018-19 the Department's primary sustainability objectives were:

- Maintaining legal compliance and delivering the Greening Government Commitments¹²

- Ensuring compliance with mandatory Government Buying Standards and
- Responding to the findings of the Environmental Audit Committee report on environmental sustainability at the Department.

Scope and data quality

Included within the scope of this part of the Annual Report are MoJ Headquarters, Her Majesty's Prison and Probation Service, Her Majesty's Courts and Tribunal Service, Legal Aid Agency, Office of the Public Guardian and Criminal Injuries Compensation Agency.

Performance data is gathered and validated by Arcadis and Carbon Smart, our external consultants employed to manage our data, and final checks are undertaken by the Building Research Establishment on behalf of the Department for Environment, Food and Rural Affairs.

The Department is unable to report data from locations where property owners are not obliged to provide it. Some data will be estimated. The data below shows our present position for the financial year 2018-19 against a 2009-10 baseline (unless otherwise stated). Data and target

performance are restated where more accurate historic information has been made available. Environmental data is estimated for a 12-month period from January 2018 to December 2018 and therefore does not align with data reported elsewhere in this report which refers to the 2018-19 financial year (1st April 2018 – 31st March 2019). Environmental data for the previous year (2017-18) has been restated to include actual environmental performance for the 2017-18 financial year¹³.

The greenhouse gas conversion factors used can be found in the Government environmental impact reporting requirements for business.¹⁴

This report is prepared in accordance with guidelines laid down by HM Treasury in 'Public Sector Annual Reports: Sustainability Reporting'.¹⁵

¹² <https://www.gov.uk/government/publications/greening-government-commitments-2016-to-2020/greening-government-commitments-2016-to-2020>

¹³ In accordance with annual reporting conventions across other UK Government departments, The Department's non-financial indicators are compiled using data from the final quarter of the previous reporting year plus the first three quarters of the current reporting year.

¹⁴ <https://www.gov.uk/government/publications/greenhouse-gas-reporting-conversion-factors-2018>

¹⁵ Government financial reporting manual 2018 to 2019 - GOV.UK

UN Sustainable Development Goals

The Department is committed to delivering the UN sustainable development goals and our Single Department Plan sets out how our work supports delivery of specific goals. The work of the Department primarily supports delivery of Goal 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels). In addition, our work on improving the experience of victims and witnesses in the justice system, ensuring better

outcomes for children, families and vulnerable adults and our own departmental diversity and inclusion strategy support delivery of Goal 5 (Achieve gender equality and empower all women and girls), and our work on meeting the needs of young, female and BAME offenders is supporting delivery of Goal 10 (reduce inequality within and among countries). In addition, our sustainability agenda supports Goal 13 (Take urgent action to combat climate change and its impacts).

Governance and engagement

Overall governance and assurance of sustainability is managed by the our Estates Sustainability Team and performance is monitored by our Senior Sustainability Board, chaired by the Chief Property Officer and Sustainability Champion.

Our Sustainable Operations Strategy sets out how the Department embeds environmental sustainability throughout its estate, operations and procurement activity. The Department has also developed a number of other sustainability strategies and policies for its staff and supply chain to follow:

- Carbon and Energy Reduction Strategy
- Building Research Establishment Environmental Assessment Method Policy¹⁶

- Biodiversity Policy
- Water strategy
- Pollinator Strategy
- Bio-security Strategy and Policy
- Single use plastics Policy

Throughout 2018-19 a 'Be Seen Being Green' staff engagement campaign was launched and the Department participated in events including Earth Hour, Biodiversity Day and Recycling Week. We also launched our Green Group, bringing together two previous networks of our staff into a single group which, supported by the sustainability team, will engage in a range of activities aimed at further reducing our environmental impact through behaviour change.

Independent reviews

Over the course of 2018-19, the Department has been working to address the recommendations of the Environmental Audit Committee report on sustainability at the Department. As a result of the report, significant improvements have been made across governance arrangements and the Department has also made progress in embedding environmental sustainability to policy making. We are working with the Policy Profession to develop guidance focused on

highlighting policy options that are likely to have environmental impacts.

The Department now provides enhanced management information to prisons, alongside benchmarking information on energy, water use and Green House Gas emissions. The Department also provides agencies with tailored targets to support improvements in environmental performance.

¹⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/692531/sustainable-construction-breem-policy.pdf

Transparency commitments

Throughout this section the Department's activities are linked to the three pillars of sustainability: the economy, society and the environment.

Category	Icon	Description
Economic		The Department aims to support high and sustainable levels of employment to drive economic growth
Social		The Department aims to recognise the needs of everyone and support those with complex barriers to turn their lives around for the better
Environmental		The Department aims to make prudent use of natural resources to help protect the environment

As well as publishing our sustainability policies, the Department reports against several transparency commitments as part of the Greening Government Commitments framework. Progress is summarised below:

Initiative	Activity in 2018-19 includes
Sustainable Procurement 	<p>New contracts require that suppliers meet the Government Buying Standards. New procurement staff are provided with training on sustainable procurement. All commercial policy professionals are required to complete the Civil Service "Introduction to Sustainability" online training course.</p> <p>Due to its historic performance in managing spend with Small and Medium Sized Enterprises against the Government target of 33%, the Department has set a more challenging target of 38% by 2020. In 2018-19 we ensured that all new contracts contain sustainability clauses.</p> <p>Food provided in our catering outlets is local and in season, where possible, to minimise energy used in food production, transport and storage. Food is purchased from farming systems that minimise harm to the environment, such as produce certified by LEAF, the Soil Association or Marine Stewardship Council. Other products are also offered which are fairly traded and ethically sourced. The amount of foods of animal origin (meat, dairy products and eggs) eaten is being reduced, as livestock farming is one of the most significant contributors to climate change, and the Department ensures that any meat, dairy products or eggs which are purchased are produced to high environmental and animal welfare standards. The amount of palm oil used in products purchased is also being reduced where possible ensuring that, where palm oil is used, it is sustainably sourced.</p> <p>A new Sustainable Procurement Policy was approved by the Senior Sustainability Board in February 2019 and the Sustainability Team are busy implementing it.</p>

Initiative	Activity in 2018-19 includes
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Biodiversity	
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The Department includes national and regionally important environmentally sensitive sites, which have been designated by Natural England, and Natural Resources Wales for their biological, geological and archaeological importance. There are also European and Internationally important designated sites, which encompass our borders on the Department's estates, which have been scheduled for their importance for wetlands, wading birds and landscape scale conservation. Additionally, the Department has over 30+ sites of local and regional biodiversity significance.

Our Ecology Team have been working hard with its Executive Agencies and its lead partners for wildlife, and have processes in place through action logs and site management plans to ensure at least 70% of our designated sites are in a favourable condition by 2020.

The Department's Ecology Team have been further developing our sites of specific scientific interest condition improvement plan, commissioning biological condition improvement surveys at 2 environmentally sensitive sites. Additionally, commissioning biological surveys of 13 biodiversity significant sites, where the Department shall be implementing local biodiversity action plans.

The Department has been working closely with its estate facilities management providers and its lead partners to sign and implement innovative and challenging Memorandums of Understanding that deliver on its biodiversity strategy for both flora and fauna. In 2018 the Department signed MoUs with the British Dragonfly Society and the Amphibian and Reptile Group UK.

Our Ecology Team run a national behaviour awareness campaign which includes a national Biodiversity Day, a National BioBlitz, and the HMPPS Wildlife Award. Over the year, 15 prisons including six environmentally sensitive sites, have engaged offenders on ecological related work, providing important restorative justice programmes, transferable learning and skills opportunities, and health and well-being initiatives through nature and community engagement. The team also organised six conservation volunteering days on our estate, three at HMP Coldingley and three at Snaresbrook Crown Court. Volunteers carried out a range of conservation activities that included building hedgehog and bird boxes, renewing a "nature walk", and clearing ivy to allow light into the woodland to enhance the native understorey flora.

The Department is working closely with the Animal and Plant Health Agency (APHA), on a badger inoculation project on the HMPPS estate. The aim of this project is to assist our rural estates prison livestock farms, with badger management, as well as our partners APHA and the Department for Environment, Food and Rural Affairs with important biological and behavioural site movements of badgers. In addition to this inoculation project the Department is running an orphan badger project at its HMPPS training services site Newbold Revell, where they have successfully relocated and released five badger orphan cubs to the wild.

In late 2018 the 2016-2018 Biennial Ecology Update was published along with our Biodiversity Policy, and the Woodland Statement and Vision is currently being drafted for launch in mid to late 2019.

Rural Proofing	
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Working with the Department for Environment, Food and Rural Affairs, the Department has developed a set of clear screening questions and supporting guidance for policy professionals to help them rapidly and reliably assess policy options for potential sustainability impact. This guidance is being taken to the Policy Profession Board early in 2019-20 with a view to ensuring its use on all policy options so that, where particular options will require more detailed impact assessment as they are developed, they are clearly highlighted and results are recorded to support robust evidencing and the use of the screening questions.

The Department secures appropriate guidance on sustainability in response to important planning issues, such as: transport plans, ecological impact assessments and social and community plans.

Initiative	Activity in 2018-19 includes
Climate Change Adaptation 	<p>The Department is mindful of the risks posed by climate change and has taken steps to avoid overheating in prisons. It will continue its programme to review and introduce measures to mitigate against overheating in the existing prison estate.</p> <p>The Department has incorporated climate change scenarios in its Prison Estate Transformation Programme energy modelling. This will help to reduce summertime overheating, and minimise summertime cooling energy demand. Application of Building Research Establishment Environmental Assessment Method requirements will also ensure that new prisons sites and designs consider and address flood risk, rainfall and solar gain.</p> <p>A Climate Adaption Strategy is being developed with input from the Environment Agency. This will be published in 2019.</p>
Sustainable Construction 	<p>The Department is committed to the BREEAM standard of “excellence” for new builds and “very good” for refurbishments over stated minimum threshold values. It committed to publishing annually the BREEAM rating of our new building and other major projects During 2018-19 one project received final BREEAM certification – this was a new build prison project and it received an ‘excellent’ rating in line with the Department’s policy on sustainable construction. A total of 23 projects were registered for BREEAM during the year. These were all new build projects.</p> <p>The Department has developed guidance for project teams on applying the BREEAM policy to reduce the risk of assessments failing to achieve the required standards or not being completed. The BREEAM Policy was updated this year to require a costed ‘upgrade option’ to be provided for all BREEAM assessed projects such that an informed decision could be made with respect to pushing for higher than mandated BREEAM standards.</p> <p>The Department has integrated environmental sustainability into decision-making processes from the earliest stages of project development and the Sustainability Team continues to work with Project Delivery colleagues to identify key intervention points where integration of sustainability would have most benefit.</p>



Greening Government Commitments

The data below shows our present position for the financial year ending 2018-19 against a 2009-10 baseline, unless otherwise stated.

Overall Greening Government Commitments (GGC) performance

Overall Greening Government Commitments performance 2018-19			
Requirement	2018-19 performance	Achievement against target	Explanation where target not achieved
Reduce greenhouse gas emissions by 38%	-38%	●	
Reduce domestic business flights by 30%	-7%	●	HMCTS and OPG continue to have a requirement to fly to areas where there is no practical alternative to air travel. The majority of flights are either to 'hard to reach' locations or would result in overly long train journeys.
Reduce overall waste and exceed 2015-16 levels (-31%)	-37%	●	
Landfill waste to be less than 10%	4%	●	
Increase recycling and exceed 2015-16 levels (59%)	83%	●	

Overall Greening Government Commitments performance 2018-19

Requirement	2018-19 performance	Achievement against target	Explanation where target not achieved
Reduce paper use by 50%	-32%	●	The Department is improving its digital systems to enable a reduction in its reliance on paper
Reduce total estate water consumption and exceed 2014-15 levels (-4%)	-4%	●	Currently at 3.75% reduction and a water leak detection programme is being initiated and automatic meter readings meters installed to improve water consumption on the estate.

Greenhouse gases



Greenhouse gases and financial costs 2018-19

Greenhouse gas (GHG) emissions from buildings and travel		2018-19	2017-18 ¹⁷	2016-17	2015-16	2014-15
Non-financial indicators (tCO₂e)	Total Gross Scope 1 (Direct) GHG emissions	186,789	180,786	195,971	195,591	206,749
	Total Gross Scope 2 (Energy indirect) emissions	138,139	161,654	178,950	224,224	238,317
	Total Gross Scope 3 (Official business travel) emissions	24,367	28,682	30,218	39,679	37,659
	Total emissions¹⁸	349,295	371,122	405,139	459,494	482,725
Non-financial indicators (MWh)	Electricity: non-renewable	365,478	358,468	350,095	335,636	361,061
	Electricity: renewable	92,313	81,553	83,316	111,515	119,653
	Gas	893,402	880,716	921,913	903,080	951,013
	Other energy sources	38,688	35,363	53,839	84,267	88,608
	Total energy	1,389,881	1,356,100	1,409,163	1,434,498	1,520,335
Financial indicators (£m)	Expenditure on energy	92	92 ¹⁹	97	97	103
	CRC Expenditure	6	7	7	7	7
	Expenditure on official business travel	28	24	28	25	27
	Total expenditure on energy and business travel	126	123²⁰	132	129	137

The Department has achieved a 38% reduction on its overall carbon emissions from estate energy consumption and business travel since 2009-10, and reduced its associated energy bill by £12m per annum since 2014-15. This has been

achieved through a combination of investment in energy efficiency projects, smarter working and estate rationalisation, as well as decarbonisation of grid electricity.

¹⁷ 2017-18 non-financial indicators have been restated to include actual environmental performance for the financial year

¹⁸ Definitions for Scope 1-3 emissions can be found at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69282/pb13309-ghg-guidance-0909011.pdf

¹⁹ Correction to previously published figure

²⁰ ibid

During 2018-19 there has been a focus on no cost measures, benchmarking site performance and developing detailed project proposals. The Department has, for example:

- Installed boiler optimisation controls at three prison sites
- Installed or enabled gas Automatic Meter Reading (AMR) at 370 sites across the prison estate and 244 sites across the courts estate
- Installed LED lighting at two major sites
- Assessed the viability of solar PV projects at two custodial sites
- Commenced Re:Fit in London for several Courts and Prisons
- Continued to display energy use at our HQ buildings online.

The Department also takes part in the Modern Energy Partners programme at three prisons on the Isle of Sheppey. MEP is a collaborative project between Energy Systems Catapult, the Cabinet Office and the Department for Business, Energy and Industrial Strategy, working with private sector specialists and Crown Commercial Service. This and Re:Fit will help identify further funding sources for investment in energy and carbon saving projects.

The Courts continue to reduce overall carbon emissions through its Smarter Working programme, investment in energy efficiency projects, and digitalisation of court procedures. £15m was secured for works to improve the condition of court buildings ensuring that more than 170 wide-ranging improvement works were undertaken across many sites during 2018-19. HMCTS has made £6 million savings on energy and travel since 2009-10.

HMP Risley LED Lighting

The Department and Amey have worked together to install LED lighting, in two phases, at HMP Risley. This £3m project finished in early 2019 and is projected to produce savings of around £170k and 580 tCO₂ per year.

Greening our vehicle fleet – Acquisition of Low Emission Vehicles (LEV) and Ultra Low Emission Vehicles (ULEV) 2018 - 2023

The Department is transitioning its fleet vehicles away from a dependence on diesel to petrol/electric hybrids or to pure electric where viable options are available. The current MoJ Fleet consists of 1544 cars, vans, minibuses and trucks which predominantly use diesel as their fuel. Having an average age across the fleet of 5 years, all vehicles met the latest European Emission Standard at the time of purchase. In order to meet the new requirement that by 2022 all Government fleets will have 25 percent of its cars meeting the ultra-low emission vehicle definition of below 75g CO₂ / km together with the corresponding adoption of the revised buying standards for vehicles in January 2018, a target of 149 cars has been set for the MoJ fleet to achieve compliance. The Department has increased its road going low emission vehicles from zero in January 2018 to a current fleet holding of 103 petrol hybrid low emission vehicles and 3 plug-in petrol hybrid ultra-low emission vehicles.

Travel



Domestic flights 2018-19

Domestic air travel	2018-19	2017-18 ²¹	2016-17	2015-16	2014-15
Number of flights	4,265	4,256	4,034	3,319	3,976

Whilst the Department is working to reduce the number of domestic flights taken, this area accounts for less than 0.1% of its total carbon emissions. In addition, all flights are either taken to 'hard to reach' locations (e.g. Northern Ireland), or would incur over 6 hours travel for a return rail

journey. Therefore, although we are working with colleagues to reduce flight numbers where possible, efforts are primarily being focussed on those areas that will have greater environmental benefit and represent better value for money with less operational impact, such as reducing energy use.

Water



Water consumption and financial costs 2018-19

Water	2018-19	2017-18 ²²	2016-17	2015-16	2014-15
Non-financial indicators Total water consumption (m ³ 000)	8,976	9,072	8,682	8,356	9,022 ²³
Financial indicators Total water supply costs (£000)	27	25.9	25.2	24.3	24.7

The Department has reported a 4% reduction in water consumption compared to the 2009-10 baseline achieved through various water saving measures. For example, £100k was invested to repair water leaks at HMP Long Lartin which saved £220k per annum and reduced annual water consumption by 71,000m³. Improvements in monitoring and measurement of water consumption is being undertaken through a project to install Automatic Meter Reading devices on water meters across the Department's estate. In addition, a Water Management Programme on the prison estate is focussing on opportunities for consumption reduction and water leak detection. The Department published its Water Strategy in January 2019 detailing these initiatives and other planned improvements.

Water Measurement and Monitoring on the Prison Estate

As part of the Department's drive to reduce the water consumption, detailed monitoring and measurement of water consumption is being undertaken across the prison estate. Water use by prisons accounts for 90% of the Department's total water consumption.

By developing a robust benchmark for prison water use, this enables sites with exceptionally high consumption and in some cases major water leaks to be identified. A high-level study of the ten highest consuming prisons has highlighted potential savings of 293,000 m³. In-depth water audits at these sites will provide recommendations for improvement measures which the Department will look to implement, where possible, in 2019-20.

²¹ 2017-18 non-financial indicators have been restated to include actual environmental performance for the financial year

²² 2017-18 non-financial indicators have been restated to include actual environmental performance for the financial year

²³ 2014-15 water use figure re-stated

Waste



Waste production and financial costs 2018-19

Waste	2018-19	2017-18 ²⁴	2016-17	2015-16	2014-15	
Non-financial indicators (tonnes)						
Hazardous waste	n/a ²⁵	80	132	n/a	n/a	
Non-hazardous waste	Landfill	1,620	3,907	7,223	10,807	14,625
	Recycled/Reused	36,505	31,413	26,907	25,846	27,065
Incinerated with energy from waste	6,580	13,454	13,616	9,297	8,466	
Incinerated without energy recovery	0	11	76	109	167	
Total waste	44,705	48,865	47,954	46,059	50,323	

The Department has achieved a 37% reduction in overall waste compared to the 2009-10 baseline. Only 4% of our waste currently goes to landfill meeting the Greening Government Commitments target. Recycling rates are 83% exceeding our target of 59%.

By working with facilities management companies, the Department has improved upon all our waste targets and is seeking solutions to find alternatives to landfill, incineration and turning waste into refuse derived fuels.

Reuse in the National Probation Service

During 2018 the National Probation Service's business strategy and change estates support team partnered with the Shrewsbury and Telford NHS Trust through WARP-IT, the Department's online furniture and equipment reuse service. NPS donated furniture to the NHS Trust's fertility unit which reduced disposal costs and ensured furniture was reused and repurposed.

NPS commented that there are enormous advantages of WARP-IT and that they saw what a difference even the smallest item can make when it goes to someone that really needs it.

Prison waste management units employ offenders to sort through the waste, separating out items suitable for reuse and processing materials for recycling. These not only reduce waste and increase recycling rates, but also provide rehabilitation opportunities for offenders through accredited waste management qualifications and work experience. In 2018-19 around 400 offenders²⁶ were employed in these units working an average of around 700 hours a week between them.

The Department has recorded a 32% decrease in paper consumption since 2009-10 which although impressive, falls short of the 50% Government target. This has been achieved through our Digital transformation programme within HMCTS, and our transformation programme which introduced more mobile IT devices, thereby reducing reliance on paper.

²⁴ 2017-18 non-financial indicators have been restated to include actual environmental performance for the financial year

²⁵ This metric was not available for 2018-19

²⁶ Numbers reported as available in May 2019

Office of the Public Guardian Paper Reduction

Over the last 12 months the OPG has made great steps in providing digital solutions, striving to become a more modern agency with services suitable for an increasing digital society.

Examples include the use of Government Digital Service in house messaging service 'Notify', to enable lay deputies (members of the public) to submit annual reports online. More than 50% of all lay deputy report submissions for October and November 2018 were submitted online, saving more than £4,500 a month on printing and postage.

Serve_OPG, a new digital product, was also introduced recently that allows the Court of Protection to serve court orders straight to OPG's IT systems. While Courts still scan documents, they can now send far fewer pages.

Since the launch of an in-house system (Sirius) in May 2015, over 2,272,000 lasting power of attorney have been processed online and 8,920 enduring powers of attorney applications were also registered online as of November 2018.

During 2019-20 OPG plans to develop new digital means of improving our customer service. For example, customers will be encouraged to pay electronically and make payments cheque free. An online register will be created to allow customers, stakeholders and employees to search OPG records remotely - reducing the demand on the contact centre and giving people the ability to self-serve.

Consumer Single Use Plastics

The Department is committed to removing consumer (avoidable) single use plastics from its office estate by 2020 in line with the Government's pledges in the 25 year Environment Plan and Resources and Waste Strategy 2018. It's single use plastics policy was published in January 2019 and the following actions have been taken to remove consumer single use plastic:

At our main HQ building, 102 Petty France, the Department has:

- Offered keep cups for sale (234 sold between April 2018 and March 2019) and a discount for using re-usable cups

- Replaced plastic water and coffee cups, cutlery and stirrers with compostable alternatives
- Removed all single-use condiment sachets
- Paper straws are only available on request and
- Plastic water bottles are available, but they are 'Life' water bottles which use less plastic and the profits of which are used to build wells in developing countries.

The Department is also encouraging the reduction of consumer single use plastics on the operational estate.

Sir Richard Heaton KCB
Accounting Officer

15 July 2019