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Briefing: Scottish Climate Change Bill (4) – Jan 2009

Scottish Climate Change Commission

Scotland needs a distinctive body to support delivery of the Climate Change (Scotland) Bill right from the start. It should be a body which would work constructively with the UK Climate Change Committee and be a Scottish Climate Change Commission (not Committee, so as not to be confused with the Climate Change Committee in Scottish Parliament).

Why is a distinctive Scottish body needed?

The legislative framework Scotland will be working within is different from the rest of the UK, e.g. Scotland is committed to emissions reduction through annual targets. The policy context is completely different with much that affects climate change emissions and adaptation devolved and whether in housing, transport, energy or education the priorities and approaches may be different from the rest of the UK. The organisations that will be expected to deliver under the legislation are distinctively Scottish; whether in local government, which operate under a completely different structure and funding arrangements in Scotland from the rest of the UK, agencies or other public bodies. The cultural, educational, legal, social and geographical context is different. The tools and measures to support the implementation and delivery to the targets under the Climate legislation will need to be tailored to Scotland. The Chair and Chief Executive of the UK Committee on Climate Change on a visit to Scotland since their establishment indicated in response to questioning that they may not be able to support Scotland in these different approaches and areas.

Why is a Scottish Climate Change Commission proposed?

While Scottish Government will be responsible for delivery of the targets within the Scottish Climate Change legislation, the Scottish Parliament will be responsible for auditing progress and ensuring delivery. Scotland's Parliament should be able to seek advice from an independent, arms length body which can support it in ensuring that the targets and plans implemented do deliver the requirements of the Climate Change legislation. A Scottish Climate Change Commission is needed to provide that advice and support; advising Parliament on the global scientific picture, supporting them in the review of delivery or even plans in order to reach targets; monitoring progress in Scotland and putting activity in Scotland into international context. Such a Commission could provide Scottish Government with advice and support, but as a body that is 'owned' by the Scottish Parliament rather than the Government it would remain independent from Government and therefore not compromised by being too close to Government. The Chair of the Scottish Climate Change Commission should represent Scotland on the international stage, encouraging others to lead according to the Scottish example.

What should the Scottish Climate Change Commission do?



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VAT number 733 761821
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The Scottish Climate Change Commission should:

- (i) provide **advice and support** on climate change based on an understanding of the global picture, science, latest developments and its broad expertise
- (ii) annually **provide a commentary** on the reductions achieved that year; what it means in terms of statutory responsibility and delivering the long term targets.
- (iii) provide **high level expertise** to support public sector delivery of the targets and emission reduction plans that Scotland has set in statute
- (iv) **monitor** and provide commentary to Scottish Parliament, Government and public bodies on what Scotland's efforts mean in the bigger picture
- (v) **support the scrutiny** function of the Scottish Parliament,
- (vi) where Scottish Government has failed/made progress on target delivery, **explain** what this means and what it could/should plan to do in the future
- (vii) **advise** on whether proposed international trading levels are appropriate

In order to ensure smart, efficient and effective working, the Commission should work with **Audit Scotland**. It is well placed to do the number crunching of data on target delivery, simplifying scrutiny (in line with the Crerar Review) while the Scottish Climate Change Commission would provide a narrative to support and interpret the numbers. The narrative should primarily assist Parliament in carrying out their scrutiny function but also inform the wider public/media what this means in terms of achieving targets and the national objectives. Audit Scotland should have this audit function in any case.

What kind of body should the Scottish Climate Change Commission be?

The Commission should be made up of 10-16 people, supported by small secretariat with a Chair (appointed by Parliament). The Chair should also sit on the UK Climate Change Committee. The model proposed is not unlike that of the Scottish Human Rights Commission. Features such as advice provision and support are like the UK version (not Scottish) of the Sustainable Development Commission.

- A Scottish Climate Change Commission should be established in statute by the Climate Change Bill.
- The Chair and Commissioners should be nominated and appointed by Parliament
- The Chair of the Scottish Commission should sit on the UK Climate Committee
- Chair and members of the Commission would go before Parliament to give evidence to inform scrutiny process.
- The Commission should support and advise government, local authorities and the rest of the public sector but not directed or tasked to deliver the targets by Government.
- Scottish Government could request the Commission provide expertise, support and advice for them.

Who should be on it? As the Commission needs to provide advice on Scotland's efforts on the basis of an understanding of the bigger picture, it needs to be populated with the right range of expertise and experience. It should include social, environmental and economic expertise to ensure that any decisions deliver mitigation and adaptation to climate change in a sustainable manner for people and the environment at home and abroad. It should have expertise in the following areas: climate science (including international experience) in impacts/modelling; land use; energy; food; transport; international trading; international development; environment; economy; behaviour change; community development; local government; trade union; business and industry; public health and ensure it captures a broad overview of sustainable development.

Tackling Climate Change. As a nation Scotland could lead the way.

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