



Climate Conscious Law Firms:
Why your firm should reduce its carbon footprint
and the tools and resources to make it happen

LAWYERS FOR
CLIMATE ACTION
NZ INC.



The aim of this guide is to be a resource for individuals and/or firms wanting to cut their carbon. We have collated the necessary information and resources to make the case for cutting carbon to your senior leadership.



A quick guide.

Some low-hanging fruit you can achieve **today**:

- Cut travel to the essential trips. You have already done it during lockdown, so why not make those virtual meetings your new normal. (A flight from Wellington to Auckland releases about [297 kg of carbon dioxide per passenger](#), which accounts for approximately 4% of the average Kiwi's entire carbon footprint for the year).
- Energy saving at the office – change those bulbs to LED and switch off devices and screens and TVs, or install sensors to do it. (Some printers use more energy on standby mode than on).
- Reduce waste and make it easy to recycle – put the right bins in place and use them, look at compost options. (A typical office worker [uses 10,000 pages of paper](#) a year, lawyers [often ten times that much](#)).
- Buy better. Think about the carbon cost of what you procure. (How far has that ream of office paper travelled?)

Making a serious and certified commitment for **tomorrow**:

- By engaging organisations such as Ekos for smaller firms (see its certification information and [carbon calculator here](#)) and Toitu Envirocare for larger firms (see its [certification programmes here](#)).
- For relatively low cost they will meet with your firm and assess your current missions to formulate a plan for reducing emissions. They can also help you implement it.
- These programmes provide you with internationally recognised certification.

Further guidance and resources:

- NZ Business Council for Sustainable Development [guide to cutting carbon](#)
- (UK) Legal Sustainability Alliance [business case for sustainability](#)
- Sustainable Business Network's [practical tools and resources](#)

That's your cut-out-and-keep quick guide to get on with it. Read on for more detail.



The clear case for cutting carbon

- Climate change is caused by the greenhouse gases emitted by humans.
- There are simple steps that legal firms can take that hugely decrease carbon emissions.
- These steps not only benefit the planet, but businesses too - they are being increasingly sought after by clients, save money, and ensure our future relevance and resilience.

Carbon emissions consist of approximately three-quarters of global greenhouse gas emissions. Humans are the main cause of carbon emissions. Carbon dioxide is released into the atmosphere after everyday processes like driving a car into work, or generating electricity to power a light bulb, microwave or computer. Therefore, the way we work has a direct impact on the environment.

Many governments around the world have recognised this. In December 2015, 197 countries pledged to commit to reducing carbon emissions through the Paris Agreement. The Paris Agreement provides a framework for countries, businesses and investors to maintain global temperatures below a further 2 degree Celsius increase, with a further aim to pursue efforts to limit it to 1.5 degrees Celsius. Limiting warming to 1.5 degrees Celsius requires cutting global emissions by 7.6 per cent each year this decade.

What does this mean for Aotearoa? Well, the New Zealand government has recognised the importance of this agreement by passing new legislation. As of 13 November 2019 the Climate Change Response (Zero Carbon) Act 2019 (**Zero Carbon Act**) establishes New Zealand's response to meeting the requirements of the Paris Agreement. This includes setting a new target of reducing net emissions of all greenhouse gases to zero by 2050.

Under the Paris Accord, countries must update the United Nations every five years on what they are doing to achieve the targets established in the Paris Agreement. New Zealand's latest pledge was to cut emissions by 30 per cent below 2005 levels by 2030. In order to achieve this, a transition to a low carbon economy is required. This transition needs to happen soon through businesses, as well as governments, playing their part in reducing emissions.

While the Zero Carbon Act currently doesn't include a legal remedy or relief for failure to meet these targets, it is up to the market to control change. The failure of the market to prevent climate change will almost certainly result in increased taxation and regulation as the severity of the crisis worsens.

Given the legal lens through which countries are adopting these measures such as passing legislation and signing international agreements, the law industry has an obligation to lead the way in achieving these targets. This obligation was touched on by David W. Rifkin, a former President of the International Bar Association, who said the following during his address at a 2016 Climate Action event held in Washington DC in the wake of the Paris Agreement:

The legal profession has a critical role to play in the fight to combat climate change, which I believe to be the greatest challenge of our time. From the articulation and adoption of the domestic and international laws necessary to mitigate and adapt to climate change, to the interpretation, implementation and enforcement of those rules, to advising governments, businesses and NGOs on creative solutions, the international legal community has been – and will continue to be – integrally involved at each step of the process.



Cutting carbon makes good business sense

Customers and staff increasingly want business to be part of the climate change solution. Cutting carbon is about good corporate citizenship, but it can also have wider benefits for your firm. Cutting carbon contributes to operational efficiency which can result in financial savings: an LCANZI equivalent in the United Kingdom, the [Legal Sustainability Alliance \(LSA\)](#), has been tracking the progress of its members' carbon reporting for the last 10 years and has found quantifiable evidence that there were significant financial savings for legal firms that reduced their emissions. But there are also wider benefits to realise:

- aligning with the various stakeholder groups that are increasingly asking for businesses to present their credentials on sustainability policies and performance;
- meeting consumers' and customers' expectations of ethical and sustainable goods and services;
- attracting, retaining and engaging staff, especially from Gen X/Y or Millennials; and
- making positive contributions towards local, national and international communities.

Closer to home, LCANZI has spoken to some of the NZ firms who have made a commitment to reducing their emissions. All firms contacted spoke about the desire to make a conscious commitment to offsetting their environmental impact in the face of the climate crisis, even if their impact wasn't significant relative to other businesses.

Those driving the changes at these firms also wanted to set an example for their staff and encourage them to make similarly environmentally focused decisions. What they found was that the steps implemented started to drive further conversations around addressing the environmental impacts of everyday life with not only staff, but clients too. This is where the real value was found.

All firms also highlighted the benefits they experienced from a business perspective. We were told that it was not uncommon for prospective clients to enquire about social issues such as environmental policies. They had no doubts as to whether the business benefit outweighed the cost - it only takes one client to care for the decision to pay off.

If your firm is considering taking action to address its environmental impact, whether it be big or small, and would like to discuss this with a senior member of a firm that recently undertook the Carbon Zero certification process, Garth Sinclair from Webb Henderson is happy to be contacted on garth.sinclair@webbhenderson.com.



Guidance and support

One of the factors that often discourages individual actors from making a change is a perception that any difference will just be ‘a drop in the ocean’ with little lasting impact. While there are many reasons why individual climate action *does* make a difference,* organisations like LCANZI, the [Sustainable Business Network](#), the [Sustainable Business Council](#), and the [Climate Leaders Coalition](#) address this mentality by joining like-minded businesses together for collective action on climate change.

LCANZI was established with the very purpose of forming a collective of barristers, solicitors and legal academics who want to use their legal skills and experience to address climate change. We aim to provide support and guidance to members and the wider legal sector, while also offering our unique perspective on climate action in Aotearoa. This guide on ‘Climate Conscious Law Firms’ is our first free offering to encourage interested individuals and firms to make a concerted effort to reduce their carbon emissions.

The Sustainable Business Network is a broader collective of New Zealand businesses. It is a membership-based network that has been around for approximately 20 years, with over 600 members who share ideas, work together, and support and inspire each other towards the ultimate purpose of a sustainable Aotearoa New Zealand. They have three main projects, one of which is ‘Climate Action 20/25’, which specifically encourages NZ SMEs to take action. To that end, they provide a number of simple and effective resources on the “[Tools & Resources](#)” section of its website. They also have a useful [sustainable business practices during the recovery from COVID-19](#).

The Sustainable Business Network is working on a free online toolkit, targeted particularly towards SMEs that have traditionally been prevented from taking climate action because of time and resource barriers. This will be available on its website by August 2020. In the meantime, SBN offers an advisory service which can help you understand sustainability and how it relates to your firm. The advisory service can be a good intermediate option if your firm is sitting somewhere between the DIY and full certification process – the Sustainable Business Network will help you evaluate and define your sustainability goals, and build strategy to achieve them.

The Sustainable Business Council is similar: a member-based organisation that requires its members to make specific sustainability [commitments](#) and aligns itself with the UN Sustainable Development Goals for 2030. They also provide a number of useful [reports](#) and [guides](#) on their website.

The Climate Leaders Coalition is a newer collective, launched in July 2018 to promote business leadership and collective action on the issue of climate change. So far the Chief Executives of [115 New Zealand businesses](#) have signed up to a pledge to reduce their emissions in line with the Paris Agreement. By signing up to the Coalition, each organisation commits to take voluntary action.

Signing up to these sorts of collectives will offer your firm guidance and support, a sense of the wider impact of your positive climate actions, and also hold you to account for your commitments.

*These two articles make a good argument for the fact that while national and international policy changes are key in tackling climate change, individual action is still important and worthwhile: Zack Domer “Don’t give up: An economist explains why individual climate actions still matter” (18 September 2019) The Spinoff <<https://thespinoff.co.nz/society/18-09-2019/dont-give-up-an-economist-explains-why-individual-climate-actions-still-matter/>>; Justin Rowlatt “Climate change action: We can’t all be Greta, but your choices have a ripple effect” (20 September 2019) BBC News <<https://www.bbc.com/news/science-environment-49756280>>.



Carbon certification

LCANZI have found two NZ organisations that can assist your firm in tackling your carbon emissions through a robust and internationally recognised certification scheme. These certifications show that your firm is seriously committed to reducing carbon emissions. There are two basic stages to the process:

- **measuring** your carbon emissions: this involves an audit of the current activities of your business that produce emissions; and
- **reducing** your carbon emissions: this can involve both adjusting existing activities to reduce emissions directly, as well as offsetting emissions that are unavoidable.

Service provider	Measurement	Reduction
<p><u>Ekos</u></p> <p>Ekos makes carbon footprint measurement and offsetting accessible for businesses and individuals. Their carbon credits come from their own carbon projects that grow and protect indigenous forest.</p> <p>Members you may know: <i>Les Mills, Commonsense Organics, Natural Resources Law Christchurch, Victoria University of Wellington Antarctic Research Centre.</i></p>	<ul style="list-style-type: none">– Provides an online emissions calculator, with ready support and advice throughout the process.– Creates a report of your emissions, along with an initial plan for how to manage emissions.– Keeps its costs low to target SMEs, but can cater for larger businesses.	<ul style="list-style-type: none">• On receipt of your emissions report you can choose to implement the emissions reduction plan directly;– And also to progress with Ekos through certification, going either 'Zero Carbon' (offsetting 100% of your emissions) or 'Climate Positive' (offsetting 120% of your emissions).– Ekos offer carbon credits through their own offsetting projects; indigenous forest planting projects in Aotearoa and the wider Pacific Islands.
<p><u>Toitū</u></p> <p>Toitū is a wholly-owned subsidiary of Manaaki Whenua – Landcare Research, a Government-owned Crown Research Institute. Toitū aims to lead positive change through a system of robust and internationally recognised carbon and environmental programmes to help businesses reduce their carbon footprint, realise efficiencies and be more sustainable.</p> <p>Members you may know: <i>Lowndes, Anderson Lloyd, Hudson Gavin Martin, Webb Henderson, Toyota, Westpac, Auckland Airport, NZ Post, Kathmandu.</i></p>	<ul style="list-style-type: none">– Intensive measurement programme with an online measurement and management platform for real-time reporting.– Independent audit to verify your reporting is accurate and complete.– Flexible offering to cater for all business sizes, ongoing annual membership and auditing/certification. Higher price-point for expertise and international standing.	<ul style="list-style-type: none">– Annual Emissions report and Management Plan produced.– Option of 'Carbon Reduce' (reduce emissions without offsetting) or 'Carbon Zero' (reduce and offset emissions).– Facilitate offsetting any unavoidable emissions through a selection of verified carbon credits to achieve a net zero balance.– Marketing resources and support.

