

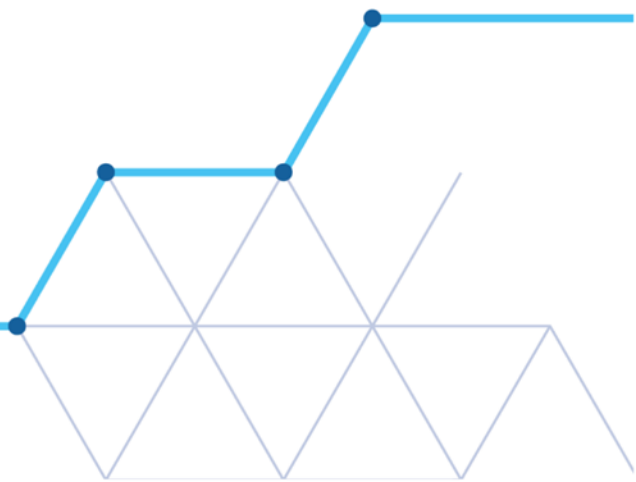


Ministry
of Justice

Estates Directorate

Biodiversity Policy

March 2018





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Version control

Policy name:	Sustainable Operations Biodiversity Policy
Version:	V1.0
Date published:	March 2018
Policy owner:	Carl Von Reibnitz
Authors:	John Cole and Phil Thomas
Next review date:	March 2019

Version control

Version no.	Version date	Version author	Reason for version
0.1	2016	Phil Thomas	Initial drafts
0.2	2016	Phil Thomas	Revisions
0.3	2017	Bea Finch	Revisions
0.4	2018	Phil Thomas	Revisions
1.0	2018	John Cole	Final

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1. Introduction

- 1.1 Biodiversity is the variety of life, it's the key to managing our survival on this planet. Its loss will undoubtedly deny our future generations a colourful and diverse mosaic of habitats and species, which will be irreplaceable. Through a network of active partners and community stakeholders we have developed a Policy to maintain and enhance our biodiversity.
- 1.2 This Policy demonstrates that the Ministry of Justice is committed to supporting a national strategy where biodiversity is maintained and enhanced. It will help ensure any identified degradation to be halted and where possible, restoration undertaken. It will help deliver more resilient and coherent ecological pathways across its estate by 2020 in line with the UK Government's ambition towards the Biodiversity 2020 outcome.
- 1.3 We will create healthy functioning ecosystems through a diverse landscape of broad habitats, which will support a healthy diverse population of priority species.
- 1.4 We will liaise and engage with local communities and like-minded organisations as part of our wider social and community vision. The following key stakeholders were consulted in the development of this Policy:
 - Department for the Environment, Food and Rural Affairs
 - Natural England
 - Natural Resources Wales
 - Scottish Natural Heritage
 - The Environment Agency
 - Lead Partners-Non-Government Organisations
 - Site Managers at MoJ Designated biodiversity significant Sites
 - MoJ Ecology network and volunteers

2. Our Aim

- 2.1 Across the MoJ estate we will moderate any perceptible loss of biodiversity, increase priority habitats and drive down fragmentation on a landscape scale: whilst responsibly and sensitively managing our existing biodiversity, through a proactive sustainable approach, that both limits and reduces the impacts of climate change.

3. Current Status and Key Objective

- 3.1 MoJ has 10 nationally designated sites, two of which are European designated sites, with a further 39 biodiversity significant sites. All our Sites of Special Scientific Interest (SSSIs) have Local Biodiversity Action Plans (LBAPs), Site Management Agreements (SMAs), Species Action Plans (SAPs) and Habitat Action Plans (HAPs). The SMAs have all been signed off by Natural England or Natural Resources Wales.
- 3.2 Two of MoJ's largest SSSIs (HMP North Sea Camp and HMP Hewell) are in a favourable condition, and seven sites are in an unfavourable recovering condition. This fulfils the Biodiversity 2020 Outcome 1A (maintaining at least 95%, by area, in favourable or recovering condition) two years ahead of time. One of MoJ's SSSIs (HMP Haverigg) is in an unfavourable no change condition, and is forecast to be in a recovering condition by 2020.
- 3.3 However, we want all our SSSIs to be in the best possible condition (favourable) and we have developed a plan to set us on that path, including through greater collaboration and partnerships. We have begun to improve the seven sites which are in an unfavourable recovering condition to a favourable condition, to achieve the outcome 1A of at least 50% of SSSIs in favourable condition. By spring 2020, at least 60% of our 10 Sites of Special Scientific Interest will be in a favourable condition as part of Defra's b2020 strategy and we will have plans in place to achieve 100%.

4. Stakeholder and Partner Engagement

- 4.1 We believe that it's essential to engage our stakeholders, partners, staff, custodial and non-custodial offenders as well as local communities, so that they can understand the importance of biodiversity; and how they can make a tangible difference to their local environment across a landscape scale.

We will therefore engage with our partners and stakeholders at every opportunity through education, training and practical projects that demonstrate positive value to biodiversity; and embed learning and skills for offenders, which will positively change lives and improve our understanding of people and nature by:

- Establishing national and locally led wildlife projects that focus on people and nature, which will support both communities and declining species.
- Increasing wider opportunities for our staff and offenders to volunteer, to improve both quality of lives and environments in cities, towns and the wider countryside.
- Raising awareness of good practice and personal achievements, which will incentivise positive action for change to our biodiversity rich landscape.
- Reflecting the aims of Restorative Justice in our community and social engagement biodiversity projects across the MoJ custodial and non-custodial estate, and demonstrating the project's credentials towards reducing the overall loss of biodiversity, increasing priority habitats and reducing fragmentation on a landscape scale, whilst reducing the impacts of climate change.

- 4.2 This Policy was issued to the Government's lead on biodiversity, the Government's wildlife advisors and our stakeholders and partners. Contributions received have been added to the Policy where this has been relevant, realistic and meaningful to the MoJ Estate.

5. Designated Sites

- 5.1 The Sustainability Team, through MoJ's Ecology Lead and Principal Ecologist, will monitor and report on all MoJ's designated sites. We also liaise directly with Government's advisors on wildlife (Natural England (NE), and for the Welsh Assembly, Natural Resources Wales – NRW) who have responsibility for notifying and designating SSSIs. We will hold an annual meeting with Defra, NE and NWE, to register the necessary legal citations for both new sites and existing sites on the MoJ estate. These are then incorporated within the MoJ biological asset register and database.
- 5.2 The MoJ Ecology Lead will work closely with the 39 biodiversity significant sites in proactively assessing and reviewing their current designation status, and where the current criteria allows sites to be upgraded from Stage 2 biodiversity significant sites to Stage 1 designated sites; this will be undertaken and agreed through each relevant statutory authority and linked to each statutory authority citation criteria.
- 5.3 Through priority species and habitat surveys we will engage with the UK National Biodiversity Network; and through a set of measurable indicators, we will monitor across each designated site its impacts on the surrounding landscape; and show how engagement through ecosystem services will deliver towards the UK biodiversity 2020 outcomes.
- 5.4 The MoJ Ecology Lead will agree and implement an SMA with either: NE or NRW, at all designated sites, in regard to those operations being carried out on site that may damage the scientific and biological importance of the site.
- 5.5 All designated sites on the MoJ estate must implement a Local Biodiversity Action Plan (LBAP) linked through the National Biodiversity Network (NBN); and be subject to an internal LBAP audit every three years. Additionally, each designated site must remain "Fully Compliant" in its LBAP status or actively be working towards being "Fully Compliant".
- 5.6 All designated sites on the MoJ estate must have a current Ecological Impact Assessment Survey (EclAs), which will remain current for three years from the survey date.
- 5.7 We will manage our estate to contribute to (or exceed) Biodiversity 2020 Outcome 1A:
- Healthier and more improved wildlife habitats with 95% of SSSI, by area, in favourable or recovering condition and at least 50% of our SSSIs in favourable condition.

6. Priority Species

6.1 Maintaining a national database on priority species, and linking through climate change adaptation will be one of our primary aims. Together with our key lead partnerships and local conservation projects, this will:

- Improve the quality of existing habitats for species.
- Identify vulnerable and fragmented populations for action.
- Manage priority species through a landscape scale that will be wholly and naturally sustainable.

6.2 To achieve this, we will:

- Implement a national pollinator strategy to highlight the importance of our naturally endemic invertebrates, such as bees, butterflies and beetles.
- Work with our partners and stakeholders; such as Bumblebee Conservation Trust, Buglife and the Peoples Trust for Endangered Species etc. towards achieving the UK's Biodiversity 2020 outcomes.
- Ensure all sites on the MoJ estate designated or otherwise; that have identified protected species, implement a full species survey to include a population status survey, which will be recorded on the MoJ protected and priority species database and recorded additionally through the NBN. Ensure all maintenance and new build projects must as a pre-requisite identify all projects which are liable to affect protected species; and shall have undertaken an EclA.
- Ensure all contractors and FM providers, working or providing services for MoJ demonstrate that they have a current policy for biodiversity and that they specifically fulfil NERC Act 2006 s40 "Biodiversity Duty" and other relevant wildlife and countryside law relating to priority species and designated sites.

7. Priority Habitats

7.1 Our priority habitats remain a constant foundation to encourage and support our diverse species, and our aims are to both support these habitats through practical inclusion of wildlife corridors to reduce fragmentation and to contribute to Biodiversity Outcome 1B; in that we create.

7.2 Larger and less fragmented areas for wildlife, with no net loss of priority habitat and where practical across our operational estates, increase in the overall value and diversity of priority habitats and those reliant priority species.

7.3 As we address climate change adaptation, and work to support the reduction of fragmentation and declining wildlife corridors, we will actively engage with our 39 biodiversity significant sites through management of our broad habitats. Of the UK registered 28 broad habitats types, the MoJ estate has 14 registered broad habitats. This management will be directed through LBAPs, and more specifically Habitat

Action Plans (HAPs) and the monitored actions and milestones will be recorded through our partners at the NBN.

8. Principles, Policy and Drivers

8.1 In addition to our policy aims for reducing loss of biodiversity, we will assist our partners to meet their specific targets. We will:

- Agree practical, responsible site management plans with the Governments advisors; Natural England, Natural Resources Wales and Scottish Natural Heritage.
- With regards to maximising MoJ's contributions to Species on Biodiversity 2020 Outcome 3: By spring 2020, we will see an overall improvement in the status of our wildlife and to have prevented further human-induced extinctions of known threatened species, by creating an index of baselines for local populations of priority LBAP species at our SSSI and biodiversity significant sites (linked to referencing action on species listed under s41 of the NERC Act 2006).
- Engage with local and national community partnerships through social and community action planning.
- Work closely with our FM providers at both SSSIs and biodiversity significant sites to maintain and manage our legally protected sites in a favourable condition and our biodiversity significant sites in a condition which actively promotes a diverse range of habitats and species.
- Additionally, involve our FM providers in community led projects such as the million ponds project, pollinating pathways project and habitat recreation projects, including our annual promotional events for biodiversity; such as our MoJ Biodiversity Day.

8.2 The MoJ Ecology Lead will additionally direct and guide an MoJ Ecology network of volunteers, whose role will be to support the MoJ Ecology Team, the SSSIs and biodiversity significant sites, and where legally applicable, carry out biological surveys on protected species and habitats in support of partnerships with the NBN and other wildlife conservation stakeholders.

9. Innovative Design and Finance

9.1 Understanding the importance of biodiversity on our business, especially how biodiversity provides a range of benefits to our staff, our partners and communities, is crucial as we move forward to embed biodiversity decision making processes across all our sustainable development work-streams. Through pro-active and innovative finance mechanisms we will highlight the importance of reducing pressure on biodiversity and create a culture of building biodiversity design and biodiversity offsetting into our estate planning within the next five years by:

- Maintaining a support network of local groups and national specialists to coordinate and augment volunteer recording. This will contribute to the National Biodiversity Network.
- Implementing a data sharing programme to support the MoJ estate planning, maintenance and building programmes; specifically supporting a rationale of biodiversity offsetting and implementing a minimum standard against Ecology and Land-use in BREEAM.
- Launching regional based pilot projects to trail new strategic partnerships, supporting identified ecosystem services and species enhancement innovative design projects.

10. Restorative Justice and Offending Behaviour Programmes in Nature

- 10.1 MoJ understands that nature and wildlife play an enormous part in the delivery of offending behaviour programmes and restorative justice. As part of the strategy for delivering on its biodiversity outcomes, the MoJ will build upon their successes through community nature projects and training staff and offenders, to deliver a broader biodiversity approach, which highlights offenders working in nature.
- 10.2 Over the next five years, the MoJ ecology lead and the Ecology network will continue with its proactive approach to community partnership engagement, which will involve:
- Three more lead partnerships implementing integral offender projects and training in biodiversity as part of the MoU process.
 - Working more closely with the Greening Outside Our Prisons Project (GOOP) team, to expand and deliver an ecology advice and support network for offenders, involving health and well-being projects for nature.
 - Reviewing the NERC Act 2006 Section 40 “Biodiversity Duty” and how this applies to offenders and learning and skills in nature.

11. Summary and the Next Steps

- 11.1 This Policy will support MoJ to fulfil and where feasible exceed its legislative commitments to biodiversity and its social and community obligations, which we believe will place the MoJ estate at the forefront of biodiversity and ecology on the Government estate.
- 11.2 Our next steps will be to monitor and review our documented actions towards our challenging biodiversity targets, and the b2020 outcome. Through our ecology network, its committed volunteers and our lead partners we will create a shared vision to halt biodiversity loss and creating a well-balanced and healthy ecosystem for our native biodiversity.

12. Key reference and Access information

<http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/duty.aspx>

http://www.legislation.gov.uk/ukxi/2010/490/pdfs/ukxi_20100490_en.pdf

<http://www.legislation.gov.uk/ukpga/1981/69/contents>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69446/pb13583-biodiversity-strategy-2020-111111.pdf

Further information

For further information or advice on this policy, please contact the Sustainability Team at:
SDenquiries@justice.gsi.gov.uk



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