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THE AUSTRALIAN LEGAL SECTOR ALLIANCE: PROMOTING A COLLABORATIVE APPROACH TO A MORE SUSTAINABLE AUSTRALIAN LEGAL SECTOR

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Introduction

The Australian Legal Sector Alliance (AusLSA) is a newly established industry association with a mission to promote sustainable practices across the legal sector. AusLSA uses a collaborative model which encourages law firms who are members of AusLSA to share their sustainability skills and experience for the benefit of the entire sector.

The idea for an Australian sector-wide sustainability programme was generated by a small but dedicated group of lawyers who had completed the Centre for Sustainability Leadership programme in Melbourne. They worked in partnership with Net Balance Foundation, the not-for-profit arm of Net Balance, a provider of sustainability advice, assurance, and research who had been developing a similar concept – a sector-wide, collaborative approach to sustainability.

In April 2010, 8 Australian law firms became AusLSA 'Foundation Members' and worked together to develop the strategy and objectives of AusLSA, and build the programme framework. The Foundation Members are: Clayton Utz, DLA Phillips Fox, Henry Davis York, Jackson McDonald, Maddocks, McCullough Robertson, Norton Rose Australian and Swaab Attorneys. AusLSA was then launched to the entire sector as a membership association by the Hon. Malcolm Turnbull, MP on 29 March 2011.

AusLSA was modelled on the Legal Sector Alliance of England & Wales (LSA–UK) which commenced in 2007 and by the end of 2010 had 200 member firms, representing more than 30% of all private solicitors practicing in England and Wales. A close association is developing between AusLSA and LSA–UK which is facilitating the establishment of further LSAs around the world.

The AusLSA programme and principles

The AusLSA programme is constructed around a set of principles that provide a framework to support individual member action and AusLSA's objectives. Members are required to commit to:

- measuring, managing and reducing the environmental impact of their operations
- working with external stakeholders to reduce their indirect environmental impact
- integrating awareness of sustainability across their businesses
- working collaboratively to engage in the public debate on sustainability to develop, apply and
- promote best practice across the sector
- reporting on progress and being accountable

These principles are intended to cover members' own operations, but also how members may influence clients, suppliers, employees and policy makers.

AusLSA uses the term 'sustainability' to encompass the full range of social, community, economic and environmental

1 AusLSA
2 Net Balance
3 Barrister

issues that affect law firms. The environmental aspects of sustainability are being prioritised in the initial stages of the AusLSA programme, before activities are expanded.

The AusLSA programme focuses on providing resources and guidance to assist members' progress in delivering on their commitment to the principles, by providing tools and guidance for sustainability initiatives and by encouraging and facilitating the sharing of skills and experience between members.

Environmental reporting for the Australian legal sector – Charlie

At the heart of the AusLSA concept (as identified in Principles 1 and 5) is the notion that members should account for the environmental impact of their firms and work towards reducing it. To this end, AusLSA has developed the Environmental Consumption Calculator (ECC) and accompanying guide which provides members with a simple and easy system for measuring and monitoring their environmental footprint. Each year, AusLSA members will be asked to submit their ECC form, from which AusLSA will generate a report on the environmental performance of the Australian legal sector.

The ECC has been developed by the sector, for the sector in line with globally recognised greenhouse gas (GHG) reporting standards including the GHG Protocol and the ISO 14064.1. Specifically, the ECC has been designed to align with the overarching principles of:

- relevance
- completeness
- consistency
- accuracy
- transparency.

AusLSA's reporting via the ECC is unique because it is the only benchmarked environmental reporting system for law firms in Australia. Firms reports use the same boundaries and methodologies, which is different from traditional internal sustainability reporting where firms will set their own scope, and use different assumptions and factors.

From a greenhouse perspective, the ECC captures information about electricity use, air travel, taxi travel, hire car use and personal vehicle use as well as some less prominent emissions sources like refrigerants and on-site combustion. Firms have the opportunity to declare any carbon offsetting activity they may undertake, or 'green energy' they may purchase; however these are not reflected in their final carbon footprints because the emphasis is on reducing impacts at the source.

The ECC also collects information about paper consumption, waste generation and water consumption. Reporting through AusLSA is sector-specific, and follows a methodology that has been developed 'by the sector, for the sector'. Data requirements have all been developed with consideration of the data that is typically available to law firms. For example, because firms are unlikely to be able to provide information about how many kilometres their lawyers have travelled in taxis, they can simply enter the amount spent on taxis according to their finance system and this will be converted into carbon emissions. If members have more advanced reporting capabilities, they can choose to enter 'higher order' data, which will yield a more accurate emissions figure.

Also, as noted above, firms that use the AusLSA reporting system use the same boundaries and methodologies for their calculations. This means that a meaningful benchmark can be drawn to enable firms to better understand how they are performing, and which areas of their operations require attention from a sustainability point of view.

Importantly, because a collaborative approach has been adopted, rather than a competitive approach, AusLSA will not be producing 'leader boards', or 'naming and shaming' firms based on their ECC results. Instead, each firm, no matter what their circumstances, will be encouraged to continually improve. The collaborative model AusLSA's organisational model

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puts aside traditional rivalries in the understanding that firms can achieve more together, than they could individually.

The programme has been developed by the 8 Foundation Members, meaning that all resources are developed by people who understand the character and challenges of the legal industry. The collaborative model also encourages AusLSA to utilise additional expertise where required. Net Balance, through the Net Balance Foundation, contributes 20% of their consultants' time to not-for-profit projects like AusLSA and has worked closely with AusLSA on the development of tools and resources, including the ECC.

AusLSA is also harnessing and developing the skills and experience that exist within law firms. By providing strategies and forums for knowledge sharing and networking, members gain access to novel ideas and schemes that have been tried and tested by other law firms to enhance sustainability.

What is being reinforced by this initiative is that improved sustainability policies not only reduce the environmental footprint of a firm, frequently they also reduce the cost of a firm's operations.

For example, the installation of software at Norton Rose Australia to automatically shut-down desktop computers overnight contributed to a 25% reduction in electricity consumption and savings of over \$100 000 per annum. There were challenges in implementing this scheme, but through the AusLSA knowledge sharing platform, other firms interested in something similar can identify and contend with any issues.

A key output of the AusLSA will be an annual report analysing the environmental impact of Australian law firms and the sector and will lead towards developing legal sector sustainability benchmarks. The report will allow members to review their own operations. Other activities within the AusLSA programme will provide ideas and information on what improvements could be made and how they could be introduced.

The ECC report does not replace the publication of a sustainability report for each firm but provides members with a review of their sustainability performance in a meaningful context. It also requires members to consider and collate the data required to produce their own report and as such, is a significant step towards developing good practice internal environmental management systems.

This system is also empowering individuals to take a pragmatic approach to proposing changes in their own organisations by providing real information, along with strategies and support to demonstrate the value of

sustainability.

The road ahead

On 29 March 2011 the Hon. Malcolm Turnbull MP officially launched AusLSA as a membership association and invited all law firms to become members and to work together to promote sustainability.

During the second half of 2010, AusLSA Foundation Members have been regularly meeting, contributing their time and resources to put together a framework and a programme to drive sustainability in Australian law firms.

In 2011 AusLSA is aiming to grow our membership and enhance engagement with the sector. In order to attract member firms, AusLSA has identified the following benefits of membership:

- unlimited use of the Australian Legal Sector Alliance logo to demonstrate a commitment to sustainable practices
- access to knowledge and networks across the legal and sustainability sectors
- access to lessons learnt when developing and implementing a sustainability strategy
- access to materials, tools and resources to support sustainable practices

- opportunities to collaborate on joint initiatives
- opportunities to communicate commitment to sustainable practices to key stakeholders including employees and clients
- profiling through case studies, on the website and on other platforms
- participating in a growing global network of law firms committing to addressing sustainability through the Legal Sector Alliance movement.

In a little more than 3 years, the LSA–UK has achieved a high level of engagement with the legal sector in their jurisdiction: they now represent more than 30% of all private solicitors practicing in England and Wales. AusLSA will continue to work hard to emulate their success and hopes that others in the Australian legal sector will contribute to our efforts.

The success of the collaborative LSA model is further demonstrated by its expansion into other countries: in 2011 several new Alliances will be commencing in the USA and Canada. We expect South Africa and India to follow. AusLSA is excited to be part of an emerging global movement.

But the most telling success of AusLSA will be an impact on the environmental footprint of Australian law firms. Using the ECC our members will be measuring, monitoring and reporting on the environmental impact of the Australian legal sector. Combining this with the associated support and knowledge we expect to be able to set consumption reduction targets for law firms and observe a significant improvement in the environmental footprint of the Australian legal sector.