

The following report is submitted on behalf of The United Kingdom in accordance with decisions I/8, II/10 and IV/4.

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Implementation Report

Party: United Kingdom

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OVERVIEW

1. The UK ratified the Aarhus Convention in 2005. The UK's legislative, policy and institutional frameworks reflect the obligations to make environmental information accessible, to empower the public to participate in environmental decision making and access to justice in environmental matters in the Convention. These obligations have been implemented through various measures that promote transparency, public participation, and accountability in environmental governance. Many of these mechanisms remain unchanged since the last reporting cycle in 2021. This report provides updates on several developments and should be read as an addendum to the United Kingdom National Implementation Report 2021, available here: [UNECE Aarhus Convention United Kingdom NIR | Aarhus Clearinghouse](#). The report is submitted by Tom Fuller, national focal point of UK.

ARTICLE 3 – GENERAL PROVISIONS

LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE GENERAL PROVISIONS IN ARTICLE 3

Article 3, paragraph 1

2. Strategic Lawsuits Against Public Participation (“SLAPPs”) represent an abuse of the legal system. They are characterised by the use of threatening tactics to silence free speech advocates who act in the public interest. The UK government ran a call for evidence on SLAPPs and libel reform in 2022.
3. The UK government legislated to tackle SLAPPs that relate to economic crime in the Economic Crime and Corporate Transparency Act (ECCTA), which received Royal Assent on 26 October 2023. This legislation introduced a statutory definition, an early dismissal mechanism and a cost protection regime. The ECCTA require rules that provide costs protection for defendants if a claim is found to be a SLAPP. Courts will have greater powers to deal with lawsuits aimed at stifling freedom of speech and stopping journalists from exposing economic crime and will neutralise the chilling effect of exorbitant legal costs.
4. The Civil Procedure Rule Committee is now working on procedural rules to give effect to Section 194 of the ECCTA, including costs protection. Rules are expected to be in effect in 2025.

Article 3, paragraph 3

5. The UK Government revised the 25 Year Environment Plan (25YEP) and published the second statutory Environmental Improvement Plan (EIP23) on 31 January 2023 [Environmental Improvement Plan 2023 - GOV.UK](#). Under the Environment Act 2021, The UK government must publish annual reports on the implementation of the EIP and whether the environment has improved in that year.
6. In July 2024, the UK government launched a rapid review of the Environmental Improvement Plan (EIP23). Engagement with civil society, business and local government has informed this work and continues to inform a revision of the Environmental Improvement Plan, to develop an ambitious programme to better protect the environment, create a zero-waste economy, save nature and reach net zero. A new Cross-Sector Stakeholder EIP Advisory Board comprising Non-Governmental Organisations (NGOs), local authority, business and land manager representatives was established to ensure stakeholders can address key strategic questions, alongside wider stakeholder engagement on specific goals, themes, targets and communications.
7. Defra sought advice from the Office for Environmental Protection (OEP) as part of the EIP review. We welcome the OEP's scrutiny and will respond to the OEP's latest Annual Progress report before the deadline.
8. Such approaches to collaboration and co-creation will continue and Defra will seek further opportunities for stakeholders to contribute to the EIP review and revision, and to delivery of the revised EIP itself. This will also continue to build on, and be informed by, engagement with the public to understand their opinions, understanding and enjoyment of the natural environment. For example, the People and Nature Surveys (PaNS) for England are published on a quarterly basis for adults and children, building on the Monitor of Engagement with the Natural Environment (MENE) survey which ran from 2009 to 2018. This data contributes to the outcome indicator framework for the 25 Year Environment Plan.
9. Defra ministers also met with the UK Youth Parliament in 2023 giving members the opportunity to provide views on a number of topics relevant to the delivery of the EIP. Defra also ran a bespoke workshop with 12 young people during a public consultation on the UK government's response to the Landscapes Review available at <https://www.gov.uk/government/publications/landscapes-review-national-parks-and-aonbs-government-response/landscapes-review-national-parks-and-aonbs-government-response>. This engagement informed policy development and advice to Ministers. Recently, Defra committed to a £2.5 million programme to engage disadvantaged children and young people with nature, beginning in April 2024. The programme will build on the previous Generation Green programme which engaged disadvantaged young people through day and residential visits to protected landscapes, volunteering opportunities, and apprenticeships. Alongside these examples, ongoing engagement with NGOs, local authorities, farming and landowner organisations, business groups,

academics and parliamentarians help to ensure the development and delivery of EIP policy is informed by public views, insights and experience.

10. The environmental governance body for Scotland, [Environmental Standards Scotland](#), (ESS), was formally established on 1 October 2021 under the provisions of the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021. ESS is independent of Scottish Ministers and its remit covers a broad definition of environmental law, including all aspects of environmental protection and harm, particularly in relation to human beings and their enjoyment of the environment. ESS monitors and can take action to improve the effectiveness of environmental law and its implementation. ESS accepts and considers representation from anyone relating to a public authority not complying with environmental law, environmental law not being implemented or applied properly, or the effectiveness of environmental laws. ESS has carried out and developed its role, conducting a number of significant investigations. The Scottish government respects ESS's independence and has been itself the subject of a number of investigations.
11. In Scotland, climate change is taught through the cross-curricular theme of Learning for Sustainability (LfS), with Scotland being one of the very first nations to embed LfS as an entitlement for all learners. This is in line with Scotland's ambitious target to become net zero by 2045, and support children and young people of the future to understand and value tackling climate change and how they can make a difference.
12. In June 2023, the Scottish government published its strengthened LfS Action Plan, which has been attracting interest internationally. The new, strengthened LfS Action Plan will ensure that every place of education becomes a sustainable learning setting by 2030, including:
 - developing a new LfS-related qualifications, working with partners to update existing qualifications in line with LfS, and
 - developing strengthened actions to support outdoor learning.
13. In October 2024, the Scottish government launched a new [online one-stop-shop portal](#), on the Education Scotland website, to share examples of LfS in action and to signpost to resources and professional learning opportunities. An LfS Mentor Network has been established for educators, which provides collaborative leadership and peer support. A children and young people LfS Leadership Group has also been created to drive change and constantly challenge our approach.

Article 3, paragraph 4

14. The Declaration on Government Reform of 2021
(<https://www.gov.uk/government/publications/declaration-on-government->

[reform/declaration-on-government-reform](#)) committed the UK government to operate more seamlessly with institutions outside government, building partnerships with the wider public sector, private sector and community organisations to secure the best outcomes for citizens. Launched at a joint meeting of the Cabinet and all permanent secretaries, the Declaration committed the government to bolstering dialogue between leaders from all sectors to make sure the government are spotting and tackling problems together and exploring new forms of collaboration in service delivery. The principles of the Declaration were reflected in the work of the Government Skills and Curriculum Unit (<https://www.gov.uk/government/organisations/government-skills-and-curriculum-unit>) replaced in 2024 by Government Skills (<https://www.gov.uk/government/organisations/government-skills>) which supports civil servants to develop the skills, knowledge and networks they need to deliver their best for citizens and ministers.

ARTICLE 4 - ACCESS TO ENVIRONMENTAL INFORMATION

FURTHER INFORMATION ON THE PRACTICAL APPLICATION OF THE PROVISIONS OF ARTICLE 4

15. Ministry of Housing, Communities & Local Government (MHCLG) are developing data standards and tools, for England to increase the availability, accessibility and usability of planning data. Adoption will be dependent on wider transitional arrangements across the Levelling Up and Regeneration Act (2023) which determine when planning authorities will move to the reformed system and where applicable, be required to adopt the data standard and publication requirements for their relevant planning functions. The goal is to make planning data easier for people to find, use and trust, and to design and develop the data which people need to participate in planning decisions.

ARTICLE 5 - COLLECTION AND DISSEMINATION OF ENVIRONMENTAL INFORMATION

LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE PROVISIONS ON THE COLLECTION AND DISSEMINATION OF ENVIRONMENTAL INFORMATION IN ARTICLE 5

16. Defra's Data Services Platform (DSP) provides over 9700 environmental data services, accessible by Application Programming Interface (API), which is a set of rules and protocols that allows different software applications to communicate and exchange data or by download and has multi-billion hits per annum. DSP has on average over 50,000 individual users every month accessing data over 100 million times. The website has had 6 billion hits between November 2023 and April 2024.
17. With growing awareness of the relationship between human health, the environment and equity, there is a need to identify and provide a holistic view of environmental constraints

at the local level. Therefore, the Environment Agency, led by the Public Health Team, is working with the [Environmental Data Network](#) and external partners (including Defra and Natural England) to develop an *Index of Multiple Environmental Deprivation (IMED)*. The new tool is primarily aimed at the policy networks (government, local authorities, agencies) but also academics, NGOs, and civil society to help them make better decisions.

18. IMED is a composite measure used to assess cumulative environmental quality using indicators that are important to community health and well-being. The IMED currently addresses environmental deprivation in three domains: exposure to pollution (as air quality and noise); exposure to climate risk (flooding and heat); and access to a salutogenic environment (tree canopy cover, greenspace, and public rights of way). Mapping the index allows areas experiencing the greatest overall environmental deprivation to be identified, whilst mapping individual domains allows for development of more targeted investigations, such as identification of communities most vulnerable to climate change.

ARTICLE 6 - PUBLIC PARTICIPATION IN DECISIONS ON SPECIFIC ACTIVITIES

19. Previous Aarhus Convention Meetings of the Parties have endorsed decisions that have found that aspects of the UK's regulatory and legislative frameworks are not fully compliant with elements of the Aarhus Convention.
20. Recommendations related to Article 6, paragraph 2, concerning transboundary public notification for nuclear projects, and paragraphs 4 and 6, concerning retroactive planning permission, are under consideration and steps have been taken to come into compliance as reflected in the [United Kingdom Final Progress Report to the Aarhus Convention Compliance Committee](https://unece.org/sites/default/files/2024-12/frPartyVII.8s_29.11.2024_report.pdf) https://unece.org/sites/default/files/2024-12/frPartyVII.8s_29.11.2024_report.pdf.

ARTICLE 7- PUBLIC PARTICIPATION CONCERNING PLANS, PROGRAMMES AND POLICIES RELATING TO THE ENVIRONMENT

PRACTICAL AND/OR OTHER PROVISIONS MADE FOR THE PUBLIC TO PARTICIPATE DURING THE PREPARATION OF PLANS AND PROGRAMMES RELATING TO THE ENVIRONMENT PURSUANT TO ARTICLE 7

21. National Planning Framework 4 (NPF4) was adopted by Scottish Ministers in February 2023 following 3 years of consultation and engagement, and parliamentary scrutiny. It is a long-term plan for Scotland, looking to 2045 and giving significant weight to the global climate and nature crises. It sets out where development and infrastructure is needed and contains a spatial strategy, national developments and national planning policies. NPF4's enhanced status as part of the statutory development plan, together with relevant local development plans, means that it has direct influence on all planning decisions. Guidance

published in May 2023 sets out the Scottish Ministers' expectations for implementing the system of local development plans, so that they deliver new-style, place-based, people-centred and delivery-focused plans. It brings together requirements from the Planning (Scotland) Act 2019 and Regulations and Advice in relation to NPF4.

22. Through powers secured in the Levelling-Up and Regeneration Act 2023, the current system of environmental assessment in England - Environmental Impact Assessment (EIA) under the Nationally Significant Infrastructure Project (NSIP) and Town and Country Planning Act (TCPA) regimes, alongside Strategic Environmental Assessment (SEA), will be replaced with Environmental Outcomes Reports (EORs), with the aim of streamlining the assessment process while maintaining the same overall level of environmental protection in law.
23. The Government has committed to publishing a roadmap, setting out the pathway to implementation for EORs, and will do so in due course.

ARTICLE 8- PUBLIC PARTICIPATION DURING THE PREPARATION OF EXECUTIVE REGULATIONS AND/OR GENERALLY APPLICABLE LEGALLY BINDING NORMATIVE INSTRUMENTS

EFFORTS MADE TO PROMOTE EFFECTIVE PUBLIC PARTICIPATION DURING THE PREPARATION BY PUBLIC AUTHORITIES OF EXECUTIVE REGULATIONS AND OTHER GENERALLY APPLICABLE LEGALLY BINDING RULES THAT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT PURSUANT TO ARTICLE 8

24. The Environment Act 2021 places a legal duty on Ministers of the Crown to have 'due regard' to the environmental principles policy statement when making policy. A 12-week public consultation on the draft environmental principles policy statement closed on 2 June 2021. Stakeholder events and an online survey gathered feedback, resulting in 216 responses. Section 146 of the [Environment Act](#) sets out the territorial extent of the sections in the Act which applies to devolved administrations. On 2 July 2021, the Interim Office for Environmental Protection advised on the draft statement based on consultation questions. The summary of responses and government response was published on 12 May 2022. The revised draft statement underwent 21 days of parliamentary scrutiny, receiving feedback from select committees and advocacy groups. Following, parliamentary scrutiny, the UK government responded and published the final policy statement on 31 January 2023. The duty legally came into force on 1 November 2023. The final policy statement and explanatory memorandum are available online <https://www.gov.uk/government/publications/environmental-principles-policy-statement>.
25. There are two communications under Article 8 concerning the UK's compliance with the Convention; these cases are currently being considered by the Aarhus Convention Compliance Committee. The communications are available online at [ACCC/C/2017/150 United Kingdom | UNECE](#) and [ACCC/C/2022/194 United Kingdom | UNECE](#).

ARTICLE 9- ACCESS TO JUSTICE

LEGISLATIVE, REGULATORY AND OTHER MEASURES IMPLEMENTING THE PROVISIONS ON ACCESS TO JUSTICE IN ARTICLE 9

Article 9, paragraph 4

26. The UK government published the Legal Support Action Plan (LSAP) in 2019. The Action Plan aimed to deliver better support to people experiencing legal problems, including through committing to pilot a range of legal support services to help litigants in person resolve their civil and family legal problems in the right way for them. This included an online signposting tool, co-located advice hubs, and a package of services designed to support litigants in person.
27. Since 2015, the UK government has invested more than £25m in grant funding to support litigants in person, funding a broad range of free legal support services. As part of the 2019 Action Plan, we delivered £3.1m to the advice sector through the Legal Support for Litigants in Person grant. This supported a range of early intervention services for litigants in person across England and Wales, with services providing support at national, regional and local levels. The Government have continued to fund the sector since the end of this grant, most recently through the £10.4m ‘Improving Outcomes Through Legal Support’ grant. This grant runs from July 2023 until March 2025. It has been awarded to 59 organisations across England and Wales, enabling them to provide a range of support services. The Government have also invested funding for the provision of online support to ensure that people can access a range of legal support and advice across a range of civil, family and tribunal problems via one service.
28. The most up-to-date Court fees in Scotland may be found at: <https://www.scotcourts.gov.uk/taking-action/court-fees>. Since 1 July 2022, cases within the scope of the Aarhus Convention have been exempted from court fees within the Court of Session. In Scotland, access to justice remains assured through the continuing provision of civil legal aid and provisions for exemption from court fees for those in receipt of specified state benefits. Individuals can also apply for a Protective Expenses Order (“PEO”) for environmental appeals and judicial reviews in the Court of Session to cap the cost of legal fees payable to the other side in the event that the action is unsuccessful. The Scottish Civil Justice Council has carried out a review of the rules governing PEOs and made some amendments to the legislation. Consideration will be given to extending the availability of PEOs to actions in the Sheriff Courts.

29. The Scottish Government published a Legal Aid Reform Discussion Paper on 27th February 2025 which, amongst other things, will set out potential areas for reform and, in the coming months, the Scottish Government plans to host a variety of engagement sessions. Officials are seeking to work collaboratively and build consensus and hope that these sessions will allow stakeholders to not only discuss the contents of that paper but also to suggest their own ideas for reform.
30. The current fees for Judicial Review in Northern Ireland are £284 for a leave application and £284 for notice of motion if leave is granted. Both fees have increased to £310 due to an inflationary uplift, which came into effect in October 2024. The fees applicable to judicial reviews (and statutory reviews) within the scope of the Aarhus Convention remain at £200 for a leave of application and £200 for notice of motion if leave is granted and were exempt from the phased increases to fees for other judicial reviews in Northern Ireland (see Article 4 of the Court of Judicature Fees (Amendment) Order (Northern Ireland) 2023).
31. In Northern Ireland, legal aid for judicial reviews relating to environmental issues is available, just as for any other purpose, subject to a means and a merits test. Under the Department of Justice's Enabling Access to Justice Delivery Plan, currently out for consultation, we propose to review the issue of conditional fee agreements with a view to their introduction in Northern Ireland, and to look at other potential funding mechanisms to provide meaningful access to justice for people ineligible for legal aid, including in respect of environmental and other public interest litigation.

Article 9, paragraph 5

32. Information on access to administrative and judicial review procedures in the UK is publicly available through a variety of online resources which are regularly updated to ensure they reflect the current statutory framework and guidelines. There is also a robust network of voluntary bodies, including Citizens Advice, which support the work of public bodies in this area by providing practical advice to individuals who may require further assistance.
33. The UK remains committed to ensuring that there are no undue barriers, financial or otherwise, to access to justice with respect to administrative and judicial review. In the last several years, the UK government has taken steps to review the existing framework and consider whether any reform was necessary. The Independent Review of Administrative Law (IRAL) chaired by Lord Faulks KC, which was published on 18th March 2021 following a call for evidence, concluded that, judicial review was not in need of systemic reform. The UK government ran a consultation on the IRAL's recommendations in which it also explored other options for reforms. The government published its response to this consultation in July 2021, and a number of changes were implemented in the Judicial Review and Courts Act 2022.

34. The 2022 Act removed the inefficient Cart route of judicial review (named after a Supreme Court case of the same name) which allowed a person who had been denied permission to appeal by the Upper Tribunal to have that decision judicially reviewed in the High Court. The Act also made two new remedies available to the Court: the suspended quashing order and the prospective only quashing order. These provided judges greater flexibility by allowing them to tailor their decisions to the circumstances of a particular case.
35. On 28 October 2024, the UK government published the report of the independent review by Lord Banner KC which made a number of recommendations on procedural changes to help reduce the delays to nationally significant infrastructure projects (NSIPs) caused by legal challenges. A call for evidence seeking views on Lord Banner's recommendations was published on the same day. The call for evidence closed on 30 December 2024 and on 23 January 2025 the UK government announced that a number of changes would be taken forward.
36. The Planning and Infrastructure Bill, which was introduced in the UK Parliament on 11 March 2025, includes a provision to streamline the permission stage of NSIP judicial reviews. This is intended to remove the paper stage, which means that cases in scope will begin at an oral permission hearing in the High Court where the merit of their claim can be fully considered in the first instance. If the Court refuses permission for judicial review and certifies the case as totally without merit, that decision will be final. To ensure access to justice, cases which are refused permission but are not deemed to be totally without merit will continue to be able to appeal to the Court of Appeal.
37. In addition to the measure in the Planning and Infrastructure Bill, the government will be inviting the judiciary to consider other procedural changes for NSIP judicial review, such as introducing target timescales for these cases and case management conferences to be convened at the Court's discretion if the parties consider it would be helpful. This package of reforms which is intended to speed up the judicial review process for NSIPs could also improve access to justice by reducing the time and, therefore, cost involved in bringing a challenge. The changes will apply to all claims in scope, irrespective of who is making them or the grounds of challenge. It is the government's view that these changes strike the right balance between improving efficiency and maintaining access to justice in line with our domestic and international obligations.
38. Previous Aarhus Convention Meetings of the Parties have endorsed decisions that have found that aspects of the UK's regulatory and legislative frameworks are not fully compliant with elements of the Aarhus Convention.
39. The UK government published a Call for Evidence on 30 September 2024 seeking views on options to bring the UK's policies into compliance with its obligations under the

access to justice provision of the Aarhus Convention. The Call for Evidence closed on 9 December 2024. The government is committed to ensuring that the UK upholds its international law obligations under the Aarhus Convention. In publishing this call for evidence, the government aimed to gather views on the Compliance Committee's recommendations regarding access to justice to determine the best way to reach compliance. The Call for Evidence is available here: [Access to Justice in relation to the Aarhus Convention - GOV.UK.](#)

40. We received 27 substantive responses and around 100 submissions from members of the public focused on broader climate justice concerns. These responses were provided by individuals and organisations with both direct and indirect experience of the ECPR, including representatives from public bodies, environmental NGOs and legal representatives or associations.
41. We are currently conducting a thorough review of the submitted responses, taking into account each of the ACCC's recommendations. Our aim is to publish a comprehensive response to the Call for Evidence as soon as possible.