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To: "aarhus.compliance@unece.org" <aarhus.compliance@unece.org>
Date: 26/05/2017 16:21
Subject: Decision V/9n (UK) - observer submission (John Muir Trust)

Dear Sir or Madam,

I am aware that the committee is investigating the UK's compliance with the Aarhus Convention, in each of the UK's jurisdictions. I know the Committee has had submissions from Scotland and that, recently, Susan Crosthwaite sent a submission (about the end of March or early April) which included a summary by the John Muir Trust's lawyer regarding how our case regarding the Stronelairg development was handled in the Scottish Courts. At the time of that submission to your committee, the Trust was unaware of what our liability to the other Parties in the case would be.

We have now settled that matter with the other Parties and so I'm submitting this full account (attached) of the Trust's experiences of applying unsuccessfully for Protective Expenses Orders and of the final costs and potential exposure. As you will see, the article is written for a journal but it has the relevant case references included, so I hope the committee will consider this submission. If some other format is required then please let me know.

The Trust does not believe that the Scots law system is Aarhus compliant, on the matter of cost of access to justice. We look with hope to the Aarhus Compliance Complaints Committee to fully investigate the matter. Please acknowledge receipt. Thank you,

Yours sincerely,

Helen McDade
Head of Policy

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