

DEFRA consultation on Environmental
Principles and Governance after the
United Kingdom leaves the European
Union:

Summary report of responses from
80,826 members of the public collected
by 38 Degrees

38 Degrees welcomes the opportunity to respond to DEFRA's current consultation on Environmental Principles and Governance after the United Kingdom leaves the European Union.

80,826 members of the public from all over England responded to this consultation. This report provides a summary of their responses. A dataset containing all the individual submissions is also attached.

Please do not hesitate to get in touch if you have any questions, or if we may be able to assist with the consultation in any other way.

Holly Maltby | Campaigner
holly.m@38degrees.org.uk | 07548771631

Executive summary

"We should seize the opportunity offered by Brexit to show that Britain can lead the world in having the best environmental policies ever." - Alan from the Isle of Wight

38 Degrees is a campaigning organisation that represents millions of people from all over the UK. Our members come from diverse backgrounds, have different views, and are of all ages. They vote for all political parties and none at all. 38 Degrees is totally independent of all political parties. We are funded through small donations from our members.

In response to the Department of Environment, Food & Rural Affairs consultation, we asked the public to submit their views on how they'd like to see the government act on environmental principles and governance after the UK leaves the EU.

Presented here are the summarised responses of 80,826 people. The high volume of responses to the survey indicate the very high level of public interest in the future of the UK's environmental protections and policy after Brexit.

The survey responses suggest that the public welcomes the government's initial proposals. However, this level of support is matched by high public demand for the government to strengthen its current proposals.

In summary, the survey results are:

Environmental principles

- The public overwhelmingly support the government's initial list of environmental principles to underpin future policy-making.
- There's strong support for the government to include additional principles to increase public participation in environmental decision making, public transparency of environmental information, and access to justice relating to environmental violations.
- 92.0% of members believe that the environmental principles should be included in the Environmental Principles and Governance Bill.

Accountability for the environment

- The majority of members believe the objectives for the new environmental body should be clarified and strengthened: 81.3% said that they only partially agree with the current proposal, and would like objective six amended so the body has a sole responsibility to protect the environment rather than having to consider other priorities.
- Members overwhelmingly feel that the new environmental body should have powers to investigate concerns from the public about threats to our environment.

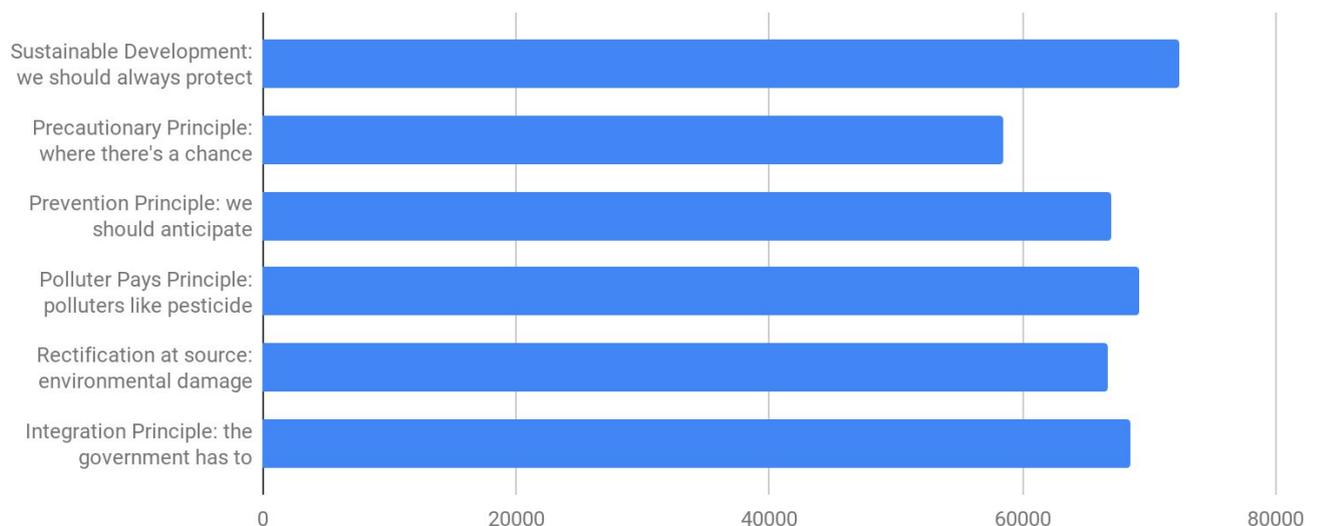
Survey results

Environmental principles:

An overwhelming number of the public indicated support for the government's initial list of environmental principles to underpin policy-making after Brexit. This was matched by equal numbers who'd like the government to strengthen this list by also including the additional principles listed in Section 16(2) of the European Union (Withdrawal) Act 2018.

Which environmental principles do you consider as the most important to underpin future policy making? (In response to Part 1, Question 1 a) - g))

Respondents were asked to select which principles they believed were important. They could select more than one.



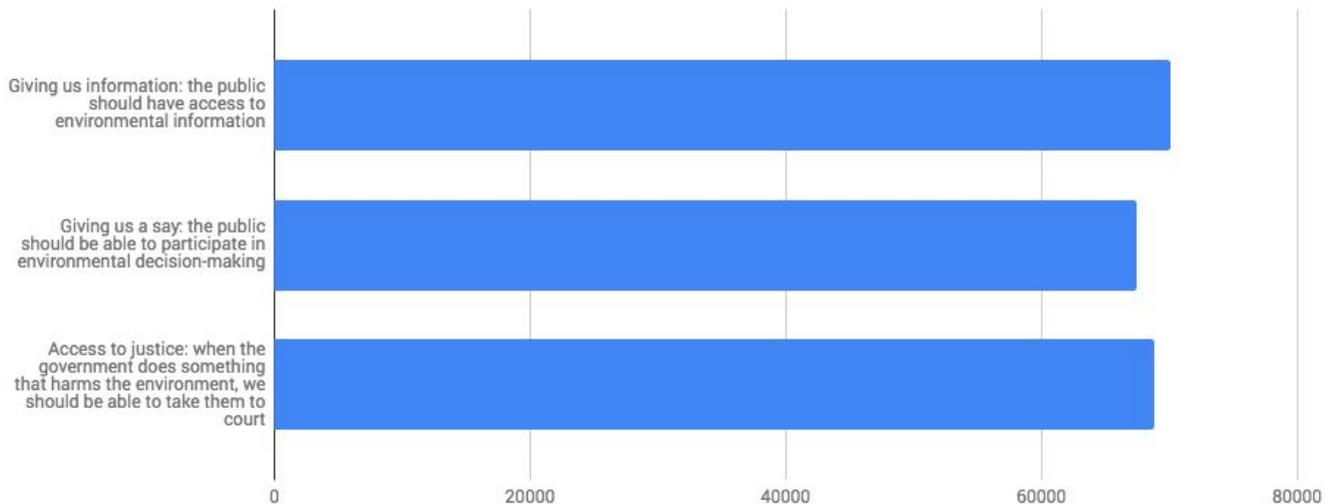
When asked what principles the public thought were most important in environmental policy making, 89.5% of respondents selected 'sustainable development', 85.6% of respondents selected the 'polluter pays principle' and 84.8% selected the 'integration principle'.

It was brought to the staff team's attention that the phrasing of what the 'precautionary principle' in the original survey was potentially ambiguous, which is likely why less respondents selected it. Nonetheless, 72.3% (or 58,405 respondents) indicated it is an important environmental principle and want to see it underpin environmental policy-making in the UK after Brexit.

What other principles do you think are important to include?

In response to Part 1, Question 1 g) - i): Other principles

Respondents were given the options below, and asked to select which additional principles were important.



When asked what other principles the public thought were important to include, 86.8% of respondents selected public access to environmental information, 85.2% selected access to justice and 83.5% selected public participation in environmental decision-making.

EU law contains a number of principles that relate to governmental accountability, transparency and responsiveness. For example, the Aarhus Convention sets minimum standards for citizens' rights in the field of environmental decision-making. It has three 'pillars' which form the key principles behind the Convention: access to information, public participation in decision-making, and access to justice.

The AIE Directive was designed to align legislation in EU countries including the UK with the pillar of access to information. The guiding principle behind it is that giving the public access to environmental information will encourage greater awareness of issues that affect the environment. In turn, greater awareness helps increase public participation in decision-making. It also makes public authorities more accountable and transparent, and builds public trust in them.

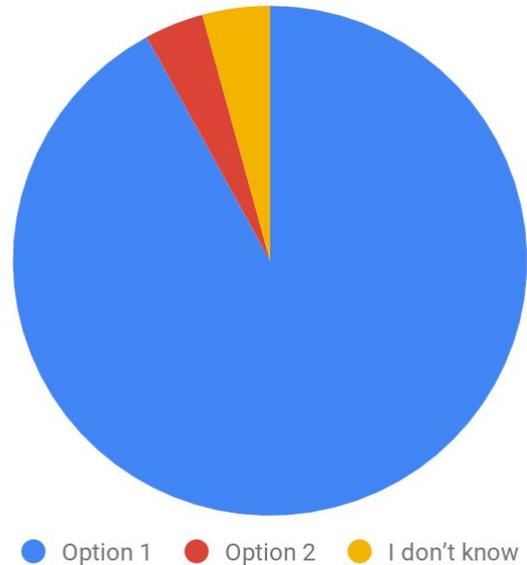
The public's responses to this question suggest that if the government's ambition is to "ensure that the new mechanisms we put in place as we leave the EU don't just maintain, but strengthen protection for the environment", it is important to ensure these principles regarding public transparency and participation are also included.

How do you think the environmental principles should be upheld?

In response to Part 1, Question 3: Should the Environmental Principles and Governance Bill list the environmental principles that the statement must cover (Option 1), or should the principles only be set out in the policy statement (Option 2)

From 79,293 respondents

92.0% said Option 1.
3.7% said Option 2.
4.2% said I don't know.



It is important that all relevant principles of EU environmental law are written into the Environmental Principles and Governance Bill the new environmental body is to enforce. The principles reflect good practice, and if the body is not empowered to apply important principles that are embodied in EU law, its effectiveness will be impeded.

We also asked members if they had any additional thoughts about environmental principles after Brexit. Here are some of their responses:

"A clean, healthy environment is all important. All kinds of pollution are already well on the way to destroying our planet. The UK should be setting an example to the world by adopting strong environmental protection policies." Anthony, from Lincolnshire

"Decisions about the environment should always be governed by the principle that we leave our natural environment in as good or better than we found it. We should do no further harm and rectify damage where possible." Alison, from London

"Environmental principles must be enshrined in law after Brexit. But why wait for Brexit? Why not start the process now?" Michael, from Devon

"We should seize the opportunity offered by Brexit to show that Britain can lead the world in having the best environmental policies ever." - Alan from the Isle of Wight

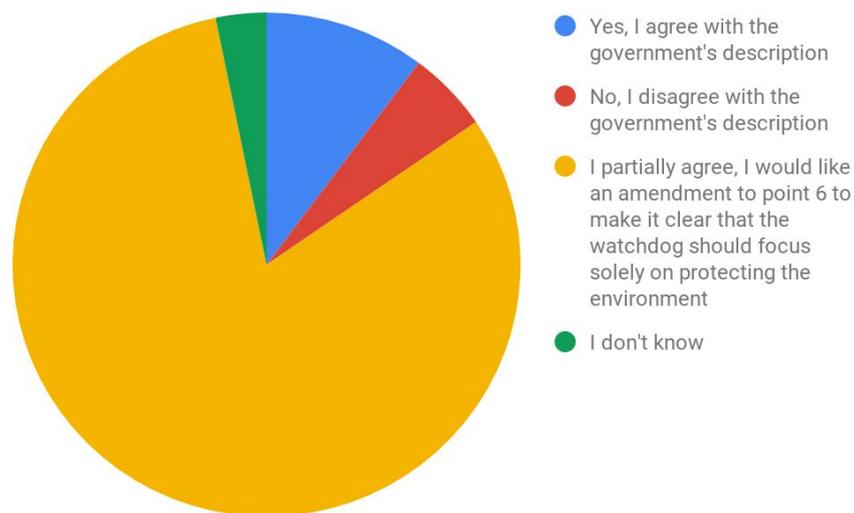
Accountability for the environment:

The majority of 38 Degrees members believe that the responsibilities for the proposed independent environmental body should be strengthened.

Do you think the government's description of the watchdog is good, or should point 6 be changed?

In response to Part 2, Question 5 a) - f): Do you agree with the proposed objectives for the established of the new environmental body?

From 69,107 respondents



81.3% said 'I partially agree, I would like an amendment to point 6 to make it clear that the watchdog should focus solely on protecting the environment'.

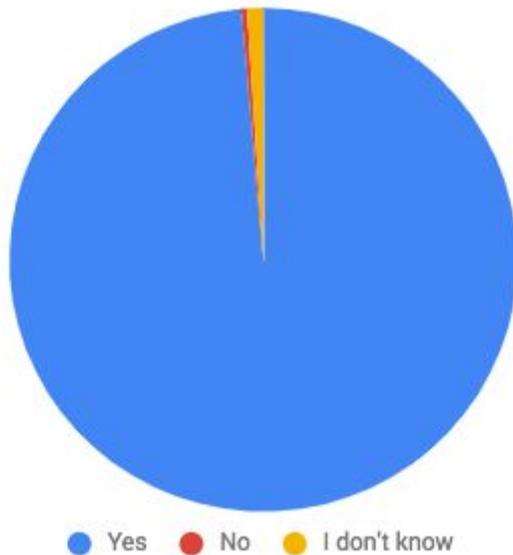
10.2% said 'Yes, I agree with the government's description.'

5.2% said 'No, I disagree with the government's description'

Given its role, the new environmental body should be focused solely on securing compliance with environmental law, without being distracted by other priorities. The majority of members said it is for the government to define the law, and to balance competing considerations and interests. The role of the watchdog should primarily be to secure compliance with the law – although it may also have an influence on what that law should be.

Do you think the watchdog should be able to investigate concerns from the public about threats to our environment?

In response to Part 2, Question 8: Should the watchdog have the powers to respond to and investigate complaints from the public about potential failures of the government to implement environmental laws?



From 70,228 respondents

98.6% of respondents said yes.

0.4% said no.

1.0% said I don't know.

We also asked the public if they had any additional thoughts about the new environmental body. Here are some of their responses:

"It should be well resourced and have strong powers to a) prevent environmental harm and b) to prosecute - heavy fines and imprisonment for those who damage the environment and not just be set up as a tick box exercise." Carole, from Yorkshire

"The watchdog needs to be given real and completely impartial, objective powers, completely separate to government and business/corporate/industry interests and must be taken seriously. It should not be seen as some kind of add-on or box ticking exercise." Laura, from London

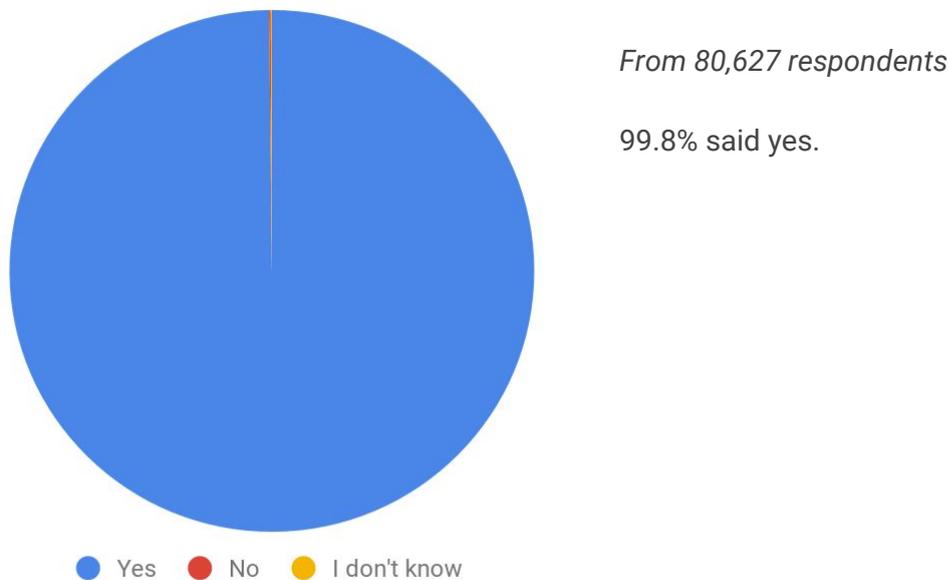
"It must be impartial and not influenced by political, corporate, commercial, or government agenda. It should be established on the principles of protecting the health of this planet and environment above other interests and be both accessible and accountable to the public." Philip, from Kent

"It has to have teeth and powers to impose fines or penalties on environmental damagers, including government, otherwise it will be just a token gesture always overridden by economic factors such as competitiveness, employment, profitability." Barry, from Devon

Concluding thoughts

We took the opportunity to ask the public additional questions about why they thought protecting the environment is important.

Do you think we should protect the environment for future generations?



Here's a sample of the public's responses to the question, 'Why is protecting nature and the environment important to you?'

"As an avid wildlife watcher who gets great enjoyment from the activity and is happy to share my knowledge with others. I wish that the natural environment is maintained so that my grandchildren and their children in the future will be able to find the same enjoyment in natural history that I do and if they wish share their enjoyment with others." - John, Southend-on-Sea

"We only have to look around at the spontaneously arising of forest and heath fires and deadly rainfall that have interrupted this year to realise that the active creation of more support for policies that aim to head off the drivers of the earth's destructive climate change are needed just to stand still." Graham, from Durham

"You only have to witness the appalling damage, suffering to wildlife and the ecosystem to realise how important it is to be aware of potential damage that modern life can inflict on our environment." Delicia, from Hampshire

"I am a human being who lives on this planet as do my children and my grandchildren - and so does the rest of the human race. It is the only home we have." Joyce, from Tyne and Wear

"I was born in 1942 and have witnessed the degradation of the environment in the years since then, including the loss of habitat and wildlife, particularly in Norfolk where I grew up in a rural environment and where I eventually returned to live and work as a field archaeologist. In the course of my work I also observed the difference that good conservation practices and proactive measurements to remedy that environmental loss could make." - Helen, from Norwich

*"Time and time again, we see what happens when we don't look after our environment. We can no longer use the excuse of ignorance. We know the costs of ignoring this. We need to look at the bigger and long-term picture...The environment is so important in every respect. The UK is small but very beautiful and diverse. We are very lucky to be living here and we should protect and nurture what we have.... We all have to accept that we are in this together and we have a golden opportunity to correct our mistakes and create a better future for the environment and for us all."
Catrina, from London*

"We should hand on to our children an environment at least as good as that we inherited from our parents." Ian, from Yorkshire

About 38 Degrees

38 Degrees brings millions of people, living all across the UK, together to work on the issues we all care about to bring about real change. We believe that democracy works better when more of us are involved.

We work to make our society fairer by holding the government to account and by calling on businesses to improve practices.

38 Degrees is totally independent of all political parties. We are funded through small donations from our members.

Anyone can become a 38 Degrees member - you simply have to take an action with 38 Degrees, like signing a petition, filling out a survey or making a donation. 38 Degrees has millions of active members from all walks of life, and every corner of the UK.

38 Degrees members are people from all backgrounds and vote for all political parties.