



Law Society
of Scotland

Consultation Response

Civil Aviation Authority – Consumer Environmental
Information: Call for Evidence.

April 2023



Introduction

The Law Society of Scotland is the professional body for over 12,000 Scottish solicitors.

We are a regulator that sets and enforces standards for the solicitor profession which helps people in need and supports business in Scotland, the UK and overseas. We support solicitors and drive change to ensure Scotland has a strong, successful, and diverse legal profession. We represent our members and wider society when speaking out on human rights and the rule of law. We also seek to influence changes to legislation and the operation of our justice system as part of our work towards a fairer and more just society.

Our Consumer Law and Environmental Law sub-committees welcome the opportunity to consider and respond to the Civil Aviation Authority's Consumer Environmental Information: Call for Evidence¹.

We have the following comments for to put forward for consideration.

Consultation questions

Please note questions 1 to 7 are the Contact Information details and the publication of responses.

Consumer environmental information

Question 8. What are your views on existing examples of aviation consumer environmental information (for example those listed in Appendix A of CAP2395)?

We have no comment to make.

Question 9. Please list/identify examples of existing schemes for the provision of aviation consumer environmental information beyond those listed in Appendix A of CAP2395.

We have no comment to make.

¹ <https://consultations.caa.co.uk/policy-development/environmental-information-call-for-evidence/consultation/subpage.2022-12-13.3898681454/>

Presentation of information to consumers

Question 10. What are the key requirements for the presentation of accurate consumer environmental information?

We believe that information must be accessible to all consumers, including to consumers from minority and ethnic groups. It is very easy to overload consumers with information, and the key requirements in Appendix A are correct, and any technical terms should be explained. It is key that information should be clear and as simple as possible, and information overload should be avoided.

Question 11. What are the key requirements for the presentation of understandable consumer environmental information?

Please see our response to question 10.

Question 12. What are the key requirements for the presentation of standardised consumer environmental information?

The information should be relevant to allow for an accurate comparison and should be presented to consumers in a timely manner and at the earliest opportunity pre contract, and a symbol outlining the environmental impact may also be beneficial.

Question 13. What are the key requirements for the presentation of comparable consumer environmental information?

Please see our response to question 10.

Question 14. What are the key requirements for the presentation of accessible consumer environmental information?

Please see our response to question 10.

Question 15. What are the key requirements for the presentation of useful consumer environmental information?

Please see our response to question 10.

Question 16. What consumer environmental information should be presented to consumers?

We have no comment to make.

Question 17. When should consumer environmental information be presented to consumers? (For example on the results page when searching for a flight, on a boarding pass or after a flight).

We consider that environmental information should be presented to consumers early on and before consumers have contracted to travel.

Question 18. How should consumer environmental information be presented? For example is kg/CO2 per journey appropriate and / or should consumer environmental information be presented as a comparison with other transport modes or other equivalent activities?

We have no comment to make.

Question 19. Please list/identify examples of consumer environmental information in other sectors which enable complex information to be provided in an accurate, understandable, standardised, comparable, accessible and useful way.

We have no comment to make.

Consumer protection

Question 20. How should we (the CAA) use our existing powers to protect consumers from misleading environmental information?

We believe the CAA should share information and work with other relevant agencies to promote a joined-

up approach, such as Trading Standards and the Advertising Standards Authority. We note the MOU between the CAA and the CMA² regarding concurrent competition powers and we consider that the CAA should use its existing enforcement powers³.

Question 21. Please list/identify examples of regulatory regimes in other sectors that work well to protect consumers from misleading environmental information.

We have no comment to make.

Question 22. How should the provision of consumer environmental information be monitored?

We have no comment to make.

Question 23. If you have an existing relevant methodology for calculating emissions from a journey:

- a. please describe it and the reasoning behind it, including details of the types of information you include in the methodology and the assumptions you make.**
- b. If your organisation has made a conscious choice not to include certain types of potentially relevant information in your methodology yet, please set out the reasons why.**
- c. If potentially relevant information may be included in your methodology in the future, please describe the information and any necessary background to its potential inclusion.**

We have no comment to make.

Question 24. If you haven't developed a methodology, what would you expect to see in a methodology (for example different aircraft types, fuels, average load factors, the airline's overall fleet, and routes including generalised indicators relating to destination / origin airports)?

We have no comment to make.

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/908961/CAA_MoU.pdf

³ <https://www.caa.co.uk/our-work/about-us/enforcement-and-prosecutions/>

Question 25. How should we (the CAA) take non-CO2 emissions and their effects into account?

We have no comment to make.

Data

Question 26. Which existing standardised datasets do you think could be repurposed (with the necessary safeguards) to provide environmental consumer information? For example, the International Civil Aviation Organization (ICAO) Carbon Offsetting and Reduction Scheme for International Aviation (CORSA) CO2 Estimation and Reporting Tool.

We have no comment to make.

Question 27. Should there be a mandatory requirement for airlines to provide relevant environmental data to the CAA and if so how should this be aligned with existing requirements?

We have no comment to make.

Relevant Research

Question 28. The CAA published research on what consumers want from consumer environmental information in 2021. Have you undertaken similar or related relevant research which you can share with us?

We have no comment to make.

Potential pitfalls and any other additional information

Question 29. What do you think are the potential pitfalls relating to the provision of consumer environmental information?

We have no comment to make.

Question 30. What strategies should we consider to mitigate potential negative consequences?

We have no comment to make.

Question 31. Is there anything else that you think we should be aware of in relation to the provision of consumer environmental information, beyond the areas mentioned above?

We have no comment to make.

For further information, please contact:

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