

4D. BOX 6: STANDING

A common, but not universal, feature of ‘public interest litigation’ is the liberalisation of standing rules to allow non-state actors (individuals and organisations) to bring enforcement proceedings, and the simplification of rules of procedure and evidence to ensure such proceedings are decided fairly on the merits. Where the purpose of the litigation is to secure compliance with the law, what matters is that the court is able to decide whether the relevant law has been breached, and has the necessary powers to ensure legal compliance in the future.