

Claimant
SJ KAYE
First
2017

5th of December (05.12)

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

Claim No: CO/

B E T W E E N :

THE QUEEN

on the application of

- (1) PLAN B. EARTH
- (2) CARMEN THERESE CALLIL
- (3) JEFFREY BERNARD NEWMAN
- (4) JO-ANNE PATRICIA VELTMAN
- (5) LILY [REDACTED] JOHNSON
- (6) MAYA YASMIN CAMPBELL
- (7) MAYA DOOLUB
- (8) PARIS ORA PALMANO
- (9) ROSE NAKANDI
- (10) SEBASTIEN JAMES KAYE
- (11) WILLIAM RICHARD HARE
- (12) MHB (A CHILD) BY HIS LITIGATION FRIEND DHB

Claimants

- and -

SECRETARY OF STATE FOR BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Defendant

- and -

THE COMMITTEE ON CLIMATE CHANGE

Interested Party

FIRST WITNESS STATEMENT OF SEBASTIEN JAMES KAYE

I, SEBASTIEN JAMES KAYE, of [REDACTED] SHALL SAY AS FOLLOWS:-

1. I am a student of Human Geography and International Development at Sussex University. I have campaigned on environmental issues since 2013. I make this statement in support the claim for judicial review brought by Plan B. Earth ("Plan B"), me and others against the defendant Secretary of State for Business, Energy and Industrial Strategy for failing to revise the UK's carbon target pursuant to his powers under the Climate Change Act 2008.
2. Except where otherwise stated, the facts and matters set out in this witness statement are within my own personal knowledge. Where they are not, I identify the source of my understanding and belief. It will also be clear from the context where certain statements are matters of opinion, and I have endeavoured to explain the bases of those opinions

My background and my reasons for supporting the challenge

3. I believe that un-mitigated climate change represents the biggest global threat we face in the 21st century. This belief stems from an understanding of the basic science of climate change, climatic tipping points, positive feedback loops and their consequences. The "emissions gap" - the gap between the scientific reality of climate change and the political response to it informs my concern that what is being done in terms of emissions reductions (national and cumulative) is drastically insufficient to avoid catastrophic climate change.
4. Having from a young age learnt about the dangers of climate change, I have been actively involved in climate campaign groups focussing on encouraging politicians to increase their emission reduction pledges. At the age of 17, I met with EU commissioner for Climate Action and Energy, Miguel Arias Cañete to encourage him to introduce an emissions reduction scheme based on the amount of carbon (measured in gigatons) we have left to emit before we hit crucial tipping points. Soon after, in 2015, I was accepted as the youngest member of a Belgian-based group called "Generation T" (T for transition) which selected who they deemed to be the 100 best sustainable thinkers in the country between the ages of 18 and 35. With "Generation T" I went to Paris to follow the COP21 climate summit, also working with the "Homo-sapiens foundation" to raise awareness of the "emissions gap" and closely following the diplomatic talks. Here in the

UK, I founded a society group Climate Action Movement at my university with a focus on the politics and policies of climate change to engage, work with and help raise awareness of the severity and urgency of the issue.

5. As a young adult, I feel particularly concerned about the lack of adequate political action to mitigate climate change due to the threat that it poses to my future and the influence that runaway climate change will have on basic life decisions I am likely to make in the future. If current trends of projected greenhouse gas emissions are allowed to continue, we will reach catastrophic tipping points within my adult life. Accordingly, the level of dangerous climate change that we are heading towards will play an important role in my decision to have children as I am deeply concerned about bringing new life into a world affected by extremely dangerous levels of climate change). The impacts of climate changes will also affect where I choose to live once I leave university.
6. The UK government's failure to set a climate target under the Climate Change Act 2008 consistent with international law and the most up-to-date science is extremely concerning to me, particularly because of the dangers this lack of action represents to younger generations as well as to future generations. Young people growing up in the UK shouldn't be faced with the decision to have children or not due to the prospect of extremely dangerous global warming brought about by political inaction. Young people in the UK shouldn't have to consider which areas of the country are most vulnerable to heightened levels of extreme weather and flooding when deciding where they want to live in the future. The COP21 summit that I attended, and the resulting Paris Agreement, was established for countries to make equitable contributions to reducing their greenhouse gas emissions to avoid dangerous tipping points (laid out in atmospheric temperature levels in the agreement). The UK is, in my view, failing to do this and, in doing so, failing to protect the rights of my generation as well as future generations.
7. In order to stand up for the rights of my generation and in the hope of safeguarding future generations from extreme levels of climate change I am bringing this claim along with Plan B:

Costs

8. I understand that the costs recoverable from me in the event that this claim is unsuccessful, are limited by the Aarhus rules, which the Defendant accepts apply to this case.
9. Aside from the concerns that I identify above, my decision to bring this claim as a co-claimant is based on: (a) my understanding that my notional costs liability in the proceedings would be no greater than £5,000; and (b) on the expectation that such funds will be raised through crowdfunding on the CrowdJustice website. If such funds are not raised, or if the Court orders that my potential liability is increased and such additional funds cannot be raised, then I would have no option but to withdraw from the proceedings. I understand that I may be liable for some limited costs up until the point of any such withdrawal, and Plan B has provided me with an indemnity in respect of any such costs if they cannot be funded by Crowdfunding.
10. For the benefit of the Court, I set out a financial schedule and related information in accordance with CPR Rule 45.2 in a confidential annex to this witness statement.

STATEMENT OF TRUTH

I believe that the facts in this witness statement are true.

Signed

Sebastien Kaye

Sebastien James Kaye

Dated

05.12.17