

For immediate release

High Court blocks path to full trial of climate change legal action

The High Court ruled against climate charity Plan B today (20 July) in one of the first major legal test's of the Paris Agreement on climate change. The ruling blocks the path to a full hearing on the sufficiency of the UK 2050 climate change target, the basis for all UK climate change policy.

The charity Plan B and 11 UK citizens commenced legal action against the government for what they claim is a failure to revise the target in line with science and the Paris Agreement.

Following a hearing on 4 July, Mr Justice Supperstone has now issued a judgement, which states, contrary to Plan B's understanding of the position of the Committee on Climate Change that: 'I agree...that the Committee's position was that the existing 2050 target is compatible with the Paris Agreement.'

Tim Crosland, Director of Plan B and former government lawyer, said: 'We are surprised and disappointed by this ruling and will be lodging an appeal.'

'We consider it clear and widely accepted that the current carbon target is not compatible with the Paris Agreement. Neither the government nor the Committee on Climate Change suggested during our correspondence with them prior to the claim that the target was compatible.'

'Indeed, it was only in January of this year that the Committee published a report accepting that the Paris Agreement was 'likely to require' a more ambitious 2050 target. Moreover the Government acknowledged in these proceedings that it was 'uncontroversial' that the 2050 target was insufficient to meet the 1.5°C target, one of the key aspects of the Paris commitment.'

'In these circumstances, Plan B and the other 11 claimants continue to consider that a full hearing on an issue of such urgent and vital importance is necessary. As with other legal campaigns confronting powerful vested interests it takes time to break through, and time is not on our side. We'll be doing everything possible to accelerate the process. Wildfires raging in the Arctic Circle must surely be a wake-up call.'

The case has attracted strong support internationally. Leading climate scientist, James Hansen, whose testimony to the US Congress in 1988 raised the global alarm on climate change, has said the case 'could have a big impact on the whole global situation'.

The government's own former chief scientist, David King, has also expressed support for the action as has politician Caroline Lucas and a coalition of top doctors. Attorney General to HRH The Prince of Wales, Jonathan Crow QC, is one of the barristers representing the group in court.

The case seeks to compel the government to revise the UK's 2050 carbon target, the anchor for all its climate change policies, and to specify a new one based on the latest scientific knowledge and the goals set out in the Paris Agreement.

It argues that Greg Clark's failure to do so is inconsistent with the purpose of the Climate Change Act which is to commit the UK to a fair contribution to the global temperature limit, irrational and a breach of human rights, including the right to life, the right to family life, and the right to property.

In 2008 the Climate Change Act set out a target based on the belief that limiting global warming to 2°C would be enough to avoid the worst impacts of climate change. The situation has subsequently deteriorated and in 2015, Governments around the world adopted the Paris Agreement committing them to limiting warming to 'well below' 2°C while aiming for a 1.5°C limit.

Plan B and 11 citizens, aged 9 to 79, are represented by the solicitors, Jamie Potter and Ben Gaston of Bindmans LLP, and the barristers Jonathan Crow QC and Emily MacKenzie.

Ends

Notes to editors:

- For further information on those backing the action, see:
Dr James Hansen (see video statement at planb.earth)
Caroline Lucas: (see ["Caroline Lucas just threw her weight behind the mother of all court cases against the UK government"](#) *The Canary*, 8.6.18)
The BMJ and leading doctors: 8.12.17 ["Top doctors back legal action against Government on carbon emissions"](#) (Daily Mail)
Sir David King, the former Government Chief Scientist: 27.9.17 ["Climate change: Ministers should be 'sued' over targets"](#) (BBC)
- In 2008, the UK Government introduced the Climate Change Act, setting a UK carbon target for 2050, tied to what was then considered the 'safe' global limit of 2°C of warming. The Act was the first of its kind, and is still used as a model by many countries around the world.
- *No-one thinks 2°C is safe any more.* The current scientific consensus is that the risks of crossing critical tipping points in the climate system rise sharply beyond 1.5°C warming.
- The Act provides for the Secretary of State (Minister) to revise the target in line with developments in science and law.
- In December 2015, 195 Governments, including our own, signed the Paris Agreement. They pledged to hold warming to *well below* 2°C and to aim for a limit of 1.5°C
- In 2015 a citizens' platform in the Netherlands called *Urgenda* took the Dutch Government to court for failing to do enough to tackle climate change. The Court ruled in its favour and ordered the Dutch Government to raise its ambition. Similar cases are underway in the US, Belgium, Uganda, India and Ireland and the EU.

- In March 2018, within weeks of the first Court hearing in this case, Claire Perry, the Energy Minister, announced at the Commonwealth Heads of Government meeting that the Department for Business, Energy and Industrial Strategy (BEIS) would commence a further review of the position at some point after October. BEIS made the news public only via Twitter.
- No review has been formally commissioned, the terms of reference are entirely unclear, and no time-frame has been set. The terms of reference and timing are fundamentally important.
- For further context see:
["Can Climate Litigation Save the World?"](#) *Damian Carrington, the Guardian, 20 March 2018*
Interview with the director of Plan B, Tim Crosland, on Al Jazeera on [the global climate emergency](#)
- Please include the link to the case Crowd Fund page: www.crowdjustice.com/case/planb

For more information, contact

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