

For immediate release

High Court postpones decision on whether climate case proceeds to full trial

Yesterday, 4 July, the High Court delayed making a decision on whether charity Plan B and 11 UK citizens have an arguable case against the government for failing to revise its climate change target to align to the Paris Agreement.

At the end of a full days' hearing, which was allowed to overrun, Mr Justice Supperstone reserved judgement. A ruling is expected within 2 weeks.

Tim Crosland, Director of Plan B and former government lawyer, said: 'I hope the packed courtroom sends a very clear message to the government that this is an issue of overwhelming public concern. It's an unusual step for a Court to reserve judgement on a permission hearing, but one that reflects the gravity and significance of the matters raised.'

The case has already attracted strong support internationally. World 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.

Tim Crosland added: 'In October 2016 and January 2018, Business Secretary Greg Clark took a deliberate decision to keep the UK carbon target tied to the 2°C goal rejected as inadequate by both scientists and governments – including his own. He has kept these decisions hidden from the general public, which have now come to light only as a result of these legal proceedings.'

Plan B and 11 citizens, aged 9 to 79, are represented by the solicitors, Bindmans, and the barristers Jonathan Crow QC and Emily MacKenzie

Ends

Notes to editors:

- If it goes to full trial, it is likely to take place in late 2018 or early 2019.
- 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. It impacts on the legal case only in so far as it is a tacit concession that the current targets are inconsistent with the Paris Agreement.
- 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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