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STUDENTS WIN LANDMARK CLIMATE CASE. IN GLOBAL FIRST, MINISTER HAS DUTY OF CARE TO PROTECT YOUNG PEOPLE FROM CLIMATE CHANGE

SYDNEY MAY 27, 2021: Eight high school students have welcomed today's landmark judgment in the Federal Court of Australia that found the Federal Environment Minister has a duty of care not to cause them harm from climate change.

The students brought the class action against Minister Sussan Ley in September 2020, asking the court to recognise the Minister has a duty to protect young people around Australia from foreseeable future climate change harms.

The students alleged that approving a major extension to the Vickery coal mine in northern New South Wales would breach the Minister's duty. An injunction was not ordered but there will be further submissions on what the duty means for the Minister's decision and the mine.

"I am thrilled by today's judgement," says Ava Princi, 17, one of the students.

"I'm thrilled because this is a global first. We understand it is the first time a Court of law, anywhere in the world, has ordered a government to specifically protect young people from the catastrophic harms of climate change.

"My future - and the future of all young people - depends on Australia joining the world in taking decisive climate action."

"But this case is not over. While the Court stopped short of preventing the Minister from approving the Vickery mine extension today, it has ordered parties to come together to find a way forward. We are still optimistic that the climate harms from this mine will not happen."

In *Sharma and others v Minister for the Environment* the Court accepted evidence brought by independent experts that carbon emissions released from mining and burning fossil fuels will contribute to wide-ranging harms to young people.

The judgment means the Environment Minister should not make decisions that harm young people, however the judge stopped short of preventing the Minister from approving the Vickery Extension Project.

The judge called upon the parties to confer on orders over the future of the proposed project.

"I feel elated by this decision," says Laura Kirwan, 17, another student behind the class action.

“This is a victory for young people everywhere. The case was about young people stepping up and demanding more from the adults whose actions are determining our future wellbeing. Our voices are powerful and I hope this case inspires more young people to push for stronger, faster and deeper cuts to carbon emissions.

“Our futures depend on it.”

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