

**FOR IMMEDIATE RELEASE**

## **GOVERNMENT APPROVES COAL MINE DESPITE DUTY OF CARE RULING**

**16 September 2021:** Today's [announcement](#) that Environment Minister Sussan Ley has approved the Vickery coal mine Extension project has been met with shock and dismay by the eight teenagers who recently won an historic court victory that found the Minister has a duty to avoid causing them injury and death from the mine's emissions.

"When I heard that Minister Ley had approved the expansion of the coal mine I was shocked and angry," said Bella Burgemeister, 15 in Bunbury WA.

"The emissions from Whitehaven's expanded Vickery coal mine will only make the climate crisis worse and puts our safe future in doubt. The Minister should be ashamed of her decision."

Ava Princi, 18, in Sydney NSW, one of the students who brought the globally significant case, said:

"The decision to approve this mine comes only weeks after the latest report from the Intergovernmental Panel on Climate Change (IPCC) warned of the urgent need to stop the extraction and burning of coal to contain global warming.

"In approving the mine, Minister Ley has turned her back on the Federal Court, the international scientific consensus on climate change, and the children and young people of Australia.

Izzy Raj-Seppings, 14, in Sydney NSW, who is one of the students defending the duty, said:

"In November world leaders will convene at COP26 in Glasgow to agree on action to take to decrease emissions. Australia's government led by Scott Morrison has a shameful and dangerous obsession with new coal projects that makes it a global climate pariah. History will not be kind to our leaders."

Lawyer for the students, David Barnden of Equity Generation Lawyers, said:

“The approval is a surprise in light of the Federal Court’s careful reasoning establishing the Minister’s duty of care not to harm children. The Morrison government’s decision signals to the world that Australia does not appear prepared to act responsibly to protect children from climate harms.”

The lawyers for the children are considering the approval and further legal action. The Minister’s appeal of the duty will be heard 18 to 20 October by the Full Federal Court.

**The 8 July 2021 judgement and declaration is available on the Federal Court website [here](#). The 27 May 2021 decision that sets out Justice Bromberg’s detailed reasoning is available [here](#).**

**People can chip in to support the children’s legal defence of the duty in the Full Federal Court at <https://chuffed.org/project/sharma>**

ENDS

*For interviews with the students or lawyers, contact James Lorenz on 0400 376 021 or Dylan Quinnell on 0450 668 350.*