

Shaping the Next Generation of Australian Climate Litigation

Thursday 17 November, 2016

10 am – 3.30 pm

Melbourne Law School, Level 9, Room 920

9.30 Coffee & Registration

10-10.30 Introduction & Update on US election implications - *Jacqueline Peel & Hari Osofsky*

10.30-11 Roundtable Discussion

- What is 'next generation' climate litigation?
- What are the drivers and barriers for next generation climate litigation?
- How does it interact with first generation litigation?

11-11.15 Coffee Break

11.15 -1.15 Avenues for Next Generation Climate Litigation

- **What are the emerging options?**
- **How do these compare with previous climate litigation models?**
 - Public Trust Doctrine & Rights-based Litigation (drawing on US experience) – *Hari Osofsky, University of Minnesota*
 - Torts? - Negligence and Public Nuisance? An *Urgenda* case in Australia? – *Tim Baxter, University of Melbourne*
 - Corporations / Securities law avenues – *Sarah Barker, MinterEllison*
 - Adaptation Litigation going forward – *Tayanah O'Donnell, University of Canberra*
 - Reflections on Queensland Coal Litigation – a continuing role for statutory & administrative avenues? – *Sean Ryan, EDO Qld*

1.15-2.15 Lunch

2.15 - 3.15 Taking Next Generation Climate Litigation Forward

- Using climate change science in litigation - *David Karoly, University of Melbourne*
- Procedural issues, courts, substantive causes of action, building networks – *Ariane Wilkinson, Environment Justice Australia*
- Strategic partnering / facilitative litigation – *Anita Foerster, University of Melbourne*

3.15 - 3.30 Wrap-up & Coffee