



THE LAW SOCIETY OF NORTHERN IRELAND

Resolution on Climate Change

Noting that in 2016 the United Kingdom ratified the Paris Agreement to the United Nations Framework Convention on Climate Change ('the Paris Agreement') to hold the increase in global warming to "well below 2°C", and to pursue efforts to limit the increase to 1.5°C above pre-industrial levels;

Noting further that in 2016, Ireland also ratified the Paris Agreement;

Recognising beyond doubt that the climate crisis is anthropogenic and that serious immediate and long-term actions are required to mitigate its impact;

Mindful that the United Nations Intergovernmental Panel on Climate Change (IPCC) has confirmed in its 2021 Sixth Assessment Report that "unless there are immediate, rapid and large-scale reductions in greenhouse gas emissions, limiting warming to close to 1.5°C or even 2°C will be beyond reach";

Recognising the radical promise contained in the recently enacted Climate Change Act (Northern Ireland) 2022 ('the 2022 Act') as the legal basis for mitigating and remedying the profound impacts of climate change in Northern Ireland;

Recognising further that the Northern Ireland Assembly has mandated an ambitious approach to climate change policy in the 2022 Act, including a net-zero target for 2050, an all-Ireland dimension to climate change policy and nature-based solutions to climate change;

Acknowledging the essential role of the legal profession in strengthening and upholding the rule of law, human rights and access to justice which are vital for society as a whole, and which are jeopardised by the profound impacts of climate change;

Acknowledging that the fundamental role played by solicitors in effecting positive change in society, including by supporting their clients and their employers, must begin with positive change within the Law Society of Northern Ireland; and

Noting the International Bar Association's Climate Crisis Statement made on the 5th of May 2020:

The Law Society of Northern Ireland:

1. **Resolves** to take immediate action and develop plans, consistent with the ambition in both the Paris Agreement and the 2022 Act, towards significantly reducing its carbon impact;
2. **Resolves** to:
 - 2.1. **support** solicitors in their endeavours to act to mitigate the profound impact of climate change;

- 2.2. **provide** guidance to solicitors on how, when approaching any matter arising in the course of legal practice, to take into account the likely impact of that matter upon the climate crisis compatibly with their professional duties and the administration of justice;
 - 2.3. **provide** guidance to individual solicitors and firms on reducing the carbon impact of their businesses consistent with the ambition in the Paris Agreement and the 2022 Act;
 - 2.4. **develop, disseminate and publicise** educational tools and resources to support solicitors to incorporate into their daily practice advice on the impacts of climate change, and prepare for the likely impacts of climate change upon their daily practice in line with paragraphs 3 and 4 below;
 - 2.5. **proactively engage** with current and future climate change-related legislative, regulatory and policy reform so far as it impacts on the practice of law, access to justice and the rule of law;
 - 2.6. **proactively influence** the regime governing legal training and education on issues pertaining to climate change, including by engagement with the Bar Council of Northern Ireland and the Institute of Professional Legal Studies;
 - 2.7. **collaborate actively** with others for the greatest impact in addressing the climate crisis, including clients, regulators (and especially legal regulators across the United Kingdom and Ireland), bar associations, other professional bodies, academics, non-governmental organisations and legal networks focused on ameliorating the climate crisis; and
 - 2.8. **report** on the steps taken to meet these commitments and the outcomes of such steps and share its learning with the solicitors' profession and the wider public in order to ensure accountability for these commitments and goals.
3. **Urges** solicitors, always in a way which is compatible with their professional duties and the administration of justice, to engage in climate conscious legal practice by:
 - 3.1. **continuing** legal education on matters pertaining to climate change, in recognition of the pervasive impact of climate change on society and legal practice;
 - 3.2. **approaching** any matter arising in the course of legal practice with regard to the likely impact of that matter upon the climate crisis;
 - 3.3. **providing** (whether themselves or through others) competent advice to their clients on (i) how they can achieve their objectives in ways which mitigate the effects of the climate crisis and promote adaptation to climate change; and (ii) the potential legal risks and liabilities that may arise from action or inaction that negatively contributes to the climate crisis; and
 - 3.4. **advising** clients, where applicable, about the benefits of disclosure of climate-related risks and opportunities related to their entire business operation (including supply

chains) when reporting to regulators, investors, and stakeholders and on the assessment, monitoring, management, mitigation and reporting on such risks.

4. **Urges** law firms and organisations that support the legal industry to operate in a way which is consistent with the targets set in the Paris Agreement and the 2022 Act by:
 - 4.1. **periodically auditing** their carbon impact, with a view to reducing it consistently with the ambition contained in the Paris Agreement and the 2022 Act;
 - 4.2. **adopting** science-based targets to reduce the direct and indirect greenhouse gas emissions associated with daily legal practice;
 - 4.3. **adopting** practical measures to reduce the environmental impact of their business and policies which mitigate their contribution to the climate crisis through the provision of legal services; and
 - 4.4. **reporting** publicly on the steps taken to meet these commitments and the outcomes of such steps.
5. **Strongly encourages** solicitors, law firms and organisations that support the legal industry to take a holistic and proactive approach to mitigating the climate crisis and promoting climate change adaptation by taking action which includes:
 - 5.1. **developing** well-supported career paths for lawyers who wish to transition into distinct disciplines related to climate change or enhance their practice area by focusing on ways in which that practice can advance net-zero targets, such as clean energy, green real estate, Environmental, Social and Governance (ESG) standards, sustainable finance law and similar climate-related aspects;
 - 5.2. **engaging** in pro bono activities which support this objective;
 - 5.3. **engaging** in climate change dispute resolution on a basis which ensures affordable access to justice for those negatively affected by the climate crisis, considering the clients' resources; and
 - 5.4. **engaging** with current and future legislative and policymaking efforts to mitigate the climate crisis and protect the human rights of those most affected by it and promoting the development and application of legal rules, transparency requirements and policies in a manner that is consistent with climate change mitigation and the climate commitments under international treaties and domestic law.

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