



liberty central Drax

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Drax trial held in a climate of injustice

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The outcome of the trial of the Drax protesters was determined the minute the judge banned the consideration of climate change

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I would say that if the law considers it acceptable to kill 180 people a year, then the law has some catching up to do.

When Beth Stratford addressed the jury on Wednesday at the [trial of the Drax 29](#) she was speaking in the knowledge that the judge in her trial had already secured a guilty verdict by his earlier decision to ban consideration of climate change from the proceedings. It was a bizarre, deeply flawed decision by Justice Spencer that determined the path of the trial from the outset. In his ruling he wrote,

I rule as a matter of law that ... evidence concerning the burning of fossil fuels and global warming is inadmissible. To rule otherwise would allow these defendants to hijack the trial process just as surely as they hijacked the coal train.

We can't know for sure what was in his mind when he concluded that anthropogenic global warming was so "irrelevant" as to deserve banishment from his courtroom. But I can't help wondering if the judge - and the wider judicial system - had one eye on the outcome of our recent trial in Maidstone, where six of us were found not guilty of criminal damage despite admitting we climbed and painted on the [chimney at Kingsnorth](#).

Our acquittal in the [Kingsnorth](#) case caused great disquiet in Whitehall. The attorney general, Lady Scotland, a member of the government, took active steps towards appealing the decision allowing us to run a climate change defence, before dropping the appeal for reasons unknown (our legal advisers suggested the government may have lost, in the process setting a precedent allowing climate protesters to run the kind of defence banned in the Drax trial).

Now it is evident that instead of appealing our case, the judiciary decided to adopt an alternative strategy - relying on judges to eject the basic laws of physics, biology and chemistry from their courtrooms and declare climate change inadmissible. Indeed, Justice Spencer addressed the question of a scientific consensus on climate change in his summing up to the jury by saying: "There may well be people who would argue against it, certainly against the urgency [of acting], I don't know, but it's irrelevant."

Our earlier acquittal had a small but nevertheless very real influence on the energy and climate change debate in this country, but I am certain that an acquittal of the Drax 29 would have had an immeasurably greater impact. They [defended themselves](#) in the most eloquent and articulate fashion, shaming into silence the prosecutors and the men from the police's National Extremism Unit who sat at the back of court, arms folded, as they were

forced to listen to Amy Clancy telling the court how she'd never been arrested before but that the train occupation was the "most reasonable and responsible thing I have done in my life".

The Drax defendants are heroes of our time. They knew they were almost certain to be convicted from the moment the judge ruled out consideration of climate change. But the protesters pleaded not guilty anyway, they went ahead without legal representation and for two days they forced Justice Spencer's court to hear evidence of the greatest threat faced by humanity. Their defence ended with Jonathan Stevenson's address to the jury, in which he said:

The law will eventually have to change and acknowledge the harm that carbon emissions do to all of us, by making them illegal. The only question is whether the law will catch up in time for there to be anything left to protect.

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