

Rt Hon Graham Stuart MP  
Minister of State for Energy Security and Net Zero  
Department for Energy Security and Net Zero  
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55 Whitehall  
London  
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15 January 2024

Dear Minister,

Thank you for your letter dated 21 November 2023 in response to our letter dated 25 September 2023 addressed to the Prime Minister.

Our letter dated 25 September 2023 concerned the Government's decision to offer more than 100 new licences for oil and gas extraction as part of its continued policy of approving new oil and gas fields in the North Sea. Since the date of our letter, the Government has sought to enshrine that policy in law, by introducing the Offshore Petroleum Licensing Bill before Parliament.

In your response, you mount a spirited defence of Government Net Zero policy. You claim that the UK is the world leader in tackling climate change.

We genuinely wish that we could agree. Unfortunately, however, your claim does not withstand scrutiny.

As you say, in March 2023 your department presented the Government's latest Net Zero strategy, *Powering Up Britain*, to Parliament. This was, as you say, a long and detailed document.

However, in June 2023, the Climate Change Committee (CCC) published its annual report to Parliament on progress in reducing UK emissions (Report).<sup>1</sup> The Report highlighted that, overall, the UK was not on track to meet the UK's Nationally Determined Contribution under the UN process for a 68% reduction in emissions by 2030. Table 1 within the Report summarised progress against key indicators, with the majority being off track or lacking sufficient data.

The Report stated in its executive summary:

"The UK has lost its clear global leadership position on climate action. We are no longer COP President; no longer a member of the EU negotiating bloc. Our response to the recent fossil fuel price crisis did not embrace the rapid steps that could have been taken to reduce energy demand and grow renewable generation. We have backtracked on fossil fuel commitments, with the consenting of a new coal mine and support for new UK oil and gas production – despite the strong wording of the Glasgow Climate Pact. And we have been slow to react to the US Inflation Reduction Act and the EU's proposed Green Deal Industrial Plan, which are now a strong pull for green investment away from the UK. It is critical that the UK re-establishes its climate leadership with a clearer strategy to develop Net Zero industries and technologies in the UK and capture the economic benefits of Net Zero, with actions that create demand-pull for the critical technologies that will shape the UK's progress over the next decade.

"... At COP26, the UK made stretching 2030 commitments in its Nationally Determined Contribution (NDC) – now only seven years away. To achieve the NDC goal of at least a 68% fall in

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<sup>1</sup> <https://www.theccc.org.uk/wp-content/uploads/2023/06/Progress-in-reducing-UK-emissions-2023-Report-to-Parliament-1.pdf>

territorial emissions from 1990 levels, the rate of emissions reduction outside the power sector must almost quadruple. Continued delays in policy development and implementation mean that the NDC's achievement is increasingly challenging." (underlining added)

As you know, the CCC is an independent expert body established under the Climate Change Act 2008. That the UK is off track to meet its Net Zero commitments and has lost its global leadership position on climate change is not just our opinion – it is the opinion of the independent body tasked by Parliament with reaching objective conclusions based on expert analysis.

We note that, in your letter, you focus on the Government's Net Zero achievements within the power sector. We infer that you do so because, as stated by the CCC in the above quotation, the Government is way off-track in relation to reducing emissions in other sectors.

More pertinently, you argue that the level of "supply of oil and gas is not the Net Zero problem, demand is." It is deeply concerning that a UK government department should subscribe to this view, since basic economics dictates that, in a free market economy, the supply curve (as well as the demand curve) is an important determinant of the level of production of fossil fuels. It is axiomatic that, if the Government promoted and supported the increased availability of affordable, clean energy alternatives through a coordinated industrial strategy, businesses, workers and the public would choose these.

We also note that you do not address in your letter the steps the Government is taking to tackle what you call the "demand signal". Perhaps that is because, on 20 September 2023, the Prime Minister announced exemptions and delays to phase-out dates for fossil-fuelled cars and boilers and a decision not to regulate for improved energy efficiency of rented homes. Both of these demand-side policy announcements made it even less likely that the UK would meet its Net Zero targets.

Further, the Government has in recent months sought to make political capital out of criticising Labour's commitment to substantially increase government investment in green energy. Whereas, as indicated above, in the Report the CCC provided an independent assessment that the UK was falling behind in attracting investment in renewable energy.

As we set out in our original letter, the science is clear that we need to reduce our reliance on fossil fuels decisively and rapidly in order to avoid widespread loss of life and livelihoods and catastrophic harm to health. The science is unequivocal; a global increase of 1.5°C above the pre-industrial average and the continued loss of biodiversity risk catastrophic harm to health that will be impossible to reverse.<sup>2</sup>

Multiple authoritative sources agree that expansion of fossil fuel production is inconsistent with limiting global warming to the key threshold of 1.5°C. In addition to the IPCC report referred to in our original letter, the International Energy Agency's 2021 report *Net Zero by 2050* states at pp.101 – 103 that no new oil or gas fields or coal mines are required in the Net Zero emissions scenario.<sup>3</sup>

Unsurprisingly, the CCC agrees with our position on North Sea licensing. The Report states at p.15:

**"Expansion of fossil fuel production is not in line with Net Zero.** As well as pushing forward strongly with new low-carbon industries, Net Zero also makes it necessary to move away from high-carbon developments. The decision on the Cumbrian coal mine sent a very concerning signal on the Government's priorities. The UK will continue to need some oil and gas until it reaches Net Zero, but this does not in itself justify the development of new North Sea fields." (bold in original)

The additional oil and gas extracted in the North Sea, some 500 million barrels from the Rosebank field alone, will be available on the international market. In your letter, you seek to wash the Government's hands of the pollution that will result from the consumption of these fossil fuels abroad and justify this not being taken into account in the Government's decisions on the basis that these emissions are accounted

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<sup>2</sup> <https://www.gov.uk/government/publications/climate-change-applying-all-our-health/climate-and-health-applying-all-our-health>

<sup>3</sup> <https://www.iea.org/reports/net-zero-by-2050>

for in the country in which they are used. We further understand that downstream emissions from consumption of extracted oil and gas, whether in the UK or elsewhere, were not taken into account at all as part of the “extensive scrutiny by regulators” to which you refer.

Particularly at a time when global CO2 emissions and temperatures are hitting record levels (see the BBC article, *2023 confirmed as world’s hottest year on record*<sup>4</sup>) and when 2023 saw what the UN Environment Programme described as “devastating extreme” weather events,<sup>5</sup> your approach is the antithesis of showing global climate leadership.

As Minister of State for Energy and Clean Growth, the Rt Hon Chris Skidmore MP signed the UK’s Net Zero pledge into law. He also chaired the *Government Review of Net Zero* published in January 2023. As you are aware, he resigned as an MP on 5 January 2024 in protest against the Offshore Petroleum Licensing Bill (referred to above).

Mr Skidmore stated that the bill would send a “global signal that the UK is rowing ever further back from its climate commitments”. It is difficult to disagree with his assessment that:

“We can not expect other countries to phase out their fossil fuels when at the same time we continue to issue new licences or to open new oil fields. It is a tragedy that the UK has been allowed to lose its climate leadership ...”<sup>6</sup>

The Rt Hon Sir Alok Sharma KCMG MP was President for COP 26 and previously Secretary of State for Business, Energy and Industrial Strategy. He has also announced that he will not vote for the bill. He told BBC Radio 4’s Today programme that:

“This bill is actually about doubling down on new oil and gas licences. It is actually the opposite of what we agreed to do internationally [at COP 28], so I won’t be supporting it.”<sup>7</sup>

We can only conclude that the Prime Minister has decided to sacrifice the opportunity for the UK to show real climate leadership on the altar of seeking short-term popularity with the electorate. Given the gravity of the effects of exceeding 1.5°C, this is deeply irresponsible.

It is perhaps ironic that you chose to conclude your letter by comparing Lawyers Are Responsible to Don Quixote, who famously attacked windmills, an early form of technology harnessing green energy. However, we would argue that the more fitting analogy is with Sancho Panza, who sought to dispel his master’s chivalric delusions with sound practical advice.

Yours faithfully

*Lawyers Are Responsible*  
**LAWYERS ARE RESPONSIBLE**

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<sup>4</sup> <https://www.bbc.co.uk/news/science-environment-67861954>

<sup>5</sup> <https://www.unep.org/interactives/emissions-gap-report/2023/#:~:text=At%20the%20time%20of%20writing,C%20above%20pre%2Dindustrial%20levels>.

<sup>6</sup> <https://www.bbc.co.uk/news/uk-politics-67895246>

<sup>7</sup> <https://www.theguardian.com/politics/2024/jan/08/alok-sharma-i-wont-back-uk-government-oil-and-gas-bill>