

Criminological and Legal Consequences of Climate Change

Stephen Farrall, Tawhida Ahmed and Duncan French (eds)

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Criminological and Legal Consequences of Climate Change is an important addition to the growing body of work considering the legal implications of the changing biosphere. Farrall, Ahmed and French present a collection of innovative ideas and arguments from a number of eminent authors that highlight the multi-disciplinary approach both demanded by and inherent in the global consequences of climate change. The dual purpose of the book is first to examine the ways that legal and criminological scholarship can explain certain effects of climate change and second, to carve out a future research agenda. These aims are deftly achieved. A call to think beyond acknowledged areas, *Criminological and Legal Consequences of Climate Change* is a thought-provoking and important examination of a range of socio-legal issues of global concern.

The suitability of current legal frameworks to address the adverse effects of climate change is uncertain at best. Although there is increasing scholarship in these fields, particularly within the realm of international environmental law, the ultimate role the law will play is up for debate. By broadening the discursive scope in which the likely effects of climate change may be considered, the book goes a considerable way in probing these unknown areas. It is also increasingly clear that the complex issues posed by climate change require innovative solutions that transcend traditional scholastic boundaries. *Criminological and Legal Consequences of Climate Change* neatly acknowledges this with an impressive calibre of contributors highlighting a diverse range of potential impacts in areas such as human rights law, migration law, the provision of development aid and corporate governance.

The book is loosely structured around a number of themes. The first two chapters set the tone and aim of the book by exploring a number of potential consequences of climate change for the disciplines of law and criminology. Current legal tools and their suitability for addressing the realities of a low-carbon world are also considered in the introductory chapters. The following chapters discuss the growing presence of climate change in legal actions and how particular mitigation strategies can generate new forms of social and environmental harm, which in turn have fascinating criminological consequences. A cluster of excellent chapters dealing with security, human rights and increased migration follow. The final chapters consider the role the individual might play in the low-carbon future, as the effects of climate change shift what it means to be a citizen, consumer and even victim.

Through a number of novel ideas the book subverts traditional ways of reconciling legal frameworks with the challenges posed by climate change. For example, Hilson contributes an effective chapter regarding the framing of climate change litigation. Rather than focusing on the well-traversed problems faced by environmental groups in 'proactive' legal actions, such as causation and standing, he examines the trend towards an increasing number of 'reactive' legal arguments. Hilson argues that increasingly, certain defendants (typically eco-political protestors) in actions involving damage to property are successfully arguing the defence of lawful excuse, by claiming that any damage caused was necessary in order to prevent greater damage being caused to *all* property by climate change. This is an interesting and fresh approach to considering climate change litigation and provides valuable insights, which will no doubt aid development of the law in this burgeoning area.

A great strength of the work is its ability to synthesise and integrate a range of disciplines and ideas into what are ostensibly legal discussions. Sociological frames are utilised to strong effect in the book, including discussions of discourse and 'framing' techniques inherent in discussions of law and criminality. This multi-disciplinary approach highlights the new territory faced by the law in attempting to address climate change. The book resists the temptation of being a simple consideration of the current state of the law. Instead, it questions many of the assumptions inherent in current iterations of environmental law to striking effect. For example, in a fascinating chapter by Halsey, the Australian forestry industry is examined and accused of 'defining pollution down' in order to discursively minimise the perceived criminality of certain actions. Discussions of ideas such as this move the book beyond being a simple collection of papers to an original work with intellectual rigour.

The collection weaves well-known concepts of international environmental law into its discussions, for example, concepts such as intergenerational equity and the precautionary principle are seamlessly considered in discussions of human rights. Indeed, a number of chapters are devoted to a consideration of the role of human rights in dealing with the consequences of climate change and form a particularly strong area of the book. Although applying a human rights paradigm is by no means a silver bullet for dealing with the challenges of climate change, due to problems such as the inherent 'hierarchy of rights' that would be necessitated, the chapter by Obokata skilfully demonstrates there is still a role for human rights law to play in ensuring that the world's vulnerable are not forgotten.

The greatest strength of this body of work is also its greatest weakness. The breadth of topics covered provides an impressive introduction to the field and the thematic structure is relatively successful in bringing the

work together as a whole. However, given the broad brief of the work, there is inevitably some discord in the flow between chapters. This criticism is somewhat mitigated by the strength of the individual chapters, as each provides a striking standalone argument which serves to increase accessibility for the general reader.

Criminological and Legal Consequences of Climate Change is a thought-provoking and innovative addition to scholarship in the growing field of climate change law. Its emphasis on the need for a multi-disciplinary approach is entirely reflected in the authors' skilful integration of a range of fields into their arguments. Although it is an ambitious work in terms of the large number of issues dealt with, the overarching narrative tempers the disparity between chapters. Most notably, its novel take on tired paradigms renders it a strong contribution to the literature.

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