

The Bad Judge

by

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INT. QUEENSLAND COURTROOM - MORNING

The courtroom is packed. Dozens of children eagerly watch the proceedings from the stalls. The Judge arrives.

CLERK

All rise.

Everyone stands as the Judge enters the court room.

CLERK

Mr. Justice Queensland Presiding.

The Judge takes his seat. He looks around, grumpily.

JUDGE

(banging gavel)

Order! Order! I want this case wrapped up quickly. I have a luncheon, you know. Hold up. Whats that? Clerk?

CLERK

Yes, your honor.

JUDGE

(whispering)

What are all these horrible children doing in my court?

CLERK

They are the public, your honor.

JUDGE

Ugh! I don't like public.

(beat)

Anyway, proceed.

CLERK

Thank you, your honor. Today we are deciding Miners v. Minors in the case of the Carbon Bubble.

JUDGE

Bubbles? Oh, goody. I like bubbles. Is it French?

CLERK

That is the Carbon Bubble, your honor.

JUDGE

Carbon Bubbles? Is this new? From the Champagne Region, maybe?

CLERK

Your honor, it is alleged by the Children of Australia - the minors - that the Directors of the Queensland coal industry - the miners - have failed in their fiduciary duty to advise their investors of the risks of the Carbon Bubble.

JUDGE

(rubs hands together)  
Okay, lets prosecute some miners.

PLAINTIFF

You're not prosecuting us, your honor. Today, we are the plaintiff.

JUDGE

Well now I am confused. Aren't you normally the ones getting sued.

PLAINTIFF

That's correct your honor. But today the worm turns.

JUDGE

Yes. I remember you. The miners are forever in here accused of all sorts of villainy.

(counts on fingers)

Poisoning aquifers. Chopping down old growth forests. Acidifying rivers. Manipulating democratic process through lobbying. Killing snubfin dolphins.

PLAINTIFF

But you always let us off, your honor.

JUDGE

Oh. Do I?

PLAINTIFF

And today we are the good guys.

JUDGE

That should make it much easier to let you off, then.

PLAINTIFF

Indeed. The Queensland mining industry is suing the children of Australia - the minors - for defamation.

JUDGE

Quite right, too. What have the miners done now? Hold up, which one are you? Aren't you the miners?

PLAINTIFF

We are the miners, your honor.

JUDGE

So its the miners versus the miners. Clerk, can we do that?

CLERK

Not if they are spelled the same way, your honor.

JUDGE

Well are they?

CLERK

No, your honor. The Plaintiff is spelled with an 'E' and Defence is spelled with an 'O'.

JUDGE

(scratching head)

Now I'm really confused.

(beat)

Very well then. Proceed.

PLAINTIFF

Your honor, the Queensland coal industry has a proud tradition of digging up and flogging off the dirty lumpy stuff for over 200 years.

The Youth of Australia have besmirched the good name of the miners.

The little bastards.

JUDGE

(to Defense)

There. What do you have to say about that.

DEFENCE

Your honor, the Children of Australia are well within their rights to publicize the recent findings of the Carbon Tracker Initiative to whitt it is claimed that most of the world's fossil fuels must stay in the ground if the world is to meet the 2 degree global warming target.

JUDGE

Two degrees. Bit cool isn't it.  
For a sparkling wine. Four  
degrees, maybe.

YOUTH

(shouting)

There's no more mammals at four  
degrees!

JUDGE

(bangs gavel)

Silence in court!

DEFENCE

Your honor, that's two degrees of  
global warming above the  
pre-industrial mean temperatures.

A significant increase in the  
planet's heat balance.

JUDGE

I have absolutely no idea what  
you are talking about. Clerk?

CLERK

He is talking about the weather,  
your honor.

JUDGE

Oh, jolly good. Will it be fine?  
I have a luncheon you know.

DEFENCE

Your honor, climate scientists  
and economists are concerned that  
even two degrees poses grave  
risks to the global economy.

YOUTH

(shouting)

It's not just about the money!

JUDGE

(bangs gavel)

Silence in court!

YOUTH

(shouting)

Tell them about the sixth  
extinction!

JUDGE

(bangs gavel)

Silence in court! Now listen here  
you sniffing little...

PLAINTIFF

Objection!

JUDGE

What is it then?

PLAINTIFF

Your honor, this is a Queensland Court deciding on a matter of the fossil fuel industry. We can't be speculating on the hypotheses of climate scientists.

JUDGE

Yes. Yes. Sustained.  
(wags finger at Defence)  
Chose your words carefully,  
Defence. I have my eye on you.

DEFENCE

Just a few more points your honor.

JUDGE

Will it take long? I have a luncheon, you know.

DEFENCE

Your honor, in order to keep global warming below 2 degrees, we can only burn fossil fuels totaling 600 Gigatons of CO2.

And yet, there is nearly 3,000 Gigatons of proven reserves listed as assets on the books of the global fossil fuel industry.

Most of the world's fossil fuels simply cannot be burnt, your honor.

JUDGE

What the devil are you talking about?

DEFENCE

This 'unburnable carbon' represents a bubble in financial markets - the Carbon Bubble - that places trillions of dollars value at risk.

These risks have patently not been divulged to the investors in the Queensland coal and gas industry.

YOUTH  
(shouting)  
It's not just about the money!

JUDGE  
(bangs gavel)  
Silence in court!

YOUTH  
(shouting)  
Tell them about ocean  
acidification!

JUDGE  
(bangs gavel)  
Silence in court! I'll have you  
know I don't like little people  
in my courtroom.

Particularly public ones. I never  
liked children. Not even when I  
was one.

PLAINTIFF  
Objection, Your honor.

JUDGE  
Well, what is it this time?

PLAINTIFF  
(holding up a document)  
You honor, the Children of  
Australia are flipping fibbers.

I draw your attention to the  
tendered evidence, the I-E-A  
report of 2011, wherein it states  
that 1,176 Gigatons can be burnt  
and still meet this ridiculous  
so-called target.

That's double the amount claimed  
by the defence.

JUDGE  
(to Defence)  
What do you say to that, then?

DEFENCE  
Your honor, it's the same thing.

JUDGE  
(angrily)  
The same thing? How can it  
possibly be the same thing? What  
do you take me for a buffoon?

JUDGE  
 We've been through this  
 before, you know. With the miners  
 and the miners. You saw how that  
 ended up.

PLAINTIFF  
 You honor, the little bastards  
 are toying with you.

JUDGE  
 (banging gavel repeatedly)  
 This is a point of order.

CLERK  
 A pint of water?

The Clerk pours water from a jug into a glass.

JUDGE  
 (angrily)  
 Point of Order! Point of Order!

The Clerk hands the glass of water to the Judge.

CLERK  
 There you are, your honor.

JUDGE  
 What the devil's this?

CLERK  
 It's a pint of water, your honor.

JUDGE  
 I don't want a pint of water.

CLERK  
 But it has vodka in it, your  
 honor.

JUDGE  
 Oh, really.

The Judge skulls the pint of water.

JUDGE  
 (wiping mouth on robe)  
 Right. Where were we?

CLERK  
 You were making a point of order,  
 your honor.

JUDGE  
 Yes. That's right. The Point of  
 Order relates to the language

JUDGE  
being used in my court room. It  
is completely inappropriate.

The Children of Australia are not  
to be referred to as 'little  
bastards'. No, they are to be  
referred to as 'little brats'. Is  
that understood?

PLAINTIFF  
Very good, your honor.

JUDGE  
(points at Defence)  
And I won't tolerate any more  
nonsense from you, Defence. You  
are already in the naughty  
corner. You little... brats.

DEFENCE  
Very well, your honor. If I might  
clarify the confusion.

JUDGE  
How long will it take? I have a  
luncheon, you know.

DEFENCE  
Your honor, the discrepancy  
between the Carbon Tracker  
figures and the I-E-A relates to  
confidence limits.

YOUTH  
(shouting)  
Tell them about sea level rise!

JUDGE  
(bangs gavel)  
Silence in court.

PLAINTIFF  
Objection!

JUDGE  
Over-ruled!

DEFENCE  
Your honor, Carbon Tracker  
assumes an 80% probability of  
meeting the 2 degree target and  
the I-E-A assumes just a 50%  
probability.

YOUTH  
 (shouting)  
 Tell them about the melting  
 glaciers!

JUDGE  
 (bangs gavel)  
 Silence in court! One more peep  
 out of you and I'll have the  
 gallery cleared.

PLAINTIFF  
 Objection. Your honor, I really  
 must object!

JUDGE  
 (visibly flustered)  
 Well, what is it?

PLAINTIFF  
 Your honor the proud traditions  
 of this State - of the  
 Establishment - are being rocked  
 to their foundations today.

JUDGE  
 (looking around anxiously)  
 Are they?

PLAINTIFF  
 Thrown to devil they are, your  
 honor. You are allowing these  
 little bast-- These little brats  
 to use science against us. In a  
 Queensland court! I must protest.

JUDGE  
 Well, settle down now.

PLAINTIFF  
 Your honor, there is a proud  
 tradition... an unwritten  
 agreement... a sort of grubby  
 contract, you know...

The Plaintiff winks suggestively at the Judge.

JUDGE  
 There is?

PLAINTIFF  
 A deal between the mining  
 industry and the courts, your  
 honor. The Old Boy's Network. The  
 brown paper bags stuffed with  
 cash. The bottles of Grange.

JUDGE  
 (excitedly)  
 Grange? Did you say Grange. I  
 have a luncheon, you know.

PLAINTIFF  
 The Grange, your honor.

JUDGE  
 Well that's all right then.  
 (confused)  
 So where are we then? Clerk?

CLERK  
 Very good, your honor. We now  
 hear the response from the  
 Plaintiff.

JUDGE  
 Jolly good then.  
 (whispers to Clerk)  
 Say, do you have any more of that  
 water? I've developed quite a  
 hankering for it.

CLERK  
 Very good, your honor. Would you  
 like a glass of water with a dash  
 of vodka. Or a glass of vodka  
 with a dash of water.

JUDGE  
 Which is the most like Grange?

CLERK  
 The latter, your honor.

JUDGE  
 I'll have that, then.  
 (to the Plaintiff)  
 Come on then. Try to convince me.

PLAINTIFF  
 Your honor, the Carbon Bubble is  
 a silly-myth dreamed up by big  
 meany-greenies and channeled  
 through the impressionable and  
 naive youth of this mineral rich  
 state.

Why, your honor? Because they  
 hate our freedoms. They want us  
 to live in caves without the  
 trappings of modern life.

Such as electricity, transmission  
 lines, 600 megawatt coal fired  
 power stations.

And trips to the snow in the company jet.

JUDGE

Yes. It's despicable. They ought to be ashamed.

PLAINTIFF

And the science isn't in your honor. The science is...

Well, it's 'out' your honor.

The science is most definitely out.

JUDGE

Well, I am glad that's out.

PLAINTIFF

Your honor, the people of Queensland don't need more solar panels. They need more jobs. And there are jobs in the coal mines, your honor.

And more coal mines means more jobs. And jobs means money.

And - if I may speak freely - who don't like money?

JUDGE

Well, there we have it.  
(checking watch)  
Is that it?

PLAINTIFF

Just one more thing, your honor. May we approach the bench.

JUDGE

Very well. Up you come, then.

The plaintiff hands over a brown paper bag.

JUDGE

What the devil's this?

PLAINTIFF

Its our closing argument, your honor.

The Judge opens the bag and looks inside.

JUDGE

(retrieves a wine bottle)  
Oh my stars, it's a bottle of  
Grange. That will go nicely with  
my luncheon.

(retrieves a wad of cash)  
Oh, heavens above.

(hides the cash)  
And what's this?

(retrieves a note)

The Clerk hands the Judge a glass of vodka with a dash of  
water.

CLERK

There you are, your honor.

JUDGE

Ah, thank you.

As the Judge drinks the vodka, he reads the note. He wipes  
his mouth on his gown.

JUDGE

(pissed)  
Right. It is time to make a  
ruling against the pernicious  
defamation in the case of miners  
versus minors.

The judge bangs the gavel and points to the Defense.

JUDGE

(quite smashed)  
In all my years on the bench I  
have never heard such a seething  
pack of lies and scurrilous  
skulduggery as put forward by the  
Children of Australia.

The Carbon Bubble. I ask you.

Bitching and moaning about the  
coal mines.

It's a proud tradition of  
Queensland, you know.

If you want innovation and  
creativity then sod off to  
California and get a job with  
google.

We have incumbents here and they  
have state mandate to dig up the  
coal until it's all gone.

JUDGE

Then you can have your silly  
solar panel things.

(bangs the gavel)

With respect the Miners v. Minors  
in the case of the Carbon Bubble  
the court finds the Children of  
Australia GUILTY!

GUILTY!!

Guilty of talking back to their  
elders.

Guilty of reading science.

Guilty of speaking truth to  
power.

This is not be permitted in  
Queensland and I am impelled to  
hand down my sentence.

Flog the little bastards!

PLAINTIFF

Point of Order, your honor.