

Government Legal Department
Litigation Group
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By email: [REDACTED]

Direct Dial: 020 3780 0477

Email: [REDACTED]
[REDACTED]

Your Ref:

Our Ref: TWS/TWS/00191552/23

Date: 10 February 2022

Dear GLD

Re: Proposed challenge re. General Licence WML-GL42

1. Thank you for your letter of 9 February 2022 confirming that you are instructed by the Secretary of State in relation to Wild Justice's proposed challenge to General Licence WML-GL42 as set out in the pre-action letter dated 3 February 2022.
2. By your letter of 9 February 2022 you seek an extension to the normal period of 14 days to respond to the pre-action letter. That is surprising in circumstances where (i) the materials required to respond to our client's pre-action letter ought to have been available to the Secretary of State at the time of granting the licence and so ought also to be readily available now, and (ii) the Secretary of State has put in place a team of civil servants at DEFRA to work specifically on the issue of general licences for bird killing.
3. Despite seeking to *double* the time within which the Secretary of State will respond, namely to 28 days (3 March 2022), your letter fails to provide any reasons as to why such an extension is required. As you will be aware, paragraph 21 of the Pre-action Protocol requires that reasons be provided if a proposed defendant seeks an extension:

"Where an extension is sought, reasons should be given and, where required, additional information requested. This will not affect the time limit for making a claim for judicial review nor will it bind the claimant where he or she considers this to be unreasonable." (emphasis added)

4. In order that our client may properly consider the Secretary of State's request for an extension, please provide by return a full explanation of the reasons for seeking the extension.

Yours faithfully

A handwritten signature in cursive script that reads "Leigh Day".

Leigh Day