

Wednesday 23rd December 2009

Judicial Review

The Badger Trust is applying for a Judicial Review of the decision made in September 2009 by the Welsh Assembly Government (W.A.G.) to include the killing of badgers in its bovine tuberculosis eradication scheme. The Badger Trust challenges the legality of the decision.

The Badger Trust has exchanged several letters before action with the W.A.G.'s legal department to state its case and clarify the W.A.G.'s intentions. However, there have been considerable delays in receiving answers from the W.A.G. and the three-month time limit is about to expire. The Badger Trust has been advised that further delay could risk the application being declined.

However, the W.A.G. says its September announcement did not amount to a decision and that the Badger Trust's challenge would be premature. If the Badger Trust's application were refused on these or any other grounds, the Badger Trust could still make a further application, but not if the application was ruled too late despite the delays being caused by the W.A.G. and not by the Badger Trust.

David Williams, Chairman of the Badger Trust, said: "It is with some reluctance but nevertheless firm resolve that we must, as an organisation dedicated to the welfare and protection of the badger, enter into these proceedings at the highest level. The decision is unjust and goes against the scientific evidence, and the law affords us this opportunity of challenging the legality of the W.A.G.'s intention to kill badgers, and we are now taking it".

The Background and Grounds of Claim are shown below.

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Badger Trust is the only charity solely dedicated to the conservation of badgers across Great Britain.

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