

Case summary

Issue(s)

Should the Parole Board be considered a court? If so, what are the consequences of this when considering whether or not to grant a costs order against the Parole Board?

Facts

The Appellant is serving a life sentence in prison for rape. His minimum term was completed on 1 August 2005. On 10 March 2014, the Parole Board decided not to direct his release on licence and not to recommend that he be transferred to open conditions. The Appellant successfully challenged the latter part of this recommendation by way of judicial review, in proceedings in which the Parole Board played no part. The Appellant sought an order for costs against the Parole Board. Following the receipt of written submissions, the Court declined to make this order. The Court of Appeal upheld this decision.