

13 November 2018

Edward Williams

Sent via email

request-521600-cd83b499@whatdotheyknow.com

the
**Parole
Board**

working with others
to protect the public

Dear Mr Williams

Freedom of Information Act (FOIA) Request – FOI 2018/Edward Williams (3)

Thank you for your request dated 25 September 2018; I apologise for the delay in responding. You have asked for the following information from the Parole Board:

- 1. the total cost of the judicial review for legal fees and all fee notes/invoices etc.**
- 2. How much did the court order you to pay in costs?**
- 3. Provide all the written work by Ben Collins QC, Robert Moretto and Tom Cross (instructed by Government Legal Department) for the Parole Board.**
- 4. Provide date for Worboys next parole board hearing.**

Your request is being handled under the FOIA 2000.

In response to question 1, I can confirm up to 1 October 2018 the legal fees paid by the Parole Board for the *Worboys* judicial review and associated matters were £130,264.58.

In response to question 2, this has not yet been finalised.

In response to question 3, I can confirm that the Parole Board holds the information that you have requested. However, it is exempt from disclosure under section 42 of the FOIA, as it is information covered by legal professional privilege (LPP).

Section 42 provides an exemption under FOIA for information which is subject to LPP, and in particular litigation privilege. Litigation privilege applies to confidential communications made for the purpose of providing or obtaining legal advice about litigation, which is either contemplated or has been commenced. For information to be covered by litigation privilege, it must have been created for the main purpose of giving or obtaining legal advice, or for lawyers to use in preparing a case for litigation. Litigation privilege covers communications between lawyers and third parties so long as they are made for the purposes of the litigation, and can apply to a wide variety of information, including advice, correspondence, notes, evidence or reports.



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In this case, the written work provided by the three Counsel has been created for the main purpose of giving or obtaining legal advice in and related to the Worboys judicial review.

In response to question 4, we do not publicly publish the dates of parole reviews as the law requires that parole proceedings are private. Rule 22(3) of the Parole Board Rules 2016 (as amended) states a hearing must be held in private. Accordingly, as disclosure of the information requested is prohibited by an enactment, the exemption in section 44 FOIA applies.

However, you have the right under rule 25 of the Parole Board rules 2016 to submit a request for a summary of the decision once it has been issued, and this request can be made at any time. Guidance on making such a request can be found on our web pages:

<https://www.gov.uk/government/publications/decision-summaries>

Appeal Rights

If you are not satisfied with this response you have the right to request an internal review by responding in writing to Gary Hopper at gary.hopper@paroleboard.gov.uk.

You do have the right to ask the Information Commissioner's Office (ICO) to investigate any aspect of your complaint. However, please note that the ICO is likely to expect internal complaints procedures to have been exhausted before beginning their investigation.

Yours sincerely

Nazreen Khan
Compliance and Assurance Officer
The Parole Board for England and Wales