



Neutral Citation Number: [2024] EWHC 653 (Admin)

Case No: AC-2023-MAN-000301

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
ADMINISTRATIVE COURT
SITTING IN MANCHESTER

Thursday, 21st March 2024

Before:
FORDHAM J

Between:
THE KING (on the application of KYLE PARVEZ) Claimant
- and -
SECRETARY OF STATE FOR JUSTICE Defendant

Carl Buckley (instructed by Bhatia Best Solicitors) for the **Claimant**
Rachel Sullivan (instructed by GLD) for the **Defendant**

Hearing date: 21.3.24
Judgment as delivered in open court at the hearing

Approved Judgment

I direct that no official shorthand note shall be taken of this Judgment and that copies of this version as handed down may be treated as authentic.

FORDHAM J

Note: This judgment was produced and approved by the Judge, after using voice-recognition software during an ex tempore judgment.

FORDHAM J:

1. I am grateful to both Counsel for their clear and focused written and oral submissions. Ms Sullivan for the SSJ has undoubtedly demonstrated an arguable defence, but she has not, in my judgment, delivered a clean knock-out blow. Permission for judicial review was refused by a Judge on the papers, but I have had the function of needing to consider the question of arguability for myself, afresh. I have had the very distinct advantage that an oral hearing brings, including the ability directly to engage with both Counsel in relation to the crux and substance of the case, to stress test arguability. Mr Buckley has persuaded me that this claim for judicial review crosses the threshold of arguability with a realistic prospect of success. That is all that I have decided. I will grant permission for judicial review and set aside the costs order that was made on the papers when permission was refused.

21.3.24