

IN THE HIGH COURT OF JUSTICE
ADMINISTRATIVE COURT



BETWEEN:

The Queen on the application of
[REDACTED]

- v -

Secretary of State for the Home Department

Defendant

SS
5/10/15

CONSENT ORDER

UPON the judgments in *R (Detention Action) v SSHD* [2014] EWHC 2245 (Admin) (9 July 2014), *R (Detention Action) v SSHD* [2014] EWCA Civ 1634 (16 December 2014), *R (JM & Ors) v SSHD & Ors* (CO/499/2015, CO/377/2015, CO/624/2015, CO/625/2015) (3 July 2015), *R (IK & Ors) v SSHD & Ors* (CO/678/2015, CO/747/2015, CO/814/2015) (20 July 2015)

AND UPON the Defendant having conceded, having regard to those Judgments and to the facts and circumstances of the Claimant's case, that the Claimant was unlawfully detained from 8 July 2013 to 31 October 2013

AND UPON the Defendant agreeing to reconsider the Claimant's asylum claim without regard to her decision dated 16 July 2013 and the First-tier Tribunal's determination dated 29 July 2013, with the Claimant to have 28 days from the date of this Order to make further submissions

BY CONSENT, IT IS ORDERED that:

1. There be a declaration that the Claimant was unlawfully detained from her entry into the detained fast track process on 8 July 2013 until her release on 31 October 2013, with an entitlement to compensatory damages to be assessed if not agreed.

2. Unless the parties notify the Administrative Court Office by 30 November 2015 that they have agreed damages, the assessment of the Claimant's claim for damages be transferred to the Central London County Court.
3. The Defendant is to pay the Claimant's costs of the action to date, to be subject to a detailed assessment on the standard basis if not agreed, with a reasonable sum to be paid on account of costs within 28 days of the date of this Order.
4. There be a detailed assessment of the Claimant's publicly funded costs.

We, the solicitors for the parties consent to an Order being made on the terms set out above.

Signed:

B. Murphy
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02.10.2015

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Ref: JCP [REDACTED]

Solicitors for the Claimant

Signed:

Treasury Solicitor
Government Legal Department
One Kemble Street
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2.10.2015

Tel: 020 7210 3030
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Ref: [REDACTED]

Solicitor for the Defendant

By the Court