

DUNCAN LEWIS
16 DEC 2019
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IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

BETWEEN

THE QUEEN
on the application of

MM

Claimant

-and-

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Defendant



ORDER

UPON HEARING Counsel for the Claimant and for the Defendant

UPON READING THE STATEMENT OF REASONS AGREED BY THE PARTIES THAT RECORDS that the Defendant accepts that her duties to provide support and assistance to victims of trafficking under Article 12 Council of Europe Convention on Action against Trafficking in Human Beings continues so long as the individual victim of trafficking's needs so require and;

UPON THE DEFENDANT confirming that she will continue to provide financial support and accommodation to the Claimant pursuant to her duties under Section 95 of the Immigration Act 1999 until such time his support ceases at the end of the 28 day grace period, which will commence upon receipt of his Biometric Residence Card and;

UPON THE DEFENDANT confirming that the Claimant is also already in receipt of outreach support as a victim of trafficking under the Victim Care Contract (VCC) pursuant to her duties under Article 12 ECAT, and;

UPON THE CLAIMANT confirming that following receipt of his Biometric Residence Permit, he will apply for appropriate assistance as a refugee entitled to Universal Credit and Local Authority support for accommodation, and;


UPON THE CLAIMANT confirming that he will notify the Defendant prior to the end of the 28 day period of grace as to whether or not he is in receipt of Universal Credit and provided with accommodation by the relevant Local Authority; and

UPON THE DEFENDANT confirming that she will continue to provide the Claimant support under the VCC by way of subsistence and accommodation for as long as the Claimant's needs require it pursuant to her duties under Article 12 ECAT

BY CONSENT IT IS ORDERED THAT

1. Pursuant to CPR 39.2, the identity of the Claimant shall not be disclosed directly or indirectly, and the claim shall be known only as "R(MM) v Secretary of State for the Home Department.
2. The Claimant's application for judicial review is withdrawn
3. The Defendant shall pay the Claimant's costs of the proceedings, to be assessed on the standard basis if not agreed.
4. There shall be a detailed assessment of the Claimant's publicly funded costs.

Dated 12 December 2019

 12.12.19
The Hon. Mr Justice Swift



By the Court