

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
ADMINISTRATIVE COURT  
IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW

CO/2114/2014

BETWEEN:-

The QUEEN *upon the application of*  
MARTIN NDOMBA MULUMBA

Claimant

-and-

FIRST TIER TRIBUNAL (ASYLUM SUPPORT)

First Defendant

- and -

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Second Defendant

- and -

ASYLUM SUPPORT APPEALS PROJECT

Intervener

---

CONSENT ORDER

---

UPON considering the amended grounds of claim, the detailed grounds of defence, and the submissions, witness statement and exhibits on behalf of the intervener

AND UPON the First Defendant taking no part in these proceedings

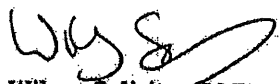
IT IS DECLARED that:

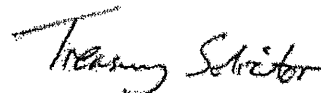
1. For the purposes of regulation 3(2)(e) of the Immigration and Asylum (Provision of Accommodation to Failed Asylum Seekers) Regulations SI2005/930, 'Convention Rights' include the right to respect for family and private life under article 8 of the ECHR and that provision of s4 support may in any particular case be necessary to avoid a breach of a person's article 8 ECHR rights


BY CONSENT IT IS ORDERED that:

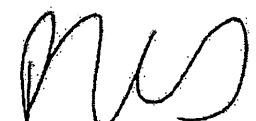
1. The decision of the First Defendant dated 23 April 2014 is quashed.
2. The Claimant does have leave to withdraw his application for judicial review against the Second Defendant.
3. The Second Defendant shall pay the Claimant's reasonable costs of the claim subject to detailed assessment if not agreed.
4. There be a detailed assessment of the Claimant's publically funded costs.
5. Pursuant to the consent order sealed on 14 January 2015 there is no order for costs between the Intervener and the other parties.

DATED this 5<sup>th</sup> day of January 2015

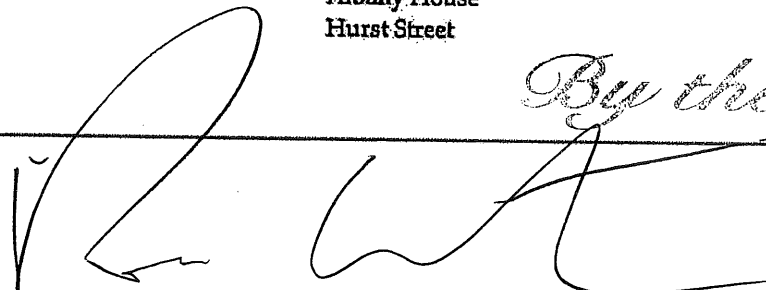
  
Wilson Solicitors LLP  
Solicitors for the Claimant  
697 High Road  
Tottenham  
London N17 8AD  
Ref: JE/MULUMBA/45105-00001  
Tel: 020 8808 7535  
Fax: 020 8880 3393

  
Treasury Solicitor  
Solicitors for the Defendant  
1 Kemble Street  
London WC2B 4TS  
Ref: Z1411968/SEW/B3  
Tel: 020 7210 3411  
Fax: 020 7210 3433

  
Jurisdictional & Operational Support Team  
Representatives for the First Defendant  
HMCTS  
2<sup>nd</sup> Floor  
Anchorage House

  
Public Law Solicitors  
Solicitors for the Intervener  
8<sup>th</sup> Floor  
Albany House  
Hurst Street

*By the Court*

  
V. 2. 15