

Case summary

Issue

Is the Court of Justice of the European Union's admonition that a non-EU citizen who is the primary carer for an EU citizen child may only be deported in "exceptional circumstances" a summary of the conditions that must be met to justify deportation, or an additional threshold?

Facts

Cherrie Ann-Marie Robinson, a Jamaican national, was convicted of supplying a Class A drug (cocaine) in the UK in 2006. The Home Secretary sought to deport her but in the course of her lengthy appeal proceedings she had a son who is a UK citizen, and for whom she is the primary carer.

Ms Robinson's appeal against deportation was dismissed by the First-tier Tribunal. The Upper Tribunal found that there were errors of law in the First-tier Tribunal's decision, set it aside and remade it, allowing Ms Robinson's appeal.

The Court of Appeal allowed the Home Secretary's appeal. Ms Robinson now appeals to the Supreme Court.