Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: PA/07827/2016

THE IMMIGRATION ACTS

Heard at Field House	**Decision & Reasons Promulgated**
On 20th February 2018	**On 23rd February 2018**

Before

UPPER TRIBUNAL JUDGE LINDSLEY

Between

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

AA
(ANONYMITY ORDER MADE)

Respondent

Representation:
For the Appellant: Ms Z Ahmad, Home Office Presenting Officer
For the Respondent: Ms G Brown, Counsel, instructed by Duncan Lewis Solicitors

DECISION AND REASONS

Introduction

1. The claimant is a dual citizen of Turkey and the Turkish Republic of Northern Cyprus born in 1988. He arrived in the UK on 27th March 1994 as a five-year old child with his asylum-seeking parents. He was granted discretionary leave on 12th November 2003 and indefinite leave to remain on 19th October 2004.

2. On 21st April 2015 the claimant was notified by the respondent that she intended to make a deportation order against him as a foreign criminal. The detailed reasons for the Secretary of State's decision are set out in her letter of 15th June 2015, and a deportation order was signed on the same date. The claimant had committed the offence of conspiracy to commit burglary: he was involved with three burglaries of non-dwelling houses with others which caused significant economic loss. He was given a prison sentence of 18 months. His appeal against the decision to refuse a protection claim and a human rights' claim and to make a deportation order was allowed by First-tier Tribunal Judge R. G. Walters on Article 8 ECHR human rights in a determination promulgated on the 20th September 2017.

3. Permission to appeal was granted by Judge of the First-tier Tribunal Grant-Hutchinson on 12th October 2017 on the basis that it was arguable that the First-tier judge had erred in law in failing to give adequate reasons for the decision under paragraph 399 of the Immigration Rules. I found that the First-tier Tribunal had erred in law for the reasons set out in my decision which is appended as Annex A, and set aside the decision allowing the appeal on 28th November 2017.

4. The matter now comes back before me to remake the appeal on the following terms. I preserved all findings relating to the dismissal of the asylum appeal; the dismissal of the private life Article 8 ECHR appeal with reference to paragraph 399A of the Immigration Rules; and also the positive finding that it would be harsh for the claimant's children and his partner to remain in the UK without him. I therefore need to remake two elements of the decision: firstly, whether there would be any harshness in the claimant and his family going to live in Turkey together, and secondly the balancing exercise to decide if the deportation of the claimant would be unduly harsh both to the claimant's children and his partner – which in turn may answer the ultimate question as to whether the claimant's deportation is Article 8 ECHR compliant or not through the application of paragraph 399(a) and (b) of the Immigration Rules / s.117C(5) of the Nationality, Immigration and Asylum Act 2002.

Evidence & Submissions - Remaking

5. The evidence of the claimant relevant to the issues I have to determine, in short summary, is that he has no memory of having lived in Turkey and has no relatives there that he knows or friends who could assist him: such a move would be disastrous for his family. His paternal uncle who lives there has a small overcrowded home and is financially overstretched, and could not help. There would be no accommodation that they could access. The claimant also understands that he would also be immediately conscripted into the Turkish army for a period of months, where he believes would suffer abuse due to his Alevi tattoo, and thus he would not be able to assist his partner and four children which he needs to do in financial, practical and emotional ways. He also doubts he would be able to support them financially thereafter given his lack of experience

of living in Turkey, poor Turkish and his criminal conviction which would hamper his ability to obtain work.

6. Returning to Turkey would also expose his partner to abuse from her father who lives in Turkey and from whom she had historically to hide in a women's refuge in the UK. He also fears that the authorities in Turkey would not stop future abuse of his partner by her father. This is a fear shared by his partner who would thus not be willing to join him in Turkey, and thus his deportation to Turkey would be the end of their relationship and his ability to provide for his children. He also believes it would be disruptive for his eldest (step)child to have to move to Turkey as she has found the recent move to different accommodation in the UK difficult. It would also be hard as his partner and oldest child only speak broken Turkish. The family speak English at home and their culture is English even though the extended family, for instance the cousins via his uncle in the UK, is ethnically Turkish Kurdish they now all commune in English and are culturally English. His parents could not help him with relocation as they are old and earn too little, and in fact he has been supporting them financially since he was about 20 years old.

7. The evidence of the claimant's partner is that she is a British citizen who was born and brought up in the UK, and has only ever had two one week trips to Turkey which were primarily for medical treatment for her eldest daughter at a time when she was on good terms with her parents when her daughter was about one and half or two years old. She has had an abusive relationship with her father who was very controlling. He had worked for Turkish intelligence (MIT) before the family came to live in the UK, and kept a gun at home which he used to intimidate her. In 2014 she spent more than six months in a women's refugee due to threats and domestic violence from her parents as they did not agree with her relationship with the claimant as he is of Kurdish origins and they are Turkish. She is concerned that her father is still "after" her older daughter as her parents took this daughter from her in 2013 when she was pregnant with the first child she and the claimant have had together. She fears if she were to go and live in Turkey her father, who lives in that country, would once again obtain control over her and her oldest child. Further her children do not speak Turkish and her oldest child, who is 7 years old, has friends and cousins in the UK whom she would miss if she left this country. She does not want her children to be educated in Turkish as she wants them to learn English and Kurdish language and culture. She feels going to Turkey would wreck her life and the lives of her children, and thus she is not willing to take that step.

8. The evidence of the claimant's parents is that they are British citizens of Turkish Kurdish origin. His father sells goods in a local market and earns about £100 a week. His parents live on this money and benefits paid to his mother due to her inability to work because of mental health difficulties. His father has hepatitis B and his mother arthritis, anxiety, depression, migraines and stomach ulcers. They help out a bit with the claimant's four children but they cannot return to live in Turkey with him or look after the claimant's partner and children. They cannot provide him with funds either and do not have a property in Turkey he could use.

The claimant's mother has no relatives in Turkey. The claimant's father has a brother who has not met the claimant and who could not help him either as he is struggling to provide for his own family. His brother has four children, two of whom are disabled.

9. In addition, the claimant has provided an expert report from Dr Rebwar Fatah of Middle East Consultancy Services. I accept that Dr Fatah has the relevant expertise on Turkey to provide the report and has confirmed his duty to the Court, and was provided with the relevant documents relating to the claimant. Dr Fatah explains that the claimant's tattoo would identify him as an Alevi or Shia Muslim but not necessarily a Kurd. However, if he did identify himself in that way whilst conscripted then he would possibly face a risk of being sent to conflict zones to fight against other Kurds and would possibly be at risk of suspicious death which in turn might not be properly investigated. It is therefore possible that he might be mistreated for reason of his religious/ethnic origin. He would also possibly face general discrimination as an Alevi but not as an agnostic. Dr Fatah could not obtain any objective information that individual or ex-members of MIT were able to use their influence. If the claimant's partner's father is such a person it is however possible that he might be able to use his influence to target the claimant for harm if he wished to do so.

10. Ms Ahmad relied upon the reasons for refusal letter. I asked if she had any submissions on how it would not be harsh for the claimant's partner to live in Turkey as the sole carer of her four children for the period of 15 months whilst the claimant did his military service (as there was a preserved finding of the First-tier Tribunal it was harsh for her to care for her children alone in the UK). Ms Ahmad did not have any submissions on this issue. She accepted that it would appear that the claimant was liable to do his military service on return to Turkey, and that the reasons for refusal letter contained information which indicated that this would be for 15 months.

11. Ms Ahmad did however submit that, whilst it might be harsh, it would not be unduly harsh to the claimant's partner and children for the claimant to be deported. This was because the criminal behaviour of the claimant must be balanced against the impact on the children and partner. Further the partner and children had all been exposed to Turkish Kurdish culture and had some understanding of the language. The children were all under the age of seven years and so their lives were focused just on their relationships with their parents, and they did not have extensive private life ties with the UK despite their British citizenship and could adapt to life in Turkey. Turkey would provide the children with education and health care. Ms Ahmad also submitted that the claimant had committed a serious criminal offence aimed at the public, and that he had not fully accepted his guilt as at page 7 of 15 of the OASys assessment it was said that he did not accept he was part of team involved with stealing.

12. Ms Brown relied upon her skeleton argument. In summary she contends that it would be harsh for the claimant's wife and children to have to go and live in

Turkey. This is because there is a risk of domestic violence or honour killing towards his partner from her family who have threaten/ committed such acts in the past; because the claimant would be conscripted into the Turkish army and might be ill-treated there due to his Alevi faith/Kurdish origins and would not be able to support his family during this period; because the family might suffer discrimination as Kurdish Alevis or because they are of mixed ethnicities or suffer because of boycotts in Turkish schools which has led to thousands of children being deprived of education and others having their education disrupted; because there would be no family support from the claimant's family; because they would lose their contact with and some support from UK based relatives; because they do not speak good Turkish and have no experience of that country; and because the claimant's job prospects are poor in that country. She also submitted that the claimant's oldest (step)child and his partner have had a lot of instability in their lives, spending time in two women's refuges, and then moving accommodation again relatively recently – which entailed this child moving school. His eldest (step) child has found that challenging and has now settled after this period of disruption. It would be harsh to require her to uproot herself once again against this background.

13. In terms of whether the deportation of the claimant would be unduly harsh Ms Brown accepts that whilst the best interests of the children must be considered as a primary consideration and the above harshness given proper weight that it is also legally correct and therefore necessary to balance the claimant's immigration and criminal history to determine whether any harshness is "undue".

14. In terms of the claimant's immigration history it is accepted by the respondent there is nothing adverse as he came to the UK as a child and his residence has always been lawful, and he had indefinite leave to remain at the time of committing his criminal offence.

15. In relation to the claimant's criminal history it is accepted that conspiracy to commit burglary is a serious offence but the following should also be noted which reduce the weight of this factor. There was a recommendation that the claimant receive a suspended sentence and he in fact received an eighteen-month sentence which is at the low end of the one year to four year category to which this exception applies. Contrary to what is submitted by Ms Ahmad the claimant admitted his guilt at a very early stage and is remorseful. He has no relevant previous convictions and has been assessed as a low risk of reoffending. There were specific circumstances which led to the offence being committed, which do not excuse this behaviour, but which will mean it is not likely to reoccur: the claimant and his partner were hiding from his partner's family and had financial problems as a result. The claimant was also not the organiser of the crime. Ms Brown submits in these circumstances that the claimant succeeds under paragraphs 399(a)(ii)(a) and 399(b)(ii) of the Immigration Rules, and that there is therefore no public interest in his deportation, and to remove him would be a disproportionate interference with his right to respect for family life, and the appeal should therefore be allowed.

Conclusions - Remaking

16. The claimant is a foreign criminal whose deportation is in the public interest in accordance with s.117C(1) of the Nationality, Immigration and Asylum Act 2002 (henceforth the 2002 Act). However his deportation will not be required in the public interest if he can fulfil one of two exceptions to deportation at s. 117C(4) and (5) of the 2002 Act. I have preserved the finding of the First-tier Tribunal that this claimant cannot fulfil the exception at s.117C(4) because he would not have very significant obstacles to integration if he returned alone to Turkey. This was found to be the case as he had lived in a Turkish family in the UK and been exposed to Turkish culture and attitudes, can speak Turkish and would probably have some family contacts or distant relatives who could help him. He cannot therefore show that his deportation would be a disproportionate interference with his private life ties with the UK.

17. I must now consider whether the claimant can succeed in this appeal by showing that he meets the requirements of s.117C(5) of the 2002 Act: that he has a genuine and subsisting relationship with a qualifying partner and children, and his deportation would be unduly harsh. The claimant has been in a stable relationship with his British citizen partner for almost six years. There are four British citizen children of the family: the oldest is the claimant's step child, who has had no contact with her biological father and views the claimant as her father, and who is now 7 years old; the other three are the children of the claimant and his partner and are aged 3 years, 20 months and 5 weeks.

18. I have preserved the finding that it would be harsh for the claimant to be deported and his partner and three (now four) children remain in the UK without him from the decision of the First-tier Tribunal, which of course includes preserving a finding that the relationships between the claimant, his partner and all four children are genuine and subsisting and that they are all qualifying persons. As I set out in my error of law decision: "At paragraph 38 of the decision it is found that the claimant's pregnant wife cannot care for their three children aged 7, 3 and 1 years without his considerable assistance as she suffers from severe carpal tunnel syndrome which means she cannot open jars, hold things up and carry her baby, and shortly there will be a period of a year after an operation when she will not be able to carry anything. The claimant's wife is therefore shortly to be "entirely dependent on the claimant to care for their children". It is also clear that she cannot turn to her parents or family for help if her partner were deported as there is evidence she had to flee "honour based violence" from them and live in a women's aid refugee, see paragraph 34 of the decision." This preserved First-tier Tribunal finding also clearly relies on the accepted evidence of Ms Ingrid Dudley, social worker employed by the London Borough of Barnet which is set out at paragraph 39 of the decision which finds that the claimant is a "caring and considerate father" who is "actively involved" and "integral" in his children's day to day life, a "proactive and hands-on parent".

19. I find that the evidence before me from all four witnesses to be reliable. Ms Ahmad made no submission that this was not the case. It was consistent with the written statements, and there was consistency between all four witnesses. The evidence was also given in a straight forward and heart-felt way without exaggeration.

20. I remind myself that the test for harshness is one which requires the outcome to be bleak or severe not just inconvenience, undesirable, difficult or challenging. I find on the evidence put to me today that it would also be harsh for the claimant's partner and children to accompany him to Turkey.

21. This is primarily because the claimant would be immediately required to perform his military service for 15 months, and thus be unable to provide for his family in Turkey in the sense of being with them to assist his partner with the practical care of their four children. The law relating to military service is set out in the Secretary of State's reasons for refusal letter at paragraph 44 and is for all men between the age of 20 and 41 years with no provision for conscientious objection. I find that the claimant's partner would thus be alone for this period of time attempting to care for four children under the age of 7 years in an unknown country, with no practical assistance in the form of help from any relatives and with the disabilities outlined above. I accept the evidence from the claimant and his parents to me that the claimant's uncle in Turkey will not be able to provide accommodation or any financial or other help. In addition, the claimant's partner would be at possible risk of renewed domestic abuse from her own family who live in Turkey, and who have previously taken her oldest daughter from her and subjected her to controlling and abusive behaviour.

22. Whilst the family have some familiarity with Turkish culture and language, I find it would be harsh for them to have to move country at this stage with the result that the claimant's partner would be responsible for four very young children in a country she does not know, and against a background of her and her eldest daughter having suffered a number of stressful moves, including two periods in women's refuges, within the UK due to the domestic abuse of her parents over the past four years. I find that the claimant's oldest (step) daughter does now have her own private life ties as a seven year old in the UK with friends and cousins, and that it would be harsh for a child with her particular background to have to give this up, having reached a position of stability in her schooling and with respect to her accommodation. The letter from Pooles Park Primary School regarding the two older children indicates that they joined the school in April 2017. The school states that they have a good circle of friends, attend after school clubs and have good attendance and punctuality. I find strongly that a move to Turkey would not be in the best interests of the children given it would compromise their mother's ability to care for them as she would be alone and concerned about the prospect of domestic violence from her parents (one question from me about this issue notably reduced the claimant's wife to tears during the hearing before me whereas the rest of her evidence had been calm and measured), and place them in an alien and more deprived situation than in the UK with respect to funds, accommodation,

family and social support and schooling, as well as negatively impacting on the now stable and developing private life of the eldest child.

23. The final question is whether the harshness that the claimant's deportation would bring about for his partner and children would be unduly harsh. I remind myself that the claimant committed the offence of conspiracy to commit burglary. He was involved with three burglaries of non-dwelling houses with others which caused significant economic loss. He was given a prison sentence of 18 months. As Ms Brown has accepted this was a serious criminal offence. The sentencing remarks do make clear however that the claimant admitted his guilt at an early stage; that he has no relevant previous convictions; and was not the organiser of the crime. The National Probation Service Pre-Sentence Report dated 23rd March 2015 assesses the likelihood of reconviction as low. This is supported by the report of an accredited psychotherapist, Mr Baffour Ababio, written after three consultations with the claimant which concludes that the claimant accepts his guilt and indeed blames himself for a "very stupid mistake, and accepts that the sentence he received was deserved. Mr Ababio's professional opinion is that the claimant has now transitioned to responsible adulthood. It is also correct to observe that the circumstances of the family are now very different from those when the offence, which was said to have been financially motivated, took place as there is no longer a threat from the claimant's family causing them to try to hide away from London where the claimant has historically been able to find work.

24. I remind myself however that the public interest is not confined to concern as to whether the claimant will commit another criminal offence, which on consideration of all of the above factors I find is highly unlikely, but also includes deterring other foreign criminals and an expression of public revulsion against such criminality. These two factors must be given substantial weight in the balancing exercise although that weight is clearly not as great as it might be if the crime had been one of violence or relating to drugs or if the claimant had received a longer custodial sentence within the 1 to 4 year bracket to which this exception applies.

25. Evaluating all the circumstances of this case as set out above I find that the claimant is entitled to the benefit of the exception to deportation at s.117C(5) of the 2002 Act. I find that the extremity of the harshness to this vulnerable family with four young children and a disabled mother who has been a victim of domestic violence from her own parents, who would have to live without the claimant whether they remained in the UK or returned to Turkey, and who do not have other family members who can take on the claimant's very dedicated father role either in the UK or Turkey, can properly be said to be unduly harsh when balanced against his particular offending, which is not of the most abhorrent type to which this exception is potentially available, as set out above. As such I find that the public interest does not require the claimant's deportation, and that it would be a disproportionate interference with his right to respect to family life to deport him from the UK.

Decision:

1. The making of the decision of the First-tier Tribunal involved the making of an error on a point of law.

2. I set aside the decision allowing the appeal.

3. I re-make the decision in the appeal by allowing it on human rights grounds.

Pursuant to Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/269) we make an anonymity order. Unless the Upper Tribunal or a Court directs otherwise, no report of these proceedings or any form of publication thereof shall directly or indirectly identify the original appellant. This direction applies to, amongst others, all parties. Any failure to comply with this direction could give rise to contempt of court proceedings. I do so in order to avoid a likelihood of serious harm arising to the claimant's wife and children.

Signed: *Fiona Lindsley* Date: 20th February 2018
Upper Tribunal Judge Lindsley

Annex A

DECISION AND REASONS

Introduction

1. The claimant is a dual citizen of Turkey and the Turkish Republic of Northern Cyprus born in 1988. He arrived in the UK on 27th March 1994 as a five-year old child with his asylum-seeking parents. He was granted discretionary leave on 12th November 2003 and indefinite leave to remain on 19th October 2004.

2. On 21st April 2015 the claimant was notified by the respondent that she intended to make a deportation order against him as a foreign criminal. The detailed reasons for the Secretary of State's decision are set out in her letter of 15th June 2015, and a deportation order was signed on the same date. The claimant had committed the offence of conspiracy to commit burglary, and was involved with three burglaries of non-dwelling houses with others which caused significant economic loss. He was given a prison sentence of 18 months. His appeal against the decision to refuse a protection claim and a human rights' claim and to make a deportation order was allowed by First-tier Tribunal Judge R. G. Walters on Article 8 ECHR human rights in a determination promulgated on the 20th September 2017.

3. Permission to appeal was granted by Judge of the First-tier Tribunal Grant-Hutchinson on 12th October 2017 on the basis that it was arguable that the First-tier judge had erred in law in failing to give adequate reasons for the decision under paragraph 399 of the Immigration Rules.

4. The matter came before me to determine whether the First-tier Tribunal had erred in law.

Submissions – Error of Law

5. The Secretary of State argues that the First-tier Tribunal failed to give sufficient reasons why it would be unduly harsh for the claimant's children to remain in the UK without him or to live in the country to which he was to be deported under paragraph 399(a); and why it would be unduly harsh for the claimant's spouse to live in Turkey because of compelling circumstances or unduly harsh to live in the UK without the claimant under paragraph 399(b) of the Immigration Rules.

6. It is said that the reasons give for the decision under paragraph 399(b) are weak because they focus simply on the issue of the claimant's family's reliance in the UK on state benefits.

7. It is said that the reasons given for the decision under paragraph 399(a) are insufficient because all that is said is that the claimant is a caring and considerate father and that the best interests are of his children not to be separated from him,

and that this is not sufficient to show that the decision is unduly harsh in a criminal context.

8. In relation to all scenarios under paragraph 399 of the Immigration Rules Mr Duffy, for the Secretary of State, observes that the First-tier Tribunal failed to complete a balancing exercise putting any elements of harshness to the claimant's family against the gravity of the crime he committed.

9. Ms Brown argued that the appeal was, in reality, simply a disagreement with the outcome of the appeal. When viewed as a whole the decision of the First-tier Tribunal did make it clear that all evidence had been considered, see paragraph 6 of the decision. Further if that evidence is examined in can be seen that the social work report and medical evidence identifies vulnerabilities in the claimant's partner and children; and that in the statements of the claimant and his partner there are reasons given why the couple could not live in Turkey as well as reasons why it would be extremely harsh if the claimant were removed given his genuine and extensive relationship with the three children of the family. The conclusion that the deportation would be unduly harsh was therefore one open to the First-tier Tribunal, which does set out the details of the claimant's crime, and is sufficiently reasoned.

10. At the end of the hearing I told the parties that I found that there was an error of law in the decision of the First-tier Tribunal, and that I would set out my full reasons in writing. I explained that I was therefore going to set the decision of the First-tier Tribunal aside and would remake two elements of the decision: firstly, whether there would be any harshness in the claimant and his family going to live in Turkey, and secondly the balancing exercise to decide if the deportation of the claimant would be unduly harsh both to the claimant's children and his partner. I preserved all findings relating to the dismissal of the asylum appeal; the dismissal of the private life Article 8 ECHR appeal with reference to paragraph 399A of the Immigration Rules; and also the finding that it would be harsh for the claimant and his wife to remain in the UK without him.

11. Neither representative had the full file or had had sufficient time to prepare for remaking; witness evidence needed to be updated; and there was also no Turkish interpreter for the claimant's parents to give evidence. It was therefore agreed that the remaking hearing should be adjourned for the first available date before me after one month (by which time the claimant's solicitor's file would be returned from storage).

Conclusions – Error of Law

12. In relation to paragraph 399(a)(ii)(b) and paragraph 399(b)(iii) of the Immigration Rules I find that adequate reasoning is provided by the First-tier Tribunal explaining why it would be harsh for the claimant's partner and children to remain in the UK without him. At paragraph 38 of the decision it is found that the claimant's pregnant wife cannot care for their three children aged 7, 3 and 1 years without his considerable assistance as she suffers from severe carpal tunnel

syndrome which means she cannot open jars, hold things up and carry her baby, and shortly there will be a period of a year after an operation when she will not be able to carry anything. The claimant's wife is therefore shortly to be "entirely dependent on the claimant to care for their children". It is also clear that she cannot turn to her parents or family for help if her partner were deported as there is evidence she had to flee "honour based violence" from them and live in a women's aid refugee, see paragraph 34 of the decision.

13. However, I find that in relation to paragraphs 399(a)(ii)(a) and 399(b)(ii) that there is insufficient reasoning as to why the family could not live in Turkey without this being harsh, which has been found to mean severe or bleak and not just inconvenience, undesirable, difficult or challenging, see MAB (para 399; "unduly harsh") [2015] UKUT 435. It is not clear why the fact that the claimant's wife would lose her council property and UK benefits would be harsh, in this sense, as there are no findings as to what life would be like for the family in Turkey. Further there are findings at paragraphs 61 to 62 of the decision of the First-tier Tribunal that the claimant can speak Turkish and that the claimant's family has some distant relatives in Turkey who could assist him integrate there, which tend to indicate that things would not be harsh.

14. I also find that the First-tier Tribunal erred in failing to conduct a balancing exercise putting his criminal offences into the balance, as is required by MM (Uganda) & Anor v SSHD [2016] EWCA Civ 450. Consideration ought to have been given to all aspects of the case including the claimant's criminal behaviour before deciding whether the deportation of the claimant with or without his family accompanying him would, even if it were harsh, be "unduly" harsh to his partner and children.

Decision:

1. The making of the decision of the First-tier Tribunal involved the making of an error on a point of law.

2. I set aside the decision allowing the appeal.

3. The remaking decision is adjourned.

Directions:

1. Any further evidence should be filed with the Upper Tribunal and served on the other party 10 days prior to the remaking hearing.

Pursuant to Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/269) I make an anonymity order. Unless the Upper Tribunal or a Court directs otherwise, no report of these proceedings or any form of publication thereof shall directly or indirectly identify the original appellant. This direction applies to, amongst others, all parties. Any failure to comply with this direction could give rise

to contempt of court proceedings. I do so in order to avoid a likelihood of serious harm arising to the claimant's wife and children.

Signed: Fiona Lindsley Date: 28th November 2017
Upper Tribunal Judge Lindsley