



**Upper Tribunal  
(Immigration and Asylum Chamber)**

Appeal Number: UI-2021-000437  
IA/00257/2021

**THE IMMIGRATION ACTS**

**Heard at Birmingham CJC  
On 25 August 2022**

**Decision & Reasons Promulgated  
On 5 October 2022**

**Before**

**UPPER TRIBUNAL JUDGE HANSON**

**Between**

**SAEED AHMED**

(Anonymity direction not made)

Appellant

**and**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: Mr Hussain of Syeds Solicitors

For the Respondent: Mr Williams, a Senior Home Office Presenting Officer

**DECISION AND REASONS**

- 1.** In a determination promulgated following a hearing at Birmingham First-tier Tribunal Judge Mehta ('the Judge') dismissed the appellant's appeal against an application for leave to remain on the basis of private and family life in the United Kingdom, which was refused by the respondent on 22 December 2020.
- 2.** The Judge records the appellant's immigration history in the following terms:

- 9 June 2011 appellant claims to have entered the UK.
- 6 December 2011 appellant applies for a right of abode which was refused on 11 April 2012.
- 14 February 2019 the appellant applied to register as a British citizen which was refused on 19 July 2019.
- 24 July 2020 appellant submitted application for leave to remain in the UK on the basis of private/family life. On 22 December 2020 that application was refused.
- 28 December 2020 applicant lodged his appeal against the refusal.

**3.** The appellant recorded the appellant's claim as outlined in his witness statement in the following terms:

8. The appellant claims that he is a British citizen by descent as his parents were born in India when India was a colony of the UK. The appellant claims that in the mid-1900s his grandparents immigrated to Kenya which was also a British colony. The appellant states that he could not give a lot of details as he was not even born at the time but his understanding is that both of his parents lived in Kenya for a considerable amount of time where his father worked as a boilermaker for the government of the UK and colonies in the Railways Department. The appellant claims that his parents subsequently obtained British citizenship and British passports. The appellant claims that his three sisters were born in Kenya and so was his brother and when Kenya became independent from the British rule people like his parents received very bad treatment as British citizens so they came to the UK to live in the UK as British citizens. The appellant states that this is the reason his siblings have all obtain British citizenship and not British overseas citizenship. The appellant is a British overseas Citizen
9. The appellant claims that just before he was born his parents went back to what Pakistan. The appellant was born in Pakistan to parents who were naturalised British citizens and claims that he is a British citizen by descent. The appellant claims growing up in Pakistan he never needed any passport or official documentation. As he became an adult he needed to open a bank account and therefore needed an ID document. The bank manager, upon hearing of his circumstances, advised him that he should get a British passport. As a result of this the appellant went to the British high commission in Islamabad and submitted an application for a British passport providing his parents passports, copies of their service cards and the appellant's original birth certificate. The appellant claims that he was given what he understood to be a British passport. The appellant claims that with that passport he first travelled to the UK in around 1999 and he was allowed into the UK without any hindrance and that solidified his belief that he was a British citizen. The appellant then wanted to go back to Pakistan to conclude his affairs and return to the UK permanently and therefore obtained a Pakistan Visa in April 2000 on which he travelled to Pakistan. The appellant claims that Pakistani is not his country of nationality.
10. When the appellant travelled back to the UK in July 2000 he was told that he could not enter the UK without a Visa as he was a British overseas Citizen. This shocked the appellant and he wondered why he was allowed to the UK in 1999. The appellant was returned to Pakistan and he re-entered Pakistan on his previous Visa. He was allowed into Pakistan as a visitor. The appellant sought entry to the UK again in October 2000 and he was again refused and sent back to Pakistan. The appellant claims that for the past 18 years he has been sent back to Pakistan by the UK government where he then has to renew his Visa to stay in Pakistan or come back to the UK. The appellant sought legal

- advice from solicitors in the UK who he claims looked at his documents and advised him that the root of his problem is the mistake made by the British high commission in Islamabad. The appellant claimed that he was advised that because his parents were naturalised British citizens he is a British citizen by descent. The appellant claims that his parents were not British overseas territory citizens because they came to live in the UK when Kenya became independent. The appellant claims that his parents were declared as British overseas citizens and they remained full British citizens until their death.
11. The appellant claims that he then applied for a British passport whilst being in the UK and he was granted a full British passport. The appellant claims that after approximately three months to Home Office came to his address and he was arrested. He was informed that he had obtained his British passport fraudulently and they confiscated the passport. The appellant states that he does not know or understand the false representations which were made for the passport to be taken from him and he was only told that he should not have applied for a British passport because he was not a British citizen.
  12. The appellant claims that he was then advised that he is now eligible to become a British citizen because a new law has been passed which says that British overseas citizens who did not take any other nationality are now eligible to take British citizenship. The appellant states that the Home Office have refused that application stating that he has acquired Pakistani citizenship but the appellant disputes this as he states that he has always had to obtain a visa to go to Pakistan. The appellant states that when he was in Pakistan he obtained an overseas identity card which is very different from Pakistan nationality. The appellant states that the reason he accepted this ID card was to show his family links to Pakistan and that this card will allow him to live in Pakistan without a Visa.
  13. The appellant claims that he has established a private life in the UK and there would be very significant obstacles to his re integration into Pakistan. The appellant claims that it would be disproportionate and a breach of his article 8 ECHR rights for him to be returned to Pakistan as he has developed a strong private life in the UK.
4. The respondent did not consider the family life rules under Appendix FM as the appellant had not provided Information showing he had a partner, parent or dependent child in the United Kingdom.
  5. It was not found the appellant could satisfy the requirements of paragraph 276 ADE of the Immigration Rules as the application fell to be refused on the grounds of suitability in Section S - LTR and paragraph 276ADE(1)(i) as the appellant had been sentenced on 30 November 2001 to 3 months imprisonment for obtaining property by deception. It is stated the appellant made false representations to obtain a British passport and therefore met the requirements of paragraph S - LTR.4.3. It is also noted that the appellant failed to declare that conviction and a conviction for entering the UK without leave for which he was sentenced to 3 months imprisonment on 30 November 2001. His application for leave to remain therefore met the requirements of paragraph S - LTR.2.2.
  6. The decision maker did not find appellant had lived in the United Kingdom for at least 20 years, was over the age of 18, was not aged between 18 and 25, making the only arguably applicable rule 276ADE(1)(vi) which required the appellant to produce evidence of very significant obstacles to his integration into Pakistan, but it was not accepted the appellant had done so. The decision-maker came to this conclusion because the appellant resided in Pakistan until the age

of 43, which included his childhood, formative years and a significant proportion of his adult life, that he had retained knowledge of the life, language and culture, and would not face obstacles to reintegrating into life in Pakistan once more. The decision-maker also noted the appellant had stated in his application form that he had a spouse or child remaining in Pakistan and it was not established that they could not assist him and in accommodating him on return. It was found taking all matters into account that the appellant could not meet the requirements of paragraph 276ADE(1)(vi) of the Immigration Rules.

7. The decision-maker then considered whether there were exceptional circumstances sufficient to outweigh the public interest in removing the appellant from the United Kingdom. The appellant had stated in his application for that he is a British Overseas Citizen and that he did not have any other nationality; claimed he would therefore not be able to return to Pakistan and will be deported from any other country. In relation to this aspect the decision-maker wrote, inter alia,:

We have reached this decision because you have told us in your application that you had Pakistani nationality between 22 October 2003 and 21 October 2013. You also provided a Pakistan ID card in your application for registration as a British citizen which was accepted as evidence of your Pakistani citizenship. You have provided no evidence to support your claim that you no longer hold this citizenship or that you would be unable to return to Pakistan. Therefore, you are considered to remain a national of Pakistan and be able to return there as you have done previously.

8. There is also within the bundle a copy letter to Syeds Solicitors dated 19 July 2019 setting out the reasons why an application made by the appellant for British citizenship had been refused. The reasons are stated to be as follows:

Section 4B of the Act gives British overseas citizens, British subjects and British protected persons **who have no other citizenship or nationality**, an entitlement to be registered as a British citizen, **provided they have not after 4 July 2002 renounced, voluntarily relinquished or lost through action or inaction and other citizenship or nationality.**

It also gives British Nationals (Overseas) **who have no other citizenship or nationality**, an entitlement to registration as a British citizen, **provided they have not after 19 March 2009 renounced, voluntarily relinquished or lost through action or inaction and other citizenship or nationality.**

As your client provided a Pakistan ID card in their previous application to the Home Office on 11/10/2003 and thus evidence of his Pakistan citizenship he is not entitled to register under this provision.

The Secretary of State cannot be satisfied that your client meets the requirements to register under this provision and your client's application is refused.

9. The Judge was satisfied the appellant had formed a private life in the United Kingdom recognised by article 8 ECHR, but not a family life, and that the decision would interfere with the same giving rise to the need to consider the issue of proportionality.
10. In relation to consideration of the Immigration Rules; at [40] the Judge notes the appellant did not dispute he was convicted and

imprisonment, noted the appellants allegation that he was convicted as a result of a miscarriage of justice, but rejected that claim on the basis there was no evidence the appellant appealed against the conviction to the Court of Appeal. The finding of the Judge that the admission of the conviction of obtaining property by deception and making an untrue statement for the purposes of procuring a passport for himself meant the appellant could not satisfy the suitability requirements of the immigration rules, is a sustainable finding.

11. The Judge went on to consider the question of whether there were insurmountable obstacles to the appellant returning and re-establishing his life in Pakistan. The Judge considered the arguments that were put forward before concluding at [50] *“On the cumulative facts of the Appellant’s case as outlined above I do not find on the balance of probabilities that there are very significant obstacles, within the meaning of paragraph 276 ADE(1)(vi), to the Appellant reintegrating into Pakistan were he to return. Thus, I find the Appellant does not qualify under the Immigration Rules for leave to remain”*. I find on the basis of the matters considered by the Judge in the preceding paragraphs of the determination, that this is a finding clearly within the range of those available to the Judge.
12. Thereafter the Judge went on to consider the proportionality of the decision from [51] of the determination, which is the section of the document that occupied the majority of the time at the error of law hearing. The Judge clearly adopted a balanced approach setting out those factors weighing in favour of the appellant and those against. The negative factors are set out at [52 - 59] in the following terms:
  52. As confirmed by primary legislation in s. 117B(1) of the 2002 Act, the maintenance of effective immigration controls is considered to be in the public interest. Those controls are implemented by, among other provisions, the Immigration Rules. They are described in *R. (Agyarko) v SSHD* [2017] UKUS 11 as having been formulated by the respondent, approved by Parliament, and reflecting the respondent’s assessment at a general level of the relative weight to be given to individual factors when striking a fair balance under Article 8. They carry weight accordingly.
  53. The appellant does not meet the immigration rules for further leave to remain in the United Kingdom. There are not very significant obstacles to the appellant’s reintegration into life in Pakistan.
  54. The appellant was fully aware when developing any private ties in the United Kingdom that he should have had no expectation of remaining in the UK indefinitely. Pursuant to Section 117 B (5) of the Nationality, Immigration and Asylum Act 2002 little weight must be given to a private life developed when a person’s immigration status is precarious.
  55. There is a functioning healthcare system in Pakistan which the appellant can access.
  56. The appellant has children and siblings in Pakistan who can support him.
  57. The appellant has been convicted of dishonesty offences whilst in the UK and served a sentence of imprisonment of three months. Part of the dishonesty was making false representations.

58. The appellant, I find, can return to Pakistan lawfully and there is no evidence that he cannot hold Pakistani citizenship any longer. The appellant had Pakistani nationality between 22<sup>nd</sup> of October 2003 and 21 October 2013 and provided a Pakistan ID card when he applied for registration as a British citizen and this was accepted as evidence of his Pakistani citizenship. The appellant is born to Pakistani parents and therefore is entitled to Pakistani citizenship. The appellant can therefore not registered as a British citizen and obtain British citizenship by registration under section 4 B of British Nationality Act 1981.
59. The appellant is not a British citizen by descent. There is no evidence that the appellant's parents obtained full British citizenship. The appellant has provided his parents British Overseas Citizen passports however that does not show he is entitled to British citizenship. It shows he is entitled to leave in line with his parents which the appellant already has.
- 13.** The appellant sought permission to appeal on three grounds the first asserting procedural unfairness in the Judge refusing a second adjournment request without reasons - see [3 - 4] of the grounds - which I find, having considered the determination and the matter as a whole, does not establish procedural unfairness sufficient warrant to grant of permission to appeal to the Upper Tribunal. It is not made out the appellant was not able to engage fully in the appeal or that his legal representatives were prevented from making any submissions or asking questions of any witness that they wish to do. The Judge clearly had all the available documentary evidence before him and conducted a fair hearing.
- 14.** Ground 2 asserts a failure to consider material evidence and information; referred to at [6] of the grounds to the claim by the appellant in his witness statement not to have Pakistani citizenship, the appellant's skeleton argument stating one of the disputed facts that required resolution was whether the appellant had acquired Pakistani nationality which is argued the Judge failed to resolve, the Judge giving no consideration to the arguments and evidence relied upon by the appellant to show he is not a citizen of Pakistan, which the grounds ascertain is also relevant to the question of whether the appellant will face very significant obstacles to his reintegration. This Ground also assert that [58] of the determination is a simple reiteration of the respondent's position without any analysis of the evidence relied upon by the appellant.
- 15.** Ground 3 asserts perverse findings due to overlooking material evidence based upon the argument is was open to the Judge to consider whether the Secretary of State had used her discretionary power reasonably and accorded weight to the evidence in her proportionality assessment in accordance with those findings. This ground specifically refers to the Secretary of State's rejecting the appellant's application for British citizenship on the basis of his conviction and assert the Judge rejected the argument put forward by the appellant that there had been a miscarriage of justice on the basis there was no evidence the appellant appealed his conviction. The ground suggest the Judge overlooked the submission that the criminal proceedings record records contained in the bundle show the

appellant did not respond to the charge, the correspondence in the appellant's bundle contains documents from the passport office admitting they had made a mistake in issuing the appellant with a British passport and arguing the criminal sentence cannot be concluded simply due to a lack of appeal. The Grounds assert the Judge reliance on the evidence is perverse and infected by arguable material error.

- 16.** In relation to Ground 3, the appellant is a convicted criminal. The Judge was entitled to rely on that conviction which was not appealed within the time permitted for lodging an appeal or since. The Judge notes the appellant alleged miscarriage of justice and was aware of the correspondence indicating the issue of a passport by mistake; but it was clearly accepted by the criminal courts, to the higher standard applicable in such proceedings, that the appellant had committed the act with which he had been charged. It was not made out before the Judge, or since, that the exercise of discretion by the Secretary of State refusing the application on suitability grounds is in any way perverse or outside the range of reasonable responses open to the decision-maker. Disagreeing with that outcome and seeking to reargue the appellant's case does not establish arguable legal error in the manner in which the Judge determined this issue.
- 17.** I indicated in the course of the hearing that it is my primary view that the Judge did consider all the evidence with the required degree of anxious scrutiny and that the findings that have been made are adequately reasoned within the determination. Following the hearing and a further assessment of the evidence I confirm that view and make a finding of fact to that effect.
- 18.** Ground 1 and Ground 3 were not discussed in great detail at the hearing, and they do not, as pleaded or otherwise, establish arguable legal error in the manner in which the Judge conducted the hearing or determined the appeal.
- 19.** The main thrust of the hearing focused on Ground 2 and in particularly [58] of the decision under challenge.
- 20.** In his witness statement at [8] the appellant stated:

*This is absurd as they can see that I am always having to take a visa to go to Pakistan. When I was in Pakistan, I took a Pakistan Overseas Identity card which is very different then Pakistani nationality. My card does not even say that I am a citizen of Pakistan and clearly says Overseas Pakistani. British citizens born to Pakistani families called British Pakistani but that does not mean that they are Pakistani citizens but only means that they are Pakistani descent. I took this ID card showing my family links to Pakistan as this card would allow me to live in Pakistan without a visa. Even my sister who now has full British passport has the same card. UK Government clearly knows that if I was a Pakistani citizen then my card would say Pakistani Citizen not Overseas Pakistani. A person who has never taken Pakistani Citizenship, and his by Birth British to parents of Pakistani Origins can obtain this card showing his ancestral links to Pakistan.*

- 21.** It does not appear the rejection of the appellant's claim by the Secretary of State in the refusal letter, in the terms quoted by the Judge at [58], on 11 October 2003 was ever challenged by the appellant.

- 22.** Mr Williams relied upon the case of Hussein and Another (Status of passports: foreign law) [2020] UKUT 00250 (IAC), heard by the Vice President of the Upper Tribunal had noted which reads:
1. a person who holds a genuine passport, apparently issued to him, and not falsified or altered, has to be regarded as a national of the State that issued the passport.
  2. The burden of proving the contrary lies on the claimant in an asylum case.
  3. Foreign law (including nationality law) is a matter of evidence, to be approved by expert evidence directed specifically to the point in issue.
- 23.** There was no expert evidence before the Judge, or before the Upper Tribunal to which I have been referred, relating to the question of the appellant's nationality and whether he is or could be recognised as a citizen of Pakistan despite the appellant's representative specifically claiming in the skeleton argument that this was an issue upon which a clear finding was required by the Judge.
- 24.** In Hussein it had been argued that the appellant could not be a national of Tanzania and so cannot be entitled to a passport based on assertions about the law of Tanzania. Although relating specifically to the question of a passport in that case, which is not of an issue in this appeal, the Upper Tribunal found:
9. Those grounds cannot be accepted. First, foreign law is a matter of fact I must be proved by evidence. It is not sufficient to produce Tanzanian statutes and assert that the statute represents the whole of the law on the subject. A moment's consideration shows why that is so: it is absurd to suggest that a person who has access to the Queen's Printer's copy of the British Nationality Act 1981 would be able to deduce reliably from it the status of any student for nationality: it has been subject to numerous amendments, and it says nothing about the operation of policy or prerogative. Foreign law needs to be proved by expert evidence directed precisely to the questions under consideration, so that the Tribunal can reach an informed view in the same way as anybody taking advice on an unfamiliar area of law. It is surprising that this well-known principle has apparently escaped the notice of the appellant's professional advisers: if authorities needed it can be found in CS [2017] UKUT 00199 (IAC); see also R(MK) v SSHD [2017] EWHC 1365 (Admin) at [5] - [8]. There is no evidential basis in the present case for any of the arguments about Somalia, Kenyan or Tanzania in law that were made before the First-tier Tribunal in the grounds.
- 25.** It also appears the need to obtain expert evidence to deal with the issue of nationality also escaped the appellant's representative in this appeal.
- 26.** The Judge therefore only had the evidence that was made available. The appellant's representative claimed before me that the card the appellant relied upon was that issued to an Overseas Pakistani rather than recognition of an entitlement to Pakistani citizenship or a grant of the same to him.
- 27.** The appellant was born in Pakistan. The Pakistan Citizenship Act 1951 lays down the terms for the granting of Pakistani citizenship which notes that any person born in Pakistan after the commencement of the Act is also a citizen of Pakistan, with exceptions. The appellant was



born in Pakistan and it was not made out before the Judge that any of those exceptions are applicable to him.

- 28.** Whilst the appellant has been recognised as a British Overseas citizen (BOC) the Government of Pakistan has dual nationality arrangements with 19 countries including the United Kingdom. Nationals of those countries are not required to renounce their nationality while acquiring Pakistani Citizenship.
- 29.** The appellant has provided copies of his BOC passport, issued to him on the 11 December 1998 valid to 11 December 2008, containing visas issued by the Islamic Republic of Pakistan, through the Consul for Pakistani Birmingham, described as multiple visas entitling the appellant to enter and remain in Pakistan for the specified period. There is also evidence of stamps endorsed in the passport on arrival, for example at Faisalabad, confirming permission been granted for a similar purpose with an exemption from police registration.
- 30.** The appellant argued that if he was a citizen of Pakistan he would not have had to apply for a visa but it does not appear on the basis of the evidence before the Judge that the appellant did not seek entry as a citizen of Pakistan but rather specifically sought entry using his BOC passport. That evidence is only determinative of the fact that he was granted the application he sought and not to his status as a citizen of Pakistan. It is not made out, for example, that had he in 1998 applied for a Pakistan passport or citizenship, that it would not have been granted to him.
- 31.** I do not find the Judges erred in law in not treating this information or the appellant's submissions based upon the same in support of his claim not to be citizen of Pakistan to be determinative of this issue.
- 32.** A copy of the card issued by the Government Pakistan, described as a National Identity Card, Overseas Pakistanis, issued on 22 October 2003 valid to 21 October 2013 has been included in the appellant's bundle. It provides the appellant's name, father's name, gender, date of birth, and records the country of stay as being the United Kingdom. It also records on the rear the appellant's present address which is an address within Pakistan but also what is described as a permanent address which is given as one in the United Kingdom. The card confirms the appellant is entitled to visa free entry into Pakistan.
- 33.** The website for the National Database and Registration Authority (NADRA), which is attached to a department under the Ministry of Interior, Government Pakistan, records "National Identity Card for Overseas Pakistani's (NICOP) is a registration document issued to an eligible citizen of Pakistan who lives or has reference abroad. Any citizen of Pakistan, applied for NICOP and can travel to Pakistan without requiring a visa in case of dual nationality..."
- 34.** The evidence that is available clearly shows that the National Identity Card for Overseas Pakistani's is issued to citizens of Pakistan. There is at the rear of the card a reference number together with other forms of data which has not been properly explained by the appellant.
- 35.** What the information available shows is that the original conclusion that the possession of this card by the appellant, valid from 22

October 2003 to 21 October 2013, is evidence that he had been recognised as a citizen of Pakistan at this time, is correct. I find no legal error material to the decision established in the Judge following that conclusion or repeating the same at [58]; especially in the light of the lack of expert evidence from the appellant to show the contrary. I find the submission made at the hearing that the card did not confer citizenship upon the appellant, whilst it may be true as a matter of fact, does not fully represent the fact that to get that card the appellant must have had Pakistani citizenship.

- 36.** In relation to the submission the Judge erred in his conclusions concerning section 4B of the British Nationality Act 1981, that section reads:

**4B Acquisition by registration: certain persons without other citizenship**

- (1) This section applies to a person who has the status of—
- (a) British Overseas citizen,
  - (b) British subject under this Act, .
  - (c) British protected person., or
  - (d) British National (Overseas)
- (2) A person to whom this section applies shall be entitled to be registered as a British citizen if—
- (a) he applies for registration under this section,
  - (b) the Secretary of State is satisfied that the person does not have, apart from the status mentioned in subsection (1), any citizenship or nationality, and
  - (c) the Secretary of State is satisfied that the person has not after the relevant day renounced, voluntarily relinquished or lost through action or inaction any citizenship or nationality
- (3) For the purposes of subsection (2)(c), the “ relevant day ” means—
- (a) in the case of a person to whom this section applies by virtue of subsection (1)(d) only, 19th March 2009, and
  - (b) in any other case, 4th July 2002.

- 37.** The argument advanced on the appellant’s behalf is that the Judge erred in law as it is a specific requirement of section 4B(b) that the appellant must be shown to have a specific nationality and that, if they do not, they are entitled to register as a British citizen.

- 38.** The case against the appellant has always been that he has or is entitled to Pakistani citizenship. That is the finding of the Judge. The

appellant argues that he is entitled to be registered as a British citizen because he had not taken any steps to register or otherwise as a Pakistan citizenship and therefore did not have evidence of such citizenship..

39. An applicant who declares that they have another citizenship or nationality will not be eligible for registration as a British citizen. The Secretary of State's guidance in relation to assessing claims under section 4B notes that even if an individual declares that they have no other citizenship or nationality, it is possible that they will hold one because either one of their parents holds non-British citizenship or nationality or the applicant has been registered or naturalised in a country in which they have resided.
40. The guidance states that applicants must apply statements from the authorities of the country or countries concerned confirming that they do not have citizenship or nationality. No such evidence was provided to the Judge.
41. I find, having considered the issues raised in this appeal, including detailed submissions received at the error of law hearing and the written pleadings, that the appellant has failed to establish arguable legal error material to the decision of the Judge. The findings in relation to the appellant's nationality are within the range of those available to the Judges and have not been shown to be otherwise.
42. This is a human rights appeal and the Judge clearly factored into the assessment all the competing arguments and the factual findings that were made. Contrary to the grounds of appeal, the Judge clearly made a finding that the appellant is entitled to Pakistan citizenship. This is not a case of an individual who has never been recognised as a Pakistani citizen seeking recognition of the same in the first instance but of a person who has been recognised as being a citizen of Pakistan, where there is no evidence of his relinquished such citizenship, and who has not obtained confirmation from the authorities that the position is anything other than that as found by the Judge. In relation to the section 4B provisions the appellant therefore has another nationality.
43. Disagreement with the outcome or the Judges conclusions, a desire for a more favourable outcome, and wishing to relitigate the points already explored before the Judge, on the evidence made available does not establish material legal error.

### **Decision**

44. **There is no material error of law in the Immigration Judge's decision. The determination shall stand.**

Anonymity.

45. The First-tier Tribunal made no order pursuant to rule 45(4)(i) of the Asylum and Immigration Tribunal (Procedure) Rules 2005.

I make no such order pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008. No-one shall publish or reveal any information, including the name or address of the appellant, likely to lead members of the public to identify the appellant. Failure to comply with this order could amount to a contempt of court.

Signed.....  
Upper Tribunal Judge Hanson

Dated 26 August 2022