IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Case No.: UI-2023-001816

First-tier Tribunal Nos: IA/07449/2022
PA/53036/2022

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On 11th of January 2024

Before

DEPUTY UPPER TRIBUNAL JUDGE MONSON

Between

SSH (IRAQ)
(ANONYMITY ORDER MADE)

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:
For the Appellant: Mr Ahmed Osman, Counsel instructed by Duncan Lewis Solicitors
For the Respondent: Mr Steve Walker, Senior Home Office Presenting Officer

Heard at Field House on 11 September 2023

Order Regarding Anonymity

Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008, the appellant is granted anonymity.

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.

DECISION AND REASONS

1. The appellant has been granted permission to appeal to the Upper Tribunal from the decision of First-tier Tribunal Mensah promulgated on 18 April 2023 ("the Decision"). By the Decision, Judge Mensah dismissed the appellant's appeal against the decision of the respondent to refuse to recognise him as a refugee on the basis that he had a well-founded fear of persecution as a member of a particular social group comprising potential victims of honour crimes in the Iraqi Kurdish region (aka the "IKR").

The Grounds of Appeal to the Upper Tribunal

2. In para 2 of the grounds, it was submitted that in summary the Decision contained the following errors: (i) a flawed approach to the issue of the appellant's credibility; (ii) a failure to take into account relevant evidence; (iii) perverse and irrational findings on matters that were material to the outcome; (iv) a failure to give reasons or adequate reasons for findings on material matters; (v) undue weight placed on immaterial matters; (vi) a flawed approach to the application of Article 3 ECHR to the appellant's medical condition and risk of suicide; and (vii) a flawed approach to *SMO and KSB (civil status documentation, Article 15) (CG) Iraq* [2022] UKUT 110 (IAC).

The Hearing in the Upper Tribunal

3. At the hearing before me to determine whether an error of law was made out, Mr Osman, who did not appear below, developed the grounds of appeal under three headings: (1) the Judge's assessment of credibility; (2) the Judge's assessment of the Article 3 ECHR medical claim; and (3) the Judge's assessment of the availability of civil status documentation.

4. Mr Walker submitted that there were no material errors in the Decision. The Judge had found the appellant to be entirely unreliable witness, and she had given adequate reasons for reaching an adverse conclusion on his credibility.

5. I reserved my decision.

Discussion and Conclusions

6. In the light of the way that the appellant's case has been presented, I consider that it is helpful to set out the guidance given by the Court of Appeal in *T (Fact-finding: second appeal)* [2023] EWCA Civ 475 as to the proper approach which I should adopt to the impugned findings of fact made by Judge Mensah:

> 56. The most-frequently cited exposition of the proper approach of an appellate court to a decision of fact by a court of first instance is in the judgment of Lewison LJ in *Fage UK Ltd v Chobani UK Ltd* [2014] EWCA Civ 5:

> “114. Appellate courts have been repeatedly warned, by recent cases at the highest level, not to interfere with findings of fact by trial judges, unless compelled to do so. This applies not only to findings of primary fact, but also to the evaluation of those facts and to inferences to be drawn from them. The best known of these cases are: *Biogen Inc v Medeva plc* [1977] RPC1; *Piglowska v Piglowski* [1999] 1 WLR 1360; *Datec Electronics Holdings Ltd v United Parcels Service Ltd* [2007] UKHL 23, [2007] 1 WLR 1325; *Re B (A Child) (Care Proceedings: Threshold Criteria)* [2013] UKSC 33 [2013] 1 WLR 1911 and most recently and comprehensively *McGraddie v McGraddie* [2013] UKSC 58 [2013] 1 WLR 2477. These are all decisions either of the House of Lords or of the Supreme Court. The reasons for this approach are many.
>
> (i) The expertise of a trial judge is in determining what facts are relevant to the legal issues to be decided, and what those facts are if they are disputed.
> (ii) The trial is not a dress rehearsal. It is the first and last night of the show.
> (iii) Duplication of the trial judge's role on appeal is a disproportionate use of the limited resources of an appellate court, and will seldom lead to a different outcome in an individual case.
> (iv) In making his decisions the trial judge will have regard to the whole of the sea of evidence presented to him, whereas an appellate court will only be island hopping.
> (v) The atmosphere of the courtroom cannot, in any event, be recreated by reference to the evidence (the transcripts of the evidence),
> (vi) Thus even if it were possible to duplicate the role of the trial judge, it cannot in practice be done.
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> 115. It is also important to have in mind the role of a judgment given after trial. The primary function of a first instance judge is to find facts and identify the crucial legal points and to advance reasons for deciding them in a particular way. He should give his reasons in sufficient detail to show the parties and, if need be, the Court of Appeal the principles on which he has acted and the reasons that have led him to his decision. They need not be elaborate. There is no duty on a judge, in giving his reasons, to deal with every argument presented by counsel in support of his case. His function is to reach conclusions and give reasons to support his view, not to spell out every matter as if summing up to a jury. Nor need he deal at any length with matters that are not disputed. It is sufficient if what he says shows the basis on which he has acted. These are not controversial observations: see *Customs and Excise Commissioners v A* [2022] EWCA Civ 1039 [2003] Fam 55; *Bekoe v Broomes* [2005] UKPC 39; *Argos Ltd v Office of Fair Trading* [2006] EWCA Civ 1318; [2006] UKCLR 1135.”

57. More recently, Lewison LJ summarised the principles again in *Volpi and another v Volpi* [2022] EWCA Civ 464 at paragraph 2:

> i) An appeal court should not interfere with the trial judge's conclusions on primary facts unless it is satisfied that he was plainly wrong.
> ii) The adverb "plainly" does not refer to the degree of confidence felt by the appeal court that it would not have reached the same conclusion as the trial judge. It does not matter, with whatever degree of certainty, that the appeal court considers that it would have reached a different conclusion. What matters is whether the decision under appeal is one that no reasonable judge could have reached.

> iii) An appeal court is bound, unless there is compelling reason to the contrary, to assume that the trial judge has taken the whole of the evidence into his consideration. The mere fact that a judge does not mention a specific piece of evidence does not mean that he overlooked it.
> iv) The validity of the findings of fact made by a trial judge is not aptly tested by considering whether the judgment presents a balanced account of the evidence. The trial judge must of course consider all the material evidence (although it need not all be discussed in his judgment). The weight which he gives to it is however pre-eminently a matter for him.
> v) An appeal court can therefore set aside a judgment on the basis that the judge failed to give the evidence a balanced consideration only if the judge's conclusion was rationally insupportable.
> vi) Reasons for judgment will always be capable of having been better expressed. An appeal court should not subject a judgment to narrow textual analysis. Nor should it be picked over or construed as though it was a piece of legislation or a contract."

7. The lengthy and discursive grounds of appeal have been helpfully distilled by Mr Osman into three distinct error of law challenges. The first, which I will call Ground 1, is that the Judge erred in law in his assessment of the appellant's credibility. The second is that the Judge erred in law in the assessment of the medical evidence, and the third is that the Judge erred in law in finding that the appellant could safely be returned to Iraq/the IKR.

Ground 1

8. The appellant's case is centred on his claim to have had a relationship with a woman whose father was a member of the PUK, as a result of which he was abducted, beaten and threatened with murder. His claimed fear on return to the IKR was of further repercussions, including his death, because he had thereby violated the honour of the woman in question, and hence of her powerful family.

9. In support of the core claim (which the respondent disputed) the appellant relied on an expert report on the prevalence of honour crimes in the IKR, as well as on his own testimony.

10. The conclusion which the Judge reached on the core claim is set out at para [28] of the Decision:

> "Weighing the key positives and negatives I find the appellant an entirely unreliable witness as the negatives far outweigh the positives. I find the appellant did not have any relationship with a female as he claimed. He does not fear anyone as a result in Iraq and he has not fled Iraq undocumented. I do not accept he does not have access to his CSID and other identification evidence. I do not accept that he fears anyone in Iraq and find his whole account is untruthful. I do not accept any of his medical conditions or symptoms_have explained away the difficulties with his evidence and most certainly do not reach the Article 3 and 8 thresholds on medical grounds. I do not accept his family have fled Iraq."

11. In reaching this finding, the Judge expressly took into account the Country Expert report and the medical evidence.

12. The first criticism advanced in the grounds and also by Mr Osman is in respect of the Judge's discussion at paras [15] and [16], where she agreed with the respondent that there was a significant inconsistency between the appellant stating earlier in an interview that he did not have a partner in Iraq (AIR 31),but later in interview (at AIR 89 and 91) stating that he was in a relationship with Pari for 6 months in 2017, and that they had met going to school as their schools were close by each other. The complaint in the grounds is that the Judge ought to have accepted the appellant's explanation that he thought the earlier question related to whether he had a spouse in Iraq, as distinct from a girlfriend. Mr Osman submits that the Judge has not explained why she rejects the appellant's explanation.

13. The Judge did not ignore the appellant's explanation. The Judge said (at [16]) that if the appellant thought the question was possibly about a spouse, "*I would have expected him to clarify the same."* It was a matter for the Judge to decide how much weight to attach to a particular piece of evidence and/or to an asserted inconsistency. She was not clearly wrong to attach negative weight to the identified inconsistency at paras [15] and [16].

14. The Judge went on at para [16] to recite a lengthy section of the refusal decision in which the respondent identified a number of respects in which it was asserted that his account of his relationship with Pari was vague, internally inconsistent and also externally inconsistent. In particular, the respondent said that his account of his relationship with Pari was externally inconsistent with background information to the effect that stepping out of long-established norms and honour codes was perceived as shameful, devaluing women and their families.

15. At para [17] the Judge said that at the hearing the appellant simply repeated the same explanation he had previously given, which was that he had no female siblings and so would not have acquired knowledge of the attitude, risk and social norms expected of women in Iraqi society, and he was young. The Judge said that she found this explanation "*completely incredible*." The Judge went on to hold that, in 2017, when the appellant was 16 years of age, he would have had sufficient time living in his community to understand its norms and values, and so it was not credible that he would not have understood the risks involved in meeting a female who was not a close relative - never mind entering into a relationship with her. The Judge held that it was nonsense that the appellant suggested that he needed to understand everything about his society. This was the most basic of common knowledge. The Judge added that it would have been inherent in the need to keep their relationship secret that it carried risk, and she found his explanation to be lacking all credibility, and she gave it negative weight.

16. In the grounds, it is submitted that the Judge failed to consider the appellant's evidence in his witness statement and his answers to numerous questions in the substantive asylum interview. It is submitted that the Judge erred in law in making a negative finding against the appellant who had given detailed and plausible reasons as to his state of mind with regard to the relationship at the time.

17. It was clearly open to the Judge to express incredulity about the appellant's account of the claimed relationship, for the reasons which she gave. It was open to her to adopt the adverse credibility points made by the respondent in the refusal decision, and to amplify those which she regarded as particularly significant. The complaint that the Judge did not accept what is characterised as the appellant's detailed and plausible account is, on analysis, simply an attempt to re-argue the case.

18. At para [18], the Judge went on to say that the respondent had identified a valid point which only went further to undermine the explanation that the appellant gave for suggesting that he did not understand the risk. The couple had gone to the lengths of trying to make sure she was not seen leaving her home, so this completely contrasted with the appellant's account of where they met and how they were able to have a relationship. The grounds of appeal do not advance a complaint about this passage in the Decision, but Mr Osman does. He submits that the Judge has mischaracterised the evidence which the appellant gave in interview at AIR 126-128.

19. I accept that the thrust of the passage from the interview quoted by the Judge is that Pari was free to leave her home during the day and that it was before entering the appellant's home that she took the precaution of checking that there was no one around. So, what the Judge ought to have said is that the couple had gone to the lengths of trying to make sure that Pari was not seen entering the appellant's home. But I do not consider that the Judge's error is material, as her adverse credibility finding remains one which was reasonably open to her. There is still an inconsistency between the appellant saying on the one hand that they took precautions to keep their relationship secret, and on the other hand suggesting that he did not appreciate the risk of the relationship being uncovered.

20. The Judge went on to quote the respondent's account of the appellant's alleged abduction and subsequent escape. The respondent said that the appellant's account of escaping was not consistent with his parallel claim that he had a bag over his head, stopping him from being able to see where he was being taken; and also that his claim that he managed to run away without getting hurt was inconsistent with the fact that he had stated earlier that the men were armed.

21. At para [19], the Judge said that the appellant's account of escape was explored again at the hearing, where he gave a different account. He told the Judge that he had been taken upstairs from the basement and that his hands had not been tied. And although he was weak from not having

eaten for 2 days, he managed to get free and run away from these men. The Judge said that there was no mention of a car, a bag over his head, and it seemed illogical that the men would have gone to all this trouble and yet taken no precautions to secure a victim, whom they had just informed that they would be killing. The Judge found that the inconsistencies in the account were damaging, and she gave it negative weight.

22. In the grounds, it is asserted that the appellant did not give a different account of his escape, and that the Judge had failed to take into account the account which he had given in paragraph 24 of his witness statement.

23. However, the Judge was referring to the appellant's oral evidence, and nothing has been produced to show that the Judge's account of the appellant's oral evidence is inaccurate. Mr Osman submits that the appellant did not need to repeat in his oral evidence what he had said in his witness statement, which he had adopted as his evidence in chief. But it was open to the Judge to attach significance to the differences between the account which he gave under cross-examination and the account which he had given previously.

24. Moreover, even if he was not wearing a bag over his head when he was being taken out from where he was being held, and even if there were other factors which made the appellant's potential escape easier, this does not detract from the fact that - given the trouble that the armed men had taken previously, and given what they had said they were going to do to the appellant - it was clearly open to the Judge to find it incredible that the appellant would have been able to escape unscathed, if the abduction had really happened.

25. Mr Osman submits that the Judge's approach is contrary to the guidance given by the Court of Appeal in *HK* [2006] EWCA Civ 1037 which is that an appellant's account in an asylum claim should not be rejected solely on the grounds that it is inherently improbable or implausible.

26. I do not consider that this criticism is valid. Firstly, the Judge expressly finds that the appellant's account of his escape is incredible. She does not refer to implausibility or improbability. The crucial importance of this distinction is highlighted in the judgment of Sedley LJ in *Gheisari* [2004] EWCA Civ 1854. Secondly, the Judge's rejection of the appellant's account is also based on the fact that she finds that he has not given an account which is internally consistent. Thirdly, it is not argued, nor is it shown, that the appellant's account of his escape might be considered plausible within the context of his social and cultural background. I do not consider that this is one of those cases where the judicial fact-finder was not entitled to rely, *"on his common sense and his ability, as a practical and informed person, to identify what is or is not plausible",* per Neuberger LJ in *HK* at [30].

27. The Judge went on at para [19] to quote a passage in the refusal decision, where the respondent identified various respects in which it is said that the account given in interview about how the feud between the two families had developed was internally inconsistent. During the interview, the Interviewing Officer had asked the appellant if he knew what Qadir's role was in the PUK, to which he said that he did not know. This was inconsistent with his claim to fear Qadir as he knew him to be influential and powerful within the PUK. The second inconsistency was that at AIR 198, where he said that his father knew of Qadir and was convinced that he would kill him. The respondent said that this was inconsistent with his submission at AIR 221 that his father did not take the threats he received from Qadir on 24 October 2020 seriously.

28. At para [20], the Judge said that the claim to have entered into a relationship with a female when his father was a powerful member of the PUK, was commonly before this Tribunal. There was ample information in the public domain about senior PUK men, and it was all too easy to claim that the father of a female was one of those men. The Judge continued:

> "The idea that the appellant's partner would have failed to mention this [her father's status] to him when they were seeking to have a secret relationship and trying to take precautions is ludicrous. The suggestion his father did not take the threat seriously from such a person is lacking all credibility and I take both matters as negative factors in this case."

29. The grounds take issue with the Judge's adverse credibility finding in respect of the reported reaction of the appellant's father to the threats made on 24 October 2020. It is asserted that the Judge failed to consider the evidence given by the appellant in his witness statement and in some of his answers in interview, and in particular that the appellant had confirmed that his father had lodged a complaint about Qadir, but this was to no avail as there was no protection from the state authorities given the PUK officials' involvement. It is submitted on the appellant's behalf that therefore he did not give a ludicrous account, and the Judge erred in law in making a negative finding against him.

30. Having reviewed the interview record, I can see that the Judge made a mistake in referring to the appellant's father receiving threats on 24 October 2020, as opposed to receiving them on 24 August 2020. Nonetheless, it was open to the Judge to find that his account of his father not taking Qadir's threats seriously on this occasion was inconsistent with what he had said earlier in the same interview, which was to the effect that his father knew that Qadir was influential and powerful and hence dangerous as he was determined to avenge the dishonour that the appellant had brought upon his family through having an extra-marital relationship with his daughter. The fact that earlier his father had not -on his account - been able to lodge a complaint against Qadir precisely because of his PUK status meant that his father knew that Qadir could act with impunity, and so it was open to the Judge to infer that he had thereby even more reason to take Qadir's threats seriously.

31. At para [22] the Judge gave positive weight to a newspaper report of 6 February 2021 cited in the ASA, and to the Country Expert report relied on by the appellant. She held that the country evidence assisted the appellant to the extent that is showed that honour crimes did exist, and that women and men did enter relationships that were seen as breaking the family's honour and could lead to very serious consequences.

32. Despite the Judge giving positive weight to the Country Expert report, the grounds of appeal submit that the Judge's failure to take into account and engage with the details of the report renders the determination perverse and erroneous in law. I consider that the grounds are misconceived. They are based on the wholly unreasonable premise that when engaging with the Country Expert report on the distinct topic of whether and to what extent it supported the core claim, the Judge should also have simultaneously engaged with it on the other issues arising in the appeal. I consider that the Judge adequately engaged with the Country Expert report insofar as it was relied on as supporting the appellant's core claim, and it was not perverse of the Judge to hold that on this issue the Country Expert evidence was in line with the information in the CPIN relied on by the respondent in the refusal decision.

33. Although the grounds of appeal go on to criticise the Judge's assessment of the medical evidence, this is not in the context of how, if at all, the evidence of the appellant's mental ill-health impacted on the assessment of credibility It is not submitted in the grounds that the Judge ought to have taken a different approach from that taken by the respondent in the refusal decision, which is the approach which is quoted at page 11 of the grounds of appeal. The line taken in the refusal decision was that the submitted medical evidence supported the appellant having been diagnosed with severe post-traumatic stress disorder with depressive symptoms, but it did not support that his mental health resulted from claimed events including claims of torture experienced in Iraq. This was because of the internal and external inconsistencies that the respondent had previously identified.

34. Mr Osman submits that the Judge erred in her application of s8(4) of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 at paras [25] and [26].

35. In para [25] the Judge set out what the respondent had said on this topic, and in para [26] she expressed her agreement that s8(4) applied.

36. Mr Osman points out that the Judge did not direct herself that s8(4) applies to a failure by the claimant to take advantage of a reasonable opportunity to make an asylum claim while in a safe country, and he submits that in consequence the Judge has not given an adequate reason as to why s8(4) applies.

37. I accept that, as summarised by the Judge, the respondent's reasoning on s8(4) was quixotic. The respondent said, according to the Judge, that s8(4) did not apply with regard to the appellant not claiming asylum in Italy because the appellant did not claim asylum in Italy. This is a logical non-sequitur. However, with regard to the appellant's failure to claim asylum in France, the respondent said that s8(4) applied because she rejected the appellant's explanation for not claiming asylum in France.

38. It was implicit in the respondent's reasoning that the appellant had a reasonable opportunity to claim asylum in France, and this does not appear to have been disputed by the appellant. His case was that it was reasonable for him not to avail himself of the opportunity because he had heard that Kurds were not well-treated in France.

39. It was open to the Judge to agree with the respondent that the appellant had not given a satisfactory reason for not claiming asylum in France, and hence that s8(4) applied.

Ground 2

40. Ground 2 relates to the Judge's assessment of the medical evidence. As previously stated, the complaint is not about the Judge's assessment of the medical evidence in the context of her assessment of the credibility of the core claim. The complaint is directed at the Judge's rejection of the alternative case that there is a real risk of the appellant suffering serious harm on removal contrary to Article 3 ECHR on mental health/suicide risk grounds.

41. I consider that Ground 2 is wholly without merit. The Judge gave adequate reasons for finding that such a claim was not made out. She highlighted at para [23] that most of the letters filed for the appeal had been written for the appellant to use in order to try and secure permission for him to live nearer London, as he said that he had an uncle in London. The letters suggested that his mental health would improve if he was closer to his uncle. They recorded that the appellant had even declined psychological treatment, saying that he only needed to live with his uncle. The evidence indicated that he had occasionally taken Trazodone, and throughout there was a clear record by several medical professionals of the appellant denying having any suicidal thoughts and denying that he had persistent negative thoughts. At para [24], the Judge held that there was no evidence that the appellant was receiving any current treatment for his mental health, and there was no evidence to show any real risk of suicide - never mind a rapid and serious decline in the appellant's health. She described how Ms Hashni (for the appellant) had taken her through the expert report at the reconvened hearing, and had argued that there would be a substantial reduction in the appellant's life-expectancy. The Judge said that she tried to clarify what condition Ms Hashmi suggested would cause this, and she did not seem to be able to do so. The Judge observed that the fact the appellant had low-mood and symptoms of PTSD and

depression, was a significant distance from evidence of a substantial reduction in life-expectancy.

42. Having checked the evidence that was before the Tribunal, I can see that the medical evidence only went up to 2021. There was no up-to-date medical evidence before the Judge at the hearing which took place at Bradford on 8 May 2023 and also at the reconvened hearing on 4 April 2023.

43. In the light of this, the Judge was not perverse in finding that the appellant had not discharged the burden of proving to the lower standard of proof that he met the criteria of *AM (Zimbabwe) -v- SSHD* [2020] UKSC 17, and there was also no error in the Judge failing to undertake an assessment of the six principles identified in *J -v- SSHD* [2005] EWCA Civ 629 as re-formulated in *Y (Sri Lanka) -v- SSHD* [2009] EWCA Civ 362. Equally, the Judge' approach was not in contravention with the principles enunciated by the Upper Tribunal in *MY* [2021] UKUT 00232 (IAC). It was open to the Judge to find that there was no risk of suicide for the reasons which she gave.

Ground 3

44. Ground 3 relates to the Judge's finding at para [29] that the appellant can return to Kurdistan using his documentation and return to his home area; and that he has the support of his family, who appear to have access to significant funds, and who the Judge found he could return to. The Judge reiterated that the appellant was not undocumented and that he could use his CSID and Iraqi passport to return to his home area and secure his new INID. For the same reasons, she found that the appellant did not face very significant obstacles to his reintegration, and that it was proportionate for him to be removed to Iraq.

45. It is submitted in the grounds that the Judge's approach at para [29] is flawed for essentially two reasons. The first is that the Judge's assertion that the appellant has his passport and CSID is baseless. The second is that the Judge has failed to explain how the appellant would be able to safely return to the IKR from Baghdad without his passport or CSID card.

46. Contrary to what is submitted in the grounds of appeal, there was a clear evidential basis for the Judge's finding about the appellant having a passport and CSID card. The appellant had acknowledged in interview that he had surrendered his passport and CSID to the German authorities, and that he could ask for these documents to be returned to him. Accordingly, although the appellant did not have his CSID card and his passport in his possession, he had access to them.

47. The second objection overlooks the fact that there was unchallenged evidence before the First-tier Tribunal that failed asylum seekers could now be returned to any airport in Federal Iraq and the IKR, as stated in the CPIN of July 2022. In a witness statement dated 4 January 2023, a Country

Manager stated that between 30 September 2022 and 5 October 2022 the Home Office had successfully enforced the removal of 80 Iraqi nationals to Erbil and 9 Iraqi nationals to Sulaymaniyah.

48. The appellant comes from Sulaymaniyah, and so from the evidence provided to the First-tier Tribunal there was no reason why the appellant could not be returned directly to Sulaymaniyah. In such circumstances, the issue of the appellant's ability to travel safely from Baghdad to the IKR did not arise.

Summary

49. In conclusion, I consider that the Judge gave adequate reasons for resolving the principal controversial issues in favour of the respondent, and that no error of law is made out.

Notice of Decision

The decision of the First-tier Tribunal did not contain an error of law, and accordingly the decision stands. This appeal to the Upper Tribunal is dismissed.

Anonymity

The First-tier Tribunal made an anonymity order in favour of the appellant, and I consider that it is appropriate that the appellant continues to be protected by anonymity for the purposes of these proceedings in the Upper Tribunal.

Andrew Monson
Deputy Judge of the Upper Tribunal
Immigration and Asylum Chamber
January 2024