IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Case No: UI-2022-003282
First-tier Tribunal No:
HU/02871/2021

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On the 09 July 2023

Before

UPPER TRIBUNAL JUDGE LINDSLEY

Between

FH
(ANONYMITY ORDER MADE)

Appellant

and

ENTRY CLEARANCE OFFICER

Respondent

Representation:
For the Appellant: Ms A Nizami, of Counsel, instructed by Wilsons Solicitors LLP
For the Respondent: Mr A Basra, Senior Home Office Presenting Officer

Heard at Field House on 4 July 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 and her husband, the sponsor or other family members. Failure to comply with this order could amount to a contempt of court.

DECISION AND REASONS

Introduction

1. The appellant is a citizen of Sudan born in 1996 who applies to come to the UK as the wife of Mr D, a person recognised as a refugee in the UK

on 31st July 2019 and granted five years leave to remain. She made her application on 13th November 2020 and it was refused on 21st March 2021. Her appeal against the decision was dismissed by First-tier Tribunal Judge JG Raymond in a determination promulgated on the 11th May 2022.

2. Permission to appeal was granted, and a panel of Upper Tribunal Judge Lindsley and Deputy Upper Tribunal Judge Cotton found that the First-tier Tribunal had erred in law for the reasons set out in our decision which is appended to this decision as Annex A.

3. At paragraphs 32-33 of the decision the First-tier Tribunal Judge found that the delay in applying point raised by the respondent in relation to the credibility of the application, given issues with Legal Aid and the Covid-19 pandemic, was not one which should have been taken against the appellant. This finding not challenged by either party and so has been preserved

4. The matter comes back before me pursuant to a transfer order to remake the appeal. I noted that the sponsor is a vulnerable witness and did my best to ensure that the hearing took place in line with the guidance from his clinical psychologist, Dr Walsh of the Traumatic Stress Clinic, as set out in her email of the 30th June 2023. In the event the hearing was very short, consisting only of brief submissions. Ms Nizami decided that it was not necessary for the sponsor to give oral evidence, Mr Basra having agreed that he would not take any point against the appellant if this was the case, and given that it had not been possible for the Upper Tribunal to locate a Fur interpreter, the appellant's first language being Fur, and there therefore being a possibility of misunderstanding when evidence was taken through an Arabic interpreter. Although Ms Nizami initially asked that the hearing be in camera having taken instructions from the sponsor she agreed that the two work shadowing students present could be allowed to remain in the hearing room.

Evidence & Submissions – Remaking

5. In short summary, from his three written statements in support of this appeal the evidence of Mr D, the sponsor, is as follows.

6. The sponsor was granted refugee status on 31st July 2019. He wanted to apply for the appellant to join him immediately but there were delays caused by his initial solicitor's inaction, by having to apply for exceptional cases legal aid funding with his second solicitor, and then the Covid-19 pandemic. He says that the screening interview records stating that he did not have a wife came about as a result of an interpreting mistake as the interpreter was not from Darfur and was on the telephone at the time of this initial interview. He believes that the interpreter assumed he was not married as he said he had no children.

7. The sponsor says that the appellant lived, until she was recently forced to leave Sudan, in Kabkabiya in Sudan with her parents and three sisters. She is his maternal aunt's daughter. He started a relationship with the appellant in 2013. They were married in the mosque in the city of Kabkabiya on 15th February 2015 in a proxy ceremony that they did not attend themselves but which was attended by family representatives who were elderly distant relatives. There were no photographs taken of the wedding or afterwards as no one had a camera. The marriage certificate is dated August 2020 because the first one was destroyed in an attack on the appellant's family home, and so this is a replacement. The sponsor lived in the IDP camp in the same city with the appellant after the wedding. They lived together for three months until they were forced to separate due to his fear of persecution. It has been very painful being separated for both of them. He was very afraid of the appellant continuing to live in a racist environment in Sudan where she was in danger of attack, kidnap and rape. Whilst living in the camp the appellant worked on agricultural land during harvest and brick-making the rest of the year. He was aware that the appellant was not coping mentally very well living in the camp without him. Whilst she was in the refugee camp the sponsor tried to speak to the appellant everyday but the telephone network was often of poor strength which made this difficult, so often they sent short text messages and had missed calls. They do not write each other long messages due to their lack of education. It is clear to him from these calls that the appellant is desperate to be reunited. The refusal of 26th March 2021 made the sponsor very upset, anxious and depressed. He often feels very lethargic and does not sleep well, and becomes panicky. He knows the appellant also became physically and mentally unwell after the entry clearance was refused. The appellant became even more vulnerable after her father passed away in September 2021 as she has no male protection from rape and kidnap.

8. The appellant left the IDP camp in Kabkabiya, in the north of Dafur, Sudan in May 2023 travelling first to Port Sudan due to the recent conflict in Sudan. She had been experiencing shelling around where she was living, and was extremely frightened, and had difficulties obtaining food and water and so was at risk from dying from stray bullets, rockets and starvation. Phone contact was difficult as the signal often cut out and there was a lot of noise when he got through. The sponsor, was very worried about his appellant at this time, and during her dangerous journey out of Sudan. He refers to the phone records showing many attempted and actual calls between the two of them. The appellant arrived in Ethiopia in June 2023. She has permission to remain there until 8th July 2023 after which she is expected to leave, and further he has no money to support her long term in a hotel in Ethiopia. The appellant has no support in Ethiopia and cannot remain there long term. He has been granted a visa to visit the appellant by the Ethiopian authorities valid for three months after this hearing date, and intends to visit her as he is desperate to see her. At the hearing the sponsor

produced a ticket for him to travel to Ethiopia on 7th July 2023 with a return date of 11th September 2023.

9. The appellant's evidence in her two statements is that she grew up with the sponsor in the village of Shoba in Sudan. They are maternal cousins. She started a relationship with him in 2013, and their mothers decided that they should have an arranged marriage. On 15th February 2015 representatives from her family and that of her sponsor attended a mosque in Kabkabiya for a traditional ceremony. There were no photographs taken of the actual wedding or of any celebration afterwards as no one had a camera. The relatives returned to the IDP camp and announced that she and her sponsor were married. The sponsor and she were very happy together. She has not seen the sponsor since he left the place where they were living in 2015. She understood he had to leave Sudan on 28th March 2017. Since the appellant came to the UK they have tried to talk every day, but sometimes they cannot speak because of phone network issues or other problems in Sudan. This explains the lot of missed calls and short communications in the phone records. She and the sponsor lack formal education and so find it difficult to write complex sentences in any case. She and her family are terrorised by the Janjaweed and rebel groups who often break into their home. She feels very anxious and depressed being separated from the sponsor. When the visa application was refused she became ill as she felt so low. She could not eat properly and lost a lot of weight, and was also concerned about the sponsor who was also suffering mentally and physically. Her father died on 22nd September 2021, and this has made her position in Sudan even more vulnerable as she is part of an all- female household as she has no brothers.

10. The Traumatic Stress Clinic report of Dr Eileen Walsh is a report by the sponsor's treating therapist, and confirms the sponsor is being treated for PTSD, and at the time of writing the report had had approximately 30 weekly trauma-focused sessions with her. He is also assessed as suffering from major depressive disorder. She records the Traumatic Stress Clinic having made attempts to obtain help from the Red Cross with family reunion with his wife for the appellant from September 2019 to March 2020, and has provided copies of the relevant emails evidencing this to his current solicitors. The history given to her by the sponsor included the fact that he was married to the appellant. The sponsor's mental health has deteriorated since the appellant's visa application was refused.

11. Mr Basra made submissions for the respondent. He submitted that the case turned on the Immigration Rule at paragraph 352A(iii): whether the relationship/marriage existed before the sponsor fled his former country of habitual residence; and 352A (v) whether the appellant and sponsor intend to live together permanently in a genuine and subsisting relationship.

12. Mr Basra submitted that the respondent did not dispute that the marriage certificate which showed that the marriage had taken place on 2nd February 2015 was genuine or the description of the traditional marriage. The evidence of the screening interview (which recorded the sponsor as saying he was not married) had to be put in the context of the fact that the sponsor's solicitors had written to correct the wrong account of his not having a wife prior to the main asylum interview, and the fact that the sponsor had provided details of his wife at his main asylum interview. As the undisputed evidence of the appellant and sponsor was that the appellant had left Sudan in March 2017 he accepted for the respondent that the sponsor had left Sudan after his marriage to the appellant, and that she therefore could show that the marriage existed before the sponsor fled his former country of habitual residence, and that the requirements of paragraph 352A(iii) were therefore met.

13. Mr Basra then turned to the issue of whether there was a genuine and subsisting relationship between the appellant and sponsor, and whether they intended to live together permanently. He said that he accepted the witness evidence, photographs and phone records sufficed to show a genuine and subsisting relationship with intention to live together.

14. Ms Nizami did not need to make submissions as Mr Basra had effectively conceded the appeal by making submissions that the requirements of the refugee family reunion Immigration Rules were met. She simply asked for a quickly promulgated decision in light of the vulnerability of both sponsor and appellant, and the fact that the sponsor was travelling to Ethiopia for two months and could potentially assist the appellant in obtaining entry clearance whilst he was with her. I informed the parties that I would be allowing the appeal and agreed to write my decision promptly.

Conclusions – Remaking

15. As Mr Basra identified the key issues in the appeal when looked at through the lens of the relevant refugee family reunion Immigration Rule at paragraph 352A are: firstly whether the relationship/marriage existed before the sponsor fled his former country of habitual residence; and secondly whether the appellant and sponsor intend to live together permanently in a genuine and subsisting relationship.

16. The respondent now accepts that the appellant and sponsor married in February 2015 as set out in their marriage certificate, and that the appellant is therefore the sponsor's pre-flight wife, and that the evidence shows that the appellant and sponsor intend to live together permanently in a genuine and subsisting relationship. I also find that this is the case. I do not need to give extensive reasons given Mr Basra's position for the respondent. As Mr Basra has identified the error stating the appellant was not married in the screening interview record was corrected at a very early stage, prior to his full asylum interview and in that interview, and there is detailed witness evidence going to

the traditional proxy marriage between the appellant and sponsor having taken place in February 2015 which is supported by a marriage certificate. This evidence suffices to show on the balance of probabilities that the sponsor was married to the appellant prior to fleeing from Sudan in 2017.

17. There is also evidence from the sponsor's clinical psychologist that the Traumatic Stress Clinic have been trying to assist the sponsor to reunite with his wife, the appellant, since 2019, and of the psychological impact separation has had on the sponsor due to his love, worry and concern for the appellant who has been living in very dangerous circumstances since he was force to flee Sudan. This evidence goes both to the veracity of the sponsor's claim to have been married prior to fleeing Sudan, and also to the genuine nature of the relationship and the desire of the couple to be live together permanently as husband and wife. This evidence is now added to by documents showing that the appellant has fled Sudan in the context of the recent escalation of conflict in that country, and entered Ethiopia. There is evidence that the appellant is now in Ethiopia in the form of a copy of the stamp in her passport, and of the sponsor intending to travel to be with her in the form of evidence of his having obtained a visa to travel to Ethiopia and having bought an air ticket. There is also extensive evidence of messaging and attempted and actual phone contact between the couple. When considering in the round I find that the totality of the evidence shows that the marriage is genuine and subsisting, and that the appellant and sponsor intend to live together permanently as husband and wife.

18. The appellant is entitled to succeed in her human rights appeal because refusal of entry clearance to come to the UK as the pre-flight wife of a person with refugee status is a disproportionate interference with her right to respect for family life with the sponsor as protected by Article 8 ECHR. There is no public interest in refusal of entry clearance as she can show compliance with the relevant Immigration Rule at paragraph 352A; and the decision to refuse entry clearance is further disproportionate as the UK is the only country in which the appellant and sponsor can have their family life in light of his being a Sudanese citizen who has been granted refugee status by the UK authorities and the appellant also being a Sudanese citizen.

Decision:

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

2. The decision of the First-tier Tribunal was set aside.

3. I remake the appeal by allowing it on Article 8 ECHR human rights grounds.

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, sponsor or their families. 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 appellant, the sponsor and their families as a result of the contents of the sponsor's protection claim.

Fiona Lindsley

Judge of the Upper Tribunal
Immigration and Asylum Chamber

4th July 2023

Annex A: Error of Law Decision

DECISION AND REASONS

Introduction

1. The appellant is a citizen of Sudan born in 1996 who applies to come to the UK as the wife of Mr D, a person recognised as a refugee in the UK on 31st July 2019 and granted five years leave to remain. She made her application on 13th November 2002, and it was refused on 21st March 2021. Her appeal against the decision was dismissed by First-tier Tribunal Judge JG Raymond in a determination promulgated on the 11th May 2022.

2. Permission to appeal was granted by Judge of the First-tier Tribunal Cox on 22nd June 2022, with permission granted to argue all grounds on the basis that it was arguable that the First-tier judge had erred in law in failing to act fairly and follow the Surendran guidelines.

3. The matter was listed for hearing before the Upper Tribunal on 31st January 2023 but adjourned by Upper Tribunal Judge Woodcraft on the basis that both parties wished to obtain a transcript of the First-tier Tribunal hearing. This transcript was provided to the Upper Tribunal for the hearing but transpired not to be particularly material to the hearing.

4. The matter came before us to determine whether the First-tier Tribunal had erred in law, and if so to decide if any error was material and whether the decision dismissing the appeal should be set aside.

Submissions – Error of Law

5. In the grounds of appeal it is contended, in summary, as follows.

6. Firstly, it is argued that the First-tier Tribunal erred in law by conducting a procedurally unfair hearing, which failed to apply the Surendran guidelines (MNM (Surendran guidelines for adjudicators) Kenya* [2000] UKIAT 00005) with respect to fairness in a hearing where the respondent is not represented. Negative conclusions were wrongly reached with respect to the appellant and sponsor in relation to issues not put in issue in the reasons for refusal letter and which were not raised by the Judge of the First-tier Tribunal at the hearing.

7. It is argued that the First-tier Tribunal Judge made untenable and damaging findings, which included multiple findings of dishonesty and fabrication by the sponsor with respect to his asylum claim and the appellant and the relationship between the appellant and sponsor on issues which were not part of the decision of the respondent, and which were not consistent with the fact that the respondent had accepted the sponsor as a refugee without his case going to an appeal, and in circumstances where there was no oral evidence from the sponsor at all as there was no examination in chief beyond the sponsor adopting his witness statement, there was no representative for the respondent to cross examine the sponsor and the Judge himself asked no questions.

The respondent's refusal made no allegation that the application by the appellant was a serious and cynical manipulation of the Immigration Rules for monetary gain, but the First-tier Tribunal made this finding for instance.

8. Some examples of unfair and irrational findings by the First-tier Tribunal, it is argued, are as follows. It is argued that reliance was irrationally placed on the screening interview statement that the sponsor was not married when he corrected this via representations by his solicitors after this interview, and in his full asylum interview, and in circumstances where the error was made plausibly because he was using an interpreter not in his native Fur language over the telephone. Inaccurate objections were raised with respect to the marriage certificate and marriage contract documents beyond the fact that they were issued five years after the marriage, the only issue which concerned the respondent in the reasons for refusal letter. Weight is put on the fact that the sponsor had not talked about contact with the appellant, his wife, at his asylum interview when he was not in fact asked about her at that interview. It is held against the appellant that the sponsor did not mention attacks on the appellant's home in the context of his evidence that she is obviously anxious but does not tell him about the hell she is going through because she does not want to upset him.

9. The First-tier Tribunal secondly errs in law as it makes mistake of facts amounting to errors of law: firstly it is misunderstood that the date of the marriage is August 2015, which is then found to be inconsistent with the sponsor's history, when this is in fact the date of attestation of the marriage and not the date of the marriage. This leads to unwarranted findings of inconsistency with the sponsor's history of his whereabouts. The First-tier Tribunal Judge also errs factually for no reason related to the appellant when finding that the appellant's guardian and the sponsor's father were the witnesses to the wedding, when in fact they were their proxies at the wedding, and this led to a negative finding of inconsistency with the sponsor's statement.

10. Thirdly, it is argued, that the First-tier Tribunal erred in law as it failed to have regard to the fact of the sponsor being a vulnerable witness and the impact that may have had on his accounts, and so failed to follow the guidance in AM (Afghanistan) v SSHD [2017] EWCA Civ 1123 as no proper regard is given to his traumatic past, which is documented in the psychological evidence of Dr Walsh, when considering issues such as consistency in the sponsor's history.

11. Fourthly, it is argued, that the First-tier Tribunal failed to consider relevant evidence of social media contact via WhatsApp calls and made erroneous findings about the ability of the sponsor to write when his mother tongue Fur is not a written language and there was no evidence that he could write in Arabic fluently as found by the First-tier Tribunal simply on the basis that he had received Koranic tuition.

12. In the Rule 24 response the respondent argues, in summary, that the decision of the First-tier Tribunal should be upheld because there are no issues of procedural unfairness: the sponsor was treated as a vulnerable witness, there were no recorded difficulties, there was no application to adjourn, and the sponsor confirmed he understood the interpreter at the time of the appeal. Further adequate reasons were given for the decision that the appellant and sponsor were not married or in a subsisting relationship based on the sponsor not being found to be a credible witness, the marriage certificates not being found to be reliable and there being no evidence of contact or photographic evidence of the relationship.

13. Ms Ahmed continued to maintain that the decision of the First-tier Tribunal did not err in law at the hearing before the Upper Tribunal. We focused on the issue of whether the First-tier Tribunal had made errors of fact amounting to errors of law particularly in relation to the marriage certificate and marriage contract documents and affidavit of marriage. Ms Ahmed argued that there was an inconsistency in the names on these documents but for the reasons we set out below we were not able to agree with this submission.

14. We found that this error was sufficient to be a material error of fact amounting going to one of the central issues in the appeal which was therefore a material error of law which led us to conclude that the decision must be set aside. We also informed the parties that all of the findings of the First-tier Tribunal, bar the one that the delay in the appellant making her application was not to be held against her as affecting the credibility of the application, would be set aside.

15. It was agreed that the remaking of the decision would be in the Upper Tribunal given the remaking would not be very extensive. We agreed that counsel who represented before the First-tier Tribunal (Ms S Nazimi) could provide information to listing and if possible the matter would be relisted at a date she could represent given the vulnerable state of the sponsor.

Conclusions – Error of Law

16. At paragraphs 3 and 4 of the decision of the First-tier Tribunal the issues raised in the refusal of entry clearance are set out. We find that they are as follows:

17. The issues causing the respondent to doubt that the appellant and sponsor were married at the time he was recognised as a refugee: delay in applying for entry clearance as the marriage was said to have taken place in 2015, refugee status and leave to remain was granted to the sponsor in July 2019 and the application was only made in November 2020; the marriage certificate being dated 2020 when the marriage was said to have taken place in 2015, and there being no photographs of the wedding and a lack of witnesses; the fact that the appellant said he was single at his initial asylum screening interview.

18. Lack of evidence of the appellant and sponsor as a couple: no joint photographs and a lack of two way chat in the WhatsApp conversations

19. At paragraph 5 of the decision it is correctly identified that the issues in the appeal when looked at through the lens of the relevant Immigration Rule at paragraph 352A were: (iii) that the relationship/marriage existed before the sponsor fled his former country of habitual residence and (v) that the appellant and sponsor intend to live together permanently in a genuine and subsisting relationship.

20. It is clear from the heading of the decision that the respondent was not represented before the First-tier Tribunal. At paragraphs 48 to 49 of the decision it is clear that the sponsor simply adopted his two statements at the hearing. We find that there was no presenting officer, and so no cross-examination, and no further examination in chief and no questions from the First-tier Tribunal Judge as is reflected in the transcript of that hearing. Having reviewed the transcript in full it is clear that the hearing consisted simply of some issues sorting out the interpreter and other practical matters, the sponsor adopting his statements and the appellant's representative making submissions without any questions to either the sponsor or the appellant's representative in relation to her submissions from the First-tier Tribunal Judge It is also clear that in light of the psychological evidence of Dr Walsh that he was formally treated as a vulnerable witness by the First-tier Tribunal Judge, and again this is reflected in the transcript.

21. At paragraphs 32-33 of the decision the First-tier Tribunal Judge finds that the delay in applying point in relation to the credibility of the application, given issues with Legal Aid and the Covid-19 pandemic, was not one which should have been taken against the appellant. We find that this finding is properly reasoned and was a finding not challenged by either party and so should be preserved.

22. We find that focus on the validity of the marriage certificate was a legitimate issue in the appeal given the reasons for refusal however we find that the First-tier Tribunal Judge fell into error of fact amounting to an error of law when concluding at paragraphs 52 to 56 that the fathers/guardians who were the proxies in the marriage were also the witnesses. The marriage certificate undoubtedly gives names for witnesses (I1 RB Hassan Adam Daoud & Mohamed Abdulkarim Ali) and these names are given consistently in the document of marriage contract at (RB p.139), and indeed the affidavit regarding the marriage at (A123 RB). The marriage contract document also mentions that the appellant and sponsor were represented by their fathers/guardians but does not give their names. There was no rational reason to assume that the proxies at a proxy wedding would also be the witnesses as clearly in a non-proxy wedding they would be different people, and there was no other evidence to support this idea. There was therefore no rational basis to find that there was an inconsistency with the statement of the sponsor that the witnesses were distant relatives, and thus that the sponsor was not a credible witness.

23. We find that it is also the case, as Mr Briddock submitted and is set out in the grounds, that the First-tier Tribunal Judge makes other key factual errors: for instance finding that the marriage history is inconsistent with the sponsor's asylum history at paragraph 57 of the decision, and thus finding the appellant and sponsor not to be credible and the marriage not to be genuine, because the marriage was said to have taken place in August 2015, when the sponsor said he was elsewhere at that point in time, when all of the documentation and statements evidenced that the marriage took place in February 2015, with only the attestation in the marriage certificate being dated August 2015.

24. We also find that the grounds relating to a failure to follow the Surendran guidelines to be made out. Consideration is given in the decision to factors which were not within the scope of the reasons for refusal, and thus not within the scope of the respondent's case for refusal given that the respondent did not attend the hearing. An example being that the First-tier Tribunal put in doubt the fact that the appellant lives in the Kabkabiya UNICEF/UNHCR camp as she had not evidenced this and draws doubt on her connection with the sponsor as a result when this was not an issue raised in the refusal notice. If factors such as this were to be material to the decision-making the First-tier Tribunal Judge needed to raise them at the hearing so the appellant and her representative were on notice as to the need to address them in evidence and submissions as a matter of procedural fairness, particularly as the First-tier Tribunal then goes on to make repeated findings that the sponsor is inconsistent and dishonest (for instance at paragraphs 61 and 63 of the decision) which are in stark contrast to the respondent having found that he had put forward a truthful history of persecution which warranted a grant of refugee status without the need for an appeal.

25. We further find that the First-tier Tribunal Judge makes a number of simply irrational findings. For instance we find the conclusions at paragraph 65 of the decision about the appellant's dress and prayer mat, that she is smartly dressed and has a "rich" prayer mat in the context of the poverty of her camp home, are firstly unjustified as there is no way of knowing if the dress and prayer mat are uncharacteristically fine or costly or standard for this community, and secondly we do not find, whether they are or are not particularly fine, that this could be evidence of a "cynical manipulation" by the appellant and sponsor. We also find that the finding at paragraph 67 of the decision that the application was made for "monetary gain" by the sponsor is completely without any foundation in fact and therefore irrational.

26. We therefore find that the decision of the First-tier Tribunal dismissing the appeal should be set aside, and all of the findings, bar those at paragraphs 32 to 33 of the decision relating to the appellant's delay in applying to join the sponsor not being a factor which is against the appellant's credibility, are also set aside.

Decision:

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

2. We set aside the decision of the First-tier Tribunal

3. We adjourn the remaking hearing.

Directions:

1. Any further evidence from either party must be filed with the Upper Tribunal and served on the other party 10 days prior to the date of the remaking hearing.

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, sponsor or their families. This direction applies to, amongst others, all parties. Any failure to comply with this direction could give rise to contempt of court proceedings. We do so in order to avoid a likelihood of serious harm arising to the appellant, the sponsor and their families as a result of the contents of the sponsor's protection claim.

Fiona Lindsley

Judge of the Upper Tribunal
Immigration and Asylum Chamber

4th April 2023