



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Numbers: AA/03803/2013  
AA/03805/2013  
AA/03806/2013

THE IMMIGRATION ACTS

Heard at Manchester  
On 10<sup>th</sup> December, 2013

Date Sent  
On 5<sup>th</sup> February, 2014

.....

Before

Upper Tribunal Judge Chalkley

Between

MG  
M  
SG

(ANONYMITY DIRECTION MADE)

Appellants

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellants: Mr C Timpson of Counsel, instructed by Amjad Malik Solicitors  
For the Respondent: Mr G Harrison

*The First-tier Tribunal judge having made an anonymity order, I direct that it shall continue.*

## DETERMINATION AND REASONS

1. The appellants are all citizens of Pakistan and are sisters. Their dates of birth are 3<sup>rd</sup> December, 1993; 12<sup>th</sup> December, 1995; and 11<sup>th</sup> February, 1997 respectively.
2. All three appellants left Pakistan in December 2007 with their mother, who claimed asylum on 10<sup>th</sup> December, 2007, with the appellants as her dependent minor children. The respondent refused the appellant's mother's claim for asylum on 19<sup>th</sup> July, 2010.
3. The mother appealed that decision and her appeal was dismissed by a First-tier Tribunal judge sitting at Manchester on 24<sup>th</sup> August, 2010. At that point, the appellant's mother's appeal rights were exhausted. The three appellants then made application for asylum on 11<sup>th</sup> November, 2012.
4. The respondent refused that application and on 8<sup>th</sup> April, 2013, gave directions for their removal from the United Kingdom. The appellants all appealed and their appeal was heard by First-tier Tribunal Judge Lever in Manchester on 5<sup>th</sup> June, 2013.
5. First-tier Tribunal Judge Lever dismissed their appeal on asylum grounds, dismissed their appeal on humanitarian protection grounds and dismissed their human rights appeals. An anonymity direction having previously been made, it was retained by First-tier Tribunal Judge Lever.
6. The appellants challenge the decision of the First-tier Tribunal and at a hearing before me on 2<sup>nd</sup> October, 2013, when Mr Timpson appeared on behalf of the appellants and Mr Harrison again appeared on behalf of the respondent, Counsel submitted that the First-tier Tribunal judge had erred by seeking to apply *Secretary of State for the Home Department v D (Tamil)* [2002] UKIAT 00702\* (formerly known as *Devaseelan*), because the appellants' mother's asylum claim had been dismissed and that claim was based on the same facts. That, suggested Counsel, was wrong.
7. For the respondent Mr Harrison urged me to find that the representative who appeared before the First-tier Tribunal judge on behalf of the appellants had actually agreed with the judge's approach in relying on and applying *D*. He told me that the appellant's claims and their mother's claims were the same.
8. I set aside the determination. Nothing in the decision in *D* means that because one appellant has been found not to be credible, a second appellant making a similar claim based on their shared experiences cannot be credible. The evidence in the two appeals is **not** the same. In these appellants' appeals, all three appellants gave oral evidence and their evidence should have been carefully considered. The judge erred in failing to consider their evidence because it was, as he put it, "*entirely in line with the evidence that had been presented by the mother*". The fact that Counsel may have agreed with the judge's approach is, with very great respect, immaterial. Counsel are, occasionally, liable to make mistakes. No findings were preserved.

### **Adjourned hearing before me on 10<sup>th</sup> December, 2013**

9. Mr Timpson again appeared to represent the appellants and Mr Harrison to represent the respondent.
10. Counsel told me that he would like to call the first appellant.

### **Oral evidence of MG**

11. MG was called and told me that she had read a statement made for her by her solicitors in English. She told me that she understood English and that she understood the statement. She confirmed her full names, her date of birth, her address and nationality.
12. Counsel referred her to her statement and she identified her signature at the end of it. She again confirmed that she had read and understood it and told me that it had actually been read back to her in Urdu. She told me that it was true and accurate and that she wished to adopt it as part of her evidence.
13. Counsel indicated to me that he did not wish to ask any further questions. He suggested that while all three appellants had made an asylum claim to the respondent, they were actually relying on their Article 8 human rights appeal, but he was not instructed to withdraw their asylum appeals.

### **Cross-examination**

14. Mr Harrison referred the appellant to paragraph 16 of her statement and told me that after suffering an injury she was treated at home. Her toenail fell off. She was referred to paragraph 20 and agreed that her mother had told her that she had to get out of the marriage.
15. For completeness, the witness statement of MG is reproduced in part 1 of the Appendix to this determination.

### **Oral evidence of SG**

16. I then heard oral evidence from SG. She identified her signature at page 20 of the appellant's bundle. She confirmed that it was read to her in Urdu and that she has read it in English since. She is studying English AS level and has English GCSE. Everything in the statement is true and accurate.

### **Cross-examination**

17. In answer to questions put to the appellant by Mr Harrison, she confirmed that she moved into her uncle's home which was a few streets away from her own home. She

remained there for over two years and, during that time, she never saw her father. She did not attend school during that period and only ever went out of the house occasionally.

### **Questions put by me in order to clarify her evidence**

18. The witness agreed that she had never at any stage gone to school because her father never allowed her to go to school. When she lived at the home with her father she was not allowed to attend school and when she was living at her uncle's she did not attend school because she was frightened that her father would see her, take her home and beat her.

### **Re-examination**

19. The witness confirmed that she remained afraid of her father even when she lived with her uncle.
20. For completeness a copy of the witness statement of SG is reproduced at part 2 of the Appendix to this determination.

### **Oral evidence of M**

21. The witness identified her signature at the end of page 24 of the bundle and told me that her statement was true and accurate and that she had read it. She also confirmed that it had been read to her in Urdu before she signed it and that she had GCSE English and was able to read English. She again confirmed that the statement was true and accurate.

### **Cross-examination**

22. The witness confirmed to Mr Harrison that she left Pakistan with her mother and two sisters. Her uncle helped them to leave. She has not spoken to him since and does not know where he is. She does not know where her brother is and does not really remember him.

### **Oral evidence of Julie Collins**

23. I then heard oral evidence from Julie Collins, who had written a letter which was reproduced at page 60 of the appellant's bundle. She confirmed that the letter was true and accurate.

### **Cross-examination**

24. The witness said that she had known the family since they had arrived in her town three or four years ago. She had attended their mother's appeal hearing. She was aware that the judge had found that the mother was not to be believed. She told me

that she had supported the appellants. She has a particular interest in safeguarding children and had previously worked as a teacher. Over the years she has watched the girls develop and has nothing but the greatest respect for the way they have coped both at school and now at college. They have matured and changed dramatically. The girls have also helped at the charity at which Ms Collins is the chair. They are part of the volunteers. They have good relations with their neighbours.

### **Submissions**

25. Mr Harrison told me that he relied on the reasons for refusal letter and pointed out to me that the oral evidence today was based entirely on Article 8 private life. The first appellant, MG, is over the age of 18. If I were to find that she had no ties (including social, cultural or family) with Pakistan then it would be possible for me to allow her appeal under the Immigration Rules.
26. Mr Timpson accepted that the appellant MG did have family members in Pakistan but suggested that she had no ties. He asked that further evidence should be given by her in relation to her ties with Pakistan in the light of what Mr Harrison had submitted.

### **Further oral evidence of MG**

27. The witness MG was recalled. She told me in answer to questions put to her by her Counsel that she did have family members in Pakistan. Her father, her brother and her older sister all live in Pakistan together with her uncle. However, since coming to the United Kingdom she has had no contact with her father or uncle. Her brother is now aged 22 and she last had contact with him some eight or nine years ago before she came to the United Kingdom. She does not know where he is. Neither does she know where her uncle is now or where her sister is. She last had contact with her uncle before she came to the United Kingdom. She has not heard from her sister since being in the UK.

### **Further cross-examination**

28. The witness explained that since she had come to the United Kingdom she tries to avoid having contact with people she knows who are from Pakistan. She has no friends in Pakistan and does not now have any contact with anybody in Pakistan since she came to the United Kingdom. She said that she does not read books relating to Pakistan or Pakistani culture because of what happened to her.

### **Questions put by me in order to clarify her evidence**

29. The witness confirmed that at home she and her sister speak Punjabi but she said that they had always spoken Punjabi to her mother and sisters and simply continued to do so.

## **Submissions**

30. I invited Mr Harrison to make any further submissions he wished to.
31. He told me that the appellant MG has demonstrated that she does not immerse herself in Pakistani culture or eat with and befriend people of Pakistani origin in the United Kingdom.
32. With typical frankness and fairness, Mr Harrison told me that it would be difficult for him to argue that MG did not meet the requirements of paragraph 276ADE(1)(vi), but that he could not concede the appeal.
33. At that stage both representatives told me that they were agreed that in the event that MG was found to qualify for recognition as a refugee under paragraph 276ADE(1)(vi) of the Statement of Changes in Immigration Rules HC 395, as amended, then, under Section 55 of the UK Borders Act it would be necessary to allow the appeals of SG and M, because the three appellants together form a close family unit with a shared history, each drawing support from the family unit and cannot be separated.
34. Mr Harrison made it clear that he was not conceding the appeals but in relation to MG he was in some difficulty arguing that she did not meet the requirements of paragraph 276ADE.

## **Determination**

35. It is unfortunate that the solicitors taking the appellants' witness statements did not prepare them with greater care. Unfortunately, large amounts of all three witness statements depend to some extent on what the author has been told by her mother. There seems little doubt that the appellant's father did impose a harsh regime at home and only rarely allowed his daughters outside. I accept that he forbade them from attending school, as a result of which it was not until after they had arrived in the United Kingdom that they received any formal education, although they did receive some from a friend of their mothers who taught them in secret. Each of the children appears to have suffered regular beatings and appeared to have witnessed arguments between their parents as a result of which her mother was assaulted. I accept that for the last two years and three months of their time in Pakistan they lived with their uncle in his house in the same village, but that they remained indoors fearing their father would take them home and beat them.
36. The appellants also lived with their mother who appears to have done nothing to see protection from the authorities in Pakistan.
37. The appellants' mother did not give any evidence on behalf of the appellants, and the appellants' bundle contains no objective material relating to Pakistan. However, Mr

Timpson did not address me in respect of the appellants' asylum claims, but given what the Tribunal said in *AA and Others (domestic violence – risk on return) Pakistan CG* [2010] UKUT 216 (IAC), particularly at paragraphs 193, 194 and 196, I am not prepared to accept, in the absence of any submissions or evidence on the point, that Pakistani authorities are necessarily unwilling or unable to ensure that children who are the subject of physical abuse from their fathers would not be protected

38. Neither was it argued before me that the question of internal relocation would not be available to the children. They live with their mother who decided to remove them from Pakistan and bring them to the United Kingdom, several thousand miles away to a strange country. I have heard no argument or evidence which would suggest that the appellants' mother could not alternatively have relocated with the children within Pakistan. There is no evidence to suggest that it would have been unreasonable to expect the appellants and their mother to relocate.
39. I have concluded, therefore, that there is no **real risk** that the appellants' removal from the United Kingdom to Pakistan would result in the United Kingdom being in breach of its obligations under the Refugee Convention. For the same reasons I find that the appellants are not entitled to humanitarian protection.

#### Article 8

40. Paragraph 276ADE provides as follows:-

“276ADE (1) The requirements to be met by an applicant for leave to remain on the grounds of private life in the UK are that at the date of application, the applicant:

- (i) does not fall for refusal under any of the grounds in Section S-LTR 1.2 to S-LTR 2.3. and S-LTR.3.1. in Appendix FM; and
- (ii) has made a valid application for leave to remain on the grounds of private life in the UK; and
- (iii) has lived continuously in the UK for at least 20 years (discounting any period of imprisonment); or
- (iv) is under the age of 18 years and has lived continuously in the UK for at least 7 years (discounting any period of imprisonment) and it would not be reasonable to expect the applicant to leave the UK; or
- (v) is aged 18 years or above and under 25 years and has spent at least half of his life living continuously in the UK (discounting any period of imprisonment); or

(vi) subject to sub-paragraph (2), is aged 18 years or above, has lived continuously in the UK for less than 20 years (discounting any period of imprisonment) but has no ties (including social, cultural or family) with the country to which he would have to go if required to leave the UK.

276ADE (2) Sub-paragraph (1)(vi) does not apply, and may not be relied upon, in circumstances in which it is proposed to return a person to a third country pursuant to Schedule 3 to the Asylum and Immigration (Treatment of Claimants, etc) Act 2004.”

41. In respect of the appellant MG, I find as a fact that since her arrival in the United Kingdom she has avoided contact with people who have a Pakistani background. I find that she has no friends in Pakistan and has no contact with anybody in that country. She told me that she does not read books relating to Pakistan or read anything to do with Pakistani culture. Not unnaturally, to do so causes her to be upset. I find that she has not had contact with her father or her uncle since coming to the United Kingdom. She last had contact with her older brother some eight or nine years ago before she came to the United Kingdom and has no contact with him and does not know where he is. She now no longer knows where her uncle is or where her sister is. She has not heard from her older sister since she came to the United Kingdom.
42. The appellant does speak Punjabi with her sisters and her mother at home because she has always spoken in Punjabi to her sisters and to her mother and they have always spoken in Punjabi to her.
43. Bearing in mind the advice given by the Tribunal at paragraphs 123 and 124 of *Ogundimu (Article 8 – new Rules) Nigeria* [2013] UKUT 00060 (IAC). I have concluded that the appellant MG has no ties (including social, cultural or family) with Pakistan. As with the appellant in *Ogundimu*, she is now a stranger to the country, its people and way of life.
44. MG is 20 years of age. I have concluded that she does qualify for recognition as a refugee under paragraph 276ADE(1)(vi) of the Immigration Rules. I allow her appeal under the Immigration Rules.
45. The second and third appellants are under the age of 18 years. They do not qualify for recognition as refugees under the Immigration Rules. I therefore consider their appeals under normal Article 8 jurisprudence.

### **The Law**

46. Article 8 of the European Convention for the Protection of Human Rights and Fundamental Freedoms provides for respect for a person’s private and family life, their home and correspondence. The appellant has to show that the subject matter of



the Article 8 subsists and that the decision of the respondent will interfere with it. If he does so, it is for the respondent to show that the decision is in accordance with the law, that it is one of the legitimate purposes set out in Article 8(2) in this case for the economic well-being of the country, for the prevention of disorder or crime and for the protection of the rights and freedoms of others, and that it is necessary in a democratic society, which means that it must be proportionate.

47. At paragraph 17 of Razgar v Secretary of State for the Home Department [2004] UKHL 27, Lord Bingham of Cornhill said this:

“17. In considering whether a challenge to the Secretary of State's decision to remove a person must clearly fail, the reviewing court must, as it seems to me, consider how an appeal would be likely to fare before an adjudicator, as the tribunal responsible for deciding the appeal if there were an appeal. This means that the reviewing court must ask itself essentially the questions which would have to be answered by an adjudicator. In a case where removal is resisted in reliance on article 8, these questions are likely to be:

- (1) Will the proposed removal be an interference by a public authority with the exercise of the applicant's right to respect for his private or (as the case may be) family life?
- (2) If so, will such interference have consequences of such gravity as potentially to engage the operation of article 8?
- (3) If so, is such interference in accordance with the law?
- (4) If so, is such interference necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others?
- (5) If so, is such interference proportionate to the legitimate public end sought to be achieved?”

48. I am satisfied that the appellants M and SG do enjoy a family life with each other and with their sister MG and with their mother. I am also satisfied that they each enjoy a private life in the United Kingdom. The respondent's decision will have consequences of such gravity as to potentially engage the operation of Article 8, the threshold for which is not especially high (see paragraph 28 of the judgment of Sedley LJ in *AG (Eritrea) v Secretary of State for the Home Department* [2007] EWCA Civ.

49. I remind myself that the appellants are still children.

50. The interference is in accordance with the law and is necessary in a democratic society for the economic wellbeing of the country, for the prevention of disorder or crime and for the protection of the rights and freedoms of others. The question is whether or not such interference is proportionate.

51. Not only do I have to bear in mind that it is necessary to look at the family as a whole (see *Beoku-Betts v Secretary of State for the Home Department* [2008] UKHL 37) but I must, of course, bear in mind in considering each of these appellants' Article 8 appeals that they are both minors and that I must have regard to the best interests of the children. In doing so, I bear in mind paragraph 29 of the opinion in *ZH (Tanzania)* [2011] UKSC 4. There are no considerations inherently more significant than the interests of children.
52. I have allowed the appeal on MG under the Immigration Rules. I am satisfied that each of these appellants form part of a family unit with a shared history of abuse at the hands of their family and that each of them have drawn support from the family unit. I am satisfied that it cannot be said to be in the best interests of these two appellants for them to be separated from MG.
53. Both appellants have, like their older sister, taken serious steps towards their integration and assimilation of both British culture and its way of life. They have made remarkable progress in their education, bearing in mind that during the early part of their life they did not attend any formal schooling. I do not believe that these appellants could or should be separated from their sister MG and find that it would be wholly disproportionate for the Secretary of State to do so.

Upper Tribunal Judge Chalkley

**THE APPENDIX  
ABOVE REFERRED TO.**

**PART 1**

Appeal No's: AA/03803/2013; AA/03805/2013; AA/03806/2013  
Home Office Ref: G1196312

UPPER TRIBUNAL IN THE IMMIGRATION AND ASYLUM CHAMBER  
IN THE MATTER OF THE IMMIGRATION APPEAL

*APPELLANTS*

v

SECRETARY OF STATE FOR THE HOME DEPARTMENT

*RESPONDENT*

STATEMENT OF M

**MG**

I M G [REDACTED] make this statement in support of my appeal hearing on Tuesday, 10 December 2013, at the Immigration and Asylum Chamber, Upper-tier Tribunal, Manchester and say as follows;

1. I confirm that I was born on 03 December 1993 in [REDACTED] Pakistan.
2. I confirm that in Pakistan, initially my family consisted of my father [REDACTED] Pakistani, my mother [REDACTED] Pakistani, an elder sister [REDACTED] Pakistani and older brother [REDACTED] Pakistani, and my two younger sisters [REDACTED] Pakistani, and [REDACTED] Pakistani.
3. I confirm that I make this statement as the eldest of the remaining siblings, on behalf of a family which was destroyed as victims and witnesses to cruelty from our own father.

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4. I confirm that as is the cultural norm in Pakistan, on 03 July 1980 my mother was forced to marry my father who is her distant cousin against her will by her family.
5. I confirm that my father is an alcoholic and a drug addict and if he had any money his first priority was to buy drugs and alcohol.
6. I confirm that since I was a child I can remember my father beating my mother, me and my siblings up. He abused us just to ease his own anger. As a young girl I never, ever felt that I even had a father. Fathers are supposed to be kind, caring and protect their children from coming into harm's way. We still suffer emotionally due to the abuse we suffered at the hands of our father.
7. I confirm that I remember my father being under the influence of drugs and alcohol. He beat my mother and forced her to sleep with other men for money. My father always told us that his goal was to raise us so that when we were old enough, he could sell us to earn money for himself.
8. I confirm that in Pakistan our cultural upbringing was that the 'men' usually the father or oldest brother, are heads of the family, his word is taken to be an order, and he is the all powerful figure in the family, requiring the wife and children to be totally obedient towards him.
9. I confirm that my mother put up with my father and his violent behavior and abuse for many years as she had no one to turn to seek help from or no shelter to go to where she could keep her children safe and away from the abusive behavior of my father.

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10. I confirm that my father allowed me or my siblings to go out of the house very rarely. We only went out of the house when our father was out and we just played with our friends who lived on the same street. We were forbidden from attending school to gain an education. Whatever little education we did learn was because our mother's friend taught us in secret.
11. I confirm that in my house, the daily routine was that as soon as my father came home after an evening out everyone wanted to be away from him as he always angry. My mother would take us all in a room and lock the door. I could hear him shouting and swearing, saying erratic and angry things. Although I was young, I understood that my mother was taking these actions to keep us safe.
12. I confirm that on one occasion my sister [REDACTED] aged just seven at the time was riding her bicycle outside of my uncle's house. My father saw her and pushed her so hard that she fell and broke her arm.
13. I confirm that my mother used to beg my father not to beat her or us. He simply swore and continued beating us. He did not even have mercy on [REDACTED] who was around three or four years old at the time. I always try to forget my memories of those horrible events of my childhood. Something I can never forget is how little our father cared about us.
14. I confirm that another memory I have of my father is that he constantly threatened us that one day he would douse us with oil, lock us in the kitchen and set us all on fire.
15. I confirm that on another occasion when I was seven or eight years of age. I asked my father a question. He became angry at me. He ran after me and slammed my fingers in a door, causing injuries to my fingers. I did not receive any medical treatment.

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27. I confirm that in November 2007, my mother told me and my younger sisters that we were going to the UK with my uncle's help. We left my uncle's house and stayed for about a month with an agent who took our photographs and prepared our documents. I thought that my elder siblings would be coming with us as well, but learned that it would only be my younger sisters, my mother, and I. My uncle made it clear that the situation had grown too dangerous and that he was no longer willing to protect us.
28. I confirm that I entered the UK with my mother and two sisters [REDACTED] and [REDACTED] on 07 December 2007.
29. I confirm that my mother is no longer worried about her own life anymore; she has had such a terrible life all ready, all she wishes now is to give us a chance to a new and happier life, where we are safe from harm and abuse. Free to live our lives freely.
30. I confirm that in the troubles of running away and freeing ourselves from the abusive behavior of my father, my mother was forced to leave two children behind with the father as they were caught, she has always regretted this and her only forgiveness is to ensure we can become successful individuals to some respect.
31. I can confirm I have become constantly depressed from the violation of my childhood, all the violent and abusive torture we were made to endure has definitely scarred me emotionally. I regularly have nightmares of one day being returned to my father, I would prefer to kill myself before meeting my father again.
32. I confirm that my mother informed me that my elder sister [REDACTED] was abused by my father. He forced her to sleep with other men for money. My father then married my sister off to an old man who paid my father.

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33. I confirm that our only great witness is God, and God knows what has happened to us, our life stories, our life's incidents have been more than just domestic violence. We have all been close to death on many occasions due to the severe and lengthy beatings and torture from our father.
34. I confirm that I and my sisters want to make my mother's dream of seeing us doing well and becoming upstanding members of British society become true. She has experienced much trauma in her life. It is time she is able to look at us and our achievements and smile again. We were all very distraught at the refusal from the Home Office and the Tribunal Judge. It has put my sisters in to more of a shell, the thought that there is no one to help us.
35. I confirm that I and my sisters are the real substantial evidence in my mother's case, just as she is the unfortunate witness of all our dark days; this provides substantial grounds to show that me, my sisters and especially my mother would be at real risk of suffering serious harm in ██████████ Pakistan. We do not any evidence which confirm for us that we are victims of shocking cruelty.
36. I confirm that I entered the UK in 2007, when I was 15 years of age. Initially with the help of the authorities I began my education at ██████████ despite the fact that I joined very late, my GCSE grades were an A\* in Urdu, C in Information Technology, a D in maths, E in English and an E in Art.
37. I then enrolled at ██████████ to study on an Accountancy course. I am currently in my fourth year of study. Once I have completed my education I wish to work as an accountant.

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38. I confirm that during my stay here in the UK, I have become accustomed to the British way of life.
39. I confirm that I have formed friendships through school, college, and through social interaction within our local community. I confirm that I am able to do things here in the UK which people take for granted. The British society is just and fair and allows you to live your life as you wish within the law.
40. I confirm that I would love if we were granted the opportunity to be able to live our lives as normal people. I would love for my sisters to be able to spend the rest of their childhood without the fear of our past. We can never forget our history, this was our destiny and we accept all that we suffered.
41. I confirm that my mother sacrificed her marriage, her family and friends in her community. A lifestyle in Pakistan to which she had become accustomed. My mother risked and sacrificed her life to give me and my sisters the chance to a better lifestyle.
42. I confirm that I have provided this statement to give you an insight into what life was like for me, my sisters and my mother and what we have been through whilst living with my father in Pakistan. I kindly request the immigration judge to consider our case with compassion so that we may be given a chance to rebuild our lives.
43. I confirm that I and my sisters have vowed to one another to work hard and make our mother proud, she has made so many sacrifices for us and we wish to repay her loyalty and sacrifice as well as establishing decent lifestyles for ourselves.

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44. I confirm that I will not go back to my father or even risk the chance of him being close to me ever again. We have no one left in Pakistan, we only have each other and we are happy and feel protected by the UK police and security system, with contrast to Pakistan's protection for its citizens, the UK is the only place left for us to settle in hope for a decent and peaceful future. I fear that if we are forced to return to Pakistan that our father will kill us because we have dishonored him.

45. I request the respectable immigration judge to allow my and sisters' appeals so that the Home Office may grant us leave to remain in the UK.

The facts stated in this statement are true to the best of my knowledge, belief and recollection and I confirm that I have understood the contents of it before signing it.

SIGNED: \_\_\_\_\_

(NAME) \_\_\_\_\_

DATE: 4/22/2013

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## PART 2

Appeal No's: AA/03803/2013; AA/03805/2013; AA/03806/2013  
Home Office Ref: G1196312

UPPER TRIBUNAL IN THE IMMIGRATION AND ASYLUM CHAMBER  
IN THE MATTER OF THE IMMIGRATION APPEAL

[REDACTED]  
[REDACTED]  
[REDACTED]

APPELLANTS

v

SECRETARY OF STATE FOR THE HOME DEPARTMENT

RESPONDENT

STATEMENT OF [REDACTED]

SG

I, [REDACTED] resident of [REDACTED] make this statement in support of my appeal hearing on Tuesday, 10 December 2013, at the Immigration and Asylum Chamber, Upper-tier Tribunal, Manchester and say as follows:

1. I confirm that I was born on 12 December 1995 in [REDACTED] Pakistan.
2. I confirm that in Pakistan, initially my family consisted of my father [REDACTED] Pakistani, [REDACTED] Pakistani, an elder sister [REDACTED] Pakistani and older brother [REDACTED] Pakistani, my second elder sister [REDACTED] Pakistani, and my younger sister [REDACTED] Pakistani.

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3. I confirm that as is the cultural norm in Pakistan, on 03 July 1980 my mother was forced to marry my father who is her distant cousin against her will by her family.
4. I confirm that my father is an alcoholic and a drug addict and if he had any money his first priority was to buy drugs and alcohol.
5. I confirm that since I was a child I can remember my father beating my mother, me and my siblings up. He abused us just to ease his own anger.
6. I confirm that my mother put up with my father and his violent behavior and abuse for many years as she had no one to turn to seek help from or no shelter to go to where she could keep her children safe and away from the abusive behavior of my father.
7. I confirm that my father allowed me or my siblings to go out of the house very rarely. We only left the house when my father was out of the house, and we played on our street with our friends. We were forbidden from attending school to gain an education. Whatever little education we did learn was because our mother's friend taught us in secret.
8. I confirm that one of the worst instances of abuse I experienced was when I was three or four years of age. My father hit me very hard in the head with a piece of wood. My injury required stitches.
9. I confirm that in my house, the daily routine was that as soon as my father came home after an evening out everyone wanted to be away from him as he was always angry. My mother would take us all in a room and lock the door. I could hear him shouting and swearing, saying erratic and angry things.

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10. I confirm that my mother used to beg my father not to beat her or us. He simply swore and continued beating us. I confirm that my mother got the worse of the beatings.
11. I confirm that when I was around ten years of age, my mother was beaten very badly by my father. I recall that she was bleeding from her face. She made the decision to sneak out of the house that during the day and bring me and my sisters [REDACTED] and [REDACTED] to my uncle's house. My uncle lived in the same village, so his house was not so far away.
12. I confirm that whilst living with my uncle, my sisters, mother, and I stayed indoors as much as possible. My father soon figured out that we were staying there. He began coming outside of the house and regularly shouting for us to come out. He often did this when my uncle was away working. I expect he was watching the house to keep track of my uncle's movements. When my father came to the gate of the house he screamed that he would kill all of us. We felt very frightened because we took this threat seriously.
13. I confirm that [REDACTED] who was aged 7 at the time was playing outside of my uncle's house on her bicycle when my father saw her. He pushed her so hard that she fell and broke her arm. This incident left us all very scared, including my uncle because he also had a daughter who was very young.
14. I confirm that finally after two years and three months, my uncle said that he could no longer protect us from my father. My uncle arranged for my mother, two sisters, and me to travel to the UK. He said that we needed to be safe from my father, so we had to go far away.

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15. I fear that if we are returned to Pakistan, my mother, sisters, and I would be vulnerable and unable to support ourselves. If we went anywhere near our home village my father would surely find us, and he would then assault or kill us. I also fear that he would force me to marry one of his friends, as he has threatened this in the past. We would not be able to expect assistance or protection from the police.
16. I confirm that we would not be able to move to another area within Pakistan. I believe that my father would be able to locate us. Even if he did not, my mother is sick and would not be able to find the sort of job that would support us. In Pakistani society, my sisters and I would not be able to find decent work to support ourselves. We would instead be vulnerable to abuse and exploitation.
17. I confirm that since entering the UK in 2007, I was [redacted] years old at the time. With the assistance of the authorities I began studying at [redacted] then I transferred to [redacted]. I knew that this was my chance to gain an education and make something of my life. I gave it my all, despite all the obstacles I achieved an A in maths, A in Graphics, B in French, C in English Language & Literature, C in Art & Design, Pass in Science, Merit in Information Communications Technology and C in Citizenship and Religious Studies.
18. I then furthered my studies, I enrolled at [redacted] in 2012, I achieved a pass mark of A in Art & Design, B in Information Communications Technology and a C in English Language at AS level, and I am currently participating in my second year which at the college which began in September 2013.
19. I confirm that once I have completed my education at college, I wish to apply to University to complete a Degree in Web Design and Development.

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20. I confirm that I wish to remain living here in the UK with my family, a just and fair nation. We will be provided with protection and help from the authorities, and be as far away as possible from the lives we lived and especially from my father in Pakistan.
21. I confirm that I came as a young girl to the UK, although I am still young now, I have grown up in my most formative years in the UK, I have made friends through high school, college and social interaction.
22. I confirm that I have formed emotional bonds and attachments with my friends here in the UK. I confirm that I rely on my friends for support. I interact regularly with them.
23. I confirm that my sisters and I were given the opportunity to educate ourselves, which my father forbid. For this we are grateful.
24. I confirm that circumstances of the case of [REDACTED] are not uncommon in Pakistan, her issue was highlighted, but there are many others like my sisters and I who are forbidden from educating ourselves.
25. I confirm that I have become accustomed to the British way of life, and with people in my community.
26. I confirm that my family has suffered terribly at the hands of my father, we were young yet the abuse we suffered still effects the people we are today. I still recall the abuse. This is something that will affect me for the rest of my life.

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27. I confirm that my mother made many sacrifices and went through extreme hardship to finally get us away from our father and to the UK, where we have the opportunity to come out of poverty and deprivation and become upstanding members of society. To achieve our collective dreams and that to put a smile on our mothers face. To make her sacrifices worthwhile.

28. I respectfully request the immigration judge to consider our case with compassion so that we may be given a chance to rebuild our lives.

The facts stated in this statement are true to the best of my knowledge, belief and recollection and I confirm that I have understood the contents of it before signing it.

SIGNED: \_\_\_\_\_

(NAME) \_\_\_\_\_

DATE: 4/12/2013

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# PART 3

Appeal No's: AA/03803/2013; AA/03805/2013; AA/03806/2013  
Home Office Ref: G1196312

## UPPER TRIBUNAL IN THE IMMIGRATION AND ASYLUM CHAMBER IN THE MATTER OF THE IMMIGRATION APPEAL

[REDACTED]  
[REDACTED]  
[REDACTED]

APPELLANTS

v

SECRETARY OF STATE FOR THE HOME DEPARTMENT

RESPONDENT

STATEMENT OF

[REDACTED] M

I, [REDACTED] make this statement in support of my appeal hearing on Tuesday, 10 December 2013, at the Immigration and Asylum Chamber, Upper-tier Tribunal, Manchester and say as follows;

1. I confirm that I was born on 10 February 1997 in [REDACTED] Pakistan.
2. I confirm that in Pakistan, initially my family consisted of my father [REDACTED] Pakistani, my mother [REDACTED] an elder sister [REDACTED] Pakistani and older brother [REDACTED] Pakistani, second eldest sister [REDACTED], and third eldest sister [REDACTED] Pakistani.

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3. I confirm that I was ten years of age when my mother escaped Pakistan with me. Although I was young I understood that we were afraid of my father, who was not a good man.
4. I recall that my father regularly hit me, my siblings, and my mother with sticks. Recall that he was always angry. I remember being frightened because I could not understand why he was so angry, what might have done wrong. I could never predict how he would behave.
5. I confirm that my father would often say "if you don't listen to me, I will hit you and kill you.". I believed him. I thought he would actually kill me one day.
6. One of the worse instances of abuse I experienced was when I was around seven years of age. I was riding on my bicycle and my father knocked me off. I broke my forearm as a result.
7. I confirm that my mother eventually found our father's abuse unbearable and took me and my sisters M [redacted] and S [redacted] to live at my uncle's house when I was about eight years of age. We felt safer at my uncle's house, but still my father came outside of the house and shouted angrily at us, saying we ought to come home. I was glad that my mother did not take us home instead let us stay at our uncle's home.
8. I confirm that eventually my uncle helped us to arrange to travel to the UK. He said that he could no longer protect us. My mother said we would be safe from my father in the UK, and that I would be able to go to school.

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9. I confirm that since we entered the UK in 2007 we have been safe from the abuse of our father.
10. I further confirm that I was only 10 years old when I entered the UK. I have entered in to education at an early stage. I enrolled at Sand Brook primary school in Rochdale.
11. I further confirm that I enrolled at [REDACTED], after five years of study I gained 8 GCSEs.
12. I further confirm that I enrolled at [REDACTED] where am I currently studying on a Travel and Tourism course.
13. I confirm that I was brought to the UK at a very young age. I confirm that I have grown up in the UK in my most formative years. I have formed friendships from High School to College.
14. I confirm that I have become accustomed to the British way of life. I confirm that I no longer have any ties left in Pakistan.
15. I confirm that I wish to remain living here in the UK, where all three sisters can make our mother proud and be upstanding members of society.
16. I respectfully request the immigration judge to consider our case with compassion so that we may be given a chance to rebuild our lives.

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