



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

Appeal Number: PA/09036/2017

THE IMMIGRATION ACTS

**Heard at Liverpool
On 13 March 2018**

**Decision promulgated
On 15 March 2018**

Before

UPPER TRIBUNAL JUDGE HANSON

Between

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

**NAGMA [I]
(Anonymity direction not made)**

Respondent

Representation:

For the Appellant: Mr Harrison Senior Home Office Presenting Officer
For the Respondent: Mr Karnik, Counsel.

ERROR OF LAW FINDING AND REASONS

1. This is an appeal by the Secretary of State against a determination of First-tier Tribunal Judge Williams, promulgated on 16 November 2017 following a hearing at Manchester, in which the Judge allowed the appellant's protection appeal.
2. The appellant is a citizen of Tanzania born on [] 1990.
3. The Secretary of States sought permission to appeal asserting the Judge failed to give adequate reasons for his finding the appellant will

be unable to relocate within Tanzania, failed to reason why the appellant and her former boyfriend had stopped communicating or to explore whether contact could be resumed, failed to consider how the appellant will be located if she went to another area of Tanzania, and found relocation would be unreasonable based solely on economic factors which were insufficient to meet the test required under the Refugee Convention and render the conclusion misdirected.

4. This is a carefully written decision in which the Judge considered the evidence with the required degree of anxious scrutiny and has given adequate reasons in support of the findings made. The Judge found the appellant to be credible having balanced points for and against her, found it reasonably likely the appellant had abandoned Islam to follow Christianity, as claimed, found that the appellant provided a credible explanation for the delay in leaving Tanzania, and was satisfied the appellant is a national of Tanzania from a strict Muslim background who had an unhappy arranged marriage, formed a new relationship, and following conversion to Christianity ultimately received death threats from her family supported by her ex-husband; as a result of which she left Tanzania. The Judge found that on return to Tanzania the appellant will face persecution from the family or her ex-husband due to her conversion. The Judge considered internal relocation/sufficiency protection at [34 - 39] but did not find it would be reasonable for the appellant to internally relocate or that she would be able to access a sufficiency protection on return to Tanzania. The Judge notes country information in support of his fact-finding; including that cultural, family, and social pressures often prevent women from reporting abuse, including rape and domestic violence, and authorities rarely prosecuted persons who abused women. Persons close to the victims, such as relatives and family, were most likely to be the perpetrators. Many who appeared in courts were set free because of corruption in the judicial system, lack of evidence, improper investigations, and poor evidence preservation.
5. The Court of Appeal have made it clear that this Tribunal should not interfere in the findings of the First-tier Tribunal unless there is good reason to do so by it being established the earlier tribunal has erred in law in a manner material to the decision under challenge. It has not been made out that the Judge has inadequately reasoned the findings made or that the overall finding, in the appeal being allowed and it being concluded the appellant is entitled to a grant of international protection, is outside the range of findings reasonably open to the Judge on the evidence.
6. It does not matter whether another judge would have made this finding or whether the respondent likes the finding. Applying the appropriate legal test, the respondent has failed to make out legal error material to the decision that warrants this tribunal interfering with the decision.

Decision

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

Anonymity.

8. The First-tier Tribunal did not make an order pursuant to rule 45(4)(i) of the Asylum and Immigration Tribunal (Procedure) Rules 2005.

I make no such order pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008.

Signed.....
Upper Tribunal Hanson

Dated the 13 March 2018