Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: PA/02412/2020 (V)

THE IMMIGRATION ACTS

Heard at a remote hearing	**Decision & Reasons Promulgated**
On the 27 August 2021	**On the 07 October 2021**

Before

UPPER TRIBUNAL JUDGE REEDS

Between

H B
(ANONYMITY DIRECTION MADE)

Appellant

AND

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:
For the Appellant: Mr Howard, instructed on behalf of the appellant.
For the Respondent: Mr McVeety, Senior Presenting Officer

DECISION AND REASONS

Introduction:

1. The appellant, a citizen of Morocco, appeals with permission against the decision of the First-tier Tribunal (Judge Gribble) (hereinafter referred to as the "FtTJ") who dismissed her protection and human rights appeal in a decision promulgated on the 7 January 2021.

2. I make a direction regarding anonymity under Rule 14 of the Tribunal Procedure (Upper Tribunal Rules) Rules 2008. The proceedings concern a protection claim. Unless and until a Tribunal or court directs otherwise the appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify her or her family members. This direction applies both to the appellant and to the respondent. Failure to comply with this direction could lead to contempt of court proceedings.

3. The hearing took place on 27 August 2021, by means of *Microsoft teams* which has been consented to and not objected to by the parties. A face-to-face hearing was not held because it was not practicable, and both parties agreed that all issues could be determined in a remote hearing. The advocates attended remotely. There were no real issues regarding sound, and no technical problems were encountered during the hearing, and I am satisfied both advocates were able to make their respective cases by the chosen means.

Background:

4. The history of the appellant is set out in the decision of the FtTJ, the decision letter and the evidence contained in the bundle. The appellant and her family members are nationals of Morocco. On 22 May 2019 on a plane from Spain on a Schengen Visa she arrived in the UK accompanied by 2 of her 3 daughters; I aged 15 and R aged 11. They did not make separate claims for asylum but were dependent on the appellant's claim. An older adult daughter was resident in Spain. The appellant had been with her eldest daughter and her husband since 15 May having travelled from Morocco to Bordeaux in France and then travelling to Spain on the same day. The appellant claimed asylum on 3 June 2019.

5. The basis of her claim was that she was a member of a Particular Social Group ("PSG") namely a lone woman fearing honour violence as a result of resisting her husband's attempt to have her daughter I married at the age of 13. In summary, she claimed that she was from a very religious family in Morocco and that she be married at the age of 17 to her husband. It was known that he drank and used drugs and that she had been forced to marry and was beaten during her marriage.

6. In March 2019 the appellant stated that a rich man had asked for her daughter's hand in marriage and her husband wanted the marriage to go ahead but her daughter said that she would kill herself if it happened. She confronted her husband and he hit her and told her that it was his decision. A few days later she asked her husband to let her children visit her other daughter was in Spain, she obtained a Schengen Visa left the country travelling to France and Spain with her 2 daughters I and R, not intending to return.

7. She travelled from Spain to the UK where she had 3 of her family relatives. She made her way to a place in the UK from the airport where she claimed to have

met a woman in a mosque who advised her to claim asylum which she did 2 weeks after arrival. The appellant was in fear that her husband would find her and the children if she returned to Morocco.

8. The respondent considered her claim in a decision letter of 6 March 2020. Whilst the background evidence showed there was gender-based violence against women in Morocco, new laws come into place including a ban on forced marriage, sexual harassment in public places and tougher penalties for certain forms of violence. However as to the appellant's factual account, it contained inconsistent evidence and discrepancies. They were identified by the respondent in the decision letter. They included the claim that if her husband was strict and treated her like a slave he would not have allowed her to travel freely to the UK in 2012 and March 2017 and that he would contribute financially and that it was also inconsistent and not credible that after she queried her daughters arranged/forced marriage that he would, within days, allow her to travel out of the country with both her children. The respondent also identified that when asked in interview the last time he spoke to her husband she said she did not speak to him but later said that her husband had come to the UK to visit her brother in 2019 but she could not remember the year. She later said she did speak to her husband, and he came to the UK in September /October 2019. Her factual claim was therefore rejected.

9. The respondent also reached the conclusion that even if her claim was credible, there was sufficiency of state protection available. The claim that her husband was a very powerful man was not supported by any evidence, nor was the claim that the man her husband wanted her daughter to marry was a powerful man either.

10. The remainder of the decision letter considered the appellant's family and private life and the best interests of the children under Article 8 of the ECHR.

The decision of the FtTJ:

11. The appeal came before the FtT on 5 January 2021. The judge set out the documentary evidence at paragraphs [13 – 20] and the oral evidence was summarised at paragraphs [21 – 39] of his decision. The submissions of the advocates were also summarised by the FtTJ at paragraphs [40 – 48].

12. The analysis of the evidence and factual findings made were set out at paragraphs [53 – 70]. They can be summarised as follows:

    (1) The appellant had made witness statements which were not consistent with her oral evidence (at [53]).

    (2) While the appellant provided a school certificate from Morocco and evidence of achievements in the UK, what was "very striking" was the lack of any supporting evidence from family members in the UK and what was "equally striking" was the inconsistent reasons given by the appellant in evidence for this (at [54] and [55]).

(3) The FtTJ found that on her own evidence all 3 family members were aware of her problems for some time; one brother had encouraged her to visit the UK and had her to stay with him on a number of occasions and that it would be "very difficult to believe that this brother would not provide at least some written support for the long-term abuse she says she has suffered". The judge also found that it was "equally difficult" to believe that her sister who had also provided support and offer to help in such a critical moment as an application for international protection would not provide evidence on her behalf. The judge also found that her adult daughter also had not provided any support and that that was significant in the light of documents that had been provided from Spain (at [56]).

(4) Whilst the judge accepted that violence against women was a worldwide problem and that her account was plausible in that context, the judge identified a number of aspects of the appellant's evidence which were not consistent or coherent. The judge identified the appellant's account concerning contact with her husband in the UK as one of those issues (at [58]).

(5) The FtTJ found that it was not credible that the appellant, who was in fear of her husband so that she would seek protection for the UK authorities would countenance allowing him to see the children who were on her account "traumatised by his actions". The judge found that she had also been inconsistent about what they discussed and that was a further reason which undermined her credibility (at [59]).

(6) At [60] the FtTJ did not find that there was a reasonable explanation for failing to claim asylum in France or Spain for the reasons that the judge set out.

(7) At [61] the judge found that her account of coming to the UK was inconsistent with the oral evidence given and that her account of meeting a woman in a mosque was not consistent with the written account that she had given in her statement.

(8) At [62] the judge found that in her evidence she said that her husband agreed to let her go to Spain and that it was "not out of the ordinary". However in her oral evidence she said that her grandchild was born and that was why she had persuaded him to let her go. The judge found that they were "few more significant occasions and the birth of the 1st grandchild" and the fact that it was only mentioned in oral evidence undermined her credibility.

(9) The judge considered the referral to CAMHS for R in April 2020 which noted the family left Morocco due to "abusive father". The judge found there was no mention of a potential marriage of I in no mention of the meeting which is said took place in late 2019 (at [64]).

(10) At [65] the judge found that there was no mention of any abusive relationship or potential forced marriage for the appellant's daughter in

the appellant's GP's records either and that whilst the referral noted that the appellant had counselling, no evidence about what it was for what was discussed had been provided in the evidence.

(11) The judge considered I's medical records and found a consultation in November 2020 when she was described as being "very stressed due to 2 boys who were threatening her". The judge found that there was no mention of events in Morocco or any fears about her father; or the late meeting in 2019 although she was in a distressed state. The judge found that there was no evidence of any consultation before then to suggest any past issues had ever been mentioned and that the records are complete suggesting that the problems that I had was specifically related to that incident. The judge also noted that there was no copy of the letter of referral to CAMHS either (at [66]).

(12) The judge considered a typed and unsigned letter said to be from I. However for the reasons given at [67] the judge did not find that the letter were the genuine words of her daughter, and the judge did not place weight on the document as a reliable indicator of events in Morocco.

(13) The judge's conclusions were set out at paragraphs [68 – 69], where the judge concluded that from the evidence he was not satisfied that there was any potential forced marriage of I in Morocco due to the inconsistencies in the evidence identified and due to the lack of any reliable supporting evidence. The judge noted again that there was no supporting medical evidence within the GP records and whilst there was a referral concerning R it did not provide evidence of any specific issues.

(14) The judge did not accept the factual basis of the appellant's claim and that whilst the appellant may have had an unhappy marriage, he did not accept her account that her husband tried to force their daughter into a marriage with an older man nor was he powerful or had any inclination to harm her nor would he force her marry on her return. The judge concluded that she did not face a real risk of persecution or harm on return to Morocco and that she had fabricated the claim to enable her to seek a new life for herself and her children in the UK where she had relatives.

(15) At paragraphs [71 – 78] the judge considered Article 8 of the EC HR. The FtTJ found that the appellant could not meet the immigration rules in respect of her private life under paragraph 276ADE and that when considering Article 8 outside of the rules and taking into account the best interests of the children, their length of residence in the UK, their health needs and their relationships with their UK-based relatives, that their removal to Morocco as a family would not be disproportionate. He dismissed the appeal.

13. Permission to appeal was sought relying on two grounds and permission was refused by FtTJ Scott Baker but on renewal was granted by UTJ Plimmer on 23 April 2021.

The hearing before the Upper Tribunal:

14. In the light of the COVID-19 pandemic the Upper Tribunal issued directions on indicating that it was provisionally of the view that the error of law issue could be determined without a face-to-face hearing and that this could take place via Microsoft teams. Both parties have agreed that they are content for the hearing to proceed by this method. Therefore, the Tribunal listed the hearing to enable oral submissions to be given by each of the parties.

15. I am grateful for their assistance and their clear oral submissions.

16. Mr Howard, who had appeared before the First-tier Tribunal appeared on behalf of the appellant relied upon the written grounds of appeal. He did not expressly make any oral submissions relating to ground 1 but was content to rely upon the written grounds.

17. Ground 1 asserts that there was a material misdirection to apply the correct standard of proof and that because the judge referred to the word "doubt" at paragraphs 44, 59 and 63, the judge had applied to higher standard of proof when assessing the appellant's credibility. The submission is made that in the consideration of a protection claim, the lower standard of proof should have been applied.

18. As to ground 2, Mr Howard submitted that this was the primary ground that he relied upon, and this related to paragraphs 68 and 76 of the decision in the context of the CAMHS referral in respect of R. He submitted that at paragraph 68 the judge accepted that there had been a referral but that the judge had failed to consider the contents of that referral which referred to there being an abusive father and also that R was suffering from "post-traumatic stress". Mr Howard pointed to paragraph 76 of the judge's decision where the judge had stated that the referrals in his view were easily likely to be due to the impact of being uprooted from their life in Morocco and find themselves in a strange country with limited support. Mr Howard submitted there was no reference in relation to the contents of the CAMHS evidence and particularly reference to the father being abusive and that R suffered from post-traumatic stress.

19. Mr Howard therefore submitted that the judge had erred in his consideration of the medical evidence, and it was material when considering section 55 and the risk on return in the context of the vulnerable family.

20. Mr Howard also referred to paragraph 68 where there was reference to "a difference between an abusive father and one who is insisting his 13-year-old is married off to an old rich man". In his submission, the judge erred in making that finding as it did not necessarily follow that there was such a difference as it

was possible for an abusive father to also be one who insists on the younger child being married off to an older man.

21. He relied upon the submission in the grounds that the judge failed to make adequate findings in relation to whether the appellant's husband was an abusive father and if so the risk of harm to the appellant's children.

22. Mr McVeety, senior presenting officer appeared on behalf of the respondent. He relied upon the written submissions which were sent on the 13 May 2021 by his colleague Mr Avery. The written submissions set out that having considered the grounds lodged, there was no error of law and that the grounds were a simple disagreement with the factual findings made. At paragraph [50] the judge gave a correct self-direction with respect to the standard of proof and reminded himself of this at paragraph 61 when assessing the evidence. The written reply also submitted that there were significant credibility issues in the appellant's account, and it was clearly open to the judge to find against her. The judge properly considered the CAHMS report at paragraph 64, 65 and 68.

23. In his oral submissions, Mr McVeety submitted that whilst reference had been made to "medical evidence" that had been a referral, but no diagnosis had been made. The author of the referral had not witnessed or seen anything to support the referral. The judge had no letter before him as to the basis of the referral and no evidence in support. This was an entirely self-reported referral, and the GPs evidence did not provide any assistance or support for the referral. He submitted the judge correctly considered the referral in the context of the entirety of the claim and not in isolation and found that there were a number of implausibility's in the appellant's account which the judge set out. He submitted in light of the lack of supporting evidence alongside the referral it was not known who used the words "abusive father".

24. As regards the submission directed at paragraph 76, the FtTJ dealt with section 55 and the best interests of the children but did so in the context of the earlier findings and the evidence that was before the tribunal. The judge was entitled to find that the reasonable likelihood for the referral was that it was likely to be due to the impact of being uprooted from their life in Morocco and finding themselves in a strange country with limited support. There was evidence at [66]. The judge was entitled to say that having been taken from their home and having left their school and their lives that this would likely have an adverse effect upon them.

25. Mr McVeety submitted that the factual findings were not expressly challenged other than in ground 1 (based on applying the wrong standard of proof) and that the evidence of the self-reported referral was considered by the FtTJ. He therefore invited the tribunal to uphold the decision.

26. Mr Howard by way of reply referred to the referral again at page 18 and that there was a reference to "post-traumatic stress" therefore the judge

mischaracterised the evidence at paragraph 76. He therefore submitted that there was a material error of law in the decision of the FtTJ.

27. At the conclusion of the submissions I reserved my decision which I now give.

Decision on error of law:

28. I have carefully considered the grounds advanced on behalf of the appellant and have done so in the context of the submissions made by the parties and the evidence that was before the FtTJ and his decision. I am grateful to both advocates for their submissions.

29. Having done so, I am not satisfied that there is any error of law in the decision of the FtTJ. I shall set out my reasons for reaching that conclusion.

30. Dealing with ground 1, it is submitted in the grounds that the FtTJ made a material misdirection in law by failing to apply the correct standard of proof. The written grounds identify paragraph 44 and 63 by reference to the word "doubt". It is therefore submitted that the judge applied too high a standard of proof when assessing the credibility of the appellant and her claim and that a lower standard of proof should have been applied. I note that whilst the grounds purport to identify paragraph 44, this is in fact a summary of the submission made on behalf of the respondent and not any assessment of the evidence made by the FtTJ. Similarly at [63] the use of the word "doubt" is in the context of the judge accepting or believing that the appellant is engaged in education as demonstrated by the phrase used by the judge "nor do I doubt that the appellant has engaged in education." Neither of those paragraphs support the claim made in the grounds of the FtTJ applying the wrong standard of proof.

31. Having read the decision in its entirety, the ground has no merit. The FtTJ directed himself in accordance with the law and identified the correct standard of proof at paragraph [11]. When undertaking his consideration of the evidence, the FtTJ again returned to the standard of proof at paragraph [50] where he stated, "I remind myself that the lower standard of proof applies" and then proceeded to undertake the assessment of the evidence by looking at the credibility indicators in accordance with the decision of KB and AH(credibility – structured approach) Pakistan [2017] UK UT00491 (IAC). In reaching his conclusion at [69] the FtTJ plainly applied the correct standard of proof when stated "I do not find the appellant established to the required standard that her claim of potential honour violence on return is reasonably likely to be true".

32. I am therefore satisfied that there is no merit in the submission that the judge applied the wrong standard of proof or a higher standard of proof in undertaking the assessment of the appellant's credibility. That ground must fail.

33. The second ground is based upon the submission that the FtTJ failed to properly consider the evidence in the CAMHS referral and identifies that at paragraph [76] where the judge reached his finding that the referral was "reasonably likely to be due to the impact of being uprooted from their life in Morocco and finding themselves in a strange country with limited support" was not a finding properly based on the evidence set out in the CAMHS referral.

34. Mr Howard on behalf of the appellant submits that the FtTJ failed to take into account the evidence and that it related to the father's conduct as abusive to the children and therefore the judge failed to consider the risk to them. He further submits that the judge therefore erred in law when considering this evidence and that the materiality of the error fed into his assessment of section 55 and the "best interests" assessment.

35. I am satisfied that the FtTJ did not fall into error in the way the grounds assert and in the way that Mr Howard has submitted. As with all decisions, it should be read as a whole and when this is undertaken in the context of this particular decision, it can be readily seen that the FtTJ properly considered all of the evidence together before reaching his overall assessment and analysis of the risk on return. As Mr McVeety submitted, the FtTJ was entitled to consider the CAMHS referral in the context of the overall evidence and not to view the document in isolation.

36. Mr Howard points to the following in the CAMHS referral " R along with mom and sister have escaped Morocco, from an abusive father. It seems like she is suffering with a form of post-traumatic stress, with erratic behaviour, mood swings… ". He submits that that was not taken into account by the FtTJ. I reject that submission. The FtTJ plainly had regard to that CAMHS referral and expressly set out its contents at [64], [65 and [68]. Whilst Mr Howard refers to the referral as "medical evidence" the referral as it stood was not an assessment, medical otherwise of the children, but was a referral to undertake an assessment. The referral document does not provide any support from where this information has come save that it is stated in the same box "concern for R has come from her mother H and her sister I".

37. As the judge identified in his decision, the medical records for R set out in the bundle at page 30 provided no supportive evidence that R had presented with any symptoms or any symptoms consistent with post-traumatic stress. No reference is made of any concerns in the context of abuse.

38. Consequently whilst the FtTJ accepted that a referral had been made, it was open to him to find that there was no supporting evidence alongside the referral and that on the face of it the factual part of the referral appeared to have come from the appellant herself having self-reported the circumstances of the children.

39. Against that background the FtTJ was entitled to consider the evidence in this context and the evidence as a whole and not to view it in isolation. I am satisfied that the FtTJ did approach the evidence in this way, and this can be seen in his factual assessment. At [64] the judge noted that the content of the CAMHS referral and identified that there was no reference made to the potential forced marriage of I and a meeting which took place in late 2019. The judge noted that R was disturbed and angry, and whilst the judge properly took into account that the referral notes are often brief, the lack of any reference made to the issue of forced marriage of I who was a child and the failure to refer to the meeting with the father undermined the weight attached to it.

40. Furthermore at [65] the judge considered the other supporting evidence including the GP records and found that there was no mention of an abusive relationship or potential forced marriage of her daughter in the appellant's records and that in this respect whilst there was a reference to counselling in respect of the appellant, there was no evidence about what the counselling was for or what was discussed. At [66] in terms of I's medical records, the judge noted that there was no mention of events in Morocco nor any fears about her father (or after the meeting in 2019) although she was in a distressed state and that there was no evidence of any consultation before then to suggest any past issues (i.e. relating to Morocco) had ever been mentioned. What the GP's notes did record in relation to I was that she was described as being "very stressed due to neighbours 2 boys who are? threatening I" further references "mum has to walk to and from bus stop before and after school as she is scared..".

41. The FtTJ did not consider the evidence in isolation and earlier in the decision considered the appellant's evidence as to the events in Morocco and her claim that the appellant's husband was intent on forcing I into marriage and was abusive. The FtTJ highlighted a number of significant issues of credibility concerning her account. At [54] the judge found that the appellant provided evidence concerning personal achievements in the UK but what was "very striking" was the lack of supporting evidence from her family members who were present in the UK and what was "equally striking" was the inconsistent evidence given by the appellant as to the reasons why they had not provided support for her. The judge found at [56] that all 3 family members identified had been aware of her problems for some time with one brother having encouraged her to stay with him and that it was not credible that he had not provided any written support for her long-term abuse which said she had suffered in Morocco. Also the judge identified the same relating to her sister and also her eldest adult daughter neither of whom provided evidence in support. At [55] the judge noted the reasons given as to why her brothers and sister in the UK had not provided supporting evidence but found her evidence to be inconsistent.

42. At paragraphs [58] – [59] the judge assessed the appellant's account of the visit made by her husband who came to the UK after the appellant claimed to have fled to the UK in fear of him. The judge noted that in her 2 witness statements

she confirmed that she had not had contact with him since April 2019. However in the 2nd interview, after initially saying she did not see him, she said that he did visit the UK in late 2019 on the invitation of her brother to discuss with her either the children or her daughters perspective marriage. The judge found that there was a "clear discrepancy" in her evidence and the account of what had been discussed at the meeting was inconsistent. The judge found that the details of such a significant event was not likely to have been forgotten in 2 signed witness statements nor the time of the visit. The judge concluded on the evidence that it was not credible that a woman who was in such fear of her husband would have allowed him to see the children who were on her account "traumatised by his actions". That was consistent with the oral evidence given by the appellant and set out by the judge at paragraph [37] that she confirmed that she let the children see their father in the UK and this was after she left Morocco on the grounds of their safety. There were also a number of other adverse credibility issues set out at paragraphs [60), [61] and [62].

43. At paragraph [67] the judge considered the letter that was said to have emanated from I herself and gave reasons why he did not accept that they were the genuine words of I or that they were a reliable indicator of events in Morocco. That finding is not challenged in the grounds or the submissions made on behalf of the appellant.

44. At paragraphs [68 – 69] the judge then drew together the evidence and reached the overall conclusion that in light of the inconsistent evidence given by the appellant and due to the lack of reliable supporting evidence, the appellant had not established to the lower standard that she had demonstrated a risk of harm on return to Morocco either in the context of honour violence or that her daughter would be at risk of a forced marriage. The judge expressly found that her husband had no inclination to harm her or force I into marriage. The judge expressly considered again at paragraph [68] the documentary evidence and the risk of harm and the CAMHS referral but again observed that there had been no supporting medical evidence and the GPs records (from either R or I) to suggest a forced marriage had been referred to. In my judgement the FtTJ was correct in stating that the documents provided were to be evaluated in the context of the evidence of the whole and not in isolation and that was a process that the judge plainly undertook.

45. Whilst Mr Howard referred to the final sentence at [68] that "there is a difference between an abusive father and one who is insisting his 13-year-old is married off to an old rich man. I did not believe this to be true", the judge was referring to the central core of the appellant's account that I would be the subject of a forced marriage. The FtTJ gave a number of sustainable and evidence-based reasons for rejecting the appellant's account overall.

46. Furthermore, I am satisfied that the reference to "abusive father" has to be seen in the light of the FtTJ's overall assessment of the evidence and not only by reference to the CAMHS referral document. The judge properly identified that

there was no supporting medical evidence that R and I had referred to any adverse events in Morocco or any abuse. The judge gave reasons why he did not place weight on the evidence of I at [67] and at [66] took into account that there was no evidence of any consultation before 2019 to suggest any past issues concerning Morocco. At paragraph [64] the FtTJ noted that the CAMHS referral did not mention any potential marriage relating to I and in addition the judge found that the appellant's account of the meeting between the children and their father at [59] wholly undermined her account and he did not believe that she would have allowed her husband to see the children if they had been traumatised by his actions.

47. Therefore when drawing together the analysis of the evidence and those findings of fact, it can be seen that the judge did not accept the appellant's factual account that her children were at risk from their father whether in the account of a forced marriage in respect of I or on account of them otherwise being the subject of abuse or at risk of harm from their father.

48. Against that background the judge's assessment at [76] was open to the judge to make. On his analysis the judge considered that the referral was reasonably likely to have been due to the "impact of being uprooted from their life in Morocco and finding themselves in a strange country with limited support. There is no evidence of serious psychiatric illness. Both children continue to attend schools they did Morocco." Contrary to the submission made by Mr Howard and the written grounds, that finding was consistent with the lack of supporting evidence as to the events in Morocco and consistent with the GPs notes which the judge had earlier recorded at [66] in relation to I who had been described as "very stressed due to the neighbours 2 boys who were threatening her".

49. Consequently I am satisfied that there is no error of law in the FtTJ's assessment of the CAMHS referral for the reasons that I have set out above. I am satisfied that the document and its contents were properly considered in the context of the claim as a whole and not in isolation and that the judge's overall assessment was one that was open to him on the evidence before him.

50. As to the last point made by Mr Howard which submitted that the judge failed to engage with the risk of the appellant returning as a lone woman and as a PSG, I consider that that submission is not relevant in the light of the rejection of her factual account. In other words, the judge did not accept that she would be returning to Morocco as a lone woman with her children having found that neither she or the children would be at risk of harm from her husband.

51. For those reasons, I am not satisfied that it has been demonstrated that the decision of the FtTJ did involve the making of an error on a point of law and that the appeal should be dismissed. The decision of the First-tier Tribunal Judge stands.

Notice of Decision:

The decision of the First-tier Tribunal did not involve the making of an error on a point of law and therefore the decision of the FtT stands. The appeal is dismissed.

Direction Regarding Anonymity – Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008

Unless and until a Tribunal or court directs otherwise, the Appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify her and her family members. This direction applies both to the Appellant and to the Respondent. Failure to comply with this direction could lead to contempt of court proceedings.

Signed *Upper Tribunal Judge Reeds*

Dated 31 August 2021

NOTIFICATION OF APPEAL RIGHTS

1. A person seeking permission to appeal against this decision must make a written application to the Upper Tribunal. Any such application must be received by the Upper Tribunal within the appropriate period after this decision was sent to the person making the application. The appropriate period varies, as follows, according to the location of the individual and the way in which the Upper Tribunal's decision was sent:

2. Where the person who appealed to the First-tier Tribunal is in the United Kingdom at the time that the application for permission to appeal is made, and is not in detention under the Immigration Acts, the appropriate period is 12 working days (10 working days if the notice of decision is sent electronically).

3. Where the person making the application is in detention under the Immigration Acts, the appropriate period is 7 working days (5 working days if the notice of decision is sent electronically).

4. Where the person who appealed to the First-tier Tribunal is outside the United Kingdom at the time that the application for permission to appeal is made, the appropriate period is 38 days (10 working days if the notice of decision is sent electronically).

5. A "working day" means any day except a Saturday or a Sunday, Christmas Day, Good Friday, or a bank holiday.

6. The date when the decision is "sent' is that appearing on the covering letter or covering email.