



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

Appeal Number: PA/11355/2018 (V)

THE IMMIGRATION ACTS

**Heard at Field House (by remote video
means)
On 21 June 2021**

**Decision & Reasons
Promulgated
On 23 June 2022**

Before

UPPER TRIBUNAL JUDGE JACKSON

Between

**ML
(ANONYMITY ORDER MADE)**

Appellant

And

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr A Burrett of Counsel, instructed by JD Spicer Zeb Solicitors

For the Respondent: Mr D Clarke, Senior Home Office Presenting Officer

DECISION AND REASONS

1. In my decision promulgated on 30 April 2020 an error of law was found in the decision of First-tier Tribunal Judge Farmer promulgated on 13 November 2019, in which the Appellant's appeal against the decision to refuse his protection and human rights claim dated 12 September was dismissed. For the reasons set out in that decision which is appended, I set aside that decision. This decision is the remaking of the Appellant's appeal.

2. An anonymity order is made in this case in light of the nature of the Appellant's asylum claim.
3. The Appellant is a national of Afghanistan, born on 20 July 1986, who arrived in the United Kingdom and claimed asylum in June 2016 on the basis that he feared persecution on return to Afghanistan as a former member of the Afghan national police and at risk from the Taliban generally and from his brother in particular who was a member of the Taliban.
4. The appeal was heard on 21 June 2021, at which time a western backed government remained in power in Kabul and the primary issue for determination in the appeal was whether it would be reasonable for the Appellant to internally relocate to Kabul, with the evidence and submissions all directed to that issue and the application of the country guidance in AS (Safety of Kabul) Afghanistan CG [2020] UKUT 130 (IAC).
5. However, following the hearing there were significant changes in Afghanistan, culminating in the Taliban assuming de facto control of the country on 15 August 2021, including control of Kabul. Judicial notice was taken of this change in circumstances and directions issued to the parties dated 18 August 2021 inviting written submissions as to the appropriate next steps in this appeal within 21 days. Submissions were filed on behalf of the Appellant on 5 September 2021 and to date, despite further directions dated 11 April 2022 being issued directing the Respondent to file submissions as to her position on this appeal within 14 days, nothing further has been received from the Respondent.
6. In these circumstances, I have taken into account the Appellant's further submissions and the Respondent's general position as set out in her latest country documents in relation to Afghanistan contained in the 'Country policy and information note: fear of the Taliban, Afghanistan, April 2022'; the 'Country policy and information note: humanitarian situation, Afghanistan, April 2022'; the 'Country policy and information note: security situation, Afghanistan, April 2022'; and the 'Country policy and information note; medical treatment and healthcare, Afghanistan, October 2021'.
7. In the reasons for refusal letter dated 12 September 2018, the Respondent accepted that the Appellant had been employed in the Afghan border police, albeit did not accept that as such he would be at risk on return from the Taliban as his account of threats from the Taliban and problems with them related to his role were not accepted. In any event, the Respondent considered that the Appellant could safely and reasonably relocate to Kabul.
8. At the oral hearing on 21 June, Mr Clarke accepted on behalf of the Respondent that the Appellant would be at risk on return to his home area as a former police officer and as above, the issue was solely on internal relocation to Kabul.

9. In the Respondent's 'Country Policy and Information Note Afghanistan: Fear of the Taliban' Version 3.0, April 2022, it is accepted that there has been a significant change of circumstances in Afghanistan with the Taliban taking over de facto control of the country and includes, so far as relevant to the present appeal, the following:

2.4.9 The current evidence suggests that persons likely to be at risk of persecution, because they may be considered a threat or do not confirm to the Taliban's strict interpretation of Sharia law, include but are not limited to:

** Former government employees and members of the Afghan National Armed Forces (ANSF), including the police*

...

2.5.1 The Taliban have taken control of every major city in Afghanistan, have re-established the Islamic Emirate and implement (their version of) Sharia law. Given the Taliban have de facto control of the country, where a person has a well-founded fear of persecution from the Taliban, they will not be able to obtain protection.

...

2.6.1 Where the person has a well-founded fear of persecution or serious harm from the Taliban, they are unlikely to be able to relocate to escape that risk.

Findings and reasons

10. In the circumstances set out above, it is not necessary or helpful to consider the evidence or submissions before me as to the Appellant's credibility or as to the situation in Afghanistan and whether internal relocation would be unduly harsh as at the date of hearing in June 2021; given the significant change of country conditions which followed in August 2022 and the Respondent's general position as set out in her own guidance and information documents. The Respondent has already accepted that the Appellant was a member of the Afghan Border Force/a police officer and would be at risk from the Taliban in his home area and it clear from the passages set out above that the Respondent would accept that the Appellant is at real risk of persecution on return to Afghanistan as a member of the Afghan Border Force; that he would not be able to obtain protection and would be unlikely to be able to relocate to escape the risk. As such, the Appellant's appeal is allowed on asylum grounds. It is not necessary to separately consider whether the Appellant is entitled to humanitarian protection, faces an Article 15(c) risk or any breach of human rights on return to Afghanistan.

Notice of Decision

For the reasons set out in the decision promulgated on 30 April 2020 the making of the decision of the First-tier Tribunal did involve the making of a material error of law and as such it was set aside. The decision is remade as follows.

The appeal is allowed on protection grounds.

Anonymity order

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

No-one shall publish or reveal any information, including the name or address of the Appellant, likely to lead members of the public to identify the Appellant. Failure to comply with this order could amount to a contempt of court.

Signed G Jackson

Date 22nd June 2022

Upper Tribunal Judge Jackson



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

Appeal Number: PA/11355/2018

THE IMMIGRATION ACTS

**Heard at Field House
On 20th February 2020**

Decision & Reasons Promulgated

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Before

UPPER TRIBUNAL JUDGE JACKSON

Between

**ML
(ANONYMITY DIRECTION MADE)**

Appellant

And

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Ms E Stuart King of Counsel, instructed by J D Spicer Zeb Solicitors

For the Respondent: Mr I Jarvis, Senior Home Office Presenting Officer

DECISION AND REASONS

1. The Appellant appeals with permission against the decision of First-tier Tribunal Judge Farmer promulgated on 13 November 2019, in which the Appellant's appeal against the decision to refuse his protection and human rights claim dated 12 September 2018 was dismissed.
2. The Appellant is a national of Afghanistan, born on 20 July 1986, who arrived in the United Kingdom and claimed asylum in June 2016 on the basis that he feared persecution on return to Afghanistan on the basis that

he was a member of the Afghan border police and at risk from the Taliban generally and his brother in particular (who was a member of the Taliban).

3. The Respondent refused the application the basis that although it was accepted that the Appellant was in the Afghan border police, his claim was inconsistent about being at risk on return from the Taliban. He was found not to be at risk on return and in any event would be able to internally relocate within Afghanistan to Kabul where there was no general risk on return. The Appellant did not meet any of the Immigration Rules for a grant of leave to remain on private or family life grounds and there were no exceptional circumstances to warrant a grant of leave. The Respondent separately considered the Appellant's mental health but considered that there was no breach of the high threshold for Article 3 of the European Convention on Human Rights for this reason.
4. Judge Farmer dismissed the appeal in a decision promulgated on 13 November 2019 on all grounds (acknowledging that the Appellant had not appealed on Article 8 grounds). In summary, the First-tier Tribunal found that the Appellant, although consistent in his claim, was generally lacking in credibility. It was found that the Appellant was in contact with his family and could safely return to his home area where the Taliban were no longer in control. In any event the Appellant could internally relocate to Kabul. Further, there was no risk on the basis of westernisation.

The appeal

5. The Appellant appeals on five grounds. First, that the First-tier Tribunal failed to have proper regard to the expert evidence before it and/or failed to give adequate reasons for rejecting it. Secondly, the First-tier Tribunal had failed to assess the evidence corroborating the Appellant's claim to have received a night letter from the Taliban. Thirdly, that the conclusions reached by the First-tier Tribunal on the Appellant being in contact with his family were not open to it on the evidence available. Fourthly, that the First-tier Tribunal continued to apply AS (Safety of Kabul) Afghanistan CG [2018] UKUT 00118 (IAC) despite the Court of Appeal's decision to remit the appeal in that case. Finally, that the First-tier Tribunal failed to properly consider whether the Appellant could internally relocate and failed to consider the Appellant's family position or their relocation.
6. At the outset of the oral hearing, Mr Jarvis accepted on behalf of the Respondent that the First-tier Tribunal erred in law on the fourth and fifth grounds of appeal, in its approach to the country guidance in AS due to its failure to engage with the Court of Appeal's decision to remit the appeal to the Upper Tribunal such that the decision was no longer binding and further because the First-tier Tribunal simply failed to engage with the evidence before it from the UNHCR, which it was required to do in any event. However, Mr Jarvis submitted that the errors were not material given the finding of the First-tier Tribunal that it was safe for the Appellant to return to his home area, which was under government control and therefore findings on internal relocation were not necessary and not

material to the outcome of the appeal. The remaining grounds of appeal were opposed by the Respondent.

7. On behalf of the Appellant, Ms Stuart-King emphasised the context and background to the Appellant's claim which had been accepted by the Respondent, primarily that he was a member of the Afghan Border police and there was no dispute that there was a history of conflict between them and the Taliban. The Appellant did not claim to be at risk from the Taliban solely because of the night letters he said he received, but generally because of his position with the authorities and the situation in his home area. Although not expressly set out in the written grounds of appeal, it was submitted that the First-tier Tribunal had also materially erred in law in failing to make any findings about whether the Appellant could safely return to his home area even without a risk of personal targeting, essentially whether Article 15(c) of the Qualification Directive applied there. There was evidence from Mr Foxley in his report about the situation generally in the Appellant's home area, a contested one between government and Taliban forces.
8. The written grounds of appeal were also relied upon and additional oral submissions made to amplify them. In relation to the first ground of appeal, it was submitted that the First-tier Tribunal, specifically in paragraphs 21 and 26 of the decision, found the Appellant's claim to have been individually targeted in his home area to be inherently implausible, without any consideration of the specific evidence in Mr Foxley's report supporting this aspect of the claim as plausible. This was supported by examples of low-ranking officers having been targeted by the Taliban. Further no reasons are given by the First-tier tribunal for rejecting or disagreeing with this evidence. The First-tier Tribunal further found that the Appellant's credibility was adversely damaged by the fact that he was able to remain in Afghanistan for three months without any further problems from the Taliban, however in doing so it was not expressly acknowledged that this was a period in hiding, nor was there any reference to Mr Foxley's report which described the risk to the Appellant being identified outside of his home area as much lower.
9. The First-tier Tribunal also reduced the weight to be attached to the psychologist report from Dr Thorne on the basis that the Appellant had not disclosed to him that he was no longer in contact with his family in Afghanistan. However, the report is silent on this point and is not expressly in contradiction with the Appellant's claim to have lost contact. In any event, whether or not the Appellant is in contact with his family in Afghanistan should not affect the weight to be given to the evidence of a psychologist or its conclusions as to the Appellant's mental health. The First-tier Tribunal appear to accept the diagnosis, but rejects the severity of the Appellant's mental health problems, without any express reasons being given.
10. The second ground of appeal concerns the First-tier Tribunal's treatment of the night letter from the Taliban, which it was submitted the originals

were available at the First-tier Tribunal hearing but were not requested to be seen at by the judge, albeit this is in relied upon against the Appellant. The First-tier Tribunal also failed to attach weight to these letters apparently in accordance with the principles in *Tanveer Ahmed* but without having, at that stage of the decision, completed the credibility assessment. In any event, some of the Appellant's claim was not found to be lacking in credibility, only certain parts of it, which was submitted to be insufficient to have undermined his whole case. This showed an incorrect approach to the documents, which the First-tier Tribunal failed to consider in the round. The Appellant claims that the First-tier Tribunal made the same error in relation to the petition document from Afghanistan.

11. The third ground of appeal is that the First-tier Tribunal reached findings that were not properly open to it on the evidence available. The focus of this ground is as to the First-tier Tribunal's conclusions that the Appellant is in contact with his family and that in any event this could not rationally have led to a finding that the Appellant was not at risk from the Taliban nor does it undermine the core of the Appellant's claim. As above, it was submitted that the fact Dr Thorne's report did not expressly state that the Appellant had reported that he had lost contact with his family, this was at best a neutral factor and did not indicate current contact. This was not an inconsistency in the evidence as suggested by the First-tier Tribunal. Further, the Appellant had only claimed that his family were at risk whilst he was in active service and his relocation within the home area did not affect this part of the claim.
12. Given the Respondent's acceptance of the errors of law identified in the fourth and fifth grounds, no further oral submissions were made on these points.
13. In response on behalf of the Respondent, Mr Jarvis submitted that the new point as to risk on return in home area was not so obvious as suggested otherwise it would have been raised in the grounds of appeal; however on pragmatic grounds, the point was not strongly opposed and it was accepted that even though the evidence in Mr Foxley's report or otherwise was relatively light, the First-tier Tribunal should have engaged with the issue of whether the Appellant was at general risk under the terms of Article 15(c) of the Qualification Directive (even if this was not a strong claim).
14. In relation to family contact, Mr Jarvis submitted that it was not possible to say that this evidence was not relevant to the core of the Appellant's claim given that the claimed risk on return now and even before the Appellant's and his family's relocation, was caused by the associated risk from him. In any event peripheral matters can affect the credibility of a person's core claim.
15. More specifically, the lack of apparent disclosure to Dr Thorne that the Appellant was no longer in contact with his family, downplayed the emotional aspect of the loss of contact, which would be highly relevant to

the credibility of the core of his claim, specifically in relation to his mental health. The value of medical evidence is always dependent upon the account given by the individual to the relevant professional, particularly in circumstances where it is the First-tier Tribunal's responsibility and not the medical professional's responsibility to assess the reliability of the claim and its consistency. It is still for an individual to establish the reasons behind a diagnosis even if the diagnosis itself is accepted, causation still must be established and there needs to be consideration of whether trauma has been caused by other factors or circumstances. In these circumstances it was open to the First-tier Tribunal to attach less weight to the report given that it did not deal with the impact of loss of contact with the Appellant's family.

16. In relation to the night letters from the Taliban, the First-tier Tribunal made a number of findings on this evidence, including that they had not been authenticated and were considered in the round amongst other evidence. Overall, it was submitted that it was open to the First-tier Tribunal to attach little weight to these documents.
17. In conclusion, it was accepted on behalf of the Respondent that further findings would be required on the appeal as to whether there would be an Article 15(c) risk on return to the Appellant in his home area, and if relevant, fresh findings on whether internal relocation to Kabul be reasonable. The dispute between the parties was only as to whether the findings on personal risk to the Appellant in his home area should be preserved.
18. The parties agreed at the oral hearing that in light of the remaking that was required, it would be appropriate to stay the further consideration of the appeal beyond error of law stage, pending the new country guidance expected in AS following its remittal from the Court of Appeal with a case management review thereafter. It is also likely that the Appellant would wish to rely on further and/or updated evidence in any further hearing.

Findings and reasons

19. The first ground of appeal relates to the First-tier Tribunal's approach to the expert evidence, both of the country expert Mr Foxley and of the psychologist, Dr Thorne. Although it is not necessary for a Tribunal to refer to each and every piece of evidence before it, in the present case, it was necessary for the First-tier Tribunal to have at least given reasons for reaching a finding contrary to the evidence as to the plausibility of part of the Appellant's claim. Mr Foxley, by reference to specific examples, stated that the Appellant's claim to have been specifically targeted by the Taliban, even as a low-level member of the police force, was plausible. Without reference to this part of his report, the First-tier Tribunal simply found that this was inherently implausible in paragraph 26 of the decision. In circumstances where there was information from a country expert as to the plausibility of part of a person's claim, at the very least reasons should be given by the Tribunal for a contrary finding based only on plausibility

and it was an error of law for the First-tier Tribunal either not to have taken this part of the evidence into account, or if it did, for not providing reasons for a conclusion to the contrary.

20. The second part of the first ground of appeal relates to the First-tier Tribunal's treatment of the psychologist report and in particular that little weight was given to it because the First-tier Tribunal found that the Appellant had not given the full picture to Dr Thorne. The Appellant's claim is that he has not been in contact with his family since he was in Bulgaria, prior to arriving in the United Kingdom in June 2016. The claimed lack of family contact is not expressly referred to by Dr Thorne in his reports, which include details of the Appellant's account to him, although there are a number of references to the Appellant's fear for his family in Afghanistan. Dr Thorne does refer to not knowing what access the Appellant would have to his family and that continuing to live apart from his family is likely to be an ongoing source of distress to the Appellant.
21. The First-tier Tribunal attached little weight to Dr Thorne's reports for a number of reasons, including that it was not expressly based upon the Appellant having lost contact with his family, which was found to be material given the other credibility findings about contact with family and that this is a factor itself which would at least potentially have a significant impact on a person's mental health in circumstances such as the Appellant's. This issue is not addressed at all in either of Dr Thorne's reports, such that although there is a clear diagnosis, which was accepted by the First-tier Tribunal, there was no assessment as to either the causative contribution to this of loss of family contact (if any) nor as to the impact on return in the absence of family contact (whether or not they can or would live together).
22. In the normal course, the weight to be attached to a particular piece of evidence is a matter primarily for the First-tier Tribunal and not one upon which it is easy to show an error of law. In this case, the First-tier Tribunal has given adequate reasons why it has reduced the weight to be given to the psychologist report given its failure to address a key component of the Appellant's claim, relevant to the assessment of his mental health, as well as potentially later in the decision, to the viability of internal relocation as well. In these circumstances, I do not find any error of law in the assessment of medical evidence on this basis.
23. Further, I also do not find any error of law in the First-tier Tribunal's assessment of the severity of the Appellant's mental health given that the decision gives clear reasons for the findings made on this. In particular, there is an inconsistency about treatment, specifically the medication for depression (which had not been for as long as claimed and was at only a low dosage), the lack of reference to mental health diagnosis or treatment sought and/or given in the Appellant's GP records and the Appellant's general functioning in the United Kingdom. Although that assessment may be too simplistic with regards to assessment of the Appellant's

mental health on return to Afghanistan and its impact on the Appellant's reintegration (which comes later in the decision), it does not affect the lawfulness of the First-tier Tribunal's disagreement with the severity of current diagnosis and symptoms.

24. The second ground of appeal concerns the weight to be attached to the night letters relied upon by the Appellant, which in turn, depends in part upon the other credibility findings made. The First-tier Tribunal's findings on credibility were to some extent mixed, with some findings such as in paragraph 25 finding that the Appellant's claim about the Taliban inviting surrender not implausible (as found by the Respondent) and some that claims were either inherently implausible or not credible. At least one of those findings of part of the claim being inherently implausible is unsafe for the reasons identified in the first ground of appeal. These matters need to be taken in the round when assessing, in accordance with *Tanveer Ahmed*, the weight to be attached to documentary evidence which is at least potentially corroborative of the Appellant's claim. In the circumstances where at least some parts of the Appellant's claim have been accepted (not least that he was in the Afghan Border police), some are not inherently implausible and some aspects need to be considered again by reference to the background country evidence; the findings on the weight to be attached to the documents (the night letters and arguably the petition document as well) are not safe and will need to be reconsidered when the appeal is re-made.
25. I would also add, despite not being raised by the parties, that when the appeal is re-made, there should be express consideration of and application of the Joint Presidential Guidance Note No 2 of 2010: 'Child, vulnerable adult and sensitive appellant guidance' (the "Joint Presidential Guidance") when findings are made as to credibility and relevance of documentary and background evidence. The First-tier Tribunal recognised that the Appellant was a vulnerable witness due to his poor mental health but no account was taken of the application of the relevant guidance in the assessment of the appeal beyond matters of practicality at the hearing.
26. As to the third ground of appeal, I find that it was open to the First-tier Tribunal to find that the Appellant was still in contact with family in Afghanistan, for the reasons set out in the decision. These included some inconsistency in the Appellant's claim about contact; the lack of express reference to having lost contact in the psychologist's evidence; the implausibility of a friend in Afghanistan not being asked for information about family when he was still local to them and the only very recent contact with the Red Cross to obtain assistance in tracing his family. These are matters of credibility which go to at least a central part of the Appellant's claim, even if not the core of it; given the Appellant's account was that his family were also at risk because of his position within the police force and more importantly, if it becomes relevant, as to support network and contact for the purposes of reintegration on return and as to possible internal relocation.

27. In oral submissions, Ms Stuart-King also submitted that the First-tier Tribunal erred in law in failing to make any findings as whether the Appellant would be at risk on return to his home area for Article 15(c) purposes. Although this should clearly have been included in the written grounds of appeal, it is not only a clearly arguable point but, as accepted by the Respondent, also an error of law for the First-tier Tribunal not to have made any findings on this point. The Appellant had pursued his appeal on asylum and humanitarian protection grounds and it should have been determined on both grounds.
28. I need add little on the fourth and fifth grounds of appeal given the entirely proper acceptance on behalf of the Respondent that the First-tier Tribunal's decision contained errors regard.
29. The First-tier Tribunal recorded the findings of the Upper Tribunal in AS in paragraph 38 and went on to apply them to this Appellant's circumstances in paragraphs 39 and 40. Significant reliance was placed on the fact that although the Appellant had been diagnosed with PTSD and depression, he had not been on any medication for these until just before the appeal hearing and was not in receipt of any wider treatment for the PTSD in particular and little weight was placed on the psychologist's report stop in these circumstances and given the finding that the Appellant could be reunited with his family in Kabul, that he had a work and educational history, the First-tier Tribunal found that the Appellant would be able to manage return to Kabul and access treatment needed.
30. The difficulty with the findings about contact with family and the weight attached to the medical report have already been set out above, but further, the fact that a person is not receiving treatment in the United Kingdom at present, does not necessarily mean that a person is first, not in need of any treatment, nor second that the significant changes involved in a return to Afghanistan would not cause any deterioration or need on return, nor that it would have no impact whatsoever on the Appellant's ability to recreate a life for himself in Afghanistan. The conclusions simply do not follow what are rather simplistic findings in relation to the Appellant's mental health.
31. Further, there is a clear error of law in the First-tier Tribunal's continued reliance on the findings in AS in circumstances where the Court of Appeal remitted this for rehearing. It was not at the date of hearing any longer binding country guidance to be applied by the First-tier Tribunal, which was required to assess the appeal in accordance with the evidence that was before it. That included the latest UNHCR Guidelines about whether Kabul was an option for internal relocation and that evidence could not be discounted, as it was by the First-tier Tribunal in paragraph 41, on the basis that it was not a foregone conclusion that those guidelines would be adopted by the Upper Tribunal when the hearing the appeal in AS. The task of the First-tier Tribunal was to assess the evidence that was before it and reach conclusions based on that evidence. It simply failed to do so in this case. The errors in relation to the findings on internal relocation will

only material be to the outcome of the appeal should the remaking find that the Appellant would be at risk on return to his home area (either for asylum or Article 15(c) reasons) such that internal relocation must be considered separately. However, the findings in relation to internal relocation are unsafe and must be set aside in their entirety. It will be a matter for the Tribunal to make fresh findings on internal relocation if necessary in due course.

32. For these reasons, I find that the First-tier Tribunal has materially erred in law such that it is necessary to set aside the decision. Given the nature of the errors in relation to credibility and the likely passage of time between when this appeal was heard before the First-tier Tribunal and the likely remaking of the appeal; I do not formally preserve any of the findings of fact given that the circumstances, in particular in relation to the Appellant's mental health and contact with his family; as well as risk on return based on current country conditions; will need to be assessed in light of the evidence available at the date of the next hearing.

Notice of Decision

The making of the decision of the First-tier Tribunal did involve the making of a material error of law. As such it is necessary to set aside the decision.

I set aside the decision of the First-tier Tribunal.

Directions

1. The appeal be stayed pending the outcome of the re-hearing of the country guidance case of AS (Afghanistan), AA/03491/2015.
2. A case management hearing with a time estimate of 30 minutes to be listed on the first available date 28 days after the promulgation of the decision in AA/03491/2015, before UTJ Jackson with reference to the availability of the parties' representatives; to be conducted by phone if continuing restrictions are needed to help prevent the spread of covid-19.
3. The parties are required, no later than five days before the listed case management hearing to list any further directions required for the re-hearing of this appeal (including, but not limited to a time estimate, whether an interpreter is required, whether oral evidence is to be called and any further evidence to be relied upon).

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 him or any member of their family. 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

A handwritten signature in black ink, appearing to read 'E. Jackson', written in a cursive style.

Date 19th April 2020

Upper Tribunal Judge Jackson