



IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM
CHAMBER

Case Nos: UI-2022-005191
UI-2022-005192
First-tier Tribunal No: EA/01920/2022
EA/01944/2022

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On the 19 March 2023

Before

UPPER TRIBUNAL JUDGE BRUCE

Between

Leen Razouk
Ninar Razouk
(no anonymity order made)

Appellant

and

Secretary of State for the Home Department

Respondent

Representation:

For the Appellants: No Appearance

For the Respondent: Mr McVeety, Senior Home Office Presenting Officer

Heard at Manchester Civil Justice Centre on 10 January 2023

DECISION AND REASONS

1. The Appellants are sisters, both nationals of Syria. They appeal with permission to this Tribunal against the decision of the First-tier Tribunal (Judge Swinnerton) to dismiss their linked appeals under the EU Settlement Scheme.
2. By his decision of the 23rd June 2022 Judge Swinnerton dismissed the appeals of the Appellants, and the linked appeal of their mother (Mrs Afamnya Mir Mahmud UI-2022-005190). Although the Judge accepted that the three were related as claimed to their UK based Sponsor, Mrs Zainab Almeear Hussain, they had not demonstrated financial dependency upon her.

3. Permission was granted on the 9th October 2022 by First-tier Tribunal Judge Boyes, who observed that neither of these Appellants were required to demonstrate dependency. They were the direct descendants of Mrs Hussain, who is their maternal grandmother, and they are both under 21. That is sufficient. The Secretary of State accepts that this is the case, and before me, and by a Rule 24 response, Mr McVeety has indicated that he intends to have the decision to refuse entry clearance reversed, and a family permit issued.
4. The appeals are therefore allowed by consent.

Decisions

5. The decision of the First-tier Tribunal is set aside.
6. The appeals are allowed with reference to the EUSS.
7. There is no order for anonymity.

Upper Tribunal Judge Bruce
Immigration and Asylum Chamber