IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Case Nos: UI-2023-003004
UI-2023-003005
First-tier Tribunal Nos:
PA/51744/2022 PA/51745/2022

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On the 27 November 2023

Before

UPPER TRIBUNAL JUDGE STEPHEN SMITH

Between

FEO (NIGERIA)
URN (NIGERIA)
(ANONYMITY DIRECTION IN FORCE)

Appellants

and

Secretary of State for the Home Department

Respondent

Representation:
For the Appellants: Ms P. Solanki, Counsel instructed by Piperjuris Solicitors & Advocates Ltd
For the Respondent: Mr D. Clarke, Senior Home Office Presenting Officer

Heard at Field House on 6 November 2023

Order Regarding Anonymity

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

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

DECISION AND REASONS

1. By a decision dated 10 April 2023, First-tier Tribunal Judge Cameron ("the judge", or "Judge Cameron") dismissed an appeal brought by the appellants, citizens of Nigeria born in 1963 and 1968 respectively, against the refusal of the first appellant's asylum and humanitarian protection fresh claim dated 26 April 2022, and the corresponding refusal of the second appellant's claim as his dependent, dated 27 April 2022. Judge Cameron heard the appeal under section 82(1) of the Nationality, Immigration and Asylum Act 2002.

2. The appellants now appeal against the decision of Judge Cameron with the permission of Upper Tribunal Judge Norton-Taylor.

Procedural background

3. There is some confusion as to when the appellant arrived in the UK. For present purposes, he claims to have arrived in 2005; the confusion has arisen because, in 2011, he made an unsuccessful application for indefinite leave to remain based on his claimed long residence, maintaining that he arrived in 1995. He now disavows that application and blames it on his immigration adviser at the time.

4. The appellant originally claimed asylum on 24 June 2017 shortly after being served with removal directions. First-tier Tribunal Judge Ross heard, and dismissed, the appellant's appeal against the refusal of his claim for asylum by a decision promulgated on 27 November 2017.

5. On 26 April 2022, the appellant made further submissions in support of his claim for asylum. It is the refusal of those submissions which was under appeal before Judge Cameron.

Factual background

6. The appellants are husband and wife. The focus of their claim for asylum is the first appellant's claim. I will therefore refer to him simply as "the appellant".

7. The appellant claims that in the late 1990s and early 2000s, he and his brother were active in a Nigerian political party called the PDP. His brother was the Youth Leader of the regional branch of the party in Imo State, and the appellant was his political adviser and speechwriter. His brother had in his possession a dossier detailing the corrupt dealings of a senior political leader, H. H was in the PDP for a time, but "decamped" to another party, the AD, in 2003, before reverting back to the PDP. He is now a Federal senator. In 2003, H is said to have sought to entice the appellant's brother to join him in moving to the AD. The appellant's brother resisted. There were significant tensions between the two parties at the time, the appellant claims, and the AD youths sent threatening letters to the PDP youths. The police were informed, and the AD youths were arrested. However, following the corrupt intervention of H, the arrested AD youths were released. They tracked the appellant's brother down and stabbed him to death. A police officer stood by while the murder took place. Arrests took place but, again, the suspects were released following H's corrupt intervention.

8. There was a funeral for the appellant's brother. It was attended by prominent PDP politicians, some of whom spoke in favour of the appellant's brother. The appellant can be seen in video footage of the event, on his case.

9. The appellant claims that he was subsequently summoned to a shrine in a nearby town at the request of opposing AD politicians. He was required to perform a ritual in the presence of recently deceased corpses. The ritual was a harrowing experience which the appellant cannot forget. He went into hiding afterwards, and left the country, for the UK.

10. On the appellants' case, he remains at risk from Mr – now Senator – H. He is their principal antagonist and will be the source of the persecution they claim to face, and the reason they will not enjoy a sufficiency of protection in Nigeria, or the ability internally to relocate.

11. The appellant has a number of mental health conditions and displays symptoms consistent with PTSD and co-morbid depression. On his case, his symptoms are consistent with the trauma he experienced through witnessing the death of his brother, being forced to perform the ritual at the shrine, and having to flee Nigeria.

Decisions of the First-tier Tribunal

12. The appellant's appeal was comprehensively dismissed by Judge Ross. At para. 29 of his decision, Judge Ross found that the claim was "thoroughly dishonest" and "entirely fictious". It had been "falsely supported with self-serving false documents and other material in the form of the video [of the funeral] shown at the hearing". The video footage had been taken at more than one event and "could easily have been recorded prior to 1995 when the appellant would have been 32 years old" (para. 37). Documents purportedly from the police could have been created on a personal computer. The brother's death certificate was not produced until 2017. The appellant would enjoy a sufficiency of protection from the risk of cult activity at the shrine being repeated. His mental health conditions had been exaggerated and the evidence the medical appellant relied upon, namely a report from Dr Ohobe, lacked weight. The appellant would not be at risk in Nigeria. His removal would not contravene Article 8 of the European Convention on Human Rights ("the ECHR").

13. In support of his fresh claim, the appellant adduced more video footage of the funeral, an updated medical report from Dr Ohobe, letters from the Nigerian High Commission in London verifying the police reports and other documents found to lack reliability by Judge Ross. The claim was refused, largely in reliance on the findings reached by Judge Ross.

14. In his decision, Judge Cameron found no basis to depart from the findings reached by Judge Ross. The video footage of the funeral featured speakers referring to different months, thereby supporting the findings reached by Judge Ross that the footage represented different events (para. 31). The appellant was not dressed as a mourner in the video footage, nor taking an active part in carrying the coffin; while the appellant claimed to Judge Cameron that his role was to prevent other mourners from approaching his brother's coffin, the video footage did not support that claim. The judge said at para. 35ff:

> "35. With regard to the two main speakers shown on the videos the appellant indicates that one was the secretary of Imo state, and another was the Chairman of the Local Government.
>
> 36. This does therefore indicate that the authorities were involved. The appellant has stated that Governor H has changed his party and is still powerful in Imo state. Governor H however gave a speech in support of the appellant's brother and there is nothing in the papers which indicates that he would now have any adverse interest in the appellant even if he had joined a different party.
>
> 37. It is also the case that the appellant during his oral evidence indicated that other people who had given speeches all knew each other at the time and that some of those are now in the government and working with Governor H."

15. In relation to the appellant's risk on return arising from those present at the funeral, the judge said, at para. 38:

> "Notwithstanding this there is no credible reason why anyone involved in the funeral in 2003 would have an adverse interest in the appellant now given that it was his brother's position rather than the appellant's position which caused his brother's death."

16. The judge heard oral evidence from a Mr Obioha. Mr Obioha had been involved in making reports to the police in Nigeria in 2003. His evidence was that what took place at the appellant's brother's funeral, and at the shrine, was typical of such events. The judge found that Mr Obioha's evidence added little to the findings already reached by Judge Ross: para. 41. The judge added:

> "…even if there was an incident at the shrine this again was some 20 years ago, and I am not satisfied that the appellant has shown that he would continue to be at risk on return now."

17. In his remaining findings, Judge Cameron noted that the appellant knew little about the PDP in his initial asylum interview (para. 50). He repeated his earlier finding that the reference to different months in two of the speeches from the funeral supported Judge Ross's findings that the footage was a compilation from different events (para. 52). The appellant had not been credible about his attendance at the funeral itself, he found; he had not assumed a central role and in any event, the footage was inconsistent with the appellant's evidence (para. 53). The judge gave some weight to the authentication of the documents by the Nigerian High Commission (para. 56). At para. 57 he said:

> "Even if it were accepted that the appellant's brother was a member of the PDP and was killed in 2003, I do not accept even to the lower standard of proof that it is credible that the appellant himself would be at risk now on return after such a long period of time. He himself did not have a high-profile and did not appear to have an understanding of the PDP policies when he was first interviewed. I do not accept that he was a speechwriter for his brother as his knowledge would clearly have been greater than that shown at the time of his interview."

18. The judge found that there was no evidence that those who gave speeches at the appellant's brother's funeral would pose any risk for the appellant, even if they had changed parties: para. 59. He would not be at risk from H "after such long time" (para. 61).

19. As for human rights, the judge concluded that the appellant's health conditions did not meet the Article 3 ECHR threshold, and that there would be no very significant obstacles to his integration in Nigeria. Judge Cameron dismissed the appeal on asylum and human rights grounds.

Issues on appeal to the Upper Tribunal

20. I am grateful to Ms Solanki and Mr Clarke for their careful, detailed and thorough submissions. Both took me through the decision of Judge Cameron in considerable depth, each emphasising different aspects of the decision which, in their submission, supported their respective positions. I intend no discourtesy to either advocate by not setting out the detail of the judge's decision in any further depth that I have already done so. Similarly, in the outline of the issues that follows, I will also summarise their submissions, which were also very detailed.

21. There are six grounds of appeal, which Ms Solanki developed in submissions. In summary, the issues on appeal are as follows:

a. Ground 1 contends that the judge made a mistake of fact at para. 36 by confusing a speaker at the brother's funeral with H. The appellant did *not* say that H spoke at the brother's funeral. There was no evidence to support this contention. Moreover, it shows that the judge fundamentally misunderstood the appellant's case. H could not have been a speaker paying tribute to the appellant's late brother, since he was the aggressor. The gathered speakers at the funeral rallied *against* the violence instigated by H.

b. Ground 2 is that the judge failed to make findings on key issues in the appeal with the required clarity. On the one hand the judge appeared to criticise the appellant's narrative, yet on the other he appeared to take the appellant's case at its highest, finding that there was no risk in any event. Similarly, the judge said that he ascribed weight to the authentication of the appellant's documents by the Nigerian High Commission, but in practical terms failed to do so.

c. Ground 3 is that the judge failed to treat the appellant's evidence of PTSD as supporting his claim.

d. Ground 4 focusses on the document authentication by the Nigerian High Commission; those documents, if genuine, supported the appellant's claim, providing grounds for the judge to depart from the previous findings reached by Judge Ross.

e. Ground 5 criticises the judge's findings at para. 59 as being unclear and therefore insufficient. At para. 59 the judge said:

> "…the videos provided in relation to his brother's funeral show speeches in favour of his brother and others like him. Although the appellant now states that some of those have changed parties, I am not satisfied to the lower standard of proof that they would have any interest in the appellant himself almost 20 years later. Although the appellant has referred to there being letters about corruption in relation to Governor H I am not satisfied even to the lower standard of proof **given the position in Nigeria** that these would be such that the appellant himself would now be at risk." (Emphasis added)

It is said that it is not clear what "the position in Nigeria" was referring to.

f. Ground 6 contends that the judge failed to address the appellant's mental health conditions as part of his findings that he would be able to integrate in Nigeria, contrary to the guidance given in *CI (Nigeria) v Secretary of State for the Home Department* [2019] EWCA Civ 2027.

22. Mr Clarke resisted the appeal. In relation to ground 1, he noted that, if the judge had made a mistake of fact, it was immaterial. In relation to the other grounds, he submitted that the judge properly considered all relevant issues and reached findings of fact he was entitled to reach.

Relevant legal principles: challenges to findings of fact

23. The grounds of appeal challenge findings of fact reached by a first instance trial judge. Appeals lie to this tribunal on the basis of errors of law, not disagreements of fact. Of course, some findings of fact may feature errors which fall to be categorised as errors of law: see *R (Iran) v Secretary of State for the Home Department* [2005] EWCA Civ 982 at para. 9. Appellate courts and tribunals are

to exercise restraint when reviewing the findings of first instance judges, for it is trial judges who have had regard to "the whole sea of evidence", whereas an appellate judge will merely be "island hopping" (see *Fage UK Ltd v Chobani UK Ltd* [2014] EWCA Civ 5 at para. 114). As Lady Hale PSC said in *Perry v Raleys Solicitors* [2019] UKSC 5 at para. 52, the constraints to which appellate judges are subject in relation to reviewing first instance judges' findings of fact may be summarised as:

> "…requiring a conclusion either that there was no evidence to support a challenged finding of fact, or that the trial judge's finding was one that no reasonable judge could have reached."

The individual complaints

Grounds 1 and 2

24. In relation to ground 1, Ms Solanki submitted that the evidence before the judge did not support the contention that H spoke at the funeral, and, in any event, the notion that he did so is wholly inconsistent with the case advanced by the appellant.

25. In my judgment, this is a paradigm example of "island hopping", which seeks to duplicate the role of a trial judge on appeal (as to which, see *Fage v Chobani* at para. 114(iii)). It is true that there is no *written* evidence to which I have been taken which merited this finding, but the judge heard oral evidence. There is nothing before me, such as a transcript or witness statement addressing what the appellant, in fact, said in his oral evidence to demonstrate that the appellant's oral evidence precluded the judge from reaching this observation. Ms Solanki was not counsel below, and so was unable to assist on this issue (and, even if she had appeared before Judge Cameron, she could only have participated in the hearing before the Upper Tribunal as either counsel, or as a witness to the proceedings below, not both: see *BW (witness statements by advocates) Afghanistan* [2014] UKUT 00568 (IAC)).

26. The observation targeted by this ground of appeal features within a part of the judge's decision expressly addressing the appellant's oral evidence. For example, in the preceding paragraph, para. 35, the judge said "the appellant *indicates*" that one of the speakers at the funeral was the Secretary of Imo State, and the other was the Chairman of the Local Government. Those details were not in the appellant's witness statement; the judge clearly referred to the *oral* evidence given by the appellant. A short while later, at para. 37, the judge used the same term, "the appellant during his oral evidence *indicated* that other people who had given speeches all knew each other at the time…"

27. Properly understood, therefore, the judge's reasoning on this point was that the appellant's oral evidence had been that H had spoken at the funeral. I accept that such evidence would have been inconsistent with the appellant's claim for asylum, but it is in the nature of some claims which are found not to be credible that they feature significant internal inconsistencies. On one view, it would hardly be surprising if an appellant subject to a prior finding of total fabrication made a mistake when again recounting a fabricated claim.

28. With respect to Ms Solanki's submissions on this point, it cannot be said that this "error" meant that the judge fundamentally misunderstood the appellant's case in relation to H; the judge was fully aware of his case on this issue. It was set out with clarity throughout the materials that were before the judge, including at para. 19 of the appellant's Appeal Skeleton Argument ("ASA") before the First-tier Tribunal, and the appellant's witness statement dated 11 July 2022. The

judge was sitting as an expert judge of a specialist tribunal. He can be trusted to have done his job properly.

29. It is therefore nothing to the point that there was no *written* evidence to support this finding of fact: the judge heard oral evidence, and there is nothing before me to demonstrate that he was factually mistaken in relation to what the oral evidence had been. Grounds of appeal contending that a judge was mistaken on this basis simply cannot be made out in the absence of evidence concerning what the evidence before the First-tier Tribunal actually was.

30. In any event, there is merit to Mr Clarke's submission that, even if the judge had made a mistake on this issue, it was immaterial, and would have been incapable of making a difference. This is for two reasons.

31. First, the overall findings reached by the judge were, in effect, a conclusion that there were no reasons to depart from the earlier findings reached by Judge Ross concerning the funeral, namely that the entire account was a fabrication. The findings reached independently by Judge Cameron included a specific finding that the footage from the purported funeral was a compilation of at least two events, as demonstrated by the fact that two of the speakers referred to the murder taking place in different months. While the grounds of appeal state that one of the speakers merely made a mistake by incorrectly stating the month of death, I consider that to be a disagreement of fact and weight, and certainly not a criticism capable of demonstrating that the judge reached a finding of fact that no reasonable judge could have reached. Judge Cameron was rationally entitled, for the reasons he gave, to ascribe significance in that factor, as part of reaching overall findings that the appellant's funeral narrative lacked credibility.

32. The judge also found that the appellant's claimed role at his brother's funeral differed from the footage which purportedly depicted him at the event.

33. Against that background, whether H gave a supportive speech or not at the funeral is nothing to the point; even if he had *not* given a supportive speech, there is nothing to suggest that the judge would have reached anything other than the same conclusion.

34. Secondly, throughout the decision, the judge took the appellant's case at its highest, and found that he would no longer be at risk in any event: see, for example, paras 38, 57, 59, 61 and 63. In those paragraphs, the judge said that there was nothing to demonstrate that the appellant would continue to be at risk by proxy in relation to his brother some 20 years later. Other than falling back on H's current role as a Federal Senator in Nigeria (without further elaboration), I have not been taken to anything to demonstrate that he has any broader role of significance in Nigeria such that, throughout the country, the appellant would be unable to enjoy a sufficiency of protection were he to relocate internally upon his return.

35. For the same reasons, ground 2 is without merit. It was not necessary for the judge to reach his findings with any greater clarity than he did. First, Judge Ross had already reached clear findings, and he, Judge Cameron, found no basis to depart from them. Secondly, by repeatedly addressing the appellant's case at its highest, the judge reached findings on the principal controversial issues, as identified at para. 5 of the Schedule of Issues in the ASA, and at Part B of the respondent's review. It is clear that, read as a whole, the judge found that the appellant had *not* given a credible account. Moreover, as required by the second identified issue, the judge was required to address whether the appellant suffered a well-founded fear of being persecuted in Nigeria. The findings concerning the appellant's risk profile 20 years after the claimed events (in circumstances in

which there is no evidence of any threats against or ongoing interest in the appellant from anyone in Nigeria) dispositively resolve that issue against the appellant. No further findings were necessary in relation to the appellant's protection claim. The findings reached by the judge addressed all relevant issues.

Ground 3: sufficient consideration of the appellant's PTSD

36. There is no merit to this criticism. The judge addressed the impact of the appellant's mental health conditions regularly throughout the decision: see paras 42 to 48 and 58. At para. 58, the judge expressly addressed the impact of the appellant's PTSD on his inability to recall details about the PDP during his asylum interview, in terms that were open to him.

37. Ms Solanki's submission on this issue goes further; she contends that the appellant's mental health conditions were positive support for his narrative. The medical evidence demonstrates that the appellant had experienced trauma in the past, she submitted, and the judge failed to address the corroborating impact of this aspect of the evidence.

38. There is no merit to this submission. Many asylum seekers and those with precarious immigration statuses experience a range of mental health conditions. Further, the appellant's GP notes do not record any reports made by the appellant about his claimed mental health conditions until after he had claimed asylum in 2017: see the entry for 25 September 2017 at page 401 of the appellant's bundle before the First-tier Tribunal. Bearing in mind the appellant (on his current case) arrived in the UK in 2005, for this submission to have any weight, one would expect the appellant to have sought medical assistance at a much earlier stage. The question for my consideration is whether the judge reached a finding of fact that no reasonable judge could have reached, in relation to the fifteen year gap between the alleged incidents, and the appellant's first in-country report to a GP about the trauma he claimed to experience as a result of what took place? In my judgment, there was no error in the judge's approach in this respect.

Ground 4: authentication not determinative

39. Ground 4 challenges the judge's approach to the authenticated documents. As the judge noted, the Nigerian High Commission did not explain the steps it had taken to authenticate the appellant's documents. Moreover, save for extracts from a police "Crime Diary" dated 3 June 2003, the remaining documents were affidavits given by individuals purportedly describing what happened during the events in question. Other than authenticating their status as genuine affidavits, it is not clear how the High Commission could have verified the contents of those documents. The "Crime Diary" itself records a police report being made some six weeks after the alleged murder took place. Again, it is not clear how the High Commission authenticated this document.

40. I accept that, on one view, an authentic police document, contemporaneous with the alleged incident, is capable of landing some weight to the underlying claim. But it would be unlikely to be able to provide determinative assistance in the context of a claim where, as here, there are reams of other legitimate and significant credibility concerns.

41. Properly understood, this ground is based on the premise that, having ascribed some weight to the documents as authenticated by the High Commission (and in relation to an affidavit from the appellant's Nigerian lawyer), the judge was somehow bound into describing them determinative significance in his analysis of the case as a whole. Put that way, the futility of that submission is clear. The

weight attracted by evidence in an asylum appeal can only ever be considered as part of the overall credibility assessment, in the round: see *Tanveer Ahmed v Secretary of State for the Home Department* [2002] UKIAT 00439. That is precisely the analysis performed by the judge. Weight is a question for the judge, barring irrationality or some other error of law. In any event, there are any number of reasons why an ostensibly authenticated document would not attract determinative weight, for example, due to the prevalence of genuinely obtained but fraudulent documents in the jurisdiction in Nigeria. While there is absolutely no suggestion that the High Commission or the appellant's Nigerian lwayer engaged in such practices, as the ASA itself acknowledges at para. 20, police bribery and corruption "remain commonplace" in Nigeria. Here, the Crime Diary entry was not made until 3 June 2003, in relation to a claimed high profile death in April 2003, in relation to which there were apparently high profile speakers at the victim's high profile funeral. It certainly cannot be said that the judge reached a finding of fact that no reasonable judge was entitled to reach.

42. This ground is a disagreement of fact and weight. Moreover, as the judge noted at para. 63, even taking this aspect of the appellant's case at its highest, there was nothing to suggest that the appellant would remain at risk, some 20 years later, throughout the entirety of Nigerian territory.

Ground 5: sufficient reasons concerning "the position in Nigeria…"

43. The thrust of para. 59 is that the appellant would not be at risk "almost 20 years later" in Nigeria. That is a recurring theme in the judge's decision, as I have already identified. It is against that background that the final sentence of para. 59, quoted at para. 21.e, above, and the target of Ms Solanki's submissions, should be read, namely as referring back to the lack of sustained interest in the appellant, given the passage of time:

> "I am not satisfied even to the lower standard of proof given the position in Nigeria [*that is, the lack of interest in the appellant 20 years on*] that these would be such that the appellant himself would now be at risk"

44. The meaning of the sentence is tolerably clear and is not a basis to conclude that the judge gave insufficient reasons. In *English v Emery Reimbold & Strick Ltd. (Practice Note)* [2002] EWCA Civ 605, the litmus test for sufficiency of reasons was put in this way, at para. 19:

> "It follows that, if the appellate process is to work satisfactorily, the judgment must enable the appellate court to understand why the judge reached his decision."

45. Why the judge reached the decision is abundantly clear from his decision, read as a whole. Moreover, as it was put by Lewison LJ in *Volpi v Volpi* [2022] EWCA Civ 464 at para. 2(vi):

> "Reasons for judgment will always be capable of having been better expressed. An appeal court should not subject a judgment to narrow textual analysis. Nor should it be picked over or construed as though it was a piece of legislation or a contract."

46. This ground of appeal seeks to "pick over" the judge's findings in the manner which Lewison LJ said in *Volpi* should not take place. It is without merit.

Ground 6: no error in analysis of "very significant obstacles…"

47. This ground criticises Judge Cameron's approach to the impact of the appellant's mental health conditions on his prospective integration in Nigeria. Ms Solanki submitted that the judge failed to address the issue at all, despite having recognised and accepted the impact of his mental health conditions elsewhere in the decision.

48. This ground is without merit. Judge Cameron addressed the appellant's mental health considerations under Article 3 ECHR at paras 69 to 75. Those findings are not challenged by the appellant. They included findings, at para. 74, that healthcare and medication would be available to the appellant in Nigeria, and, at para. 75, that he would be assisted by his wife, the second appellant, who would be returned to Nigeria with him. She would be able to ensure that he obtained the necessary mental health treatment or medication. Those findings were plainly open to the judge.

49. It is against that background that the judge addressed whether the appellant would face "very significant obstacles" to his integration in Nigeria. The judge prefaced his analysis of that issue by stating, "even if I were incorrect in relation to my findings under article 3…", demonstrating that the issues he addressed concerning the appellant's mental health in the Article 3 ECHR context were relevant to his analysis of the appellant's integration. Indeed, at para. 80, while addressing Article 8 ECHR outside the Immigration Rules, the judge repeated the point about the appellant's wife being able to assist him in obtaining support for his mental health in Nigeria. The judge directed himself in relation to *Kamara v Secretary of State for the Home Department* [2016] EWCA Civ 813; [2016] 4 WLR 152, a leading authority on the "very significant obstacles" to integration. He found at para. 77 that the appellant would be able to work (as he is doing in the United Kingdom), and along with his wife, they would be able to support themselves. The second appellant, the appellant's wife, remains in contact with her siblings in Nigeria. As noted above, the judge went onto address the impact of the appellant's mental health on the appellant's prospective return to Nigeria, at para. 80, thereby "bookending" his analysis of "very significant obstacles" with two references to the impact of the appellant's mental health. He plainly had the appellant's mental health in mind throughout his analysis of all human rights issues, both inside the Immigration Rules, and outside the rules.

50. This ground is without merit.

Conclusion

51. Properly understood, the grounds of appeal are a series of disagreements of fact and weight. They do not disclose an error of law. This appeal is dismissed.

Anonymity

52. The First-tier Tribunal made an order for anonymity. I consider that it is appropriate to maintain that order in light of the nature of the appellants' claims, and to avoid the risk that their identification may expose them to a risk which they do not currently face.

Notice of Decision

The appeal is dismissed.

The decision of the First-tier Tribunal did not involve the making of an error of law.

I make no fee award.

Stephen H Smith

Judge of the Upper Tribunal
Immigration and Asylum Chamber

16 November 2023