



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

Appeal Number: AA/01904/2015
AA/01905/2015
AA/01908/2015
AA/01909/2015

THE IMMIGRATION ACTS

**Heard at Newport
On 16 February 2016**

**Decision & Reasons Promulgated
On 18 February 2016**

Before

UPPER TRIBUNAL JUDGE GRUBB

Between

**PK
NT
RT
ET**

(ANONYMITY DIRECTION MADE)

Appellants

And

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellants: Ms C Hulse instructed by Qualified Legal Solicitors
For the Respondent: Mr I Richards, Home Office Presenting Officer

DETERMINATION AND REASONS

1. Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698) I make an anonymity order in order to protect the anonymity of the appellants who claim asylum and in the case of the

second, third and fourth appellants are children. Unless the Upper Tribunal or Court directs otherwise, no report of these proceedings shall directly or indirectly identify the Appellants. This direction applies to both the appellants and to the respondent and a failure to comply with this direction could lead to Contempt of Court proceedings.

2. The appellants are citizens of Pakistan. The first appellant is the mother of the remaining three appellants. They all entered the United Kingdom on 9 September 2014 as visitors. On 9 December 2014, the first appellant claimed asylum with the remaining appellants as her dependents. The basis of her claim was that she feared her husband who had been violent towards her arising out of the fact that he had entered into a second marriage of which the first appellant disapproved. She feared serious ill-treatment or being killed if she returned to Pakistan
3. On 8 January 2015, the Secretary of State refused the first appellant's claim for asylum and those of her children as her dependents. On 15 January 2015 the Secretary of State made decisions refusing to vary each of the appellants' leave to enter the UK.
4. The appellants appealed to the First-tier Tribunal. In a determination promulgated on 23 July 2015, Judge Holder dismissed each of the appellants' appeals. The appellants sought permission to appeal to the Upper Tribunal. On 17 August 2015, the First-tier Tribunal (Judge Lambert) granted the appellants permission to appeal.
5. The appeals initially came before me on 24 November 2015. At that hearing, Mr Richards who (then as now) represented the Secretary of State conceded that Judge Holder's decision could not stand on the basis that she had failed to consider recent background evidence relating to the risk and potential for internal relocation of a woman in the position of the first appellant. As a consequence, in a decision dated 26 November 2015 I set aside the decision of Judge Holder on the basis that his decision involved the making of an error of law.
6. The appeals were relisted for a resumed hearing on 16 February 2016. At that hearing, Mr Richards accepted, having consulted the responsible person in the asylum team, that the appellants' appeals should be allowed on refugee grounds. In the light of the risk factors preserved from Judge Holder's earlier decision, and taking in to account all the relevant evidence, Mr Richards accepted on behalf of the Secretary of State that the first appellant was at risk and the Pakistan authorities would not provide the first appellant with a sufficiency of protection and that it was not reasonable to expect the appellants to relocate within Pakistan. He invited me to allow the appeals on asylum grounds.
7. In the light of the Secretary of State's concession, which I considered to be responsibly and properly made, I remake the decision in respect of the

each of the appellants and I allow each of those appeals on asylum grounds.

Signed

A Grubb
Judge of the Upper Tribunal

Date: