



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

Appeal Number: PA/12405/2016

**THE IMMIGRATION ACTS**

**Heard at Manchester  
on 5 July 2017**

**Decision promulgated  
on 6 July 2017**

**Before**

**UPPER TRIBUNAL JUDGE HANSON**

**Between**

**Mr DTV  
(anonymity direction made)**

Appellant

**and**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: No appearance

For the Respondent: Mr Bates Senior Home Office Presenting Officer

**DECISION AND REASONS**

1. This is an appeal against a decision of First-tier Tribunal Judge Housego promulgated on 12 December 2016 in which the Judge dismissed the appellant's appeal on asylum, humanitarian protection, and human rights grounds.
2. The appellant sought permission to appeal which was granted on a limited basis of a Resident First-tier Tribunal Judge on 6 January 2017. The appellant sought permission directly from the Upper Tribunal, in relation to the grounds for which permission was not granted,

resulting in a grant of permission on all grounds by Upper Tribunal Judge Coker on 6 February 2017.

3. The parties were served with notice of the date, time, and venue of the Initial hearing. The notices sent to the appellant at the address provided as his bail address have not been returned as not having been delivered.
4. The appellant's representatives before the First-tier Tribunal had recently written advising they were no longer instructed and so their attendance at the hearing was not expected.
5. The appellant failed to attend and, according to the Presenting Officer, has also failed to honour reporting conditions attached to his conditions of bail. He is believed to have absconded.
6. There is no application for an adjournment and no explanation from the appellant for why he could not attend.
7. It is appropriate to consider the matter in the appellant's absence, although it is also the case that the appellant has failed to establish any arguable legal error material to the decision to dismiss the appeal.
8. The assertion of unfairness in relation to the Judge's refusal to adjourn has not been made out. There was no need for an expert report confirming the appellant had been trafficked as the Judge accepted as credibility the evidence he had been. There was no need for a country expert report dealing with the risk of re-trafficking as the Judge found there was ample other country material available to enable a finding to be made in relation to this aspect, which is referred to in the decision under challenge. It has not been shown the Judge's conclusions are perverse, irrational, or contrary to the available material.
9. The Resident First-tier Tribunal Judge granted permission claiming it was arguable the Judges approach to the human rights was flawed but Judge deals with this matter at [114] of the decision under challenge and, again, the appellant has failed to establish any arguable legal error based upon the evidence the Judge was asked to consider.
10. This is the appellant's appeal and in light of his failure to engage with the appeal process by attending court to advance his argument that the decision is infected by legal error material to the decision, I find he has failed to discharge the burden of proof upon him to the required standard to make out any such error.
11. It is not made out it is appropriate to find such error on a 'Robinson obvious' point.
12. The appeal is therefore dismissed.

## **Decision**

- 13. There is no material error of law in the First-tier Tribunal Judge's decision. The determination shall stand.**

Anonymity.

14. The First-tier Tribunal made an order pursuant to rule 45(4)(i) of the Asylum and Immigration Tribunal (Procedure) Rules 2005.

I make such order pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008.

Signed.....  
Upper Tribunal Judge Hanson

Dated the 5 July 2017