Upper Tribunal
(Immigration and Asylum Chamber) PA/01129/2018

THE IMMIGRATION ACTS

Heard at Glasgow	**Decision & Reasons Promulgated**
on 1 November 2018	**on 17th December 2018**

Before

UPPER TRIBUNAL JUDGE MACLEMAN

Between

M G

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

For the Appellant: Ms N Loughran, of Loughran & Co, Solicitors
For the Respondent: Mr M Matthews, Senior Home Office Presenting Officer

DETERMINATION AND REASONS

1. This decision is to be read with:
   (i) The respondent's decision dated 11 January 2018, refusing the appellant's claim.
   (ii) The appellant's grounds of appeal to the First-tier Tribunal.
   (iii) The decision of FtT Judge Farrelly, promulgated on 5 June 2018.
   (iv) The appellant's grounds of appeal to the UT, stated in the application for permission to appeal dated 20 June 2018.

(v) The grant of permission dated 2 July 2018.

2. Ground 1 alleges error through the absence at [19] of the full terms of headnote 4 of *MS* (Coptic Christians) Egypt CG [2013] UKUT 00611 (IAC), because that headnote goes on to point out that Coptic Christian women are sometimes "the target of disappearances, forced abduction and forced conversion", which was the nature of this case; and *per* headnote 7, a case might be established in such circumstances.

3. There is no fixed rule on the extent of quotation or paraphrase required of a judge. The decision shows that the FtT was aware of the nature both of the appellant's claim and of the country guidance. Risk depended on the circumstances, as the FtT said at [19], and as is clear from the full headnote and from [150] of *AS*. As Mr Matthews pointed out, the appellant is not in the categories by age or by marital status of Coptic women who are the main victims of persecution of the type alleged. Fuller citation from *AS* might have tended both ways. Ground 1 discloses no error of law.

4. Ground 2, sub-headed (i) – (vii), alleges that the FtT failed to record the evidence accurately and fully, and focused on incidents peripheral to the claim.

5. Sub-heading (i) cites sections of the appellant's interviews and statements.

6. The claim is accurately summarised in the decision at [2]. The judge notes at [8] that the appellant has provided "an extensive narrative" and "considerable detail". There is no requirement for copious quotation.

7. Ground 2 (i) does not show that anything essential was overlooked.

8. Ground 2 (ii) says that the appellant was not asked at the hearing about her son being refused medical treatment. There has been no production of anyone's record of the hearing. In any event, the matter has not been shown to have any importance.

9. Grounds 2 (iii) and (iv) overlap. As developed in submissions, the main point was that the judge should have understood the description by the appellant of a neighbour as a "Muslim Sheikh" to be a clear not a vague reference to a religious cleric. However, the term "sheikh" *is* vague - or, at least, was not shown by the appellant to be precise.

10. Consulting a standard dictionary after the hearing, the first definition given is "an Arab leader, in particular the chief or head of an Arab tribe, family or village"; and the second, "a leader in a Muslim community or organization". This is a term of wide-ranging usage.

11. A subsidiary point about whether another person was described as definitely or only possibly a police officer has equally little bearing on the outcome.

12. Ground 2 (v) complains about the judge saying at [24] that the motive to kidnap the appellant and her children "at this junction is unclear". The references given confirm that she has always based her claim on being targeted. However, it has not been shown that she did explain why an attempted kidnapping happened at that stage of her narrative. Consistency is a different matter from clarity of explanation.

13. Ground 2 (vi) quotes the appellant's account of an incident at her house, but fails to show that the judge was not entitled to find it "rather amazing" that under the circumstances described she would allow her neighbour entry to her apartment.

14. Ground 2 (vii) complains about the judge saying at [27] that the appellant used deception to obtain her visa to enter the UK. She does not dispute that she did so. There is nothing to show that the judge failed to consider her explanation. His rejection of it must be put in context of the decision as a whole. There is no error in taking this as suggesting fabrication in an attempt for the family to settle in the UK. That was the obvious alternative explanation, and a view open to the judge on the whole evidence.

15. Ground 3 alleges error through failure to assess credibility in light of key passages of "objective evidence" about abuses against Copts and lack of state protection. Ms Loughran accepted there had been some reference by the judge, but said that he failed to focus on specific evidence which comprised a level of corroboration.

16. The decision at [7], at [16] – [19], and as a whole, is reached in terms which make it clear that the judge was aware of the general background evidence and country guidance against which a case of a Coptic Christian woman was to be assessed. It has not been shown that ground 3 amounts to more than another form of insistence and disagreement on the facts.

17. Together and separately, the grounds are a determined repetition of the appellant's case, but they do not show that the decision of the FtT should be set aside for having involved the making of any error on a point of law.

18. The decision of the First-tier Tribunal shall stand.

19. The FtT made an anonymity direction. No reason is stated, but as the matter was not addressed in the UT, anonymity is preserved herein.

Hugh Macleman

6 November 2018
Upper Tribunal Judge Macleman