Upper Tribunal
(Immigration and Asylum Chamber) **Appeal Number: UI-2022-000313**
(Formerly PA/50426/2021); IA/01139/2021

THE IMMIGRATION ACTS

Heard at Manchester Civil Justice Centre	**Decision & Reasons Promulgated**
On 8 November 2022	**On 12 February 2023**

Before

UPPER TRIBUNAL JUDGE LANE
DEPUTY UPPER TRIBUNAL JUDGE SHEPHERD

Between

SOM
(ANONYMITY DIRECTION MADE)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:
For the Appellant: Mr Brookes, Compass Immigration Law Ltd solicitors
For the Respondent: Mr Bates, Senior Home Office Presenting Officer

DECISION AND REASONS

1. The appellant appeals with permission against the decision of First-tier Tribunal Judge Dilks promulgated on 21 November 2021 in which she dismissed the appellant's appeal against a decision of the Secretary of State made on 23 December 2020 refusing his protection claim.

The Appellant's Case

2. The appellant is a national of Iran. He claims asylum on the basis of having a well-founded fear of persecution in Iran due to his political opinion, namely his support for the Kurdish Democratic Party (KDP) of Iran. Specifically, the appellant claims he helped KDP members who had come to Iran from Iraq by offering them food and shelter, due to which E'tellaat came and raided his parent's house and came looking for him. He says he left Iran with the help of his father who organized an agent to arrange exit from Iran. He left Iran in October 2019 along with his paternal uncle and travelled through Turkey, Italy and France before arriving in the UK by lorry on 7 November 2019, claiming asylum the next day. Since his arrival in the UK, the appellant says he has engaged in sur place activities by posting overtly anti-Iranian regime content on his Facebook account as well as attending demonstrations outside the Iranian Embassy in London.

3. The appellant claims that on return he will be arrested and killed by the Iranian Intelligence service because he co-operated with and supported the KDP and due to his sur place activities.

4. In a letter dated 23 December 2020 ("the Refusal Letter") the respondent accepted that the appellant is from Iran and of Kurdish ethnicity. However, it rejected his claims that he supported and helped KDP members, that he left Iran illegally, that he has come to the adverse attention of the authorities for helping KDP members, or that he has been politically active since arriving in the UK. It said the appellant's account was internally inconsistent, inconsistent with country information and not credible.

5. The appellant appealed that decision. The appeal was heard by First-Tier Tribunal Judge Dilks ("the Judge") on 15 November 2020, after which her decision was promulgated on 21 November 2021.

The First-tier Tribunal's decision

6. The Judge heard evidence from the appellant via a Kurdish Sorani interpreter, and submissions from his representative, Mrs Thomas. Mrs Thomas confirmed that no claim under Article 8 of the ECHR was being made. The respondent was represented by Mr Scholes.

7. The Judge's key findings, with reference to the relevant paragraph numbers, were as follows:

   (a) She did not accept the core of the appellant's account to the lower standard of proof because she found his account to be inconsistent with country information and not credible [23] – [29]. She did not accept that the appellant helped the peshmergas/KDPI in Iran and that he came to the adverse attention of the authorities in Iran because of this [31].

   (b) Pursuant to section 8 of the 2004 Act, the appellant's delay in claiming asylum, and failure to claim it in Italy or France, undermined his credibility but was not determinative of his claim [30].

(c) She did not accept that the appellant was at general risk of persecution or serious harm on return to Iran due to his Kurdish ethnicity even if combined with illegal exit [32-34].

(d) She accepted to the lower standard that the appellant had attended four anti-Iranian regime demonstrations outside the Iranian Embassy in London on the basis of photographic and Facebook evidence provided by the appellant. However, he was an infrequent demonstrator who played no particular role in demonstrations so was just a 'face in the crowd'. There was therefore no real risk of identification or consequent ill-treatment on return to Iran likely to result from attendance at demonstrations [35]-[38].

(e) She accepted that the appellant's online activities will be perceived as anti-regime and that he would be questioned on arrival as a failed asylum seeker as set out in **PS (Christianity - risk) Iran CG [2020] UKUT 00046 (IAC)** [39] – [42]. However due to a misspelling of his name on his Facebook account, she found that the appellant does not have a Facebook account that is searchable in his official name [43]. She also rejected the appellant's claim to have genuine political beliefs such that she assessed he would fall outside the scope of the case law on **HJ (Iran) v Secretary of State for the Home Department [2010] UKSC 31.** She found he had taken part in sur place activities to manufacture a claim such that it was reasonable for him to remove the content and delete his Facebook account [44]. She did not accept that the appellant's posts have been available to the public and found it reasonably likely that the appellant had manipulated his Facebook posts to change the icon from private posts to public posts for the purposes of the appeal and she did not find the appellant's Facebook posts reliable. She did not find it proved that the appellant's own or shared content would come to the attention of the authorities [45] – [52].

(f) Due to these factors, she dismissed the appellant's claims for asylum, humanitarian protection and human rights grounds [53] – [58].

Appeal History

8. On 19 January 2022 the appellant sought permission from the First -tier Tribunal to appeal to the Upper Tribunal on three grounds, namely:

(a) Ground 1: That the Judge erred in her assessment of the appellant's assistance to the peshmergas of the KDP and the appellant's Kurdish rights beliefs. Specifically the Judge accepted the appellant's account was largely consistent but then said she did not accept it, finding several matters implausible without considering, for example, the family matrix and the appellant's age at the time.

(b) Ground 2: That the Judge erred in failing to make a clear factual finding on whether the appellant illegally exited Iran, which is one of several factors which cumulatively place him at higher risk.

(c) Ground 3: That the Judge erred in her assessment and conclusion with respect to risk on return concerning the appellant's sur place activities in the UK. Specifically, she accepted that the appellant went to four demonstrations which would be perceived as anti-regime and accepted he would be questioned on return. Whether the Facebook posts were manufactured was irrelevant as with 300 'friends', he will have been monitored by the Iranian regime and cannot be expected to lie about his activities on return. He also was not questioned as to whether he would delete his Facebook account. There was a general failure to follow the relevant country guidance cases.

9. On 5 January 2022, First-tier Tribunal Judge Curtis refused permission to appeal, saying none of the grounds disclosed an arguable error of law.

10. On 19 January 2022, the appellant sought permission from the Upper Tribunal to appeal to the Upper Tribunal on the same grounds.

11. On 17 March 2022 Upper Tribunal Judge Plimmer granted permission to appeal on all grounds, saying:

> *"1. It is arguable that having accepted that this Iranian Kurdish appellant has attended four demonstrations, the FTT has arguably erred in law in its assessment of prospective risk by i) failing to apply the "hair-trigger" staged approach in* ***HB (Kurds) Iran CG [2018] UKUT 00430 (IAC)*** *to the relevant sur place activities and ii) seeming at points (eg para 44) to disregard sur place activity in the form of anti-regime demonstrations as a barometer of prospective risk on the basis that the appellant acted in bad faith.*
>
> *2. Although not submitted in the grounds, it is also arguable that the FTT has inappropriately inverted the lower standard of proof at paras 27 and 46, 48, 49 and 51.*
>
> *3. The grounds of appeal have not been carefully pleaded but I grant permission on all grounds as they may be inter-linked in the light of my observations above."*

12. On 5 April 2022, the respondent filed a Rule 24 response, opposing the appeal on the following grounds (which we have summarised and paraphrased):

(a) The Judge did consider risk in conjunction with illegal exit. Her findings about what would happen at the pinch point of return were open to her on the evidence.

(b) The Judge made clear she was applying the lower standard of proof. The new ground of appeal raised by UTJ Plimmer (which was not raised by the appellant) was not 'Robinson Obvious'. The Judge's use of phraseology such as 'it is reasonably likely' was intended to convey the fact she was applying the lower standard. Her findings were cogent and reasoned. The appellant was an adult at the time of the purported events in Iran.

(c) The Judge was not suggesting that no Kurds support the Peshmerga in Iran but that on the specific facts of this case it was incredible, given the risks, that this family did when they appeared to have no interest in politics.

(d) Whilst the respondent is concerned that the Judge gave weight to a part-time legal researcher's assessment of the appellant's Facebook evidence [39], this is immaterial given the Judge's conclusions that the evidence was unreliable. The issue of Facebook evidence and the interaction of 'HJ' (Iran) in non-genuine Iranian claims has since been addressed in detail in **XX (PJAK - sur place activities - Facebook) Iran CG [2022] UKUT 00023 (IAC)** which is now binding authority. The Judge's conclusions remain open even applying XX. It is clear that the appellant would delete his Facebook account because it represented non-genuine beliefs manufactured solely to obtain immigration status in the UK.

The Hearing

13. The appeal came before us on 8 November 2022.

14. It serves no purpose to recite the submissions here at length as they are set out in the record of proceedings. Essentially, Mr Brookes expanded on the grounds of appeal, making the following submissions of particular note:

(a) The appellant's uncle, who accompanied him out of Iran, has been granted refugee status in the UK on the same basis as that claimed by the appellant, indicating that the appellant's account is credible.

(b) There is a pinch point of being redocumented whilst in the UK as well as on return to Iran; the appellant will need to be redocumented as he left without documents and never had a passport; there is no analysis of this by the Judge. The Judge's approach to what will happen upon the appellant being questioned is unclear, she does not say why he should be expected to lie about the demonstrations that she accepts he attended and does not assess the risk posed by illegal exit when coupled with the demonstrations.

(c) As regards inverting the standard of proof, the Judge was applying the standard of likelihood as to what she thinks happened, rather than to acceptance or rejection of the appellant's account. He accepted this

ground was not pleaded by the appellant but now it has been raised, it cannot be ignored.

(d) The Judge's findings about deletion of the Facebook account and its contents are not sound; there needs to be a reassessment of the Facebook evidence in line with the case of **XX**.

15. Mr Bates confirmed he relied on the rule 24 response and added:

(a) He was not aware of the uncle being granted status in the UK and no evidence of this had been provided.

(b) As regards illegal exit, the Judge made a clear finding at [34] saying 'even if combined with illegal exit' so she does deal with it. She had found the appellant's core account was not credible and he was not of interest to the authorities when he left; his sur place activities were not genuine and he could reasonably be expected to delete his Facebook account, therefore he would be returning only as a failed asylum seeker who left illegally. The Judge applied the country guidance and found he was not at risk due to these factors.

(c) As regards the 'inversion' of the standard of proof, it is difficult for First-Tier judges to express they are applying the correct standard of proof, really it was just an assessment of credibility and the grounds didn't take any issue with phraseology. The case of **AZ (error of law: jurisdiction; PTA practice) Iran [2018] UKUT 00245 (IAC)** says that:

> *"(3) Permission to appeal to the Upper Tribunal should be granted on a ground that was not advanced by an applicant for permission, only if:*
>
> > *(a) the judge is satisfied that the ground he or she has identified is one which has a strong prospect of success:*
> >
> > > *(i) for the original appellant; or*
> > >
> > > *(ii) for the Secretary of State, where the ground relates to a decision which, if undisturbed, would breach the United Kingdom's international Treaty obligations; or*
> >
> > *(b) (possibly) the ground relates to an issue of general importance, which the Upper Tribunal needs to address."*

The case of **Durueke (PTA: AZ applied, proper approach) [2019] UKUT 00197 (IAC)** added that:

> *"(i) In reaching a decision whether to grant permission to appeal to the Upper Tribunal on a point that has not been raised by the parties but which a judge considering such an application for permission considers is arguably a Robinson obvious point or*

other point falling within para 3 of the head-note in AZ (error of law: jurisdiction; PTA practice) Iran [2018] UKUT 00245 (IAC), the evidence necessary to establish the point in question must be apparent from the grounds of appeal to the Upper Tribunal (whether or not the appellant is represented at the time) and/or the decision of the judge who decided the appeal and/or the documents on file. The permission judge should not make any assumptions that such evidence was before the judge who decided the appeal. Furthermore, if permission is granted on a ground that has not been raised by the parties, it is good practice and a useful aid in the exercise of self-restraint for the permission judge to indicate which aspect of head-note 3 of AZ applies."

These cases have not been followed here. The Judge self-directed as to the correct standard of proof in [17] and [31] and clearly applied it when reading the decision as a whole.

(d) As regards **XX**, the Judge clearly finds the appellant had no genuine political opinion and manufactured his account such that he can be expected to delete it; she then deals with the risk post-deletion. **XX** makes these points too i.e. you can delete an account prior to return or prior to an interview in the UK to redocument, and then you will not come to the adverse attention of the Iranian authorities as you would not volunteer information which does not go to a genuinely-held belief. The approach the Judge took has been confirmed in **XX** as correct.

(e) All the findings were open to the Judge on the evidence and the grounds are mere disagreement with the outcome.

16. Mr Brookes replied to say that even if the attendance at demonstrations was for disingenuous reasons, the appellant could still not be expected to lie about having attended if questioned about this, and he will be questioned as, being a Kurd, he will be subjected to heightened scrutiny. It is this that needs to be reassessed in light of **XX**. However, he accepted that we do not know what questions the Appellant would be asked exactly.

Discussion and Findings

17. Before we deal with the pleaded grounds of appeal, we shall discuss UTJ Plimmer's concern that the Judge may have "*inappropriately inverted the lower standard of proof at paras 27 and 46, 48, 49 and 51"*. We note the paragraphs referred to are ones in which the Judge concluded matters were or were not 'reasonably likely'.

18. It is not clear what is meant by 'inverting' the standard of proof and whether UTJ Plimmer means the Judge has applied a higher standard of proof, or is applying the standard to her own theories rather than the appellant's account. Either way, we agree that it is unclear whether UTJ

Plimmer considered this further ground as having a strong prospect of success pursuant to **AZ**; if she did, she does not say so. It is also not clear whether, pursuant to **Duruek**, she found the evidence necessary to establish the point in question was apparent from the grounds of appeal and/or the Judge's decision and/or the documents on file; if she did, she does not say so. We also do not find the point to be 'obvious' as opposed to merely arguable. As such, our inclination would have been to disallow this as a further ground of appeal, however, the respondent has not clearly taken this position in either the rule 24 response or oral submissions and argument has been heard on the point so we shall address it.

19. Whilst we agree that the phraseology used is not ideal, and wording such as 'I do/do not find it proved to the lower standard that…' would have been preferable, we find the Judge is simply expressing her assessment of matters to the lower, correct, standard. We disagree that she is applying a test of plausibility as opposed to credibility, given the references to the surrounding circumstances and evidence that were adduced before her. For example, in [27] the Judge says, "*in my assessment it is reasonably likely that his sister who he says came to warn him would have been able to tell him this information"*, concerning how E'tellaat treated the appellant's family when they conducted the raid at his home. The Judge says this as part of her assessment as to the appellant's witness statement, having reminded herself at [17] of the correct standard of proof and the need to assess the evidence in the round. She reminds herself of these matters again at [31].

20. When the Judge says at [46], [48] and [49] that she finds it reasonably likely that the appellant has manipulated the posts on his Facebook page and had help to do so, we find this is part of her assessment as to whether the appellant's sur place activities are genuine, and not an assessment of the plausibility of her own version of events, as has been argued by the appellant. This is because, again, she is making these remarks in the context of the appellant's oral and documentary evidence and the country information.

21. We find there is no reference to, or indication of, any standard of proof other than the lower standard being used. We therefore do not find any error of law in the nature of the Judge's assessment or the standard of proof applied.

22. Taking each original ground of appeal in turn:

Ground 1

23. We do not find this ground to be made out. The Judge gives rational, well-explained reasons as to her rejection of the appellant's core account of events prior to leaving Iran. At [23] she says "*Although I have considered all the arguments on credibility, in the following paragraphs I comment only on the matters that I consider are core to the appellant's claim"* such that we find she did consider such matters as the appellant's family

matrix, his lack of education and his age at the time. Indeed, she refers to these matters at [3], [4] and [49] and confirms at [19] that she has considered all the evidence before her and at [22] has also noted the oral evidence and submissions and has taken them into account. Even if she did find the appellant's account largely consistent, it was still open to her to reject the credibility of that account, which she does when viewing it in the round and in light of country information, as she summarises in [23].

24. As regards the appellant's uncle being granted refugee status, we have seen no evidence of this and we do not know the basis on which such status was or would have been granted. It does not automatically follow that the appellant's appeal should be granted even if his uncle's claim had been accepted, as, being two different people, their accounts would inevitably have differed in some respects.

25. We find this ground to be in the nature of mere disagreement and discloses no error.

Ground 2

26. We do not find this ground to be made out. Whilst it is correct that there is no explicit wording confirming an acceptance that the appellant illegally exited Iran, it is clear that the Judge assessed the appellant's case at its highest in this respect at [34] when she says *"I therefore find that the appellant is not at general risk of persecution or serious harm on return to Iran due to his Kurdish ethnicity even if combined with illegal exit."* This indicates she assessed return both with and without illegal exit, in line with the country guidance case of **HB** which she cites as saying

> *"4) However, the mere fact of being a returnee of Kurdish ethnicity with or without a valid passport, and even if combined with illegal exit, does not create a risk of persecution or Article 3 ill-treatment".*

27. Even if there were an error in failing to make a clear finding as to whether the appellant illegally exited Iran, based on the above extract from **HB**, having rejected the core of the appellant's account and given the Judge's other findings as concerns the appellant's ingenuine sur place activity (which we shall discuss below), there would have been no other conclusion open to the Judge on this point without cogent objective evidence to form a basis on which to depart from **HB**. We have not been directed to any such evidence. We therefore find this ground to be in the nature of mere disagreement and discloses no error.

Ground 3

28. We do not find this ground to be made out. The Judge was entitled to find that, despite the appellant attending four demonstrations which would be perceived as anti-regime, and posting content which would be perceived as anti-regime, he would still not be of adverse attention to the authorities. She clearly explains at [38] that he was a 'face in the crowd' at the demonstrations, playing no particular role and attending infrequently, whilst having adduced no evidence that the authorities are already aware of his attendance at these demonstrations or that the demonstrations attracted media coverage in the UK or Iran.

29. The Judge was also entitled to find that, the appellant's political beliefs not being genuine, the appellant could reasonably be expected to delete his Facebook account in advance of any interview to redocument him in the UK, or return to Iran. She explains her reasons for these findings, which were open to her on the evidence. As regards the number of 'friends', the Judge specifically finds at [50] and [51] that there is insufficient evidence that these friends, or the appellant himself, have shared content from the appellant's account which would have come to the attention of the Iranian authorities. Even if he was not questioned specifically about whether he would in fact delete his Facebook account (and we do not have the record of proceedings in front of us to know whether he was), having found he was not genuine in his beliefs, the Judge was entitled to find the appellant could reasonably be expected to do so.

30. As regards the 'pinch point' of return, Mr Brookes said the appellant could not be expected to lie on return about his attendance at demonstrations and having had a Facebook account, relying on **PS** for authority. We note that **PS** said at [111] that: "*Against this background we have no hesitation in finding that a genuine Christian would face serious difficulties on arrival in Tehran. Asked about the basis of his claim for asylum, he cannot be expected to lie*." However, this is not the same as saying no one can be expected to lie on return, whatever the circumstances; rather this was in relation to those who hold genuine beliefs. In contrast, headnote 4 of **PS** states that *"In cases where the claimant is found to be insincere in his or her claimed conversion, there is not a real risk of persecution 'in-country'. There being no reason for such an individual to associate himself with Christians, there is not a real risk that he would come to the adverse attention of the Iranian authorities."* By analogy, as the Judge had found the appellant not to be genuine in his beliefs, there was no reason for him to associate himself with genuine protestors or activities, so it was reasonable to expect that he would both delete his Facebook account and also likely conceal that he had ever been involved in political activities in order not to endanger himself for causes in which he did not truly believe. And that is assuming he would be asked the direct question of whether he had attended demonstrations or ever had a Facebook account. Mr Brookes was unable to point us to any evidence showing us the appellant would be asked these specific questions. As above, having rejected his core account and found his sur place activities to be manufactured, the Judge found the appellant would be returning as a failed asylum seeker of Kurdish ethnicity. We cannot see that there was evidence before the Judge to say that such a

person would be asked specific questions about attendance at demonstrations or other political activity. We see no failure to follow or interpret correctly the applicable country guidance cases.

31. We do not find that **XX** gives rise to any proper challenge against the Judge's decision. The headnotes of **XX** state as follows:

> *(1) There is a disparity between, on the one hand, the Iranian state's claims as to what it has been, or is, able to do to control or access the electronic data of its citizens who are in Iran or outside it; and on the other, its actual capabilities and extent of its actions. There is a stark gap in the evidence, beyond assertions by the Iranian government that Facebook accounts have been hacked and are being monitored. The evidence fails to show it is reasonably likely that the Iranian authorities are able to monitor, on a large scale, Facebook accounts. More focussed, ad hoc searches will necessarily be more labour-intensive and are therefore confined to individuals who are of significant adverse interest. The risk that an individual is targeted will be a nuanced one. Whose Facebook accounts will be targeted, before they are deleted, will depend on a person's existing profile and where they fit onto a "social graph;" and the extent to which they or their social network may have their Facebook material accessed.*
>
> *(2) The likelihood of Facebook material being available to the Iranian authorities is affected by whether the person is or has been at any material time a person of significant interest, because if so, they are, in general, reasonably likely to have been the subject of targeted Facebook surveillance. In the case of such a person, this would mean that any additional risks that have arisen by creating a Facebook account containing material critical of, or otherwise inimical to, the Iranian authorities would not be mitigated by the closure of that account, as there is a real risk that the person would already have been the subject of targeted on-line surveillance, which is likely to have made the material known.*
>
> *(3) Where an Iranian national of any age returns to Iran, the fact of them not having a Facebook account, or having deleted an account, will not as such raise suspicions or concerns on the part of Iranian authorities.*
>
> *(4) A returnee from the UK to Iran who requires a laissez-passer or an emergency travel document (ETD) needs to complete an application form and submit it to the Iranian embassy in London. They are required to provide their address and telephone number, but not an email address or details of a social media account. While social media details are not asked for, the point of applying for an ETD is likely to be the first potential "pinch*

point," referred to in AB and Others (internet activity – state of evidence) Iran [2015] UKUT 00257 (IAC). It is not realistic to assume that internet searches will not be carried out until a person's arrival in Iran. Those applicants for ETDs provide an obvious pool of people, in respect of whom basic searches (such as open internet searches) are likely to be carried out.

…

(6) The timely closure of an account neutralises the risk consequential on having had a "critical" Facebook account, provided that someone's Facebook account was not specifically monitored prior to closure.

…

(8) It is easy for an apparent printout or electronic excerpt of an internet page to be manipulated by changing the page source data. For the same reason, where a decision maker does not have access to an actual account, purported printouts from such an account may also have very limited evidential value.

(9) In deciding the issue of risk on return involving a Facebook account, a decision maker may legitimately consider whether a person will close a Facebook account and not volunteer the fact of a previously closed Facebook account, prior to application for an ETD: HJ (Iran) v SSHD [2011] AC 596. Decision makers are allowed to consider first, what a person will do to mitigate a risk of persecution, and second, the reason for their actions. It is difficult to see circumstances in which the deletion of a Facebook account could equate to persecution, as there is no fundamental right protected by the Refugee Convention to have access to a particular social media platform, as opposed to the right to political neutrality. Whether such an inquiry is too speculative needs to be considered on a case-by-case basis.

32. We find nothing in the Judge's decision which is not in line with the guidance that has been provided in **XX** and as such, there is no need for reassessment of the appellant's Facebook evidence. The Judge undertook a detailed analysis of that evidence, such as it was, and made reasoned findings that were open to her. Those findings included that the appellant was not of adverse attention prior to leaving Iran and was not of significant adverse interest even having attended demonstrations. She found that there was no evidence that the Iranian authorities had monitored the appellant's Facebook account, which **XX** has confirmed is the correct conclusion for someone who is not of significant interest.

33. To conclude, we find the decision is not infected by any errors of law. The decision therefore stands.

Notice of Decision

1. The appeal to the Upper Tribunal is dismissed. The decision of First-tier Tribunal Judge Dilks promulgated on 21 November 2021 is maintained.

2. An anonymity direction is made due to the nature of the issues underlying the appeal.

Direction regarding anonymity – rule 13 The Tribunal Procedure (First-Tier Tribunal) (Immigration and Asylum Chamber) Rules 2014

The First-tier Tribunal made an anonymity direction in this appeal which we continue due to its nature. Until this appeal is finally determined the appellant (and/or any member of his family, expert, witness or other person the Tribunal considers should not be identified) is granted anonymity. No-one shall publish or reveal any information, including the name or address of the appellant, likely to lead members of the public to identify the appellant (and/or other person). Failure to comply with this order could amount to a contempt of court

This order does not restrict disclosure of information relating to this appeal to law enforcement or regulatory agencies, the Bar Council, the Solicitors Regulatory Authority, the Law Society, OISC, or where disclosure is otherwise required by law

Unless this Tribunal or a court directs otherwise, this order expires when the appeal is finally determined i.e. when the appellant becomes appeals rights exhausted at the conclusion of the proceedings, including any onward appeal, or when the appeal is abandoned, withdrawn (or treated as withdrawn) or lapses. If there is an onward appeal or challenge, an application to amend or vary the anonymity order must be made to the tribunal or court concerned.

Signed: L. Shepherd Date: 12 December 2022

Deputy Upper Tribunal Judge Shepherd