



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

Appeal Numbers: UI-2023-001537  
PA/54420/2021

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 25<sup>th</sup> August 2023**

**Decision & Reasons Promulgated  
On 7 September 2023**

**Before**

**DEPUTY UPPER TRIBUNAL JUDGE METZER KC**

**Between**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Appellant

**And**

**MAA  
(ANONYMITY DIRECTION MADE)**

Respondent

**Representation:**

For the Appellant: Ms A Everett, Senior Home Office Presenting Officer  
For the Respondent: Mr C Holmes, instructed by Saxon solicitors

**DECISION AND REASONS**

1. For the purposes of this appeal for clarity, the Appellant will be referred as to the SSHD and the Respondent as MAA. MAA is a citizen of Nigeria. In a decision promulgated on 21<sup>st</sup> March 2023, First-tier Tribunal Judge M

Symes (“the Judge”) allowed MAA’s appeal against the Respondent’s decision to refuse the Appellant’s claim on the basis of his asylum claim on Refugee Convention grounds.

2. The SSHD was granted permission to appeal on 5<sup>th</sup> June 2023 primarily on adequacy of reasons grounds for the finding that relocation would be unduly harsh. There was another ground for which permission was granted claiming there had been a material misdirection relating to the asylum claim described by UT Judge Macleman when granting permission as “mix(ing) up several points, and (which) might not have attracted a grant of permission on its own” which was not advanced before me by Ms Everett on behalf of the SSHD and I therefore only needed to consider the adequacy of reasons ground.
3. At the hearing, Ms Everett focused on paragraph 22 of the decision maintaining that the Judge’s findings were “unduly speculative” including that MAA’s birth family would be motivated to find her; that she would be living alone with two children; that she would have no childcare to call upon were she to seek work and that it was not foreseeable given the nature of her previous relationships that she would have support from a partner.
4. Mr Holmes on behalf of MAA maintained that the around eight reasons provided at paragraph 22 were wholly adequate and justifiable. He replied upon the positive credibility findings in relation to the historical facts at paragraphs 19 and 20 including the motivation of the birth family to seriously harm her. He also drew my attention to the authorities of Budhathoki [2014] UKUT 00341 (IAC) in which the headnote states: “It is generally unnecessary and unhelpful for First-tier Tribunal judgments to rehearse every detail or issue raised in a case. This leads to judgments becoming overly long and confused and is not a proportionate approach to deciding cases. It is, however, necessary for judges to identify and resolve key conflicts in the evidence and explain in clear and brief terms their reasons, so that the parties can understand why they have won or lost”, and Shizad [2013] UKUT 00085 (IAC) in which the headnote states (amongst other things): “ Although there is a legal duty to give a brief explanation of the conclusions on the central issue on which an appeal is determined, those reasons need not be extensive if the decision as a whole makes sense, having regard to the material accepted by the judge”.
5. Having looked carefully at the relevant paragraphs and taking into account the guidance provided by the authorities, I had no difficulty in

finding that the Judge did provide clear and adequate reasons for finding that relocation for MAA would be unduly harsh and that therefore the decision did not involve the making of a material error of law..

***Notice of Decision***

6. The appeal by the SSHD is dismissed and the decision therefore stands.

Signed [Anthony Metzger KC](#)

Date: 25 August 2023

Deputy Upper Tribunal Judge Metzger KC