IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Case No: UI-2024-001471

First-tier Tribunal No: HU/19977/2019

THE IMMIGRATION ACTS

Decision & Reasons Issued:

On 11th of September 2024

Before

UPPER TRIBUNAL JUDGE BLUNDELL
and
UPPER TRIBUNAL JUDGE LODATO

Between

OB
(ANONYMITY ORDER MADE)

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:
For the Appellant: Mr Bundock, counsel instructed by Sediqi & Sediqi solicitors
For the Respondent: Ms Nwachuku, Senior Home Office Presenting Officer

Heard at Field House on 29 August 2024

Order Regarding Anonymity

Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008, the appellant and his family are 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 his family. Failure to comply with this order could amount to a contempt of court.

DECISION AND REASONS

Introduction

1. The appellant appeals with the permission of Upper Tribunal Judge Norton-Taylor against the decision of First-tier Tribunal Judge Beg ("the judge"). By her decision of 21 February 2024, the judge allowed OB's appeal against the respondent's decision to refuse his human rights claim. That claim was prompted by the Secretary of State's decision to deport him from the United Kingdom as a foreign criminal, following his conviction for supplying Class A drugs.

Background

2. The appellant is a Nigerian national who entered the UK as a 10-year-old child with his mother as visitors. His visit visa expired on 10 November 2005. From this point, he became an overstayer. On the date of his appeal hearing before the judge, he was 29-years old.

3. The appellant's criminal antecedents began in 2010 when he was still a child. The offending which was the catalyst for the deportation decision was a conviction, as an adult, for two offences which involved the supply of cocaine and heroin. On 25 July 2018, he received lengthy concurrent sentences of 8 years' imprisonment for these matters which triggered the operation of a suspended sentence for his conviction in June 2016 for possession with intent to supply both cocaine and heroin. Judge Beg summarised the seriousness of the index offending at [31]:

> […] *the appellant was 21 years old at the time of the offence and operated a small but efficient drugs line in Farnborough. He used people he knew and could trust, including a young man, who was only 17 to run the drugs to Farnborough. The judge also referred to his co-defendants one of which was a girlfriend. The judge indicated that it was a profitable business given the volume of the appellant's advertising. He made many thousands of pounds over a relatively short period. The judge noted that his girlfriend said that the drug network earned them between £3000 and £5000 per week and that the appellant was the mastermind.*

4. The appeal proceedings in the First-tier Tribunal challenged the respondent's decision of 25 November 2019 to refuse the human rights claim which was lodged in response to the Secretary of State's notification of her intention to deport him. The respondent's reasons for refusing the human rights claim were summarised by the judge between [5]-[11] of her decision. In broad terms, the respondent concluded that the appellant's family and private life claims did not satisfy the statutory exceptions and could not be considered to go over and above the exceptions to meet the high threshold of 'very compelling circumstances' under s.117C (6) of the 2002 Act. The respondent's review was considered between [12]-[17] where consent was given for the appellant to rely on the 'new matter' of an Article 3 claim founded on his mental health. The respondent gave reasons for doubting the expert psychiatric evidence and relied on country background information to argue that the necessary treatment and care would be available in Nigeria.

Appeal to First-tier Tribunal

5. During the hearing, the judge heard oral evidence from nine witnesses including the appellant, his partner, his mother and several of his siblings.

6. The judge summarised the applicable legal framework between [18]-[24].

7. At the outset of the "Determination and reasons" section of the decision, the judge directed herself at [28]-[29] as to the standard of proof the appellant must discharge to succeed in his human rights claim brought under Article 3 and Article 8 of the ECHR. Because this self-direction is expressly challenged as involving an error of law, we set it out in full:

> *In coming to my determination, I apply the civil standard of proof, that of a balance of probabilities. The burden of proof is on the appellant. I take into consideration all the documents contained in the file, including the appellant's bundle and the skeleton argument. The appellant O A B, a citizen of Nigeria, appeals on human rights grounds, a decision of the respondent dated 25 November 2019, making a Deportation Order against him by virtue of Section 32(5) of the UK Borders Act 2007.*
>
> *The skeleton argument relied upon an Article 3 claim in respect of the appellant being bisexual. However, at the appeal hearing, Mr Bundock submitted that he no longer relied upon his sexuality in the context of a protection claim. He said he only relied upon Articles 3 and 8 in respect of his mental health, material deprivation in Nigeria and his family and private life in the United Kingdom. The skeleton argument states that deporting the appellant to Nigeria will have a serious physical, emotional and psychological effect on his family members.*

8. Under the heading of "*The index offence*", the judge summarised the proceedings at Woolwich Crown Court at [30], the underlying facts of the appellant's offending (see [31] copied above) and the risk posed for the future at [38]-[39]. Between [32]-[37], the judge addressed statements of principle from an extensive range of authorities which touched on the 'very compelling circumstances' test, the approach which should be taken to assessing the seriousness of the offending and the meaning and effect of the statutory exceptions to deportation on Article 8 grounds. This summary of authorities concluded, at [37], with a precis of N (Kenya) [2004] UKAIT 00009. This decision was summarised as including the following guidance: "*Another facet is the role of the deportation order as an expression of society's revulsion at serious crimes and in building confidence in the treatment of foreign nationals who have committed serious crimes*" (although we note that those words are actually from the judgment of Wilson LJ (as he then was) at [15](c) of OH (Serbia) v SSHD [2008] EWCA Civ 694; [2009] INLR 109).

9. The next section of the decision is headed "*Article 3 and Very compelling circumstances*". At [41], the judge addressed the foundation for the private life claim against deportation in the following terms:

> [41] *Mr Bundock submitted that the appellant has lived in this country since he was 10 years old. I find that whilst the appellant had his education in this country and completed A levels, he has a significant number of criminal convictions and periods of imprisonment.*

10. Between [42]-[51], the judge considered the evidence which went to the appellant's prospects of returning to Nigeria and effectively reintegrating. The judge rejected, at [43]-[46], the evidence of the appellant and his mother that the appellant's claimed half-brother, who was previously deported to Nigeria, would not be available to assist the appellant. The evidence of the appellant's other

siblings was preferred on this topic. Between [47]-[49], the judge considered whether the appellant's grandmother and aunt might also be available to him to assist in the reintegration process. The evidence of the appellant's mother, that these relatives had died, was emphatically rejected as a work of fiction. Again, the rather different evidence of the appellant's siblings was preferred, and it was noted that no death certificates had been obtained or produced in support of the claims. The appellant's mother's reasons for not revealing the deaths to any other family members until the date of hearing was treated as manifestly implausible. The overall conclusion was reached at [49] that the appellant would have a home to return to in Nigeria and the support of his brother, grandmother and aunt. He would further benefit from the assistance of his partner and mother from the UK. The judge was satisfied that he could use his qualifications and ability to speak English to find work in Nigeria notwithstanding socio-economic challenges. Between [50]-[51], the judge directed herself in accordance with the leading case of Kamara [2016] EWCA Civ 813 and concluded that he would not encounter very significant obstacles to integration. The conclusion is predicated by the words, "*I find that although the appellant has spent the majority of his life in the United Kingdom,* […]" before turning to his prospects for integrating on return to Nigeria.

11. The judge then turned her attention to the family life claim. Between [52]-[57], a further summary of the relevant principles laid down by a range of authorities was set out. At [57], the judge noted the distinction, drawn in Sicwebu [2023] EWCA Civ 550, between a period of temporary imprisonment and deportation which "will result in a more permanent rupture to the family relationships". Between [58]-[61], consideration was given to the evidence as to how the appellant's partner and her child would fare in Nigeria with him, or in the UK without him. It was noted, at [58], that his partner has a wide and supportive family structure around her and was able to cope without him while he was in custody. Her daughter's medical condition was described, at [59], as well as her settled educational and familial circumstances in the UK ([60]). Overall, the conclusion was reached, at [61], that the appellant's deportation would not have an unduly harsh effect on them, but it would not be reasonable to expect the child to relocate to Nigeria. Her best interests were that she should continue to live with her mother.

12. Between [62]-[63], the judge summarised authoritative judicial dicta on the statutory exceptions and the 'very compelling circumstances' test in the 2002 Act before turning to the evidence which went to the appellant's mental health, at [64]-[65]. The Article 3 legal framework, in the context of health claims, was set out between [66]-[67] with reference to both the Grand Chamber's decision in Paposhvili v Belgium (App No 41738/10) and the Supreme Court judgment in AM (Zimbabwe) v SSHD [2020] UKSC 17. It was then found, at [68], that the necessary treatment would be available in Nigeria and that the "high threshold of Article 3" was not met. The overall conclusion was expressed in the following terms at [69]:

> *For the reasons that I have already given, I do not find that the appellant would be exposed to a serious, rapid and irreversible decline in his state of health, resulting in intense suffering or a significant reduction in life expectancy. I find that a key part of his anxiety relates to the threat of deportation which hangs over him. However, even given his vulnerabilities, he would not be exposed to inhuman and degrading treatment or punishment on return. He will not be destitute. As indicated above, he has*

> *a home to return to in Nigeria with his relatives. He will be able to access mental health treatment with their support and seek employment.*

13. The paragraph which immediately follows [69] returned to the family life claim under Article 8 where the appellant's evidence, that he lived with his partner, was rejected. In the following paragraphs, at [71]-[72], the Article 8 claim is further considered with reference to the level of contact he had with his partner's daughter and the extent of his private life relationships. It was found that he does not share family life, for the purposes of Article 8, with his mother and siblings. The public interest side of the scales was addressed at [73]-[75]. The weight to be attached to the general public interest was expressed in these terms, at [76]:

> *I take specific account of the need to protect society from those who have engaged in serious criminal behaviour and who pose a danger to society. I attach significant weight to the public interest in discouraging foreign non-nationals admitted to the country from believing that they can commit serious crimes and yet be allowed to remain here (the public interest in deterrence). I additionally attach significant weight to the public interest in expressing society's revulsion at the commission of serious drugs offences and the need to maintain public confidence in the immigration system.*

14. At [77], the balance was resolved in favour of the public interest in deportation because there were not 'very compelling circumstances' over and above the statutory exceptions.

Appeal to the Upper Tribunal

15. The appellant sought permission to appeal against the judge's decision on five grounds. The first ground contended that the civil standard of proof was wrongly applied to determine the Article 3 claim. The second ground of appeal was that the judge did not take lawful account of the strength of the appellant's private life and integration established in the UK since his arrival as a child. The third ground challenged the lawfulness of the judge's findings of fact about the conditions he would return to in Nigeria. The fourth ground averred that the judge adopted a flawed approach to her consideration of the impact the appellant's deportation would have on his partner and her daughter. The fifth ground argued that the judge's recourse to "public revulsion", in measuring the strength of the public interest, unlawfully distorted the balancing exercise and was not consistent with recent authority.

16. Permission to appeal was refused in the First-tier by Judge Hollings-Tennant but granted on renewal to the Upper Tribunal. While it was noted in the grant of permission that some of the grounds were stronger than others, permission was granted for all grounds to be argued.

Analysis

17. We bear in mind the restraint which is to be shown by an appellate body when considering whether a judge in a specialist tribunal has erred in law. We have those principles firmly in mind in reaching the conclusions which follow.

The First Ground

18. It is trite – and it is accepted on all sides before us – that the standard of proof for an Article 3 ECHR claim is the lower, 'real risk' standard, whereas the standard for an Article 8 ECHR claim is the civil standard of proof on a balance of probability.

19. In our assessment of whether the judge applied the correct legal standard of proof to her consideration of the appellant's Article 3 claim, we agree with the respondent that it is important to assess the overall decision and not to engage in 'island-hopping', by unfairly taking words and sentences out of context. To this end, we have looked to the specific analysis which went to the Article 3 issue as well as how the judge set the scene for her analysis and the overall structure for her key findings and reasoning. This is why we considered it to be necessary to set out above, in some detail, the structure and content of the judge's decision.

20. The critical fact-finding and legal analysis in the judge' decision is signalled by the heading "*Determination and reasons*". The scene is then set at [28] and [29] by clearly stating that the civil standard of proof, the balance of probabilities, would be applied in coming to her determination. This paragraph is not expressly confined to the Article 8 claim. The following paragraph, at [29], expressly refers to the Article 3 health claim, but then conflates this dimension of his case by referring to "*Article 8*" and "*family and private life*" in the very same sentence. There is nothing in these opening paragraphs to indicate that the Article 3 standard of proof was in the judge's mind. The only standard of proof expressly referred to is that which applied to the Article 8 considerations. There was nothing to suggest that a distinction would ultimately need to be drawn in considering overlapping facts through the different Article 8 and Article 3 lenses.

21. There is another signal of confusion later in the decision where the Judge uses a sub-heading before [40] where the legally distinct concepts of Article 3 and very compelling circumstances are coupled. The use of a loosely worded sub-heading would not have troubled us in isolation if the following analysis had not gone on to blur the applicable legal tests. We are satisfied that the analysis which followed did not deploy the necessary analytical discipline to approach the Article 3 and Article 8 claims separately.

22. The judge directed herself according to the leading cases in the context of Article 3 health claims at [66]-[67]. However, we were struck by how this immediately followed analysis of evidence going to the appellant's mental health, which was introduced by citation of authorities which plainly went to Article 8 considerations. After adverse findings were reached at [70], the judge seamlessly returns to what are unarguably Article 8 considerations about the extent to which the appellant shared family life with his partner and her daughter. This gave the firmest of impressions that the Article 3 issue became intertwined with the Article 8 assessment. This impression only hardens when the content of [69] is considered. Here, in assessing the prospect of destitution (a central plank of the Article 3 claim in tandem with the appellant's mental health), the judge predicates her finding that he has a home to return to and family support in Nigeria and access to mental health treatment by stating "[a]s indicated above…". This can only be a reference to [51] where findings of fact were reached on these factual matters expressly in the context of very significant obstacles, a threshold to be established on the balance of probabilities. The judge did not state that her findings of fact in relation to these matters were the same notwithstanding the lower threshold which applies in the context of an Article 3 claim.

23. Overall, we were left in considerable doubt about whether the judge applied the correct standard of proof to the Article 3 claim. We find ourselves unable to accept the approach suggested by Ms Nwachuku, and to infer that the correct test was applied merely due to the references to Paposhvili and AM (Zimbabwe), at [66]-[67], because findings of fact which must have been reached according to a higher standard at [51] were incorporated without qualification in to the Article 3 conclusion. The judge, at [69], referred to the substantive matters the appellant must establish to succeed in his Article 3 claim, namely, exposure to a serious, rapid and irreversible decline in his state of health, resulting in intense suffering or significant reduction in life expectancy. However, nothing is said about the standard by which he needed to discharge his burden. It is not clear to us whether this finding was reached on the balance of probabilities or the lower, albeit not undemanding, standard of substantial grounds for believing that there is a real risk of an Article 3 breach. The decision gives the firmest of impressions that critical factual matters were assessed interchangeably according to unclear standards of proof.

24. At the risk of stating the obvious, the legal framework governing the assessment of whether a deportation decision can be successfully challenged on Article 8 grounds involves the balancing of competing private and public interests because Article 8 is a qualified right. Not only is the real risk threshold (as explained by the Supreme Court in the context of health claims in AM (Zimbabwe) a lower standard, but it also relates to an absolute right which, if established, would not involve a balancing exercise at all. The underlying facts may overlap in considering the existence of 'very compelling circumstances', but analytical discipline is required to ensure that the unqualified does not become qualified, or that a real risk is not elevated to the balance of probabilities, by conflating the legal principles which must be applied. We have no confidence that the outcome would have inevitably been the same irrespective of the test applied and reject the respondent's argument that any error was immaterial.

25. For these reasons, we are satisfied that the judge misdirected herself in law in considering the Article 3 health claim.

The Second Ground

26. The second ground of appeal rests on the submission that the judge did not give sufficiently careful consideration to a fundamental component of the appellant's private life claim. His case was that he had spent the entirety of his life living in the UK from the time he entered as a 10-year-old child as a visitor with his mother. This was the foundation for his case that he was deeply and indelibly integrated into British society. During the hearing, Mr Bundock took us through the authorities which led to the Supreme Court clarifying the law in Sanambar v SSHD [2021] 1 W.L.R. 3847. The court considered how the Grand Chamber's decision in Maslov v Austria [2009] INLR 47 ought to be understood in domestic law. The Grand Chamber's reasoning was summarised between [22]-[24]:

> *The court began its consideration of general principles at para 68 by reference to Üner and Boultif. When the interference with article 8 rights pursued as a legitimate aim the prevention of disorder or crime those criteria ultimately were designed to help evaluate the extent to which the subject could be expected to cause disorder or to engage in criminal activities (Maslov at para 70). In cases involving the expulsion of young*

adults who had not yet founded a family of their own the Grand Chamber identified the relevant criteria at para 71 as:

> *(i) the nature and seriousness of the offence committed by the applicant;*
> *(ii) the length of the applicant's stay in the country from which he or she is to be expelled;*
> *(iii) the time elapsed since the offence was committed and the applicant's conduct during that period; and*
> *(iv) the solidity of social, cultural and family ties with the host country and with the country of destination.*

At para 72 the court noted that in assessing the nature and seriousness of the offences committed it was necessary to take into account whether the offender committed them as a juvenile or as an adult. Similarly at para 73 when assessing the length of an offender's stay in the country from which he was to be expelled and the solidity of the social, cultural and family ties within the host country, it made a difference whether the person concerned had already come to the country during his childhood or youth or whether he only came as an adult. The rationale behind making the duration of a person's stay in the host country one of the elements to be taken into account lay in the assumption that the longer a person had been residing in a particular country the stronger his or her ties with that country were and the weaker the ties with the country of his nationality would be. That applied particularly to those who spent most if not all of their childhood in the host country, were brought up there and received their education there (see Üner at para 58).

27. At [46], the Supreme Court rejected the notion that decision-makers should apply a single test of "very serious reasons" to justify expulsion but should, instead, consider the factors articulated at [71] of Maslov (reproduced above). At [49], the court addressed the quality of reasoning required to properly justify expulsion:

> *It is clear that a delicate and holistic assessment of all the criteria flowing from the Convention's case law is required in order to justify the expulsion of a settled migrant like the appellant who has lived almost all of his life in the host country. It must be demonstrated that the interference with the appellant's private life was supported by relevant and sufficient reasons (see Levakovic v Denmark (Application No 7841/14) (unreported) 23 October 2018).*

28. Mr Bundock argued that Sanambar must be read together with Hesham Ali v SSHD [2016] 1 W.L.R. 4799. At [34] of Lord Reed's judgment in Hesham Ali, it was clear that no bright lines could be drawn as a result of an appellant's immigration status in the UK. This was said by Mr Bundock to support the appellant's case that the fact that his status was never regularised (either on his behalf when he was a child or since he reached majority) did not mean that a Sanambar/Maslov assessment was unnecessary. We agree that the appellant's immigration status since his arrival as a child did not obviate the need to engage with the important factors identified in Maslov in balancing the competing public and private factors. The length of the appellant's stay in the UK, much of which was as a child, and the solidity of his ties to the UK remained matters of importance to be properly assessed in striking a fair balance.

29. We are satisfied that the judge did not undertake the kind of delicate and holistic assessment contemplated by the Supreme Court in Sanambar when it came to assessing the length of the appellant's stay in the UK or the solidity of the social, cultural and family ties he had formed in the UK in that time. This important pillar of the appellant's case was only briefly considered at [51], where it was noted that he had "spent the majority of his life in the United Kingdom", and [41] in the following terms:

> *Mr Bundock submitted that the appellant has lived in this country since he was 10 years old. I find that whilst the appellant had his education in this country and completed A levels, he has a significant number of criminal convictions and periods of imprisonment.*

30. On no sensible analysis can it be said that the judge carefully weighed the extent to which the appellant had integrated into British society and formed the kind of ties which went to his private life in the UK. Maslov and Sanambar are both clear that decision-makers must not only look to the private life which might be established in the destination country, but must also assess the private life already formed in the host country. Whilst we accept Ms Nwachuku's submission that the judge analysed the former consideration with demonstrable care, we are satisfied that inadequate attention was given to the latter consideration and that this amounts to an error of law. As detailed above, the appellant has been in the United Kingdom since the age of ten and must be considered to have spent his formative years here. The significance of that point was underscored in the appellant's skeleton argument before the FtT but was omitted from the judge's analysis of proportionality under section 117C(6). We are equally satisfied that this error of law was material because it cannot be known whether the outcome would have been different if these important factors were weighed in the balance.

The Third and Fourth Grounds

31. It is fair to say that Mr Bundock did not pursue these grounds with the same vigour as he advanced the first, second and fifth grounds. Given the conclusion we have reached on the remaining grounds, we can address these challenges with greater brevity.

32. We are satisfied that there is nothing unlawful about the judge's findings of fact about the evidence provided in relation to the conditions the appellant would encounter on return to Nigeria. The judge's reasons for emphatically rejecting the evidence of the appellant's mother were comprehensively explained. The appellant can be in no doubt about why this conclusion was reached. As alluded to above, the judge expressed grave concerns about the unheralded emergence at the hearing of evidence about the deaths of family members in Nigeria. She was entitled to treat this evidence as a recent fabrication given the tension with the evidence of her other children. Further, the failure to produce any death certificates was a legitimate matter to take into consideration. The findings of fact reached in relation to the extent of a subsisting relationship with the appellant's half-brother, who was previously deported, was equally open to the judge on the evidence. Again, there is no mystery about why this conclusion was reached to render the reasons defective in law. We agree with Ms Nwachuku that this ground of appeal savours of a factual disagreement rather than an error of law founded on inadequate reasoning.

33. It was argued in the fourth ground (and not developed in oral argument) that the judge fell into legal error in bluntly equating how the appellant's partner and her child were able to cope without him when he was in prison and their prospects for doing so on his deportation. The judge expressly directed herself in accordance with Sicwebu [2023] EWCA Civ 550 at [57]. The judge was entitled to have regard to the support structure which helped the appellant's partner to cope without the appellant. There was sufficient nuance in the judge's analysis of this point to satisfy us that she did not drift into the kind of blunt and forbidden territory the Court of Appeal cautioned against in Sicwebu. The judge's reasoning on this matter did not involve an error of law.

The Fifth Ground

34. The appellant argued that the judge's repeated use of the word "revulsion" to measure the strength of the public interest in the appellant's deportation was founded on a decision which no longer reflects the law and unlawfully distorted the weight attached to the public interest. We agree that the judge erred in law in viewing this as a facet of the public interest in the appellant's deportation. The judge relied on N (Kenya) to support her use of such language in this context. Not only is this case of some vintage, from 2004, but it must now be regarded as being of dubious precedential value given the observations of Lord Wilson, at [70] of Hesham Ali, where he expressed regret that he had previously discussed "revulsion" in the context of the public interest in the deportation of foreign criminals. The position could not have been more clearly expressed than [166]:

> *Expression of societal revulsion, the third of the factors applied in the OH (Serbia) case, should no longer be seen as a component of the public interest in deportation. It is not rationally connected to, nor does it serve, the aim of preventing crime and disorder. Societal disapproval of any form of criminal offending should be expressed through the imposition of an appropriate penalty. There is no rational basis for expressing additional revulsion on account of the nationality of the offender, and indeed to do so would be contrary to the spirit of the Convention.*

35. The repetition of the concept of public revulsion in the judge's decision and its use in the final assessment of the weight to be ascribed to the public interest at [76] satisfies us that this was more than a slip of the pen and improperly tainted the overall balancing exercise. We obviously accept Ms Nwachuku's submission that there is a very heavy weight to be attached to the public interest in a case such as this but the judge's statement that she attached 'significant weight' to the concept of public revulsion shows clearly that she made an error of principle in calibrating the scales of proportionality. We find that this was a material error of law, in that we cannot be satisfied that the same outcome would inevitably have been reached were it not for the error.

Relief

36. The advocates agreed that the appropriate relief would depend on which, if any, of the grounds were found to be made out. Since we have accepted the appellant's first ground, it follows that the judge's findings of fact on the Article 3 ECHR claim cannot stand. Given the centrality of those findings to the determination as a whole, we consider that the only logical course is for the appeal to be determined afresh. Given the extent of the fact-finding which will

therefore be necessary, we find that the appropriate course is to remit the appeal for hearing de novo by a different judge.

Notice of Decision

The decision of the First-tier Tribunal involved the making of errors on points of law. The First-tier Tribunal's decision is set aside, and the appeal is remitted to the First-tier Tribunal for consideration afresh by a judge other than Judge Beg.

Paul Lodato

Judge of the Upper Tribunal
Immigration and Asylum Chamber

2 September 2024