



IAC-AH-DN-V1

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

Appeal Number: AA/06917/2014

**THE IMMIGRATION ACTS**

**Heard at Manchester  
On 6 October 2015**

**Decision & Reasons Promulgated  
On 28 October 2015**

**Before**

**UPPER TRIBUNAL JUDGE CLIVE LANE**

**Between**

**SABIR HUSSAIN  
(ANONYMITY DIRECTION NOT MADE)**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: Mr Moksud, International Immigration Advisers

For the Respondent: Mr Harrison, Senior Home Office Presenting Officer

**DECISION AND REASONS**

1. The appellant, Sabir Hussain, was born on 1 January 1967 and is a citizen of Pakistan. The appellant appealed against the decision of the respondent dated 20 August 2014 to refuse his application for asylum and to make directions for his removal from the United Kingdom. The First-tier Tribunal (Judge Devlin) in a decision and reasons promulgated on 5 November 2014, dismissed his appeal on all grounds. The appellant now appeals, with permission, to the Upper Tribunal.
2. The grounds assert that the decision is both irrational and perverse. The appellant claimed to be a homosexual, a claim which had been rejected by

the respondent. The judge, in a determination characterised by exceedingly short paragraphs but which contains a detailed analysis of the written and oral evidence, concluded that the appellant had given discrepant evidence and concluded [181] that the appellant was not a gay man and that he was not in a relationship with another man as he claimed. In essence, the judge found the very basis of the appellant's claim (that he was homosexual and could not live in Pakistan in consequence) was not true. The judge could identify no other factors in the appellant's circumstances and character or past history which might expose him to risk in Pakistan. On that basis, the judge dismissed the appeal.

3. The decision of the judge betrays extremely poor proof-reading. At [203] the judge refers to the appellant as a female and having a son. At [207] he refers to the fact that the appellant clearly had "social and family ties in Bangladesh." In the same paragraph the judge expressed his satisfaction that there would be no "significant barriers to reintegration in Iran." Such errors are not acceptable but the question arises as to whether these obvious errors penetrate to and cloud the reasoning of the judge. As I have said, the judge has carried out a detailed analysis of the evidence and he has reached conclusions as to the appellant's lack of credibility which do not appear to have been challenged. I agree that the errors cannot properly be described as typographical errors but they may, in my opinion, be described as "template errors". It is quite apparent that the judge has used a form of template for this decision which he has employed in other cases (including those relating to appellants from Bangladesh and Iran). His failure to amend the template or to make corrections upon proof-reading is not excusable and they do little to inspire confidence in the quality of judicial practice. However, these are not errors which, in this particular instance, enter the heart of the judge's reasoning or in any way cast doubt upon his detailed assessment of the evidence. It cannot be said that the judge actually mistook this appellant, towards the end of his written decision, as either an Iranian or a Bangladeshi. He did not actually mistake the appellant as a female who had a son. In that sense, the errors are much closer to typographical errors than they are to errors arising out of and vitiating the reasoning of the decision. Although the errors are deplorable they are not, in my opinion, material to the outcome of this appeal. It would be wholly disproportionate for the Tribunal to set aside the decision on the basis (as argued in the grounds) that it is perverse and that there has been no proper or anxious scrutiny of the evidence. In the circumstances, I dismiss the appellant's appeal.

### **Notice of Decision**

4. The appeal is dismissed.
5. No anonymity direction is made.

Signed

Date 26 October 2015

Upper Tribunal Judge Clive Lane

**TO THE RESPONDENT**  
**FEE AWARD**

I have dismissed the appeal and therefore there can be no fee award.

Signed

Date 26 October 2015

Upper Tribunal Judge Clive Lane