



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Numbers: HU/08319/2019  
HU/07118/2019

THE IMMIGRATION ACTS

Heard remotely at Field House  
On 7 October 2020 *via Skype for Business*

Decision & Reasons Promulgated  
On 5 November 2020

Before

UPPER TRIBUNAL JUDGE STEPHEN SMITH

Between

MR NAQVI MASOOM  
MRS SANA MASOM  
(ANONYMITY DIRECTION NOT MADE)

Appellants

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

**Representation:**

For the Appellant: Mr J. Gajjar, Counsel (Direct Access)

For the Respondent: Mr T. Melvin, Senior Home Office Presenting Officer

**DECISION AND REASONS (V)**

*This has been a remote hearing which has not been objected to by the parties. The form of remote hearing was V (video). A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing.*

*The documents that I was referred to are in the appellant's First-tier Tribunal bundle of 132 pages, the grounds of appeal, the grant of permission to appeal, written submissions from Mr Gajjar and*

*Mr C. Howells on behalf of the appellant and respondent respectively, each dated 20 April 2020, the contents of which I have recorded.*

*The order made is described at the end of these reasons.*

*The parties said this about the process: they were content that it had been conducted fairly in its remote form.*

1. The appellants are a married couple, Mr Naqvi Masoom (“the first appellant”) and Mrs Sana Masom (“the second appellant”). They are citizens of Pakistan born on 1 September 1979 and on 28 July 1983 respectively.
2. They appeal against a decision of First-tier Tribunal Judge Anthony promulgated on 28 August 2019 dismissing their appeals against separate decisions of the respondent to refuse their human rights claims. The decisions of the respondent were dated 1 April 2019 and 2 May 2019 respectively.
3. On 7 April 2020, the President of the Upper Tribunal issued directions which stated that it was his preliminary view that the questions of whether the decision of the First-Tier Tribunal involved the making of an error of law and, if so, whether it should be set aside, could be determined on the papers. Both parties responded with submissions addressing those questions. On 30 July 2020, Judge Smith directed that an oral hearing would be required, inviting submissions as to whether a remote hearing would be possible. Neither party objected to a remote hearing. It follows, therefore, that the hearing before me took place on a remote basis, but with the additional benefit of detailed written submissions which had been prepared to cover the eventuality that a paper determination may have taken place. I am grateful to the parties for their clear and helpful written submissions, and I am also grateful for the clarity and quality of the oral argument that the remote hearing before me on 7 October 2020.

#### *Factual background*

4. The first appellant entered the United Kingdom in October 2006 as a student. He was joined by his wife on 25 June 2014 as his dependent. The first appellant’s leave was renewed in the Tier 1 general migrant category until 29 November 2015. Shortly before the expiration of that leave, he applied for indefinite leave to remain under the Tier 1 route, and subsequently varied his application to indefinite leave to remain on the basis of his long residence.
5. In a Tier 1 (General) application submitted on 11 October 2010, the first appellant claimed net profit trading as M. R. Business associates of £55,906, and during the period 1 January 2010 to 5 October 2010. On 5 November 2012, the first appellant claimed a profit of £38,096.38 during the period 1 November 2011 to 7 October 2012, from the same business. For the tax years covering the same periods, the appellant declared the following income for tax purposes:

	<b>Self-employed turnover</b>	<b>Self-employed net profit</b>
2010/2011	£4,226.00	£3,552.00
2011/2012	£2,600.00	£2,018.00
2012/2013	£1,440.00	£-468.00
2013/2014	£0.00	£0.00

Note that the first appellant's chosen accounting years did not correspond directly to the tax years. Nothing turns on that distinction for present purposes.

6. The first appellant was invited to a credibility interview where he was asked to explain the discrepancies. He explained that his company provided "generic services all related to business and finance", stating that his qualifications included his degree in business economics, finance and banking, as well as the experience he had gained from providing online services to clients. See question 21 of the interview conducted on 26 May 2016. At question 48, the applicant explained that he had, to date, paid a total of £500 in tax from 2009 onwards. He said that roughly £32,000 was due, but that he would defer the payment. He used to rely on an accountant called Mr Patel who operated from Luton (when asked for the address, the appellant simply stated Luton). He accepted that Mr Patel was not a qualified accountant but that he provided bookkeeping services. By the time of the interview, he had a new accountant, a Mr Ikam at Rizvi & Co.
7. The respondent considered that it was not credible that the first appellant did not understand the basic taxation obligations to which he was subject; he had paid only £500 in tax on self-employed income since 2009, but claimed to have had a combined profit of in excess of £132,000 over the same period. This, concluded the respondent, meant the first appellant had either misrepresented his earnings to HMRC in order to reduce his tax liability, or had provided false information about his earnings in order to obtain leave to remain, or the appellant had engaged in a combination of the two.
8. That, concluded the Secretary of State, meant there were discretionary grounds for refusing the application on suitability grounds, pursuant to paragraph 276B(ii) and paragraph 322(5) of the Immigration Rules. There were no reasons, considered the Secretary of State, to exercise discretion in his favour.
9. The second appellant's application was considered separately, on its own merits. She was found not to meet any eligibility criteria under the rules, and there were no exceptional circumstances outside the rules such that it would be unjustifiably harsh to expect her to leave the United Kingdom.
10. The appellants have a daughter and a son, born in March 2015 and March 2017 respectively. They are now aged five and three. Neither child is a British citizen.
11. In her decision dismissing the appellant's appeals, the judge was concerned that there had been no documentary evidence to verify the existence of Mr Patel, or his accounting firm: [17], [18]. The judge found the appellant's explanations for the significant discrepancies "vague and wholly unpersuasive". The first appellant had explained that Mr Patel had advised him that it was possible to deduct as allowable expenses expenditure which was, in fact, disallowable. The judge was concerned that

the appellant had not been clearer about the way in which the error came about, especially in view of the fact he was “running a business providing bookkeeping and accountancy services”, and that the appellant would be likely to possess the necessary expertise to discern the difference between allowable and disallowable expenses. “Quite how Mr Patel was able to pull the wool over his eyes is wholly unclear” [19].

12. The judge highlighted the fact the appellant had relied on a different firm of accountants, AWS, to prepare his applications under Tier 1. That firm was not mentioned in the appellant’s witness statement prepared for the appeal.
13. Other explanations provided by the appellant when credible, for example his claim that he did not understand that the possibility was open to him of declaring taxable income in a manner which correlated to his accounting year, rather than to the tax year. The first appellant had claimed that the fact that his accounting years (and the figures he provided in support of his Tier 1 application) did not correlate with tax years had been the cause of some confusion. The judge did not accept this explanation.
14. Given the appellant was running “a business providing bookkeeping and accountancy services”, the judge found it “wholly incredible” that the appellant did not question Mr Patel’s calculations which arrived at “polar opposite figures” for the net profit, when compared to the accounts prepared by AWS.
15. At [25], the judge did not find the appellant to be a truthful witness. The fact the appellant had used a different firm of accountants to submit his tax returns to those who relied upon for the Tier 1 applications suggested deliberate dishonesty. See [25]. The judge found that it would be reasonable to expect the first appellant to have an understanding of the tax that would be expected to pay, or at least to declare accurate earnings to HMRC. The combined net profit of £132,000 across the three tax years, when viewed in light of the tax paid of £500 since 2009, “leads the respondent to question the credibility of the first appellant’s self-employment earnings”.
16. At [29], the judge found that the appellant was only motivated to correct his self-assessment declaration in order to apply for indefinite leave to remain. It was significant, found the judge, that the appellant only sought to correct the discrepancies three months before he made that application. At [33], the judge found that it was undesirable for the first appellant to be granted leave to remain.
17. The judge dismissed the appeals of both appellants under the rules and outside the rules.

*Permission to appeal*

18. Permission to appeal was granted by First-tier Tribunal Judge Feeney on the basis that it was arguable that the judge erred in describing the appellant as having provided “accountancy services”, as he was a bookkeeper, but not an accountant. Judge Feeney also considered that it was arguable that the judge’s analysis of the role

of AWS was flawed; the judge said that their involvement was revealed only through the appellant's oral evidence, whereas the documentary evidence before the judge arguably demonstrated that the firm had been involved previously, and that their involvement was not something which the appellant raised for the first time in oral evidence.

### *Submissions*

19. The appellants submit that the judge erred in her credibility findings. The first ground, relating to the incorrect assumption that the appellant is an accountant, tainted her overall credibility assessment. At [20] of the first appellant's witness statement, he wrote "I had some experience of bookkeeping, but I had no experience or knowledge of the UK tax rules and I have never prepared a tax return..." Mr Gajjar's written submissions featured a job description of a bookkeeper which, Mr Gajjar wrote, he had found online while preparing for the proceedings: see [12]. The list of duties performed by a typical bookkeeper did not include accountancy services, submitted Mr Gajjar.
20. Mr Gajjar also submits that the judge reached premature findings concerning the first appellant's account of relying on Mr Patel at [18] of her decision, which was at an early stage in her analysis. This, he submits, demonstrates a failure to consider the question of dishonesty in the round with the remaining evidence on a holistic basis. As to the judge's concerns that the appellant had provided a vague explanation of how the error "came about", the appellant had provided a detailed account, submits Mr Gajjar, of his engagement with his current accountants, Rizvi & Co., with which the judge did not engage. The judge had failed to distinguish between cases where the explanation provided for the tax discrepancy was simply that incorrect figures had been given to HMRC, and the present matter, where the appellant believed the figure to be correct as he was relying on advice to that extent, particularly Mr Patel's advice that a great number of everyday expenses were allowable against income tax liability.
21. Mr Gajjar also relied on the observations of Judge Feeney when granting permission to appeal.
22. The second ground of appeal contends that the judge failed to conduct the balancing exercise required by paragraph 322(5).
23. Written submissions made on behalf of the respondent contended that the judge was entitled to reach the decision she did, and that she took into account all relevant factors.

### *Discussion*

24. This was an appeal which turned on whether paragraph 322(5) of the Immigration Rules was engaged in relation to the first appellant. That paragraph provides that a discretionary ground for refusal is:

“...the undesirability of permitting the person concerned to remain in the United Kingdom in the light of his conduct (including convictions which do not fall within paragraph 322(1C), character or associations or the fact that he represents a threat to national security...”

25. The judge found that the first appellant’s conduct engaged paragraph 322(5), and that it would not be disproportionate to expect the appellants to leave the country. Those were findings of fact. Appeals may be brought to this tribunal on points of law not fact. My role is to decide whether the findings reached by the judge were open to her on the evidence, rather than to substitute my own view of the evidence.
26. In R (Iran) v Secretary of State for the Home Department [2005] EWCA Civ 982, the Court of Appeal outlined the categories of factual error which may amount to an error of law. See [9]:
- “i) Making perverse or irrational findings on a matter or matters that were material to the outcome ("material matters");
  - ii) Failing to give reasons or any adequate reasons for findings on material matters;
  - iii) Failing to take into account and/or resolve conflicts of fact or opinion on material matters;
  - iv) Giving weight to immaterial matters;
  - v) Making a material misdirection of law on any material matter;
  - vi) Committing or permitting a procedural or other irregularity capable of making a material difference to the outcome or the fairness of the proceedings;
  - vii) Making a mistake as to a material fact which could be established by objective and uncontentious evidence, where the appellant and/or his advisers were not responsible for the mistake, and where unfairness resulted from the fact that a mistake was made.”
27. The first appellant’s submissions concerning the judge’s treatment of the claimed role of Mr Patel were not within the grounds of appeal originally advanced, nor were they the subject of any additional observations by Judge Feeney when granting permission to appeal. It follows, therefore, that Mr Gajjar’s submissions concerning the role of Mr Patel fall outside the jurisdiction of the tribunal as constituted to hear this appeal. Lest it be said that the point is “*Robinson*” obvious, I have considered the submissions in any event.
28. I do not consider that the judge fell into any of the recognised categories of error in relation to her analysis of Mr Patel, or the remaining evidence in the case. It was plainly open to the judge to ascribe significance to the total absence of any documentary evidence concerning Mr Patel’s claimed role, and the general incredibility of the account provided by the appellant in relation to him. Contrary to what Mr Gajjar submitted, there was nothing irrational about the judge expecting correspondence or other records of some form to have been generated by the appellant’s reliance on Mr Patel. That was an entirely reasonable approach, and one

which accords with the approach of the Court of Appeal in Balajigari v Secretary of State for the Home Department [2019] EWCA Civ 673 at [106]:

“...where an earnings discrepancy is relied on (and without changing the burden of proof, which remains on the Secretary of State so far as an allegation that an applicant was dishonest is concerned), it is unlikely that a tribunal will be prepared to accept a mere assertion from an applicant or their accountant that the discrepancy on was simply ‘a mistake’ without a full and particularised explanation of what the mistake was and how it arose...”

29. While there is a relatively detailed account of how the appellant was advised by Rizvi & Co. of the existing tax discrepancies, the concern of the judge was that there was very little concerning the provenance of the error. It was entirely reasonable for the judge to expect that a process which by its very nature generates a significant trail of documents to have generated *some* documentation that would be available to the First-tier Tribunal. There was nothing. The judge was entitled to reject the Patel narrative in the way that she did.
30. I turn now to whether the judge erred in referring to the appellant as having expertise in “bookkeeping and accountancy services”.
31. First, as I indicated at the hearing, I reject Mr Gajjar’s attempt to introduce “evidence” of the typical functions of a bookkeeper. Not only has there not been an application under rule 15(2A) of the Tribunal Procedure (Upper Tribunal) Rules 2008 to adduce new evidence, the online research conducted by Mr Gajjar did not produce material of the sort which would attract weight in an assessment of this nature: it was a single printout from what appeared to be a careers website. The term “bookkeeping” is one in everyday usage. The judge had before her the first appellant’s academic record, which he referred to at question 21 of his credibility interview, stating that he had a degree in Business, Economics and Finance. She had available to her the official transcript of his grades from the University of Portsmouth Business School which awarded the appellant the above degree, at Master’s level. The modules he studied included Business Economics, The Economics of Banking and Money, International Banking and Finance, Applied Corporate Finance, and Financial Forecasting. It was entirely open to the judge to expect this appellant to have some form of expertise in matters relating to tax, profit and loss, therefore, such that his explanation that he did not have any concerns arising from the state of affairs whereby his tax liability had been £500 against an income of £132,000 lacked credibility.
32. Mr Gajjar submits that it was wrong for the refusal letter to use the term “accountancy services” and that the judge compounded that error by relying on it herself. I reject the submission. At question 51 of his credibility interview, when asked to describe the qualifications of Mr Patel, an individual claimed by the appellant to be an accountant, the appellant himself described those very services as “bookkeeping”. The term “accountancy services” may legitimately be used interchangeably with “bookkeeping”. It does not denote formal accountants’ qualifications, although it may of course encompass those who are so qualified. The

appellant himself described the role performed by Mr Patel using the same terminology that he himself adopted to describe the services that he provided to his own corporate clients. It cannot be said to have been irrational for the judge to adopt the appellant's own terminology when rejecting the credibility of this aspect of his account, nor to ascribe significance to the appellant's qualifications in the field. The first appellant purported to have provided bookkeeping as part of his business consultancy services; it was entirely rational for the judge to have rejected his suggestion that he was misled by Mr Patel (in relation to whom, of course, there had been no evidence whatsoever), especially given he had separately yet in parallel represented to the respondent that he made significant self-employed profits during the same period.

33. Against that background, it was entirely rational for the judge to have significant credibility concerns arising from this aspect of the appellant's case. It is nothing to the point that the judge expressed concerns about the credibility of the appellant at [18] of her decision. Far from putting the coach before the horses, as Mr Gajjar submits, the judge was expressing a credibility concern which corresponded to the analysis that she had just conducted. There was nothing later in the decision, or in the remaining evidence in the case, which would have mitigated against that conclusion. There was nothing in the remaining analysis of the judge that was a "bolt on". It is necessary for judges to express some reasons before others, which is all the judge did here.

34. In relation to the judge's concerns about AWS, it is necessary to set out the judge's observations in full:

"[20] The additional matter which causes me significant concern is the fact that the first appellant had in fact engaged another Tier 1 accountancy firm, AWS to prepare profit and loss accounts in support of the two Tier 1 applications for the UKVI. This firm is not mentioned in his witness statement prepared for this appeal. It only became apparent during the course of his oral evidence that he had in fact engaged one accountant to assist with preparing a profit and loss account to support the Tier 1 application for the UKVI and allegedly another accountant, Mr Patel the submissions of a self-assessment tax return."

35. Mr Gajjar correctly highlights that references to AWS featured in the appellant's bundle, and that their existence was not revealed for the first time in the appellant's oral evidence. It was simply wrong, he submits, for the judge to conclude that the existence of AWS was something the appellant introduced for the first time in his oral evidence. I do not consider the judge, properly understood, to have fallen into error on this point. The judge was correct to state that AWS did not feature in the appellant's *witness statement*. The appellant's reliance on Mr Patel, by contrast, did. The concern the judge is expressing in this paragraph is the contrasting advice given to the appellant by AWS, on the one hand, and Mr Patel, on the other, did not feature in the first appellant's witness statement. Her concern is not the late suggestion of the existence of AWS, for AWS plainly were involved at a much earlier stage, but the fact that two separate accountants were involved at the material time, and the fact that two significantly contrasting sets of advice were purportedly given to the appellant.



It was entirely rational for the judge to expect the appellant to have sought to reconcile the conflicting services and advice provided by each in his statement. The fact that he only did so during his oral evidence was a credibility concern that was open to the judge to have. The narrative provided by the first appellant in his witness statement was devoid of any reference to AWS, and that was a matter the judge was entitled to take into account.

36. It is nothing to the point that Rizvi & Co. subsequently advised the appellant to correct his inaccurate tax returns. Any credible accountant would readily have identified the significant discrepancies in the appellant's tax declaration history involving a tax liability of £500 against profit of £132,000. The concern of the judge, and the central issues in the appeal, related to the appellant's conduct *at the time he made the Tier 1 applications*, and the vastly differing tax declarations to HMRC. That a narrative may have been provided concerning a third party's subsequent identification of those errors does not undermine the judge's legitimate findings of fact she reached concerning the appellant's conduct at that time.
37. The judge was, therefore, entitled to find that the respondent had discharged the initial evidential burden of demonstrating that the appellant had engaged in dishonest conduct, either in relation to an under declaration of his income to HMRC, or an over-declaration of his income to the respondent, or a combination of both. The evidential burden thus shifted to the appellant to provide an innocent explanation. I reject Mr Gajjar's submission that the appellant provided an explanation satisfying the minimum level of plausibility, such that the judge was bound to accept it. The judge reached findings of fact that were open to her on the evidence, and in relation to which it is not within the remit of this tribunal to interfere. None of the categories in R (Iran) is engaged and there are no other bases upon which it may properly be said the judge fell into error in relation to her findings of fact.
38. Ground 1 is without merit.
39. Ground 2 contends that the judge failed to conduct the balancing exercise required in relation to paragraphs 276B(ii) and paragraphs 322(5) of the Immigration Rules.
40. The judge addressed whether paragraph 322(5) should be invoked in these terms:

"[32] having regard to the totality of the evidence before me, I find the respondent has discharged the burden of proving that the first appellant has been deliberately dishonest.

[33] I find it was open to the respondent to invoke paragraph 322(5) on the facts of this case. I find the first appellant's conduct in deliberately misleading the UKVI and HMRC to be wholly reprehensible. I find that it is undesirable for the first appellant to be granted leave to remain."
41. Mr Gajjar submits that this analysis falls foul of the need to conduct a balancing exercise. The mere fact of engaging in dishonest conduct is insufficient; it is necessary to conduct a broader assessment, in two stages, he submits. At [34] of

Balajigari, the Court of Appeal summarised the analysis required in the following terms:

“[34] As to the first stage, Mr Biggs submitted that there are three limbs to the analysis. There must be: (i) reliable evidence of (ii) sufficiently reprehensible conduct; and (iii) an assessment, taking proper account of all relevant circumstances known about the applicant at the date of decision, of whether his or her presence in the UK is undesirable (this should include evidence of positive features of their character). Again, that seems to us a correct and helpful analysis of the exercise required at the first stage, but it will be useful to say something more about the elements in it, especially as they apply to an earnings discrepancy case.”

42. At [39], the Court of Appeal addressed the second stage:

“[39] Mr Biggs submitted that at this second stage of the analysis the Secretary of State must separately consider whether, notwithstanding the conclusion that it was undesirable for the applicant to have leave to remain, there were factors outweighing the presumption that leave should for that reason be refused. He submitted that it is at this stage that the Secretary of State must consider such factors as the welfare of any minor children who may be affected adversely by the decision and any human rights issues which arise. That seems to us in principle correct. There will, though no doubt only exceptionally, be cases where the interests of children or others, or serious problems about removal to their country of origin, mean that it would be wrong to refuse leave to remain (though not necessarily indefinite leave to remain) to migrants whose presence is undesirable.”

43. The judge’s analysis of the first stage of the test, at [33], although brisk, was in line with the relevant criteria. She (i) found there to be reliable evidence; of (ii) sufficiently reprehensible conduct (“I find the first appellant’s conduct in deliberately misleading the UK VRA and HMRC to be wholly representable”); that (iii) rendered it undesirable for the appellant to be granted leave to remain. Although the judge did not identify any positive characteristics of the first appellant’s character which would be relevant to point (iii), Mr Gajjar did not draw my attention to any factors which the judge overlooked in this regard.

44. I accept the submission that the judge did not perform the second stage of the analysis at that point in her decision. However, she did perform an overall balancing exercise in the paragraphs that followed. There has been no challenge to the following findings she reached: the appellants both speak English and are financially independent; their presence is not likely to be damaging to the economic well-being of the United Kingdom, and they are likely to be able to integrate [39]; the appellants are both in the United Kingdom lawfully, albeit pursuant to a precarious immigration status [40]; the first appellant came to the United Kingdom aged 27, thereby attracting significant weight; the first appellant has spent the majority of his life in Pakistan, and it is likely that he still retains cultural, social, familial and linguistic ties; he obtained post-graduate qualifications and formed a business in this country, and that will place him in good stead upon his return to Pakistan; there was nothing to indicate that he had a significant health condition which would present difficulties for his reintegration to society; if needed, he would have the support of

his family upon his return [42]. Addressing the second appellant, the judge found that she had a limited private life in the United Kingdom, having only arrived in 2014. She made similar findings concerning the second appellant's ability to reintegrate in Pakistan to those she made concerning the first [43].

45. The judge addressed the best interests of the appellants children. At [46] she found that the children were "wholly unlikely" to have developed any private life outside the family home, given their age. It would be in their best interests to remain with their parents, who are their primary carers. The judge found that the children were likely to be able to readjust to life in Pakistan, given they would be returning with a supportive family unit. There has been no challenge to those findings.
46. At [47], the judge found that the appellants and their children enjoy family life together in this country. Their return to Pakistan would not interfere with that live, as they would be together, and would be able to continue family life there.
47. In concluding, the judge addressed the proportionality of the overall decision to remove the first appellant. She said:

"[48] I have given significant weight to the fact that the first appellant has been dishonest in his dealings with the UK VI and HMRC. I find the first appellant's conduct to be reprehensible. I do not find it desirable that persons who have chosen to evade their tax responsibilities and/or falsely inflated their income to UK VI should be permitted to remain in the UK.

[49] Having weighed the factors for and against the grant of leave to remain, I find that the scales in this case is (sic) tipped firmly in favour of the respondent. Having found the first and second appellant and the children could readjust easily to life in Pakistan, I find that there is nothing to indicate that the immigration decision would be a disproportionate interference with their private and family life."

48. Mr Gajjar submits that the judge should have considered the fact the second appellant works in a care home, providing support to vulnerable people as a care assistant, and her voluntary work at the mosque. I find that had the judge expressly addressed that aspect of the appellants' case, it would not have been capable of making a material difference. There is no suggestion that the second appellant has any qualifications that feature on shortage occupation list, or that the role she currently performs could not be filled by another person in the event she were required to leave the country. Volunteering at a mosque is not a factor that rationally could have led to a different outcome. The judge was not under a duty to repeat back to the parties the evidence upon which they relied.
49. Read as a whole, the judge considered all relevant factors which could have been expressly addressed at [33] of her decision, pursuant to the second stage of the Baljigari approach to applying rule 322(5). There were no issues that would be capable of affecting the welfare of the two children involved, nor other human rights issues mitigating against the removal of the appellants.

50. The decision of the judge did not involve the making of an error of law on a material point.
51. These appeals are dismissed.

**Notice of Decision**

The decision of the First-tier Tribunal did not involve the making of an error of law such that it need be set aside.

The appeals are dismissed.

No anonymity direction is made.

Signed *Stephen H Smith*  
Upper Tribunal Judge Stephen Smith

Date 13 October 2020