



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: AA/06769/2014

THE IMMIGRATION ACTS

Heard at Manchester
On 25th August 2015

Decision & Reasons Promulgated
On 28th August 2015

Before

UPPER TRIBUNAL JUDGE MARTIN

Between

MR ALI REZA VAZIRZADEH
(ANONYMITY DIRECTION NOT MADE)

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr J Nicholson (instructed by Greater Manchester Immigration
Aid Unit)

For the Respondent: Mr G Harrison (Senior Home Office Presenting Officer)

DETERMINATION AND REASONS

1. This is a resumed hearing after I found, at a hearing on 29th April 2015, that the First-tier Tribunal had made an error of law in its determination promulgated on 23rd October 2014.
2. The Appellant, born on 11th February 1993 is an Iranian national. He left Iran illegally in June 2012 and since he arrived in the United Kingdom claims to have converted from Islam to Christianity. He first claimed asylum which was

refused and his appeal against the refusal dismissed in October 2012 in Newport by Judge Trevaskis.

3. The Appellant then claimed that his circumstances had changed, in particular with regard to his conversion to Christianity. The Secretary of State made a further decision refusing his asylum claim relying on the decision of Judge Trevaskis, a lack of credibility on the basis of his inconsistency and implausibility and also the possibility of internal relocation. That decision was taken on 29th August 2014 and was the subject of an appeal before First-tier Tribunal Judge Fox at Manchester on 13th October 2014.
4. The Judge indicated in his decision that he heard evidence from the Appellant and from three witnesses with regard to his claimed conversion to Christianity. He dismissed the appeal. At paragraph 18 of the decision he found the inconsistencies referred to in the Letter of Refusal and amplified in the evidence detracted from the Appellant's credibility. He also disregarded the witnesses' evidence as not being independent or credible and so far as the Appellant's recent activities in the church were concerned suggested that they were done entirely for the purposes of the appeal and asylum process.
5. The grounds upon which permission to appeal to the Upper Tribunal was granted were that the Judge had misapplied the principles of Devaseelan [2003] Imm AR 1, misdirected himself with regard to the standard of proof in relation to persecution and failed to give anxious scrutiny to the evidence. He also arguably misdirected himself as to the law in relation to Articles 2 and 3 of the ECHR.
6. Mr Karnik, who represented the Appellant on 29th April, argued that the Judge failed to consider adequately or at all whether there was a risk on return for a person who had left Iran illegally. There was extensive evidence in the Appellant's bundle before the Judge which would indicate persons leaving Iran illegally are at risk on return. The Judge ought to have analysed that evidence which post dated his previous appeal in 2012 and the relevant country guidance case and he failed to do so.
7. So far as Horvath and internal relocation is concerned Mr Karnik argued that it had no application because the threat is from State actors.
8. He argued that paragraph 24 of the decision and reasons is confused with regard to the standard of proof.
9. He argued that the actual evidence of the three witnesses regarding the Appellant's Christianity was disregarded without proper scrutiny. One was a Pastor who had travelled to Manchester from Swansea to give evidence.
10. Having read the determination with care I accepted that the Judge fell into error in his consideration of the evidence. He had relied heavily on the previous determination without giving adequate scrutiny to the evidence before him. He

gave no adequate reason to discount the evidence of the witnesses. He failed to consider the evidence before him as regards risk on return to a person who left Iran illegally and he failed to give proper consideration to the genuineness of the Appellant's conversion to Christianity.

11. As the errors went to the heart of the claim I decided that the determination could not stand and I set it aside in its entirety. I directed the appeal be reheard in the Upper Tribunal.
12. Before me Mr Nicholson did not seek to reopen the claims as to what had occurred in Iran which had been found incredible in the original asylum appeal before Judge Trevaskis and confirmed that the sole issue for me to decide was whether the Appellant was a genuine convert from Islam to Christianity and whether he would face detention and ill-treatment on return as a result of having left illegally.
13. I was to hear evidence from the Appellant, from Pastor Kenneth George Robling from the City Church in Swansea, Mr Arman Afaridi, an Iranian national who has been recognised as a refugee and Mr Dawood Shariffnassab, originally an Iranian national, now a British citizen.
14. I established that the relevant evidence and documents before me comprised the Secretary of State's original bundle, pages 1 to 39 of the Appellant's bundle before the First-tier Tribunal. It now being accepted by the Secretary of State that genuine converts to Christianity from Islam are at risk in Iran, the remainder of that bundle was no longer relevant. I had a supplementary bundle from the Appellant comprising 76 pages which included a country expert's report from Dr Mohammed Kakhki dated 20th May 2015 and I also had a third bundle provided for the hearing before me containing the Home Office Country Information and Guidance with regard to Christian converts dated December 2014, the letter sent on the Appellant's behalf making fresh representations in June 2012 with regard to his conversion, a letter from Elim Pentecostal Church in Huddersfield dated 29th November 2011 and a letter from Pastor Sheila Murphy of the World Harvest Bible Church in Salford, Manchester. Additionally, Mr Nicholson handed a skeleton argument in relation to detention on return to Iran and a further statement from Pastor Robling dated 21st August 2015 and a further letter from Pastor Sheila Murphy dated 22nd August 2015. Mr Harrison had no objections to the submission of the new pieces of evidence.

The Evidence

15. The Appellant adopted his two witness statement dated 3rd October 2014 and 13th May 2015.
16. In his first statement the Appellant confirmed he came to the United Kingdom with his sister and her daughter in August 2012 and claimed asylum. At first they were accommodated in Cardiff where they were visited by people from a

church and invited to go to the church. The church provided an interpreter for the many Farsi speakers who attended. He did not go to that church very often.

17. The Appellant was due to move to Swansea and a friend of his from the hostel where he had been staying in Cardiff, gave him the contact details of an Iranian friend in Swansea. The Appellant made contact with him and they became friends. This friend, Habib told the Appellant that he was a Christian and a member of the City Temple Church in Swansea. He introduced the Appellant to the church and he took the Appellant to English lessons at the church and then he attended a service and thereafter regularly attended four or five times a week. There were also lots of activities outside the Sunday service such as Bible study classes and English lessons. He also attended meetings and helped to clean the church and prepare for services such as helping to arrange tables and with refreshments.
18. The Pastor, Pastor Ken Robling, encouraged the Appellant to talk about Christianity with his friends, which he did on many occasions, as well as distributing leaflets. He also invited his sister to attend church. He was baptised on 11th November 2012 and he continued to attend church regularly and to form close relationships with other members of the church.
19. In June 2013 the Appellant, his sister and her daughter moved to Manchester and he lived for a time with a friend of his parents, Dawood, until he was given his own NASS accommodation. Dawood told the Appellant about the various churches in Manchester and the Appellant's sister chose the World Harvest Bible Church in Salford to join. He first attended about a month after he arrived in Manchester which was approximately July 2013. He attended every Sunday service and then drop ins on Thursdays and Bible study classes also.
20. He was then given NASS accommodation in Wrexham at the end of 2014. He wanted to continue to attend the same church because that was where all his friends were and so he did not look for a church in Wrexham. He continued to attend church once every two weeks. In addition he also goes to the church in Swansea occasionally.
21. In his statement of May 2015 he said that he continues to attend the World Harvest Bible Church in Salford regularly attending the Sunday services, Thursday afternoon Bible study groups and the drop-in services on Tuesdays and Thursdays. He said that he did miss some of the Bible study groups because Pastor Sheila Murphy had been ill. He said that he continued to regularly attend the drop-in services on Tuesday and Thursday at Dallas Court in Salford and continues to give leaflets to people outside the church and to talk to them about Christianity and invite them to attend. He also maintains his links with the church in Swansea and he visited there at Christmas 2014.
22. In his oral evidence he said that the reason he believed in Christianity was because since he has become a believer he could feel in his heart kindness and

calmness. He said, when asked how often he went to Church in Salford, that because he now lives in Wrexham and the church is in Salford and because of the distance, he attends only once every two weeks or sometimes every week if he can and also when he visits his sister in Manchester. That evidence is noticeably different from the picture painted in his May 2015 statement.

23. Under cross-examination he indicated that his sister also goes Church but she was not present as a witness. She has been a Christian since November 2012 and it was he who started attending the church first and he encouraged her to go. They were both baptised on 11th November 2012.
24. He said that he had told his family in Iran that he is now a Christian and that his father was happy with the situation because he feels that every individual has the right to choose his beliefs. His father is a Muslim but not an extremist. He inherited his Muslim faith from his father. He indicated that he remained in contact with his family but they have to be cautious about what they talk about. His relationship with his family has not changed as a result of his conversion to Christianity. He has his parents in Iran as well as other family members to whom he is not particularly close.
25. He said that since his conversion to Christianity he speaks to other Iranians about his faith. He said that he has some Muslim friends as well as Christian friends and they always talk about the differences between Islam and Christianity.
26. At this point I asked him to explain what the differences were between Islam and Christianity but he was unable to explain, save to say that having been born into a Muslim family he had no choice about his faith and as he was growing up he could not see so much freedom and could not talk about everything and that Islam is about killing and lies whereas Christianity is about kindness and loving each other. He was asked again about the differences between the two faiths and he said that when he engaged in discussion with his friends he pointed out to them that you could see that in the Muslim countries they were killing each other but on the other hand when he goes Church it is kindness and when he says prayers he feels a calmness and is relaxed. He was asked again about the differences between the two faiths and he said that in his opinion, in Islam there is no option what to believe and no right to change religion and you cannot criticise Islam and there is no freedom of speech so far as religion is concerned. There is no kindness; Muslims do not help each other and Christians can talk freely, help each other and are kind to each other.
27. He said that when he was in Iran he had no Islamic training; he did not go to any classes to learn about the Koran. In the UK he has studied the Bible. He was asked who he thought the Prophet was and he said he believed that God has a son, Jesus. When he was asked who he thought the Prophet Muhammad was, he said that in his opinion he was just a human being who was born and died. He said that Jesus Christ is God and the only God and that there are no other

Gods; there is the Father, the Holy Ghost and the Holy Spirit – then he said the Father, Son and Holy Spirit.

28. He confirmed that he had helped other Iranians change from Islam to Christianity and when asked how he did this he said that when he meets an Iranian Muslim he does not force them to convert but he invites them and he starts by comparing the way of life all over the world and about Muslims killing Muslims and that as a Muslim you are fearful of God whereas in Christianity you can talk about God freely and God does not threaten you.
29. It was put to the Appellant that there are lots of examples of Christians killing other Christians and he was asked how he reconciled that with what he had just said. He agreed that Christians also kill each other but not to the same extent that Muslims killed other Muslims. That does not sit well with the wars and genocide throughout history, including the Crusades and wars between Christians and Muslims. He said that in Christianity if you need help there is only one God whereas in Islam they worship many different Imams and you do not know who to pray to. That does not sit well with what is generally known about Allah and the Prophet Mohammed. The Appellant is not an uneducated man; he has studied engineering at university.
30. The Appellant was asked what his relationship was with Christ and he said he had a direct connection with him and he always appreciates what he gave him and he is always with him even while he was in court. He helps him at all times and Jesus Christ gave him a peaceful life, health, healthy parents and peace. He believes that before he came to this understanding with Jesus Christ he was a sinner. He said Jesus Christ, who is God, himself appeared as a human being and sacrificed himself; he was crucified and that was because he wanted his followers to be free from sin.
31. He said that if he went back to Iran he would want to continue to practise Christianity although it would be very difficult; he would certainly follow his beliefs. He said he was not sure whether he would admit to his conversion on arrival at the airport because he would be afraid.
32. I asked him about his circumstances in Wrexham and he confirmed that he received NASS support of £36 a week and that he travelled to Salford on the train which cost £18 return; half his weekly income. I asked him why he did not go to church in Wrexham and he said that because when he lived in Manchester he went to the World Harvest Bible Church because other Iranians go there and he could not find a church in Wrexham that Iranians went to. Language is a problem and he preferred to go to church in Manchester.
33. I then heard evidence from Pastor Robling. In his statement he explained that he is a retired minister of the City Church but he remains heavily involved. He has been a minister since 1975 and is in charge of pastoral care which involves

teaching Bible study to new Christians and he has responsibility for Christian counselling of any new members and members of the congregation.

34. He explained that the Appellant started attending the English class that he runs at the church in Swansea on 6th September 2012. At the conclusion of the class the Appellant asked to speak to him about Christianity because his friend who had brought him had become a convert that May. He said that he was fearful of the consequences of conversion because of what happens in Iran and Pastor Robling assured him that would not happen in the UK. They had a lengthy conversation and Pastor Robling showed him Bible verses and the Appellant decided then to accept the biblical beliefs of Christianity and what was expected of him as a consequence. He prayed the sinner's prayer and Pastor Robling gave him a copy of his "Decision" which is given to all new converts and it was dated 6th September 2012.
35. Pastor Robling then indicated that the Appellant attended Sunday services until he left Swansea for Manchester. He also attended Bible study courses for new converts and classes to prepare for baptism. He applied for and was baptised in a ceremony conducted by Pastor Robling on 11th November 2012. In order to qualify for baptism the Appellant had to attend the water baptism preparation class conducted over a three-week period in addition to the other classes that he already attended. He also had to satisfy the church leadership that he was serious.
36. In his oral evidence Pastor Robling adopted his two statements as being true and correct. He said that he had attended other asylum appeal hearings for other Iranian Christian converts and also that he has refused to attend some. He said that he would most definitely not have been willing to give evidence on the Appellant's behalf if he did not believe that he was genuinely a Christian. He was asked why he believed he was a genuine convert and he said that he had been present on the occasion when the Appellant made the decision after his period of counselling following English classes. He said that he and the Appellant had an affinity in spirit with one another and the Appellant had been brought into God's family through Jesus Christ and that does not happen if a person has not been born again. He said he could tell that he had let Jesus Christ into his life on 6 September. He said that the Appellant had some knowledge of Christianity already and he knew that he had to pray to Jesus Christ to forgive his past sins and that the only way was to confess his sin and let Jesus Christ into his heart.
37. The Pastor was asked whether he thought the Appellant could have been fooling him and he said that with his experience he could tell and it was all to do with the affinity of spirit that he had with the Appellant and that he believed the Appellant genuinely to be a child of God.
38. Pastor Robling was referred to the decision in 2012 when the Judge said that he did not believe the Appellant had converted because he had not yet reached the

level of understanding required by Pastor Robling. He was asked if he felt that he now did have that level of understanding and he said that he certainly did and indeed he did so the moment he confessed his sins on 6th September 2012. He also pointed out that the Appellant attended baptism classes for three weeks as well as Bible study.

39. In cross-examination he was asked about the Appellant's conversion on 6th September 2012 and he confirmed that that was the first time that he had met the Appellant. He was asked if it was common for people to be converted in an instant and he said that it was. It sometimes takes longer but is often immediate. With regard to the checks before somebody is baptised he said that was what they were doing in the two months from his conversion and before his baptism. So far as the church oversight of the process is concerned he said that he had refused to baptise some people because either they were not genuine or not serious enough in their commitment to follow Jesus Christ. He has been involved with the City Church for 24 years and for the last 11 years has been responsible for Iranians. He says that in the last 11 years he has seen roughly 70 to 80 converts from Islam to Christianity. When asked how many still attended the church he said that there were very few. After they were given leave to remain they moved away. He said there are still Iranian converts and he has a Bible study class currently with 15 Iranians. There are also Eritrean converts but they are in a different class and there are about 20 of them. He said that there are 40 nations represented at the City Church. In the congregation of 400 there are approximately 250 who are British and the remainder are a mix of nationalities.
40. He was asked if he knew if there is an Elim Church in Wrexham and he said to his knowledge there is not but there is an Assemblies of God church which is another Pentecostal Church. He confirmed that the Elim Church and the Assemblies of God Church are two of the largest churches in the world.
41. He said that he believed the Appellant would try to continue to be an evangelical Christian in Iran but it would be very difficult because of the restrictions in that country.
42. With regard to the church's oversight of conversions he said that he sits on the Board but the Board relies on him because he is the person with the most experience. The other members of the Board try and observe converts but mostly they rely upon him.
43. He said that of the 70 to 80 converts he had seen in the past 11 years only about 10 were not genuine.
44. I then heard evidence from Arman Afaridi. He adopted his two statements of evidence. In his first statement he confirmed that he had come to the UK in 2009 and claimed asylum which was refused. He was eventually granted refugee status on the basis of his conversion in the UK to Christianity. He remains a

Christian and attends the World Harvest Bible Church in Salford. He met the Appellant through a mutual friend at church, saw him there regularly and they became friends. The Appellant used to attend church regularly but he struggled to do so after he was moved to Wrexham. However, he said that the Appellant was now attending more regularly and he saw him at Sunday services and Wednesday drop-in sessions. He said that from the beginning of September 2014 the Appellant had attended Bible study classes and also attended the Wednesday drop-in sessions as well when they took leaflets from the church and distributed them to asylum seekers waiting outside the reporting centre at Dallas Court. They invited them into the church for tea and a chat with the Pastors to try and help them. They also talked about Christianity and encouraged them to come to Bible study classes. In his more recent statement he said that he believed the Appellant to be a genuine Christian because of the conversations he had had with him over the past 1½ to 2 years. He confirmed that he had met the Appellant 1½ to 2 years ago when he came to the church with a friend. They got together and became friends. He did not know him before he came to the church. He said that he is one of the interpreters that the church uses. He knows Pastor Sheila Murphy and he said that it is the church's policy not to come to court to give evidence. He does not have any leadership role at the church; is not a Minister or a Pastor. He said that currently he sees the Appellant at least every two weeks, sometimes more often.

45. He was asked how many converts from Islam he had met in the church. He said that since he has been a member, since April 2011 there have been maybe 100 - 120 converts - they have been coming and going. Of those 100 - 120 converts a maximum of 40 still attend. Their nationalities were Iranian, some Afghans and some from Turkmenistan. He confirmed that the church targets Iranian asylum seekers for conversion and encourages them to evangelise in Iran. When he was asked how he assessed whether they are genuine or not he said it was not the words but their actions which revealed this. As regards the Appellant's evangelising in Manchester he said that at the drop-in sessions they distributed leaflets to asylum seekers who attended Dallas Court particularly Iranians.
46. He said that he had never been to Wrexham; he sees the Appellant when he comes to Salford. As he is now studying and unable to attend church as often he is not able to say what the Appellant has been doing for the past eight months.
47. I then heard evidence from Dawood Shariffnassab. He also adopted his statement from September 2014. He explained that he is a British citizen having previously been granted asylum and he has been in the UK for 10 years. He himself is a Christian and he attends a church in Heaton Mersey in Didsbury.
48. He is a friend of the Appellant's parents in Iran; he used to live in the same town. They contacted him telling him that the Appellant was in the UK and gave him his contact details. Approximately one month after the Appellant arrived Mr Shariffnassab went to Swansea to see him after which they kept in

regular contact by telephone and met approximately once a month. He has been asked by the Appellant's parents to look after him and that is what he is trying to do.

49. When he was in Manchester the Appellant lived with him and when he was given NASS accommodation in Wrexham he helped him to move. He was aware the Appellant attended a church in Manchester but he has not been to that church because he attends his own church. They discuss the Bible and Christianity together. He is aware that the Appellant's parents are open-minded and happy that the Appellant has changed his faith.
50. In his oral evidence Mr Shariffnassab confirmed that at the time he met the Appellant in the UK he had already been accepted as a refugee on the basis of his Christianity. He was unable to remember whether, when he first met the Appellant, he had already converted to Christianity but he did recall they had talked about it. He said that he sees the Appellant currently 2 to 3 times every week usually on Sundays and he travels to Manchester at other times as well. He sees him most of the time in Manchester. He specifically confirmed that the Appellant comes to Manchester two or three times a week currently and that he travels by train or bus. He confirmed that he did help the Appellant out financially from time to time and paid his fares. He said that he had come to court to give evidence at the suggestion of the Appellant's solicitors who thought it may help. He confirmed that if he did not genuinely believe the Appellant to be Christian he would not have come to court to give evidence.

Submissions

51. Mr Harrison relied on the Letter of Refusal since which time the issues had narrowed and now the issue is essentially whether or not the Appellant is a genuine convert to Christianity. He accepted that a genuine convert is at risk on return to Iran and the issue I have to decide is whether I accepted the evidence about the conversion process in Swansea and whether the Appellant has continued to practise Christianity in Manchester. He pointed to the fact that the Pastor had failed to come to give evidence on his behalf which has been a requirement in accordance with case law since as far back as 2002 when Dorodian was decided. I had been told that it was the church's policy not to attend court but the policy was not mentioned in either of Pastor Sheila Murphy's letters. He submitted that although Pastor Robling was an independent witness the other two witnesses were not and only saw the Appellant infrequently.
52. Mr Nicholson urged me to allow the appeal. With regard to Dorodian he said that it is not necessary for the current Pastor to attend as long as one has and I was entitled to take my own judicial knowledge into account. He relied heavily on the part of the original asylum appeal determination where the Judge felt that the Appellant had not learned enough to reach the level of understanding

required by Pastor Robling but he had now confirmed clearly in evidence that he had reached that level.

53. He urged me to accept the witness evidence as convincing. The Appellant explained, supported by the evidence of Pastor Robling that he had let Christ into his heart and that was a critical sign of conversion. Pastor Robling's belief in him was borne out because he continues to attend church. He urged me to find that the discrepancies in the number of his visits to the church are a minor matter and that I should find the Appellant credible.
54. With regard to the Appellant's responses about his faith; that he has found safety in the UK and the ability to associate with others which he may associate with Christianity, does not mean that he is not also a genuine Christian.
55. Finally, Mr Nicholson argued with regard to the issue of the illegal exit, that he relied upon his skeleton argument and also the expert report, pointing out that the expert had been approved in the country guidance case of SB (risk on return - illegal exit) Iran CG [2009] UKAIT 00053. He urged to be to depart from SB and find the Appellant would be at risk for that reason.

My Findings

56. I do not accept the Appellant in this case has genuinely converted from Islam to Christianity for the following reasons.
57. It seems clear from the Appellant's evidence about his knowledge of Islam, the fact that he did not undergo any classes about the Koran in Iran and about his parents' apparent attitude to his claimed conversion, that he comes from a family which is not particularly religious. His knowledge about Islam as displayed at the hearing was minimal. His knowledge about Christianity, apart from having learned some of the stories from the Bible was similarly lacking. Although he was able to talk about the Father, Son and Holy Ghost he was unable to describe what the differences in the two faiths are. He was pressed for some time on this point and all he could say was that Muslims kill each other and are cruel whereas Christians are kind to each other. That is not only incorrect but displays ignorance about both religions.
58. What the Appellant described about liking Christianity had more of a flavour of a liking for life in the UK as opposed to life in the strict regime which is Iran. He described enjoying the freedom to express himself, to act as he chooses, to go where he wants. He described the kindness he encounters which differs, he said, from Islam. The reality of what he was describing, it appeared to me, was the difference of life in general in the multi-cultural, multi-faith society which is the UK as compared with Iran.
59. From what I was told about the churches both in Swansea and in Manchester, they appear to have more of a flavour of a social club for people with a similar background, in this case Iranians, than any true religious identity. I have

concerns that both churches actively target Iranian asylum seekers. If it is their aim to help these people and to offer support, solace and friendship then that is laudable. However, it will be well known amongst Iranian asylum seekers that conversion to Christianity is a route to refugee status in the UK and I have no doubt that if they do not know already that is made clear to them when they meet these "evangelising" Iranian "converts".

60. I have no doubt Pastor Robling's intentions are good and that he believes what he says. However, it also displays, in my view, a level of naïveté to accept as genuine that someone has converted to Christianity before his eyes the first time that he went to the church and the first time he met him, which was his evidence.
61. I also have concerns that the church in Swansea has such a vast number of converts from Islam (70 to 80 in 11 years). It was the evidence of the Pastor that the vast majority of those no longer attend. Whilst it is his view that the reasons relate to being moved by NASS or moving for work, it is equally likely that once they have received refugee status the pretence to have converted is dropped.
62. I have similar concerns about the church in Manchester. The evidence was clear that they blatantly target Iranian asylum seekers as they go to report at the Home Office premises. Given that they are seeking asylum in the UK they will be all too ready to accept the offer of conversion to a faith with will secure them that goal whether genuine or otherwise. There will of course be genuine converts but I do not believe this Appellant to be one of them. His "evangelising" is I find motivated by a wish to support and help fellow Iranian asylum seekers rather than truly wishing to promote a faith that he genuinely holds.
63. This Appellant, I find, is not a person who is particularly religious either in Iran or in the UK and it seems his family is the same.
64. The two other witnesses are friends of his, fellow Iranians who have been recognised as refugees because of Christian conversion. I find they cannot be viewed as independent. One has been asked to look after the Appellant by his parents in the UK and his coming to give evidence is I find no more than his fulfilling that request. It is quite clear that he was not truthful in his evidence before me because he was quite positive that he sees the Appellant two or three times a week, every week where the Appellant's clear evidence was that he only comes to Manchester every fortnight usually. That is unsurprising given that the rail fare is £18 and he only received £36 a week NASS support. If the Appellant came more frequently, financed by this witness he would have said so. The fact that the witness was prepared to lie in his evidence means that I can attach no weight to his evidence.

65. The fact that the Appellant's parents contacted this witness from Iran asking him to help the Appellant and the fact that he travelled to see him in Swansea a month after his arrival which coincided with the timing of the Appellant's attending church and claimed conversion would suggest that the Appellant's claim based on his Christian conversion was prearranged and that he was assisted in this by this witness and by his parents. While I acknowledge this to be speculative it is a far more credible scenario that the Appellant's claim to have let Jesus into his heart on his first meeting with the Pastor.
66. The other witness is also a friend of the Appellant and also an Iranian Christian convert and for that reason I find I cannot accept his independence. Furthermore, he has not been aware of what the Appellant has been doing for the past eight months and so his evidence is not useful in any event.
67. The guidance of Dorodian tells me that I should expect a Pastor to attend the hearing. While Pastor Robling attended and gave evidence, he has not been the Appellant's Pastor since July 2013. Since then his pastor has been Pastor Sheila Murphy of the World Harvest Bible Church in Manchester. She has written two letters supporting the Appellant but not attended at the hearing before me or indeed the hearing before the First-tier Tribunal. Furthermore her most recent letter is at best inaccurate. She says that the Appellant has been attending the church since July 2013 and that he attends the Sunday morning worship service and also the bible basic foundation course every Thursday evening. That does not even accord with the Appellant's own evidence that he attends usually only fortnightly since he moved to Wrexham in late 2014. I therefore attach no weight to her evidence. It is also of note that neither of her letters suggests any policy not to attend hearings.
68. I also find it detracts from the Appellant's case that despite having lived in Wrexham since late 2014 and despite there being an evangelical Christian church there he has chosen not to attend. It is his evidence that he has been attending English classes since 2012 and that he is more confident in English. That being the case if he really had converted to be an evangelical Christian he would worship and evangelise in Wrexham and yet he does not. That adds support for my finding that what he is interested in is socialising with other Iranians rather than attending Christian services.
69. Having found that the Appellant is not a genuine convert from Islam to Christianity I need to consider risk on return as a person who left Iran illegally. He will be questioned on return. However, as he is not a Christian convert but rather an economic migrant, then he has nothing to fear. He will not say he has converted to Christianity in the UK because he has not. He has a supportive family to return to. The Appellant has not been politically active or displayed publicly anything against the Iranian regime and there is nothing to discover that would put him at risk. The instances relied on by Mr Nicholson in his skeleton argument relate to persons with a profile in Iran, who have been convicted or were under scrutiny there before they left or who have publicly

denounced the regime abroad such as demonstrators or bloggers. None of these apply to this Appellant. There is nothing to suggest that his family is under any kind of suspicion. He contacts them regularly and they will be able to vouch for him. I conclude therefore that the Appellant will not face persecution or treatment in breach of Articles 2 or 3 of the ECHR on return. I also note the recent improved relations between the UK and Iran and the reopening Embassies.

70. The appeal is dismissed.

71. There has been no application for an anonymity direction and I do not make one.

Signed

Dated 27th August 2015

Upper Tribunal Judge Martin