



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

Appeal Number: PA/06557/2017

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 21<sup>st</sup> September 2018**

**Decision & Reasons  
Promulgated  
On 22<sup>nd</sup> October 2018**

**Before**

**DEPUTY UPPER TRIBUNAL JUDGE DAVEY**

**Between**

**MH  
(ANONYMITY DIRECTION MADE)**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: M H in person

For the Respondent: Mr N Bramble, Senior Presenting Officer

**DECISION AND REASONS**

1. The Appellant a national of Iran date of birth 28 July 1972 appealed against the Respondent's decision dated 19 June 2017 to refuse a protection claim based on and about a claim that the Appellant had converted to Christianity and therefore on the basis that he was an apostate from his Muslim faith he faced the serious risk of ill-treatment on

return to Iran. The Respondent did not accept that the Appellant had genuinely converted to Christianity.

2. The appeal against the decision of the Secretary of State came before First-tier Tribunal Judge B Lloyd who on 17 August 2017 dismissed the appeal on the protection claims and also rejected the Article 8 ECHR claim. Permission to appeal that decision was given by First-tier Tribunal Judge P J M Hollingworth on 27 November 2017. The Respondent made a Rule 24 reply on 19 December 2017. The substance of that reply was that effectively the Judge had made no error of law, was entitled to reach the conclusions he did and that the Appellant's conduct had damaged his credibility.
3. At the hearing today the Appellant sought to affirm his Christian faith and to say that he could really, representing himself at the hearing before the Judge, do no more than declare that his faith was genuine and that he lived in accordance with it each day. The Appellant was not able to identify any particular errors by the Judge save his grounds essentially amount to a disagreement with the Judge's adverse conclusions in relation to the genuineness of his conversion or the evidence to demonstrate the genuineness of his faith.
4. I cannot interfere with the Judge's decision, because I might have reached a different conclusion, so long as there are no demonstrable errors of law and no absence of sufficient or appropriate reasons. From paragraphs 34 and 35 of the decision it is clear that the Judge was appropriately directing himself to the relevant law and to the old case now of Dorodian which makes plain that it is not a requirement to produce evidence from a pastor or minister of a Christian Church but the absence of such evidence may be telling in the context of the case. The Judge also took into account, as he perceived it, the inadequacies of the Appellant's evidence generally from the church, from members of the congregation, organisers of the church or persons with whom he was said to have contact.

5. I find that the Judge gave sufficient and adequate reasons and the possible arguments raised in the permission to appeal do not demonstrate the likelihood of an error of law or the likelihood that upon the same evidence a reasonably directed other Tribunal would have reached a different decision.
6. Given the limited constraints for finding an error of law and interfering with the First-tier Tribunal decision I conclude, without making any findings whatsoever on the Appellant's faith, that the Original Tribunal made no material error of law.

### **DECISION**

7. The Original Tribunal stands. The Appeal is dismissed.
8. An anonymity order was made by the First-tier Tribunal Judge and in the circumstances for the purposes of this appeal it is continued.

### **DIRECTION REGARDING ANONYMITY - RULE 14 OF THE TRIBUNAL PROCEDURE (UPPER TRIBUNAL) RULES 2008**

Unless and until a Tribunal or court directs otherwise, the Appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him or any member of their family. This direction applies both to the Appellant and to the Respondent. Failure to comply with this direction could lead to contempt of court proceedings.

Signed

Date 10 October 2018

Deputy Upper Tribunal Judge Davey

**TO THE RESPONDENT**

**FEE AWARD**

The appeal has been dismissed therefore no fee award is appropriate.

Signed

Date 10 October 2018

Deputy Upper Tribunal Judge Davey