



**Upper Tribunal
(Immigration and Asylum Chamber)
PA/06694/2017**

Appeal Number:

THE IMMIGRATION ACTS

Heard at Manchester

On May 4, 2018

**Decision &
Promulgated
On May 11, 2018**

Reasons

Before

DEPUTY UPPER TRIBUNAL JUDGE ALIS

Between

**MR REZAN HAJI KHALID
(NO ANONYMITY DIRECTION MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: In person

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

DECISION AND REASONS

1. I do not make an anonymity order.
2. The appellant is a Syrian national and he arrived in the United Kingdom on February 23, 2017 and claimed asylum the following day. The respondent refused his application on July 6, 2017 and grounds of appeal were lodged by the appellant on July 13, 2017. His appeal was then listed before Judge of the First-tier Tribunal Siddiqi on November 27, 2017 and in a decision promulgated on December 19, 2017 she dismissed his appeal on all grounds.
3. The appellant lodged, through his former solicitors, grounds of appeal on January 2, 2018 arguing procedural unfairness and that the Judge had wrongly stated that his linguistic behaviour was consistent with Kurdish

linguistic community SEK when in fact the report said it was consistent with Kurdish linguistic community SK.

4. Permission to appeal was granted primarily on the procedural unfairness point on the basis that the Judge had arguably erred by not granting an adjournment to enable the appellant to obtain an expert report to counter the respondent's own report.
5. The appellant was unrepresented at the hearing before me and Mr McVeety informed me that the appellant's expert had had an appointment at their offices on March 19, 2018. Four days later the appellant's solicitors informed the Tribunal that they were no longer instructed in this matter.
6. I asked the appellant, through the interpreter, whether he had discussed the reasons why his solicitors were no longer representing him and he confirmed that he had. I asked him whether he was aware if the expert had provided a report about his documents and he confirmed that the expert had.
7. The appellant told me that his former solicitors had informed him that the report confirmed that his documents were forgeries which was the same conclusion reached by the respondent's expert.
8. The first ground of appeal concerned the fact the Judge had not adjourned the case to enable the appellant to obtain an expert report. Whilst I accept the appellant's representatives had not helped the appellant by arranging a report in time the fact a report had subsequently indicated that the documents were forgeries was not something to be overlooked.
9. Whilst I could have accepted there was procedural unfairness when the Judge refused to adjourn the case I was satisfied, based on the appellant's disclosure about his own report, that such an error was immaterial to the outcome of the case.
10. If I had found an error on this point then as her findings had not been challenged I am satisfied I would have come to the same conclusion.
11. The second ground of appeal related to the fact the appellant did not produce the disputed documents at the hearing but this ground was aligned with the first ground of appeal.
12. The final ground of appeal centred on the linguistic report and it had been argued the Judge had identified the wrong linguistic behaviour. Having read the linguistic report I am satisfied that ground is wholly misconceived and the Judge's finding on this issue is what is contained in the report itself.
13. In the circumstances I indicated to the appellant that whilst I accepted that the Judge should have adjourned the appeal to enable a report to be obtained I concluded there was no material error because he himself had confirmed that his own expert report, according to his solicitors who had

withdrawn from the case immediately after, supported the contents of the respondent's own report. There was therefore no material error

DECISION

14. The making of the decision of the First-tier Tribunal did not involve the making of an error on a point of law. I uphold the decision.

Signed

Date 04/05/2018



Deputy Upper Tribunal Judge Alis

TO THE RESPONDENT
FEE AWARD

I make no fee award as I have dismissed the appeal.

Signed

Date 05/04/2018



Deputy Upper Tribunal Judge Alis