



IN THE UPPER TRIBUNAL IMMIGRATION AND
ASYLUM CHAMBER

Case No: UI-2022-001994
First-tier Tribunal No: PA/50749/2021

THE IMMIGRATION ACTS

Decision & Reasons Issued:

6th December 2023

Before

UPPER TRIBUNAL JUDGE MACLEMAN

Between

Md YASEEN HAMADAMEEN
(no anonymity order)

Appellant

and

Secretary of State for the Home Department

Respondent

No appearance by or for the appellant

For the Respondent, Mr M Diwyncz, Senior Home Office Presenting Officer

Heard at Edinburgh on 22 November 2023

DECISION AND REASONS

1. FtT Judge Ross dismissed the appellant's appeal by a decision dated 2 February 2022.
2. On 26 April 2022, FtT Judge Thapar declined to extend time to seek permission to appeal and considered the grounds to be only disagreement.
3. On 17 September 2022, UT Judge Frances held that the previous application was in time, and found it arguable that the Judge "failed to give adequate reasons for his conclusions and ... in his assessment of the medical report".
4. The appellant is no longer legally represented.

5. Notice of the hearing before me was issued on 1 November 2023. The appellant has not since then been in touch with the UT or with the respondent. It was appropriate, in those circumstances, to proceed in his absence.
6. Ground 1, “the relationship”, (i) – (vi), disagrees at length on the facts, but shows no error on a point of law. When describing an account as minimal in detail, judges do not have to dilate on what might have been forthcoming. Procedural fairness does not require judges to give judges who find an account lacking to give an appellant another chance.
7. Ground 2, “expert report”, avers error “by using the appellant’s adverse credibility findings as an *a priori* reason to discount what the expert says”, but that is misleading. The report was found not to advance the appellant’s case because it was predicated on accepting his account, which he failed to establish. The ground fails to specify anything in the report which might have given significant support to the appellant’s account, rather than going to the consequences, if the account were true.
8. Ground 3, “other credibility issues”, (i) – (iv), is only a continuation of the theme of disagreement.
9. The grounds seek endless reasons upon reasons. They do not show that the decision is a less than legally adequate explanation to the appellant of why his claim was found to fall short of probation.
10. There is no ongoing need for anonymity. The order made in that respect is discharged.
11. The appeal to the UT is dismissed.
12. The decision of the FtT stands.

Hugh Macleman

Judge of the Upper Tribunal
Immigration and Asylum
Chamber 22 November 2023