



**IN THE UPPER TRIBUNAL**  
**IMMIGRATION AND ASYLUM CHAMBER**

**Case No: UI-2024-000855**  
**First-tier Tribunal No:**  
**PA/55155/2023**  
**LP/02896/2023**

**THE IMMIGRATION ACTS**

**Decision & Reasons Issued:**  
**On the 25 July 2024**

**Before**

**UPPER TRIBUNAL JUDGE KEBEDE**

**Between**

**SIAG**  
**(Anonymity Order made)**

Appellant

**and**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: Mr C Holmes, instructed by WTB Solicitors LLP  
For the Respondent: Ms Newton, Senior Home Office Presenting Officer

**Heard at Manchester Civil Justice Centre on 15 July 2024**

**DECISION AND REASONS**

1. The appellant is a citizen of Egypt whose claimed date of birth of 2 February 2006 was accepted by the respondent following an age assessment. He appeals, with permission, against the decision of the First-tier Tribunal dismissing his appeal against the respondent's decision to refuse his asylum and human rights claim.
2. The appellant arrived in the UK on 31 May 2022 and claimed asylum on 1 June 2022. His claim was refused on 28 July 2023. He appealed against that decision and his appeal is the subject of these proceedings.
3. The appellant's claim was made on the basis that he feared being arrested and imprisoned by the Egyptian authorities on return to Egypt for supporting the Muslim

Brotherhood. The appellant claimed that his elder brother was involved with the Muslim Brotherhood and attended demonstrations but he was unsure of the exact nature of his brother's political activities as he (the appellant) was young at the time. His brother had since left Egypt and fled to Mozambique. The appellant claimed to have supported the Muslim Brotherhood himself, but said that he was not politically active in Egypt.. The police raided his home on two occasions in connection to his brother's support for the Muslim Brotherhood and he feared that they would take him to put pressure on his brother to surrender. When the police came to his house the first time and did not find his brother, they took his father, but later released his father when they were satisfied that he was not involved with the Muslim Brotherhood and was a supporter of the government. They did not find any political material at the house. He hid at a friend's house during the first raid. He also hid the second time the police raided his house and he then fled Egypt after that. He continued to support the Muslim Brotherhood. He managed to pay for his journey to the UK with some money he had from his work and also some money from his brother. He also worked when he was in Libya for seven months and then worked in France.

4. The respondent, in refusing the appellant's claim, did not find his account to be credible and considered that he had failed credibly to evidence why the Egyptian authorities would have any interest in him when he was only 13/14 years of age at the time of the said police raid and when the police did not find any material at his home relating to the Muslim Brotherhood. The respondent considered that the appellant was not at any risk on return to Egypt.

5. The appellant's appeal against that decision came before First-tier Tribunal Judge Hillis on 12 December 2023. The respondent requested an adjournment on the grounds of the Presenting Officer being ill but the request was refused by the judge and the hearing proceeded without a representative for the respondent. The judge accepted that the appellant's account was both internally consistent and was externally consistent with the background material, but concluded nevertheless that the account was not a reliable or credible one. The judge rejected the appellant's claim that the authorities would seek to arrest and detain him to put pressure on his brother to surrender to them when they had arrested and released his father. The judge considered it more likely that the appellant's father's arrest and detention would cause his brother to surrender. The judge also found the appellant's claim that his father respected his decision to support the Muslim Brotherhood was not credible given that it was a designated terrorist group in Egypt and his father was a supporter of the government. The judge found the appellant's account in his interviews and witness statement to be vague and lacking in detail, credibility and reliability. He found the appellant's account of being able to work to sustain himself and save money to pay agents, to be inconsistent with the information about young people travelling through Libya being subjected to modern slavery or held to ransom. The judge accordingly dismissed the appellant's appeal on all grounds, in a decision issued on 28 December 2024.

6. The appellant sought permission to appeal against the judge's decision on three grounds: firstly, that the judge had erred by rejecting the appellant's account on the basis of plausibility; secondly, that the judge had failed give adequate reasons for how the Egyptian state or the appellant's father would behave, for why the appellant's account was vague and lacking in credibility and reliability, and for why the appellant's narrative of his journey to the UK should be rejected because he avoided becoming a modern day slave; and thirdly, that the judge's adverse finding in regard to the appellant's journey was irrational.

7. Permission was granted by the First-tier Tribunal on all grounds. The respondent provided a rule 24 response opposing the appeal.

8. The matter came before me for a hearing on 15 July 2024. Both parties made submissions before me and I shall address those submissions in my analysis below.

## **Analysis**

9. The appellant's second ground takes issue with the judge's adverse findings at [22] which, it is asserted, are simply statements made without any reasons being given. However that is clearly not the case and the grounds fail to recognise that the findings at [22] were not made in isolation. They followed the judge's analysis of the appellant's evidence, from [16] to [21], where the judge considered the appellant's account about his involvement with the Muslim Brotherhood and his account of why the Egyptian authorities would be interested in him. At [16] the judge noted the appellant's evidence that he was only just aware of his brother's support for the change in the situation in Egypt and that he was too young to know what was going on himself, being only 13 or 14 at the time of the first raid on his house. At [17] the judge considered the appellant's limited knowledge of the Muslim Brotherhood and what they stood for; at [20] he noted that the appellant did not agree with the Muslim Brotherhood's *modus operandi* in relation to their use of violence; in the same paragraph, [20], he noted that the appellant had never attended demonstrations or expressed support for the Muslim Brotherhood to anyone outside his family and that his father was a government supporter and at [21] he noted that the appellant was not fully aware of what was involved in supporting the Muslim Brotherhood. It was on that basis that the judge found at [22] that the appellant's account was vague and lacked detail, credibility and reliability. The finding was therefore not made in isolation but followed his analysis of the appellant's evidence which in turn provided the basis of his reasoning for his findings at [22].

10. As for the singling out of the judge's findings at [15] and [21] and the assertion that they were based upon the judge's application of his own sets of standards and expectations, that is clearly not the case. The findings have to be considered in the round together with the other findings and the judge's overall assessment of the evidence. The judge had the benefit of hearing from the appellant and considering his oral evidence together with the documentary evidence and in the context of background country reports and was therefore best placed to make a credibility assessment. His findings at [15] reflected the respondent's concerns raised in the refusal decision under the heading "problems with the Egyptian authorities" which, in turn, were made in the context of the background country information. It was entirely open to the judge to question why the Egyptian authorities would conclude that the appellant had an involvement in the Muslim Brotherhood, and why they would take him to pressurise his brother, when considering his age and lack of any involvement in the party and when considering that they had already taken his father and released him after being satisfied that he had no involvement in the party and when there was nothing in the family house to otherwise incriminate the appellant himself. Likewise, the judge was entitled to have the concerns that he did at [21] about the appellant's account of his father acquiescing in his support for a terrorist organisation when he was himself a supporter of the government. It is clear that the judge raised those concerns in the context of the appellant's evidence as a whole, and as against his limited knowledge of the Muslim Brotherhood, as demonstrated at his interview. The judge was not required, in rejecting the appellant's account as lacking in plausibility and credibility, to make a specific self-direction about plausibility. His findings were

made on the basis of an overall assessment of the evidence and were, in my view, fully and properly open to him on the evidence before him.

11. As for the challenge to the findings at [23] in regard to the appellant's experiences in Libya, I accept that the judge appears to have made findings without reference to specific supporting evidence in that particular regard, but I do not consider that anything material arises from that. It was not a significant part of the appellant's case and neither did it form a material part of the judge's overall credibility assessment. I do not consider that it impacted upon the other credibility findings which were otherwise made on a full assessment of all the evidence.

12. Taken as a whole it seems to me that the judge was perfectly entitled to reach the conclusions that he did about the appellant's case. It is clear that he had regard to all the evidence and assessed the evidence as against the background country information. He gave cogent reasons for his adverse findings with direct reference to the evidence. For all these reasons I do not find the grounds to be made out and I accordingly uphold the judge's decision.

### **Notice of Decision**

13. The making of the decision of the First-tier Tribunal did not involve a material error on a point of law requiring it to be set aside. The decision to dismiss the appeal on protection grounds stands.

### **Anonymity Order**

The Anonymity Order previously made is continued.

Signed: S Kebede  
Upper Tribunal Judge Kebede

Judge of the Upper Tribunal  
Immigration and Asylum Chamber

19 July 2024