



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

Case No: UI-2024-003297

First-tier Tribunal No:  
PA/53420/2023

**THE IMMIGRATION ACTS**

**Decision & Reasons Issued:  
On the 16 October 2024**

**Before**

**UPPER TRIBUNAL JUDGE LINDSLEY**

**Between**

**MB  
(ANONYMITY ORDER MADE)**

Appellant

**and**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: None

For the Respondent: Mr A Mullen, Senior Home Office Presenting Officer

**Heard at Field House on 15 October 2024**

**Order Regarding Anonymity**

**Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008, the appellant is granted anonymity.**

**No-one shall publish or reveal any information, including the name or address of the appellant, likely to lead members of the public to identify the appellant. Failure to comply with this order could amount to a contempt of court.**

**DECISION AND REASONS**

### *Introduction*

1. The appellant is a citizen of Albania born in 2004. He came to the UK in January 2020 aged 16 years and claims he was kept in a house for 9 months. He claimed asylum on the basis of a real risk of serious harm from money lenders in the form of modern slavery on 4<sup>th</sup> November 2020, and the application was refused on 24<sup>th</sup> May 2023. The appellant's appeal against the decision was dismissed by First-tier Tribunal Judge Plowright in a decision promulgated on 13<sup>th</sup> May 2023..
2. Permission to appeal was granted by Judge of the First-tier Tribunal Stuart PJ Buchanan on 11<sup>th</sup> July 2024 on the basis that it was arguable that the First-tier judge had erred in law in consideration of evidence before the First-tier Tribunal going to the issue of internal relocation which contradicts that in the CPIN.
3. The matter now comes before me to determine whether the First-tier Tribunal had erred in law, and is so whether any such error was material and whether the decision of the First-tier Tribunal should be set aside. There was no attendance for the appellant. His solicitors had gone off the record as they were without instructions. I was satisfied however that the appellant had been informed of the hearing to his postal address in Liverpool on 17<sup>th</sup> September 2024 and so that it was fair and in the interests of justice to proceed with the hearing.

### *Submissions - Error of Law*

4. In the grounds of appeal it is argued, in short summary, that the First-tier Tribunal erred in law as follows.
5. It is argued, that the First-tier Tribunal erred by failing to consider evidence that was before the First-tier Tribunal which contradicted the view put forward in the CPIN that the authorities would assist the appellant and he could find safety by internal relocation. In particular there was evidence of Mr David Neal of Garden Court Chambers in the bundle and a note from Counsel who appeared before the First-tier Tribunal shows that this evidence was the subject of submissions. It is argued that this needed to be engaged with in the decision to explain why the evidence and submissions were not accepted and the evidence of the CPIN preferred.
6. In a Rule 24 notice and in oral submissions from Mr Mullen it is argued for the respondent, in short summary, as follows. It is not an error of law that the First-tier Tribunal Judge did not refer to a specific piece of evidence and that the First-tier Tribunal lawfully relied upon neutral sources of information in the CPIN which was a position rationally open to it. Further the grounds do not properly identify an error of law as the decision is in accordance with the Practice direction from the Senior President of Tribunals: Reasons for decisions dated 4<sup>th</sup> June 2024 which

outlines that providing adequate reasons does not usually require the identification of all of the evidence and the Upper Tribunal must exercise appropriate restraint when considering a challenge to a decision based on adequacy of reasons. Mr Mullen also correctly pointed out that there was actually no note from counsel attached to the grounds in the bundle uploaded to CE file or on the First-tier Tribunal CCD computer system with the grounds of appeal.

### *Conclusions – Error of Law*

7. The material facts of this case are not in dispute as set out at paragraph 40 of the decision. The First-tier Tribunal finds that the appellant is a member of a social group as a previous victim of modern slavery and because he fears future modern slavery as set out at paragraph 59 of the decision. The First-tier Tribunal finds, at paragraph 63 of the decision, that although the appellant could not obtain sufficiency of protection in his home area this could be obtained if he moved to Tirana. The appellant's skeleton argument as before the First-tier Tribunal suggests that internal relocation would not be reasonable because of the lack of shelters and support packages at paragraph 10 of that document, making reference to the CPIN. No reference is made to other evidence.
8. The Garden Court report is written by a legal researcher and argues that the new CPIN is wrong to assert that trafficked boys' and mens' asylum claims can be properly certified. Whilst there is nothing wrong with an appellant choosing to rely upon this document at a Tribunal hearing it is not new evidence from a country of origin expert but a critique of the CPIN's conclusions on the evidence. The report accepts that financial support is available to victims of trafficking even if many do not access it and it is very little money.
9. The First-tier Tribunal considers the reasonableness of relocation at paragraphs 67 and 68 of the decision and concludes that the appellant is 20 years old; in good health; has family outside his home area who could help support him; and that he could have short term assistance from NGOs whilst relocating – this latter matter being found with reference to the CPIN. It is accepted that the appellant has limited education but found that relocation would be reasonable in all of the circumstances. It is found at paragraphs 66 and 69 that by relocating away from the appellant's home area of Selenica he would have sufficiency of protection because there would be police he could turn to for assistance and because there was no evidence that the money lender group had influence in Tirana or away from Selenica in other places in the north of Albania. I find that the decision is adequately and lawfully reasoned with reference to the individual facts of this case and the country of origin materials on both the issues of internal relocation and sufficiency of protection. There was no need for the First-tier Tribunal to refer to all of the evidence before it and the grounds do not

raise an issue that was not lawfully dealt with by the First-tier Tribunal Judge.

Decision:

1. The making of the decision of the First-tier Tribunal did not involve the making of an error on a point of law.
2. I uphold the decision of the First-tier Tribunal dismissing the appeal on protection and human rights grounds.

**Fiona Lindsley**

Judge of the Upper Tribunal  
Immigration and Asylum Chamber

**15<sup>th</sup> October 2024**