



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

Appeal Number: PA/08249/2017

**THE IMMIGRATION ACTS**

**No hearing  
On 25 August 2021**

**Decision & Reasons Promulgated  
On 2 September 2021**

**Before**

**MR C M G OCKELTON, VICE PRESIDENT**

**Between**

**SAMAN HOSENI**

Appellant

**and**

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

Respondent

**DETERMINATION AND REASONS**

1. The appellant is a national of Iran. He claimed asylum on the basis of his conversion to Christianity whilst in the United Kingdom. The Secretary of State did not believe that he had converted. In addition, the appellant was sentenced to fifteen months imprisonment following his conviction for being concerned in the production of cannabis. The Secretary of State noted that he was a foreign criminal, whose deportation was conducive to the public good. The Secretary of State refused his claim.
2. The appellant appealed on protection grounds to the First-tier Tribunal. Judge Saffer allowed his appeal.
3. On appeal, Upper Tribunal Judge Clive Lane set aside the First-tier Tribunal's decision and substituted a decision dismissing the appellant's appeal. The appellant then appealed to the Court of Appeal, and, by consent, the Court of Appeal ordered on 14 September 2020 that the

appeal be allowed, Judge Lane's decision be set aside and the Secretary of State's appeal be re-determined by the Upper Tribunal.

4. Directions were sent out on 14 May 2021 with a view to a hearing of the appeal. Subsequent correspondence and efforts by the Tribunal and the Secretary of State reveal that the appellant's nominated representative had not had any contact with the appellant for many months and were no longer instructed. The appellant himself had not kept in touch with the Tribunal and had not responded to directions or to correspondence sent to him at any address known to his previous representatives, the Secretary of State or the Tribunal. He did not appear at the hearing on 7 July, before the Vice President and Judge O'Callaghan, of which notice had been sent out in accordance with the rules. At that hearing the respondent was represented by Mr Tufan, who reviewed the respondent's file in order to see whether there was any untried method of contacting the appellant.
5. It appeared that one telephone number might not have been previously tried. During the course of the hearing we arranged for a call to be made to that mobile number. There was a recorded response giving the appellant's name, but no other details. Although the Tribunal was aware that a response of that sort is sometimes obtained from an account that has been suspended or is not in use, an oral message was left as the only remaining known possibility of contacting the appellant. It was translated into Sorani by the Court's interpreter. The message was as follows:

"This is the Immigration Tribunal in Field House.  
You must write to us within seven days about your appeal otherwise you will find it has been dismissed. You must give us the address at which we can contact you."

The Tribunal's address at Field House was then given.

6. The appellant does not appear to be pursuing his appeal. It is not even known whether he is still in the United Kingdom. In these circumstances the appropriate course is to dismiss his appeal without any further hearing. I accordingly dismiss it.

C.M.G. Ockelton

C. M. G. OCKELTON  
VICE PRESIDENT OF THE UPPER TRIBUNAL  
IMMIGRATION AND ASYLUM CHAMBER  
Date: 25 August 2021