

SPECIAL IMMIGRATION APPEALS COMMISSION

BEFORE:

**THE HONOURABLE MR JUSTICE IRWIN
UPPER TRIBUNAL JUDGE PERKINS
MR STEPHEN PARKER**

BETWEEN:

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Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT
Respondents

MR HUGH SOUTHEY QC and MR N ARMSTRONG (instructed by Public Law Project) appeared on behalf of the Appellant.

MR T EICKE QC and MR DAVID CRAIG (instructed by the Treasury Solicitor) appeared on behalf of the Secretary of State.

MR A UNDERWOOD QC and MR M GOUDIE (Instructed by Special Advocates' Support Office) appeared as Special Advocates

“The stated position of the Secretary of State for the Home Department (SSHD) is never to seek to rely on legally privileged material in legal proceedings. SIAC proposes to seek specific assurances in every case that there is no such reliance, where appropriate scrutinising any potentially relevant material.

SIAC has investigated as to whether any legally privileged material has been seen to listened to or used in any way which could properly be thought to have led to an abuse of process in these proceedings. SIAC is satisfied that there has been no such abuse here. Nor has any advantage been gained by the SSHD. Nor has any unfairness been caused to the Appellant as a result of any non-disclosure of material.”