

CHAPTER 1
SECTION 10

HUMAN RIGHTS

STOCK PARAGRAPHS

Decision Letters

For use in cases where human rights issues have been specifically raised
(*delete as appropriate)

In reaching this decision to refuse your application, the S of S has given careful consideration to your rights under Article/s* of the European Convention on Human Rights. However, he is satisfied that [*either*]

there has been no breach of that Article/those Articles* for the reasons already stated above.

[*or-for use in cases where the right in question is qualified*]

although there may be a perceived interference with your right to [] under Article.....such interference is justified for the purpose of maintaining an effective immigration control, is proportionate to that aim and does not therefore breach your Convention rights.

Rejection of Further Representations

For use in cases where human rights-based further representations do not constitute a fresh application and the original decision to refuse is maintained.

The Secretary of State has given very full and careful consideration to [*insert details of representations*].

In considering whether to treat the representations as a fresh claim, the Secretary of State will disregard material which is not significant, or is not credible; or was available to the applicant at the time when the previous application was refused or when any appeal was determined.

He does not consider that the issues you have raised are significant for the following reasons [*insert full reasons for rejection*] *

He does not consider that the issues you have raised are credible for the following reasons [*insert full reasons for rejection*]* and/or* He notes that the factors you have raised were available to you at the time when the previous application was refused* or when your appeal was determined.*

Accordingly, the Secretary of State has decided not to treat your representations as a fresh claim.

The Secretary of State has reconsidered your claim on all the evidence available to him, including the further representations, but is not prepared to reverse his decision of [] upheld by the Independent Special Adjudicator on [date]* and upheld by the Immigration Appeal Tribunal on [date].*

There is no right of appeal from this decision.

(* delete as appropriate)

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