

Jul/06

IMMIGRATION DIRECTORATES' INSTRUCTIONS

ANNEX C

**CHAPTER 12
SECTION 5**

**RECOMMENDATIONS BY THE
APPELLATE AUTHORITIES**

REFUSING A RECOMMENDATION

REFUSAL BY THE SECRETARY OF STATE TO ACT UPON A RECOMMENDATION

Dear.....

Your appeal against the Secretary of State's decision of was dismissed by the Tribunal on..... The Tribunal made a recommendation that the Secretary of State (***give details of the terms of the recommendation***).

Our policy is not to accept a recommendation made by the Tribunal when an appeal is dismissed or withdrawn unless the written determination discloses clear exceptional compassionate circumstances which have not previously been considered by the Secretary of State, and which merit the exercise of discretion outside the Immigration Rules.

The recommendation made in the Tribunal's determination dated..... has been carefully considered, but the Secretary of State is not satisfied that it contains additional clear exceptional compassionate circumstances which have not previously been considered, and which would merit the exercise of discretion outside the Immigration Rules. Consequently, the Secretary of State is not prepared to take any further action on the recommendation.