



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

Appeal Number: PA/00344/2018

**THE IMMIGRATION ACTS**

**Heard at North Shields  
On 21 February 2019**

**Decision and Reasons Promulgated  
On 25 February 2019**

**Before**

**UPPER TRIBUNAL JUDGE GLEESON**

**Between**

**M M A E  
[ANONYMITY ORDER MADE]**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: Mr Richard Selway, Counsel instructed by Brar & Co solicitors

For the Respondent: Ms Rhona Petterson, a Senior Home Office Presenting Officer

**DECISION OF THE UPPER TRIBUNAL  
PURSUANT TO RULE 40(3)(a) OF  
THE TRIBUNAL PROCEDURE (UPPER TRIBUNAL) RULES 2008**

1. The appellant, an Egyptian citizen, appeals with permission from the decision of the First-tier Tribunal dismissing his appeal against the respondent's decision to refuse his claim for international protection on asylum or humanitarian protection grounds, or leave to remain in the

United Kingdom on human rights grounds based on his asserted links to the Muslim Brotherhood.

2. Permission to appeal was granted based on inadequacy of reasoning, in particular with regard to the witness HA, who gave evidence.
3. At the hearing today, it was common ground that the First-tier Tribunal did materially err in law in that the decision lacked factual findings about the evidence of the witness HA and was generally inadequately reasoned. The parties agree that this is a case where the decision of the First-tier Tribunal must be set aside, and that no written reasons are required. The requirements of sub-paragraphs 40(3)(a) and 40(3)(b) of the Rules are met. I am satisfied that the decision of the First-tier Tribunal can properly be set aside without a reasoned decision notice.
4. By consent, no written reasons are required.
5. I therefore set aside the decision of the First-tier Tribunal.
6. Pursuant to Rule 14 of The Tribunal Procedure (Upper Tribunal) Rules 2008 (as amended), the anonymity order made by the First-tier Tribunal is maintained.
7. The appeal will now proceed to the stage in which the First-tier Tribunal will remake the decision to allow or dismiss the appeal afresh, with no findings of fact or credibility preserved.

Signed: [Judith A J C Gleeson](#)  
February 2019  
Upper Tribunal Judge Gleeson

Date: 21