



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: PA/01329/2019

**THE IMMIGRATION ACTS**

Heard at Field House  
On 2<sup>nd</sup> September 2019

Decision & Reasons Promulgated  
On 12<sup>th</sup> September 2019

Before

UPPER TRIBUNAL JUDGE FRANCES

Between

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

G R N

(ANONYMITY DIRECTION MADE)

Respondent

**Representation:**

For the Appellant: Ms S Cunha, Home Office Presenting Officer

For the Respondent: Mr A Eaton, instructed by Ata & Co Solicitors

**DECISION AND REASONS**

1. Although this is an appeal by the Secretary of State for the Home Department, I shall refer to the parties as in the First-tier Tribunal. The Appellant's appeal against the refusal of his protection claim was allowed by First-tier Tribunal Judge Andrew on 8 May 2019.
2. The Secretary of State appealed on the grounds that the judge failed to identify a Convention reason and failed to specify what part of the Appellant's case was made

out in relation to his protection claim. The reasons for allowing the appeal were unclear.

3. At the hearing before me, it was agreed by the parties that the judge had made errors of law. I find that the judge made errors of law as identified in the grant of permission dated 25 July 2019. In particular, the judge failed to give adequate reasons for allowing the appeal on any basis.
4. Accordingly, I have decided in accordance with paragraph 7.2 of the Practice Statements of 25 September 2012 that the decision should be set aside and the appeal remitted to the First-tier Tribunal. None of the judge's findings are preserved.

### **Notice of decision**

**Appeal allowed and remitted to the First-tier Tribunal for re-hearing**

### **Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008**

**Unless and until a Tribunal or court directs otherwise, the Appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify her or any member of her family. This direction applies both to the Appellant and to the Respondent. Failure to comply with this direction could lead to contempt of court proceedings.**

### **DIRECTIONS**

- (i) The Tribunal is directed pursuant to section 12(3) of the Tribunals, Courts and Enforcement Act 2007 to reconsider the appeal at a hearing before a First-tier Tribunal Judge other than First-tier Tribunal Judge Andrew.
- (ii) The parties to serve all further documentary material on which they intend to rely not later than 7 days before the date of hearing.

*J Frances*

Signed  
Upper Tribunal Judge Frances

Date: 2 September 2019