



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: PA/11788/2019

THE IMMIGRATION ACTS

Heard remotely at Field House
On 10th May 2021

Decision & Reasons Promulgated
24th May 2021

Before

UPPER TRIBUNAL JUDGE FRANCES

Between

AHMED [E]
(ANONYMITY DIRECTION NOT MADE)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr J Greer, instructed by Broudie Jackson Canter

For the Respondent: Ms A Everett, Home Office Presenting Officer

This has been a remote hearing which has been consented to by the parties. The form of remote hearing was video by Skype (V). A face to face hearing was not held because it was not practicable and all issues could be determined in a remote hearing. The documents that I was referred to are in the bundles on the court file, the contents of which I have recorded. The order made is described at the end of these reasons.

DECISION AND REASONS

1. The Appellant is a citizen of Palestine born on 11 April 1978. He appeals against the decision of First-tier Tribunal Judge Raikes, promulgated on 23 October 2020, dismissing his appeal against the refusal of his protection claim on asylum, humanitarian protection and human rights grounds.
2. Permission to appeal was granted by Resident First-tier Tribunal Judge Zucker on 14 November 2020 for the following reasons: "As the grounds recognise, the Upper Tribunal will be very slow to interfere with findings of fact. However, just as the cumulative effect of inconsistencies can lead to a claim not being accepted as credible, so too can the cumulative effect of errors in the findings lead to an error of law. The grant of permission should not be taken as an indication that there are errors in the findings. That will be a matter for the Upper Tribunal, but the grounds are arguable."
3. Ms Everett conceded that, taken cumulatively, the grounds demonstrated an error of law in the judge's credibility findings. It was agreed by the parties that the decision should be set aside and the appeal remitted to the First-tier Tribunal for rehearing.
4. I find that the judge erred in law in dismissing the Appellant's appeal and I set the decision aside. The appeal is remitted to the First-tier Tribunal. None of the judge's findings are preserved.

Notice of Decision

Appeal allowed

J Frances

Signed
Upper Tribunal Judge Frances

Date: 10 May 2021

TO THE RESPONDENT
FEE AWARD

I make no fee award. The appeal remains outstanding.

J Frances

Signed
Upper Tribunal Judge Frances

Date: 10 May 2021

NOTIFICATION OF APPEAL RIGHTS

1. A person seeking permission to appeal against this decision must make a written application to the Upper Tribunal. Any such application must be **received** by the Upper Tribunal within the **appropriate period** after this decision was **sent** to the person making the application. The appropriate period varies, as follows, according to the location of the individual and the way in which the Upper Tribunal's decision was sent:
2. Where the person who appealed to the First-tier Tribunal is **in the United Kingdom** at the time that the application for permission to appeal is made, and is not in detention under the Immigration Acts, the appropriate period is **12 working days (10 working days, if the notice of decision is sent electronically)**.
3. Where the person making the application is in detention under the Immigration Acts, **the appropriate period is 7 working days (5 working days, if the notice of decision is sent electronically)**.
4. Where the person who appealed to the First-tier Tribunal is **outside the United Kingdom** at the time that the application for permission to appeal is made, the appropriate period is **38 days (10 working days, if the notice of decision is sent electronically)**.
5. A "working day" means any day except a Saturday or a Sunday, Christmas Day, Good Friday or a bank holiday.
6. The date when the decision is "sent" is that appearing on the covering letter or covering email