



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

Appeal Number: PA/04079/2016

THE IMMIGRATION ACTS

**Decided by consent without a hearing
pursuant to Rule 39
On 18th January 2022**

Decision & Reasons Promulgated

On 31st January 2022

Before

UPPER TRIBUNAL JUDGE KEITH

Between

**SO (AFGHANISTAN)
(ANONYMITY DIRECTION CONTINUED)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

**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 him or any member of his 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.

DECISION AND REASONS

Decision and reasons

1. The parties wrote to this Tribunal on 17th January 2022, seeking an order in the following terms:

“CONSENT ORDER UNDER RULE 39(1)

Under Rule 39(1) of the Upper Tribunal Rules 2008, the parties consent to the disposal of this appeal on the following agreed basis:

1. On the Respondent accepting that the change of circumstances in Afghanistan means that the Appellant now makes out a protection claim under Refugee Convention and/ or Protections Directive; and
2. On the basis that leave to remain will be granted;
3. The refusal of asylum dated 11 April 2016 is withdrawn;
4. The appeal is therefore summarily allowed.

The parties ask that the Tribunal accepts the parties' assent via e-mail rather than the traditional signature due to the practicalities of remote working.”

2. For the reasons expressed above, and by consent, the appellant's appeal is allowed.

Notice of Decision

3. By consent, the appellant's appeal is allowed.
4. The anonymity directions continue.

Signed

Date 18th January 2022

J Keith

Upper Tribunal Judge Keith