



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

Appeal Number: PA/11990/2016

THE IMMIGRATION ACTS

**Heard at Field House
On 19 July 2017**

**Decision & Reasons
Promulgated
On 20 July 2017**

Before

UPPER TRIBUNAL JUDGE KOPIECZEK

Between

AMINA JUNAJI

and

Appellant

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Ms S. Caseley, Counsel

For the Respondent: Mr I. Jarvis, Senior Home Office Presenting Officer

**DECISION PURSUANT TO RULE 39 OF THE TRIBUNAL PROCEDURE
(UPPER TRIBUNAL) RULES 2008**

1. The appellant is a citizen of Zimbabwe. She appealed to the First-tier Tribunal (“FtT”) against a decision dated 14 October 2016 to refuse her asylum and human rights claim. First-tier Tribunal Judge Carroll (“the FtJ”) dismissed her appeal on all grounds after a hearing on 17 March 2017.

2. Permission to appeal against the decision of the FtJ having been granted, her appeal came before me.
3. By consent, the parties agreed the following:
 - (i) the matters advanced in the grounds of appeal to the Upper Tribunal reveal material errors of law in the FtJ's decision in relation to the assessment of credibility; and
 - (ii) that the FtJ's decision should be set aside; and
 - (iii) that the appeal should be remitted to the First-tier Tribunal for a hearing *de novo* before a First-tier Tribunal Judge other than First-tier Tribunal Judge Carroll.
4. Having heard the parties, and considering rule 39 of the Tribunal Procedure (Upper Tribunal) Rules 2008, I make a consent order in the terms expressed in [3] above, considering it appropriate to do so, and thus remitting the appeal to the First-tier Tribunal for a hearing *de novo* before a First-tier Tribunal Judge other than First-tier Tribunal Judge Carroll, with no findings of fact preserved.
5. The consent order is as contained herein, no separate document being required.

Upper Tribunal Judge Kopieczek

19/07/17