



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

Appeal Number: PA/00109/2019

THE IMMIGRATION ACTS

**Heard at Bradford
On 5th August 2019**

**Decision & Reasons Promulgated
On 20th August 2019**

Before

DEPUTY UPPER TRIBUNAL JUDGE D E TAYLOR

Between

**B T R
(ANONYMITY DIRECTION MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Ms C Wilson-Brown of CAB Bradford and Airedale
For the Respondent: Mr C Howells, HOPO

DECISION AND REASONS

1. This is the appellant's appeal against the decision of Judge Bashir made following a hearing in Bradford on 25th February 2019.
2. The appellant is a citizen of South Sudan born on 3rd August 1987. He made a claim for refugee status in the UK which was refused on 18th December 2018 and the judge dismissed his subsequent appeal.
3. Mr Howells for the respondent accepted that the judge had erred in law and that the decision would have to be remade by another judge in the First-tier Tribunal.

4. The appellant had sought to remain here on the grounds that he would be at risk on return on account of his imputed political opinion. Whilst Mr Howells did not consider that he had erred in his consideration of that aspect of the appeal he did accept that the judge had failed to consider the appellant's claim to be at risk on grounds of his ethnicity and had failed to deal with his claim to be entitled to humanitarian protection.
5. It was agreed between all parties that the proper course was for this matter to be remitted de novo to the First-tier Tribunal with no findings of fact preserved so that the decision could be made afresh.
6. The judge erred in law because he did not consider relevant matters in reaching his decision and his decision is set aside.

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 their 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.

Deborah Taylor

Signed

Date 13 August 2019

Deputy Upper Tribunal Judge Taylor