



IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Case No: UI-2022-002642

First-tier Tribunal No: PA/01563/2020

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On 25 August 2023

Before

DEPUTY UPPER TRIBUNAL JUDGE DAVIDGE

Between

AD and A
(ANONYMITY ORDER MADE)

Appellant

and

Secretary of State for the Home Department

Respondent

Representation:

For the Appellant: Mr Fripp, Counsel instructed by Duncan Lewis Solicitors
For the Respondent: Mr Terrell, Senior Home Office Presenting Officer

Heard at Field House on 15 August 2023

Notice of Decision

1. Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698), I make an anonymity order prohibiting the disclosure or publication of any matter likely to lead to members of the public identifying the Appellants. A failure to comply with this direction could lead to contempt of court proceedings. No one shall publish or reveal any information, including the name or address of the Appellants, likely to lead members of the public to identify the Appellants.
2. Rule 40(3)(a) and (b) of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698 as amended) applies to this decision.
3. The appeal concerns an international protection claim and there is a dependent minor born after the application. The parties were agreed that I should order anonymity in those circumstances and direct that the minor be treated as a dependent on the principal appellant's claim. Mr Terrell indicated that having read the judge's decision, application for

and grant of permission, and noting the absence of any finding on the issue of vulnerability he was unable to oppose the appellant's appeal.

4. By consent, which I consider to be properly agreed, the appeal to the Upper Tribunal is allowed as follows:
 - a. the First-tier Tribunal decision is affected by error of law.
 - b. the First-tier Tribunal decision allowing the appeal is set aside and remitted to the First tier tribunal to be remade.

Directions

5. The matter is to be remitted de novo to the First tier Tribunal, not to be heard by Judge Traynor or Judge Beg.
6. The minor appellant "A" is to be recognised as dependent on the principal Appellant "AD"s appeal.

E M Davidge

Deputy Judge of the Upper Tribunal
Immigration and Asylum Chamber

15 August 2023