



IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

Case No.: UI-2023-005427
First-tier Tribunal No:
PA/00435/2022
PA/50825/2021

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On the 03 July 2024

Before

UPPER TRIBUNAL JUDGE MACLEMAN

Between

M F

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Decided without a Hearing under rule 34 at Field House on 28 June 2024

DECISION AND REASONS

1. FtT Judge Dineen dismissed the appellant's asylum appeal on an adverse view of credibility, based on delay in making the claim. On 28 November 2023 FtT Judge Lodato granted permission to appeal to the UT, on the view that it was "arguably difficult to understand" why delay was held against the appellant "to such a decisive degree". The SSHD responded on 3 January 2024, conceding that the credibility assessment was inadequate. On 22 March 2024 the UT issued directions with a view to the following disposal. Neither party has responded within the time indicated.
2. The decision of the FtT is set aside. It stands only as a record of what was said at the hearing. The case is remitted for fresh hearing before another Judge.

Hugh Macleman

28 June 2024
UT Judge Macleman