



**IN THE UPPER TRIBUNAL**  
**IMMIGRATION AND ASYLUM CHAMBER**

Case No: UI-2024-003345  
First tier number: PA/52959/2023

**THE IMMIGRATION ACTS**

**Decision & Reasons Issued:**

On 14<sup>th</sup> of November 2024

**Before**

**UPPER TRIBUNAL JUDGE LANE**

**Between**

**HEH**

**(ANONYMITY ORDER MADE)**

**and**

**Secretary of State for the Home Department**

Appellant

Respondent

**Representation:**

For the Appellant: Mr Muman  
For the Respondent: Mrs Arif, Senior Presenting Officer

Heard at Birmingham Civil Justice Centre on 11 November 2024

**DECISION AND REASONS**

1. The appellant, a citizen of Iran, appealed to the First-tier Tribunal against a decision of the Secretary of State refusing his claim for international protection. The First-tier Tribunal, in a decision promulgated on 6 June 2024, dismissed the appeal. The appellant now appeals to the Upper Tribunal.
2. At the initial hearing at Birmingham on 11 November 2024, Mrs Arif, Senior Presenting Officer for the Secretary of State, told me that the appeals was no longer opposed. The Secretary of State accepts that the judge erred in law by his failure to consider the appellant's expert evidence or to acknowledge that the appellant was a child at the time of the past events in Iran which form the basis of his claim.

3. I agree that the First-tier Tribunal fell into error for the reasons outlined by Mrs Arif. Accordingly, I set aside the decision of the First-tier Tribunal. None of the findings of fact shall stand. as there will need to be extensive fact-finding, I shall return the appeal to the First-tier Tribunal for it to remake the decision after a hearing *de novo*.

### **Notice of Decision**

The decision of the First-tier Tribunal is set aside. None of the findings of fact shall stand. The decision shall be remade by the First-tier Tribunal to which this appeal is returned for a hearing *de novo*.

**C. N. Lane**

Judge of the Upper Tribunal  
Immigration and Asylum Chamber

**Dated: 11 November 2024**