



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

Appeal Number: AA084582015

THE IMMIGRATION ACTS

**Heard at Field House
On 3rd May 2016**

**Decision & Reasons
Promulgated
On 8th June 2016**

Before

DEPUTY UPPER TRIBUNAL JUDGE SAINI

Between

**NB
(ANONYMITY ORDER MAINTAINED)**

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

For the Appellant: Mr H Mohamed, Counsel instructed by Fisher Jones
Greenwood

For the Claimant: Ms A Fijiwala, Senior Presenting Officer

DETERMINATION AND REASONS

1. The Appellant appeals with permission against the decision of First-tier Tribunal Judge Maka dismissing the appeal against the Respondent's decision to refuse the Appellant's asylum, humanitarian protection and human rights claims.

2. The Appellants appealed against that decision and were granted permission to appeal by Upper Tribunal Judge Eshun on all grounds.
3. I was provided with a Rule 24 response from the Respondent.

Concession

4. In submissions before me, the Respondent accepted that the First-tier Tribunal made material errors of law in relation to the consideration its own views instead of those of the Respondent as contained in the Reasons for Refusal Letter, and the Tribunal further erred in failing to put issues that concerned it to the Appellant which deprived the Appellant of an opportunity to reply. The Appellant was in agreement with this concession.

Error of Law

5. In light of the above agreement and concession by the Respondent, I find that the decision involved the making of an error of law as stated above.
6. Consequently, I remit the matter to be reheard by the First-tier Tribunal.

Decision

7. The appeal to the Upper Tribunal is allowed.
8. The determination of the First-tier Tribunal is set aside with no findings preserved.
9. The appeal is remitted to the First-tier Tribunal to be heard *de novo*.

Signed

Date 3rd May 2016

Deputy Upper Tribunal Judge Saini