



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

Appeal Number: PA/04077/2016

THE IMMIGRATION ACTS

Heard at Stoke on Trent

On 2 October 2017

**Decision and
Promulgated
On 3 October 2017**

Reasons

Before

Deputy Upper Tribunal Judge Pickup

Between

**VIET QUOC DAU
[No anonymity direction made]**

and

Secretary of State for the Home Department

Appellant

Respondent

Representation:

For the appellant: Mr P Asimwe, instructed by Pillai & Jones Solicitors

For the respondent: Mr A McVeety, Senior Home Office Presenting Officer

DECISION AND REASONS

1. This is the appellant's appeal against the decision of First-tier Tribunal Judge Shanahan promulgated 20.6.17, dismissing on all grounds his appeal against the decision of the Secretary of State, dated 15.4.16, to refuse his claim for international protection.
2. First-tier Tribunal Judge Bird granted permission to appeal on 17.7.17.
3. Thus the matter came before me on 2.10.17 as an appeal in the Upper Tribunal.

Error of Law

4. For the reasons summarised below, I found no error of law in the making of the decision of the First-tier Tribunal such as to require the decision of Judge Shanahan to be set aside.
5. I am bemused as to why permission to appeal was granted in this case. The grant of permission suggest that it is arguable that the judge of the First-tier Tribunal failed to take into account the explanation of the interpreter at Q41 of the substantive asylum interview, in relation to a warrant. The interpreter suggested that there had been a misunderstanding.
6. However, it is clear that the judge spent considerable time in the decision assessing this very issue, between [16] and [25] and again at [41]. The judge fully took into account the argument that the interview is defective and could not be relied on because of alleged poor translation and interpretation. At [20] the judge recorded that he asked the appellant is there was anything else other than that one matter that had not been interpreted correctly, with the appellant confirming that there was not. Despite what was said by the interpreter, the judge explained at [21] that the answers given by the appellant outside of Q41 remained inconsistent and not reconcilable, whether or not he ever personally received a copy of the warrant.
7. It is not clear to me what more the judge could have done. The decision was well-made and provided clear and cogent reasoning for the conclusions reached. No error of law is disclosed.

Conclusion & Decision

8. The for the reasons explained above, the making of the decision of the First-tier Tribunal did not involve the making of an error on a point of law such that the decision should be set aside.

I do not set aside the decision.

The decision of the First-tier Tribunal stands and the appeal remains dismissed on all grounds.



Signed

Deputy Upper Tribunal Judge Pickup

Dated

Anonymity

I have considered whether any parties require the protection of any anonymity direction. No submissions were made on the issue. The First-tier Tribunal did not make an order pursuant to rule 13(1) of the Tribunal Procedure Rules 2014.

Given the circumstances, I make no anonymity order.

Fee Award

Note: this is not part of the determination.

I make no fee award.

Reasons: The appeal has been dismissed.



Signed

Deputy Upper Tribunal Judge Pickup

Dated