



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: PA/04693/2018

**THE IMMIGRATION ACTS**

Heard at Field House  
On 28 August 2018

Decision & Reasons Promulgated  
On 5 September 2018

Before

UPPER TRIBUNAL JUDGE BLUM

Between

[S R]

~~(ANONYMITY DIRECTION NOT MADE)~~

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

**Representation:**

For the Appellant: Mr K Gayle, Counsel, instructed by Elder Rahimi Solicitors

For the Respondent: Mr S Kotas, Senior Home Office Presenting Officer

**DECISION AND REASONS**

1. This decision is issued under the provisions of rule 40(3)(a) and (b) of the Tribunal Procedure (Upper Tribunal) Rules 2008. Both subparagraphs of rule 40(3) apply to this decision.
2. The decision of Judge of the First-tier Tribunal Andonian, promulgated on 6 June 2018 is erroneous in law. The Judge failed to delineate his own findings from those contained in the Reasons For Refusal Letter, he failed to provide sufficient or sustainable findings for his adverse credibility findings, and, as pointed out

by the Secretary of State for the Home Department in his Rule 24 response, there is a distinct lack of structure in the decision. I set the decision aside.

**Notice of Decision**

3. The appeal is remitted the First-tier Tribunal to be determined *de novo* by a judge other than Judge Andonian.



28 August 2018

Signed  
Upper Tribunal Judge Blum

Date