



**Upper Tribunal  
(Immigration and Asylum Chamber)  
PA/06255/2018**

**Appeal Number:**

**THE IMMIGRATION ACTS**

**Heard at Field House**

**On 2 October 2018**

**Decision and reasons  
Promulgated**

**On 1 November 2018**

**Before**

**DEPUTY JUDGE OF THE UPPER TRIBUNAL CHANA**

**Between**

**MR K T**

**(NO ANONYMITY DIRECTION MADE)**

Appellant

**and**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the appellant: Mr S Muquit of Counsel

For the respondent: Ms A Everett, Senior Presenting Officer

**DECISION AND REASONS**

1. The appellant is a national of Sri Lanka born on 31 July 1974. He appealed against the decision of the respondent refusing his application for asylum and humanitarian protection in the United Kingdom.
2. First-tier Tribunal Judge Doyle granted permission to appeal the decision dated 13 August 2018. The permission Judge said that it is arguable that the decision which is not only poorly structured what the credibility assessment is flawed. It is also inadequate in its reasoning and the assessment of risk on return is inadequate. The decision is confusing and does not contain adequate findings of fact.

3. At the hearing, the Senior Presenting Officer said that she has difficulties understanding the decision of the first-tier Tribunal is not able to defend the decision.
4. I agree with that submission that the decision it is difficult to understand and is not safe. This is an appeal for protection and the appellant is entitled to a fair and reasoned decision. The decision does not adequately set out the evidence and make coherent findings on the facts. In the circumstances the appeal is remitted to the First-tier Tribunal for findings of fact to be made.
5. I direct that the appeal be placed before any first-tier Tribunal Judge other than Judge Andonian for a hearing de novo.

**Decision**

The appeal to be remitted to the First-tier Tribunal

Signed by,

A Deputy Judge of the Upper Tribunal

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Ms S Chana  
October 2018

Dated this 22<sup>nd</sup> day of