



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: PA/08491/2017

**THE IMMIGRATION ACTS**

Heard at Bradford  
On 9 July 2018

Decision & Reasons Promulgated  
On 14 August 2018

Before

UPPER TRIBUNAL JUDGE LANE

Between

A A  
(ANONYMITY DIRECTION MADE)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

**Representation:**

For the Appellant: Mr Hussain, instructed by Halliday Reeves Law Firm

For the Respondent: Mr McVeety, Senior Home Office Presenting Officer

**DECISION AND REASONS**

1. The appellant, AA, was born in 1992 and is a citizen of Sudan. Before the First-tier Tribunal (Judge Atkinson) the Secretary of State agreed that the appellant was of Sudanese nationality and was also a member of the Fur tribe. The judge relied on existing country guidance cases: *AA (Sudan) CG [2009] UKAIT 0056: MM (Darfuris) Sudan CG [2015] UKUT 0010* and *IM and AL (Sudan) CG UKUT [2016] 00188*. In essence, the Secretary of State challenges the judge's decision to allow the appeal arguing that the judge should have departed from the country guidance as he had sufficient evidence before m adduced by the Secretary of State to do so.

2. Before the Upper Tribunal, Mr McVeety, who appeared for the Secretary of State, did not seek to support the grounds of appeal. He told me that he believed that he would be unable to persuade me that the judge erred in law by following the existing country guidance. I am grateful to Mr McVeety and, in the circumstances, make a decision dismissing the Secretary of State's appeal.

**Notice of Decision**

This appeal is dismissed.

**Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008**

Unless and until a Tribunal or court directs otherwise, the appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him or any member of their family. This direction applies both to the appellant and to the respondent. Failure to comply with this direction could lead to contempt of court proceedings.

Signed

Date 2 AUGUST 2018

Upper Tribunal Judge Lane

**TO THE RESPONDENT**  
**FEE AWARD**

No fee is paid or payable and therefore there can be no fee award.

Signed

Date 2 AUGUST 2018

Upper Tribunal Judge Lane