



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

Appeal Number: PA/00088/2019

THE IMMIGRATION ACTS

**Heard at Bradford
On 23 July 2019**

**Decision & Reasons Promulgated
On 09 August 2019**

Before

UPPER TRIBUNAL JUDGE LANE

Between

**IBRAHEM TAHA
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr Brown, instructed by Iris Law Firm

For the Respondent: Mrs Pettersen, Senior Home Office Presenting Officer

DECISION AND REASONS

1. The appellant was born on 1 October 2001 and claims to be a citizen of Iran. By a decision dated 21 December 2018, the Secretary of State refused the appellant's application for international protection. The appellant appealed to the First-tier Tribunal which, in a decision promulgated on 27 March 2019, dismissed the appeal. The appellant now appeals, with permission, to the Upper Tribunal.
2. At the initial hearing at Bradford on 23 July 2019, both representatives agreed that the judge had erred in law such that her decision falls to be set aside. The judge has miscalculated the age of the appellant. Judge

considered that the appellant had been over 18 years old at the time the Secretary of State refused his asylum application. Both parties agree that, when he claimed asylum in June 2018, the appellant was by his own account 16 years and 8 months old and at the date of the First-tier Tribunal appeal hearing he was aged 17 years and 4 months. The parties agree that the judge's error has vitiated her analysis of the appellant's credibility.

3. The decision of the First-tier Tribunal is set-aside. None of the findings of fact shall stand. The appeal is returned to the First-tier Tribunal for that Tribunal to remake the decision at or following a hearing.

Notice of Decision

4. The decision of the First-tier Tribunal is set-aside. None of the findings of fact shall stand. The appeal is returned to the First-tier Tribunal for that Tribunal to remake the decision at or following a hearing.

Signed

Date 23 JULY 2019

Upper Tribunal Judge Lane