



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: PA/00451/2019

**THE IMMIGRATION ACTS**

Heard at Manchester Civil Justice Centre  
On 4 September 2019

Decision & Reasons Promulgated  
On 17 September 2019

Before

Upper Tribunal Judge Chalkley

Between

LANYA [A]  
(ANONYMITY DIRECTION NOT MADE)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

**Representation:**

*For the Appellant:*

*Mr I Islam, Solicitor from Fountain Solicitors, Birmingham*

*For the Respondent:*

*Mr McVeety, Senior Home Office Presenting Officer*

**REASONS FOR FINDING AN ERROR OF LAW**

1. The First-tier Tribunal made an anonymity direction under Rule 13 of the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014. I see no proper reason for the making of that anonymity order and I discharge it.
2. The appellant is a citizen of Iraq born on 17 May 1998. She claims to have arrived in the United Kingdom clandestinely on 31 July 2018 and claimed asylum on the same day. Her claim was refused by the respondent on 14 December 2018 and the

appellant appealed to the First-tier Tribunal. Her appeal was heard by First-tier Tribunal Judge Obhi in Birmingham on 27 March, 2019.

3. Mr McVeety, with his customary sense of fairness, agreed that there were unsatisfactory findings in the determination which appeared to be based on speculation and that the determination could not properly stand.
4. I set aside the determination in its entirety and given that the appellant has been denied a fair hearing, direct that it should be reheard by the First-tier Tribunal, by a judge other than First-tier Tribunal Judge Obhi. A Kurdish Sorani interpreter will be required and two hours should be allowed for the hearing of the appeal.

*Richard Chalkley*

Upper Tribunal Judge Chalkley  
10<sup>th</sup> September 2019