



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

Appeal Number: PA/02662/2019

THE IMMIGRATION ACTS

Heard at Field House

On 3 January 2020

**Decision & Reasons
Promulgated**

On 20 January 2020

Before

UPPER TRIBUNAL JUDGE LANE

Between

RF

(ANONYMITY DIRECTION MADE)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr Nadeem

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

DECISION AND REASONS

1. The appellant was born in 1978 and is a male citizen of Iraq. He appealed to the First-tier Tribunal against a decision of the Secretary of State refusing his application for international protection. The First-tier Tribunal, in a decision promulgated on 20 September 2019, dismissed his appeal. The appellant now appeals, with permission, to the Upper Tribunal.
2. At the initial hearing in the Upper Tribunal, Mr Tarlow, who appeared for the Secretary of State, told me that the respondent does not contest this appeal. Accordingly, I set aside the decision of the First-tier Tribunal. None of the findings of fact shall stand. There will need to be a new fact-finding exercise which is better conducted in the First-tier Tribunal. **Both parties may rely on new evidence provided copies of any documentary evidence, including witness statements, are filed at the First-tier Tribunal and served on the other party no later than 10 days prior to the next hearing.**

Notice of Decision

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 rehear the appeal de novo and remake the decision. The attention of the parties is drawn to the directions contained in paragraph 2 above.

Signed

Date 15 January 2020

Upper Tribunal Judge Lane

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

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