



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

Appeal Number: PA/00392/2020

**THE IMMIGRATION ACTS**

**Done without a hearing at Field House  
On 5 February 2021**

**Decision & Reasons  
Promulgated  
On 23 February 2021**

**Before**

**UPPER TRIBUNAL JUDGE PERKINS**

**Between**

**S Z T  
(ANONIMITY ORDER IN FORCE)**

Appellant

**and**

**Secretary of State for the Home Department**

Respondent

**DETERMINATION AND REASONS**

- 1) Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008 I make an order prohibiting the disclosure or publication of any matter likely to lead members of the public to identify the Appellant. Breach of this order can be punished as a contempt of court. I make this order because the Appellant is an asylum seeker and so is entitled to privacy.
- 2) He was given permission to appeal because, inter alia, arguably his reasoning was not clear.
- 3) Directions were given suggesting disposal without a hearing.
- 4) In a letter dated 12 October 2020 the Respondent's representative accepted that it was unclear what the judge had made of documents purporting to come from a court in Pakistan and, additionally, the Judge's reference at paragraph 64 of the Decision and Reasons to "family members" in the UK is obscure. If the Judge meant the immediate family members who

travelled with him from Pakistan it would have been better to have said so clearly.

- 5) The Respondent accepted that the adverse credibility findings were unsafe because they were based, at least in part, on unjustified or unsatisfactorily explained findings.
- 6) The Respondent suggested that the decision be set aside and the case reheard in the First-tier Tribunal.
- 7) I have read the decision and share the Respondent's concerns.
- 8) I see no need to say any more.
- 9) The First-tier Tribunal erred. I set aside its decision and I direct that the appeal be heard again in the First-tier Tribunal.

**Notice of Decision**

- 10) The appeal is allowed to extent indicated above.

Jonathan Perkins

Signed  
Jonathan Perkins  
Judge of the Upper Tribunal

Dated 5 February 2021