



Upper Tribunal  
(Immigration and Asylum Chamber)

Appeal Number: PA/12375/2017

**THE IMMIGRATION ACTS**

Heard at Manchester  
On 13<sup>th</sup> July 2018

Decision & Reasons Promulgated  
On 24<sup>th</sup> July 2018

Before

Upper Tribunal Judge Chalkley

Between

**ZAHIR [M]**  
(ANONYMITY DIRECTION NOT MADE)

Appellant

and

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

*For the Appellant:*

*Ms K Smith of Counsel instructed by Broudie Jackson & Canter*

*For the Respondent:*

*Mr A McVeety, Senior Home Office Presenting Officer*

**DECISION AND REASONS**

1. The appellant is a citizen of Afghanistan who was born on 11<sup>th</sup> October 1985. He made application to the respondent for recognition as a refugee and on 13<sup>th</sup> November 2017 the respondent refused to grant his claim.
2. The appellant subsequently appealed and his appeal was heard in Manchester on 2<sup>nd</sup> January 2018 by First-tier Tribunal Judge A J Parker.

3. The judge accepted that the appellant worked for EMA in Afghanistan as a film producer and cameraman, but concluded that he would not be at risk were he to be returned to Afghanistan. At the hearing before me today Mr McVeety told me that he and Counsel were in agreement. Given the judge's findings, the judge has erred and should have allowed the appeal. Mr McVeety asked me to formally allow the appeal which I am happy to do. This determination appears as a matter of record.

*Richard Chalkley*

Upper Tribunal Judge Chalkley

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

As I have allowed the appeal and because a fee has been paid or is payable, I have considered making a fee award and have decided to make a fee award of any fee which has been paid or may be payable (adjusted where full award not justified) for the following reason. The appeal is allowed.

*Richard Chalkley*

Upper Tribunal Judge Chalkley

dated 19 July 2018