



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

Appeal Number: PA/12058/2017

THE IMMIGRATION ACTS

**Heard at Bradford
On 29 November 2019**

**Decision & Reasons Promulgated
On 03rd December 2019**

Before

UPPER TRIBUNAL JUDGE LANE

Between

**A A
(ANONYMITY DIRECTION MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr Howard

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

DECISION AND REASONS

1. The appellant was born in 1960 and is a non—Arab Darfuri from Sudan. By a decision dated 30 November 2017, he was refused international protection. He appealed to the First-tier Tribunal which, in a decision promulgated on 20 December 2017, dismissed his appeal. The appellant now appeals, with permission, to the Upper Tribunal.
2. At the initial hearing at Bradford on 29 November 2019, Mrs Pettersen who appeared for the Secretary of State, drew my attention to her letter by way of a Rule 24 response dated 25 November 2019, the text of which reads as follows:

“The above named has a case listed for a resumed hearing before the Upper Tribunal at Bradford on 29th November 2019.

Given it has been accepted that the appellant is a member of a non-Arab Darfuri tribe the case has been reviewed by the Respondent in the light of the recent CG case and the CPIN.

The Tribunal are invited to allow the appellant’s protection appeal without the need for further evidence.”

3. In the light of the Secretary of State’s letter, I set aside the decision of the First-tier Tribunal and have remade the decision allowing the appeal against the refusal of international protection.

Notice of Decision

The decision of the First-tier Tribunal is set aside. I have remade the decision. The appellant’s appeal against the decision of the Secretary of State dated 30 November 2017 is allowed on asylum and Article 3 ECHR grounds.

Signed

Date 2 December 2019

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.