



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

Appeal Number: AA/00469/2013

**THE IMMIGRATION ACTS**

**Heard at Bradford**

**On 21 May 2014**

**Determination**

**Promulgated**

**On 27 May 2014**

**Before**

**UPPER TRIBUNAL JUDGE D E TAYLOR**

**Between**

**SARAH OJUDUN**

**And**

Appellant

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: Ms Khan, Counsel, instructed by Howells solicitors.

For the Respondent: Mrs Pettersen, HOPO

**DECISION AND DIRECTIONS**

1. This is the Appellant's appeal against the decision of First-tier Tribunal Judge Mensah made following a hearing at Bradford on the 16 September 2013, dismissing her appeal against the Respondent's decision of the 22 December 2012 to refuse to grant her asylum.
2. The appellant's claim is based upon her fear of the father of her children, who is in Nigeria, and those who were involved in her being trafficked to the UK.
3. This matter first came before Judge Henderson on 18 April 2013 and she dismissed the appeal. That decision was set aside by the Upper Tribunal on 15 July 2013 for failure to consider the expert report, and remitted to the First tier Tribunal, hence the appeal before Judge Mensah.
4. The Appellant now argues that Judge Mensah fell into the same error in that she failed to make clear whether she was dealing with one expert report or two, and in particular failed to consider the second report at all, reached her conclusions on credibility first, and then used that as a reason for rejecting the expert's assessment and failed to take any account at all of the fact that the Appellant had a decision from the Competent Authority that there were reasonable grounds to believe that she had been trafficked.
5. Mrs Pettersen accepted that the decision could not stand and should be remade, and agreed that since there was a need for fresh credibility findings to be made, the appropriate course was remittal to the First-tier Tribunal.
6. Given the history of this matter, and the fact that it has been before 2 different fee paid judge at Bradford, and set aside twice, it should be listed before a salaried judge on the next occasion.

Signed

Date 21/05/2014

Judge of the Upper Tribunal