



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

Appeal Numbers: AA/09045/2014  
AA/09046/2014  
AA/09114/2014

**THE IMMIGRATION ACTS**

**Heard at Newport  
18 December 2015**

**Decision & Reasons Promulgated  
On 17 February 2016**

**Before**

**MR C M G OCKELTON, VICE PRESIDENT  
DEPUTY UPPER TRIBUNAL JUDGE PHILLIPS**

**Between**

**MJ  
RN  
SN**

Appellants

**and**

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

Respondent

**Representation:**

For the Appellant: Mr A Reza, instructed by Sultan Lloyd Solicitors  
For the Respondent: Mr I Richards, Senior Home Office Presenting Officer.

**DECISION AND REMITTAL**

1. The parties before us agreed on the outcome of this appeal and the reasons for it.

2. The appellants are nationals of Iran. They appealed to the First-tier Tribunal against decisions of the respondent on 23 October 2014 to make removal directions, following the refusal of their asylum claims. The second and third appellants' cases essentially depend on that of the first appellant.
3. The appeals came before Judge Coaster in the First-tier Tribunal, who heard them on 20 February 2015 and sent out her decision, dismissing the appeals, on 6 March 2015. Essentially, she dismissed the appeals because she did not believe the first appellant's account of her politico-religious views and activities. The grounds of appeal to this Tribunal, on the basis of which permission was granted, are that she did not take into account all the material before her.
4. The evidence relating to the first appellant's profile included evidence of blogs. At para 44 of the determination, the judge wrote that "there was no evidence of any blog which pre-dated the asylum claim on 5 September 2014". This was clearly a matter going to the judge's assessment of the first appellant's credibility. It was, however, clearly wrong. The notes of the judge and of both parties make it clear that the judge was shown copious evidence of earlier blogs, going back to 2011. The appellants' representative says that there were 47 entries in total.
5. In the circumstances, whatever may be the eventual outcome of these appeals, we cannot be confident of Judge Coaster's assessment of credibility. Although her determination takes into account a large number of other aspects of the evidence, it is impossible to say that her overall view on credibility would have been the same, if she had realised that the internet evidence had a considerable history before the asylum claim was made. The appeals will have to be reheard. In the circumstances, and as the parties also agree, it would not be right to try and preserve any of Judge Coaster's findings. The appeal to this Tribunal is therefore allowed. We set aside the determination of Judge Coaster. We remit the appellants' appeals to the First-tier Tribunal for a fresh hearing before a judge other than Judge Coaster.

C. M. G. OCKELTON  
VICE PRESIDENT OF THE UPPER TRIBUNAL  
IMMIGRATION AND ASYLUM CHAMBER  
Date: 5 February 2016