



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

Appeal Number: AA/01551/2014

THE IMMIGRATION ACTS

Heard at: Field House

**Decision & Reasons
Promulgated**

On: 8th January 2019

On: 11th January 2019

Before

UPPER TRIBUNAL JUDGE BRUCE

Between

**PHA
(anonymity direction made)**

Appellant

and

Secretary of State for the Home Department

Respondent

For the Appellant: Ms G. Loughran, Counsel instructed by Southwark Law Centre

For the Respondent: Mr Wilding, Senior Home Office Presenting Officer

DECISION AND REASONS

1. The Appellant is a national of Iran born in 1991. He seeks international protection on the grounds that he has a well-founded fear of persecution in Iran for reasons of his imputed political opinion, religious belief and ethnic origin.

2. By its decision of the 15th May 2015 the First-tier Tribunal (Judge Youngerwood) dismissed the Appellant's protection claim. The Appellant applied for, and was successively refused, permission to appeal to the Upper Tribunal. The Appellant sought permission to judicially review the Upper Tribunal's decision and was again refused. The Appellant was however finally granted relief by the Court of Appeal. Gloster LJ granted permission on the 4th July 2017 and by an Order sealed on the 13th November 2017 a full bench of the Court (The Chancellor of the High Court, Lord Justice Leggatt and Lord Justice Haddon-Cave) quashed the decision of the Upper Tribunal to refuse the Appellant permission to appeal the decision of the First-tier Tribunal. Before me Mr Wilding accepted that the Court of Appeal having found error in the First-tier Tribunal decision the most appropriate disposal, some three and half years after the Appellant's appeal was heard, would be for the Upper Tribunal to now set the decision of the First-tier Tribunal aside and order that the matter be remitted for hearing *de novo* before a Judge other than Judge Youngerwood. I do so with no objection by Ms Loughran.
3. The decision of Judge Youngerwood is set aside by consent. The matter is remitted to the First-tier Tribunal with the following directions:
 - i) The appeal should be listed at Taylor House, London
 - ii) Before any Judge other than Judge Youngerwood
 - iii) The time estimate is 6 hours
 - iv) A Kurdish Sorani interpreter is to be provided
4. I make a direction for anonymity, pursuant to Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008 and the Presidential Guidance Note No 1 of 2013: Anonymity Orders, in the following terms:

“Unless and until a tribunal or court directs otherwise, the Appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him or any member of his family. This direction applies both to the Appellant and to the Respondent. Failure to comply with this direction could lead to contempt of court proceedings”.

Upper Tribunal Judge Bruce
8th January 2019