



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

Appeal Number: PA/05729/2019

**THE IMMIGRATION ACTS**

**Decided under rule 34  
On 21 May 2020**

**Decision & Reasons Promulgated  
On 22 May 2020**

**Before**

**Upper Tribunal Judge Lane**

**Between**

**JMNN  
(ANONYMITY DIRECTION MADE)**

Appellant

**and**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**DECISION AND REASONS**

1. The appellant is a citizen of Cameroon and was born in 1982. He appealed to the First-tier Tribunal against a decision of the Secretary of State dated 6 June 2019 refusing him international protection. The First-tier Tribunal, in a decision promulgated on 19 November 2019, allowed the appeal on Article 8 ECHR grounds but dismissed the appeal on asylum and Article 3 ECHR grounds.
2. In April 2020, I issued directions indicating that I considered that the matter of error of law could be determined without a hearing. I directed the parties to respond. The appellant's representatives have made no response but the Secretary of State has stated her view that the judge failed sufficiently to engage with medical evidence (adduced following dismissal of an earlier appeal in the First-tier Tribunal) dealing with the possibility that the appellant would self-harm on return to Cameroon. The

Secretary of State considers that the decision in respect of asylum and Article 3 ECHR should be set aside.

3. I agree. Accordingly, I set aside the decision of the First-tier Tribunal. The finding as regards Article 8 ECHR is preserved. All findings as regards asylum and Article 3 ECHR are set aside. The appeal is returned to the First-tier Tribunal for that Tribunal to remake the decision as regards asylum and Article 3 ECHR at or following a hearing on a date to be fixed.
4. I make this decision under Rule 34 and without having received any submissions from the appellant's representatives. However, in the light of outcome of the appeal, I consider that I have dealt with the appeal fairly.

C.N.Lane

Upper Tribunal Judge Lane  
2020

Dated: 21 May