

Press summary

Secretary of State for the Home Department v A1

Neutral Citation Number: [2026] EWCA Civ 807

Friday 26 June 2026

Note: This summary is provided to assist in understanding the decision of the Court. It does not form part of the decision or the reasons for the decision. The only authoritative document is the full judgment of the Court, which will be published on the National Archives (<https://caselaw.nationalarchives.gov.uk/>) and the judiciary website (<https://www.judiciary.uk/judgments/>).

References in square brackets are to paragraphs in the judgment.

Decision

1. The Court of Appeal has today allowed the Home Secretary's appeal in a case concerning the revocation of refugee status.

Background

2. The respondent, identified as A1 because an anonymity order remains in place [4], is a Syrian national who was granted asylum in the United Kingdom in 2014 [7]. In 2017 he was convicted of terrorism-related offences arising from material he had posted online in support of Islamic State (or Daesh), and was sentenced to two years' imprisonment [8].
3. The Secretary of State later revoked A1's refugee status under section 72 of the Nationality, Immigration and Asylum Act 2002 [11]. That provision creates presumptions that a person sentenced to at least two years' imprisonment has been convicted of a particularly serious crime and constitutes a danger to the community of the United Kingdom. Those presumptions can be rebutted by the person concerned.
4. The First-tier Tribunal (Immigration and Asylum Chamber) had allowed A1's appeal against the revocation decision. It found that A1 had not rebutted the presumption that he had committed a particularly serious crime, but had rebutted the presumption that he remained a danger to the community. The Upper Tribunal upheld that decision.

Reasons for the decision

5. The Court of Appeal, in a judgment from Lord Justice Edis, Lord Justice Singh and Lord Justice Lewis, has held that the First-tier Tribunal made a material error of law [65].
6. The key error was a logical inconsistency in its reasoning [65]. When considering whether A1 had committed a particularly serious crime, the First-tier Tribunal found that he had not acknowledged the intentional nature of his offending or his support for Daesh [66]. However, when considering whether he remained a danger to the

community, it did not return to or determine the crucial question whether he still supported Daesh, and if not, on what evidence that conclusion could be reached [67], [69].

7. The Court emphasised that posting terrorist material online can present a serious danger because such material may encourage or inspire others, even if the person posting it does not intend terrorist acts to occur in the United Kingdom [75]. In that context, the First-tier Tribunal needed to consider carefully whether A1 had shown, on the evidence, that the statutory presumption of danger had been rebutted by him [77].
8. The Court did not decide for itself whether A1 remains a danger to the community [78]. It held that further factual findings are required [78]. The Home Secretary's appeal was therefore allowed and the case will be remitted to the First-tier Tribunal for redetermination in accordance with the Court of Appeal's judgment [79].