



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

Appeal no: **IA/45942/2013**

THE IMMIGRATION ACTS

At **Field House**
on **03.02.2015**

Decision signed:
sent **03.02.2015**
out: **04.02.2015**

Before:

Upper Tribunal Judge John FREEMAN

Between:

Irvin SAPONG

and

Secretary of State for the Home Department

appellant

respondent

Representation:

For the appellant: *Richard Clarke* (counsel instructed by Hafiz & Haque)
For the respondent: Mr S Kandola

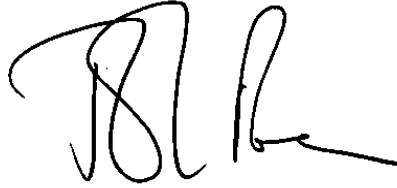
DETERMINATION AND REASONS

1. This is an appeal, by the respondent to the original appeal against the decision of the First-tier Tribunal (Judge Stuart Taylor), sitting at Taylor House on 20 October 2014, to allow under the Immigration Rules an appeal by a citizen of the Philippines, born 1974.
2. The parties have helpfully agreed that the Home Office appeal should be allowed; but only to the extent that the decision is re-made, allowing the appellant's appeal under article 8, on the basis that, by the date of the hearing before the judge, both relevant children (who have indefinite leave to remain here with their mother) had been in this country for over

NOTE: no anonymity direction made at first instance will continue after the time for any application for permission to appeal, unless otherwise ordered by me.

seven years, so satisfying the requirements of ss. 117B (6) and 117D (1) of the Nationality, Immigration and Asylum Act 2002, as inserted by s. 19 of the Immigration Act 2014.

Appeals allowed on above basis

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(a judge of the Upper
Tribunal)