



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

Appeal Number: HU/26920/2016

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 17 January 2019**

**Decision & Reasons  
Promulgated  
On 7 February 2019**

**Before**

**UPPER TRIBUNAL JUDGE ALLEN**

**Between**

**K S  
(ANONYMITY DIRECTION MADE)**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant:

For the Respondent:

**DECISION AND REASONS**

1. The appeal in this case against the decision of the First-tier Judge who dismissed the appellant's appeal was due to be heard in Birmingham on 6 February 2019. It is common ground between the representatives that the judge's decision is flawed by errors of law and as a consequence it is also common ground that the matter requires to be considered de novo by a different First-tier Judge. In the circumstances the appeal against the decision is allowed to the extent that it is remitted for re-hearing at Birmingham before a judge other than Judge Hussain.

**Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008**

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 their 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.



Signed

Date 29 January 2019

Upper Tribunal Judge Allen