



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

Appeal Number: PA/02902/2020

THE IMMIGRATION ACTS

**No hearing
22 July 2021**

**Decision sent out on
2 August 2021**

Before

MR C M G OCKELTON, VICE PRESIDENT

Between

[G S]

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DECISION AND REMITTAL

1. On 21 June 2021 I wrote to the parties as follows:

“In a response submitted under rule 24 the Secretary of State, by Mr Bates, Senior Home Office Presenting Officer, has proposed the setting aside of the decision of Judge O’Hagan and the remittal for the appeal to be heard afresh in the First-tier Tribunal.

The reason for that proposal appears to me to be sound. It is that the implausibility referred to by the judge in paragraphs [35] - [36] seems to form part of his reasoning; but the fact asserted is not implausible. I agree.

I propose without more ado to set aside the decision of Judge O’Hagan for error of law and remit the appeal for a new decision. Any submissions to the contrary will be considered if received **within 14 days** of the date of this letter.”

2. No reply has been received.

3. I now set aside the decision of Judge O'Hagan for error of law and remit the appeal to the First-tier Tribunal for decision afresh.

C.M.G. Ockelton

C. M. G. OCKELTON
VICE PRESIDENT OF THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER
Date: 22 July 2021