



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

Appeal Number: HU/06797/2016

THE IMMIGRATION ACTS

**Field House
On 7 December 2017**

**Decision & Reasons Promulgated
On 8 December 2017**

Before

UPPER TRIBUNAL JUDGE JORDAN

Between

The Secretary Of State For The Home Department

Appellant

and

Kesgin

Respondent

DECISION AND REASONS

Upon the parties signifying their consent to this decision,

DECISION

1. The appeal of the Secretary of State is allowed.
2. The First-tier Tribunal Judge made an error on a point of law for the reasons set out in the grounds of appeal and I set aside the determination of First-tier Tribunal Judge J.K. Swaney.
3. I substitute a determination dismissing the appeal of Ms Kesgin against the decision of the Secretary of State made on 19 February 2016 on all the grounds advanced.

**ANDREW JORDAN
JUDGE OF THE UPPER TRIBUNAL**