



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

Appeal Number: PA022002016

THE IMMIGRATION ACTS

**Heard at Glasgow
on 29 August 2017**

**Decision and
Promulgated
On 31 August 2017**

Reasons

Before

UPPER TRIBUNAL JUDGE MACLEMAN

Between

OMAR MOHAMMED AIDAN

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

For the Appellant: Mr D Katani, of Katani & Co, Solicitors

For the Respondent: Mrs M O'Brien, Senior Home Office Presenting Officer

REMITTAL TO FIRST-TIER TRIBUNAL

1. First-tier Tribunal Judge David C Clapham SSC dismissed the appellant's appeal by decision promulgated on 8 February 2017.
2. The case first came before the UT on 24 July 2017, following which an error of law decision was issued on 26 July 2017, which should be read along with this decision.
3. On 29 August 2017, the parties agreed that the outstanding issues are of greater scope than they had previously thought, in light of the report by Dr R Fatah dated 22 August 2017, obtained by the appellant in light of the respondent's rule 24 reply of 21 July 2017. Matters might not be covered by country guidance as it stands. They further concurred that the case was apt for resolution in the FtT.

4. The decision of the First-tier Tribunal has been set aside. In light of the foregoing, it is appropriate in terms of section 12(2)(b)(i) of the 2007 Act and of Practice Statement 7.2 to **remit the case to the FtT** for a fresh hearing.
5. The member(s) of the FtT chosen to consider the case are not to include Judge David C Clapham SSC.
6. No anonymity direction has been requested or made.

A handwritten signature in black ink, reading "Hugh Macleman". The signature is written in a cursive style with a large, stylized initial 'H'.

29 August 2017
Upper Tribunal Judge Macleman