



**Upper Tribunal
(Immigration and Asylum Chamber)
HU/01283/2016**

Appeal Numbers:

HU/01311/2016

THE IMMIGRATION ACTS

**Heard at Field House
On 15 February 2018**

**Decision & Reasons
Promulgated
On 19 February 2018**

Before

UPPER TRIBUNAL JUDGE RINTOUL

Between

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

and

**H A
S A**

(ANONYMITY DIRECTION MADE)

Respondent

Representation:

For the Appellant: Ms Brocklesby-Weller Senior Home Office Presenting Officer

For the Respondent: Mr S Walker, instructed by Alcott Solicitors

DECISION AND REASONS

1. The appellant appeals with permission against the decision of First-tier Tribunal Judge Majid promulgated on 12 June 2017 allowing the appeals of the respondents against the decisions of the Secretary of State made on 10 December 2015 to refuse their human rights claims.
2. Rule 40 (1) of the Tribunal Procedure (Upper Tribunal) Rules 2008 provided that the Upper Tribunal may give a decision orally at a hearing. Rule 40 (3) provides that the Upper Tribunal must provide written reasons for its

decision with a decision notice unless the parties have consented to the Upper Tribunal not giving written reasons which both Miss Brocklesby-Weller and Mr Sowerby did, it being accepted that the judge had erred fundamentally in his consideration of the appeal

3. Accordingly, and with the consent of the parties, I am satisfied that the appeal should be remitted to the First-tier Tribunal.

SUMMARY OF CONCLUSIONS

1. The decision of the First-tier Tribunal involved the making of an error of law and I set it aside. The appeal is remitted to the First-tier Tribunal for a fresh decision on all issues.
2. The appeal must not be listed before First-tier Tribunal Judge Majid

Signed

Date: 15 February 2018

A handwritten signature in black ink, appearing to read 'Jonathan Rintoul', written in a cursive style.

Upper Tribunal Judge Rintoul