



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal number: PA/03799/2018

THE IMMIGRATION ACTS

Heard at Glasgow
On 24 October 2019

Decision and Reasons Promulgated
On 28 October 2019

Before

UPPER TRIBUNAL JUDGE MACLEMAN

Between

R G S
(anonymity direction made)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

For the Appellant: Mr S Winter, Advocate, instructed by Katani & Co,
Solicitors

For the Respondent: Mr A Govan, Senior Home Office Presenting Officer

DETERMINATION AND REASONS

1. The appellant is a citizen of the Philippines, aged 37. FtT Judge P A Grant-Hutchison dismissed his appeal by a decision promulgated on 17 September 2018.
2. The Vice President of the UT granted permission to appeal on 19 September 2019, in light of a joint minute entered into by the parties in the Court of Session, and of the Court's interlocutor.

3. Mr Govan accepted that ground 1, on risk from the family of the appellant's ex-wife, and ground 2, on risk arising from involvement in drugs, both disclosed error. He said that there was less merit in ground 3, on bisexuality, and ground 4, on a psychological report, but that, as a whole, the grounds required the decision to be remade.
4. The following outcome was agreed.
5. The decision of the FtT is set aside, other than as a record of what took place at the hearing.
6. The nature of the case is such that it is appropriate under section 12 of the 2007 Act, and under Practice Statement 7.2, to remit to the FtT for an entirely fresh hearing.
7. The member(s) of the FtT chosen to consider the case are not to include Judge Grant-Hutchison.
8. The FtT made an anonymity direction. The matter was not addressed in the UT. Anonymity is preserved at this stage.

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

Dated 24 October 2019
UT Judge Macleman