



IAC-AH-SC-V1

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

Appeal Number: HU/08259/2019

**THE IMMIGRATION ACTS**

**Determined on the Papers at Field House  
On 20 November 2020**

**Decision & Reasons  
Promulgated  
On 09 December 2020**

**Before**

**UPPER TRIBUNAL JUDGE ALLEN**

**Between**

**SEBASTIAN OTENG  
(ANONYMITY DIRECTION NOT MADE)**

Appellant

**and**

**ENTRY CLEARANCE OFFICER - ACCRA**

Respondent

**DECISION AND REASONS**

1. The appellant is a national of Ghana. He appealed to a Judge of the First-tier Tribunal against the Secretary of State's decision of 27 February 2019 refusing leave to enter the United Kingdom.
2. The judge having dismissed the appeal, the appellant sought and was granted permission to appeal on the basis of procedural unfairness not taking into account relevant documents and error as to the burden of proof applied by the judge.
3. In a response to directions sent on behalf of the Entry Clearance Officer on 6 September 2020 it was accepted that the judge had not considered

material evidence and accordingly it was agreed that the decision should be set aside and remitted for redetermination in the First-tier Tribunal.

4. I agree with the submission. Accordingly this appeal is allowed to the extent that it is remitted for a full rehearing by a Judge of the First-tier Tribunal other than Judge Steer.

No anonymity direction is made.

A handwritten signature in black ink, appearing to be 'Allen', written in a cursive style.

Signed  
Upper Tribunal Judge Allen

Date 3<sup>rd</sup> December 2020