



**Upper Tribunal  
(Immigration and Asylum Chamber)  
PA/08595/2019 (V)**

**Appeal Number:**

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 4 March 2021  
Remote hearing**

**Decision & Reasons  
Promulgated  
On 15 March 2021**

**Before**

**UPPER TRIBUNAL JUDGE SHERIDAN**

**Between**

**SKA  
(ANONYMITY DIRECTION MADE)**

Appellant

**and**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: Mr Spurling, Counsel instructed by Barnes Harrild & Dyer  
For the Respondent: Ms Everett, Senior Home Office Presenting Officer

**CONSENT ORDER**

1. Pursuant to Rule 39 of the Tribunal Procedure (Upper Tribunal) Rules 2008 and by the consent of the parties the following order is made:

- a. Upon the parties agreeing that the decision of First-Tier Tribunal Judge Page promulgated on 22 April 2020 discloses a material error of law and should be set aside.
  - b. And upon the parties agreeing that the appeal should be remitted to the First-tier Tribunal.
  - c. The decision of the First-tier Tribunal is set aside for legal error and the appeal is remitted to the First-tier Tribunal to be made afresh by a different judge with no findings preserved.
2. I make the observation that, pursuant to a consent order dated 16 February 2021, *SMO, KSP & IM (Article 15(c); identity documents) Iraq CG [2019] UKUT 00400 (IAC)* was remitted by the Court of Appeal to the Upper Tribunal in respect of a finding that is relevant to this appeal. It may be appropriate for this appeal to not be heard until the *SMO* decision in the Upper Tribunal is promulgated. However, this is entirely a matter for the First-tier Tribunal.

**Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008**

Unless and until a Tribunal or court directs otherwise, the appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him or any member of his family. This direction applies both to the appellant and to the respondent. Failure to comply with this direction could lead to contempt of court proceedings,

Signed

Judge Sheridan

Upper Tribunal Judge Sheridan

Dated: 4 March 2021