



IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER

UI-2022-005087

FtT No: DA/00226/2020

THE IMMIGRATION ACTS

**Decision issued on:
On 11 May 2023**

Before

UPPER TRIBUNAL JUDGE MACLEMAN

Between

SSHD

Appellant

and

R S G

(anonymity order made)

Respondent

Heard at Edinburgh on 12 April 2023

For the Appellant: Mr A Mullen, Senior Home Office Presenting Officer
For the Respondent: no appearance

DECISION AND REASONS

1. The parties are as above, but the rest of this decision refers to them as they were in the FtT.
2. The appellant is a citizen of Poland, aged 39. For reasons stated in a letter dated 23 June 2020 the SSHD decided to deport him under the Immigration (EEA) Regulations 2016. FtT Judge Adio allowed his appeal by a decision promulgated on 26 July 2022.
3. The SSHD sought permission to appeal to the UT, on grounds headed as (1) failure to give adequate reasons and (2) perversity.
4. On 20 October 2022, FtT Judge Gumsley granted permission, on the view that the FtT arguably gave too much weight to certain factors and not enough to others.
5. Mr Mullen, correctly, conceded that the grounds were misconceived. It was not arguable that FtT's decision contained less than legally adequate reasons

or was perverse.

6. The FtT directed anonymity, which is preserved. Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008, no-one shall publish or reveal any information, including the name or address of the appellant, likely to lead members of the public to identify the appellant, unless and until this order is varied by the tribunal or by a court. Failure to comply with this order could amount to a contempt of court.

Hugh Macleman

Judge of the Upper Tribunal, Immigration and Asylum
Chamber 14 April 2023