



IN THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM
CHAMBER

Case No: UI-2022-002503
First-tier Tribunal No: PA/51854/2021
IA/04248/2021

THE IMMIGRATION ACTS

Decision & Reasons Issued:
On the 16 March 2023

Before

UPPER TRIBUNAL JUDGE GRUBB

Between

M A O C
(ANONYMITY ORDER MADE)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr H Dieu instructed by NLS Solicitors
For the Respondent: Ms S Rushforth, Senior Home Office Presenting Officer

Heard at Cardiff Civil Justice Centre on 9 March 2023

Order Regarding Anonymity

Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008, the appellant is granted anonymity.

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. Failure to comply with this order could amount to a contempt of court.

NOTICE OF DECISION

1. Both subparagraphs of rule 40(3) of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698 as amended) apply to this decision.
2. The respondent accepts there is an error of law on the basis of the grounds of appeal. The decision of the First-tier Tribunal sent out on 17 May 2022 is erroneous in law. I set it aside.
3. The appeal is remitted to be determined by the First-tier Tribunal *de novo* before a judge other than Judge Lester

Andrew Grubb

Judge of the Upper Tribunal
Immigration and Asylum Chamber

9 March 2023