



Upper Tribunal

(Immigration and Asylum Chamber)

Appeal Number: UI-2022-005517

PA/53621/2021

(PA/00103/2022)

THE IMMIGRATION ACTS

Decision & Reasons Issued:

On the 19 September 2023

Before

MR C M G OCKELTON, VICE PRESIDENT

Between

SAFIR YUSSUF NASR

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Field House No Hearing 15 September 2023

DECISION AND REMITTAL

1. On 9 August 2023 I wrote to the parties as follows:

“I have read the grounds of appeal, the grant of permission and the rule 24 response in this case. The grounds have clear merit, as is acknowledged by Judge Sills and by the Secretary of State. I propose to set aside the decision of the First-tier Tribunal and remit the matter for a fresh decision, without more ado. Any submissions to the contrary will be considered if received within 21 days of the date of this letter.”

2. For some reason that letter has been interpreted by the appellant’s professional advisors as constituting a formal decision of the Tribunal. Obviously, that is not the case. It is to be hoped that their communications with this Tribunal and the First-tier Tribunal based on that

misapprehension will not have any financial consequence for the appellant or the Legal Aid Agency.

3. No submissions opposing my proposal were received within the time limited by the letter. I now set aside the decision of the First-tier Tribunal for error of law and remit the appeal to the First-tier Tribunal for decision afresh.

C. M. G. OCKELTON
VICE PRESIDENT OF THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER
Date: 13 September 2023