



**Upper Tribunal
(Immigration and Asylum Chamber)
PA/02850/2020**

Appeal Number:

THE IMMIGRATION ACTS

**Heard at Field House
On 29 November 2021**

**Decision & Reasons
Promulgated
On 03 December 2021**

Before

UPPER TRIBUNAL JUDGE SHERIDAN

Between

**AM
(ANONYMITY DIRECTION MADE)**

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

For the Appellant: Ms Miszkiewicz, Counsel instructed by AASK Solicitors
For the Respondent: Ms Ahmad, Senior Home Office Presenting Officer

CONSENT ORDER

Background

1. The appellant is appealing against a decision of Judge of the First-tier Tribunal A M Black promulgated on 3 June 2021.

2. In a rule 24 response dated 2 September 2021, the respondent accepted that the decision involved the making of an error of law and should be set aside.
3. Ms Miszkiel and Ms Ahmed were in agreement that the findings of fact of the First-tier Tribunal should not be preserved and that the case should be remitted to the First-tier Tribunal to be re-made by a judge other than Judge of the First-tier Tribunal A M Black or Judge of the First-tier Tribunal R Sullivan (Judge Sullivan dismissed an appeal by the appellant in a decision promulgated on 24 March 2017).

Decision

4. Pursuant to Rules 39 and 40(3)(a) of the Tribunal Procedure (Upper Tribunal) Rules 2008 I make the following order:
5. **The decision of the First-tier Tribunal is set aside and the appeal is remitted to the First-tier Tribunal to be made afresh by a judge other than Judge of the First-tier Tribunal A M Black or Judge of the First-tier Tribunal R Sullivan with no findings preserved.**

Signed

D. Sheridan

Upper Tribunal Judge Sheridan

Dated: 29 November 2021