



**Upper Tribunal**

**(Immigration and Asylum Chamber)**

**Appeal Number: LP/00051/2020**

**(PA/50103/2019)**

**THE IMMIGRATION ACTS**

**Heard at Cardiff Civil Justice  
Centre**

**Remotely by Microsoft Teams  
On the 24 February 2022**

**Decision & Reasons Promulgated**

**On the 29 March 2022**

**Before**

**UPPER TRIBUNAL JUDGE GRUBB  
DEPUTY UPPER TRIBUNAL JUDGE DAVIDGE**

**Between**

**SA  
(Anonymity Direction in force)**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: Mr J Greer instructed by Broudie Jackson Canter Solicitors

For the Respondent: Ms S Rushforth, Senior Home Office Presenting Officer

**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 decision of the First-tier Tribunal dated 30 September 2020 is erroneous in law. We set it aside.
3. The appeal is remitted to be determined by the First-tier Tribunal *de novo* at an oral hearing before a judge other than Judge Handler.

Signed

**Andrew Grubb**

Judge of the Upper Tribunal  
24 February 2022