THE IMMIGRATION ACTS

Heard at Newport	**Determination Promulgated**
On 20 March 2014	**On 8 April 2014**

Before

MR C M G OCKELTON, VICE PRESIDENT
UPPER TRIBUNAL JUDGE GRUBB

Between

ENTRY CLEARANCE OFFICER - PRETORIA

Appellant

and

ERM
RTM
(ANONYMITY ORDER MADE)

Respondent

Representation:

For the Appellant: Mr I Richards, Home Office Presenting Officer
For the Respondents: Mr N Webb of Duncan Moghul Solicitors and Advocates

DETERMINATION AND REASONS

1.   This appeal is subject to an anonymity order made by the First-tier Tribunal pursuant to rule 45(4)(i) of the Asylum and Immigration Tribunal

(Procedure) Rules 2005 (SI 2005/230). Neither party invited us to rescind the order and we continue it pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698).

2.   These are appeals by the Entry Clearance Officer against a determination of the First-tier Tribunal (Judge N J Osborne) in which the respondent's appeals were allowed under paragraph 297 of the Immigration Rules against decisions of the Entry Clearance Officer refusing them entry clearance in order to join their mother settled in the UK.

3.   On 20 December 2013, the First-tier Tribunal (Judge Sharp) granted the ECO permission to appeal to the Upper Tribunal. The appeal was listed 'for mention' before us on 20 March 2014. On behalf of the ECO, Mr Richards indicated that the Entry Clearance Officer no longer wished to pursue these appeals to the Upper Tribunal.

4.   In those circumstances, we concluded that we would treat this hearing as a hearing of the appeal.

5.   As the ECO no longer wishes to pursue an appeal to the Upper Tribunal against the First-tier Tribunal's decision, we dismiss the ECO's appeal to the Upper Tribunal.

6.   The decisions of the First-tier Tribunal allowing the appeals under para 297 of the Immigration Rules stand.

Signed

A Grubb
Judge of the Upper Tribunal

Date: