



**Upper Tribunal  
(Immigration and Asylum Chamber)**

Appeal Number: OA/14177/2013

**THE IMMIGRATION ACTS**

**Heard at Bradford  
On 10 September 2014**

**Determination  
Promulgated  
On 19 September 2014**

**Before**

**UPPER TRIBUNAL JUDGE D E TAYLOR**

**Between**

**RUNA BEGUM**

Appellant

**And**

**ENTRY CLEARANCE OFFICER**

Respondent

**Representation:**

For the Appellant: Mr A Bashir, Bashir Consultancy  
For the Respondent: Mr Diwncyz, HOPO

**DETERMINATION AND REASONS**

1. This appeal came before Judge Turnock on 16 May 2014.
2. Two days before the hearing, in breach of directions, the respondent served additional evidence which the judge decided to admit, although

he gave no reason in the determination for doing so. The appellant sought an adjournment to address the points arising from that evidence which the judge refused.

3. The grounds argue that he acted in a manner which was procedurally unfair by depriving the appellant of an opportunity to adduce any documentary evidence in reply.
4. Furthermore the judge took into account redacted material upon which the presenting officer said that she did not wish to rely.
5. Permission to appeal was granted. Mr Diwncyz, for the respondent, did not wish to defend the determination and said that he had no objection to a remittal.
6. The determination is characteristically thorough and well reasoned, but I find that the judge did err in law for the reasons set out above, and his actions deprived the appellant of a full opportunity to put his case.
7. The appeal should be reheard by a differently constituted first-tier tribunal, not to include Judge Turnock at Bradford.

Signed

Date

Judge of the Upper Tribunal