



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

Appeal Numbers: AA/12558/2015
AA/12562/2015
AA/12561/2015
AA/12560/2015
AA/12559/2015

THE IMMIGRATION ACTS

**Decision made: at Field House
On 12 July 2017**

**Decision on Review Promulgated
On 18 July 2017**

Before

Mr C M G Ockelton, Vice President

Between

**S I M R
S M R
A M R
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R M R M**

Appellants

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DECISION ON REVIEW

1. On 19 June 2017 I wrote to both parties as follows:

“The Tribunal has received an application for permission to appeal in this case.

The Tribunal’s decision was sent out on 29 March, following a hearing on 1 March 2017. It now appears that a decision of the Court of Appeal, UB

v SSHD [2017] EWCA Civ 85, which might clearly have an impact on the outcome of the present case, was delivered on 22 February 2017. Neither side referred to it. This is particularly regrettable in view of the duties of the Secretary of State re-emphasised in paragraphs 16-22 of UB.

In the circumstances I propose to **review** the Upper Tribunal's decision and **set it aside** following review under Rule 45(1)(a). Any submission to the contrary will be considered if made within **14 days** of the date of this letter."

2. No response has been received from the Secretary of State. The appellants' representatives have submitted further grounds, relying on UB but have not dissented from the proposed course of action.
3. It is clear that the appeal needs to be considered on its facts in the light of UB. No useful purpose would be served by involving the Court of Appeal in that process.
4. I review the Upper Tribunal's decision and set it aside. The appeal to the Upper Tribunal is to be re-determined by a judge other than Judge Bruce.

C M G OCKELTON
VICE PRESIDENT OF THE UPPER
TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER
Date: 12 July 2017