



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

IA094902015

Appeal Number:

THE IMMIGRATION ACTS

Heard at Birmingham

On 10 May 2017

**Decision &
Promulgated**

On 12 June 2017

Reasons

Before

DEPUTY UPPER TRIBUNAL JUDGE MAHMOOD

Between

GIFTY OSEI

(ANONYMITY DIRECTION NOT MADE)

Appellant

and

SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Respondent: Litigant in Person

For the Appellant: Mr A McVeety, Senior Home Office Presenting Officer

DECISION AND REASONS

1. The Appellant appeals with permission against the decision of the First-tier Tribunal Judge.
2. The issue was whether the Judge's decision could stand. Mr McVeety informed me that he had discussed matters with Ms Osei. They were both agreed that the appeal should be allowed. They both agreed too that the matter ought to be remitted to the First-tier Tribunal.
3. As the Appellant was a litigant in prison I explored whether there were proper concessions by both parties. Having looked at the matter and having satisfied myself that the Appellant understood the position, I then announced that I allowed the appeal as sought by the parties.
4. In my judgment, there was a material error of law in the Judge's decision. There shall have to be a rehearing. The most appropriate place for that is at the First-tier Tribunal, as sought by both parties.

Notice of Decision

There is a material error of law in the decision of the First-tier Tribunal.
The decision of the First-tier Tribunal is set aside.
The hearing shall be on all issues. None of the current findings shall stand.

No anonymity direction is made.

Signed

Date: 10 May 2017

Deputy Upper Tribunal Judge Mahmood