



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

Appeal Number: PA/12740/2016 (P)

THE IMMIGRATION ACTS

No hearing

**Decision & Reasons
Promulgated
On 14 December 2020**

Before

MR C M G OCKELTON, VICE PRESIDENT

Between

ADNAN [A]

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DECISION AND REMITTAL

1. The appellant is a national of Iraq. He has permission to appeal to this Tribunal, granted by myself, following the setting aside by the Court of Session of an earlier refusal of permission to appeal.
2. Following the grant of permission, I directed the parties to indicate their views as to the appropriate way forward. I noted that the grounds of appeal, as expanded in submissions made on behalf of the appellant, and subsequently amended, appeared to have merit. They seek the setting aside of the First-tier Tribunal's decision for error of law, and remittal for a fresh hearing; I indicated that my provisional view was that that was what

should be done. In response Mr Diwnycz, Senior Presenting Officer on behalf of the respondent, has written to say that he agrees.

3. Having considered all the papers before me I set aside the decision of the First-tier Tribunal for error of law as sufficiently identified in the grounds of appeal to this Tribunal. I remit the appellant's appeal for consideration afresh by the First-tier Tribunal.

C. M. G. Ockelton

C. M. G. OCKELTON
VICE PRESIDENT OF THE UPPER TRIBUNAL
IMMIGRATION AND ASYLUM CHAMBER
Date: 2 December 2020