



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

Appeal Number: PA/07527/2016

THE IMMIGRATION ACTS

**Heard at Glasgow
on 9 November 2017**

**Decision and Reasons
Promulgated
On 10 November 2017**

Before

UPPER TRIBUNAL JUDGE MACLEMAN

Between

**R A
(Anonymity Direction Made)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Mr S Winter, Advocate, instructed by Latta & Co, Solicitors

For the Respondent: Mrs M O'Brien, Senior Home Office Presenting Officer

DETERMINATION AND REASONS

1. The appellant appeals against a decision by First-tier Tribunal Judge Mozolowski, promulgated on 31 May 2017.
2. Permission was granted only the ground 2 that the judge might have erred through the misconception that age assessments came from the same source (a social work department) and not from another source (the Home Office).

3. In a letter dated 7 November the appellant's representatives said they would "be seeking permission to be granted on all grounds". While the UT within its general powers may permit grounds to be amended, or even perhaps new grounds to be added, it is far from clear that it has power to revisit its own decision on the grant of permission and to admit grounds on which permission has been refused. In view of the respondent's concession, however, it is not necessary to consider that matter any further.
4. The respondent conceded that the decision of the FtT errs in law and falls to be **set aside**. Further procedure was agreed as follows.
5. The decision of the FtT stands only as a record of what was said at the hearing.
6. The nature of the case is such that it is appropriate in terms of section 12(2)(b)(i) of the 2007 Act and of Practice Statement 7.2 to **remit the case to the FtT** for an entirely fresh hearing.
7. The member(s) of the FtT chosen to consider the case are not to include Judge Mozolowski.
8. The FtT made an anonymity direction, which remains in place.

 Hugh Macleman

9 November 2017
Upper Tribunal Judge Macleman