



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: PA/00969/2016

THE IMMIGRATION ACTS

Heard at Glasgow
On 4 July 2019

Decision & Reasons Promulgated
On 11 July 2019

Before

Mr C M G OCKELTON, VICE PRESIDENT
& UT JUDGE MACLEMAN

Between

SHAHO [R]

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

For the Appellant: Mr K H Forrest, Advocate, instructed by Latta & Co,
Solicitors
For the Respondent: Mr A Govan, Senior Home Office Presenting Officer

DETERMINATION AND REASONS

1. The appellant appeals against a decision by First-tier Tribunal Judge Blair, promulgated on 22 November 2016. There has been delay in processing the case to the stage of hearing in the UT, but that does not now raise any issues for us to resolve.
2. The FtT's decision records that an advocate appeared for the SSHD, and that submissions were made by that advocate, but parties concur that the SSHD was not represented. The decision refers to a case based on honour

killings, when no such case was advanced. Parts of the decision are relevant to the appellant's case, but significant parts are not.

3. The judge has unfortunately confused his notes, or his draft decisions, in two cases. The outcome is a blend which cannot stand as a legally adequate explanation of why the appellant's case has failed.
4. The decision of the FtT is set aside. The nature of the case is such that it is appropriate under section 12 of the 2007 Act, and under Practice Statement 7.2, to remit to the FtT for an entirely fresh hearing.
5. No anonymity direction has been requested or made.

A handwritten signature in black ink, appearing to read "Hugh Macleman". The signature is written in a cursive style with a large, stylized initial "H" and "M".

5 July 2019
UT Judge Macleman