



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

Appeal Number: PA/01994/2018

**THE IMMIGRATION ACTS**

**Heard at Manchester CJC  
On 21<sup>st</sup> December 2018**

**Decision & Reasons Promulgated  
On 10<sup>th</sup> January 2019**

**Before**

**UPPER TRIBUNAL JUDGE COKER**

**Between**

**[G O]**

Appellant

**and**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

Representation

For the appellant: Mr C Holmes, Counsel instructed by Parker Rhodes Hickmotts solicitors

For the respondent: Mr A Tan, Senior Home Office Presenting Officer

**DETERMINATION BY CONSENT**

Pursuant to Rule 39 of the Tribunal Procedure (Upper Tribunal) Rules 2008 and by the consent of the parties the following order is made:

Upon the determination by First-Tier Tribunal Judge P J Holmes promulgated on 19<sup>th</sup> September 2019 disclosing a material error of law and being set aside on 21<sup>st</sup> December 2018.

And upon the parties agreeing that the appeal should be heard afresh with no findings preserved, the appeal by the appellant against the refusal of his protection claim is remitted to the First-tier Tribunal.

The appeal in the Upper Tribunal is allowed. The decision of the First-tier Tribunal is set aside for legal error. The appeal against the decision giving rise to the appeal is remitted to be heard afresh before the First-tier Tribunal with no findings preserved.

Signed  
Upper Tribunal Judge Coker

Date 21<sup>st</sup> December 2018

