



Upper Tribunal
(Immigration and Asylum Chamber)

Appeal Number: PA/05311/2018

THE IMMIGRATION ACTS

Heard at Cardiff Civil Justice Centre
On 25 July 2019

Decision & Reasons Promulgated
On 30 July 2019

Before

UPPER TRIBUNAL JUDGE GRUBB
DEPUTY UPPER TRIBUNAL JUDGE J F W PHILLIPS

Between

M W
(Anonymity Direction in force)

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellant: Ms Z Harper instructed by Migrant Legal Project (Cardiff)

For the Respondent: Mr C Howells, Senior Home Office Presenting Officer

NOTICE OF DECISION

1. Both subparagraphs of rule 40(3) of the Tribunal Procedure (Upper Tribunal) Rules 2008 (SI 2008/2698 as amended) apply to this decision.
2. The decision of the First-tier Tribunal sent on 15 January 2019 is erroneous in law. We set it aside.

3. The appeal is remitted to be determined by the First-tier Tribunal *de novo* at an oral hearing before a judge other than Judge A E Walker.

Signed

A handwritten signature in black ink, appearing to read "Andrew Grubb", written over a horizontal line.

A Grubb
Judge of the Upper Tribunal
25 July 2019