



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

Appeal Number: PA/08748/2018

THE IMMIGRATION ACTS

Heard at Manchester CJC

**Decision & Reasons
Promulgated**

On 21st December 2018

On 10 January 2019

Before

UPPER TRIBUNAL JUDGE COKER

Between

ZANELE [Z]

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation

For the appellant: Mr G Brown counsel instructed by Genesis Law Associates Ltd

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 Lloyd promulgated on 29th August 2018 disclosing a material error of law and being set aside on 21st 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.

Jane Coker

Signed
Upper Tribunal Judge Coker

Date 21st December 2018