



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

Appeal Number: HU/06445/2019

THE IMMIGRATION ACTS

**Determined at Field House without a
hearing
On 3 December 2019**

**Decision & Reasons
Promulgated
On 23 January 2020**

Before

UPPER TRIBUNAL JUDGE RINTOUL

Between

**MARIE KERINA LAFOUCEUR
(ANONYMITY ORDER NOT MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

DECISION AND REASONS

1. On 8 January 2020, when giving permission to appeal, I also gave the following directions:-

- “1. It is my preliminary view that the decision did involve the making of an error of law capable of affecting the outcome, and that the decision of the First-tier Tribunal should be set aside, the appropriate course of action being to remit the case to the First-tier Tribunal for a fresh determination on all issues.
2. Unless within ten working days of the issue of these directions there is any written objection to this course of action, supported by cogent argument, the Upper Tribunal will proceed to determine the appeal without an oral hearing and will remit it to the First-tier Tribunal.

3. In the absence of a timely response by a party, it will be presumed that it has no objection to the course of action proposed.”
2. There has been no objection to the proposed course of action by either party.
3. In the circumstances, for the reasons set out in the grant of permission, I am satisfied that the decision of the First-tier Tribunal did involve the making of an error of law and I set it aside. I remit the decision to the First-tier Tribunal.

Summary of conclusions

1. The determination of the First-tier Tribunal did involve the making of an error of law and I set it aside.
2. I remit the decision to the First-tier Tribunal for a fresh hearing on all grounds. For the avoidance of doubt none of the findings it made are preserved.

Signed

Date: 21 January 2020



Upper Tribunal Judge Rintoul