



**Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: UI-2022-000528**
(formerly PA/51089/2020)
IA/02467/2020

THE IMMIGRATION ACTS

**At Field House
On 30 June 2022**

**Decision & Reasons Promulgated
On 28 July 2022**

Before

**UPPER TRIBUNAL JUDGE RINTOUL
DEPUTY UPPER TRIBUNAL JUDGE MAILER**

Between

**I M
(ANONYMITY ORDER MADE)**

Appellant

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

For the appellant: Ms E Sanders of counsel, instructed by Wimbledon Solicitors

For the respondent: Mr S Whitwell, Senior Home Office Presenting Officer

**DECISION TO MADE PURSUANT TO RULES 34, 39 & 40 (3) OF THE
TRIBUNAL PROCEDURE (UPPER TRIBUNAL) RULES 2008 ¹**

¹ Amended pursuant to Rule 42 of the Tribunal Procedure (Upper Tribunal) Rules 2008

1. The appellant appeals with permission against the decision of First-tier Tribunal Judge Hussain, promulgated on 19 December 2021.
2. It was agreed by the respondent that the grounds of appeal were made out and that the decision should be set aside. In summary, the judge erred in law by going behind the respondent's concession as to the appellant's factual claim as to his relationship with H in Pakistan leading to hostility and threats by her family towards him and his family. The findings rejecting his claim of forced labour were inadequately reasoned and the article 8 was inadequately reasoned.
3. In terms of remaking the decision, it is evident and both parties agree that none of the findings of fact are sustainable. We are accordingly satisfied that it would be appropriate in all the circumstances to set aside the decision in its entirety and, as invited by the respondent in her Rule 24 response, to remit the appeal to the First-tier Tribunal to determine the appeal de novo.

Notice of Decision

1. The decision of the First-tier Tribunal involved the making of an error of law and is set aside.
2. The appeal is remitted to the First-tier Tribunal, Taylor House for a fresh decision to be made by any Judge other than First-tier Tribunal Judge Hussain. For the avoidance of doubt none of the findings made are preserved.

Signed

Date: 30 June 2022

Clifford Mailer
Deputy Upper Tribunal Judge Mailer