



**Upper Tribunal
(Immigration and Asylum Chamber) Appeal Number: UI-2024-001189
Previous Appeal Number: HU/55104/2023**

THE IMMIGRATION ACTS

**Decision and Reasons issued:
On the 25 June 2024**

Before

DEPUTY JUDGE OF THE UPPER TRIBUNAL McCARTHY

Between

**AYESHA ALAM SHABA MUNIR
(ANONYMITY DIRECTION NOT MADE)**

Appellant

and

ENTRY CLEARANCE OFFICER - SHEFFIELD

Respondent

Representation:

For the Appellant: Mr M West, instructed by MP Solicitors
For the Respondent: Ms H Gilmore, Home Office Presenting Officer

Heard at Field House on 14 June 2024

DECISION AND REASONS

1. At the parties' request, this was a hybrid hearing. Both representatives attended by video link (Teams). There were no connectivity difficulties and I am satisfied the hearing proceeded in a similar way had the representative attended in person.
2. Having considered the grounds of appeal against the decision of First-tier Tribunal Judge Freer, Ms Gilmore informed me that the Secretary of State does not oppose the appeal because it contains legal error relating to a failure to consider the best interests of a child and because the findings about sole responsibility lack clarity.

3. The parties agreed that the appeal should be remitted because of the nature and extent of the error.

Notice of Decision

The decision of First-tier Tribunal Judge Freer contains legal error and is set aside.

The appeal is remitted to be decided afresh by a different judge of the First-tier Tribunal.

Judge John McCarthy

Deputy Judge of the Upper Tribunal

Date: 25 June 2024