



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

Appeal Number: PA/04248/2019

**THE IMMIGRATION ACTS**

**Heard at Field House  
On 13 November 2019**

**Decision & Reasons Promulgated  
On 15 November 2019**

**Before**

**UPPER TRIBUNAL JUDGE KOPIECZEK**

**Between**

**SLM  
(ANONYMITY DIRECTION MADE)**

Appellant

**and**

**SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**Representation:**

For the Appellant: Mr T. Hodson, Legal Representative

For the Respondent: Mr L. Tarlow, Senior Home Office Presenting Officer

**DECISION PURSUANT TO RULE 40(3)(a) OF THE TRIBUNAL PROCEDURE  
(UPPER TRIBUNAL) RULES 2008**

1. The appellant, a citizen of DRC, appealed to the First-tier Tribunal (“FtT”) against a decision dated 18 April 2019 to refuse a protection and human rights claim. The FtT dismissed the appellant’s appeal.
2. At the hearing before me on 13 November 2019 it was agreed between the parties that the grounds of appeal in relation to the FtT’s decision reveal that it erred in law.

3. It was also agreed between the parties that the errors of law are such as to require the decision of the FtT to be set aside and for the appeal to be remitted to the FtT for a hearing *de novo*.
4. In the circumstances, I set aside the decision of the FtT for error of law and remit the appeal to the FtT for a hearing *de novo*, on all grounds, before a judge other than First-tier Tribunal Judge Andonian, with no findings of fact preserved.
5. In remitting the appeal I have had regard to paragraph 7.2 of the Practice Statement of the Senior President of Tribunals.
6. Pursuant to rule 40(3)(a) of the Tribunal Procedure (Upper Tribunal) Rules 2008, no reasons (or further reasons) are required, the decision being made with the consent of the parties.

**Direction Regarding Anonymity - Rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008**

Unless and until a Tribunal or court directs otherwise, the appellant is granted anonymity. No report of these proceedings shall directly or indirectly identify him or any member of his family. This direction applies both to the appellant and to the respondent. Failure to comply with this direction could lead to contempt of court proceedings.

Upper Tribunal Judge Kopieczek

13/11/19