



**Upper Tribunal  
(Immigration and Asylum Chamber)  
001170**

**Appeal Number: UI-2021-**

**HU/08324/2020**

**THE IMMIGRATION ACTS**

**At Field House  
On Papers**

**Decision Promulgated  
On 28 November 2022**

**Before**

**Upper Tribunal Judge Owens**

**Between**

**NG  
(ANONYMITY ORDER MADE)**

Appellant

**And**

**THE SECRETARY OF STATE FOR THE HOME DEPARTMENT**

Respondent

**NOTE AND DIRECTIONS**

1. On 28 March 2022 Upper Tribunal Judge Owens and Deputy Upper Tribunal Judge Keith made a decision setting aside the decision of First-tier Tribunal Judge Howard and adjourning the hearing for re-making in the Upper Tribunal.
2. On 21 April 2022, Upper Tribunal Judge Owens received submissions requesting the appeal to be remitted to the First-tier Tribunal instead.
3. There was an unfortunate delay in considering this request due to illness.

4. Having had regard to the submissions and the Practice Direction 7.1,7.2 and 7.3, we now consider that given the delay in hearing this matter and the extent of the fact-finding required, it is in the interests of justice for this appeal to be remitted to the First-tier Tribunal.
5. We therefore set aside our previous direction pursuant to rule 5(2) of the Tribunal Procedure (Upper Tribunal) Rules 2008 and direct that this appeal is remitted for a de novo hearing before the First-tier Tribunal in front of a judge other than First-tier Tribunal Judge Howard with no factual findings preserved.
6. It is a matter for the First-tier Tribunal where the remitted appeal is listed.

Signed

Date: 14 November 2022

R J Owens  
Upper Tribunal Judge Owens

Anonymity Order

Pursuant to rule 14 of the Tribunal Procedure (Upper Tribunal) Rules 2008, the appellant is granted anonymity. No-one shall publish or reveal any information, including the name or address of the appellant, likely to lead members of the public to identify the appellant. Failure to comply with this order could amount to a contempt of court.