

**Upper Tribunal**

**(Immigration and Asylum Chamber) Appeal Number: PA/12558/2017**

**THE IMMIGRATION ACTS**

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| **Heard at Glasgow** | **Determination & Reasons Promulgated** | | |
| **on 31 August 2018** | **on 7 September 2018** | | |
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**Before**

**UPPER TRIBUNAL JUDGE MACLEMAN**

**Between**

**PARISA MAZBOOR**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: Ms H Cosgrove, of Latta & Co, Solicitors

For the Respondent: Mrs M O’Brien, Senior Home Office Presenting Officer

**DETERMINATION AND REASONS**

1. FtT Judge P A Grant-Hutchison dismissed the appellant’s appeal for reasons given in his decision promulgated on 26 April 2018.
2. The appellant has permission to appeal to the UT on grounds set out in her application dated 9 May 2018: (1) regarding delay in action by the authorities, failure to take account of an expert report, and (2) regarding deceit about arrival in the UK, failure to take account of the appellant’s explanation. Ms Cosgrove sought a remit to the FtT.
3. Mrs O’Brien conceded that the decision failed to make it clear whether significant evidence had been considered, and that the outcome should be as sought for the appellant.
4. The decision of the FtT is **set aside**. It stands only as a record of what was said at the hearing.
5. The nature of the case is such that it is appropriate under section 12 of the 2002 Act and Practice Statement 7.2 to remit to the FtT for an entirely fresh hearing.
6. The member(s) of the FtT chosen to consider the case are not to include Judge P A Grant-Hutchison.
7. No anonymity direction has been requested or made.



31 August 2018

Upper Tribunal Judge Macleman