



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

Appeal Number: HU/10906/2019

THE IMMIGRATION ACTS

**Heard at Manchester
Remotely via Skype for Business
On 12 February 2021**

Decision & Reasons Promulgated

On 1 March 2021

Before

UPPER TRIBUNAL JUDGE LANE

Between

**DDS
(ANONYMITY DIRECTION MADE)**

Appellant

and

ENTRY CLEARANCE OFFICER

Respondent

Representation:

For the Appellant: Not present or represented

For the Respondent: Not represented (see below)

DECISION AND REASONS

1. The appellant, a female citizen of Brazil, appeals to the Upper Tribunal against a decision of the First-tier Tribunal promulgated on 14 February 2020 which dismissed her appeal against Entry Clearance Officer's refusal of her application for entry clearance.
2. The respondent agrees that the First-tier Tribunal erred in law for the reasons advanced in the grounds of appeal. As I was aware of the respondent's position prior to the appeal (it was stated in a R24 notice dated 3 September 2020), I released the Senior Presenting Officer, Mrs

Aboni. At the time given for the hearing to commence, there was no appearance by the appellant, sponsor or any representative. I proceeded in the absence of the parties accordingly.

3. The decision of the First-tier Tribunal is set aside. The appeal is returned to the First-tier Tribunal for that Tribunal to remake the decision.

Notice of Decision

The decision of the First-tier Tribunal is set aside. The appeal is returned to the First-tier Tribunal for that Tribunal to remake the decision. **(Listing directions: First-tier Tribunal to determine if face to face or remote hearing; not Judge MPW Harris; Hatton Cross; no interpreter; first available date)**

Signed

Date 12 February 2021

Upper Tribunal Judge Lane

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

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