



**Upper Tribunal  
(Immigration and Asylum Chamber)  
PA/08094/2016**

**Appeal Number:**

**THE IMMIGRATION ACTS**

**Heard at Field House**

**Decision & Reasons**

**On 25<sup>th</sup> August 2017**

**Promulgated**

**On 1<sup>st</sup> September 2017**

**Before**

**UPPER TRIBUNAL JUDGE MARTIN**

**Between**

**MR TWANA MOHAMMED IBRAHIM  
(ANONYMITY DIRECTION NOT MADE)**

Appellant

**and**

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

Respondent

**Representation:**

For the Appellant: Mr S Harding (instructed by Sentinel Solicitors)

For the Respondent: Mr S Walker (Senior Home Office Presenting Officer)

**DECISION AND REASONS**

1. This is an appeal to the Upper Tribunal by the Secretary of State in relation to a Decision of Judge Rayner in the First-tier Tribunal following a hearing at Taylor House on 3<sup>rd</sup> March 2017. The Decision and Reasons is dated 26<sup>th</sup> April 2017 and the judge allowed the appeal on asylum grounds. The Secretary of State sought and was granted permission to appeal the second time of asking by an Upper Tribunal Judge on the basis it was arguable that the Respondent proposed to return the Appellant to Erbil and that being overlooked by the Judge, there was a possible error of law.

However, as was accepted by Mr Walker this morning the Respondent did not propose to return the Appellant to Erbil; rather the Respondent proposed to return the Appellant to Baghdad and it was then for him to make his own way to Erbil. That is the only reason the matter comes before me today and the judge at paragraph 56(1) dealt with the issue of travelling to the IKR and in the final sentence noted that the Respondent had not demonstrated how the Appellant might travel from Baghdad to the IKR. The judge found that in the absence of such information travel between the two places was not practical and therefore internal relocation not an option for the Appellant. That being the only issue before me I find that the Decision and Reasons did not contain a material error of law and the appeal to the Upper Tribunal therefore is dismissed.

**Notice of Decision**

The Secretary of State's appeal to the Upper Tribunal is dismissed.

No anonymity direction is made.

Signed

Date 1<sup>st</sup> September 2017

Upper Tribunal Judge Martin

**TO THE RESPONDENT**  
**FEE AWARD**

No fee is paid or payable and therefore there can be no fee award.

Signed

Date 1<sup>st</sup> September 2017

Upper Tribunal Judge Martin