



IAC-FH-CK-V1

**Upper Tribunal
(Immigration and Asylum Chamber) Appeal Numbers: PA/10321/2019
PA/10271/2019**

THE IMMIGRATION ACTS

**Heard via Microsoft Teams at Field House Decision & Reasons
On the 2nd September 2021 Promulgated
On the 11th October 2021**

Before

UPPER TRIBUNAL JUDGE ALLEN

Between

**NAA
RMH
(ANONYMITY DIRECTION MADE)**

Appellants

and

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Respondent

Representation:

For the Appellants: Mr A Islam, instructed by Fountain Solicitors

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

DECISION AND REASONS

1. The appellants are a mother and son, Iraqi citizens, who appealed to the First-tier Tribunal against decisions of the respondent of 16 October 2019 and 4 November 2019.
2. Their appeals were dismissed by the judge but following a hearing on 19 February 2021, I found errors of law in the judge's decision and directed a rehearing, in particular with respect to the issue of documentation.

3. Mr Walker conceded the appeal. As Mr Islam had also done in his submissions, he referred to the CPIN of 2020 at paragraph 2.6.1(c), which said that it was highly unlikely that a person would be able to obtain replacement documentation from the United Kingdom or from Baghdad. On the evidence of the appellants, they had no contact with family in Iraq and had come to the United Kingdom with no documents. Bearing in mind also the guidance in SMO [2019] UKUT 00400 (IAC), the basis of the appellants' evidence before the judge was that they had no contact with family in Iraq and no ID cards with them and would not be able to obtain a CSID from the IKR. Accordingly, Mr Walker conceded the appeal.
4. As a consequence, these appeals are allowed, on humanitarian protection grounds.

Notice of Decision

These appeals are allowed on humanitarian protection grounds.

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.



Signed

Date 9 September 2021

Upper Tribunal Judge Allen