

Federal Court



Cour fédérale

Date: 20150409

Docket: IMM-1237-14

Citation: 2015 FC 438

Toronto, Ontario, April 9, 2015

PRESENT: The Honourable Madam Justice Mactavish

BETWEEN:

NANA ADU GYAMFI ADJEM

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

(Reasons delivered orally in Toronto on April 8, 2015)

[1] Nana Adu Gyamfi Adjem seeks judicial review of the decision of a visa officer denying him a temporary resident visa.

[2] Mr. Adjem failed to satisfy the visa officer that he would leave Canada at the end of his visit. In coming to this conclusion, the visa officer had regard to Mr. Adjem's travel history, his

family ties in Ghana and in Canada, the purpose of his visit, his current employment situation, and his personal assets and financial position. The visa officer was not satisfied that Mr. Adjem was financially secure, or that he had sufficient funds for the trip.

[3] Mr. Adjem says that the visa officer's decision was unreasonable, as the officer failed to have regard to relevant information. Although not pursued in his oral submissions, he also submitted that the visa officer's decision was "wicked", and that it was arrived at in bad faith.

[4] Dealing first with the question of bad faith, suffice it to say that there is absolutely no evidence whatsoever to support Mr. Adjem's allegation of bad faith. The fact that he may not agree with the officer's decision does not mean that the officer acted in bad faith.

[5] Insofar as the reasonableness of the officer's decision is concerned, Mr. Adjem has not identified any information that was provided in support of the visa application that was overlooked by the officer, nor has he identified any relevant considerations that were taken into account by the officer in refusing his visa application. It is readily apparent from the officer's reasons that the visa officer understood the applicant's employment situation, his travel history, and the location of his various family members. The officer was also clearly aware that Mr. Adjem's brother would be hosting his visit to Canada, and would be covering his expenses while he was in this country.

[6] What Mr. Adjem is essentially asking me to do is to reweigh these factors and come to a different conclusion than did the visa officer. That is not the task of this Court sitting in judicial

review. While a different visa officer may have come to a different decision based upon the information in the record, Mr. Adjem has not persuaded me that the visa officer's decision was unreasonable.

[7] Having failed to establish the existence of a reviewable error in the visa officer's decision, it follows that the application for judicial review will be dismissed. I agree with the parties that this case is fact-specific and does not raise a question that is suitable for certification.

JUDGMENT

THIS COURT'S JUDGMENT is that the application for judicial review is dismissed.

“Anne L. Mactavish”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-1237-14

STYLE OF CAUSE: NANA ADU GYAMFI ADJEM v THE MINISTER OF
CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: APRIL 8, 2015

JUDGMENT AND REASONS MACTAVISH J.

DATED: APRIL 9, 2015

APPEARANCES:

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