Federal Court  Cour fédérale

Date: 20221122

Docket: IMM-369-22

Citation: 2022 FC 1603

Ottawa, Ontario, November 22, 2022

PRESENT: The Honourable Madam Justice Rochester

BETWEEN:

IBRAHIM JALLOH

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

JUDGMENT AND REASONS

I. Overview

[1] The Applicant, Mr. Ibrahim Jalloh, is a 33 year-old permanent resident of Canada and a citizen of Sierra Leone. He seeks judicial review of a decision of the Immigration Appeal Division [IAD] of the Immigration and Refugee Board of Canada, dated January 4, 2022 [Decision], dismissing his appeal of a Deportation Order dated July 6, 2012 [Removal Order].

[2] In 2012, the Immigration Division had found the Applicant to be inadmissible on the grounds of serious criminality pursuant to subsection 36(1) of the *Immigration and Refugee Protection Act*, SC 2001, c 27 [IRPA] for having been convicted of trafficking cocaine. The Applicant sought special relief from the Removal Order on humanitarian and compassionate [H&C] grounds. In 2017, the IAD issued a stay of the Removal Order for three years, and imposed a number of terms and conditions [Stay Order]. Following new criminal convictions, the Applicant's appeal was set down for reconsideration. It is that reconsideration that forms the basis for the Decision. The Member for the reconsideration was the same Member who had issued the Stay Order in 2017.

[3] The IAD determined that the Applicant had failed to comply with many of the terms and conditions in the Stay Order, finding that he had 11 new criminal convictions and 60 additional charges since his removal was stayed, including charges for possession of narcotics for the purpose of trafficking and possession of over $5,000 of proceeds of crime.

[4] The IAD found that many of the H&C factors that led to the Stay Order continued to apply, however, the Applicant had not credibly established that he will stop committing crimes or set out a realistic rehabilitation plan to mitigate the risk of his recidivism. The IAD concluded that there were not sufficient H&C considerations to warrant granting the Applicant special relief.

[5] The Applicant submits that the IAD: (i) failed to fully consider the best interests of the child [BIOC]; (ii) failed to reasonably consider the hardship of a return to Sierra Leone; (iii)

made erroneous findings of fact that are not supported by the evidence; and (iv) breached procedural fairness by failing to put findings to the Applicant at the hearing.

[6] For the reasons that follow, the present application for judicial review is dismissed.

II. Background

[7] The Applicant was born in Freetown in 1989. When the Applicant was approximately nine years old, the Revolutionary United Front [RUF] invaded Freetown. Members of the RUF entered his home, committed atrocities, kidnapped him and recruited him as a child soldier. As a child soldier, the Applicant was forcibly administered drugs, understood to be cocaine.

[8] After six months, the Applicant was rescued by soldiers from the Economic Community of West African States Monitoring Group, taken to a camp and later reunited with his grandmother. By this time, the Applicant had developed an addiction to cocaine. Several years of drug addiction and drug-related crime continued in Sierra Leone.

[9] In 2007, the Applicant arrived in Canada, having been sponsored by his father. The Applicant's drug habit nevertheless continued as did his involvement in crime. In November 2010, the Applicant was convicted on two counts of trafficking cocaine contrary to subsection 5(1) of the *Controlled Drugs and Substances Act*, SC 1996, c 19 and one count of failing to comply with a condition of an undertaking or recognizance, contrary to subsection 145(3) of the *Criminal Code*, RSC 1985, c C-46. For this, he was sentenced to a conditional sentence order of two years less a day.

[10] On July 6, 2012, as a result of this conviction, the Applicant was found inadmissible to Canada and was given the Removal Order.

[11] The Applicant appealed the Removal Order to the IAD, which was heard on May 19, 2015. Before the decision was rendered, the Applicant was convicted of additional drug-related offences namely: one count of trafficking a controlled substance; one count of obstructing a peace officer; and eight counts of breaching conditions of a recognizance. Shortly thereafter, on July 3, 2015, the appeal was dismissed. The Applicant sought judicial review. On December 17, 2015, the appeal was returned to the IAD, by consent judgment, for redetermination.

[12] In August 2016, the Applicant commenced a romantic relationship with an 18-year-old Canadian citizen, Malika, and on May 4, 2017, the Applicant's daughter Zariyah was born.

[13] The redetermination of the Applicant's appeal was held on May 9, 2017. The Applicant did not challenge the validity of the Removal Order but sought special relief on H&C grounds. The Applicant's then girlfriend, Malika, appeared at the hearing to testify in favour of the Applicant staying in Canada. In that regard, the IAD noted that "[t]he birth of the [Applicant's] child and the support of his girlfriend are new factors that were not before the IAD when it considered the [Applicant's] appeal in 2015."

[14] On September 19, 2017, the IAD issued its decision [2017 Decision], in the context of which it issued the Stay Order. The 2017 Decision which was made on a number of conditions, which included the following:

> Not commit any criminal offences;
>
> If charged with a criminal offence, immediately report that fact in writing to the Agency;
>
> If convicted of a criminal offence, immediately report that fact in writing to the Agency and the IAD;
>
> Continue to attend counselling sessions as directed by your probation officer, and any other form of private counselling, group therapy or sessions or courses as are directed in any Court-ordered or private psychological assessment;
>
> Attend counselling, group sessions, or completed courses on an ongoing basis to address drug addiction rehabilitation;
>
> Respect all conditions of any recognizance and any other Court orders that may come into effect; and
>
> Keep the peace and be of good behaviour.

[15] Two weeks following the redetermination hearing, the Applicant was convicted of three breaches of his recognizance order, resulting in jail time. While the Applicant was in jail in 2018, a former friend of his, “Bling”, raped Malika. The Applicant initially doubted Malika’s allegations. Bling was, however, charged and convicted of the sexual assault of Malika. The Applicant states that his relationship with Malika broke down as a result of the rape and that Malika’s descended into substance abuse. Zariyah was placed in the care of her maternal grandmother, although the Applicant states that he is actively involved in her upbringing.

[16] On August 1, 2019, an altercation between Bling and the Applicant took place in a car, which then spilled out onto the street and into a busy barbershop. Bling had injuries from a knife and the Applicant was charged with aggravated assault, which was ultimately stayed. Bling had fired multiple shots at the Applicant while in the barbershop. Bling was charged for firing a gun.

[17] In December 2020, the IAD initiated a review of the Removal Order.

[18] On November 4, 2021, following the hearing but prior to the Decision, the Applicant was charged with four new counts of possession of narcotics for the purpose of trafficking (cocaine, crack, fentanyl and methamphetamine) and possession of over $5,000 of proceeds of crime.

III. The Decision Under Review

[19] The IAD dismissed the appeal, finding that the Applicant has no realistic prospect of rehabilitation and that his ongoing criminality and associations with criminals undermine the security of Canadian society to an extent that it outweighs the H&C factors that weigh in support of granting him special relief.

[20] In particular the IAD found that: (1) the Applicant's criminality is serious; (2) the Applicant has not demonstrated realistic potential for rehabilitation; (3) the Applicant's ongoing issues with the criminal justice system and continuing ties to others engaged in criminality create unacceptable risk to the public; (4) the Applicant's establishment in Canada is limited; (5) the Applicant's family and community ties are limited; (6) the best interests of the Applicant's daughter would be negatively impacted by removal; and (7) the Applicant's hardship if returned to Sierra Leone would be significant.

[21] The IAD noted that many of the H&C factors that lead it to grant special relief to the Applicant continued to apply, however, the Applicant materially breached the conditions of his stay in several important respects and has not credibly established that he will stop committing

crimes. Despite the best interests of his daughter who would be directly affected by the Decision and the hardship associated with returning to Sierra Leone, the IAD concluded that there are not sufficient H&C considerations to grant special relief to the Applicant.

IV. Issues and Standard of Review

[22] The issues in the present judicial review are the following:

- Did the IAD reasonably consider the Zariyah's best interests?
- Did the IAD reasonably consider the hardship for the Applicant if he were to return to Sierra Leone?
- Did the IAD make findings of fact that are not supported by the evidence?
- Was there a breach of procedural fairness?

[23] As to the first three issues, the standard of review is one of reasonableness (Canada (*Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 25 [*Vavilov*]). Reasonableness is a deferential, but robust, standard of review (*Vavilov* at paras 12-13). It is the Applicant, the party challenging the Decision, who bears the burden of demonstrating that it is unreasonable (*Vavilov* at para 100). In conducting a reasonableness review, the Court must determine whether the Decision is "based on an internally coherent and rational chain of analysis" and is "justified in relation to the facts and law that constrain the decision maker" (*Vavilov* at paras 85-86).

[24] The focus must be on the decision actually made, including the justification offered for it, and not the conclusion the Court itself would have reached in the administrative decision maker's place. The standard of reasonableness is rooted in the principle of judicial restraint and deference, and requires reviewing courts to show respect for the distinct role that Parliament has chosen to confer on administrative decision makers rather than on the courts (*Vavilov* at paras 13, 46, 75).

[25] As to the fourth issue, breaches of procedural fairness in administrative contexts have been considered reviewable on a correctness standard or subject to a "reviewing exercise … 'best reflected in the correctness standard' even though, strictly speaking, no standard of review is being applied" (*Canadian Pacific Railway Company v Canada (Attorney General)*, 2018 FCA 69 at para 54 [*Canadian Pacific*]). The focus of the reviewing court is essentially whether the procedure followed by the decision maker was fair and just (*Canadian Pacific* at para 54; *Canadian Association of Refugee Lawyers v Canada (Immigration, Refugees and Citizenship)*, 2020 FCA 196 at para 35).

V. Analysis

[26] In order to stay a removal order under subsection 68(1) of the IRPA, the IAD "must be satisfied, taking into account the best interests of a child directly affected by the decision, that sufficient humanitarian and compassionate considerations warrant special relief in light of all the circumstances of the case."

[27] It is common ground between the parties, and I agree, that in considering where to exercise its discretion to grant special relief, the IAD is to be guided by the non-exhaustive list of factors in *Ribic v Canada (Minister of Employment and Immigration)*, [1985] IABD No 4 (QL) [*Ribic*] endorsed by the Supreme Court of Canada in *Chieu v Canada (Minister of Citizenship and Immigration)*, 2002 SCC 3 at para 40 [*Chieu*]. The factors include:

a) the seriousness of the offence or offences leading to the removal order;
b) the possibility of rehabilitation;
c) the length of time the Applicant has been in Canada and the degree to which he is established here;
d) the impact of removal on the Applicant's family members in Canada;
e) the support available for the Applicant in the family and community and the degree of hardship that would be caused by his return;
f) the degree of hardship that the Applicant would face in the country to which he would likely be removed; and
g) the best interests of a child directly affected by the decision.

[28] The IAD was guided by the *Ribic* factors as endorsed in *Chieu*, and considered them in light of the circumstances of the case. The IAD also stated that "[t]he exercise of discretion must be consistent with the objectives of the [IRPA] including the need to protect the health and safety of Canadians and maintain the security of Canadian society."

A. *Did the IAD reasonably consider Zariyah's best interests?*

[29] In assessing Zariyah's best interests, the IAD found that her interests would be negatively affected by the Applicant's removal. The IAD concluded that while it would be in Zariyah's best interests that the Applicant remain in Canada, it found it was in her best interests to reside with her maternal grandmother because it is not safe to live with her father. The IAD also found that it was not convinced that the Applicant has changed his life or behaviour, and if he remains in Canada will continue committing crimes with the consequences that follow.

[30] The Applicant pleads that the IAD's reasons are not transparent nor clear, and are riddled with contradictions and speculative conclusions. The Applicant submits that the IAD says on one hand that Zariyah's relationship would be irreparably damaged should the Applicant be removed, and, on the other hand, makes baseless hypothesis as to the Applicant's future.

[31] The Respondent pleads that the IAD would have been remiss not to point out the negative impact that the Applicant's drug addiction and criminality had on Zariyah's life, especially since the Applicant testified he was arrested in front of her. The Respondent submits that the IAD reasonably concluded that the Applicant's risk of recidivism was high and that he had not demonstrated a sincere willingness to rehabilitate himself given the evidence of criminality in the record.

[32] Having reviewed the record, including the transcript, I am not persuaded that the IAD's BIOC analysis is unreasonable. The IAD found that it would be in Zariyah's best interests to

have her father in Canada. As to the conclusions on criminality, there is ample evidence of a high risk of recidivism, given the events since the Stay Order was rendered in 2017.

[33] The Applicant highlights his testimony to the effect that he had been clean for 11 months, spends weekends caring for his daughter, has a good relationship with the maternal grandmother, and considers his daughter to be the primary driving factor behind his desire to rehabilitate himself. The Applicant submits that despite this evidence, the IAD came to the baseless conclusion concerning the likelihood of his criminality in the future.

[34] The difficulty for the Applicant is that the IAD had granted the Stay Order based on its findings in the 2017 Decision that, among other things, the Applicant had stopped using drugs, cut ties with associates who engage in criminality and drug use, had a newborn child, and had shown a willingness to rehabilitate. In the present Decision, the IAD reviews its findings in 2017 and stated that the "evidence before me establishes that I was largely mistaken in most of those findings", before proceeding to review the Applicant's criminality. Given the record before the IAD and the evidence of the Applicant's activities since 2017, it was not unreasonable for the IAD to find it highly probable that the Applicant would continue to commit further crimes and lacked a sincere willingness to rehabilitate himself. Indeed, the IAD found that "[h]aving failed to alter his pattern of behaviour following the birth of his daughter, I do not accept the [Applicant's] testimony that he is now motivated by his daughter growing up to change his ways."

B. *Did the IAD reasonably consider the hardship for the Applicant if he were to return to Sierra Leone?*

[35] The IAD found that "it would be a significant hardship for him to relocate to Sierra Leone given his past experiences and trauma after spending his adult life in the relative security of Canada." The IAD acknowledged that Sierra Leone is a violent and unstable country with poor living conditions, and that the Applicant is not in contact with anyone in the country. The IAD further stated that the Applicant had not established a personalized risk to himself.

[36] The Applicant pleads that given the facts of this case, namely the suffering and life changing trauma the Applicant endured as a child soldier in Sierra Leone, this factor is "of overriding importance". The Applicant submits that there is no indication that the IAD considered the expert evidence, being a 2014 report by psychologist Dr. Davis, despite the IAD accepting that evidence in the 2017 Decision. The Applicant pleads that the failure to mention the report renders the Decision unreasonable.

[37] The Applicant argues that the one paragraph consideration of the foreign hardship in the Decision is unreasonable when compared to the detailed and empathetic analysis in the 2017 Decision. Finally, the Applicant submits that he is for all intents and purposes a "refugee", and as such the higher threshold for removing a refugee should apply to him in spirit and intent.

[38] The Respondent submits that the IAD recognized that returning would be a significant hardship. The Respondent submits that this matter was a reconsideration and that the IAD decision maker, who was the same decision maker who had rendered the 2017 Decision, was not

required to provide any further details than was provided. The Respondent pleads that the Applicant's request to reweigh the evidence is improper, and that what changed between the favourable Stay Order in 2017 and the unfavourable Decision had nothing to do with the Applicant's foreign hardship. Rather, while the facts directly relating to his trauma in Sierra Leone remain unchanged, what changed was the Applicant's renewed involvement with the criminal justice system, as well as his likelihood of rehabilitation and recidivism. At the time of the Stay Order, the Applicant had not been charged with additional offences; his girlfriend at the time, Malika, testified favourably and the Applicant was complying with a strict recognizance for almost one year. The Respondent pleads that none of these facts existed in 2022 when the Decision was rendered.

[39] The Respondent submits that the Applicant is not in fact a refugee, having been sponsored by his family to come to Canada.

[40] I am not persuaded that the IAD's consideration of the foreign hardship is unreasonable. Turning back to the 2017 Decision, the foreign hardship analysis was also one paragraph and does not, in my view, differ in a material fashion from the Decision. Both analyses addressed the Applicant's traumatic past and reference the general state of Sierra Leone, finding significant hardship if he were to return. The failure to mention the 2014 report of Dr. Davis in the Decision, after the same member coming to the same conclusion on foreign hardship accepted the diagnosis in the 2017 Decision, does not rise to the level of a reviewable error. I agree with the Respondent that the IAD's finding on foreign hardship did not change between 2017 and 2022, rather the other circumstances of the case did.

[41] As to the status of the Applicant, he was sponsored to come to Canada under the family sponsorship program. While I have sympathy for the trauma the Applicant has suffered, he is not in fact a refugee. The failure to consider him akin to a refugee does not constitute a reviewable error on the part of the IAD. Moreover, it cannot serve as a justification for this Court to intervene in order to reweigh the evidence. It is not the function of this Court on an application for judicial review to reweigh or reassess the evidence considered by the decision maker (*Vavilov* at para 125).

C. *Did the IAD make findings of fact that are not supported by the evidence?*

[42] The Applicant pleads that the IAD made a number of findings that are unsubstantiated, and in particular, with respect to (i) the Applicant attending counselling and his rehabilitation, (ii) the altercation with Bling outside the barbershop, and (iii) his relationship with Malika. The Respondent's position is that the IAD's findings are reasonable in light of the record.

[43] In considering the arguments raised by the Applicant, I am mindful of the instructions of the Supreme Court in *Vavilov*, that any alleged flaws or shortcomings must be more than merely superficial or peripheral to the merits of the decision and that the Court must be satisfied that any such shortcomings or flaws relied on by the party challenging the decision are sufficiently central or significant to render the decision unreasonable (para 100). Furthermore, the Supreme Court strongly discourages a "line-by-line treasure hunt for error" (*Vavilov* at para 102).

[44] I am not persuaded that the issues raised by the Applicant involve a fundamental misapprehension or a failure by the IAD to account for the evidence before it (*Vavilov* at para

126). Instead, I find the Applicant's arguments are more properly characterized as the results of a treasure hunt for error (*Vavilov* at para 102).

[45] With respect to counselling and rehabilitation, the Applicant highlights that the IAD stated that he had not taken "any steps" towards rehabilitation or made "any positive" strides in his life since 2017. The Applicant pleads that this is simply not true. I agree that the use of the word "any" is not ideal, but it is not a reviewable error. In fact, the following paragraph identifies that the Applicant did attend sessions, and referenced the evidence from the Calgary Counselling Center, but found that he had not attended counselling from the time removal was stayed in 2017 until March 2021, at which point the hearing was imminent. Moreover, it was open to the IAD to find the Applicant not credible when he testified he had attended counselling in 2017 – 2018, but could not remember the counselor's name, nor provide any supporting documentation, and did not have a record of it because the counselor left the province.

[46] The Applicant raises the fact that he testified about his relationship with his daughter and how she is a motivating factor for him in his rehabilitation. I note that the IAD stated that: "I do not find the [Applicant] has credibly established that he has made any positive strides in his life since 2017" [emphasis added], his pattern of criminality has continued unabated, and that the Applicant's "testimony that he is now motivated by his daughter growing up to change his ways" is not accepted.

[47] Credibility determinations are part of the fact-finding process, and are afforded significant deference upon review (*Fageir v Canada (Citizenship and Immigration)*, 2021 FC

966 at para 29 [*Fageir*]; *Tran v Canada (Citizenship and Immigration)*, 2021 FC 721 at para 35 [*Tran*]). Credibility determinations have been described as lying within "the heartland of the discretion of triers of fact … and cannot be overturned unless they are perverse, capricious or made without regard to the evidence" (*Fageir* at para 29; *Tran* at para 35). Given the foregoing, I decline to intervene in the IAD's findings as to the issue of rehabilitation.

[48] As to the altercation with Bling outside the barbershop, the Applicant submits that the IAD erred by referring to the Applicant having "slashed Bling's face and arm with a knife during an altercation in Bling's vehicle" prior to describing how the dispute spilled out into the street and then into the barbershop. The IAD indicates that the aggravated assault charge against the Applicant was stayed largely because Bling refused to cooperate with the authorities. The Applicant submits that we do not know who slashed whom and ultimately there were no criminal charges, as such the IAD's statements are unsubstantiated.

[49] I find this to be a treasure hunt for error. The IAD expressly states that it did "not come to any conclusions on the [Applicant's] criminal culpability for what transpired on August 1, 2019" with Bling. The IAD concluded that it was an "incident in which the [Applicant's] personal conflict resulted in a considerable risk to the public." The investigating officer, who had reviewed the CCTV footage, testified before the IAD. The officer stated that the footage showed a "physical confrontation happen and [the Applicant] walking away with knife in hand" and he believed that the Applicant "was responsible for using a knife and causing injury to [Bling]". Later Bling attended the hospital with "slash wounds to his face and his bicep". There was extensive testimony from the officer before the IAD, and in light of that testimony along with the

other evidence in the record, I find the IAD's conclusion that the Applicant's ongoing issues with the criminal justice system and ties to criminality create a considerable risk to the public to be reasonable.

[50] As to his relationship with Malika, the Applicant pleads that the following remarks by IAD are baseless: "I acknowledge that the [Applicant] was never convicted of assaulting Malika but I find on a balance of probabilities that the [Applicant] was abusive towards her….At best, Malika's relationship with the [Applicant] was volatile and had a negative impact on both Malika and the [Applicant's] daughter." The Applicant submits that the charges resulting from allegations of abuse made in the 911 call on Christmas Day 2020 were withdrawn. The Applicant accepts that Malika was raped by a friend of his and that he failed to believe her, but a failure to believe is not indicative of an abusive relationship. This finding by the IAD, in the Applicant's view, is not supported by the evidence. During the hearing the Applicant plead that there was no credible evidence that he abused Malika.

[51] The record before the IAD contained evidence that the Applicant began dating Malika while she was in high school; she had a child nine months later; she was raped by a friend of the Applicant's; the Applicant did not believe her until the DNA evidence proved it was Bling; the Applicant made an offer to Bling that if he paid the Applicant $25,000, then Malika would not pursue the charges against Bling; Malika made several allegations of abuse against the Applicant; and following the rape, Malika descended into substance abuse and no longer cares for her daughter.

[52] Given the foregoing, I do not find that the IAD's statements as to the relationship between Malika and the Applicant to be reviewable errors. The Applicant appears to be pleading that because he was not criminally charged with physically abusing Malika then the characterization of him as being abusive towards her by the IAD is baseless. I do not find the IAD's use of the word "abusive" to be so restricted, nor do I find it to be baseless given the record. Equally, the IAD's description of the relationship as volatile and having a negative impact, is not a reviewable error.

[53] Finally, the Applicant pleads that the IAD discounted the letters from Malika's mother and sister, along with a letter from the Applicant's current girlfriend, and found that the Applicant did not have significant family and community support in Canada. I am not persuaded that the IAD erred. The IAD was entitled to consider all the evidence in the record and to grant the three letters little weight. The IAD nevertheless still accepted that the Applicant had formed some close relationships and would undoubtedly face hardship in leaving Canada.

D. *Was there a breach of procedural fairness?*

[54] This issue was not pleaded at the hearing, but was raised in the Applicant's written submissions. The Applicant raises the fact that the IAD found the Applicant's evidence of employment suspect given that it was through a company registered by his cousin, his descriptions of his work were vague, and such work would have been disrupted during his periods of incarceration. The Applicant further refers to a comment by the IAD that the Applicant appears to have a habit of initiating relationships with young women who are still in

high school. The Applicant submits that these concerns were not put to him by the IAD so that he may address them.

[55] The Applicant has failed to persuade me that there was a breach of procedural fairness. Despite the IAD's concern, it accepted that the Applicant did work for Jalloh Transport and was paid a salary from September 2020, as per the employment letter from the Applicant's cousin. The IAD found, however, that prior to that time he had not credibly established that he was supporting himself through legal employment. It was for the Applicant to adduce evidence that he was established in Canada. It was open to the IAD to find that he had not credibly established that he had made positive contributions to the community and had little to show in the way of his financial establishment. It was not as if the issue of the Applicant's employment had not been raised. Indeed, the Applicant was questioned by both sets of counsel on the issue. This differs from the scenario where an issue that is material to the decision is not raised, with the effect that an applicant is unable to respond to concerns surrounding that issue.

[56] As to the IAD's comment that the Applicant appears to have a habit of initiating relationships with young women who are still in high school, this is not a breach of procedural fairness. First, this does not appear to have been material to the Decision. Second, while the wording of the comment could have been better, it is reflective of the evidence before the IAD. According to the record, both Malika and his current girlfriend, Nour, were in high school when the Applicant became involved with them. The Applicant was 9 years older than Malika and 11 years older than Nour. I do not fault the IAD for having expressed concern.

VI. Conclusion

[57] The assessment of H&C factors by the IAD is a fact-specific exercise of discretion which warrants considerable deference from a reviewing court. It was incumbent on the Applicant to demonstrate that the Decision by the IAD is unreasonable, which he has not done. The Decision, when read as a whole, meets the standard of reasonableness set out in *Vavilov*. It is based on internally coherent reasons that are justified in light of the facts and the applicable law. Accordingly, this application for judicial review is dismissed.

[58] No serious question of general importance for certification was proposed by the parties, and I agree that no such question arises.

JUDGMENT in IMM-369-22

THIS COURT'S JUDGMENT is that:

1. The Applicant's application for judicial review is dismissed; and

2. There is no question for certification.

"Vanessa Rochester"
Judge

FEDERAL COURT

SOLICITORS OF RECORD

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