

Federal Court



Cour fédérale

Date: 20150319

Docket: IMM-324-14

Citation: 2015 FC 347

Toronto, Ontario, March 19, 2015

PRESENT: The Honourable Mr. Justice Hughes

BETWEEN:

TARIQ SYED

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

[1] This is a judicial review of a Pre-Removal Risk Assessment (“PRRA”) Officer’s decision dated November 29, 2013 wherein the application was rejected.

[2] The Applicant is an adult male citizen of Pakistan. He was a member of a police force there during a tumultuous period when several atrocities were committed. He fled Pakistan in 1997 and came to Canada where he claimed refugee protection. That claim was rejected in a

decision of the Immigration and Refugee Board dated June 30, 1999. In that decision, the Board concluded that the Applicant was excluded under article IF(a) of the Convention as there were serious reasons for considering that he was complicit in crimes against humanity during his tenure with the police.

[3] This is the third PRRA sought by the Applicant. Given the findings of the Board, the PRRA considerations are limited to those found in section 97 of the *Immigration and Refugee Protection Act*, S.C. 2001, c. 27.

[4] In the application before me, Applicant's Counsel argued in the written materials that previous Counsel was incompetent. At the hearing, that argument was withdrawn. Also in the material in the Applicant's Record and supporting affidavit, were facts and documents not before the PRRA Officer. Applicant's Counsel agreed that it would not be proper for me to have regard to this material.

[5] What is left are the Applicant's submissions as to the view taken of the evidence by the PRRA Officer. While differing views may be taken as to such evidence, the view taken by the Officer was within the bounds of reasonableness. The application will be dismissed.

[6] No party requested a certified question.

JUDGMENT

THIS COURT'S JUDGMENT is that:

1. The application is dismissed;
2. No question is certified;
3. No order as to costs.

“Roger T. Hughes”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-324-14

STYLE OF CAUSE: TARIQ SYED v THE MINISTER OF CITIZENSHIP
AND IMMIGRATION

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: MARCH 18, 2015

JUDGMENT AND REASONS: HUGHES J.

DATED: MARCH 19, 2015

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