

**Date: 20070830**

**Docket: IMM-5167-06**

**Citation: 2007 FC 873**

**Ottawa, Ontario, August 30<sup>th</sup>, 2007**

**PRESENT: The Honourable Mr. Justice O'Reilly**

**BETWEEN:**

**KRIS JAGMOHAN**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP  
AND IMMIGRATION**

**Respondent**

**REASONS FOR JUDGMENT AND JUDGMENT**

[1] Mr. Kris Jagmohan came to Canada from Trinidad and Tobago as a farm worker during the autumn months of 2003, 2004 and 2005. He did not return home after his last stint, instead, he remained in Canada and made a claim for refugee protection.

[2] A panel of the Immigration and Refugee Board heard and dismissed his claim in 2006. Mr. Jagmohan argues that the Board failed to appreciate the essence of his claim and asks me to order a new hearing. I can find no basis for overturning the Board's decision and must, therefore, dismiss this application for judicial review.

I. Issue

[3] Did the Board fail to consider the essence of Mr. Jagmohan's claim?

II. Analysis

[4] Mr. Jagmohan alleged that he was the victim of a robbery and that he was singled out by the perpetrators because of his race. His ancestry is Indian. He claims that Indians are persecuted by blacks in Trinidad and Tobago, and that the police force, being predominantly black, does not protect the Indian population.

[5] The Board found that the documentary evidence showed that crime was a genuine problem in Trinidad and Tobago. However, the evidence did not support Mr. Jagmohan's assertion that Indians are singled out or that the police do not protect them. Accordingly, the Board concluded that Mr. Jagmohan had not been persecuted because of his race or membership in a particular social group, nor was he likely to be exposed to a risk of cruel and unusual treatment, torture or death.

[6] I have reviewed the entire record carefully and can find no basis for overturning the Board's decision. Therefore, I must dismiss this application for judicial review. No question of general importance will be certified.

**JUDGMENT**

**THIS COURT'S JUDGMENT IS THAT:**

1. The application for judicial review is dismissed;
2. No question of general importance is stated.

“James W. O’Reilly”

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Judge

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** IMM-5167-06

**STYLE OF CAUSE:** KRIS JAGMOHAN v. MCI

**PLACE OF HEARING:** TORONTO, ONTARIO

**DATE OF HEARING:** August 15, 2007

**REASONS FOR JUDGMENT  
AND JUDGMENT:** O'REILLY J.

**DATED:** August 30<sup>th</sup>, 2007

**APPEARANCES:**

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(SELF-REPRESENTED)

MS. DUPE OLUYOMI FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

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