

Federal Court



Cour fédérale

**Date: 20120203**

**Docket: IMM-2671-11**

**Citation 2011 FC 1445**

**Ottawa, Ontario, February 3, 2012**

**PRESENT: The Honourable Mr. Justice Zinn**

**BETWEEN:**

**KARLA DEL CARMEN GONZALEZ  
CABRERA**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION**

**Respondent**

**AMENDED REASONS FOR JUDGMENT AND JUDGMENT**

[1] Ms. Gonzalez Cabrera, pursuant to subsection 72(1) of the *Immigration and Refugee Protection Act*, SC 2001, c 27, seeks by way of judicial review to set aside a decision of the Refugee Protection Division of the Immigration and Refugee Board that determined that she was neither a Convention refugee nor a person in need of protection.

## **Procedural Background**

[2] Both the applicant and her common-law spouse made claims for protection in Canada based on their fear of Los Zetas. Initially the claims were joined by the Board for hearing.

[3] The applicant, in her Personal Information form (PIF) dated April 7, 2009, spoke of being extorted and threatened by Los Zetas but made no mention of being subjected to either physical or sexual assault.

[4] The applicant executed an amended PIF narrative on April 19, 2010. In that narrative she states that “[t]he gang Zeta, which was working with the police, kidnapped me and took me into the wilderness and beat me up. At that time I was pregnant with twins and they beat me up so badly that I lost both of my babies.” There is no mention made of any sexual assault.

[5] The applicant also provided a narrative dated May 6, 2009, that was attached to the claim of her common-law spouse. In that narrative she mentions a man who was sent to her when she asked for protection. She says that he “almost kidnapped [me] in my own house, as he did not let me go out and neither to talk with anybody ... he was always drunk and he beaten me several times.” There is no mention made of any sexual assault.

[6] The hearing of both claims was scheduled to commence on May 17, 2010. On May 12, 2010, counsel for the applicant and her common-law spouse wrote to the Board requesting accommodation for the applicant pursuant to the Gender Guidelines for “Women Refugee

Claimants Fearing Gender-Related Persecution (“*Gender Guidelines*” or “*Guidelines*”).

Counsel referenced a meeting that day with the applicant in which she said that she had been “gang raped by several men” and “sexually assaulted also by a police officer in Mexico, whom she approached for help.” The applicant had not told her common-law spouse of these events and said that “he cannot know, as he would not be able to deal with this and he may likely walk away from the marriage.”

[7] When the hearing commenced, the applicant was accommodated in accordance with Guideline 8 and there was an agreement of both claimants that the applicant’s common-law spouse would leave the room during the applicant’s examination dealing with incidents of sexual abuse. The hearing continued and the applicant testified. The hearing appears to have ended about noon, to be continued at a later date.

[8] Shortly before the hearing resumed on July 28, 2010, counsel again wrote to the Board, this time on behalf of the common-law spouse, informing the Board that notwithstanding his earlier agreement, he now felt that his right to a full and complete hearing had been violated and compromised by his exclusion. Both the applicant and her partner were seeking new hearings before a different Member. Ultimately, the Board disjoined the claims and, in an effort to minimize the need for the applicant to revisit evidence already provided, continued the hearing in process as the hearing only for the applicant. Ultimately an additional hearing date was required and the hearing concluded on November 8, 2010.

[9] As a result of the reluctance of the applicant to disclose the sexual assaults to her spouse, the evidence from the PIF narratives is not consistent. The following summary of the facts is taken from the decision and the direct testimony of the applicant.

### **Background Facts**

[10] The applicant is a 34 year old woman born in Mexico. In 1999, she fled with her two children to the United States to escape an abusive relationship. Although her children returned to Mexico, she remained in the United States where she met her current partner.

[11] On July 9, 2008, she learned that her mother had been murdered and she returned to Mexico to make funeral preparations. The applicant believes that her mother was murdered due to her involvement in politics and her work for the Partido Revolucionario Institucional.

[12] On July 10, 2008, the applicant attended the local police station to obtain further details relating to her mother's murder. She was ignored and told to return home and wait. She attended the police station every day but no investigation seemed to be undertaken and she believed that the police was not doing anything on her mother's case. She spoke to the Police Commander who asked her for money to pay the expenses. She paid, hoping to receive better service. Still feeling dissatisfied, she organized a rally to pressure the police. In her opinion, the rallies were successful because a Los Zetas member who was believed to be involved in her mother's murder was captured by the police with other Los Zetas' members. Although this demonstrated progress in her mother's murder investigation, she believed that her mother's real killers were members of the government.

[13] In late July or August 2008, due to the exposure she kept receiving from her rallies, she was threatened and extorted by Los Zetas members who told her that if she did not pay, she would suffer the same fate as her mother. Her house was stoned and its windows broken. On another occasion, someone shot at her house and threw gasoline, starting a fire. Although the police came to the scene, they did nothing as no one had been hurt.

[14] On August 17, 2008, when she was almost 20 weeks pregnant with twins, she says that she was kidnapped and raped by four or five men. All but one of the men was wearing a police uniform. She testified that these men were Los Zetas members who she described as being part of the police force. After three days she managed to escape. She was found by an elderly couple and brought to the Red Cross and then to a hospital where she miscarried. She has never told her current partner of the rape and death of the twins.

[15] The hospital contacted the police and the police asked the applicant to go to the station and file a report. When she was told that it would be recorded as a mugging, she fled the hospital with nothing more than her gown; she did not trust the police.

[16] The applicant left for Jalapa to stay with Margarita, her mother's friend. After about three days, Margarita received a phone call asking for the applicant. Since Margarita had not been told of any of the prior events involving the applicant, she told the caller that the applicant was there. About a week later, Margarita's husband was badly beaten. They were told that it was because they were harbouring the applicant.

[17] The applicant then went to the police station and sought assistance to leave. She was directed to an officer who said he would assist her in leaving in exchange for sexual favours. He then raped her, escorted her to his truck, and drove her to the bus station where he paid for her bus fare to Mexico City.

[18] In Mexico City, the applicant stayed with her aunt. She sought help from two organizations, including a human rights organization. One day her aunt's store was broken into. Both the applicant and her aunt were physically assaulted. The perpetrators told the applicant that she was stubborn and that they were tired of her not listening to them. The applicant left her aunt's home two days after her birthday, on September 30, 2008.

[19] This time, she went to her mother-in-law's home in Toluca to wait for her common-law partner. He arrived on October 14, 2008. The applicant's plan was to briefly return to her mother's home in Martinez de la Torre to get travel documents and then return to the United States. They arranged for a "coyote" to take them back to the United States.

[20] The "coyote" was unable to take them to the U.S. so they continued hiding at her mother's home. After about one week, her partner convinced her to venture out to get something to eat. On their way back, they were both physically assaulted and hospitalized. The applicant spent one night in the hospital and her partner spent three days.

[21] The couple then decided to flee to Queretaro, the city in which her partner's family resides. Her partner started a business with his brother and uncle. After only one week, they were located and extorted by the Los Zetas. That is when the applicant and her partner decided to come to Canada. The applicant claimed refugee status at the airport on March 16, 2009. Her partner stayed in Mexico for one more week before coming to Canada and claiming refugee status on March 24, 2009.

### **The Decision**

[22] The applicant's hearing occurred over a number of days, primarily as a result of the procedural difficulties mentioned previously. The decision primarily deals with the applicant's credibility and the availability of a viable and reasonable Internal Flight Alternative (IFA).

[23] The Board noted that although considerable documentation was provided by the applicant it did not speak specifically to her personal circumstances.

[24] The Board found omissions, inconsistencies, and a lack of corroborating evidence regarding material aspects of the applicant's claim. These, it found, undermined her allegations. The Board noted that the applicant's first narrative completed in April 2009 omitted the fact that she was kidnapped. The Board found it unreasonable that the applicant would mention the second kidnapping in November 2008, but would not mention the first that had allegedly occurred three months earlier in August 2008. The Board appreciated that the applicant was reluctant to speak to anyone of the sexual assaults that occurred during that first kidnapping, but found that there was no reasonable explanation as to why the applicant omitted that she was a

victim of an actual kidnapping. In this finding, the Board noted the serious consequences of this kidnapping which allegedly resulted in the death of the applicant's unborn twins.

[25] The Board also noted that the applicant provided no corroborating evidence to support the allegation of her kidnapping. The applicant testified that she had given a statement to the police before being brought to the Red Cross and subsequently being transferred to a hospital. She told the hospital that she had been raped and that the police were contacted. After her three day stay at the hospital, she was informed by the police that the incident would be reported as a mugging. The Board noted that the applicant provided no corroborative documentation to show that she had initially reported to the police with the help of the elderly couple, that she had been hospitalized for three days or that she had lost her twins due to the fact she was raped. The Board noted that the applicant testified having received a document from the hospital regarding her twins' deaths, but found it unreasonable that she was unable to get the original or a copy of the certificate from her father or from the persons with whom she stayed. The Board stated that it was reasonable to expect the hospital to keep a record of the applicant's admittance, especially if it had reported to the police that the applicant had been raped and had lost her twins. Moreover, the Board noted that the applicant did not submit a letter from her friend Margarita with whom she stayed for two weeks immediately following the incident, or from her aunt with whom she had stayed in September.

[26] The Board found that since the applicant provided a copy of a police denunciation regarding the attempted kidnapping of November 2008, as well as the hospital report, it was not persuaded by the applicant's explanation that she did not know she needed to provide similar



documents with respect to the earlier kidnapping. The Board noted that the applicant testified that during the two weeks following her first kidnapping, she attended the police station everyday. The Board noted that none of these alleged reports were produced at the hearing. The Board also found it very difficult to believe that the applicant would have attended at a police station and spoken to anyone in a position of authority after having been brutally sexually assaulted by the police just weeks earlier.

[27] The Board found that the inconsistent evidence regarding the second kidnapping in August 2008 was also of concern. It noted that a report dated February 1, 2010, completed by a social worker at St. Joseph's Health Center, indicated that the applicant stated that "she had been kidnapped by a group of masked men, taken to a ranch and sexually assaulted by all of these men before being released [emphasis by the Board]." The Board then noted that the applicant's amended narrative, completed with the assistance of counsel in April 2010, indicated that "the 'zeta gang who works with the police' were the perpetrators 'who took her into the wilderness and beat her up' [emphasis by the Board]." Lastly, the Board noted that the applicant's "viva voce evidence provided on May 17, 2010, one month later indicated that she was abducted by five policemen on August 16, 2008 on a pretense [*sic*] of taking her to where her mother was buried [emphasis by the Board]." The Board noted that when it asked the applicant how she knew that the rapists were policemen, she answered that three of them were in uniform. The Board noted that the applicant's written submissions did not refer to the perpetrators of this incident as policemen, but rather as "men who kidnapped and violated her."

[28] The Board also noted an inconsistency between the applicant's first PIF narrative and the amended PIF narrative. The first indicated that the applicant left her hometown because she was being extorted by a man that had been sent by the police to protect her, whereas her amended narrative completed one year later stated that she left because of her kidnapping.

[29] The Board questioned the applicant as to why she returned to Matinez de la Torre, the city in which she had first been kidnapped, on November 10, 2008. The applicant said that she returned to get her passport and other documents relating to her mother's estate. The Board then asked the applicant why her husband could not retrieve these documents alone and noted that the applicant said that he would not have been able to find the house or the documents that she needed. The Board rejected this explanation and found that it demonstrated a lack of subjective fear. The Board emphasized that the applicant remained in her mother's house for two weeks and found that this further indicated a lack of subjective fear. The Board was not satisfied by the applicant's explanation that she "did not leave right away because she was waiting for her father to send her money."

[30] The Board also questioned the applicant's allegation that in November 2008 she sought protection from the same authorities that she maintained throughout her testimony were the perpetrators of her brutal kidnapping three months earlier. The Board found that the police who took this allegation of kidnapping would have at least forwarded this information to the police who were investigating the mother's murder. The Board noted that nothing in the mother's murder report mentions a kidnapping.

[31] The Board stated that even if it believed the applicant's story as to why she could not live in Martinez de la Torres, it was unable to find that the applicant was found by the alleged agents of persecution in Mexico City, Jalapa, Queretaro or Toluca. The Board found that the applicant was embellishing her story to buttress her refugee claim.

[32] The Board asked the applicant if she could live in Mexico City and the applicant said that she could not because she had been located by the Los Zetas while staying with her aunt. The Board noted that the applicant only stated having gone to Mexico City in her amended PIF narrative, not her first one. The Board also noted that the applicant testified that her aunt's store was "attacked" and that police were contacted, but found no persuasive or reliable evidence to support that story. The Board considered the aunt's letter which stated that the applicant "constantly received death threats" while she stayed there and noted that the applicant said that she was beaten by Los Zetas in her aunt's home. The Board noted that neither of the applicant's narratives included a discussion of these threats or the beating. When asked why these facts were not included, the applicant responded "I don't know." The Board found that the applicant did not seek state protection when she was in Mexico City. It also found that the aunt's letter indicated that the applicant left immediately after the September 26 break-in, whereas the applicant testified that she left 2 days after her birthday which, according to the Board, was on November 28. The Board found it unreasonable that the applicant would remain a full month after the break-in. It is agreed by the respondent that the Board erred in this fact as the applicant was born on September 28, not November 28.

[33] The Board then referenced documentary evidence to support its finding that Mexico City has adequate, though not perfect, state protection for citizens. The Board did not accept counsel's submission that the applicant had attended the police station on multiple occasions and that they refused to assist her. It found that assistance was provided as demonstrated by the few reports in evidence. The Board noted that the police arrived when they were called regarding fire bombs that were thrown into the applicant's house and that on November 23, 2008, the applicant and her spouse spent significant time at the police station and received a report that indicated that the mother's murder was still under investigation. The Board found that all this evidence demonstrated that the police were not refusing to assist.

[34] The Board accepted that there is police corruption and gender violence in Mexico, but stated that Mexican authorities are making serious efforts to combat it. The Board noted the support services available for women in Mexico and cited further documentary evidence to state that the applicant could reasonably access state protection in Mexico.

[35] Finally, the Board noted that it would not be unduly harsh for the applicant to seek refuge in Mexico City. It noted the applicant's resourcefulness in the past and that she has sufficient education to find a job. The Board also noted that there are various psychotherapy services available to the applicant in Mexico City similar to those she is receiving here in Canada. The Board noted that the applicant's medication has been assisting her depressive state and that there are different telephone hotlines available for the applicant should she fall into a crisis or require legal assistance.

[36] The Board concluded that the applicant had a valid IFA in Mexico City and found that there was no serious possibility that she would be persecuted for a Convention ground or would be subjected personally to a risk of cruel and unusual treatment or punishment or to a danger of being tortured if she would return to Mexico City.

### **Issues**

[37] The applicant has raised five issues:

1. Did the Board make and rely upon unreasonable and incorrect findings of fact in concluding that the applicant was not credible?
2. Did the Board err in failing to consider key evidence that was tendered in support of the applicant's claim?
3. Did the Board err in failing to assess psychological evidence, medical evidence, the *Gender Guidelines* and the applicant's physical and psychological risk if returned to Mexico?
4. Did the Board err in its state protection analysis?
5. Did the Board err in finding that there was a viable IFA available to the applicant in Mexico City?

The last two issues will be dealt with together.

### **Analysis**

1. *Unreasonable and Incorrect Findings of Fact*

[38] The applicant submits that the Board's rejection of her sworn evidence which was not provided in the PIF was unreasonable. She says that omissions in the PIF were justified as she was concealing them from her partner; she did not want him to know that she had been raped and that she had lost her twins as a result.

[39] The applicant also emphasizes that the Board incorrectly stated her date of birth as November 28, 1977; the record shows that she was born on September 26, 1977. She says that the Board used this erroneous finding to further support its finding that she lacked credibility and did not face a subjective fear of persecution in Mexico City. The Board wrote at paragraph 28 that:

[T]he Aunt indicates in her letter that the claimant left immediately after the September 26<sup>th</sup> break in at her house however the claimant's testimony was that she remained until after her birthday which was November 28<sup>th</sup>. The panel finds it unreasonable that the claimant would remain at her Aunt's house if she had been threatened, located and beaten.

[40] The applicant also highlights that the Board incorrectly stated that she was six months pregnant; she was 20 weeks pregnant. The applicant argues that both these material errors are evidence that the Board's decision was made in a capricious and unreasonable manner.

[41] The applicant submits that an adverse credibility finding must have a proper foundation in the evidence and that while the Board dismissed the applicant's credibility, "it made no specific references to specific evidence to the contrary." The applicant submits that the Board was biased and the decision is therefore unreasonable.

[42] The applicant further submits in her reply memorandum that the Board committed a reviewable error in finding that her credibility was undermined by her failure to provide corroborating documentation. She says that she provided as much documentation as she could and submits that a lack of supporting documentation cannot provide the basis for doubting otherwise credible evidence: *Selvarajah v Canada (Minister of Employment and Immigration)*, [1994] FCJ No 532 (CA); *Mahmud v Canada (Minister of Citizenship and Immigration)*, [1999] FCJ No 729.

[43] Having reviewed the entire transcript of the hearing, the written narratives provided by the applicant, and the Board's decision, I find that the Board clearly considered the applicant's reluctance to speak to anyone regarding the sexual abuse that occurred during her kidnapping. While the applicant may have had good reason not to mention these rapes, the Board stated that the applicant had no reason not to mention the first kidnapping in the PIF. The Board found that alleging that she was kidnapped in her PIF would not have disclosed the fact that she was raped, especially since she mentioned that she had been the victim of an attempted kidnapping in August 2008. Moreover, a review of the transcript shows that the applicant testified to the first kidnapping during the first day of hearing while her current partner was present. In my opinion, it was entirely open to the Board to dismiss the applicant's explanation in light of all this evidence. I also note that this omission is only one of the factors on which the Board founded its adverse credibility finding. The Board referenced numerous other omissions, inconsistencies and the lack of corroborating evidence regarding material aspects of the applicant's claim. These findings were extensively detailed in the Board's decision.

[44] Turning to the applicant's submissions regarding the corroborating documents and lack thereof, this Court has held that the Board can draw a negative credibility finding from a lack of corroborating evidence where there is a reason to doubt the applicant's claim: *Amarapala v Canada (Minister of Citizenship and Immigration)*, 2004 FC 12. The evidence must "reasonably be expected to be available": *Rojas v Canada (Minister of Citizenship and Immigration)*, 2011 FC 849, at para 6.

[45] The Board stated that the several omissions and inconsistencies in the applicant's evidence formed a "reason to doubt the applicant's claim." The Board found that it expected this corroborative evidence to be available to the applicant. It was therefore open to the Board to rely on the lack of corroborating evidence in this case.

[46] The Board does however partially base its adverse credibility on its incorrect finding of the applicant's birthday. It has been held that if a tribunal misconstrues or ignores the evidence before it, and relies on these findings, the judicial review will be allowed: *Anthony Pillai v Canada (Minister of Employment and Immigration)*, [1992] FCJ No 944 (CA). However, the Federal Court of Appeal has also stated that even if there are errors in a tribunal's decision, the decision will not be quashed if there is sufficient evidence upon which the Board could conclude as it did: *Kathiripillai v Canada (Minister of Employment and Immigration)*, [1992] FCJ No 889, and *Luckner v Canada (Minister of Employment and Immigration)*, [1992] FCJ No 363 (CA).



[47] Having extensively reviewed the record, I have concluded that, even without taking into consideration this inaccurate statement of fact, there was ample evidence of other inconsistencies and unsupported allegations such that it was reasonably open for the Board conclude as it did regarding the applicant's credibility.

[48] Further, even an error in the credibility finding will not result in upsetting a decision where there is a valid conclusion that there is an IFA or state protection exists in the applicant's home state: *Ali v Canada (Minister of Citizenship and Immigration)*, 2006 FC 1360, at para 2; citing *Yassine v Canada (Minister of Citizenship and Immigration)*, [1994] FCJ No 949. I will discuss the Board's finding of an IFA later in this decision.

## 2. *Failing to Consider Key Evidence*

[49] The applicant submits that the Board completely ignored the testimony of the applicant's witness, Mr. Javier Amaton Cordova. Mr. Cordova was a high ranking police commander in Mexico and provided *viva voce* evidence relating to the high level of corruption among the Mexican police.

[50] The applicant, relying on *Zepeda v Canada (Minister of Citizenship and Immigration)* (FC), [2009] 1 FCR 237, at para 28, says that "where there is contradictory evidence before the Board, it must provide reasons why it did not consider this evidence relevant or trustworthy."

[51] I agree with the respondent that evidence of police corruption has no bearing on the reasons for which the applicant's story was found to be lacking credibility and that Mr. Cordova's evidence does not contradict the Board's finding.

[52] It is trite law that the Board does not need to specifically mention all of the evidence submitted in its reasons and this includes *viva voce* evidence. The principle in *Zepeda* is that "where there is contradictory evidence before the Board, it must provide reasons why it did not consider this evidence relevant or trustworthy [emphasis added]." In this case, Mr. Cordova's evidence does not contradict the Board's finding. The Board accepted that there is corruption and violence in Mexico's police force. At paragraph 39, the Board explicitly stated that "although corruption and impunity exist in the security forces, Mexico is making serious efforts to address those problems in order to protect its citizens [emphasis added]." As the testimony did not contradict any of the Board's findings, the Board was under no obligation to specifically mention it in its reasons.

3. *Failure to assess psychological and medical evidence and consider properly the Gender Guidelines*

[53] The applicant submits that the Board failed to properly apply the *Gender Guidelines* which provide that a woman who has suffered a traumatic experience such as the one alleged by the applicant may exhibit symptoms such as difficulty concentrating and memory loss. It is further submitted that the Board failed to attach importance to the applicant's medical report which speaks to her trauma and fragile state of mind and the fact that she suffers from post traumatic stress disorder. In short, it is submitted that the Board improperly drew a negative inference from the applicant's PIF omissions and lack of corroborating documentary evidence

without pausing to examine the circumstances behind the omission. I disagree with the applicant.

[54] The Board specifically dealt with the psychological documents filed by the applicant in its reasons, it applied the *Gender Guidelines* when it decided to separate the claims of the applicant and her partner and it also considered them when it assessed the weight and credibility of the applicant's evidence. At paragraph 10 the Board wrote:

[10] In making the assessment in this case, the panel considered the Chairperson's *Gender Guidelines* to ensure that warranted accommodations were made in terms of questioning the claimant and the overall hearing process. The Chairperson's *Guidelines* highlight that women refugee claimants may face special problems in demonstrating that their claims are credible and trustworthy. The Chairperson's *Guidelines* are used to apply the added sensitivities necessary to properly assess whether any credibility issues are the result of such difficulties or an attempt to fabricate evidence. The panel considered and appropriately applied the Chairperson's *Guidelines* in the assessment of the weight and credibility of the claimant's evidence, in the context of the claimant's particular circumstances [footnote omitted].

[55] Having reviewed the transcript of the hearing before the Board, it is evident that the Member was cognisant of the need to consider and apply the *Guidelines*. The applicant has presented nothing which would lead me to believe that the Board erred in this regard. In any event, neither the *Guidelines* nor the applicant's medical evidence can be used to completely address the many inconsistencies and implausibilities noted by the Board in its decision. I find no merit in the applicant's submission.

#### 4. *State Protection and IFA*

[56] The applicant submits that extensive evidence was provided to the Board to demonstrate a lack of state protection in Mexico and that this evidence was ignored. Further, she submits that the Board's analysis of the IFA is flawed in that the applicant had been located and harmed in Mexico City.

[57] I find no reviewable error in the Board's analysis of state protection or IFA.

[58] The Board conducted a thorough and extensive analysis of the state protection offered in Mexico. It found "that Mexico has adequate, though not perfect, state protection for its citizens."

[59] Importantly, and contrary to the applicant's allegation, the Board did not find that the applicant was targeted by Los Zetas for reasons related to her mother's murder. The Board wrote at paragraph 21 that:

Even if the panel were to believe the story as presented by the claimant as to her reasons she could not live in Martinez de la Torres, Veracruz, the panel is unable to make findings that the claimant was found in Mexico City, Jalapa, Queretaro or Toluca by individuals, police, Zetas, or anyone who were targeting her due to her mother's murder or because she was pursuing further investigation into her murder. The panel finds that the claimant has embellished her story to buttress her refugee claim.

[60] In my view, that finding was reasonably open to the Board based on the evidence before it. There is therefore no reviewable error in its finding that the applicant has an IFA in Mexico City.

**Disposition and Certified Question**

[61] For the reasons above, this application is dismissed. No question was proposed for certification.

**JUDGMENT**

**THIS COURT'S JUDGMENT is that** this application is dismissed and no question is certified.

"Russel W. Zinn"

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Judge

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

**DOCKET:** IMM-2671-11

**STYLE OF CAUSE:** KARLA DEL CARMEN GONZALEZ CABRERA v.  
THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION

**PLACE OF HEARING:** Toronto, Ontario

**DATE OF HEARING:** November 22, 2011

**AMENDED REASONS FOR**  
**JUDGMENT AND JUDGMENT:** ZINN J.

**DATED:** February 3, 2012

**APPEARANCES:**

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