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Introduction

The Reval has occurred. You've vacationed and hired staff for your foundation or fund.

Now you're determining how you'll decide which requests for funding you'll go with and which you won't.

I'm not referring to the fact that you've decided to fund health projects and someone is requesting money for building a bridge. What follows is not about decisions around specialties or interests.

It's actually about how to make impartial and equitable decisions, generally. It has the potential to give birth to a template, a manual for rendering a fair decision.

It looks at some of the rules of human-rights adjudication like standard of proof (on a balance of probability, more likely than not), presumption of innocence, and benefit of the doubt.

It tells the decision-maker how to separate out the genuine from the fraudulent, by testing for credibility - watching for contradictions, inconsistencies, improbabilities, implausibilities, and impossibilities.

These are things well known in the hearing room, but not as well known to foundation grant-givers. Nor would I expect them to be.

I used the materials that follow (and other materials like them) at the Immigration and Refugee Board between 1998 and 2006, to guide me in making decisions on refugee claims.

Your decisions won't be as complicated, but it's the process described here that I'm really trying to draw attention to.

These principles are the distillate of decades of jurisprudential interpretation of human-rights decision-making, where "you had to get it right."

In my work there from 1998 to 2006, I found the IRB's documentation, trainers, legal staff, and Canadian refugee law in general to be among the clearest and most helpful professional guidance I'd ever been exposed to, in private or government practice.

If some among us - not all - were willing to study the principles enunciated here (and elsewhere) and apply them to financial decision-making or refugee decision-making, or just plain decision-making in general, we'd have an excellent template, a manual.

Are fairness and equitableness not lacking in our world? Is it not a rare commodity in some parts of the globe to find an uncorrupted hearing room? In real life, I mean. Not on TV.

Are we not needing some good suggestions on "how to get it right" for a change? Not whose palm we'll grease or who owes who for what service.

It isn't for everyone to do the work of making the decision of who to fund and who not to. It's detailed. It's disciplined. It's organized. Who likes to say "no"?

For eight years, I loved the work of a decision-maker.

Even though the pace of work was difficult, I feel forever blessed to have been allowed the discipline of listening to probably 2,000 human-rights cases and writing around 1,500 decisions. I've been so benefitted by that experience that words cannot express it.

My organization is going to be big enough so that I'll need to hire a team of financial decision-makers and then train them in how to make a decision.

When I do, I plan to hire two retired IRB legal services trainers and ask them to train my staff. And these materials are part of what they'll use. (Yes, I realize they're from 2004 but they're still so darned good.)

If these matters don't interest you, please read no further. I won't be offended. It's a specialized matter, for sure.

Otherwise, struggle through the distinctions made here and try to "get" (realize) a picture of the degree of fairness that's being mandated here - and the degree of protection of the rights of the claimant vis-a-vis the state.

Now we're here in 2018 and ready for the green flag. And the next minute we've gone on our vacation and hired our staff.

If we're a foundation of size, we're wondering now how to get through all the grant applications being sent to us. How do we make our decisions? And then we remember this book.

The human-rights principles laid out here give us the greatest chance at expressing our love for humanity through our enterprises and decisions.

I invite all financial wayshowers after the Reval to consider living up to them. In my view, your organization will be incredibly benefitted and buoyed up if you do.

Steve Beckow
Vancouver, Canada

All quotations are from:

Assessment of Credibility in Claims for Refugee Protection, at <http://www.irb-cisr.gc.ca/Eng/BoaCom/references/LegJur/Pages/Credib.aspx>.

General

Where does the complexity of a refugee decision stem from?

This complexity stems from the need for the decision-maker to have a sufficient knowledge of the cultural, social and political environment of the country of origin, a capacity to bear the psychological weight of hearings where victims recount horror stories, and of consequent decisions which may prove fatal, and an ability to deal with legal issues such as the subtle international definition of the refugee or the procedures of quasi-judicial hearings involving various pieces of evidence. (1)

Financial funding decisions may be nowhere near as difficult or complex, but in some countries where persecution occurs they may require much tact and compassion.

What is the standard of proof in a refugee claim?

The standard of proof, the Federal Court of Appeal pointed out in *Orelie* [is] that one cannot be satisfied that the evidence is credible or trustworthy, unless satisfied that it is probably so, not just possibly so. (2)

So the standard is: On a weighing of probabilities, is what the applicant is saying more likely true than not?

In a refugee claim, must the witness be given an opportunity to present their evidence?

A claimant must be provided a reasonable opportunity to present evidence. When the Board rejects a claim because it doubts that certain pivotal events occurred or that they were connected to the activities on which the claim is based, some Federal Court—Trial Division cases suggest that the claimant should be given an opportunity to testify about those events.

The Board errs when it does not allow the claimant to adduce the testimony of a witness who could corroborate the very issue on which the claimant was found not to be credible. There is no duty on the RPD, however, to call a witness who could have supported the claim.

The right to call further evidence is not absolute. Although it may be preferable to hear the evidence in some cases, the Board does not err when it refuses to hear a witness who could not have clarified concerns about critical aspects of the claimant's story (for example, the failure to provide certain information in the PIF or the claimant's identity) or would have testified about matters not in issue.

The RPD should accommodate reasonable requests by the claimant to examine documents whose authenticity is impugned by Canadian officials. (3)

Does a presumption of truthfulness apply here?

When a claimant swears that certain facts are true, this creates a presumption that they are true, unless there is valid reason to doubt their truthfulness. Hence, as a corollary, there is no legal requirement for a claimant to corroborate sworn testimony that is uncontradicted and otherwise credible.

In Hernandez, the Federal Court pointed that this presumption does not extend to the inferences that the claimant draws from the facts he or she testifies to:

The presumption of truth that applies to the facts recounted by the [claimant] does not apply to the deductions made from those facts.

This proposition was elaborated in Derbas, where the Federal Court stated:

By accepting the [claimant's] version of the events as fact, the Board was certainly not bound to accept the interpretation he puts on those events. The Board still had to look at whether the events, viewed objectively, provided sufficient basis for a well-founded fear of persecution.

Thus, the Board is entitled to reject some or all of the inferences drawn by the claimant, especially if they are speculative in nature, even in the absence of an adverse finding of credibility.

If a panel puts questions to the claimant which he or she could not reasonably be expected to know (for example, why the authorities acted in a particular way), the claimant should not be penalized for speculating or providing hearsay information by way of explanation. (4)

What role do country conditions play in decision-making?

The credibility and probative value of the evidence has to be evaluated in the light of what is generally known about conditions and the laws in the claimant's country of origin, as well as the experiences of similarly-situated persons in that country. (5)

In our case as financial decision-makers, we need to be very sensitive to country conditions. For example, if we simply give \$50,000 to a woman in some countries, we may have signed her death warrant.

Is failure to produce certain documentation fatal to a refugee claim?

It is a general legal principle that the burden of proof lies on the person submitting a claim. Often, however, an applicant may not be able to support his statements by documentary or other proof, and cases in which an applicant can provide evidence of all his statements will be the

exception rather than the rule. In most cases a person fleeing from persecution will have arrived with the barest necessities and very frequently even without personal documents.

The requirement of evidence should not thus be too strictly applied in view of the difficulty of proof inherent in the special situation in which an applicant for refugee status finds himself. ...

Allowance for such possible lack of evidence does not, however, mean that unsupported statements must necessarily be accepted as true if they are inconsistent with the general account put forward by the applicant. (6)

Some applicants from some countries in the world may not have the facilities that we do to produce and provide adequate documentation. It falls under "cultural sensitivity" to not make our rules of submission so onerous that they cannot participate.

Must I submit documents for forensic testing before I make a finding on their authenticity?

The matter of foreign documents is not an area where the Board can claim particular knowledge. There is no general requirement for the RPD [Refugee Protection Division], however, to submit an identity or other document for forensic testing.

Where there is sufficient evidence to cast doubt on its authenticity, whether because of an irregularity on its face or the questionable circumstances in which it was obtained or provided, a document may be assigned little (or no) weight, without expert verification or where such verification is inconclusive. When discounting documents in such circumstances, the Board should take into account the explanation, if any, given by the claimant.

Where there is insufficient evidence to call into question the authenticity of a document it is not open to the Board to conclude it is not genuine. The Federal Court has held that documents issued by a foreign government are presumed to be authentic, unless evidence (external to the document) is produced to prove otherwise or the Board is able to make a determination based on the contradictory evidence that calls the authenticity of the document into question.

Evidence of widespread availability of fraudulent documents in a country is not, by itself, sufficient to reject foreign documents as forgeries, but may be relevant if there are other reasons to question the documents or a claimant's credibility.

Where there is conflicting evidence, the RPD is entitled to choose the documentary evidence that it prefers, provided that it addresses the contradictory documents and explains its preference for the evidence on which it relies.

A claimant's overall lack of credibility may affect the weight given to documentary evidence (including medical evidence), and in appropriate circumstances may allow the Board to discount that evidence.

Conversely, submitting a false or irregular document may have an impact on the weight assigned to other documents provided by the claimant (especially when they are interrelated), and on the overall credibility of a claimant. Not every discrepancy in a document, however, will necessarily be material to the success of a claim.

If the Board wants to premise an adverse credibility finding on the fact that a claimant is lying about her age (or other condition), the relevant medical evidence must be disclosed to the claimant. (7)

Footnotes

(1) CECILE ROUSSEAU, Department of Psychiatry, McGill University; FRANCOIS CREPEAU, Faculty of Law, University of Montreal; PATRICIA FOXEN, Department of Anthropology, McGill University; and FRANCE HOULE, Faculty of Law, University of Montreal; "The Complexity of Determining Refugeehood: A Multidisciplinary Analysis of the Decision-making Process of the Canadian Immigration and Refugee Board, *Journal of Refugee Studies* Vol. , No. 2002, at http://oppenheimer.mcgill.ca/IMG/pdf/Rousseau_et_al-.pdf.

(2) "1.1. Credible or Trustworthy Evidence" in *Assessment of Credibility in Claims for Refugee Protection*, at <http://www.irb-cisr.gc.ca/Eng/BoaCom/references/LegJur/Pages/Credib.aspx>. If not otherwise specified, all quotes are from this source.

(3) "1.5. Allowing Testimony, Witnesses and Examination of Documents."

(4) "22.4.2. Presumption of Truthfulness."

(5) "1.2. Consistency on Findings of Credibility."

(6) UNHCR Handbook on Procedures and Criteria for Determining Refugee Status.

(7) "2.4.8. Assessing Documents."

Credibility Findings

What do most refugee claims turn on?

Refugee determinations often turn on a single question: Is the refugee claimant telling the truth? While there are other factors that refugee adjudicators must consider, determining whether the claimant's story is credible remains central to virtually all refugee hearings. (1)

Once we establish that the applicant is telling the truth, discussions can then begin in earnest. Until we establish credibility, there may always be hesitation and a lack of connection.

What should I as a decision-maker take into account with regard to a witness's testimony?

A decision-maker customarily takes into account the integrity and intelligence of a witness and the overall accuracy of the statements being made.

The witness's powers of observation and capacity for remembering are important factors. An assessment is customarily made of whether the witness is honestly endeavouring to tell the truth; that is, whether the witness appears frank and sincere or biased, reticent and evasive.

Factors considered by the courts in assessing credibility include the witness's

- (a) desire to be truthful
- (b) their motives
- (c) general integrity
- (d) general intelligence
- (e) relationship or friendship to other parties
- (f) opportunity for exact observation
- (g) capacity to observe accurately
- (h) firmness of memory to carry in the mind the facts as observed
- (i) ability to resist the influence, frequently unconscious, to modify recollection
- (j) capacity to express what is clearly in the mind
- (k) ability to reproduce in the witness-box the facts observed
- (l) demeanour while testifying (2)

What are some of the bases for finding a lack of credibility?

This is a long section, but well repays reading.

The existence of contradictions or inconsistencies in the evidence of a claimant or witness is a well-accepted basis for a finding of lack of credibility. ... The discrepancies must be sufficiently

serious and must concern matters that are relevant to the issues being adjudicated to warrant the adverse finding. ...

The Federal Court has identified the following general factors as relevant to the assessment of inconsistencies or discrepancies:

Implausibilities

The RPD does not necessarily have to accept a witness's testimony simply because it was not contradicted at the hearing. The RPD is entitled to make reasonable findings based on implausibilities, common sense and rationality, and may reject evidence if it is not consistent with the probabilities affecting the case as a whole.

The credibility of interested witnesses, particularly in cases of conflict of evidence, cannot be gauged solely by the test of whether the personal demeanour of the particular witness carried the conviction of truth. The test must reasonably subject his story to an examination of its consistency with the probabilities that surround the currently existing conditions.

In short, the real test of the truth of the story of a witness in such a case must be its harmony with the preponderance of the probabilities which a practical and informed person would readily recognize as reasonable in that place and in those conditions. (British Columbia Court of Appeal stated in *Faryna v. Chorny*)

It is not sufficient simply to indicate that the claimant's story is "implausible" without explaining further the reasoning behind that finding. Adverse findings of credibility must be based on reasonably drawn inferences and not conjecture or mere speculation. Where the RPD finds a lack of credibility based on inferences concerning the plausibility of the evidence, there must be a basis in the evidence to support the inferences.

The panel should therefore articulate why the testimony that is being rejected is clearly out of line with what could be reasonably expected in the circumstances,¹ and should ensure that any such conclusion is supported by the evidence, including references to the relevant documentary evidence.

A claimant's testimony ought not to be lightly or readily dismissed. It is not sufficient for the decision-maker merely to indicate that he or she prefers to accept what is considered to be a more reasonable explanation of the events, nor is it appropriate to go on to construct one's own hypothesis as to how events actually unfolded.

The Federal Court has indicated that considerable caution is required when assessing the norms and patterns of different cultures and the practices and procedures of different police, political, and social systems. Actions which might appear implausible if judged by Canadian standards might be plausible when considered within the context of the claimant's social and cultural background.

Similar concerns arise when the Board applies Canadian standards of conduct to persons fleeing persecution, or draws inferences about the likelihood of the claimant being perceived as a political activist based on his or her "minor" role or on his or her ability to obtain a passport, without regard to relevant country conditions.

The Federal Court has cautioned about the perils of drawing inferences from cultural generalizations and relying on stereotypical profiles, as well as assessing ethnicity based on the panel's perception of the claimant's physical appearance (unless this is plainly apparent or acknowledged by the claimant), without regard to how the claimant would be perceived in his or her home country. The panel's "common sense" is not sufficient to ground a conclusion about ethnicity based on appearance; rather, it must be able to offer other evidence to support its conclusion. Gender considerations are also relevant to assessing the plausibility of a claimant's account (see the discussion in 2.6.2. Special Circumstances of the Claimant).

The Federal Court has stressed the importance of clearly articulated reasons in cases where the non-credibility finding is based on perceived implausibilities. When making an assessment involving implausibility, reference must also be made to relevant evidence and explanations offered by the claimant which could potentially refute the conclusion of an adverse finding on implausibility.

While the panel is entitled to weigh the evidence and assess its credibility, it cannot reach a conclusion that is so inconsistent with the preponderance of the relevant evidence so as to be unreasonable.

Decisions based on findings of implausibility are vulnerable on a review by a superior court or tribunal. The Federal Court has indicated that it will not extend undue deference to the Board's assessment of plausibility, as such assessments are based on the drawing of inferences and are subject to challenge, especially when they are based on extrinsic criteria such as "rationality" or "common sense."

On the other hand, when the inferences drawn that lead to a finding of lack of credibility are not so unreasonable as to warrant the intervention of the Court, the findings will be allowed to stand. Put another way, the Federal Court will not substitute its discretion for that of the panel if it was open to the panel to find as they did, even if the Court might have drawn different inferences or found the evidence to be plausible. (3)

Incoherent Testimony and Lack of Knowledge or Detail

A claim may be rejected as lacking in credibility if the claimant's testimony is found to be incoherent or vague, or lacking in sufficient knowledge or detail reasonably expected of a person in the claimant's position and from that social and cultural background. However, the RPD should be cautious about imposing too high a standard on the claimant's knowledge about matters such as politics, religion and the like. (4)

Demeanour

In assessing the credibility of the evidence, the RPD can evaluate the general **demeanour** of a witness as he or she is testifying. This involves assessing the manner in which the witness replies to questions, his or her facial expressions, tone of voice, physical movements, general integrity and intelligence, and powers of recollection. However, relying on demeanour to find a claimant not credible must be approached with a great deal of caution.

The Federal Court has recognized that every judge's assessment of credibility is influenced by a witness's demeanour. The Court cautioned that, although the reasons for reaching a conclusion on this issue may be partly subjective, they must also be founded on objective considerations.

In assessing demeanour, the decision-maker ought not to form impressions based on the physical appearance or political profile of a witness, but on objective considerations that flow from the witness's testimony, such as the witness's frankness and spontaneity, whether the witness is hesitant or reticent in providing information, and the witness's attitude and comportment (behaviour) before the tribunal.

Moreover, there must be a rational connection between the claimant's demeanour and the conclusions drawn from it. Individual personality traits and cultural background should be taken into account as these could cause the witness to leave a misleading impression.

A claimant's psychological condition arising out of traumatic past experiences may have an impact on his or her ability to testify. Accordingly, failure to address this factor in its reasons could be a reviewable error where the RPD has found the claimant not to be credible.

The demeanour of a witness is not an infallible guide as to whether the truth is being told, nor is it determinative of credibility. It would be a rare case where demeanour alone would be sufficiently material to the claim to undermine the entire testimony in support of a claim. Generally, demeanour is one of several indicators of a lack of credibility. In general, the courts have attempted to diminish the role of demeanour in the final assessment of credibility.

Assessments of credibility based on demeanour are open to scrutiny on judicial review. Accordingly, clear and cogent reasons must be given for such findings. (5)

Should credibility findings be consistent with each other?

The Federal Court has cautioned ... that, as between different cases, "[t]here can be no consistency on findings of credibility." Credibility cannot be prejudged and is an issue to be determined by the Board members in each case based on the circumstances of the individual claimant and the evidence. (6)

What is the legal principle of “benefit of the doubt”?

It is a general legal principle that the burden of proof lies on the person submitting a claim. Often, however, an applicant may not be able to support his statements by documentary or other

proof, and cases in which an applicant can provide evidence of all his statements will be the exception rather than the rule. ... Even such independent research may not, however, always be successful and there may be statements that are not susceptible of proof. In such cases, if the applicant's account appears credible, he should, unless there are good reasons to the contrary, be given the benefit of the doubt.

The benefit of the doubt should, however, only be given when all available evidence has been obtained and checked and when the examiner is satisfied as to the applicant's general credibility. The applicant's statements must be coherent and plausible, and must not run counter to generally known facts. [emphasis in the original] [UNHCR Handbook]

This principle was discussed in the Supreme Court of Canada decision of Chan. The majority found that, where the claimant's allegations run contrary to the available evidence and generally known facts, it is not appropriate to apply the benefit of the doubt in order to establish the claim.

The benefit of the doubt does not apply to situations where the Board finds a story implausible. (7)

What must an adverse finding of credibility be supported by?

Credibility findings have to be explained and must be supported by the evidence. (8)

Where the Board finds a lack of credibility based on inferences, there must be a basis in the evidence to support the inferences. It is not open to Board members to base their decision on assumptions and speculations for which there is no real evidentiary basis. (9)

The Federal Court has emphasized that an adverse finding of credibility must be supported by trustworthy evidence. When part of the testimony raises questions, the decision-maker must have trustworthy evidence to the contrary, or must find this part of the testimony inconsistent or inherently suspect or improbable, if it is to be rejected.

In determining whether the evidence that contradicts the claimant's testimony is trustworthy, factors such as the source of the information, the objective of the person in providing it and the methods used to gather the information should be considered. In addition, the decision-maker must also determine the weight or probative value to be assigned to such contradictory evidence. In this regard, the decision-maker must be satisfied that the evidence relied on is probably so, not just possibly so. (10)

An adverse finding of credibility must have a proper foundation in the evidence. The RPD [Refugee Protection Division of the IRB] can err in this regard by ignoring evidence, by misapprehending or misconstruing evidence, or by basing its conclusions on speculation.

If a finding of fact which was material to a finding of lack of credibility was made without regard to the evidence, the RPD's decision will generally be overturned. Consequently, a finding of lack of credibility based on a misunderstanding or ignoring of the evidence, or for which there is no basis in the evidence to support an inference arrived at by the tribunal, will not be allowed to stand.

The Federal Court will not, however, interfere with a decision if the Board had before it evidence that, taken as a whole, would support its negative assessment of credibility, if its findings were reasonable in light of the evidence, and if reasonable inferences were drawn from that evidence. (11)

We cannot simply argue that our intuition tells us this or that we feel guided to do that. We must support our decision with an analysis of the evidence so that the applicant can be seen to have been given fair consideration.

What do I do with someone who seems totally devoid of credibility?

Even without disbelieving every word [a claimant] has uttered, a ... panel may reasonably find him so lacking in credibility that it concludes there is no credible evidence relevant to his claim... In other words, a general finding of a lack of credibility on the part of the [claimant] may conceivably extend to all relevant evidence emanating from his testimony. [Sheikh]

In some cases, the claimant's contradictory testimony can cast doubt upon the totality of his oral evidence. But this is not always so, especially when the panel's findings of lack of credibility and implausibility are not clearly tied with the ultimate issues to be determined in the claim.

Where a finding of a total lack of credibility cannot be made, the remaining credible or trustworthy evidence must be considered to determine whether it supports a finding of a well-founded fear of persecution. (12)

Footnotes

(1) Sean Rehaag, "I SIMPLY DO NOT BELIEVE...": A CASE STUDY OF CREDIBILITY DETERMINATIONS IN CANADIAN REFUGEE ADJUDICATION," Windsor Review of Legal and Social Issues 01, at http://digitalcommons.osgoode.yorku.ca/scholarly_works/2625.

(2) "1.9. Assessing a Witness's Testimony."

(3) "2.3.5. Implausibilities."

(4) "2.3.6. Incoherent Testimony and Lack of Knowledge or Detail."

(5) "2.3.7. Demeanour."

(6) "1.2. Consistency on Findings of Credibility."

(7) "1.3. Benefit of the Doubt."

(8) Santizo, Carlos Ulin v. M.E.I. (F.C.T.D., no. IMM-1093-9, Gibson, April 22, 1994.

(9) "1.1. Credible or Trustworthy Evidence."

(10) "2.4.1. Trustworthy Evidence on Which to Base Findings."

(11) "1.7. Proper Evidentiary Basis for Findings on Credibility."

(12) "2.1.3. General Finding of Lack of Credibility."

Writing Reasons

After I've found an application to be lacking in credibility, what should I do next?

The Federal Court has commented frequently that if the Board rejects a claim essentially because of a lack of credibility, clear reasons must be given. Those aspects of the testimony which appear not to be credible must be clearly identified and the reasons for such conclusions must be clearly articulated. (1)

There's no legal requirement that a foundation must tell an applicant the details of why their application was turned down. It'll be up to every foundation to consider whether they want to release that information.

But without writing down some form of reasons for denial, no record later will exist of why that application was turned down. At least short reasons should be attached to the file in case a dispute arises.

How much of the evidence must I assess?

The Federal Court has made it clear in a number of cases that when assessing the credibility of a claimant, it is important to remember that all of the evidence, both oral and documentary, must be considered and assessed, not just selected portions....

The panel must do more than simply search through the evidence looking for inconsistencies or for evidence that lacks credibility, thereby "building a case" against the claimant, and ignore the other aspects of the claim. (2)

What other quality standards should be applied to my reasons?

The Board is required to make clear findings as to what evidence is believed or disbelieved and should go on to assess any evidence found to be credible. Ambiguous statements that do not amount to an outright rejection of the claimant's evidence, but only "cast a nebulous cloud over its reliability," are not sufficient to discount the evidence.

Absent a conclusion impeaching the credibility of the claimant as a whole, the Board cannot, by reference to a finding expressly limited to one incident or one aspect of the claimant's story, ignore other incidents or aspects of the claim.

As noted by the Court of Appeal in Hilo, the Board should be consistent in the treatment of various aspects of the claimant's testimony. For example, the panel should not use evidence

which was disbelieved as a premise (factual basis) to undermine other aspects of the claimant's testimony.

The Federal Court has called some panel's reasons regarding credibility "regrettably sparse" or even "vague" and stated that the Board owes a duty to the claimant to give its reasons for rejecting the claim on the basis of credibility in "clear and unmistakable terms."

If the RPD believes only some of the claimant's story, it is obliged to say what parts it rejected and why. It is not enough to say that the evidence is not believed, since this creates an appearance of arbitrariness.

The grounds for rejecting or disbelieving evidence must be stated clearly with specific and clear reference to the evidence. This generally includes an obligation to provide examples of the basis for not accepting the claimant's testimony (such as inconsistencies, implausibilities), and to explain how and why they impacted on the claimant's credibility. (3)

Footnotes

(1) "2.2.1. Clear Findings on Credibility."

(2) "2.1.1. Considering the Evidence in its Entirety."

(3) "2.2.2. Adequacy of Reasons."