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STARTING AGAIN: IMPROVING GOVERNMENT OVERSIGHT OF IMMIGRATION CONSULTANTS

Report of the Standing Committee on Citizenship and Immigration

**Borys Wrzesnewskyj
Chair**

JUNE 2017

42nd PARLIAMENT, FIRST SESSION

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has the honour to present its

ELEVENTH REPORT

Pursuant to its mandate under Standing Order 108(2), the Committee has studied immigration consultants and has agreed to report the following:

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LIST OF ACRONYMS

CBSA	Canada Border Services Agency
CSIC	Canadian Society of Immigration Consultants
IRB	Immigration and Refugee Board of Canada
IRPA	<i>Immigration and Refugee Protection Act</i>
IRPR	<i>Immigration and Refugee Protection Regulations</i>
ICCRC	Immigration Consultants of Canada Regulatory Council
IRCC	Immigration, Refugees and Citizenship Canada
NGO	Non-governmental organizations
RCMP	Royal Canadian Mounted Police
TFWs	Temporary Foreign Workers

STARTING AGAIN: IMPROVING GOVERNMENT OVERSIGHT OF IMMIGRATION CONSULTANTS

PREAMBLE

On 4 October 2016, the House of Commons Standing Committee on Citizenship and Immigration (the Committee) agreed to conduct a study concerning the legal, regulatory, and disciplinary frameworks governing and overseeing immigration, refugee and citizenship consultant and paralegal practitioners in Canada.¹ The Committee heard from 50 witnesses during eight meetings held between 6 March 2017 and 29 May 2017 and it also received several [written submissions](#).

INTRODUCTION

For many individuals, immigrating to Canada is not an easy feat. The process for completing an immigration application may present challenges for newcomers to Canada. Some decide to enlist the help of third parties such as family members, friends, lawyers, or immigration consultants. Unfortunately, in some cases, unscrupulous representatives take advantage of these individuals, which may have dire consequences for applicants, including delays with immigration applications, financial hardship and losing legal immigration status in Canada. One witness informed the Committee that she trusted an immigration consultant with her live-in caregiver application and paid for her services, only to be left stranded one day after her arrival in Canada with no employer, no financial resources and none of her belongings.²

In order to protect prospective applicants and ensure the integrity of Canada's immigration system, the federal government has established a regulatory framework governing immigration and citizenship consultants, described in the background section of this report. The issues brought to the Committee's attention encompass the current lack of protection of the public in the regulatory framework, outlined in part one of this report. Part two highlights how the current framework does not provide adequate oversight, whereas parts three and four describe respectively the limitations on settlement organizations that provide an alternative to immigration and citizenship consultants and paralegals, as well as the unregulated representatives that are outside of the regulatory framework.

The Committee's recommendations, presented in the report's conclusion, aim to create a new regulatory framework governing immigration and citizenship consultants and paralegals. As noted in the conclusion, there are a number of issues with the current framework and more remains to be done to ensure that individuals coming or immigrating

1 House of Commons Standing Committee on Citizenship and Immigration [CIMM], [Minutes of Proceedings](#), 4 October 2016.

2 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1545 (Michelle Marie Dulanias, Thorncliffe Neighbourhood Office of Toronto).

to Canada do not fall victim to the abuses of unscrupulous consultants, and that the integrity of our immigration system is not diminished.

BACKGROUND: CURRENT FRAMEWORK GOVERNING IMMIGRATION AND CITIZENSHIP CONSULTANTS AND PARALEGALS

Immigration and citizenship consultants or representatives can assist with pretty much any aspect of an immigration application. More specifically, consultants can: explain and provide advice on immigration or citizenship options; help identify the best immigration program for an individual; fill out and submit immigration or citizenship applications; communicate with the Government of Canada on behalf of the applicant; and represent the applicant in an immigration or citizenship application or hearing.³

There are two types of representatives: paid authorized representatives and unpaid representatives.⁴ Authorized paid representatives, also simply known as authorized representatives, are lawyers and paralegals who are: members in good standing of a Canadian provincial or territorial law society; notaries who are members in good standing of the *Chambre des notaires du Québec*; and citizenship or immigration consultants who are members in good standing with the Immigration Consultants of Canada Regulatory Council (ICCRC), the regulatory body. Unpaid representatives can be family members, friends and other third parties, such as church organizations.

This section of the report describes the framework governing immigration and citizenship consultants and paralegals. It also provides an overview of the designated regulatory body and the shared responsibility for enforcement.

A. Authorized Representatives

In 2004, the government amended the *Immigration and Refugee Protection Regulations*⁵ (IRPR or the Regulations) to establish the term “authorized representative” in order to ensure that only certain persons could, for a fee, represent, advise or consult with a person who was the subject of a proceeding or application under the *Immigration and Refugee Protection Act* (IRPA).⁶

The 2004 amendment made clear that non-members of a provincial law society, the *Chambre des notaires du Québec* or the regulatory body cannot represent, advise or consult, for a fee, a person who is the subject of a proceeding or application before the Minister of Immigration, Refugees and Citizenship, an officer responsible for enforcing IRPA or the Immigration and Refugee Board of Canada (IRB). Individuals and groups who provide immigration services free of charge are excluded from this provision.

3 Government of Canada, [Learn about representatives](#).

4 Ibid.

5 [Immigration and Refugee Protection Regulations](#) [IRPR], SOR/2002-227.

6 [Immigration and Refugee Protection Act](#) [IRPA], S.C. 2001, c. 27.

The main rationale behind the 2004 amendment to the Regulations was “to enhance public confidence and to preserve the integrity of Canada’s immigration system.”⁷ There were reports, at the time, of unscrupulous immigration consultants in Canada and abroad who were engaged in people smuggling and fabricating documents permitting foreign nationals to enter Canada illegally.⁸ In his testimony before Committee, Paul Aterman from the Immigration Appeal Division at the IRB stated that the 2004 amendment “marked an important step forward for access to justice” as it allowed for establishing minimal standards and complaint and discipline mechanisms that did not exist prior to that.⁹

1. Immigration and Citizenship Consultants and Paralegals

An immigration and citizenship consultant is “a person who provides support, advice or help, for a fee or other consideration, to someone who wants to immigrate to Canada or obtain Canadian citizenship.”¹⁰ Advice or support can be provided at any stage of an application or proceeding and includes the pre-application stage as well as the period before a proceeding begins. Consultants’ terms of service are defined under the *Immigration and Refugee Protection Act* and the *Citizenship Act*.¹¹ An applicant using the services of a paid representative must disclose this on a form designed to that effect entitled the “Use of Representative” form.

Amendments to the *Immigration and Refugee Protection Act* in 2011¹² introduced the current section 91, which defines who can represent or give advice for a fee, and removed related provisions from the Regulations. It also added paralegals in good standing with a law society as authorized representatives.¹³ The same legislation provided the Minister with the authority to designate, by regulation, a regulatory body for immigration consultants as well as with the power to revoke such a designation.¹⁴

7 Regulatory Impact Analysis Statement accompanying [SOR/2011-142](#) (under Issue).

8 Ibid.

9 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1545 (Paul Aterman, Deputy Chairperson, Immigration Appeal Division, Immigration and Refugee Board of Canada).

10 Government of Canada, [Glossary](#).

11 [Citizenship Act](#), R.S.C., 1985, c. C-29, section 21.1.

12 [An Act to Amend the Immigration and Refugee Protection Act](#), S.C. 2011, c. 8.

13 It is noteworthy that in Ontario paralegals are licensed by the Law Society of Upper Canada. They may represent a client before the Immigration and Refugee Board (IRB) and may provide legal services to clients for matters relating to an IRB hearing. However, other immigration-related legal services not connected to an IRB hearing are outside of the paralegal scope of practice. For that reason, amendments to the *Immigration and Refugee Protection Act* in 2011 require paralegals to be registered with and regulated by the Immigration Consultants of Canada Regulatory Council (ICCRC). For more information, see the Law Society of Upper Canada, [Special RCIC admissions stream for licensed paralegals](#).

14 IRPA, S.C. 2001, c. 27, [sections 91\(5\) and 91\(5.1\)](#).

The *Citizenship Act* was similarly amended in 2014 by the *Strengthening Canadian Citizenship Act*¹⁵ in order to ensure that persons providing advice for a fee on citizenship applications are also required to be authorized.

B. The Designated Regulatory Body for Immigration and Citizenship Consultants and Paralegals

The Canadian Society of Immigration Consultants (CSIC) was the first governing body established in 2003 as an independent, federally incorporated not-for-profit body operating at arm's-length from the federal government and responsible for regulating paid immigration consultants. In 2004, CSIC was recognized in the Regulations as the organization responsible for regulating paid immigration consultants.

The House of Commons Standing Committee on Citizenship and Immigration undertook a study of immigration consultants in 2008. The report entitled *Regulating Immigration Consultants*¹⁶ highlighted issues with CSIC's governance and accountability framework which did not ensure that "immigration consultants are being adequately regulated in the public interest with respect to the provision of professional and ethical consultation, representation and advice."¹⁷ Citizenship and Immigration Canada, as the department was then known, designated a new regulatory body that will "provide efficient and effective regulation of immigration consultants, which in turn will support Canada's long-term immigration objectives as well as bolster public confidence in the immigration system."¹⁸

While the then Minister of Citizenship and Immigration was moving forward the 2011 legislation, the department launched a transparent public selection process to identify a governing body for recognition as the regulator of immigration consultants.¹⁹ After a public consultation, a call for submissions from interested candidates was published in the *Canada Gazette* on 28 August 2010 and outlined five key competencies which served as selection factors, namely competence, integrity, accountability, viability and good governance. After the end of the submissions period on 29 December 2010, a Selection Committee reviewed the submissions received and proposed the Immigration Consultants of Canada Regulatory Council as the regulator to govern immigration consultants.²⁰

After the 2011 *Act to amend the Immigration and Refugee Protection Act* came into force, the then Minister of Citizenship and Immigration designated, through the

15 [Strengthening Canadian Citizenship Act](#), S.C. 2014, c. 22.

16 CIMM, [Regulating Immigration Consultants](#), Tenth Report, 2nd Session, 39th Parliament, June 2008.

17 Regulatory Impact Analysis Statement accompanying [SOR/2011-142](#) (under Executive summary, Issue).

18 Regulatory Impact Analysis Statement accompanying [SOR/2011-142](#) (under Issue).

19 Regulatory Impact Analysis Statement accompanying [SOR/2011-142](#) (under Regulatory and non-regulatory options considered).

20 Regulatory Impact Analysis Statement accompanying [SOR/2011-142](#) (under Regulatory and non-regulatory options considered).

Regulations, ICCRC as the regulatory body for immigration consultants.²¹ The ICCRC was incorporated under Part II of the *Canada Corporations Act*²² on 18 February 2011. ICCRC is now regulated under the *Canada Not-for-profit Corporations Act*,²³ which came into force in October of 2014.²⁴ This regime provides greater flexibility to not-for profit corporations.²⁵

1. Requirements for Immigration Consultants of Canada Regulatory Council

Section 91(6) of IRPA requires the regulatory body to provide certain information, listed in regulations, to the Minister, in order for him or her to ascertain that good governance is ongoing. Information that the regulatory body must provide within 90 days after the end of the fiscal year as required by section 13.2 of the *Immigration and Refugee Protection Regulations* includes the following:

- Its annual report;
- Its most recent financial statements and the auditor's report on that financial statement;
- Corporate documents such as the minutes of the general meetings, the minutes of the meetings of the board of directors, and the minutes of the meetings of the executive committees;
- The name, professional qualifications and term of office of each of its directors;
- The name and membership number of each of its members; and
- Information concerning the number and type of complaints received in the last fiscal year, including information concerning investigations and sanctions (personal information removed).²⁶

a. Immigration Consultants of Canada Regulatory Council

Robert Orr, Assistant Deputy Minister of Operations at Immigration, Refugees and Citizenship Canada (IRCC), explained to the Committee that "ICCRC is a self-governing, not-for-profit organisation that has an arm's length relationship with Immigration, Refugees

21 [SOR/2011-142](#).

22 [Canada Corporations Act](#), R.S.C. 1970, c. C-32.

23 [Canada Not-for-profit Corporations Act](#), S.C. 2009, c. 23.

24 Innovation, Science and Economic Development Canada, Corporations Canada, [The Canada Not-for-profit Corporations Act](#).

25 Innovation, Science and Economic Development Canada, Corporations Canada, [The Canada Not-for-profit Corporations Act](#).

26 [Immigration and Refugee Protection Regulations](#), SOR/2002-227, s. 13(2).

and Citizenship Canada.”²⁷ The regulatory body manages entry to practice standards and accreditation of the Immigration Practitioner Programs offered by post-secondary institutions; it also administers the Full Skills Exam that an individual must take to become a registered immigration consultant.²⁸ On an annual basis, registered consultants must complete 16 hours of continuing professional development, and the ICCRC has eight practice management courses that are also mandatory.²⁹ Lastly, “[t]he ICCRC has the mandate to govern consultants by employing tools such as their code of professional ethics and code of business conduct and ethics. It also has the authority to investigate allegations of unethical or unprofessional behaviour on the part of authorized consultants”³⁰ and this is done through the complaint mechanism and discipline process it has established.

2. Disciplinary Processes within the Immigration Consultants of Canada Regulatory Council

A procedurally fair and accessible discipline mechanism was highlighted in ICCRC’s submission to be designated as the regulator. The ICCRC stated it receives on average of 300 complaints a year.³¹ In his appearance before the Committee, Lawrence Barker, Acting President and Chief Executive Officer, Registrar and Corporate Secretary at ICCRC indicated that:

[s]ince ICCRC became the regulator—we are six years old—we have received, as of the end of December, 1,710 complaints filed against consultants. Of those, all but 500 have been closed.³²

In reference to the number of complaints filed, Ravi Jain, member of the Canadian Bar Association, pointed out that:

[i]n 2010, there were 1,600 CSIC members; now there are over 3,600 ICCRC members. ... In five years, that's almost two complaints for every two members, and misconduct by

27 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1530 (Robert Orr, Assistant Deputy Minister, Operations, Department of Citizenship and Immigration). IRCC officials also clarified that the department is not providing any funds to ICCRC. There was a \$1 million repayable contribution agreement that was signed between the department and the organization to help fund start-up expenditures. In addition, officials describe the relationship between the department and ICCRC as collaborative. The department has regular exchanges with ICCRC management to discuss issues and improvements. CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.62, 29 May 2017, 1750, (Christopher Meyers, Director General, Finance, Department of Citizenship and Immigration); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.62, 29 May 2017, 1745 (Michael MacDonald, Director General, Immigration Program Guidance, Department of Citizenship and Immigration).

28 Lulwa Al Hidiq, [Written Submission](#), p. 1.

29 Katarina Onuschak (writing on behalf of 44 other registered consultants), [Written submission](#), p.3.

30 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1535 (Robert Orr).

31 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1700 (Lawrence Barker, Acting President and Chief Executive Officer, Registrar and Corporate Secretary, Immigration Consultants of Canada Regulatory Council).

32 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1715 (Lawrence Barker).

consultants is likely under-reported due to, as we heard, the vulnerability and lack of sophistication of the clients.³³

Mr. Barker drew attention to the organization's purpose, which is to protect the public and its duty to receive, investigate and adjudicate complaints against their members through a disciplinary process that sanctions members whose conduct fails to meet ICCRC's standards.³⁴ According to Mr. Barker:

Our robust complaints and disciplinary process responds to allegations of misconduct and incompetent practice from the public. Through a comprehensive adjudication process, we investigate all complaints against members to determine what disciplinary action, if any, is warranted.³⁵

In addition, ICCRC's complaints committee, discipline committee, appeal committee and fitness-to-practice review committee are comprised of "public representatives as well as practising consultants to give a fair, balanced, and objective review of every matter of professional standards referred to them."³⁶ The Committee heard that ICCRC also recently increased the number of independent discipline counsel mandated to review and prosecute, where required, allegations of professional misconduct or incompetence. Two tribunal streams were also recently introduced in order to help expedite the processing of complaints. One tribunal is for major breaches of the code of professional ethics and the other is for less serious regulatory offences.³⁷

C. Shared Responsibility for Enforcement

The wording in IRPA also ensures that all acts related to an immigration or citizenship application, even those prior to making an application, must be performed by a registered consultant.³⁸ Penalties for contravening this section range from six months to two years in jail, or fines from \$20,000 to \$100,000.³⁹

The Canada Border Services Agency (CBSA), under the Minister of Public Safety and Emergency Preparedness, has sole authority to enforce IRPA and its regulations.⁴⁰ However, officials from the CBSA informed the Committee that:

[S]ince 2006, the CBSA and the Royal Canadian Mounted Police (RCMP) have worked to develop a complementary approach in relation to immigration penal offences. The

33 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1630 (Ravi Jain, Member, Immigration Law Section, Canadian Bar Association).

34 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1640 (Lawrence Barker).

35 Ibid.

36 Ibid.

37 Ibid.

38 Sandra Elgersma and Anna Guay, [Legislative Summary of Bill C-35: An Act to amend the Immigration and Refugee Protection Act](#), Publication no.40-3-C35-E, Parliamentary Information and Research Service, Library of Parliament, Ottawa, 19 January 2011, see section 2.1.2.5.

39 IRPA, s. 91(9).

40 IRPA, s. 4(2).

RCMP is responsible for immigration offences dealing with organized crime, human trafficking, and national security. The CBSA has the lead responsibility for the remaining immigration offences. These include offences related to fraudulent documents, misrepresentation, counselling misrepresentation, and the general offence section under IRPA.⁴¹

The RCMP and the CBSA are both responsible for investigating “authorized consultants who engage in fraud and ghost consultants who operate outside the law governing immigration representatives.”⁴² ICCRC does not have any oversight over unregulated representatives. In order to protect the integrity of Canada’s immigration system and to serve the public interest, “the CBSA pursues prosecutions for the most serious cases of misrepresentation committed” by unscrupulous consultants.⁴³ In her appearance before the Committee, Jennifer Lutfallah from the CBSA added that awareness campaigns about unregulated consultants are, after “criminal investigations, ... the only mechanism we have for enforcement.”⁴⁴ She also clarified that the CBSA has to prioritize its investigations with respect to ghost consultants, rather than investigating them all. Indeed, the CBSA has:

just over 200 criminal investigators across Canada who are responsible for investigating an array of crimes under IRPA, as well as under the Customs Act. As a result, we use a tiered process with respect to issues that involve consultants. Generally, we go after individuals, or investigate individuals, who are the organizers of, let's say, mass misrepresentation or mass fraud, rather than the one-offs. In terms of how we're approaching this, we are looking at where the greatest deterrent could occur. We are looking at the big organizers, rather than the individual who may have provided information for profit in one case, and so forth. I do believe that we are using the resources that we have to the best of our ability, based on a risk profile.⁴⁵

The Committee asked departmental officials to provide more detailed responses in regards to the number of investigations into the activities of unscrupulous consultants and of charges laid (Table 1), as well as the number of convictions obtained (Table 2). The CBSA stated that they have 126 active investigations of immigration consultant-related IRPA offences. They highlighted that “consultant fraud cases are one of the most time consuming and resource intensive of all IRPA investigations.”⁴⁶

41 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1535 (Jennifer Lutfallah, Director General, Enforcement and Intelligence Programs, Canada Border Services Agency).

42 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1535 (Robert Orr).

43 Canada Boarder Services Agency (CBSA)’s response to a request for information made by CIMM on May 8, 2017 (Tabbara 1).

44 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1625 (Jennifer Lutfallah).

45 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1555 (Jennifer Lutfallah).

46 CBSA, Response to Question 1 asked at CIMM March 6, 2017.

Table 1 – Investigations Opened and Charges Laid from 2011 to 2016

Calendar Year	Number of investigations opened by the CBSA	Number of cases referred to Public Prosecution Service of Canada	Number of cases in which charges were laid
2011	25	9	8
2012	35	4	2
2013	34	12	5
2014	38	4	6
2015	45	14	15
2016	40	9	8

Source: Canada Border Services Agency, Response to a Question 1 asked at CIMM March 6, 2017.

Table 2 – Number of Consultants Convicted and Sentenced from 2011 to 2016

Calendar Year	Number of convictions	Sentence type and sentence amount
2011	5	4 cases received sentences of 90 days of incarceration, with one of those having a second sentence of 60 days of incarceration; 1 case received a sentence requiring a \$6,000 donation to charity.
2012	4	3 cases received sentences of incarceration: the longest period was 1,095 days, although that individual was also sentenced to two other periods of 365 days and a restitution order of \$381,601 to be paid to 373 victims. One individual received two sentences of 182 days of incarceration, and another 13 sentences of 42 days of incarceration. The individual with no incarceration received both a sentence of probation of 2 years and conditional discharge which included a probationary period of 913 days and community service of 18.75 days.
2013	3	2 cases received sentences of incarceration, the longest period being 2 years and that individual received that sentence ten times. The other individual faced 450 days of incarceration coupled with a \$10,000 fine. The third case was sentenced to a \$40,000 fine.
2014	5	3 cases received sentences of incarceration, the longest being 730 days. That individual also had to pay a \$75,000 fine. One individual received a sentence of 273 days of incarceration while the third individual received a sentence of 90 days of incarceration, coupled with probation lasting one year. The last two cases received sentences of conditional discharge with one receiving 18 months of probation whereas the other received the same amount of probation time coupled with 100 hours of community service. He also received a suspended sentence and a conditional sentence leading to additional 2 years of probation and 50 hours of community service (twice).
2015	6	3 cases received sentences of incarceration, the longest period being 1,825 days (twice, as well as two periods of 1,095 days and two periods of a year. The second individual received a sentence of incarceration of 540 days coupled with a \$25,000 fine. The third individual received two periods of incarceration of 90 days. One individual received a probation period of 540 days with 6 days of community service. The last individual received five conditional sentences of imprisonment for two years less one day, with house arrest for the first 12 months and for the remaining year curfew.
2016	6	2 cases received sentences of incarceration, the longest being 150 days. The individual receiving a sentence of 90 days of incarceration received it 6 times. Two individuals received fines, one of \$4,000 and the other of \$20,000. One individual received a sentence of conditional discharge of 12 months of probation with 50 hours of community service. Finally, an individual received sentences of conditional sentences of 15 days (5 times) with fines of \$ 3,061 (4 times).

Source: Table created by authors based on a document provided by the Canada Border Services Agency, Response to a Question 2 asked at CIMM March 6, 2017.

The department officials informed the Committee that ICCRC is the main authority that investigates misconduct or abuse by regulated representatives⁴⁷ for which it has a complaint process in place.⁴⁸ However, IRCC

has the ability to take forward complaints to the regulatory body. If the consultant ... is a member of a bar and is a lawyer, you can actually disclose to the bar. There are avenues to take, but there are not a lot...⁴⁹

Mr. Orr from IRCC also informed the Committee that:

The ICCRC and the Canadian Association of Professional Immigration Consultants have approached our department and the CBSA about making changes to governance frameworks for the regulator of citizenship and immigration consultants. According to documents we've seen, they're interested in having the council operate similarly to law societies, with increased powers of investigation and the ability to discipline members. To give the council these authorities would require significant legislative changes and could also impact the mandate of our security partners who are currently responsible for investigating ghost consultants and authorized consultants who engage in fraud.⁵⁰

Shared responsibility for enforcement can make it difficult to discipline consultants, as the responsible institution varies depending on the nature of the activity or offence. In summary, ICCRC is expected to provide procedurally fair and accessible complaint and discipline mechanisms as well as a code of conduct. Unethical and unprofessional activities by immigration and citizenship consultants therefore fall under the responsibility of ICCRC.⁵¹ However, criminal offences and sanctions would fall under the CBSA and/or the RCMP.⁵²

PROBLEMS WITH THE CURRENT SYSTEM BROUGHT TO THE COMMITTEE'S ATTENTION

A. Part 1: Current Regulatory Framework Does Not Adequately Protect the Public

Individuals coming to Canada for work or study or immigrating with their family may seek the services of immigration and citizenship consultants and paralegals to help them navigate the immigration and citizenship processes.⁵³ Indeed, immigration and citizenship consultants and paralegals can be hired for a range of services as clients need "specific information for a particular situation"⁵⁴ they face. Despite the oversight by ICCRC and

47 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1600 (Robert Orr).

48 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1600 (Michael MacDonald).

49 Ibid.

50 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1535 (Robert Orr).

51 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1535 (Jennifer Lutfallah).

52 Ibid.

53 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1530 (Robert Orr).

54 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1720 (Gabrielle Frédette Fortin, Regulated Canadian Immigration Consultant, As an Individual).

enforcement from the federal government, problems with consultants persist and negatively affect prospective immigrants to Canada. The Committee learned that certain types of immigrants are particularly vulnerable to exploitation. Factors contributing to the demand for consultants were raised by witnesses, as well as reasons for possibly not complaining about inadequate or exploitative service.

1. Abuse and Exploitation by Immigration and Citizenship Consultants and Paralegals

While any prospective immigrant or temporary resident may seek the services of immigration and citizenship consultants and paralegals, witnesses suggested that certain immigrants are at a greater risk of exploitation by unscrupulous consultants. In particular, witnesses highlighted the vulnerability of those with “precarious immigration status”, a term encompassing all forms of temporary immigration status, noting that these individuals are more “likely to pay thousands of dollars to consultants for false promises of permanent residency.”⁵⁵ Witnesses drew the Committee’s attention to abuse and exploitation involving live-in caregivers,⁵⁶ international students,⁵⁷ and temporary foreign workers.⁵⁸

Maria Esel Panlaqui from the Thorncliffe Neighbourhood Office of Toronto, indicated that live-in-caregivers:⁵⁹

... are easily taken advantage of by some immigration consultants, whether authorized or not authorized. Most often these workers say they can't discern whether their consultants are authorized or not. In some instances, even though they don't trust them entirely, they still end up working with them because they don't know where else to get help. Most of our clients claim that they have been manipulated and intimidated by their immigration consultants.⁶⁰

Another witness gave specific examples of exploitation experienced by international students. He stated that consultants have been known to ask \$15,000 to \$20,000 in order to help international students find employment to remain in Canada and gain permanent residency.⁶¹

55 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1530 (Leslie Emory, Board Director, Ontario Council of Agencies Serving Immigrants).

56 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1535 (Maria Esel Panlaqui, Settlement Worker, Thorncliffe Neighbourhood Office of Toronto).

57 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1550 (Navjot Dhillon, As an Individual).

58 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1550 (Jason Ottey, Director, Government Relations and Communications, LiUNA Local 183).

59 The live-in caregiver program was modified in 2014 to create two separate program streams with more stringent requirements. The same reforms removed the live-in requirement. For more information see Government of Canada, [Improving Canada's Caregiver Program](#).

60 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1535 (Maria Esel Panlaqui).

61 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1550 (Navjot Dhillon).

Natalie Drolet of the West Coast Domestic Workers' Association drew attention to the vulnerability of temporary foreign workers (TFWs), stemming from program requirements such as a job offer and employment contract and a labour market impact assessment from Employment and Social Development Canada.⁶² According to Ms. Drolet, these program requirements leave

... temporary foreign workers with little choice but to hire third party employment agents in order to get connected with an employer in Canada. These agents are more often than not working in a dual role as immigration consultants and employment agents.⁶³ We see immigration consultants typically charging temporary foreign workers anywhere from \$4,000 to \$16,000 for low-wage jobs in Canada. Recently, an IRCC officer in Vancouver told me that he had a case of a temporary foreign worker who paid \$40,000.⁶⁴

TFWs will pay these fees because they are being led to believe by their immigration consultants that they would have a pathway to permanent residence in Canada, which is often not the case.⁶⁵

The Committee also heard a number of examples of misconduct and fraud, including forging signatures,⁶⁶ charging exorbitant fees for some services that are often not rendered⁶⁷ and misleading clients⁶⁸ that lost everything they had when they arrived in Canada.

a. Factors that Contribute to the Demand for Immigration and Citizenship Consultants and Paralegals

Avvy Yao-Yao Go, Director of the Metro Toronto Chinese and Southeast Asian Legal Clinic, highlighted three factors that led individuals to engage the services of consultants. However, she commented that those same factors contribute to their vulnerability. According to her, individuals are

62 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1535 (Natalie Drolet, Executive Director, Staff Lawyer, West Coast Domestic Workers' Association).

63 It is important to note that immigration is a shared jurisdiction, federally regulated by the *Immigration and Refugees Protection Act*, and employment is provincially regulated. For that reason, a number of provincial jurisdictions require registered immigration consultants to also register as recruitment consultants. For example, Saskatchewan has incorporated in its labour legislation the ICCRC's ethics code to be a registered consultant.

64 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1535 (Natalie Drolet).

65 Ibid.

66 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1545 (Ni Fang, Chair, Canadian Migration Institute).

67 Metro Toronto Chinese and Southeast Asian Legal Clinic, [Written Submission](#), p. 3.

68 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1545 (Michelle Marie Dulanias).

... easy targets for unscrupulous consultants because of their lack of language proficiency, lack of familiarity with the Canadian system, and lack of knowledge about the regulatory framework for legal professions in Canada, and because they are desperate.⁶⁹

She added that many individuals might not know “the difference between a lawyer and a consultant” or “where to find help when they need it.”⁷⁰

As a matter of fact, witnesses indicated that Canada’s immigration, refugee and citizenship programs are complex and unfamiliar to most individuals.⁷¹ In his appearance before the Committee, Mr. Aterman recognized that reality:

We do design our processes in such a way that self-represented people can navigate them, but the fact is that many of the issues we deal with are complex and technical, because the law itself is complex and technical. About one in five cases before the [Immigration and Refugee Board of Canada] involves someone who is not represented by counsel.⁷²

Mr Orr from IRCC stated that the department has recently simplified the application process in the hopes that it will be easier for people to access the departments’ services on their own.⁷³ However, many witnesses highlighted that it was difficult to navigate Canada’s immigration system. Indeed, many challenges remain such as those faced by individuals with precarious immigration status in Canada in regards to the processing of their applications, including long delays in processing of applications and renewals of work permits.⁷⁴

Another major factor is the lack of proficiency in English or French, which renders the immigration system inaccessible.⁷⁵ Many individuals looking to come or immigrate to Canada do not speak either “official language sufficiently to navigate the system on their own”⁷⁶. For that reason, they rely on others to understand and complete the application as well as to communicate with IRCC. This makes it difficult for them to determine if the service they receive from a consultant is legitimate.⁷⁷ They might not even know “whether or not the consultant has identified himself or herself in the application.”⁷⁸ One witness

69 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1650 (Avvy Yao-Yao Go, Clinic Director, Metro Toronto Chinese and Southeast Asian Legal Clinic).

70 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1650 (Avvy Yao-Yao Go).

71 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1530 (Leslie Emory).

72 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1545 (Paul Aterman). Officials clarified that at the national level in 2016, counsel representation rates by registered consultants were 8% at the Immigration Division, 16% at the Immigration Appeal Division, 7.5% at the Refugee Protection Division and 6.3% at the Refugee Appeal Division. Immigration and Refugee Board of Canada, IRB’s response to a request for information made by the Standing Committee on Citizenship and Immigration on March 6, 2017.

73 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1530 (Robert Orr).

74 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1535 (Maria Esel Panlaqui).

75 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1530 (Leslie Emory).

76 Ibid.

77 Metro Toronto Chinese and Southeast Asian Legal Clinic, [Written Submission](#), p. 3.

78 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1650 (Avvy Yao-Yao Go).

noted that “clients who speak French, and who approach an English-speaking consultant for services, are not informed of their right to access government services in French.”⁷⁹

Due to language barriers, individuals go to the sources they are most familiar with, including newspapers or websites in their first language. According to Ms. Go, this is “where a lot of the immigration consultants also advertise because they are targeting those ethno-racial communities in their marketing efforts.”⁸⁰ For that reason, a witness recommended that the government should ensure the public is aware “about the regulations and requirements for consultants and other legal practitioners”⁸¹ by providing “first-language materials to applicants who have already self-identified in their application as not being fluent in English or French”⁸². Another witness also suggested that clear and prominent information on immigration consultants, including details on the complaints process, should be available on the government’s website in multiple languages, including Canada’s missions abroad.⁸³

A third factor is the regulatory framework which is also complex. Individuals who want to come or immigrate to Canada “are often not aware of the difference between a regulated and unregulated consultant, paralegal, or lawyer, or what options are available to them in the event of misrepresentation or fraud.”⁸⁴ Indeed, David Nurse, Counsel with the Atlantic Canadian firm McInnes Cooper, noted that he has clients who

... cite the fact that a consultant is regulated and has an ICCRC number on their website and their business card as a reason they trusted them so much. They say that the Government of Canada has endorsed this consultant, so they must be safe. People rely on the consultant being regulated as a guarantee of competence and almost a type of insurance.⁸⁵

2. Fear of Lodging a Complaint

In their appearance before the Committee, witnesses were invited to share their experiences or those of their clients when lodging a complaint in relation to a representative. Jason Ottey, of LiUNA Local 183, a Greater Toronto Area union local that represents more than 53,000 trade workers, identified the main issue with lodging a complaint:

79 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1530 (Leslie Emory).

80 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1650 (Avvy Yao-Yao Go).

81 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1655 (Avvy Yao-Yao Go).

82 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1650 (Avvy Yao-Yao Go).

83 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1540 (Maria Esel Panlaqui).

84 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1530 (Leslie Emory).

85 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1545 (David Nurse, Counsel, McInnes Cooper, As an Individual).

Even in speaking today and getting some information from our membership, there was fear of reprisal if they were to give specific details that would somehow colour their application. It was very hard to have a free discussion...⁸⁶

It seems individuals are afraid of lodging a complaint against a representative because they believe they might be considered complicit in misrepresentation and therefore be found inadmissible⁸⁷ to Canada. However, IRCC officials stressed that an individual making a complaint in regards to an immigration consultant or paralegal will not lose his or her immigration status as a result of that fact and should be able to feel at ease with making the complaint.⁸⁸

Nevertheless, witnesses continued to point out that vulnerable individuals, especially with precarious immigration status, are not likely to lodge a complaint against an immigration or citizenship consultant or paralegal because they are afraid of repercussions on their immigration status. This is especially the case in complaints against unregistered representatives because the CBSA will be the investigating body. Therefore, “migrant workers, refugees, and caregivers, the most vulnerable groups targeted by immigration consultants, are intimidated by the CBSA and do not want to file charges when the CBSA is involved.”⁸⁹ One witness also indicated that it is very hard to convince individuals to lodge a complaint because they are mostly worried about the repercussions to their immigration status and focus only on ensuring that they can remain in Canada.⁹⁰ For those reasons, unscrupulous consultants will take advantage of their fear of lodging a complaint.⁹¹

Further, Ms. Drolet claimed that such fears are well founded. She stated that individuals who come forward with a complaint or with the request to “correct errors and misrepresentations made by immigration consultants in their applications” are currently “the focus of scrutiny and are at risk of being detained and deported.”⁹² She recommended that:

[A]pplicants should not be penalized for the actions of consultants. Applicants should have the opportunity to correct errors and misrepresentations made by immigration consultants in their applications. They also need a guarantee that they won't be penalized if they come forward to file a complaint. [In addition, t]he government should allow temporary foreign workers to regularize their status and remain in Canada while

86 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1550 (Jason Ottey).

87 The *Immigration and Refugee Protection Act* does not allow foreign nationals or permanent residents to enter or remain in Canada if they are found inadmissible on one of the grounds established in Division 4 of the Act. Section 40 of IRPA provides that misrepresentation may be a cause of inadmissibility, if an individual directly or indirectly misrepresented or withheld information that could induce an error in the admission process. IRPA, S.C. 2001, c. 27, s. 40.

88 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1625 (Robert Orr).

89 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1535 (Maria Esel Panlaqui).

90 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1545 (Maria Esel Panlaqui).

91 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1535 (Maria Esel Panlaqui).

92 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1535 (Natalie Drolet).

complaints are processed, whether through the department, regulatory body, the CBSA, or another enforcement agency.⁹³

As an example, Ms. Drolet explained to the Committee that there is a pilot project that “issues open work permits to temporary foreign workers who file complaints.”⁹⁴ This “work permits for temporary foreign workers at-risk pilot project”⁹⁵ allows them to come forward without worrying about any repercussions on their immigration status or application. Another witness echoed Ms. Drolet’s recommendation and suggested “that, when there is a doubt, it is the newcomer who ought to be given the benefit of that doubt.”⁹⁶

During their appearance before committee, IRCC officials agreed it is possible to develop a provision that can protect individuals who lodge complaints of misrepresentation in their application by consultants. It is also possible to provide these individuals with the opportunity to make the necessary corrections in their application without impacting the processing of the application.⁹⁷

B. Part 2: Current Regulatory Framework Does Not Provide Adequate Oversight

The ICCRC has provided the framework in which consultants practise immigration and citizenship law since it was designated six years ago. The Committee received contradictory evidence regarding the effectiveness of the framework in place in written submissions and witness testimony. According to some concerned witnesses, the deficiencies in the current framework cannot be overcome and a different oversight model should be put in place. These models are described in the section that follows. Finally, witnesses identified aspects of the oversight framework that should be improved in any eventual structure.

1. Who Should Oversee the Consultants?

A number of witnesses, primarily immigration consultants, were satisfied with the ICCRC as the designated regulator to oversee the work of immigration consultants.⁹⁸ However, other models were proposed by witnesses who highlighted the repeated failure of this model. One alternative model to the status quo suggested by witnesses was a self-

93 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1535 (Natalie Drolet).

94 Ibid.

95 Ibid.

96 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1640 (Jennifer Stone, Staff Lawyer, Neighbourhood Legal Services, Inter Clinic Immigration Working Group).

97 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.62, 29 May 2017, 1755 (Michael MacDonald).

98 Ali Amlani, *Answers to some questions posed by committee members at CIMM*, p. 4, last paragraph; Julie McMahon, *Written submission*, paragraph 6; Lulwa Al Hidiq, [Written Submission](#), p. 1; Aileen Farrol, [Written Submission](#); Earl Blaney, [Written Submission](#); Youssef Zakhour, [Written Submission](#), p. 4; CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1530 (Ryan Dean, As an Individual); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1620 (Jacobus Kriek, Regulated Canadian Immigration Consultant and Policy Analyst, Matrixvisa Inc.).

regulatory body with a stand-alone federal statute similar to those that govern law societies. Another proposed alternative was the creation of a government oversight body, similar to the Australian Office of the Migration Agents Registration Authority.⁹⁹ Finally, some witnesses expressed the view that consultants should not be allowed to practise immigration law at all.¹⁰⁰

a. The Self-Regulatory Body under a Stand-Alone Federal Statute

Many witnesses suggested that the ICCRC should be a self-regulatory body governed by a stand-alone federal statute,¹⁰¹ similar to provincial law societies. These witnesses felt that this course of action would “close the gap in consumer protection”.¹⁰² As Alli Amlani told the Committee:

The final solution, again, is to give the current regulatory body more authority than simply regulate its members so it will have the authority to put a dent in the activities of the unregulated.¹⁰³

If ICCRC was empowered to pursue unauthorized consultants, it could send cease and desist letters, conduct investigations and initiate court proceedings, such as injunctions.¹⁰⁴ The Committee was told that should this model similar to law societies be chosen, the ICCRC should be exempt from the *Canada Not-for-Profit Corporations Act* in order to better protect the public.¹⁰⁵ While ICCRC indicated that it could take on this role, witnesses raised concerns with the entire operation of ICCRC.

99 Australian Government, Department of Immigration and Border Protection, Office of the Migration Agents Registration Authority, [Who we are and what we do](#).

100 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1630 (Ravi Jain); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1550 (David Nurse); Ravi Jain, [Written Submission](#), p. 3. These witnesses suggested that lawyers have the training and oversight and should be the only authorized representatives.

101 Taj Uddin, [Written Submission](#), p. 8; Katarina Onuschak (writing on behalf of 44 other registered consultants), [Written submission](#), p. 5; CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1635 (Robert Kewley, Retired Royal Canadian Mounted Police, As an Individual); Philip Mooney, [Written Submission](#), p. 8; Daniel Roukema, [Written Submission](#), p. 19; Roxanne McInnis Jessome, [Written Submission](#), p. 4; Holly Gracey, [Written Submission](#), p. 9; CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1715 (Alli Amlani, President, Don Mills, Inter-Connections Canada Inc.); Daniel Leblanc, Ferreira-Wells Immigration Services, [Written Submission](#), p. 8; Canadian Association of Professional Immigration Consultants (CAPIC), [Written Submission](#), pp. 10-11; Donald Igbokwe, President of CAPIC, Letter to the Chair dated 10 April 2017.

102 Philip Mooney, [Written Submission](#), p. 8.

103 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1715 (Alli Amlani).

104 CAPIC, [Written Submission](#), p. 7.

105 Ibid, p. 9.

b. The Government Oversight Body Model

Some witnesses emphatically told the Committee that immigration consultants should not be self-regulated.¹⁰⁶ A few more specifically stated that federal government regulation was needed.¹⁰⁷ Ms. Go recommended to the Committee that:

[T]he government should pass legislation to set up a government oversight body to regulate immigration consultants. There should be specific provisions for admission, accreditation, a code of conduct, scope of practice, and mechanisms for complaints and discipline.¹⁰⁸

Richard Kurland, a lawyer and policy analyst, indicated that “there is only one single entity capable of handling immigration consultant issues and that is the department.”¹⁰⁹ He explained that the department controls access to the immigration operational system and has the tools and mechanisms to prevent contact with the departmental systems. When asked, Mr. Kurland told the Committee he thought the Australian model is good.¹¹⁰

Possible drawbacks to this approach were also raised. Mr. Kurland cautioned that the government would have to guard against overlap between IRCC, the RCMP, the CBSA and the new government regulated oversight body.¹¹¹ Officials also cautioned against

...the tension between the department's primary function, which is assessing and making decisions on clients' applications, and that of regulating and setting the conditions for consultants whose function would be to assist applicants to put that best case forward.¹¹²

Lorne Waldman, barrister and solicitor, also highlighted the need to maintain consultants' independence, as they are representing people in an adversarial process when they are before tribunals.¹¹³ Finally, he also cautioned that this model would not only incur upfront expenses, but also require ongoing expenditures on administering the

106 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1605 (Leslie Emory); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1710 (Ravi Jain); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1710 (Jennifer Stone); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1535 (Natalie Drolet).

107 Metro Toronto Chinese and Southeast Asian Legal Clinic, [Written Submission](#), p. 9; Maggie Wang, [Written submission](#), p. 1; CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1550 (Natalie Drolet); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1625 (Jason McMichael, Director, Government and Community Relations, LiUNA Local 1089).

108 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1650 (Avvy Yao-Yao Go).

109 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1530 (Richard Kurland, Lawyer and Policy Analyst, As an Individual).

110 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1545 (Richard Kurland).

111 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1610 (Richard Kurland).

112 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.62, 29 May 2017, 1735 (David Cashaback, Director, Immigration Branch, Department of Citizenship and Immigration).

113 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1600 (Lorne Waldman, Barrister and Solicitor, Lorne Waldman and Associates, As an Individual).

consultants, costs he estimated would run into the millions of dollars.¹¹⁴ As in the present situation, these costs could be covered through membership fees.¹¹⁵

2. Aspects of Oversight to be Improved

Regardless of the chosen oversight model, the Committee heard that certain elements – such as a complaint mechanism, public awareness campaigns and education standards – have to be improved in order to be effective. Witnesses also offered suggestions regarding fees and establishing a compensation fund.

a. Complaint Mechanism

Although the Committee heard from Mr. Barker that the ICCRC's complaint mechanism is robust,¹¹⁶ other witnesses strongly disagreed. For instance, Mr. Nurse testified:

I've had very few instances in which I've actually made a complaint to ICCRC and spoken to their officers. I did have one instance when I was with Nova Scotia Immigration that was quite troubling. There was an issue. There was an ICCRC consultant who had an arrest warrant in Canada. There were a number of charges against the consultant, who was living outside Canada. My recollection is that the ICCRC investigator more or less said that the person was innocent until proven guilty. They could continue to advertise as ICCRC-licensed on their website and could continue to work until they came back to Canada to face these charges.¹¹⁷

Ms. Drolet stated “the evidence is clear that the ICCRC has failed to properly investigate and enforce their own codes of professional and ethical standards.”¹¹⁸ The Government of Saskatchewan indicated in its submission that it had had to suspend some registered consultants that ICCRC had not disciplined.¹¹⁹

To improve the current complaint mechanism, Holly Gracey, a registered consultant, recommended that “processes for complaints, not just against members but also against infractions caused by members of the Board of Directors, need to be clear and transparent with timely responses and significant discipline as a member of the Board stands in a position of authority.”¹²⁰

114 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1620 (Lorne Waldman).

115 Immigration Consultants of Canada Regulatory Council, “Audited Financial Statements”, 5 Years Regulating Immigration Professionals: Protecting the Public, p. 4. In 2016, ICCRC's total revenue was of \$7,221,146 of which \$6,451,080 was membership revenue.

116 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1635 (Lawrence Barker).

117 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1605 (David Nurse).

118 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1605 (Natalie Drolet).

119 Government of Saskatchewan, Greg Tuer, [Written Submission](#), p. 3. As immigration consultant activities are so intertwined with recruitment activities, to protect foreign workers, a law was passed in which the ICCRC's code of conduct was incorporated. David Cashaback of IRCC told the Committee he saw no conflict of laws. CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.60, 10 May 2017, 1530 (David Cashaback, Director, Immigration Branch, Department of Citizenship and Immigration).

120 Holly Gracey, [Written Submission](#), p. 8.

In regards to the ICCRC's investigation of its own members, Muhammad Watto claimed that complaints were dealt with by incompetent staff.¹²¹ Julie McMahon explained that it was imperative for investigators to understand immigration law, recommending that ex-RCMP officers should not be investigating complaints.¹²² However, Robert Kewley, a retired Royal Canadian Mounted Police officer, told the Committee that having ex-RCMP officers investigate lent credibility to the regulatory body that needed to liaise with the Canada Border Services Agency.¹²³

Due to the various entities involved in investigating complaints, it can be confusing to know where to address a complaint, and ICCRC is often the first point of contact. Ms. Gracey recommended that the Complaints and Discipline Department of ICCRC have the knowledge and take the time to provide guidance to individuals who wish to make a complaint against a registered consultant or non-member.¹²⁴

A registered immigration consultant, Roxanne Jessome, emphasized that in order to fix the abuses experienced by the users of consultants' services individuals should continue "to make complaints to the regulator in case of wrong-doing."¹²⁵ Mr. Kurland recommended to the Committee to establish a voluntary disclosure program akin to the program in place at the Canada Revenue Agency. This can be used within ICCRC, IRCC and CBSA "in file-specific matters where a person need not identify their name."¹²⁶ This proposed mechanism does not penalize individuals and provides the regulatory body and the government with the "evidence it needs to shut down unscrupulous consultants and agents."¹²⁷

When dealing with ICCRC, Leslie Emory of the Ontario Council of Agencies Serving Immigrants, raised the issue that individuals who do lodge a complaint with the regulatory body "did not get a response, and/or the information that they got back was not helpful to their situation."¹²⁸ The department informed the Committee that the length of time it takes to resolve complaints lodged by individuals was of concern and the matter had been raised with ICCRC.¹²⁹

Raj Sharma, lawyer, told the Committee of a complaint he made to the ICCRC on behalf of a client who had hired a registered consultant and was told via email that the file was delayed because there was a need for additional language testing. However, an access to information request showed the file had been closed six years before.

121 Muhammad Watto, [Written Submission](#), p. 6.

122 Julie McMahon, [Written Submission](#), p. 1.

123 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1635 (Robert Kewley).

124 Holly Gracey, [Written Submission](#), p. 6.

125 Roxanne McInnis Jessome, [Written Submission](#), p. 4.

126 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1550 (Richard Kurland).

127 Ibid.

128 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1545 (Leslie Emory).

129 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.62, 29 May 2017, 1745 (Michael MacDonald).

Mr. Sharma was told by the investigator that he “couldn't prove the consultant did this,”¹³⁰ referring to the email with the erroneous information. This example is one of the many issues raised that demonstrates problems with the current regulatory body.

With regard to reporting conduct to the CBSA, witnesses reported some dissatisfaction. Mr. Kriek testified that he had submitted complaints directly to the CBSA and had not received any response. He believes unauthorized representatives are not being pursued by the government and recommended the RCMP be provided additional resources to take action against ghost consultants.¹³¹ Other witnesses advocated that the CBSA receive additional funding for this purpose.¹³²

Lastly, Ms. Jessome indicated that the number of complaints about consultants would decrease if educational standards and entry into practice requirements were more stringent.¹³³

b. Education and Entry to Practice Standards

Hafeeza Bassirullah of ICCRC told the Committee that, in order to strengthen and modernize the education program for consultants, the number of hours was increased from 180 hours to 500 hours.¹³⁴ However, Mr. Sharma indicated that he had been online and saw that an accredited institution, Ashton College, offered a 320 hour online program that allowed people to qualify to write the entry to practice exam. He concluded that “ICCRC seems to favour promoting easy entrance of consultants to the practice of immigration law over the protection of the public.”¹³⁵

Ms. Gracey explained to the Committee that the ICCRC’s instructions to accredited institutions had not been clear and that all institutions had not been given the same deadline regarding the roll-out of new education programs that reflected the increased standards.¹³⁶ Mary Louise McNeil told the Committee that the accredited institution she had graduated from in 2012 had required that she retake classes in 2014 under the pretext that it was an upgraded course, when it turned out to be the same material and assignments.¹³⁷

130 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1610 (Raj Sharma).

131 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1620 (Jacobus Kriek).

132 Aileen Farrol, [Written Submission](#), pp. 2-3; Youssef Zakhour, [Written Submission](#), p. 5.

133 Roxanne McInnis Jessome, [Written Submission](#), p. 3.

134 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1650 (Hafeeza Bassirullah, Director of Education, Immigration Consultants of Canada Regulatory Council).

135 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1530 (Raj Sharma).

136 Holley Gracey, [Written Submission](#), p.3.

137 Mary Louise McNeil, [Written Submission](#), pp. 6-7. She also highlights ICCRC’s requirement of all candidates for the entry to practice exam to provide an IELTS pass score although Canadian universities do not require it from Canadian students. She also explains ICCRC’s policy regarding background checks if a person has lived abroad more than six months.

Ms. Jessome recommended that the ICCRC be given a grant to “enable the regulator to quickly develop and implement additional entry to practice standards for new immigration consultants”, an idea that was echoed by Katarina Onuschak.¹³⁸ They explained that without the grant the development of additional entry to practice standards will take more time. However, it should be noted that ICCRC reported a surplus in its 2016 annual report¹³⁹, suggesting that improvements to additional entry to practice standards could be implemented.

A number of witnesses suggested that registered consultants should have to complete an internship or practicum, for example up to a year.¹⁴⁰ Ms. Gracey indicated that this was not a novel idea, but in the past it had been determined that there were not enough registered consultants to mentor others and ICCRC had been dissuaded from this approach due to instances of abuse of students by unethical practitioners.¹⁴¹

In regards to the entry to practice exam, Ms. Bassirullah stated that the “exam is overseen by experts in the testing and measurement industry. They make sure that we abide by international standards and best practices.”¹⁴² Ms. Gracey expressed the view that the testing format, scenarios with multiple choice answers, was not appropriate for an entry to practice exam for immigration consultants. She recommended that a new format be developed to be able to ascertain that the candidate has the capability to analyse situations.¹⁴³

Many witnesses linked education acquired to the license to practice, recommending that there be a tiered licensing system with various scopes of practice.¹⁴⁴ Witnesses pointed to the 2014 designation of regulated international student advisors at universities¹⁴⁵ as an example of ICCRC offering a limited license for activities related to international students’ immigration needs. Department officials confirmed that the current ICCRC tiered licencing system could be expanded.¹⁴⁶

138 Roxanne McInnis Jessome, [Written Submission](#), p.5; Katarina Onuschak (writing on behalf of 44 other registered consultants), [Written submission](#), p. 6.

139 Immigration Consultants of Canada Regulatory Council, [5 Years Regulating Immigration Professionals: Protecting the Public - Annual Report 2016](#), p. 31.

140 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1535 (Lorne Waldman); Holly Gracey, [Written Submission](#), p. 4; Katarina Onuschak (writing on behalf of 44 other registered consultants), [Written submission](#), p. 6; Taj Uddin, [Written Submission](#), p. 8.

141 Holly Gracey, [Written Submission](#), p. 4.

142 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1650 (Hafeeza Bassirullah).

143 Holly Gracey, [Written Submission](#), p. 4.

144 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1620 (Paul Aterman); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1600 (Richard Kurland); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1535 (Raj Sharma); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1535 (Lorne Waldman).

145 Earl Blaney, [Written Submission](#), p. 3.

146 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.62, 29 May 2017, 1800 (Michael MacDonald).

In particular, witnesses proposed that a higher level of expertise is required for consultants appearing before the IRB. Mr. Aterman stated that currently all consultants may practice before the tribunal, yet many do not possess the skills required to litigate.¹⁴⁷ As a result, he told the Committee, Board members will compensate at a hearing:

[B]oard members use a kind of compensatory mechanism in a hearing room. If they're dealing with a consultant who is not able to present the client's case, they get drawn into the arena and they have to start eliciting the evidence. It's not something a lot of members like to do, but sometimes they feel they have to do that in order for the case to go ahead that day and for there not to be a miscarriage of justice.¹⁴⁸

Ms. Bassirullah told the Committee that the ICCRC was working with the IRB “to determine what the needs are and further the education of registered consultants so that those individuals appearing in front of a tribunal are competent enough to do so.”¹⁴⁹

Mr. Sharma thought that “[t]here should be a different process to licence certain immigration practitioners to appear before the IRB. These individuals should either possess direct prior substantial experience, and/or prospective immigration advocates should be required to complete substantial legal courses, and undergo articles or train under the supervision of a lawyer, or a consultant who has the requisite experience.”¹⁵⁰ He recommended that section 91 of IRPA be amended so that it reflect that registered consultants had the right to perform limited scope of work excluding representation before the IRB, and that a new section be brought in to indicate who can represent before the IRB.¹⁵¹

147 In a response to a question, the IRB clarified that the skills required to advocate on behalf of a client in a hearing are unique. They require counsel to distinguish between argument and evidence, know and apply the proper legal tests, develop an appropriate litigation strategy and cross-examine witnesses. These litigation skills are not engaged in application based processes. Immigration Refugee Board Canada, Response to questions from CIMM (under Tabbara), 16 May 2017.

148 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1620 (Paul Aterman).

149 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1655 (Hafeeza Bassirullah).

150 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1535 (Raj Sharma).

151 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1555 (Raj Sharma).

c. Public Awareness Campaigns

Many witnesses suggested that awareness campaigns were important to educate communities about unscrupulous unauthorized representatives.¹⁵² Mr. Orr told the Committee that IRCC tries to “provide significant information to clients through the websites and other means to ensure that people are aware of the importance of choosing a representative who is authorized to act on their behalf.”¹⁵³ Department officials have found that the best way to make prospective and current clients aware is through social media and public notifications.¹⁵⁴ There were suggestions on how to improve the department’s website, including by adding links to provincial law society referral services¹⁵⁵ and the ICCRC’s consultant directory.¹⁵⁶

Mr. Barker of the ICCRC described fraud awareness campaigns that the regulatory body is involved in:

ICCRC has been proactively engaged in promoting consumer protection through fraud prevention. We engage the public daily, informing them to be aware of and avoid unscrupulous immigration fraudsters. [...] Our 2017 campaign, occurring this month, has awareness videos being released through social media to English, French, Spanish, Arabic, Mandarin, and Hindi audiences around the world.¹⁵⁷

However, other witnesses recommended the need for further educational initiatives.

The Metro Toronto Chinese and Southeast Asian Legal Clinic recommended that the information about the requirements under IRPA about licensed consultants and other practitioners be integrated into the application system and must be available in the

152 Ravi Jain, [Written Submission](#), p. 4; Aileen Farrol, [Written Submission](#), p. 3; CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1540 (Maria Esel Panlaqui); Kunal Sengupta, [Written Submission](#), p. 1; CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1605 (Lorne Waldman); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1600 (Navjot Dhillon); Alli Amlani, [Written Submission](#), p. 4; Holly Gracey, [Written Submission](#), p. 7; CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1530 (Leslie Emory).

153 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1550 (Robert Orr, Assistant Deputy Minister, Operations, Department of Citizenship and Immigration). In a response to a question, the IRB clarified that since 2011 only one ICCRC member has been prohibited by the IRB from appearing before the Board. The IRB publishes all decisions to prohibit counsel from appearing before the Board on its website and may be consulted by members of the public. The IRB has also referred 8 cases of concern regarding the conduct of 7 ICCRC members to the ICCRC for investigation since January 2016. The publication of any disciplinary history related to those investigations is the responsibility of the ICCRC and, if published, would be available to the public on the ICCRC website. Immigration Refugee Board Canada, Response to questions from CIMM (under Tilson), 16 May 2017. In its brief, the Government of Saskatchewan informed the Committee that it has a public list of suspended regulated consultants in Saskatchewan even though they are still allowed to practice by the ICCRC. Government of Saskatchewan, Greg Tuer, [Written Submission](#), p. 3.

154 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No 62, 29 May 2017, 1800 (Michael MacDonald).

155 Ravi Jain, [Written Submission](#), p. 4.

156 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1710 (Gabrielle Frédette Fortin).

157 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1645 (Lawrence Barker).

applicant's first language.¹⁵⁸ Mr. Sharma stated that it was necessary to reach out to the ethnic communities with their media.¹⁵⁹

Ms. Panlaqui thought that any awareness campaign should include information on how to lodge complaints as well as indicate that complaints would have no impact on immigration applications.¹⁶⁰

d. Fees

The Committee heard contradictory information about how much consultants were charging for their services. Anecdotal evidence surfaced where victims paid exorbitant prices.¹⁶¹ Contrary to law societies, ICCRC does not have a mechanism to dispute fees. It was suggested that the regulator should provide a mechanism to dispute fees charged.¹⁶² The Australian government oversight body includes a list of average agent fees, and fees may be disputed as part of complaints investigated.¹⁶³

Daniel Roukema and several other witnesses recommended that immigration consultant practice fees should be based on the scope of the work performed; in sum, that fees should be set.¹⁶⁴ Other witnesses questioned if this approach would be feasible,¹⁶⁵ pointing out that cases are rarely standard, and what seems simple could quickly become complicated. Mr. Ottey also pointed out that setting fees would interfere with the free market.¹⁶⁶

e. Compensation Fund

Two witnesses believed a compensation fund should be created. For Ms. Gracey, such a fund would strictly serve to compensate victims of fraud.¹⁶⁷ Immigration consultant Ni Fang proposed a larger mandate, whereby, the "independent consumer protection

158 Metro Toronto Chinese and Southeast Asian Legal Clinic, [Written Submission](#), p. 10.

159 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1545 (Raj Sharma).

160 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1540 (Maria Esel Panlaqui).

161 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1550 (Navjot Dhillon).

162 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1555 (Lorne Waldman).

163 Australian Government, Department of Immigration and Border Protection, Office of the Migration Agents Registration Authority, [Fee disputes](#).

164 Daniel Roukema, [Written Submission](#), p. 19. CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1615 (Leslie Emory); Shakuntala Soden, John Soden and Harjit Grewal, [Written Submission](#), p. 8.

165 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1555 (Lorne Waldman); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1620 (David Nurse); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.56, 10 April 2017, 1600 (Natalie Drolet); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1720 (Avvy Yao-Yao Go).

166 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.57, 1 May 2017, 1615 (Jason Ottey).

167 Holly Gracey, [Written Submission](#), p. 7.

fund” would be used to educate and protect consumers, investigate misconduct, and compensate victims of fraud.¹⁶⁸

C. Part 3: Limitations on Settlement Organizations Providing an Alternative to Authorized Consultants

When witnesses underlined the vulnerability of individuals who engage the services of consultants, they also identified the issue of access to justice. Mr. Alterman described access to justice as the ability “to retain competent counsel at an affordable cost” and stated that it is “a concern for courts and tribunals across this country” that applies equally to the IRB.¹⁶⁹

A number of witnesses who provide immigration services to low-income individuals “who cannot afford to pay anyone for their complex legal needs” voiced concerns about section 91 of the *Immigration and Refugee Protection Act* and section 21.1 of the *Citizenship Act*.¹⁷⁰ As one witness stated,

[W]e are impacted by the chill placed on newcomer-serving NGOs [non-governmental organizations] [through] the very harsh penalties they potentially face should they contravene the law of authorized representatives. I am speaking particularly about section 91 of the *Immigration and Refugee Protection Act* and section 21.1 of the *Citizenship Act*, which would provide very serious consequences for anyone who is not authorized, i.e., a member of a regulatory body like a law society or the ICCRC. The penalties include a fine of up to \$100,000 and/or two years' imprisonment.¹⁷¹

Witnesses said that those two provisions went too far because they capture “anyone who provides services for consideration,”¹⁷² including settlement agencies.¹⁷³ They elaborated in saying that NGO employees “were afoul of section 91 of IRPA because ‘for consideration’ was interpreted to include salaries that they received at their non-profit organizations.”¹⁷⁴

The department admitted there is some ambiguity in section 91.¹⁷⁵ However, officials stated that this ambiguity is best reduced with more education and clarity.¹⁷⁶ Indeed, the department has

168 Ni Fang, *Speaking notes*, p. 3.

169 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1545 (Paul Aterman).

170 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1640 (Jennifer Stone); CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1715 (Alli Amlani).

171 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1640 (Jennifer Stone).

172 Ibid.

173 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1715 (Alli Amlani, President, Don Mills, Inter-Connections Canada Inc.).

174 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1640 (Jennifer Stone).

175 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.60, 10 May 2017, 1535 (Robert Orr).

176 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.62, 29 May 2017, 1745 (Michael MacDonald).

... tried to explain to NGOs and service provider organizations what it means to assist a client, to translate something for a client, help the client navigate the internet, our webs, our forms.¹⁷⁷

One witness recommended amending section 91 of IRPA to allow employees of community organizations to assist individuals with completing their immigration forms under a lawyer's supervision.¹⁷⁸ However, Gabrielle Frédette Fortin, an immigration consultant, told the Committee that settlement workers, international student recruiters as well as human resources professionals should not be giving advice or filling forms unless they had the required training. She recommended that "[t]he ICCRC could therefore create a professional designation that would provide a framework for the practice of these [settlement] workers."¹⁷⁹

D. Part 4: Outside of the Framework: Ghost Consultants

The inability of ICCRC and federal partners to deal effectively with unregulated representatives or "ghost consultants" was raised by witnesses repeatedly. The Canada Border Services Agency stated that "[i]t is difficult to provide an estimate of the number of ghost consultants operating in Canada or overseas."¹⁸⁰ Mr. Kewley further explained "[w]e're not just limited to Canada for these unauthorized representatives...We have them in all countries around the world and they have offices, do seminars."¹⁸¹

As Mr. Waldman told the Committee "it's very difficult to deal with them because we have no way of establishing ... what they are doing."¹⁸² They are, as immigration consultant Ms. Frédette Fortin said, practicing immigration law illegally.¹⁸³

Ms. Fang told the Committee that ghost consultants avoid detection by not using their names on applications, but their client's name, in which case no "Use of Representative" form is required.¹⁸⁴ Similarly, the Canadian Bar Association indicated that ghost consultants can be difficult to track because they often operate through oral contracts, accept payment in cash and do not give their names.¹⁸⁵ Ms. Panlaqui also

177 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.62, 29 May 2017, 1745 (Michael MacDonald).

178 Ravi Jain, [Written Submission](#), p. 3.

179 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1630 (Gabrielle Frédette Fortin); this was an idea Alli Amlani also suggested in *Answer to some question posed by committee members at CIMM*, p. 1.

180 Canada Border Services Agency, Response to Question 25: MP Tilson, Standing Committee on Citizenship and Immigration (CIMM) May 8, 2017.

181 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1655 (Robert Kewley).

182 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1605 (Lorne Waldman).

183 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1630 (Gabrielle Frédette Fortin).

184 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1545 (Ni Fang).

185 Canadian Bar Association, [Written Submission](#), p. 5.

stated that individuals are asked to delete evidence such as correspondence or payment receipts before arriving in Canada.¹⁸⁶

In terms of solutions, some witnesses felt that applicants should have to attest to whether or not they had received assistance. Ms. Fang, for instance, recommended:

... that everyone who submits an application without a representative include a declaration stating that they have completed the application themselves without any paid advice or assistance from a third party, confirming their understanding of misrepresentation on the statement and of the potential penalty for being untruthful.¹⁸⁷

Immigration consultants Lynn Gaudet and Aileen Farrol also agreed that if someone did not use a representative they should declare it and noted that the “Use of Representative” form that IRCC requires does not allow for this possibility.¹⁸⁸ Ms Fang and Ms Gaudet stressed the necessity of fully disclosing all persons who may have contributed to the preparation of the application:

[D]isclose each party they paid. That really goes for everyone they paid for advice or services related to it, including translators, the [Visa Application Centre] VAC, a notary, recruiter – every party. The ghosts often hide behind these types of agencies.¹⁸⁹

Mr. Orr mentioned a new initiative in India, where the department has hired a public affairs officer to ensure that the message of hiring registered consultants is widespread.¹⁹⁰ Taj Uddin, a registered immigration consultant, suggested going even further, by having overseas visa offices identify local ghost consultants and raise public awareness about them.¹⁹¹

Mr. Sharma suggested that where someone is negatively impacted by ghost consultants, the IRCC should provide a more robust reconsideration regime.¹⁹² Ms. Go recommended a three-step procedure for IRCC so that applicants duped by consultants may correct any misinformation that may have been provided without prejudice to their case:

[W]e call ... on the IRCC to continue to process applications that it suspects have been completed by ghost consultants and that it should advise the applicants of its suspicion, provide them with information on how to find licensed representatives, and give them the opportunity to review the information provided and to correct any errors that have been made.¹⁹³

186 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.55, 3 April 2017, 1550 (Maria Esel Panlaqui).

187 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1535 (Ni Fang).

188 Lynn Gaudet, *Written Submission*, p. 2; Aileen Farrol, [Written Submission](#), p. 2.

189 Lynn Gaudet, *Written Submission*, p. 2.

190 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.52, 6 March 2017, 1600 (Robert Orr).

191 Taj Uddin, [Written Submission](#), p. 8.

192 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1605 (Raj Sharma).

193 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1650 (Avvy Yao-Yao Go).

Finally, witnesses recognized the important role of the CBSA in addressing ghost consultants in Canada. The ICCRC indicated that they “are committed to holding unauthorized representatives accountable by reporting them to the CBSA.”¹⁹⁴ However, Philip Mooney, a regulated consultant, stated that “no one is going after the ghosts [consultants] where there are only a few complaints or a few victims.”¹⁹⁵ Mr. Kewley indicated that if ICCRC was empowered to pursue unauthorized representatives, it would need two or three dedicated full-time investigators.¹⁹⁶ Mr. Kewley pointed out that “prosecution of all offenders, not just the worst ones, is essential to get the job done.”¹⁹⁷

A NEW WAY FORWARD: COMMITTEE’S RECOMMENDATIONS AND CONCLUSION

The importance of protecting individuals who want to immigrate to Canada was a strong message throughout the course of this study. Witnesses emphasized the vulnerability of immigrants, refugees, and people with a precarious immigration status and recommended various ways to strengthen the regulatory framework governing immigration and citizenship consultants and paralegals, which would better protect the public as well as Canada’s immigration system. In light of this testimony, the Committee makes the following recommendations.

RECOMMENDATION 1

That the Government of Canada create, by statute, an independent public-interest body empowered to regulate and govern the profession of immigration consultants; and that the mandate of the new regulatory body include: protection of the public by maintaining high ethical standards, so as to preserve the integrity of the system; and, protection of applicants from exploitation by maintaining high standards of competence and encouraging reasonable fees for services rendered. To avoid actual or apparent conflicts of interest, this new body should be accountable to a Minister other than the Minister of Immigration, Refugees and Citizenship. This would be a government regulated body.

RECOMMENDATION 2

That the only persons permitted to act as authorized paid representatives of applicants for immigration, or citizenship, or persons claiming refugee status be lawyers who are members in good standing of a Canadian provincial or territorial law society; notaries who are members in good standing of the Chambre des notaires du Québec; and immigration consultants admitted to the profession by the new regulatory body.

194 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.53, 8 March 2017, 1645 (Lawrence Barker).

195 Philip Mooney, [Written Submission](#), p. 4.

196 CIMM, [Evidence](#), 42nd Parliament, 1st session, Meeting No.59, 8 May 2017, 1640 (Robert Kewley).

197 Ibid.

RECOMMENDATION 3

That the new regulatory body develop, establish and require high standards for admission including, but not limited to, the areas of training, education and standardized curriculum across the provinces and territories, to membership in the profession, develop a code of conduct and ethical standards, identify the scope of practice and areas of responsibility of immigration consultants, develop a program of errors and omissions insurance coverage and require members of the profession to maintain appropriate coverage. For clarity, registered immigration consultants shall be legally and ethically responsible for all activities undertaken in their name or on their behalf by employees or associates in their work on behalf of clients.

RECOMMENDATION 4

That the new regulatory body set training, education and experience standards, more rigorous than current standards, for those seeking to become immigration consultants; and that the new regulatory body act as an accreditation agency for such programs of education as may be provided by educational institutions; and that the new regulatory body establish, offer and require appropriate continuing education for immigration consultants to maintain their membership in the profession.

RECOMMENDATION 5

That the new regulatory body develop a system of tiered licensing in relation to the categories of services individual consultants are permitted to provide, the highest level restricted to those members of the profession sufficiently capable and experienced to conduct litigation before the Immigration and Refugee Board of Canada. The licensing requirements would be based on education, practical training and experience.

RECOMMENDATION 6

That the new regulatory body be empowered to create mechanisms for investigating and dealing with complaints and disciplinary matters where an immigration consultant may have failed to meet standards of learning, professional competence or conduct; and that the new regulatory body be empowered to investigate and prosecute persons who provide immigration consulting services to the public for payment without having been admitted to the profession by the new regulatory body. For these purposes the new regulatory body should be provided with investigative and disciplinary powers similar to those exercised by Canadian provincial and territorial law societies. Further, that the new regulatory body shall be authorized and encouraged to engage in public education about the profession.

RECOMMENDATION 7

That the new regulatory body be empowered to develop and conduct a process for review and resolution of fee disputes.

RECOMMENDATION 8

That as soon as the new regulatory body is constituted, staffed and ready to function, the Minister of Immigration, Refugees and Citizenship revoke ICCRC's designation as the regulatory body for immigration and citizenship.

RECOMMENDATION 9

That the new regulatory body be subject to a regular, triennial review by a Committee of the House of Commons and by a Committee of the Senate.

RECOMMENDATION 10

That Immigration, Refugees and Citizenship Canada create a mechanism that will effectively allow individuals who have been abused by unscrupulous representatives to file a complaint without fear it will jeopardize their application or status.

RECOMMENDATION 11

That Immigration, Refugees and Citizenship Canada amend section 91 of the *Immigration and Refugee Protection Act* in order to clarify that non-governmental organizations, such as settlement agencies, will not be subject to sanctions for offering basic immigration services.

RECOMMENDATION 12

That Immigration, Refugees and Citizenship Canada provide more financial support to settlement agencies to offer basic immigration services.

RECOMMENDATION 13

That Immigration, Refugees and Citizenship Canada provide to all potential newcomers at the beginning of their application process the rules regarding legal representation in the languages most used by prospective immigrants; that this information be on its website and as part of its application forms. Further, that Immigration, Refugees and Citizenship Canada direct the applicants to the regulatory body for immigration consultants, provide a public list of suspended registered consultants, explain the risks in using unregistered consultants, and notify applicants of the assistance available from non-governmental organizations.

RECOMMENDATION 14

That Immigration, Refugees and Citizenship Canada work in consultation and collaboration with Global Affairs Canada and stakeholders to develop education campaigns in foreign markets with a prevalence of unregistered immigration consultants who target immigrants to Canada, and with local ethnic media to educate on registered immigration consultants, the immigration process, and to counter misleading and inaccurate information.

RECOMMENDATION 15

That Immigration, Refugees and Citizenship Canada review its Call Centre to provide individuals with basic immigration information in the languages most used by prospective immigrants.

RECOMMENDATION 16

That Immigration, Refugees and Citizenship Canada undertake a review of the use of consultants by its clients, and develop a formal working group with members of the department and the new regulatory body to explore ways of simplifying its processes to reduce the need for third party assistance.

RECOMMENDATION 17

That, when Immigration, Refugees and Citizenship Canada suspects that an application has been prepared by someone other than the applicant, who has been paid for their services and who is not an authorized representative (“ghost consultant”), IRCC should continue to process the application, advise the applicant of their suspicion, and inform the applicant how to find a properly licensed authorized representative. IRCC should then also allow the applicant the opportunity to review the information provided by the “ghost consultant” and, if in good faith, the applicant or someone on the applicant’s behalf has submitted an application which contains any error or misrepresentation not authorized or previously known to the applicant, the applicant should be permitted to correct the errors or misrepresentations made by the “ghost consultant”.

RECOMMENDATION 18

That the Government of Canada conduct a review of the current policies addressing the unauthorized practice of immigration law by “ghost consultants”, and that increased fines and sentences for these offences be considered.

RECOMMENDATION 19

That the Government of Canada consult with the Royal Canadian Mounted Police and provincial and municipal police forces and

address the issue of increased workload and resources before placing responsibility for the enforcement and investigation of violations of section 91 of the *Immigration and Refugee Protection Act* under the jurisdiction of the Royal Canadian Mounted Police and provincial and municipal police forces.

Recommendation 20

That the Government of Canada examine the feasibility of implementing a tariff system similar to that which exists in legal aid for the immigration consulting industry in order to reduce the risk of financial exploitation of applicants.

Recommendation 21

That the Government of Canada provide adequate, sustainable and targeted funding to CBSA to allow for an expanded ability to investigate and lay charges on authorized or unauthorized immigration consultants until such time as the new regulatory body empowered to investigate and prosecute persons who provide immigration consulting services to the public for payments is in place.

Canada's current regulatory body that governs immigration and citizenship consultants and paralegals is unable to serve its purpose. As indicated in the recommendations, the Committee calls for a new regulatory framework governing immigration and citizenship consultants and paralegals that gives the government a stronger oversight role. The Committee also believes that strengthening the education requirements and introducing a tiered licensing system would consolidate the profession of consultants and paralegals. Further, the Committee believes the government should not penalize individuals who have mistakenly hired an unregistered representative or those who would like to lodge a complaint against unscrupulous consultants. Finally, the need for further study on what drives individuals to use third parties when going through the immigration or citizenship processes was made apparent throughout the study.

The Committee wishes to thank all witnesses who appeared or contributed to this study. The Committee expresses a special acknowledgement to the individuals who have shared with the Committee their personal stories of abuse and struggle with immigration and citizenship consultants and paralegals. The Committee hopes that this report reveals the importance of a strong regulatory body that governs immigration and citizenship consultants and paralegals in order to serve the public and to protect the integrity of Canada's immigration and citizenship programs.

LIST OF RECOMMENDATIONS

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RECOMMENDATION 3

That the new regulatory body develop, establish and require high standards for admission including, but not limited to, the areas of training, education and standardized curriculum across the provinces and territories, to membership in the profession, develop a code of conduct and ethical standards, identify the scope of practice and areas of responsibility of immigration consultants, develop a program of errors and omissions insurance coverage and require members of the profession to maintain appropriate coverage. For clarity, registered immigration consultants shall be legally and ethically responsible for all activities undertaken in their name or on their behalf by employees or associates in their work on behalf of clients. 33

RECOMMENDATION 4

That the new regulatory body set training, education and experience standards, more rigorous than current standards, for those seeking to become immigration consultants; and that the new regulatory body act as an accreditation agency for such programs of education as may be provided by educational institutions; and that the new regulatory body establish, offer and require appropriate continuing education for immigration consultants to maintain their membership in the profession..... 33

RECOMMENDATION 5

That the new regulatory body develop a system of tiered licensing in relation to the categories of services individual consultants are permitted to provide, the highest level restricted to those members of the profession sufficiently capable and experienced to conduct litigation before the Immigration and Refugee Board of Canada. The licensing requirements would be based on education, practical training and experience. 33

RECOMMENDATION 6

That the new regulatory body be empowered to create mechanisms for investigating and dealing with complaints and disciplinary matters where an immigration consultant may have failed to meet standards of learning, professional competence or conduct; and that the new regulatory body be empowered to investigate and prosecute persons who provide immigration consulting services to the public for payment without having been admitted to the profession by the new regulatory body. For these purposes the new regulatory body should be provided with investigative and disciplinary powers similar to those exercised by Canadian provincial and territorial law societies. Further, that the new regulatory body shall be authorized and encouraged to engage in public education about the profession..... 33

RECOMMENDATION 7

That the new regulatory body be empowered to develop and conduct a process for review and resolution of fee disputes. 34

RECOMMENDATION 8

That as soon as the new regulatory body is constituted, staffed and ready to function, the Minister of Immigration, Refugees and Citizenship revoke ICCRC’s designation as the regulatory body for immigration and citizenship. 34

RECOMMENDATION 9

That the new regulatory body be subject to a regular, triennial review by a Committee of the House of Commons and by a Committee of the Senate..... 34

RECOMMENDATION 10

That Immigration, Refugees and Citizenship Canada create a mechanism that will effectively allow individuals who have been abused by unscrupulous representatives to file a complaint without fear it will jeopardize their application or status..... 34

RECOMMENDATION 11

That Immigration, Refugees and Citizenship Canada amend section 91 of the *Immigration and Refugee Protection Act* in order to clarify that non-governmental organizations, such as settlement agencies, will not be subject to sanctions for offering basic immigration services..... 34

RECOMMENDATION 12

That Immigration, Refugees and Citizenship Canada provide more financial support to settlement agencies to offer basic immigration services..... 34

RECOMMENDATION 13

That Immigration, Refugees and Citizenship Canada provide to all potential newcomers at the beginning of their application process the rules regarding legal representation in the languages most used by prospective immigrants; that this information be on its website and as part of its application forms. Further, that Immigration, Refugees and Citizenship Canada direct the applicants to the regulatory body for immigration consultants, provide a public list of suspended registered consultants, explain the risks in using unregistered consultants, and notify applicants of the assistance available from non-governmental organizations..... 34

RECOMMENDATION 14

That Immigration, Refugees and Citizenship Canada work in consultation and collaboration with Global Affairs Canada and stakeholders to develop education campaigns in foreign markets with a prevalence of unregistered immigration consultants who target immigrants to Canada, and with local ethnic media to educate on registered immigration consultants, the immigration process, and to counter misleading and inaccurate information. 35

RECOMMENDATION 15

That Immigration, Refugees and Citizenship Canada review its Call Centre to provide individuals with basic immigration information in the languages most used by prospective immigrants. 35

RECOMMENDATION 16

That Immigration, Refugees and Citizenship Canada undertake a review of the use of consultants by its clients, and develop a formal working group with members of the department and the new regulatory body to explore ways of simplifying its processes to reduce the need for third party assistance. 35

RECOMMENDATION 17

That, when Immigration, Refugees and Citizenship Canada suspects that an application has been prepared by someone other than the applicant, who has been paid for their services and who is not an authorized representative (“ghost consultant”), IRCC should continue to process the application, advise the applicant of their suspicion, and inform the applicant how to find a properly licensed authorized representative. IRCC should then also allow the applicant the opportunity to review the information provided by the “ghost consultant” and, if in good faith, the applicant or someone on the applicant’s behalf has submitted an application which contains any error or misrepresentation not authorized or previously known to the applicant, the applicant should be permitted to correct the errors or misrepresentations made by the “ghost consultant”. 35

RECOMMENDATION 18

That the Government of Canada conduct a review of the current policies addressing the unauthorized practice of immigration law by “ghost consultants”, and that increased fines and sentences for these offences be considered. 35

RECOMMENDATION 19

That the Government of Canada consult with the Royal Canadian Mounted Police and provincial and municipal police forces and address the issue of increased workload and resources before placing responsibility for the enforcement and investigation of violations of section 91 of the *Immigration and Refugee Protection Act* under the jurisdiction of the Royal Canadian Mounted Police and provincial and municipal police forces. 35

Recommendation 20

That the Government of Canada examine the feasibility of implementing a tariff system similar to that which exists in legal aid for the immigration consulting industry in order to reduce the risk of financial exploitation of applicants. 36

Recommendation 21

That the Government of Canada provide adequate, sustainable and targeted funding to CBSA to allow for an expanded ability to investigate and lay charges on authorized or unauthorized immigration consultants until such time as the new regulatory body empowered to investigate and prosecute persons who provide immigration consulting services to the public for payments is in place. 36

APPENDIX A LIST OF WITNESSES

Organizations and Individuals	Date	Meeting
<p>Canada Border Services Agency Jennifer Lutfallah, Director General Enforcement and Intelligence Programs</p> <p>Department of Citizenship and Immigration Michael Brandt, Director Grants and Contributions Financial Management David Cashaback, Acting Director General Immigration Branch Michael MacDonald, Director General Immigration Program Guidance Robert Orr, Assistant Deputy Minister Operations</p> <p>Immigration and Refugee Board of Canada Paul Aterman, Deputy Chairperson Immigration Appeal Division</p>	2017/03/06	52
<p>As individuals Ryan Dean Navjot Dhillon</p> <p>Canadian Association of Professional Immigration Consultants Donald Igbokwe, President Dory Jade, Chief Executive Officer</p> <p>Canadian Migration Institute Ni Fang, Chair</p> <p>Immigration Consultants of Canada Regulatory Council Lawrence Barker, Acting President and Chief Executive Officer Registrar Hafeeza Bassirullah, Director of Education Christopher Daw, Chair of the Board of Directors</p> <p>Metro Toronto Chinese and Southeast Asian Legal Clinic Avvy Yao-Yao Go, Clinic Director</p>	2017/03/08	53
<p>Canadian Bar Association Ravi Jain, Member Immigration Law Section</p>	2017/04/03	55

Organizations and Individuals	Date	Meeting
<p>Canadian Bar Association Kathleen Terroux, Lawyer Legislation and Law Reform</p> <p>House of Commons Philippe Dufresne, Law Clerk and Parliamentary Counsel</p> <p>Inter Clinic Immigration Working Group Jennifer Stone, Staff Lawyer Neighbourhood Legal Services</p> <p>Inter-Connections Canada Inc. Alli Amlani, President</p> <p>Ontario Council of Agencies Serving Immigrants Leslie Emory, Board Director</p> <p>Thorncliffe Neighbourhood Office of Toronto Michelle Marie Dulanias Maria Esel Panlaqui, Settlement Worker</p>	2017/04/03	55
<p>As an individual Richard Kurland, Lawyer and Policy Analyst</p> <p>Immigration Consultants of Canada Regulatory Council Lawrence Barker, Acting President and Chief Executive Officer Registrar Hafeeza Bassirullah, Director of Education Christopher Daw, Chair of the Board of Directors</p> <p>West Coast Domestic Workers' Association Natalie Drolet, Executive Director Staff Lawyer</p>	2017/04/10	56
<p>Alliance of Portuguese Clubs and Associations of Ontario José Eustaquio, Executive President</p> <p>As individuals Witness-Témoin 1 Witness-Témoin 2 Shuai Liu David Nurse, Counsel McInnes Cooper Wensi Zhang</p>	2017/05/01	57

Organizations and Individuals	Date	Meeting
<p>LIUNA Local 1089</p> <p>Jason McMichael, Director Government and Community Relations</p>	2017/05/01	57
<p>LiUNA Local 183</p> <p>Jason Ottey, Director Government Relations and Communications</p>		
<p>Matrixvisa Inc.</p> <p>Jacobus Kriek, Regulated Canadian Immigration Consultant and Policy Analyst</p>		
<p>As individuals</p> <p>Gabrielle Frédette Fortin, Regulated Canadian Immigration Consultant</p> <p>Robert Kewley, Retired Royal Canadian Mounted Police</p> <p>Raj Sharma, Managing Partner Stewart Sharma Harsanyi</p> <p>Lorne Waldman, Barrister and Solicitor Lorne Waldman and Associates</p>	2017/05/08	59
<p>Canada Border Services Agency</p> <p>Jennifer Lutfallah, Director General Enforcement and Intelligence Programs</p>	2017/05/10	60
<p>Department of Citizenship and Immigration</p> <p>Michael Brandt, Director Grants and Contributions Financial Management</p> <p>David Cashaback, Director Immigration Branch</p> <p>Michael MacDonald, Director General Immigration Program Guidance</p> <p>Robert Orr, Assistant Deputy Minister Operations</p>		
<p>Immigration and Refugee Board of Canada</p> <p>Paul Aterman, Deputy Chairperson Immigration Appeal Division</p>		
<p>Department of Citizenship and Immigration</p> <p>David Cashaback, Director Immigration Branch</p> <p>Michael MacDonald, Director General Immigration Program Guidance</p> <p>Christopher Meyers, Director General Finance</p>	2017/05/29	62

APPENDIX B LIST OF BRIEFS

Organizations and Individuals

Al Hidiq, Lulwa

Amlani, Alli

Blaney, Earl

Canadian Association of Professional Immigration Consultants

Canadian Bar Association

Dhillon, Navjot

Farrol, Aileen

Ferreira-Wells Immigration Services

Government of Saskatchewan

Gracey, Holly

Grewal, Harjit

Immigration Consultants of Canada Regulatory Council

Inter Clinic Immigration Working Group

Jain, Ravi

Kriek, Jacobus

McInnis Jessome, Roxanne

McNeil, Mary Louise

Metro Toronto Chinese and Southeast Asian Legal Clinic

Mooney, Philip

Onuschak, Katarina

Roukema, Daniel

Soden, John

Soden, Shakuntala

Organizations and Individuals

Uddin, Taj

Watto, Muhammad

Zakhour, Youssef

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 52, 53, 55, 56, 57, 59, 60, 62, 66 and 67](#)) is tabled.

Respectfully submitted,

Borys Wrzesnewskyj
Chair

