

Friday 13, 2018

Dear Mr. Jade:

Here is my review of your complaint regarding an article using the phrase “fraudulent immigration consultant.”

COMPLAINT

You are the Chief Executive Director of the Canadian Association of Professional Immigration Consultants (CAPIC). You objected to an article about a woman convicted on five charges relating to fraudulent practices advising clients who wished to immigrate to Canada. You were very concerned that she was described as an immigration consultant. You said the headline [“Crown Pushing for 11 year jail term, \\$100k fine for fraudulent immigration consultant”](#) falsely applied the term “immigration consultant” to the woman in question, Angelina Codina. You pointed out she was disbarred from the Law Society of Upper Canada in 2002 and was never a member of the Immigration Consultants of Canada Regulatory Council (ICCRC). You are concerned the reference associated her with bona fide consultants and thereby tarnished the image of true professionals. You suggested that “unauthorized representative” or “unauthorized practitioner” would be more accurate and appropriate:

Inaccuracy regarding the use of professional terminology, especially in criminal cases, is not in the public interest. The term “immigration consultant” derives and is therefore inseparable from the more formal “Regulated Canadian Immigration Consultant (RCIC),” which denotes a professional subject to a strict code of ethics. It follows that loosely applying the former necessarily tarnishes the latter.

The Canadian media must distinguish more clearly between criminals who merely claim to provide immigration-related services, and immigration consultants per se. The mandate of the Immigration Consultants of Canada Regulatory Council (ICCRC), which oversees regulated immigration consultants, is to protect consumers. If the public erroneously conflates frauds and professionals, however, this task becomes near impossible.

You believe that the misuse of this term causes “irreparable harm” to your profession.

MANAGEMENT RESPONSE

The Executive Producer of CBC News in Toronto replied to your concerns. She told you that Ms. Codina had been calling herself an immigration consultant and was providing the services of one. She noted that the word “fraudulent” in the headline and the explanation in the second paragraph of the story makes it clear that she was acting illegally. She said “I am confident this makes it very clear to the reader that this is about one fraudster, not about the profession as a whole.”

She was confident that the article made it clear that Ms. Codina was acting fraudulently, and was not, in fact, an immigration consultant. She did not believe there was need for a correction or clarification.

REVIEW

You are right that a bedrock value of CBC News is accuracy. There are other considerations in the writing of headlines and news stories - CBC Journalistic Standards and Practices also deals with questions of language use and production. Another bedrock value is clarity and accessibility. As a matter of fact, this is one of the references in the description of “accuracy:”

The production techniques we use serve to present the content in a clear and accessible manner.

This is reiterated in the policy regarding language usage:

CBC is a language model for its audiences. Good usage and accuracy are essential to high quality journalism. Our language should be simple, clear and concrete.

Journalistic style is accurate, concise and accessible. Our purpose is to make complex subjects understandable. When specialized or technical vocabulary needs to be used, it is explained and put in a context that makes it easy to understand.

I appreciate you wish to protect the reputation of certified and ethical practitioners - and for you that rests with proper use of the term “immigration consultant.” Your alternate suggestions are ones programmers might want to consider in the proper context, and when it does not obscure meaning. Sadly, there seems to be quite a few people who pose as consultants to prey upon vulnerable people. In the case of this article, the language used conveyed the meaning concisely - both in terms of letting readers know what the convicted woman was doing, and that she was doing it illegally. The headline did not refer to an unethical immigration consultant but rather a fraudulent one - which clearly conveyed that she was, in fact, not who she said she was. It appropriately conveyed what it was she was doing. The story began this way:

Crown prosecutors are asking for an 11-year jail term for a GTA woman they say "deliberately targeted" vulnerable people with "false promises."

Angelina Codina was convicted of five charges in November, including advising clients on immigration matters without being authorized to do so and misrepresenting facts on an immigration application.

The article also highlights that she had been disbarred, and that under the federal Immigration and Refugee Protection Act that disbarment prohibited her from giving advice on immigration matters to clients.

There is nothing in this article which takes it beyond this individual. In your view the term simply did not apply to this practitioner because she was not associated with your organization or that it implied an association with “registered immigration consultants.” I do not think that would be top of mind for most readers, but it would have been clear to them what Ms. Codina had done wrong and that she was pretending to be something she was not. There were no inaccuracies in this story.

Sincerely,



Esther Enkin
CBC Ombudsman

cc: Jennifer McGuire, General Manager and Editor in Chief, CBC News
Laura D. Green, Executive Producer, CBC News Toronto