

Bureau of Accuracy/Public Editor
publiced@thestar.ca

November 29, 2021

RE: November 26 article “Integrity of Canada’s immigration system at stake, warn lawyers”

Dear Editor,

I am writing to you today on behalf of the Canadian Association of Immigration Consultants (CAPIC) regarding the recent article titled “Integrity of Canada’s immigration system at stake, warn lawyers,” which was originally published in the *New Canadian Media*, and then subsequently republished in the *Toronto Star*, on November 26, 2021. I wish to address several issues with the portrayal of the immigration industry in this piece and the *Toronto Star’s* decision to re-publish this story.

CAPIC has forged and maintained strong relationships with all tiers of government and has been recognized by the Government of Canada as the leader of, and advocate for, immigration and citizenship consultants and the immigration consulting profession. CAPIC is a major stakeholder in immigration and citizenship policy. Our organization represents almost 4000 immigration and citizenship consultants who assist newcomers working, studying, visiting, or moving to Canada. CAPIC prioritizes the integrity of Canada’s immigration system and has long advocated for additional measures to safeguard the public, such as self-regulation and the creation of the College of Immigration and Citizenship Consultants (CICC).

The article published in your paper presents an incomplete picture of the immigration industry. The article is based on the opinions of a small group of immigration lawyers. In the article, the opinions of this group of immigration lawyers are bolstered with quotations from CBA’s review of the proposed *Code of Professional Conduct for College of Immigration and Citizenship Consultant Licensees*, which was first proposed in the *Canada Gazette* on May 15, 2021. However, the article does not clarify that immigration lawyers, whether advocating through the established governance framework of the CBA or not, are in direct competition with immigration and citizenship consultants. As such, lawyers have a vested interest in not only undermining the efficacy of the CICC but in suggesting a relationship in which consultants are subordinate to lawyers.

CAPIC believes the goal of the article was undermined because the author provided direct quotations from a competitor such as CBA, without clarifying that adversarial relationship in the article or seeking comment from the equivalent organization

representing consultants, CAPIC. Readers are seeking accurate immigration information and news. The one-sided nature of this piece further clouds important issues. Instead of publishing the comments of an anonymous consultant, the author should have reached out to CAPIC for comment. CAPIC is the sole voice of Canada's immigration and citizenship consultants and as the only association that can speak for consultants, can provide the necessary balance to CBA's quotations. [CAPIC's review](#) of the proposed Code of Conduct highlights our association's commitment to improving the integrity of Canada's immigration industry while ensuring the public has access to the essential services offered by immigration and citizenship consultants. CAPIC supports the goal of improved accountability and has worked tirelessly to establish a regulator with the powers to achieve these aims.

The article illustrates a fundamental misunderstanding of the evolutionary process that resulted in the creation of the College of Immigration and Citizenship Consultants. Regulatory bodies go through many iterations to meet the evolving needs of a given profession. The Law Society of Ontario went through such an evolution in 2018, changing its name and rebranding, while incorporating the regulation of paralegals under its mandate. Similarly, CICC is not a third attempt at regulating immigration and citizenship consultants, as the article suggested, but rather the continued progression of a regulatory body offering improved oversight and disciplinary powers. CICC has a small number of disciplinary cases on record because it is not a brand-new organization, but rather a continuation of the previous regulator, the Immigration Consultants of Canada Regulatory Council (ICCRC). Disciplinary cases are a common feature of regulatory bodies and highlight the importance of accountability. However, CAPIC believes it is problematic for a news publication to rely solely on a competitor's assessment of the disciplinary procedures undertaken by a different regular in another profession.

Not only does the article primarily rely on a competitor's assessment of the CICC, but the *Toronto Star* also omitted six key points illustrating the College's new powers when republishing the article. Originally included in the *New Canadian Media* edition, the following lines were cut from the version published in the *Toronto Star*:

- entering a consultant's premises to gather information for an investigation
- compelling witnesses to appear and testify before its Discipline Committee
- requesting court injunctions to address unlicensed actors providing immigration or citizenship advice without authorization

- The College is an arm's-length institution, regulating the profession and protecting both the public and consultants in good standing from those who take advantage of vulnerable people.
- The College's initial board of directors will be comprised of 5 public interest directors (appointed by the Minister of Immigration, Refugees and Citizenship) and 4 members of the College (consultants).
- A code of professional conduct for the College will play a major role in establishing and maintaining strong ethical and professional standards by which all licensed consultants must abide.

These lines provide crucial information and context, such as the provisions for a code of professional conduct (consultation on which is already underway), and the composition of the board of directors. By not including these items, readers are left with an inaccurate understanding of the College's mandate and consumer protections.

Finally, the article does not clarify who is funding the College of Immigration and Citizenship Consultants. As stated in the article, the federal government has pledged to invest \$50 million to fight immigration fraud. While the College has a mandate of consumer protection and will take on anti-fraud initiatives, CICC is self-sufficient and financed by its members, immigration and citizenship consultants. The \$50 million pledged by the federal government will tackle fraud across the industry, including fraud perpetrated by immigration lawyers. Immigration fraud is not unique to a particular profession in our industry, but requires the commitment of all practitioners, not just immigration and citizenship consultants, to combat effectively.

CAPIC takes the credibility of our immigration media partners seriously and is pleased to serve as an immigration industry resource for media and government alike to ensure information shared with the public is accurate and credible.

Sincerely,

Dory Jade, C. Dir.
Chief Executive Officer
CAPIC-ACCPI