

OP-ED | FOR PUBLICATION

Canada's newcomers deserve better than a debate shaped by those with a stake in the outcome.

A recent editorial in these pages called for immigration consultants to be placed under mandatory lawyer supervision. Before Canada acts on that recommendation, it is worth asking who benefits from it — and who pays the price.

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Every year, hundreds of thousands of Canadians — newcomers, temporary workers, international students, families navigating spousal sponsorship — turn to a Regulated Canadian Immigration Consultant (RCIC) for help. They do so because Canada's immigration system is one of the most complex administrative environments in the world, processing timelines and policy rules change frequently, and qualified, affordable representation makes a tangible difference to outcomes that shape lives. The question of how that representation is governed is therefore not a technical regulatory matter. It is a question about access, fairness, and who Canada's immigration system actually serves.

The Canadian Association of Professional Immigration Consultants (CAPIC–ACCPI) has been engaged in that question for two decades. As the only association recognized by the Government of Canada as the national voice of RCICs and Regulated International Student Immigration Advisors (RISIAs), representing over 4,000 members, CAPIC does not approach this conversation as a bystander. We are the association that lobbied Parliament for federal statute regulation of the profession, appeared before the Standing Committee on Citizenship and Immigration, and made detailed technical submissions to ensure the *College of Immigration and Citizenship Consultants Act*, S.C. 2019, c. 29, was designed with consumer protection at its centre. We have a direct interest in getting this right — and so do the clients our members serve.

The registration of the *College of Immigration and Citizenship Consultants Regulations*, SOR/2026-68, on April 16, 2026, taking effect July 15, is a meaningful step. It delivers a compensation fund for victims of dishonest acts, increases the maximum disciplinary penalty from \$10,000 to \$50,000, creates a Capacity Evaluation Committee, strengthens investigative and complaints processes, and gives the Minister the authority to intervene if the College fails its mandate. Canada now has a regulatory framework for immigration consultants built on a federal statute, with real disciplinary teeth, operating at arm's length from government. That is not a small achievement. It took years of sustained advocacy to build. It deserves to be understood on its own terms before conclusions are drawn about whether it works.

That context matters because the debate about regulation is often framed as a story of repeated failure. It should not be. The profession has evolved substantially. When CAPIC first began

advocating for federal statute regulation in the years preceding Bill C-97, 1st Session, 42nd Parliament (introduced 8 April 2019; Royal Assent 21 June 2019) tabled in Parliament on April 8, 2019, immigration consulting was governed by industry-led self-regulatory bodies with no statutory foundation, no extra-territorial reach, and no public-interest mandate enforceable in law. The College of Immigration and Citizenship Consultants (the College), operational since November 2021, is categorically different: it is a federal statutory regulator, established by an Act of Parliament, with authority that extends to practitioners operating outside Canada's borders, and with accountability to Parliament rather than to the profession it regulates. Calling for its replacement after less than five years of operation is not a response to a failed model. It is a response to an unfamiliar one — one that has not yet been given the resources, the interagency cooperation, or the time to demonstrate its full capacity.

The debate about who should regulate this profession loses its way the moment it stops asking who the regulation is actually for.

The harms that Canadians read about in the news — job offer fraud, falsified applications, the manipulation of refugee claim processes — are real, and they are serious. But a clear-eyed reading of the evidence reveals something important: the most egregious of these harms are, in the majority of cases, the work of unauthorized practitioners operating entirely outside any regulatory framework. No licence, no regulator, no code of conduct, no professional insurance. The College reports that the bulk of its active complaints trace back to approximately one percent of its licensees. The 99 percent of RCICs who practise ethically and competently every day are not the source of the headlines. The source is a persistent enforcement gap between the College, the Canada Border Services Agency, and the RCMP — a gap that no change to the licensing model for authorized practitioners will close, because unauthorized practitioners are, by definition, outside that model entirely.

There is a genuine and largely unexplored opportunity here that deserves more attention in public discourse. Unauthorized practitioners who charge for immigration advice are, in most cases, practising law without a licence. That is a provincial offence in every Canadian jurisdiction, governed by provincial law societies. Those law societies hold enforcement tools that have not, to date, been deployed in any coordinated or systematic way against individuals who offer immigration advice without authorization. CAPIC has called for a formal joint enforcement protocol between the College and law societies precisely because both bodies have authority, and neither has fully exercised it in partnership. That collaboration — pursued in the shared interest of protecting vulnerable clients — would do more to address the real problem than any restructuring of how authorized practitioners are licensed.

The specific model that has been proposed — immigration consultants working under lawyer supervision, analogous to paralegals — rests on a factual premise that does not hold. Ontario paralegals, the most commonly cited comparison, are not supervised by lawyers. They are independently licensed by the Law Society of Ontario under the Law Society Act, R.S.O. 1990, c. L.8, with their own scope of practice, their own insurance requirements, and their own disciplinary process. A paralegal in Ontario does not require a lawyer's oversight to file a document or appear before a tribunal. The analogy, as drawn, describes a regulatory model that does not exist in the jurisdiction it invokes. What Ontario paralegals actually demonstrate is that an independently licensed, statutorily regulated profession — operating at accessible price points and serving



clients that the established bar does not reach — is precisely the right model. That is what RCICs already are. The question is not whether to build it. It is whether to resource it properly.

Good journalism requires disclosure. When a publication quotes a source advocating for a specific regulatory outcome, readers are entitled to know whether that source has a professional or financial stake in the outcome being advocated. Immigration law and immigration consulting are, in practice, overlapping service markets. Both serve clients navigating the same federal system. Both compete for the same files. A practitioner who earns income litigating against immigration consultants, and who recommends that those consultants be placed under the authority of the profession that employs him, is not a disinterested observer — and Canadian journalism's established conflict-of-interest standards exist precisely to ensure that readers can make that evaluation for themselves. The perspective may still be valid. But its provenance is part of the story, and omitting it leaves Canadians with an incomplete picture of whose interests are shaping the debate.

The clients at the centre of this debate are not abstractions. They are the Tagalog-speaking temporary foreign worker in rural Alberta whose work permit renewal has a three-week deadline. They are the family in Brampton navigating spousal sponsorship with limited English and no existing relationship with a law firm. They are the international student in Halifax trying to understand whether a change to her enrollment status affects her study permit. These clients chose an RCIC because they needed qualified help at a price they could afford, in a language they could communicate in, from a professional with roots in their community. The RCIC who serves them completed a graduate-level diploma program, passed a national entry exam, carries mandatory professional liability insurance, and operates under a federal code of conduct enforced by a statutory regulator. Any proposal that displaces that model without accounting for who will serve these clients in its absence is not a consumer protection proposal. It is a proposal about market structure that happens to use the language of consumer protection.

What Canada's immigration system needs is not a restructuring of who may practise immigration consulting. It needs faster discipline timelines, so that complaints do not take years to resolve while a practitioner remains in good standing with other clients. It needs a real-time, multilingual, publicly searchable national registry so that any prospective client can verify credentials in seconds, in their own language, before engaging with anyone. It needs mandatory referral protocols between Immigration, Refugees and Citizenship Canada (IRCC) and the College so that applications showing indicators of fraudulent representation trigger regulatory action without requiring a frightened client to file a complaint. And it needs the interagency coordination that would allow the College, the CBSA, the RCMP, and provincial law enforcement to pursue unauthorized practice in a coherent, resourced, and accountable way. These are all achievable within the existing framework. None of them require dismantling the authorized representation model that over 12,000 immigration consultants depend on and hundreds of thousands of clients rely on every year.

Canada's immigration system is under genuine pressure, and the stakes for those who navigate it have never been higher. In that environment, the public interest is best served by a clear-eyed look at the evidence, a transparent accounting of the interests at play in any regulatory proposal, and a commitment to solutions that strengthen protection for clients rather than simply rearranging the professional landscape. CAPIC is committed to that work. Our members are committed to it every day, in every province, in the offices and consultations where Canada's immigration



story actually unfolds — far from the op-ed pages, and very close to the lives that policy decisions affect.

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