



Ms. Morgan Owen  
Director, Ontario Immigrant Nominee Program  
Business Services  
Sent by email to [morgan.owen@ontario.ca](mailto:morgan.owen@ontario.ca)

May 8, 2023

**Re: CAPIC's Recommendation to Address the Potential Issue of Representation for the OINP Pilot Project**

Dear Morgan,

Further to our discussions on April 19, 2023 regarding the OINP Pilot Project concerning an applicant's right to choose their legal representation, CAPIC has some very concerning questions about the limitations set within the OINP's policy. We note that this is a serious infringement of one's fundamental right of choice to legal representation. We understand that many cases are in process at various stages. Specifically, we note the following:

- A) In the event an application is refused, applicants may seek redress through the courts with assertions that their rights have been violated under section 14 of the *Ontario Immigration Act*, since they were restricted with who may represent their application for immigration benefits under the Act.
- B) There is a flaw in the RFP process that infringes upon the fundamental rights of applicants to choose their own representative.
- C) Conflict of interest issues arise with the OINP's funding to the designated legal representatives through the assigned third-party service provider.

Other authorized representatives might challenge the validity of the RFP itself, which would threaten the legitimacy of the designated third party's involvement and put at risk applications that are in process.

We know that none of this was your intention and would like to suggest a remedy. You have stated that it is not your intention to continue with this policy after the Pilot Project concludes, then why not change the policy now, and inform all present and future applicants of this fact so they can access legal counsel of their choice?

CAPIC has a long history of continuing engagement with your department, starting from the earliest days before the Program was launched, and through to the many changes that have occurred. We are raising these concerns in the spirit of this involvement.



Thanking you for your attention to this very important matter; we welcome the opportunity to discuss further.

Sincerely,

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