

December 15, 2017



Memorandum Regarding Complaints Filed Against RCICs

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The Immigration Consulting Profession

Regulated Canadian Immigration Consultants (RCICs) are Authorized Representatives under the Immigration and Refugee Protection Act (IRPA), working alongside lawyers and notaries. There are over 4,000 regulated immigration consultants operating in Canada and abroad, serving hundreds of thousands of immigrant and citizenship seekers every year. RCICs are an important part of Canada's immigration system, and an important service provider for the Government of Canada in meeting annual immigration targets.

RCICs are regulated by an independent body called the Immigration Consultants of Canada Regulatory Council (ICCRC). Our consultants are put through extensive training and testing in order to become certified, and are governed by strict codes of conduct which are designed to protect consumers.

Getting the Facts Right

Disappointingly, there continues to be a great deal of inaccurate information circulating among stakeholder groups about our profession, with specific regard to the number of complaints made annually against RCICs. Via this memo (and the attached charts) we have attempted to correct this misinformation (much of which is shared by those critical of the profession).

It has come to our attention that an accumulated number of complaints against immigration consultants over a five-year period was erroneously put into a ratio calculated over a one-year period. This miscalculation has resulted in the belief that our RCICs receive an overwhelming number of complaints compared to other professions, ultimately tarnishing the credibility of the immigration consulting profession as a whole.

In reality, the number of complaints received against RCICs have been decreasing over time. Additionally, research we have undertaken demonstrates that the number of complaints made against RCICs to our regulator (which has existed for just over six years) are comparable to that of other professions based on size of membership; most notably including the Law Society of Upper Canada (LSUC), which was established in 1797.

Although CAPIC has yet to analyze the severity of the complaints that have been registered with our regulator, we suspect that the nature of complaints will be fairly homogeneous, and largely correctable. We will continue to work with the regulator to address existing deficiencies, such as slow processing, by identifying and solving processing bottlenecks.

Next Steps

CAPIC is working directly with Immigration Refugees and Citizenship Canada (IRCC) in improving customer service, client protection, and in making positive changes to how the profession is governed and regulated. This includes working with all stakeholders to find a way to best address the challenges posed by Unauthorized Immigration Practitioners (UAPs), which undermine the integrity of our profession and threaten consumer protection. We look forward to working with all involved to address this problem as we move into 2018 and beyond.

We understand that some third-party stakeholders are pressing for only immigration lawyers to be able to assist with immigration applications. Ultimately, we believe this view is short-sighted, and ignores the important role that RCICs play in the system.

It is important that immigration stakeholders work together, rather than against one another, to ensure that we get the best outcomes possible for the immigration system, for applicants, and for Canadians.

Table 1: 2016 Comparison between LSUC & ICCRC

2016 COMPARISON	LSUC	ICCRC	COMMENTS
Members in good standing	5,000	3,711	For a breakdown, see pages 16 & 62 of the LSUC 2016 annual report. -Around 50,000 lawyers, with 10% indicating that they work in immigration. Thus, there are roughly 5,000 immigration lawyers -There are only around 650 lawyers in the immigration section, Canada-wide.
Complaints against members	480	363	For a breakdown, see pages 31 & 62 of the report. -There were 6,313 total, with 80% against lawyers. Thus, 4759 lawyer complaints. -10% of lawyers indicated that they practise immigration, so roughly 480 immigration complaints
Complaint/Membership Ratio	9.60%	9.80%	
Complaints against UAPs	505	126	For a breakdown, see page 31 of the report. -8% of 6,313 complaints, but there was no determination if these were immigration-related.
*December 06, 2017, as per website: the CBA's Immigration Section has only 650 members Canada-wide (http://www.cba.org/Sections/Immigration-Law). Hence, stats provided by LSUC.			

Table 2: The numbers – annual complaints & ratios

SOURCE: ICCRC-CRIC ANNUAL REPORTS							
	Jun-12	Jun-13	Jun-14	Jun-15	Jun-16	Jun-17	TOTAL
# of RCICs in Good Standing	2282	2587	2831	3243	3711	4322	18976
Complaints against RCICs	256 (*306)	303	301	330	380	326	316 (average)
Complaints/Membership Ratio	~11.2%	~11.7%	~10.6%	~10.2%	~9.8%	~7.5%	~10.6 %
Complaints Against UAPs	190 (*140)	381	221	253	125	65	1045

*Indicates numbers from annual report; numbers used instead are taken from next year's report comparison stats.
**Source (if not otherwise indicated): <http://iccr-crcic.info/annual-reports/>

Figure 1: 5-year development of annual RCIC/UAP complaints

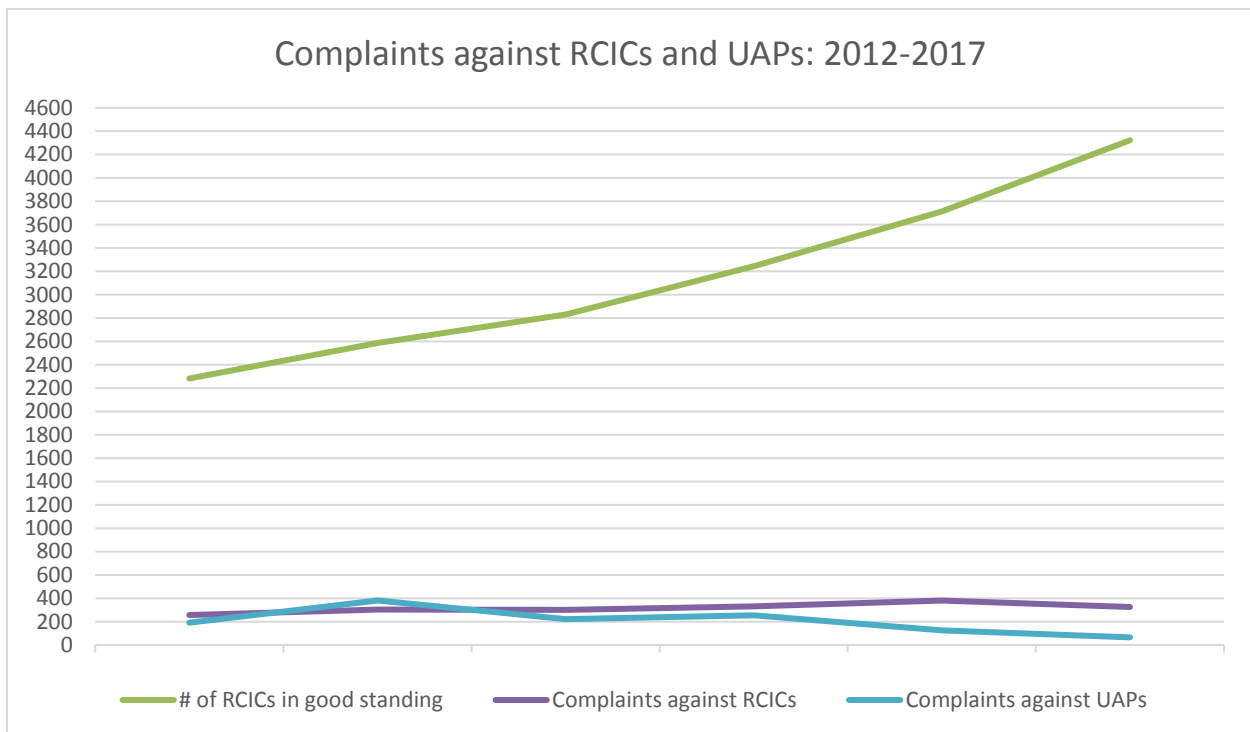


Figure 2: 5-year development of complaints/membership ratio

