



Canadian Association of Professional Immigration Consultants  
L'Association Canadienne des Conseillers Professionnels en Immigration

## *From the Bottom Up*

*A Newsletter for CSIC members about their issues.*

**Issue #244**

**JULY 11, 2010**

*Welcome to our Newsletter **From the Bottom Up**. Our articles and postings will cover immigration matters that affect your business and lives.*

*In this issue:*

### **They still don't get it!**

#### **WHY SELF-REGULATION REALLY MATTERS, AND WHY CSIC STILL DOESN'T GET IT!**

The message from CSIC on Friday, July 9, entitled "Why self - regulation Matters" demonstrates, once again, that CSIC has missed the point of the government announcement.

Our right to self-regulate is **not** under threat by the government. Indeed, the government is seeking to restore **our right to self-regulate**. It has taken note of complaints from the public about alleged unethical activities of CSIC members and found that the public does not have confidence in CSIC to regulate the activities of its members. The government has listened to complaints from the public about unauthorized consultants offering poor and misleading advice, while charging high fees. It concluded that CSIC does not have the legal power to regulate unauthorized consultants. The government has listened to the Parliamentary Standing Committee on Immigration that considered presentations made by CSIC, the public, and other stakeholders, and subsequently recommended that the CSIC mandate be terminated. The government must be convinced that it is a good idea. It has listened to CSIC members about poor governance practices at CSIC, high fees, excessive spending without accountability to members, and a lack of measures to hold Directors accountable.

The government has listened, considered the evidence against the expected performance of the Regulator, and it has made a decision.

The decision is **not** to hold a "regulatory review" as mentioned in today's CSIC message and which was repeated by Mr. Thomson at the Town Hall Meetings. It's a "CSIC spin". **The decision is to replace the Regulator**. The Notice

provisions stipulate that once the criteria have been set, bids accepted, and a new Regulator chosen, CSIC will be wound down.

CSIC is allowed to participate in the bidding process, but if its bid does not conform to the criteria, it will be rejected. If it does conform to the criteria, it must still be compared to other competing bids.

**It is very clear that the CSIC we know today cannot meet the criteria of transparency, accountability, and of the respect of the profession.**

But they still don't get it!

Mr. Thomson says that the government "has expressed a real concern about the public's lack of trust in the immigration consulting profession", and he blames that on ghost consultants. No, Mr. Thomson, that is not what the government has announced. The government has expressed concern about **the lack of public confidence in the Regulator of immigration consultants**, and about the desire to close the loopholes that permit ghost consultants to operate with impunity.

Every CCIC should be concerned that Mr. Thomson is trying to shift the responsibility onto all of us, rather than to accept that **CSIC must change**, not its members. We have done our jobs by operating ethical practices and by paying CSIC over \$29 million dollars to do its job.

When CSIC submitted its response to the Notice, it did so without any input from members. The same as there was no input from members allowed when CMI was set up. When we asked questions about the million dollars loss in revenue last year, the questions were left unanswered.,

Similarly, our questions on why we have a TV studio and a Coat of Arms, or about the start-up cost of the e-Academy or about any other significant financial decisions made by the Board over the last six years, were consistently ignored as being none of our business! This CSIC Board won't even tell us who received how much of the \$500,000 in Director fees paid last year. Mr. Thomson, in order to stand together, we need better treatment and respect than constantly getting **NO ANSWERS**.

And remember, it was this CSIC board and its previous incarnations all controlled by John Ryan that disallowed every single By-law amendment proposed by members. We couldn't even discuss them.

They just don't get it!

Mr. Thomson, we honest consultants have suffered too long at the hands of a Regulator who charges too much and delivers too little. The issue is not about keeping self-regulation. CSIC has never acted in any manner that could be considered self-regulation. It is about finally getting self-regulation, and removing those who have become "career regulators", operating in a Culture of Entitlement, instead of upholding the Tradition of

Service to the profession. The dichotomy of "us" and "them" that has been evident in CSIC dealings with members since 2004 must come to an end.

### **C-35**

We understand the Board's strategic approach to C-35. It was explained at the CMI event in Toronto on 11 June: The CSIC Board and CEO John Ryan fully expect an election and Bill C-35 to die before it can ever be passed. There goes the Minister's authority to decide which group can regulate consultants. But there also go the changes to fight ghost agents! Some strategy!

### **Elections**

The "Democratic elections" terminology used by CSIC must be taken with a large grain of salt. To describe any of our elections as truly democratic is a significant stretch. This year several CSIC members were prevented from running because of controversial restrictions imposed by the Board and the S.E.O. (who, we note, was appointed to a "vacant" Western Canadian seat while not residing there). These restrictions are already the subject of a Federal Court challenge. Candidates were not allowed to participate in forums held by advocacy groups. Communications to members were strictly controlled, and election forums were poorly attended since members could not ask questions freely of candidates. The two "establishment" candidates seeking re-election, including Mr. Thomson, did not even bother to attend any of the forums!

Then there is the issue of why Mr. Thomson was allowed to speak at a CSIC Town Hall meeting while the election was underway, despite candidates' rules that forbid it. Let's not forget the voters survey conducted by CSIC at the last minute and the three messages from CMI (headed by the S.E.O., who, remember, was appointed to the Board by a vote at a special Board meeting that included two of the Candidates - ON THE FINAL DAY OF VOTING!), clearly to favour the incumbents, and... Well, you see what we mean.

They Still Don't Get It!

### **OUR REQUESTS TO THE NEW CSIC BOARD:**

**STOP SPENDING MONEY.** Members prefer to preserve assets for the new regulator. This would include:

- Close down CMI and e-Academy and return all assets to CSIC;
- Close down CSIC TV and immediately sell off all assets;
- Cease all present advertising campaigns and halt any contracts and plans for any future campaigns IMMEDIATELY.

**DIRECTORS SHOULD** receive only the basic remuneration for serving on the Board until the new regulator is chosen.

**SET UP AN OVERSIGHT and AUDIT COMMITTEE** to review current programs, by-laws, policies and financial decisions of the Board.

**NEGOTIATE AN END TO THE LAWSUITS** involving members to conserve assets.

APPOINT A **MEMBERS' COMMITTEE TO HOLD MEETINGS ON CPD** and extend the CPD deadline to the end of 2011 while a new program is worked out.

**REASSURE student members** and educational institutions about the continuation of the profession as per the information given to you by the Minister and announced at the Town Hall meeting in Vancouver.

CAPIC believes that CCICs do have a common purpose to ensure that Consumer Protection is foremost in our desire for true self-regulation. Based on CSIC's message, it does not appear that they will join its members in truly working together for this common purpose.

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245 Fairview Mall Drive, Suite 602  
Toronto, ON. M2J 4T1  
416-309-1985

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