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The immigration consultant mess

The profession has been crying out for the kind of regulation enjoyed by lawyers and doctors

Barbara Kay, National Post

Last week, Immigration Minister Jason Kenney indicated he will shortly unveil a complete overhaul of the means by which immigration consultants are regulated. After years of bitter infighting and several publicized board resignations over spending practices from the Canadian Society of Immigration Consultants (CSIC), the six-year-old body that has failed to accomplish its mandated task of regulation, rank and file immigration consultants pronounced themselves delighted at the news.

"We have been calling for such changes for a long time," said Peter Bernier, president of the educational and lobbying body, the Canadian Association of Professional Immigration Consultants (CAPIC), "and are in full support of them."

Immigration consultancy is a notoriously sleaze-filled profession. There is plenty of money to be had from eager would-be immigrants, whose ignorance or desperation can easily be exploited by unscrupulous snake-oil salesmen. "Ghost" consultants, so called because they never show up in hearings with their clients and their names never appear on documents, can legally advertise misleading and unethical claims, and are a bane to the system.

The profession has been crying out for the kind of regulation enjoyed by lawyers and doctors for two decades. CSIC was set up as a non-profit society in 2003 by then-immigration minister Denis Coderre to end unethical practices, as well as to weed out incompetent and poorly educated consultants within its own ranks. But its mandate did not include the prosecutorial teeth to pursue unregulated ghost or foreign agencies, which is one reason CSIC has been largely ineffective in bringing outliers to heel.

But close observers say some of CSIC's most serious problems have to do with poor governance and a wilfully unaccountable leadership, in particular the l'etat-c'est-moi six-year chairmanship of John Ryan, handpicked to run CSIC by Denis Coderre.

By some insider accounts, Ryan ran CSIC as though it were his own private fiefdom. For example, in his resignation letter in 2005, former board member Francisco Rico-Martinez takes Ryan and his vice-chair to task for allotting over \$100,000 to three directors (Ryan and two others) and running up credit card expenses of \$225,000 in a 10-month period without consulting the membership. "We are well known for our lack of transparency," Rico-Martinez bitterly concludes following a long list of governance-related criticisms. Jill Sparling, a longtime activist for regulation, who was ejected from the CSIC board for her unremitting challenges to the "one-man show" of John Ryan, says CSIC went wrong from the beginning because there was nobody on the board with the expertise to run an organization properly; rather, she claims, the board was "a potpourri of community representatives and lawyers and consultants."

One of Ryan's more aggressive detractors is Phil Mooney, president of CAPIC from 2007-10 and a frequent presenter to the Standing Committee on Citizenship and Immigration. In a telephone interview, Mooney described Ryan as "patronizing" and "anti-democratic."

About 1,700 immigration consultants in 2009 paid nearly a whopping \$5,000 a year to belong to CSIC (\$4,300 in fees plus mandatory educational costs), about 35% more than lawyers pay their society. Where does that money go? Not to helping the victims of immigration scams so much as for \$292,000 in rent on a Bay St office, lavish directors' fees and vanity projects like a TV studio, a coat of arms and a CSIC merchandising shop.

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According to Mooney, nine directors in 2009 were self-paid a stunning total of \$500,937 for 12 meetings, which does not include expenses or fees earned by sitting on wholly owned subsidiaries such as CSIC's e-college, an online school, or the new Canadian Migration Institute (CMI), which lost more than \$1-million last year with no explanation to the membership.

Defenders of Ryan and CSIC call their ongoing ineffectuality "growing pains." "It's hard to become a regulated profession," one sympathetic former CSIC board member and present CMI board member told me, citing the difficulties of dealing with a rapid turnover of federal immigration ministers (Coderre ... Sgro ... Finley ... Volpe ... Solberg ... Kenney).

But CSIC's critics aren't buying that. As one member, jubilant at the news of CSIC's putative demise, wrote me: "It would appear that [Minister Kenney] is boldly attempting to create a regulatory authority with teeth, one that doesn't place the price of brass and glass above accountability, and one that just might actually protect the interests of the most vulnerable--the immigrants."

The man at the centre of this upheaval, John Ryan, abruptly resigned his chairmanship of CSIC days ago, though he retains the lucrative CEO-ship and other positions. Maybe more investigative sleuthing is needed going forward.

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