

# Ghost Consultants - on the run

*The move by the victims of fraudulent immigration consultants to unite and act is now gaining momentum. Hundreds have joined in the campaign to fight for justice as Immigration Minister Jason Kenney pushes Bill C-35 in parliament to crack down on crooked consultants. A report.*

How easy it is to con innocent people by beautiful, professional and convincing websites is apparent by the way immigration consultants around the world conduct their business. Canada can be no exception. While there is no data available as to how many have been victimized by the ghost consultants around the world, in Canada they may run into thousands. And it is more difficult to put a dollar value as to how much money could be involved.

Till a few months back, the victims living in Vancouver and surrounding areas were grieving alone in their homes and cursing their fates. Just a few months back, they decided to unite and now have become a powerful force to reckon with. And they are all ready to talk and tell their story as to how much money they lost at the hands of these fraudulent immigration practitioners.

Ram Krishan Sharma of Abbotsford is one of the few to start an agitation against these immigration consultants whose only aim is to fleece the innocent. He along with others established the 'Insaf Foundation' to fight for justice for all victims. Says 71-year old Ram Krishan who first went to Get Visa immigration consultants Rajesh Randev to sponsor 15 people from India, "Me and my friends collected \$98,000 and gave Rajesh the money to help these people. He did not sign any papers nor give us the receipt. He asked for cash only as that would save him taxes, he said. He did not fill out any forms and which now we understand that he did not have any intention of really working. Now he does not answer our calls and when he does, only threatens us. He goes to the extent of challenging us to do what we wanted."

There are not one but at least more than 700 such cases within the South Asian community alone where victims are duped and made to pay up before providing services. Then similar cases are being reported from Filipino and other Asian communities even from outside of Canada. According to Fraud



Watchers the Canadian Society of Immigration Consultants (CSIC) has just over 1,000 authorized members, but the watchdog group estimates an additional 5,000 unauthorized ghost consultants operate in Canada, and likely many thousands more in other countries. Many have gone to the extent of using CSIC logos without being members of the same while others claim to be immigration lawyers as well. Says Ram Krishan, "Rajesh told me that he was an immigration lawyer as well and sure to get the work done. There are women who have toiled under the sun and rain to bring their relatives here. They collected money over the years to give to Mr Rajesh Randev who now have duped them. He showed us the dreams and we trusted him. As a result, I have lost friends who trusted me and gave their hard earned money by relying on me. In return I relied on this crooked consultant. Today, we have formed a group of victims who have been duped not only by Get Visa, but others too. We urge everyone who has been victimized to come

on board. Anyone who has been cheated by an immigration consultant can call me at 604-850-9393 and we will take up their case. After all, unity is strength." For your information, this is the same Rajesh who once had the South Asian media at his feet. But now, has the the media after him!



**Get Visa immigration consultant Rajesh Randev with his wife Mamta - once had South Asian media at thier feet. Now has the media after him**

The game plan for everyone is the same - accept money transfer or cash. These

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## CSIC – Still Adolescent

*The Canadian Society of Immigration Consultants is an independent, federally incorporated body. It is responsible for regulating the activities of immigration consultants who are members and who provide immigration advice for a fee. In addition, the Society is responsible for ensuring the education and competency as well as testing of its members. While, the Society's mandate is to protect the consumers of immigration consulting services and ensure the competent and professional conduct of its members, yet in the last few years, the Society has earned the wrath of victims of fraudulent immigration consultants by not acting enough. Nigel Thomson, Chair of CSIC admitted in an exclusive interview with The Asian Outlook that concerns were raised due to CSIC adolescence. Excerpts : For detailed interview visit [www.outlookcanada.com](http://www.outlookcanada.com)*

*What prompted the Immigration minister to bring changes to the immigration laws?*

Unscrupulous immigration ghost agents have been exploiting prospective immigrants with an alarming frequency by using legal loopholes that allow them to provide consulting services without accreditation. This problem has left Minister Kenny deeply concerned and taking action to stop ghost agents is a major part of Bill C-35. The Minister also has concerns about CSIC's regulation of licensed immigration consultants. These concerns largely stem from CSIC's adolescence and so in the coming months CSIC will show the Minister how we have matured in the past four years.

*How many complaints do you received per month/year? Can you break them up as to how many from India, China or other countries?*

Over the last three years we have averaged 230 complaints per year. We don't break down complaints by ethnicity but immigration consultants and their clients come from countless ethnic backgrounds. The groups you have listed are major immigration source countries so it would stand to reason that they would have strong representation.

*Do you receive complaints from people out of Canada who are trying to get a PR to Canada? If so how many and if you can break up into different countries.*

We do get complaints from outside of Canada but data on the location of those complaints is not publicly available.

*What are the kind of complaints?*

Valid complaints against members involve breaches of CSIC's Rules of Professional Conduct, which are available on our website.

*Is there any rate card by CSIC as to how much a consultant can charge for each service? And how much are they charging now?*

Angus Reid recently conducted a survey on the services that our members offer and what they typically charge. We will be releasing this data in the near future.

*Can you shed some light on the history of these immigrant*



*consultants. When was the first complaint you received and how much has it gone up now?*

Before 2004 immigration consulting was like the Wild West: it was completely unregulated and consumers had no assurances of quality or protection. Anybody could show up in front of the Refugee Board and say they were a consultant without having any knowledge about immigration at all. Unfortunately this led to a lot of predatory activity by unscrupulous people. In 2004 the Federal government designated the Canadian Society of Immigration Consultants as the regulator of immigration consultants. The government tasked CSIC with educating and testing members, and enforcing language requirements and Rules of Professional Conduct. CSIC also created a complaints process for consumers who felt their consultant had acted in an improper fashion.

Unfortunately, the government did not foresee the loopholes that would allow ghost agents to continue operating, but consumers still enjoy much more protection today than they did prior to 2004.

*What is the procedure for complaints?*

CSIC has strived to make its complaints process easy for consumers. They can download a form from the CSIC website and submit it via mail, fax or email. Once CSIC has all the documentation an investigator who may attempt to resolve the complaint via mediation or proceed to an investigation. If the investigation finds that the member has breached CSIC's Rules of Professional Conduct, By-Laws, Policies or Guidelines the Manager of Complaints and Discipline may order disciplinary action or refer the matter to CSIC's Discipline Council for a hearing.

*What are the qualifications required to be an immigration consultant?*

CSIC holds its members to high educational standards. Members must complete an immigration practitioner course from an accredited educational institution and pass a membership exam which thoroughly tests their knowledge. They must also prove their proficiency in either English or French and provide proof of good

# Stop the rip off - Olivia

*New Democrat MP and Immigration critic Olivia Chow called the new legislation a step in the right direction, but only if there are resources to enforce the law. She said in an interview to The Asian Outlook that for a long time, the Conservatives have been soft on crimes committed by fake consultants who take advantage of innocent people wanting to make Canada their new home. "We need a regulatory body that has integrity and commands the public trust. We need to have the muscle to enforce the regulations and protect new immigrants from being ripped off." Excerpts of an interview. For details visit [www.outlookcanada.com](http://www.outlookcanada.com)*

*On the the new changes in immigration legislation.*

Currently there is no law that prevents untrained and unlicensed immigrant consultants from practicing. As a result, there have been many potential immigrants that have been cheated, with their life savings gone and their hopes and dreams of becoming a citizen in Canada dashed.

*On the number of complaints from within or outside Canada.*

There are complaints both inside and outside Canada. It is hard to estimate the number of cases because many potential immigrants are not familiar with Canadas laws and process to files charges.

*On her role in immigration policy.*

I started pressing for changes in 1982 when I was the constituency assistant for NDP Member of Parliament Dan Heap, who was the Immigration critic for the New Democratic party of Canada. I continued on the campaign for effective regulations in 2007 when I became the immigration critic of the NDP. This was done through questions in the House of Commons during question period and studying the issue at Parliaments Standing Committee on Immigration and Citizenship.



*On the increase in the number of immigration consultants.*

Anyone one can set up shop, even without any training. The increased number of immigration consultants is the result of several factors:

- complex immigration laws with seemingly arbitrary decision making (such as visitor visas applications),
- growing longer wait times and backlogs,
- tightened points system that gives little chances of success to those potential immigrants that are not highly skilled,
- lack of transparency in the paper based application process (it is impossible to find out how long one must wait further, or what documents are still needed or expired)

- and a completely ineffective law that provides no governance to immigration consultants.

*On the lack of employment opportunities due to non-recognition of Foreign credentials resulting in fraudulent practices to get by.*

That too is a concern, since new immigrants have limited ways to make a decent living if their credentials are not recognized.

## CSIC - Still Adolescent

*How will the changes in legislation help the victims?*

There are two parts to Minister Kenney's proposed legislation. The first part will crack down on ghost agents by closing legal loopholes and bringing forward stiff penalties for ghosts, providing consumers with new levels of protection. The second part will lead to a transparent review of the regulation of immigration consultants. Interested groups will be invited to apply to become the future regulator. CSIC intends to participate fully in the process and is confident that its maturity and regulatory sophistication will make it the best choice. ●



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# Uniting for Justice

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immigration consultants take advantage of the illiteracy and innocence of their victims. They know that when these people cannot even fill out their own forms, and come to them for the same, they would not have the courage or the legal know how to reach the courts for their money. However, the victims are proving them wrong, as they have now knocked the courts for justice. Despite repeated calls and leaving messages at his office, Rajesh did not return any calls.

Although the CSIC is trying to ensure that their 1,728 members are providing competent service to immigrants, they have been strongly criticized for not doing enough to regulate immigration consultants. Since 2004, only 800 agents have been shut out of the CSIC because they didn't meet its standards, and only 225 consultants have been disciplined for misconduct. The CSIC has stated many times that only the federal government has the authority to close the legal loopholes that allow ghost agents to operate with impunity.

Finally, the federal government tabled Bill C-35, An Act to amend the Immigration and Refugee Protection Act to regulate immigration consultants. The bill will also crack down on consultants that are untrained, unregulated and dishonest, referred to as ghost consultants because their names don't appear on the documents their clients submit. They are also accused of charging high fees for advice that leads prospective immigrants to submit fraudulent applications.

The Cracking Down on Crooked Consultants Act would strengthen the rules governing those who charge a fee for immigration advice; close immigration system loopholes currently exploited by crooked consultants, and improve the way in which immigration consultants are regulated.

While most immigration consultants working in Canada are legitimate and ethical, it is clear that immigration fraud remains a widespread threat to the integrity of Canada's immigration system, said Minister Kenney after tabling the Bill. "The Cracking Down on Crooked Consultants Act will better protect prospective immigrants from crooked consultants and help safeguard our immigration system against fraud and abuse."

The Act would make it a crime for unauthorized individuals to provide immigration advice for a fee. It would also amend the

Immigration and Refugee Protection Act so that fees for immigration services could only be charged by authorized consultants, lawyers and notaries who are members in good standing of a governing body authorized by the Minister. This includes services performed before an application is submitted or a proceeding begins, thus closing a loophole in the current framework regulating consultants.

Stories and videos of people duped by the immigrant consultants are now all over the web. Therefore, it is advisable for a new immigrants to do their homework on the net before choosing a consultant and ensure proper documentary evidence is followed.

Crooked immigration consultants victimize people who dream of immigrating to Canada, said Minister Kenney. Worse still, there is evidence that these individuals encourage prospective immigrants to lie on their immigration applications, to concoct bogus stories about persecution when making refugee claims, or to enter into sham marriages with Canadian citizens and permanent residents thus undermining the integrity and fairness of Canada's immigration system. How far the new Act will be able to curb the malpractices of immigration, is yet to be seen. But for the victims, it certainly is a long bumpy ride with plenty of roadblocks ahead. ●



## A Blind Hunt for Doctors

White Rock family doctor Dr. Brenda Hefford explains the benefits of family doctor at a news conference at which the Province committed to a family doctor for every British Columbian by 2015 last month. If you fall sick and die by then due to lack of one, well, your bad luck. Ironical but true that while thousands of foreign educated doctors drive taxis and trucks to earn a living, B.C. government can't find them. Mr. Premier, hop on to a taxi and chances are the guy behind the wheel is the one you are hunting for.



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