



January 27 is  
Family Literacy Day



 **thestar.com**

## How to stay in Canada by cooking up a story

Undercover video

### The Consultants

To determine how widely the immigration advice given might vary, Star reporters posed as would-be immigrants, starting with phone calls to 33 consultants and lawyers. Four suggested the callers file a refugee claim, without having heard of any basis for such a claim. Reporters wearing a hidden video recorder visited these four in person. Read summaries of the visits and view excerpts from the videos:



Karan Arora  
of CWC  
Immigration  
Solutions  
Inc.,

Mississauga.

**'I will sit with you  
and make it up'**



Susan  
Liang,  
owner of



New-Asia  
Immigration

Law Centre, Toronto.  
Neither a lawyer nor a  
CSIC member.

**' ... I'll teach you  
how to respond'**

---



Laura Li,  
president of  
Immica

Consultation Inc.,  
Toronto. CSIC  
member.

**'Everyone can file a  
refugee claim'**

---



Jackie  
Wang, a  
consultant  
with  
Winners

Immigration  
Consulting Inc.,  
Toronto, which  
advertises its  
association with a  
CSIC member.

**'You can get \$550 a  
month... '**

[Read more](#) on how we  
conducted the  
investigation and view  
edited and unedited  
video.

---

## Contributors

**Reporting** by  
Nicholas Keung, Surya  
Bhattacharya, Jim  
Rankin and Amna Ali

**Additional reporting**  
by Isabel Teonio,  
Carlos Osorio, Miguel  
Vadillo

**Video production** by

Chris So, Sue Ann  
Lewis

**Design** by Spencer  
Wynn

**Graphics** by Patti  
Winsa, Brian Hughes,  
Trevor Johnston

**Edited** by Doreen  
Martens

## When Star reporters went undercover to check out immigration consultants, they encountered poor advice and tips on faking refugee status

June 17, 2007

**NICHOLAS KEUNG**  
**SURYA BHATTACHARYA**  
**JIM RANKIN**  
STAFF REPORTERS

*People who hope to call Canada home often seek advice from immigration consultants to fulfil their dreams. But consultants who are incompetent, negligent or unscrupulous can destroy dreams, tarnish Canada's image, and burden taxpayers by clogging the system with applicants who don't stand a chance. Three years after Ottawa set up a self-regulating body meant to clean up the lucrative industry and protect vulnerable newcomers, a Star investigation finds that little has changed. In fact, some things today may be worse.*

**TODAY:** *Some truth, some lies, and poor advice. A system abused.*

Karan Arora is offering immigration advice, and the young Punjabi woman across his desk seems nervous. Her visitor's visa is about to run out, and she wants to stay. Arora, who works for a Mississauga company run by a registered immigration consultant, has a solution.

"Why are you worried?" he asks in Hindi. "Monaji, you don't have any other option. If you claim refugee status, then at least you can breathe a sigh of relief. Then your other option is to go back. Once you claim refugee status, then if you find a guy, you can marry him and apply for a spousal case."

"What will my refugee story be?" she asks.

"We'll do that," he says. "We'll do it all. Some truth, some lies, we'll mix everything. It will have to be done."

"Monaji" has made it clear she's no refugee. She is also not the person Arora thinks she is.

She is, in fact, journalist Amna Ali, here with a *Star* journalist posing as a friend and wired with a hidden camera.

Filing a claim based on lies, as Arora has suggested, is an abuse of Canada's compassion, the refugee system and, in the long run, the client.

Trouble is, it's also attractively effective.

Joining the regular immigration queue abroad – in the typical categories of business class, "skilled immigrant" or family reunification – might mean a real-life Monaji would have to wait five years or more, if she managed to get in at all.

Filing for asylum would indeed buy her time in Canada as the application winds its way through a slow-moving approval system. Her claim is bound to be rejected, but in the meantime, she can work, get free health care and education, even welfare.

She might indeed fall in love and marry a Canadian. Or, as Arora also said, she might find a husband she can buy. And if she's deported in the end, the consultant still has his money.

Unethical or uninformed advice turned up in dozens of cases the *Star* unearthed in a wide-ranging investigation that involved interviews with immigration consultants, lawyers, police, advocacy groups and people who placed their trust, dreams and money in the hands of consultants.

Bad advice jams the system with people who don't stand a chance of being accepted – or who might have had a chance if they'd been channelled into a different stream.

The refugee gambit is not uncommon.

Canada's refugee system was created to provide a haven for people with a well-founded fear of persecution for reasons such as race, religion, nationality, gender or political opinion. An asylum application gives true refugees some breathing room, to avoid being shipped back to a dangerous place until their case can be heard. It's a humanitarian program Canadians can justly feel proud of.

It's also vulnerable to abuse.

To learn first-hand what consultants are telling their clients, the *Star* sent a multilingual team of reporters on a secret shopping mission, posing as would-be migrants.

We began with phone calls.

In March, the *Star* randomly selected dozens of for-profit immigration consultants and companies from ads in the GTA Yellow Pages and ethnic newspapers.

Undercover reporters called to see what advice they'd be given. To narrow the possible immigration options, reporters created nearly identical personal scenarios: They were young, single, poorly educated, lacking money, in Canada as visitors, and wanting to stay. At no point did reporters give any hint of grounds for a refugee claim. Conversations were held in Bengali, English, Hindi, Mandarin, Portuguese, Spanish and Urdu.

The responses were wildly inconsistent. Some 33 consultants and lawyers gave advice over the phone. (At least 15 were affiliated with the Canadian Society of Immigration Consultants or had CSIC members on staff.)

Only eight offered the best advice in the given scenario: Keep your money. Go home. You don't stand a chance.

Most suggested an in-person chat to determine the best immigration stream. Some recommended applying for a student visa, or applying for a work permit.

Arora and three others immediately suggested filing a refugee claim – over the phone and without hearing of any hardship. "There are no *real* refugees," one said.

Three of those four are affiliated with CSIC, the regulatory body that was funded and endorsed by Ottawa three years ago to end unethical practices.

Fees, which aren't regulated, also varied wildly. One consultant wanted \$10,000 to handle a work permit application; another said it could be done for \$750.

Some offered a partial refund if the application failed. Others didn't.

CSIC's guidelines, outlined on its website, require members to publish their names in any advertising and say they should avoid building unrealistic expectations, offering guarantees, or suggesting they have any "special access or influence regarding the immigration process by referring to their qualifications and past employment as a former government official."

Yet many operations that claim to be affiliated with CSIC don't reveal member names in their ads. And ads that promise a visa within a certain time – or guarantee 100 per cent success – are common.

In the second phase of our secret shopping mission, the *Star* booked appointments with the four businesses that, over the phone, had advised filing a refugee claim.

Asking fees of \$1,500 to \$3,000, all four offered to help with the story that would appear on the asylum request:

Arora, the Mississauga agent who works for a CSIC member, offered to fabricate a tale. As he explained to our undercover reporters: "Until you get your deportation order, you can stay. You can stay for four, five years. Before that, find a boy. Get married. It will happen. Everyone does it."

Susan Liang of New-Asia Immigration Services, a non-member, suggested the undercover reporter claim to be a Falun Gong member or a Christian facing persecution in China.

Jackie Wang, of Toronto's Winners Immigration Consulting Inc., advertised as having a CSIC member, responded to a question by saying a marriage of convenience might work – but would be costly.

CSIC member Laura Li of Immica Consultation Inc., after a thorough assessment, said finding a Canadian spouse was a good option. She also suggested the refugee route, and said she would make up a story when the time came. In each case but Liang, the possibility of buying a spouse was discussed, though no one offered to actually arrange a marriage of convenience.

Had our "migrants" taken the refugee advice, they would probably have been caught in the lie in a subsequent hearing, putting their chances of ever being accepted by Canada in jeopardy. Less than half of all refugee claims are successful, often because officials become suspicious of information in the claims.

In some of the real-life stories the *Star* heard, clients knowingly went along with exaggerated or fabricated claims in refugee applications out of desperation or because they had been led to believe they had no choice.

Two young, educated couples from Trinidad, for example, independently told similar stories about a particular consultant who advised them to file refugee claims, charging thousands of dollars to do the paperwork. Both claim they learned only on the eve of the refugee hearing that the stories he had outlined in their claims were bogus. But by then they felt there was little they could do.

Their claims were rejected.

Ironically, both couples, who asked not to be identified, would have stood a good chance of being accepted into Canada as regular immigrants, had they been advised to apply as skilled workers.

CSIC's rules of conduct state a consultant must never "knowingly assist in or encourage any dishonesty, provision of misleading information ... fraud, crime or illegal conduct."

But the stiffest penalty CSIC has at its disposal is expulsion from membership.

If the allegations could lead to criminal charges, the society advises complainants to go to police themselves. It will also, in some instances, refer a case to local police or the RCMP.

There's nothing to prevent a suspended member from joining the thousands of "ghost" consultants – those who charge fees but avoid detection by not signing the paperwork.

Since it began collecting statistics on referrals in January, CSIC has forwarded 10 complaints to Immigration Canada, three to the RCMP and eight to a provincial law society.

In theory, only lawyers and the 1,000-plus dues-paying members of CSIC are allowed to charge for offering immigration advice, because they're accountable to regulatory bodies. The fact that government officials won't deal with anyone not on the membership list is supposed to deter non-registered operators.

But some 5,000 consultants, by one estimate, still operate beyond CSIC's reach, making a mockery of the new rules that Ottawa, the industry, advocacy groups and others had hoped would end the ripoffs and abuses.

They call themselves agents, advisors and practitioners and, with no one to police their activity, they're free not to pay CSIC's annual dues (\$2,067) or adhere to a code of ethics.

If they provide lousy or criminal advice, both the client and the Canadian taxpayer suffer.

If a person could have qualified to immigrate as a skilled worker - and instead is channelled through the refugee system or as a "humanitarian" case - that's not only a drain on the client's money and dreams but a waste of government resources, says immigration lawyer Robin Seligman, former national chair of the Canadian Bar Association's immigration section.

Unsuitable candidates bog down a bureaucracy set up to reunify families, provide haven to those facing persecution and abuse, and bring in valued skilled labour. That in turn lengthens the wait for immigrants who don't "jump the queue."

While there are many knowledgeable consultants who provide good, ethical advice, the consulting business is still struggling to mature and gain respect.

Despite efforts to institute education and testing programs since CSIC was born three years ago, "you have the same people out there giving the same bad advice, the same innocent victims being taken advantage of," says Seligman.

"I get a lot of business from these consultants who totally screw up people's lives. The problem is, some people don't tell people the truth. They just give people what they want to hear."

Vilma Filici, academic co-ordinator of Seneca College's immigration practitioner certificate program, read transcripts from the Star's secret shopping mission and was not amused.

"That's bulls---," says the veteran consultant, who has taught ethics in the 10-year-old program. "I think that making a refugee claim when a person is not a real refugee is the worst thing to do. It's abusing the system. It's a disservice to the client as well."

Filici places equal blame on would-be migrants "desperate to hear what they want to hear."

No one during the Star's in-person visits asked the reporters if they faced threats or persecution in their homelands before they advertised the refugee route as an option.

But then, failing to do so isn't illegal, only unethical.

"Ethics is crucial," Filici reminds her students. "But either you have it or you don't. I don't think ethics is something that you can teach. The most you can do is to impart the fear of the RCMP on them. At least (then) they are aware if they're caught, they are going to be in deep trouble."

At CSIC's first professional development conference last month, Randy Orr, deputy program manager of Canada's visa office in Buffalo, sardonically acknowledged the system's problem with misrepresentation.

"Believe it or not, not everybody tells us the truth. That seems to be very common," Orr told more than 50 delegates in a session on ethics.

He said applications should always be used to reflect reality.

"It is not to bluff. It's not to embellish," he said. "Unfortunately, in some cases, not everybody meets the criteria. Maybe sometimes it's realistic to tell people that."