

**Muhammad Watto**

ICCRC Member in Good Standing

Introduction

I am and was, at all material times, a Registered Canadian Immigration Consultant (“RCIC”),

I am a provider of accredited Continued Professional Development (CPD) courses since July 2012 to Registered Immigration Consultants (RCICs) and members of the several provincial law societies.

I was the appointed member of the Disciplinary Hearing Committee of the ICCRC from late September 2011 to April 2013.

I also served as an elected Chair of the ICCRC’s Disciplinary Hearing Committee from late September 2011 to April 2013

I am reaching out to you on behalf of my colleagues who are ordinary professionals being regulated by special and powerful individuals who claims to be friends and in very close contact with Immigration Ministers Office and the Agency’s officials.

We are over 3700 immigration consultants and are regulated by the current regulatory body the ICCRC since July 2011.

Prior to ICCRC, we were regulated by its predecessor the CSIC.

**Focus of this brief**

On our around February 2011, Mr. Jason Kenny (Former Minister of Citizenship) used his prerogative power to select ICCRC as the new regulator because it was believed that the CSIC had the following characteristics:

- CSIC membership fees are too high;
- The CSIC membership exam was prepared and marked in a questionable way;
- CSIC failed to develop an industry plan;
- CSIC decision-making lacks transparency and is not conducted democratically;
- The CSIC board of directors is not accountable to anyone;
- There is no possibility for CSIC members to call a special meeting of the Society;
- Compensation of, and spending by, CSIC board members is extravagant, ill-advised and unaccounted for;
- CSIC board members are in a conflict of interest because they created, and currently serve on the board of, the Canadian Migration Institute, a related for-profit corporation;

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- Many members had little choice but to pay \$800 each to buy an outdated educational video in order to obtain sufficient continuing professional development points to maintain their CSIC memberships;
- CSIC does not communicate with members, or provide services to members, equally in French and English;
- The ability of members to voice concerns with CSIC has been limited since the CSIC Rules of Professional Conduct were amended making it a professional offense to “undermine” CSIC and compelling members to treat CSIC with “dignity and respect”; and
- The CSIC website is set up in such a way that members cannot send bulk e-mail messages to all other members.

[REGULATING IMMIGRATION CONSULTANTS PARLIAMENT COMMITTEE REPORT](#)

ICCRC was in fact introduced by CAPIC, another specific interest group/lobbyist consisting of individuals who were directly or indirectly either very close to Mr. Kenny or the CIC department itself, being former/retired immigration officers. They made Mr. Kenny and the department believe that, number one, they could do a better job than CSIC, and number two, they represent the majority of the membership.

In June 2011, Mr. Kenny announced the switchover of regulatory powers from SCIC to ICCRC with an understanding that ICCRC would implement its policy entitled “Transparency to Members, the Public and other Stakeholders.” It states that Members would have access to, among other things, Annual Reports and audited financial statements; compensation paid to directors, executives and top managers; and Directors’ fees and expenses. It also stated that annual meetings would be held to provide increased transparency.

During the 2013 Annual General Meeting, members discovered that ICCRC is no different from its predecessor. Members requested ICCRC to be transparent and provide details of its questionable spending of over \$2 million and declarations of conflict of interest by its members.

In response to these members’ requests for financial and other disclosure, they received threats and legal notices stating that such demands were offensive and defamatory and lawsuits were filed just to hush up membership in general.

In several members “proposals” (in compliance with the procedures for AGMs), 130-plus members who questioned ICCRC’s financial, educational and disciplinary management also made requests for change through motions and amendments during AGM.

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ICCRC does not have any ombudsman or governing committee which overlooks/controls its spending. The yearly audit report merely reflects total numbers to match the books and bank account for tax and internal accounting purposes. Members will only see income, assets, liabilities and expenses in the financial notes they are asked to approve at the AGM. If any member raises any concern or asks for details it is considered defamatory; they are kept quiet in a threatening manner and considered an enemy of the council.

In 2016 members expressed concerns regarding the financial management of ICCRC's funds and the use of membership fees from April 2011 to June 2016.

Upon examination, members noted the lack of transparency in ICCRC's use of public funds prior to being made regulator on July 1, 2011, and then a gradual increase in spending on salaries, benefits and administration costs between June 2012 to June 2016. ICCRC admitted to a major discrepancy during AGM 2013 and as well as in AGM 2016, raising concerns on how it is being audited. No explanations for this increase in spending and how the funds were utilized were provided.

Members also questioned high-interest bank loans, salaries and benefits provided to officers and directors, travel expenses and a list of computer and other equipment purchases that were not at the ICCRC offices.

ICCRC's CEO, from 2012-2015 was a retired immigration officer and resident of Ottawa, and working at Burlington Ontario; it is on record that he is hardly in the office to perform his duties as CEO (absent from office more than 70 percent of the time). He also traveled outside of Canada and members don't know if that was a personal or official visit, its purpose or at whose cost.

Financial reports and records indicated that the majority of other directors are also involved in similar behavior.

Since June 2011 ICCRC has not passed a single by law or regulation to protect the public interest; on the other hand ICCRC has proposed and approved unconstitutional and undemocratic bylaws/amendments against its members and gained absolute powers to do whatever they want in terms of dealing with funds and making decisions for the best interest of their friends.

**Key issues:**

The undeniable evidence reflects that ICCRC is 100 percent on the same track as its predecessor, CSIC, and regulating the profession with the following characteristics:

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- ICCRC membership fees are too high; members pay the same fees as lawyers in Canada;
- The ICCRC membership exam is prepared and marked in a questionable way;
- ICCRC decision-making lacks transparency, contains bias and is not conducted democratically;
- The ICCRC Board of Directors is not accountable to anyone and untouchable;
- There is no practical possibility for ICCRC members to call a special meeting;
- Compensation of, and spending by, ICCRC board members and staff is extravagant, ill-advised and unaccounted for;
- ICCRC board members are in a conflict of interest because they created, and also currently serve on the committees of the CAPIC, a related for-indirect-profit corporation;
- Many members are advised to buy an outdated educational video of CPDs from corporations owned and operated directly and indirectly by the members of the board and founders of the ICCRC, in order obtain sufficient continuing professional development points to maintain their ICCRC memberships;
- ICCRC does not communicate with members, or provide services to members, on an equal basis;
- The ability of members to voice concerns with ICCRC has been limited since the ICCRC Rules of Professional Conduct were amended making it a professional offense to “undermine” ICCRC and compelling members to treat ICCRC with “dignity and respect”;
- The ICCRC website is set up in such a way that members cannot send bulk e-mail messages to all other members;
- ICCRC board hired officers and directors with controversial background and credentials. The CEO was a retired immigration officer with no corporate-level administrative experience;
- The ICCRC has no CEO at all since 2015;
- The ICCRC education director has no legal education-related professional or substantive knowledge;
- The practice management educators have no legal education or practice related experience or education;
- Members are barred from taking part in any educational activity which is against the personal interest of certain corporations directly owned and operated by ICCRC directors or their friends;

“7. CPD ACTIVITIES NOT ELIGIBLE

g) Activities relating to observing proceedings before a tribunal or court; or

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h) Approved CPD events bundled and offered as an Education Program or Specialization Credential for Members. Any such CPD event approval(s) previously granted by the Director of Education may be revoked.”

- The ICCRC investigation director is the best friend of the current ICCRC director and the former CEO; ICCRC’s former CEO and director is working for US immigration interests and involved in various public scandals in the USA;
- The entire election and voting process of the ICCRC is controlled in a way that there is no way for an ordinary member to run and get elected to a board of directors seat;
- The voting process of the proposals and amendments during AGM is adopted in such a way that ICCRC board and staff can manipulate results anytime and there is no transparency before or after the voting process;
- Members requests to provide access to records and minutes of meetings is openly denied;
- ICCRC is also involved in systematic racial discrimination and its directors/officers have promoted such behavior to pressure Muslims and new Immigrants, I am personally a victim of such act when one of the ICCRC Complaint Committee Member Mr. Perreault on behalf of the ICCRC BOD and administration circulated a smear Campaign against me and no action was taken, rather I as member had deal with a disciplinary complaint, following is the evidenc;
- ICCRC through its broad of directors/officers and their friends has promoted / legitimized racial discrimination and division amount members.
- ICCRC and its board will make bylaws and regulations so that it looks like they are 100 percent in compliance with the laws, but in reality, they are completely the opposite, and there is no practical indication of any transparency or accountability;

“The By-Laws with respect to board of directors nomination policy provides as follow:

**A) 44.1 Director’s Eligibility Requirements**

No individual shall be eligible for nomination, election or appointment to, or service on, the Board as an Elected Director:

(l) if she or he is otherwise unfit or inappropriate to act as a Director as determined by the Board in its discretion, but subject to the right of the individual to appeal to the Appeal Committee whose decision shall be final;...

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(m) if he or she institutes or has instituted any suit, action or another proceeding against the Council in any court or with any tribunal, agency or commission;...

(n) if the Council institutes or has instituted any suit, action or another proceeding against him or her in any court or with any tribunal, agency or commission..."

- The ICCRC prepared its key By-Laws, rules and regulations of election nominations, conducting elections, professional conduct, complaint and discipline policy. The majority of the By-Laws and regulations do not provide any guidance or clarity as to respective sections or procedures and are contradictory to its mandate.
- All ICCRC reports and strategic plans are fabricated to keep the record straight, but in reality, there are no public interest or membership benefits anywhere within the board or ICCRC administration;
- A majority of ICCRC complaints are dealt with unprofessionally by incompetent investigative staff which is contracted by a private corporation owned and operated by the Director Investigation;
- ICCRC is in breach of members' privacy; Members information is shared with close groups and they use it's for business purpose without members consent;
- The ICCRC administrative tribunal responsible for making disciplinary decisions against members from public complaints is not independent or competent, which raises great concern and apprehension of bias;
- Any member when try to raises any question or concern about its corporate governance will face a direct complaint from the administration, staff and Board of Director(s);
- ICCRC is not fulfilling its actual mandate to regulate only RCICs; rather ICCRC has passed such bylaws and regulations to protect itself from membership and the public;
- ICCRC is in violation of its agreement with CIC;

ICCRC's mother corporation CAPIC which claims itself as the only steak holder and representative for the membership is actually not representing even 25% of the membership and have direct or indirect ties with the CIC the agency close to Minister's office. They will never let an ordinary member like myself and other 75% event get close to your office to have our version heard openly.

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It is clear that the current regulator, the ICCRC, has surpassed the grounds on which the previous regulator was stripped of its powers. We have undeniable documentary evidence consisting 1500 pages to establish all above claims against ICCRC.

The reality is that in the past no individual or government has ever given any opportunity to a regular and ordinary member like me to share his/her voice. Meetings are/were held in closed-door rooms and behind the scenes, where decisions were made to pass on direct or indirect financial and other benefits to specific individuals who are very powerful in all respects and can utilize all resources to suppress the voice of regular members.

It is also a reality that there are individuals within the agency "CIC" who are best friends of the ICCRC directors and the officers and will not let ordinary members like me reach out to you or any other department who can openly initiate an inquiry to investigate members' issues related to the above points.

**Recommendations to the Committee**

There are major problems with corporate governance at ICCRC which are impacting on its ability to act as a regulatory and disciplinary body for its members.

This regulatory body should bring serious changes to its substandard standard practice management education, control its unfair disciplinary process, be transparent, be open for the accountability and most importantly should not protect its own interest rather protect the public.

The membership or the practitioners should not be blamed for the caused resulting from the bad governance of the ICCRC.

The Minister has the authority to take the initiative and monitor the ICCRC pursuant to the act and regulations:

- ***IRPA section 91.***  
*(5) The Minister may, by regulation, designate a body whose members in good standing may represent or advise a person for consideration — or offer to do so — in connection with the submission of an expression of interest under subsection 10.1(3) or a proceeding or application under this Act.*

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*(6) The Governor in Council may make regulations requiring the designated body to provide the Minister with any information set out in the regulations, including information relating to its governance and information to assist the Minister to evaluate whether the designated body governs its members in a manner that is in the public interest so that they provide professional and ethical representation and advice.*

- *IRPR - DIVISION 5*

*Designated Body — Information Requirements*

*13.2 (1) A body that is designated under subsection 91(5) of the Act must provide to the Minister, within 90 days after the end of each of its fiscal years, the following information and documents:...*

- We the ordinary and regular members of the ICCRC request you to recommend Minister taking the initiative to order an independent investigation based on the above facts. We request you to do so by the Minister forming an independent inquiry panel which should inspect the entire record of the ICCRC including matters related to financial disbursement, conflicts of the directors, education standards, procurement records, board minutes, and annual and controversial CIC reports for any misconduct. The panel should also contact the membership at large and allow them to submit oral or written submissions.
- Based on this independent inquiry report, ICCRC should be ordered to amend it's unconstitutional, undemocratic, controversial and unethical by-laws and policies.
- The Minister should take the serious initiative to pass new or amend current regulations barring the ICCRC to silence the critic by way of disciplining them and protect itself from membership or the public.
- The ICCRC should be barred to amend or introduce new by-laws which are against the values of Canadian charter of rights

If you do not take any action, the future of the families of 3600-plus members of ICCRC will be jeopardized, and we will be left in the hands of the individuals who do not believe in democratic and Canadian charter values.

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Date; March 2, 2017