Canadian Immigration Lawyers Association
Association canadienne des avocats et avocates en immigration

May 13, 2025

Via email:
mcu@justice.gc.ca

Dear Minister Fraser,

The Canadian Immigration Lawyers Association (CILA) congratulates you on your reappointment to cabinet. CILA wishes you tremendous success and looks forward to partnering with you in pursuit of our shared objective to enhance Canada's prosperity through immigration.

Founded in 2021, CILA is a non-partisan organization that promotes justice and fairness in citizenship and immigration law. Our main goal is to support improvements to Canada's immigration system. We represent over 540 immigration lawyers across Canada. A major reason for our country's immigration success is because Canadians are constantly seeking to improve the system. CILA is enthusiastic about sharing our expertise and insights to help maintain the global competitive standing and integrity of our immigration system.

CILA wishes to draw your attention to the proposed Administrative Monetary Penalties (AMPs) regime and its potential impact on immigration lawyers. IRCC has recently introduced regulations to implement this regime through amendments to the *Immigration and Refugee Protection Regulations* and the *Citizenship Regulations*. While we fully support efforts to combat immigration fraud and protect the public, we are deeply concerned about the inclusion of lawyers within the scope of this enforcement mechanism. This raises serious constitutional law issues related to the administration of justice, the independence of the bar, and the division of powers between federal and provincial jurisdictions, as the regulation of legal professionals falls within provincial authority under the *Constitution Act*.

To provide better context, we invite you to review submissions made by the Federation of Law Societies of Canada, Canadian Bar Association, provincial law societies, as well as our organization.

Immigration lawyers are already subject to rigorous oversight by provincial and territorial law societies, which have established stringent standards of practice, ethical requirements, and disciplinary processes. The AMPs framework would create an unnecessary duplication of regulation and potential conflicts with existing regulatory structures that have proven effective for centuries.

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CILA proposes establishing Memoranda of Understanding (MOUs) between IRCC and provincial law societies as an alternative approach. This would ensure appropriate accountability while preserving the independence of the legal profession, which is essential to maintaining the rule of law and providing fearless advocacy for clients navigating the immigration system.

As your department works to implement the government's justice priorities, CILA stands ready to contribute our expertise and insights. Immigration practitioners have valuable frontline experience that can help inform policy decisions and implementation strategies.

We are particularly eager to engage with your department on the proposed AMPs regime and the establishment of MOUs with provincial law societies, as well as on additional measures to combat fraud and strengthen the integrity of the immigration system to better protect newcomers. We believe this collaborative approach would better serve the public interest while maintaining appropriate standards of professional conduct.

CILA congratulates you once again on your reappointment. We look forward to scheduling a meeting at your earliest convenience to discuss how we can help you fulfill your mandate.

Sincerely,

Barbara Jo Caruso
Vance Langford
Co-Presidents

Appendix:

- Letter to IRCC and DOJ Ministers on AMPs
- Submission to IRCC on AMPs