



Immigration and Refugee Board Under Review

By Dr. Lorne Foster

Seasoned immigration officers, who have carved out their public service careers on the frontlines of society, typically view Immigration and Refugee Board of Canada (IRB) member-appointees as obtuse political patronage interlopers, collecting big bucks, listening to immigration sob-stories from behind an oversized podium in a quasi-judicial boardroom.

In other words, IRB members are typically looked on by long-standing immigration professionals as know-nothing (or know-next-to-nothing) pork-barrellers who are paid handsomely to hang around and muck-up the works.

The problem here is, from a seasoned Canadian immigration officer's standpoint, immigrants and refugees are crucial to the determination not only of what we are, but also what we stand for as a nation - they are our past and our future. In this perspective, the business of immigration and refugees is the business of nation-building, and so, there is nothing casual or frivolous about the enterprise. It is not a place for dilettantes or mercenaries. In fact, in the context of building "a strong and a good" society out of a nation of immigrants, the makeup of the Immigration and Refugee Board of Canada demands nothing less than the boldest and brightest among us.

This view seems to be spreading.

Recently, the new Citizenship and Immigration Minister Judy Sgro was asked by Prime Minister Paul Martin to overhaul the way people are appointed tribunal judges at the often-criticized Immigration and Refugee Board of Canada.

Shortly after being sworn in last week, Sgro said Martin wants her to examine and table the reforms as quickly as possible, another sign Martin wants to move quickly to distance himself from a string of ethics problems encountered by predecessor Jean Chretien.

"He wants us to look at everything quickly," Sgro said. "Immigration plays out importantly in the citizenship of our cities."

Her reforms will aim to ensure candidates appointed to the federal tribunal that decides thousands of important immigration and refugee cases will be of "better quality" so the agency's over-all effectiveness increases, government officials reported.

Yet, overhauling the IRB appointment process promises to be a formidable challenge. The IRB jobs pay an annual salary of between \$87,200 and \$102,600, and are coveted by every political operative close to government. Traditionally, they have been a patronage-plum for the distinguished partisans of the federal political party in power. Liberal and Tory governments have stacked the agency with loyal organizers and supporters as well as failed electoral candidates, and so, it's internal organizational structure rests on a "political cronism" that is not likely to go quietly into the night.

But concerns about the quality of such political patronage appointments became a major issue this year after it was publicly revealed two Quebec IRB judges with Liberal ties were under RCMP investigation for judicial bribery.

The RCMP alleged that members of a criminal organization operating in Ottawa and Montreal were collecting cash bribes of \$10,000 to \$15,000 each from immigrants and funneling the payments to IRB judges Yves Bourbonnais and Roberto Colavecchio in exchange for favorable immigration appeals. Both IRB members, who enjoyed close ties to two Liberal cabinet ministers, have been suspended with pay since October 2001 while the RCMP probe continues.

In another case, Michel Venne, a lawyer and friend of former Prime Minister Chretien from Grand-Mere, Que., was appointed an IRB judge in June 2000 for a seven-year term. Just prior to his appointment, and unbeknownst to IRB officials, Venne, 60, had pleaded guilty to five counts of professional misconduct and quit the Quebec Bar. He had plead guilty to trust-fund irregularities and offences.

Notably, a subsequent IRB review reportedly found no cause to rescind Venne's appointment, and Bourbonnais and Colavecchio have denied any wrongdoing. However, the trio of cases brought the IRB appointments process under some intense public scrutiny, and gave opposition MPs and immigration lawyers political fodder to attack the Liberal government.

Meanwhile, beyond the legal ramifications and potential political fallout here, perhaps more than anything else the recent questions of professional propriety have dramatically underscored the extreme gravity and consequence of the Immigration and Refugee Board, and the fact that the overall effectiveness of the agency is not conducive to or compatible with an operational agenda heavily reliant on an entry-level recruitment policy for top-end appointments. On the contrary, as every seasoned immigration officer knows, at its deepest and highest level working in the immigration and refugee business is not just a occupation, it is a calling - it is not just a job, it is a mission to build the best society possible.

In the end, the Immigration and Refugee Board of Canada has a pivotal role to play in any action plan for our society's future. So on behalf of future immigrants and refugees as well as concerned citizens everywhere, let me take this opportunity to issue a public memorandum of understanding to Minister Sgro – think the boldest and the brightest.