



**BY EMAIL**

November 11, 2021

The Honourable Sean Fraser  
Minister of Immigration, Refugees and Citizenship  
365 Laurier Avenue West  
Ottawa, ON K1A 1L1

**RE: Lack of access to online applications for legal representatives and advocates**

Dear Minister Fraser,

I write to express the concerns of the Federation of Law Societies of Canada (“the Federation”) about new immigration application portals created by Immigration, Refugees and Citizenship Canada (IRCC) that do not allow for direct access by legal representatives and advocates.

The Federation is the national coordinating body of Canada’s 14 law societies, which are mandated by provincial and territorial statutes to regulate the country’s 126,400 lawyers, Quebec’s 3,800 notaries, and Ontario’s nearly 12,700 licensed paralegals in the public interest. Communicating the views of the governing bodies of the legal profession, the Federation is a leading voice on national issues critical to safeguarding the public’s right to an independent legal profession, the protection of solicitor-client privilege and other issues relating to the administration of justice and the rule of law.

The Federation understands that the pandemic has prompted the IRCC to modernize many of its programs and application processes by moving them online to new digital, cloud-based processes. While this is a positive development, the Federation further understands that access to many of the new digital processes and platforms is restricted to applicants, with the effect of preventing legal representatives and advocates from assisting their clients with applications that must be filed online. In moving to these new technologies, the Federation is concerned that the IRCC failed to sufficiently consider the legal service needs of applicants. Limiting access to important application processes for legal representatives and advocates implies that the IRCC has preferred operational efficiency over the right to legal representation. More importantly, preventing access to important application processes interferes with proper representation of their clients by legal representatives and advocates, thus raising serious access to justice issues.

The ability of legal representatives and advocates to properly represent their immigration clients is of particular concern to Canada’s law societies since many immigrants (and prospective immigrants) to Canada are vulnerable, facing cultural, linguistic, ethnic and racial barriers. In the immigration process, they are often involved in unfamiliar and complex matters that can have profound legal implications for them and their families. Full and unimpeded legal representation

enables these applicants to understand and effectively exercise their legal rights throughout the application processes.

The Federation would welcome the opportunity to engage further on the issues raised in this correspondence. Particularly given that IRCC is undertaking broad modernization efforts at this time, the Federation would be pleased to continue engagement on these issues in order to lead to better outcomes vis-à-vis the role of counsel in new and updated immigration processes.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Steve Raby", with a stylized flourish extending from the end.

Steve Raby  
President

cc: Catrina Tapley, Deputy Minister of Immigration, Refugees and Citizenship