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Implications of Canada's Crackdown on Citizenship Fraud

By Warren Creates and Jacqueline Bonisteel

This month, Canada's Citizenship, Immigration and Multiculturalism Minister Jason Kenney [announced](#) that the government is in the process of revoking the Canadian citizenship of up to 3,100 citizens who obtained it fraudulently. Furthermore, up to 5,000 permanent residents have had their files flagged, and will face extra scrutiny if they apply for citizenship or attempt to enter Canada from abroad. A total of nearly 11,000 individuals are currently under investigation for potential citizenship and residence fraud.

Many of the cases relate to citizenship obtained fraudulently with the assistance of immigration consultants. Investigators have discovered cases where consultants, located both in Canada and abroad, allegedly orchestrated large-scale schemes that encouraged permanent residents to represent that they were living and working in Canada. In reality, the applicants were abroad and did not meet the Canadian [residency requirement](#) to apply for citizenship. Many such dishonest and negligent immigration consultants are now facing criminal investigation and multiple charges.

The scale of this crackdown on fraudulently-obtained citizenship is unprecedented, and is likely to continue. The Department's current focus on fraud should be noted by all those seeking to apply, even where there is no issue of illegitimacy. The Department of Citizenship and Immigration will likely be carefully scrutinizing every citizenship application, and this means that all applicants can expect longer delays and heavier documentation requirements to result from these new developments. The bar is now very high.

Is your Canadian citizenship subject to revocation?

If you have been notified that the citizenship of yourself and/or your family members is set to be revoked, you have options. You have a right to have your case referred to Federal Court, which may be worthwhile if you believe the government made some error in alleging that your citizenship was obtained illegitimately. You may also have an opportunity to bring a humanitarian argument that an exception ought to be made in your circumstances, even where misrepresentation is admitted.

Experienced immigration counsel can advise you or your family members on your options, and outline the costs and potential for success of each approach.

Are you seeking to apply for Canadian citizenship?

If you are seeking to apply for Canadian citizenship, it is important to be cognizant of these new developments. Your application must be thorough, complete, and must offer answers to any potential questions or concerns. This is particularly true if you have not met the requirements for physical presence in Canada (for more on this, see our [article on meeting the residency requirement](#)). Time, cost and frustration can all be reduced by structuring a very thorough application. So too can the risk of failure. Experienced



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immigration counsel can advise you and your family members on your likelihood of success, and can help you ensure that your application is as thorough and as persuasive as possible.

Our Immigration Law Group specializes in this area of law. We can assist you in exploring your legal options where revocation is at issue, and can also help ensure that an application for Canadian citizenship has the strongest possible chance of success.

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