

Ex-judge gets six years in immigration scam

Pleaded guilty to 30 counts of conspiracy Passed on the names of asylum seekers

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MONTREAL—A former immigration judge will spend the next six years behind bars for his involvement in a pair of influence-peddling rings that demanded bribes as high as \$15,000 from new immigrants and asylum seekers to guarantee their stay in Canada.

Yves Bourbonnais, who was appointed a commissioner to the appellate division of the Immigration and Refugee Board by then prime minister Jean Chrétien in 1996, pleaded guilty in a Montreal courtroom to 30 charges of conspiracy and obstructing justice.

The plea came as lawyers prepared for a trial this fall on 98 charges — including fraud and breach of trust — relating to cash payments of between \$8,000 and \$15,000 charged to immigrants who were seeking reunification with family members, and by refugee claimants fighting removal orders.

The offences took place in 2000 and 2001 and involved more than a dozen immigration cases.

The Crown and defence made a joint application for six years' incarceration, and in delivering sentence Quebec Superior Court Justice James Brunton cited Bourbonnais's position of influence as an aggravating factor, saying that his crimes struck at the very heart of this country's democratic institutions.

The judge told Bourbonnais he had "dishonoured" the legal profession and undermined Canada's immigration system by his actions.

Bourbonnais, 64, was immediately dispatched to a federal inmate-processing centre north of Montreal to begin serving his sentence.

Because he hasn't been convicted of a violent crime, Bourbonnais likely will be able to apply for day parole after serving one year in prison.

He will qualify for full parole once he has completed two years — a third of his sentence.

Bourbonnais's term as an immigration adjudicator expired in 2003 — the position is roughly equivalent to a judgeship — and he was arrested in the spring of 2004 along with 10 others.

Though Bourbonnais was slated to stand trial in September, at least five of his co-accused had already pleaded guilty to lesser charges in the affair.

Crown evidence showed that Bourbonnais generated lists of upcoming cases in the IRB's appellate division and passed them on to two sets of accomplices, who then solicited the applicants' Canadian-based relatives for bribes.

In many cases the people approached were newly arrived immigrants themselves.

One of the key accomplices, prominent Chinese-Canadian restaurateur and businessman Woon Lam (Bill) Wong, approached predominantly Asian immigrants through a small network of underlings.

A second Bourbonnais associate — a tailor named Franco Macaluso — was in charge of making overtures to East Indian and South Asian permanent residents through a third co-accused, Nirmal Singh.

All three men have since pleaded guilty in the affair.

The former adjudicator was exposed as the operation's mastermind after an Ottawa woman complained to police that she had been solicited for a bribe to facilitate her husband's entry into Canada after his initial application was refused.

Police secretly filmed a meeting with a Bourbonnais associate, and then began an extensive three-year investigation, accumulating hundreds of hours of wiretaps and surveillance tapes, as well as bank records documenting the crimes.