Immigration and Refugee Board 'Judge' charged with misconduct

On October 3rd, 2006, CTV News released a video tape of Immigration and Refugee Board adjudicator Steve Ellis engaging in improper conduct as he met with a female refugee applicant at a Toronto coffee shop. On the tape, Ellis is heard using explicit sexual language offering to approve the South Korean woman's application in exchange for a secret affair. Ellis goes on to warn her that if anyone were to find out about this arrangement, there would be dire consequences.

In response to the story, Chairman of the Immigration and Refuge Board, Jean Guy Fleury, suspended Ellis, and referred the matter to the RCMP for investigation. On October 12th, Ellis was formally charged with two counts of breach of trust, one under the Criminal Code of Canada, the other under the Immigration and Refugee Protection Act.

Ellis, a lawyer and two-term Toronto city councilor, was appointed to the Immigration and Refugee Board in 2000 by Jean Chrétien's Liberal government. Across Canada, there are over 2000 appointed positions on various government agencies, boards, commissions, tribunals, and adjudicative panels, most of which are given to individuals in reward for their service, support, or contribution to the governing political party. Critics argue that this sort of political patronage encourages corruption by inhibiting the transparency and accountability crucial to democratic governance.

In his 2006 election campaign, Stephen Harper, now Prime Minister, promised to make the federal government more accountable, including the elimination of political patronage in Canada. Reinvigorated by the Ellis case, critics now urge Harper to deliver on his promise, citing alternatives such as appointments based solely on merit and specializations, open competition, and establishing a comprehensive system of checks and balances for public officials.

Sources

- Nicholas Keung, "Refugee board member charged" The Toronto Star (13 October 2006)
- CTV News Staff, "Refugee judge charged with breach of trust" CTV.ca News (12 October 2006)
- Robert Fife, CTV News Staff, "IRB judge offers refugee claimant visa for affair" CTV.ca News (3 October 2006)
- Robert Fife, CTV News Staff, "NDP urges gov't action after judge sex scandal" CTV.ca News (3 October 2006)

Further Reading

- CTV News Staff, “Liberals attack Tories over judicial 'patronage'” CTV.ca News (2 October 2006)
- Democratic Governance - Ethics and Accountability in Government Institutions