

Between Broker and Professional: Immigration Consultancy, Migration Expertise and the Uneven Professionalization of Mobility

Wambui Mumbi

Immigration Practitioner-Researcher

Abstract

Immigration consultancy has become an increasingly important form of migration intermediation as individuals and families navigate complex visa, residence, work, study, family and citizenship systems. Yet the professional status of those who provide such expertise remains unevenly institutionalized across jurisdictions. In countries such as Canada and Australia, immigration consultancy and migration-agent practice are embedded within formal educational and regulatory frameworks that establish pathways for training, authorization, professional conduct and public recognition. In Kenya, by contrast, immigration-related consultancy exists as an economic and professional activity without an equivalent dedicated statutory professional regime. This creates a paradox in which demand for specialized migration expertise is real and practitioners may establish substantial professional practices, while the profession itself remains institutionally difficult to name and locate.

This paper examines that paradox through reflexive practitioner research grounded in the author's trajectory from undergraduate training in International Relations and Diplomacy to government immigration practice, private immigration consultancy and, subsequently, migration research. It reflects on the absence of a dedicated local professional pathway for immigration consultancy and on subsequent efforts to build professional standing through government-related training, formal business development, compliance and sustained specialist practice. The paper further examines how this ambiguous status shapes the social and economic valuation of migration expertise. Practitioners in the Global South may be expected to provide specialized services at

discounted rates while simultaneously being presumed to possess informal influence capable of circumventing immigration rules, administrative timelines or government decisions.

The paper argues that immigration practitioners in such settings occupy a paradoxical position: their expertise is increasingly necessary to navigate sophisticated mobility regimes, yet their professional identity remains vulnerable to being collapsed into the category of the broker. It distinguishes brokerage as a function of intermediation from professionalization as an institutional condition and situates this distinction within wider scholarship on migration industries, migration infrastructure and professional jurisdiction, including scholarship that treats professionalization itself as a project of social closure. Finally, the paper argues that practitioners should be recognized not merely as intermediaries in migration markets but also as situated producers of migration knowledge, while professional recognition should be developed in ways that protect migrants, distinguish legitimate expertise from fraudulent brokerage and avoid reproducing Global North–South inequalities in access to professional credentials.

Keywords: immigration consultancy; migration intermediaries; professionalization; migration governance; migration expertise; Kenya; Global South; brokerage; practitioner research; mobility

1. Introduction

Migration does not occur only between migrants and states.

Between the individual who wishes to cross a border and the state that determines whether, when and under what conditions that person may do so, there is often an intermediary. That intermediary may be a lawyer, immigration consultant, migration agent, labour recruiter, education adviser, travel professional, community organization or informal broker. The growing importance

of such actors has been recognized in migration scholarship through the concepts of the migration industry, migration infrastructure and migration brokerage (Gammeltoft-Hansen & Sørensen, 2013; Xiang & Lindquist, 2014; Bastide & Yeoh, 2025).

Yet these concepts raise a question that has received less attention: what happens when the intermediary performs specialized professional work but the profession itself is not equally institutionalized?

This paper emerges from that question.

My own professional trajectory provides the point of departure. I was trained at undergraduate level in International Relations and Diplomacy. For someone coming through that disciplinary route in Kenya, the conventional imagination of a career could reasonably point toward diplomacy, foreign affairs or government service. After university, an attachment could become an entry point into public service, including the Ministry of Foreign Affairs, with the possibility of building a conventional diplomatic career.

My trajectory moved elsewhere. I entered the immigration field.

The move initially appeared to be a movement from one area of government practice into another. But immersion in immigration work gradually revealed that immigration practice was not simply an administrative branch of international relations. It was a specialized field of knowledge with its own body of legislation, policy, documentary requirements, administrative procedures, changing migration pathways and highly consequential interactions with individuals.

The more I worked in the field, the more obvious another question became: where was the professional educational pathway for someone who wanted to become an immigration practitioner?

The question was not whether immigration knowledge existed in Kenya. It clearly did. Immigration officials possessed it; lawyers possessed it; migration scholars studied it; organizations employed migration specialists; and private practitioners increasingly developed specialized knowledge of the field. The question was whether there was a clearly constituted professional occupation through which an individual could be educated, recognized, regulated and economically situated specifically as an immigration consultant.

My search for professional development exposed a striking contrast with jurisdictions such as Canada and Australia.

Canada has a statutory framework specifically governing immigration and citizenship consultants. The College of Immigration and Citizenship Consultants Act defines the immigration and citizenship consultant and establishes the College as the regulator of the profession. The Act provides for licensing, professional conduct, complaints, investigations and disciplinary processes. Canadian immigration authorities also direct the public to verify whether a paid immigration representative is authorized, specifically identifying licensed consultants, lawyers and other authorized categories.

Australia likewise maintains a formal regulatory structure for migration-agent practice under the Migration Act 1958 and associated regulations. The current Migration Agents Regulations 2026, in force from 1 April 2026, provide for matters including continuing professional development and requirements surrounding migration-agent practice; the migration-agent code of conduct also forms part of the regulatory architecture governing the profession.

Kenya is different. The current Kenya Citizenship and Immigration Regulations recognize consultancy and business activity in the immigration context, and the regulations require appropriate licensing, registration or other authority where necessary. They also distinguish

“prescribed professions,” including the legal profession, from other forms of trade, business and consultancy. However, the regulations do not establish an equivalent dedicated professional licensing regime for immigration consultants comparable to the Canadian or Australian frameworks.

This paper therefore does not argue that Kenya has no regulation relevant to immigration consultancy. Nor does it claim that Canadian or Australian immigration practitioners perform precisely the same legally defined functions as all Kenyan practitioners. Rather, it identifies a more specific institutional gap: Kenya does not currently provide an equivalent, clearly differentiated professional architecture through which immigration consultancy is constituted as its own recognized profession.

That distinction matters because the absence of an occupational category affects much more than professional titles.

It affects how expertise is valued, how clients understand the service they are buying, how legitimate practitioners are distinguished from fraudulent brokers, and how practitioners themselves understand their relationship to the state and to the knowledge they possess.

The argument of this paper is that the problem is not simply that immigration practitioners in the Global South lack professional recognition. It is that professional recognition itself is unevenly distributed across the global migration system.

An immigration practitioner may possess specialized knowledge, years of experience, continuing education, formal business registration, a professional reputation and an established client base, yet still remain vulnerable to being socially categorized as a “broker.” At the same time, the same practitioner may be expected by clients to exercise informal influence over

government officials, circumvent procedures or deliver outcomes that the practitioner has no lawful authority to guarantee.

The practitioner therefore occupies a contradictory position: too informal to be fully recognized as a professional, yet apparently influential enough to be expected to bend the rules.

The paper explores this contradiction through a reflexive account of professional formation and through engagement with scholarship on migration intermediation and professions. It argues that professionalization should be understood not as occupational prestige for its own sake, but as an element of migration-governance infrastructure. Properly designed, professional recognition can help distinguish expertise from fraudulent brokerage, establish accountability and give the public clearer information about whom they are paying for migration advice.

The paper also advances a methodological proposition. The immigration practitioner occupies a distinctive position at the point where aspirations for mobility encounter the administrative state. Practitioners see not only migration outcomes, but the processes through which individuals try to make themselves administratively legible. Those encounters constitute a situated form of knowledge that can complement conventional migration research.

The paper thus moves between two questions: Who gets to be recognized as an immigration professional? And: Whose knowledge gets recognized as migration expertise?

These questions are more closely connected than they first appear.

2. Migration Intermediation and the “Middle Space” of Mobility

Migration scholarship has increasingly challenged approaches that treat the migrant and the state as the only consequential actors in international mobility. The literature on the migration

industry, migration infrastructure and brokerage has demonstrated that migration is mediated through networks of institutions, businesses, technologies and individuals.

Gammeltoft-Hansen and Sørensen (2013) describe the emergence of a migration industry built around commercial activities that both facilitate migrants' aspirations and respond to states' attempts to regulate migration. This industry encompasses a broad range of actors, from transportation and recruitment companies to private organizations involved in managing migration and border functions.

Xiang and Lindquist (2014) developed the concept of migration infrastructure to emphasize the interconnected technologies, institutions and actors through which mobility is facilitated and conditioned. Their contribution is particularly relevant because it shifts analytical attention away from migration as simply a behavioural outcome and toward the structures that make migration possible, difficult or administratively cumbersome.

More recent scholarship has brought migration industry, infrastructure and brokerage into conversation as different approaches to what has been called the “middle space” of migration. Bastide and Yeoh (2025), for example, argue that scholarship should pay sustained attention to these spaces and to the actors and practices that shape migration routes. Their review is particularly useful for the present paper because it observes that migration brokerage can encompass a highly heterogeneous set of actors, including recruiters, travel agents, lawyers, placement agents and other intermediaries.

This literature establishes the central importance of intermediation.

However, it leaves an analytical opening.

If a wide variety of actors are all described as brokers or intermediaries, distinctions between their functions and their professional status can become difficult to see.

A labour recruiter, an informal agent, an immigration lawyer, an immigration consultant and an education adviser may all stand between an individual and a migration opportunity. But they do not necessarily possess the same training, authority, ethical obligations, relationship with the state or claims to professional expertise.

The present paper therefore makes a distinction between intermediation as a function and professionalization as an institutional condition.

A person can mediate migration without being a professional.

A professional can mediate migration without being a broker in the informal sense.

The distinction is analytically important because the word “broker” can suggest that the intermediary's value lies in access: knowing someone, securing an opportunity, opening a door or facilitating a transaction. Professional expertise, by contrast, derives legitimacy from specialized knowledge, competence, institutional standards and accountability.

This difference becomes especially significant where immigration law and administrative procedures are complex.

A professional immigration practitioner may assist a client precisely by explaining the limits of what can lawfully be achieved. The practitioner may identify that the client's preferred visa category is unsuitable, that documentary evidence is inadequate, that a processing period cannot be shortened, or that a requirement cannot simply be bypassed.

That form of work is fundamentally different from selling access.

The distinction between the two becomes blurred, however, where immigration consultancy lacks a clearly established professional identity.

3. From International Relations to Immigration Practice

My own entry into immigration practice was not initially motivated by an ambition to become a scholar of migration intermediation. It was a career decision.

International Relations and Diplomacy had provided the academic foundation. Immigration practice provided a different vantage point on international relations: one grounded in the movement of actual people.

The difference was profound.

At university, international mobility can be discussed through sovereignty, foreign policy, diplomatic relations, international institutions and borders. In immigration practice, those abstractions become individual applications, documentary requirements, visa categories and administrative decisions.

The border becomes a document. Sovereignty becomes a decision. Migration policy becomes a checklist that a real person must satisfy. International relations becomes, in part, paperwork.

This shift generated a body of professional knowledge that was not identical to what I had acquired at university. It involved understanding how applicants experience immigration systems, how regulatory requirements interact with ordinary lives and how seemingly simple categories become complicated when applied to real people.

It also revealed the absence of an obvious professional pathway.

There were lawyers. There were immigration officers. There were recruitment agencies. There were educational consultants. There were travel agents.

But where was the clearly institutionalized profession for the specialist immigration practitioner whose principal function was to advise clients on immigration pathways and help them navigate the relevant administrative system?

The absence of such a pathway did not prevent practitioners from existing.

It made their professional identity harder to place.

I subsequently sought additional education and institutional affiliation partly because I understood that professional credibility is not produced through experience alone. Training at the Kenya School of Government, including courses related to government protocol and etiquette, public policy and finance, became part of an effort to strengthen my broader professional formation and align my expertise with institutions recognized by the Kenyan state.

Yet these qualifications, valuable as they were, did not resolve the central problem.

They made me more educated. They did not create the missing professional category.

This distinction is crucial.

Professional development and professional recognition are not the same thing.

An individual can accumulate knowledge without acquiring a statutory occupational identity.

That realization eventually became intellectually significant.

The problem was not that I lacked education.

It was that the institutional system did not provide a clear place in which all of that education, experience and specialized knowledge could be collectively named.

4. The Kenyan Context: Brokerage, Fraud and Reputational Spillover

Any serious discussion of professional recognition in Kenya must acknowledge the country's genuine problem with fraudulent migration intermediation.

The argument for professionalization cannot be based on the romantic assumption that everyone operating in migration-related services is a legitimate professional. There are powerful reasons for the public to be cautious.

Kenya regulates private employment agencies involved in overseas recruitment, and the National Employment Authority warns prospective migrant workers against unauthorized recruitment actors. In the labour-migration field, the risks can include false job offers, improper fees, misinformation and exploitation. This regulatory attention is understandable given the sums of money and the vulnerability associated with overseas employment.

The problem has also appeared in high-profile cases outside conventional private brokerage.

The Uasin Gishu overseas education controversy illustrates how migration aspirations can become entangled with public authority and substantial financial commitments. The Ethics and Anti-Corruption Commission reported that the Finland/Canada overseas education programme had become the subject of investigation and that approximately 200 students were alleged to have been asked to pay more than KSh1 million each, with the Commission treating the matter as one of high public interest.

This case is analytically significant for the present argument for a specific reason: it did not involve private brokers operating outside any institutional framework. It involved a programme carrying the imprimatur of county and public authority. When a scheme of that kind collapses into allegations of fraud, the reputational damage does not stay contained to the officials or

intermediaries directly implicated. It becomes evidence, in the public imagination, that migration-facilitation services in general — whatever their form — are sites of risk. An immigration consultant advising on a study visa has no institutional connection to a county-sponsored overseas education programme, but both are liable to be read through the same lens of suspicion, because the public has few reliable markers for telling a licensed, accountable practitioner apart from an opportunistic scheme riding on the appeal of “going abroad.” Reputational spillover of this kind is precisely what an institutionally recognized occupational category is designed to prevent: it gives the public a marker to check — registration, licensing, a professional body — that does not depend on trusting the intermediary's own self-presentation.

The significance of such cases for this paper is not to establish that all education or immigration intermediaries are fraudulent. It is that high-profile cases of alleged deception can contaminate the category itself.

To a member of the public, a genuine immigration practitioner, an overseas employment recruiter, an educational placement consultant and a fraudulent broker may all initially appear under the broad label of “agent.”

That is a serious problem.

An immigration practitioner assisting with a student visa is not necessarily a labour recruiter. A practitioner assisting with a family residence application is not necessarily involved in overseas employment. A practitioner advising a foreign national on residence in Kenya is not necessarily operating a recruitment business.

The field of immigration practice is much broader than labour mobility.

Yet public understanding can collapse this diversity into a single category.

The 2023 Canada-Kenya episode further demonstrates how easily migration information can become confused with promises of opportunity. Kenya's then-Cabinet Secretary for Foreign and Diaspora Affairs, Alfred Mutua, publicly described discussions with Canada's immigration minister concerning migration pathways for Kenyans. Canada subsequently warned that disinformation was circulating about supposed special immigration programmes for Kenyans that did not exist. The important point is that subsequent fact-checking established that the bilateral meeting itself was real; the problem concerned misleading claims and the interpretation of available pathways rather than the existence of the meeting.

This episode belongs in the same analytical frame as the Uasin Gishu case, even though no consultant or private intermediary was directly implicated. Once a state actor's own public statements are the source of an inflated expectation, the burden of correcting that expectation falls, in practice, on whoever the aspiring migrant next consults — frequently a private immigration practitioner. The practitioner is then placed in the position of having to disappoint a hope that a government official's own remarks helped to create, and any resulting frustration is easily redirected at the practitioner rather than at its actual source. This is a distinct mechanism of reputational spillover from the fraud case above: it is not contamination by association with wrongdoing, but the practitioner absorbing the credibility cost of misinformation that originated elsewhere in the system.

This episode is analytically useful because it demonstrates that migration misinformation is not confined to private brokers. Information can become distorted as it moves across governments, media, social networks, private actors and prospective migrants.

The consequence for legitimate practitioners is a form of reputational spillover.

Practitioners who have nothing to do with fraudulent recruitment can still be viewed through the lens created by fraudulent actors.

It should be acknowledged that the pattern described here — clients arriving with expectations shaped by fraudulent schemes or official disinformation, and practitioners absorbing the resulting suspicion or disappointment — is drawn from recurring encounters across years of practice rather than from a single client or case. It is offered here as a situated observation that motivates the analytical distinctions developed in the sections that follow, not as a representative claim about client behaviour generally; Section 11 returns to the appropriate use and limits of this kind of practitioner knowledge.

Professional recognition could therefore serve an important public-interest function.

The objective would not be to declare every existing practitioner legitimate. It would be to create institutional mechanisms that enable clients to distinguish among different categories of migration professionals and intermediaries.

5. Between Broker and Professional

The central conceptual problem of this paper is the relationship between the categories of broker and professional.

The migration-brokerage literature has demonstrated the importance of intermediaries who connect migrants to opportunities, resources and institutions. But the term broker can encompass such diverse actors that it risks obscuring differences in professionalization.

Professional sociology provides a useful way to approach this question. Abbott (1988) conceptualizes professions partly through their claims to jurisdiction over particular areas of expert work. A profession is therefore not merely a collection of people possessing knowledge. It is an

organized claim that a particular form of expert labour belongs within a recognized occupational jurisdiction.

This is precisely what is at stake in immigration consultancy.

The question is not whether practitioners know immigration.

They clearly can.

The question is whether that knowledge is institutionally recognized as belonging to a distinct occupational field.

It is worth pausing on Abbott's account long enough to note that jurisdictional claims are not made in a vacuum: a discipline of sociology running from Larson (1977) has treated professionalization itself as a project of social closure, in which occupational groups convert scarce expertise into a sheltered market and restricted entry as much as into public protection. On that view, a licensing regime is never purely a consumer-protection device; it is also a mechanism by which an occupational group limits competition and converts credentials into economic advantage for those who hold them. This is not a reason to abandon the case for recognizing immigration consultancy as a profession, but it is a reason to hold that case to its own stated purpose. A Kenyan framework for immigration-consultancy recognition would need to be designed so that its entry requirements protect the public and distinguish expertise from fraud, and not so that they simply raise the cost of entry for practitioners — including many already practising, as this paper has argued at length — who have accumulated real competence outside a formal credentialing system. Section 12 returns to this concern directly in proposing recognition of prior learning as a design principle rather than an afterthought.

In jurisdictions where such professional jurisdictions are clearly constituted, the practitioner is easier for the client to understand.

Canada is a particularly clear example. The College of Immigration and Citizenship Consultants Act provides a statutory definition of the immigration and citizenship consultant and creates the regulatory institution responsible for licensing and professional oversight. The law also provides for complaints, investigations and disciplinary procedures.

Canada's public guidance reinforces this institutional distinction. Individuals who provide immigration or citizenship advice for payment must fall within an authorized category, including licensed immigration and citizenship consultants, lawyers, notaries and specified others. Clients are explicitly encouraged to verify authorization.

Australia similarly separates regulated migration-agent practice from other forms of immigration assistance. The Migration Agents Regulations 2026 and the associated code of conduct establish a framework that includes continuing professional development and other requirements governing migration-agent practice.

These systems do not mean that every person working in migration in Canada or Australia is a professional, nor that professional regulation eliminates fraud.

What they demonstrate is more basic.

The profession has been institutionally named.

The state has identified a category of specialist knowledge and established rules governing who may exercise it for remuneration.

Kenya does not currently have an equivalent dedicated statutory architecture for immigration consultants. The Kenyan immigration regulations instead incorporate consultancy within broader categories of business, trade and professional activity, while separately defining prescribed professions such as law. They require relevant licenses, registrations or other authority

where necessary but do not create a standalone immigration-consultant licensing regime comparable to the Canadian College or Australian migration-agent system.

The result is not the absence of immigration practitioners.

It is the absence of an equally differentiated professional category.

That distinction matters enormously.

6. When Expertise Is Mistaken for Brokerage

The absence of professional differentiation can shape how clients understand the work.

In my experience, one of the most difficult aspects of working in this environment is that some people interpret immigration assistance as though it were simply administrative help.

The client asks: “Why are you charging me for a consultation?” Or: “Why does it cost that much just to advise me?”

Yet immigration professionals in established destination-country markets can charge substantial consultation fees without the legitimacy of the service itself being questioned in the same way.

The issue here is not that professional fees should be identical across countries. Economies differ. Purchasing power differs. Markets differ.

The deeper issue is what gives professional knowledge its economic legitimacy.

Why is an immigration consultation understood as specialized professional advice when provided by a practitioner in one country, while a similar service supplied from another country may be treated as a simple favour or administrative task?

This is what I describe as the geography of professional value.

The physical location of a professional can influence the value that clients attach to their expertise.

This becomes particularly striking when Global South practitioners serve clients from wealthier countries. A client accustomed to paying a professional in the United States, Canada, Australia or Europe may still be surprised by the fee requested by a practitioner in Africa or South Asia, even where the substantive service involves comparable analytical work: understanding the applicable requirements, evaluating the client's circumstances, identifying risks and determining how those circumstances should be presented to the immigration authority.

The problem is therefore not only monetary.

It is symbolic.

The question is whether the person supplying the knowledge is socially understood to possess professional authority.

Where the answer is uncertain, the practitioner can become vulnerable to a contradictory set of expectations.

This leads to one of the central propositions of the paper: the Global South immigration practitioner can be professionally devalued while simultaneously being institutionally overestimated.

The practitioner may be seen as too informal to justify a professional consultation fee, but sufficiently connected to immigration authorities to “make things happen.”

This is the broker expectation.

It assumes that the practitioner's value lies in access rather than expertise.

A client may expect the practitioner to accelerate a decision, persuade an officer to ignore a requirement, secure a special exception or otherwise manipulate the process.

The payment is therefore interpreted not as payment for professional judgment but as payment for access to someone who can make the system bend.

This is fundamentally different from professional immigration practice.

The professional practitioner cannot guarantee a government decision. The practitioner does not control processing times. The practitioner cannot abolish documentary requirements.

The practitioner does not possess governmental authority merely because the client has paid for advice.

Professional practice often requires telling clients precisely what they do not want to hear.

A competent practitioner may have to explain that an applicant does not qualify, that a particular pathway is inappropriate, that additional evidence is necessary, or that a decision cannot legally be accelerated simply because a professional has been engaged.

In this respect, professionalization may actually mean less informal power, not more.

The professional is valuable because they understand the rules and the boundaries of the rules.

The broker is imagined as valuable because they can operate beyond them.

Where the profession is weakly differentiated, these two concepts become conflated.

7. The Lawyer Problem

One consequence of this ambiguity is that the legal profession can appear to be the default route to unquestionable professional legitimacy.

This creates a difficult question.

Immigration is profoundly legal.

Practitioners must understand legislation, regulations, administrative requirements and policy. But does that mean that every immigration specialist who wishes to achieve professional recognition must become a lawyer?

I do not think that follows.

Lawyers perform indispensable functions within immigration systems, especially where matters involve legal representation, litigation, judicial review and other work reserved to legal professionals. Nothing in this argument diminishes that role.

The question is instead whether law should be the only institutionally recognizable professional home for immigration expertise.

Canada provides an instructive counterexample. Its legal framework distinguishes licensed immigration and citizenship consultants from lawyers and other authorized representatives.

This is conceptually important.

It demonstrates that a migration system can recognize specialist immigration expertise without requiring every specialist to enter the general legal profession.

For an experienced practitioner, this distinction matters greatly.

Obtaining a law degree could certainly provide valuable knowledge. But it would also mean undertaking broad legal education across fields that extend beyond the specific professional specialization in which the practitioner may already have substantial competence.

The question is therefore: Why should a person have to become something else in order for the profession they already practise to become recognizable?

That is not an argument against law.

It is an argument for occupational differentiation.

A mature migration system can recognize lawyers and immigration consultants as different professional categories with different scopes of competence and authority.

8. Professional Formation in the Absence of a Professional Pathway

My own professional development illustrates a further dimension of the problem.

When the occupational category itself is unclear, professional formation becomes partly self-constructed.

I did not respond to the absence of a dedicated professional pathway by simply abandoning the field. Instead, I accumulated knowledge through practice and pursued additional education that I believed would strengthen my professional standing. Government-related training, policy education, financial knowledge, professional compliance and continuous engagement with immigration matters all became part of that process.

Eventually, the practice itself became an established business.

Clients came not merely for administrative assistance but because they valued specialist knowledge. Some were willing to pay a premium for expertise. Public recognition also developed. My immigration work was sufficiently visible to result in recognition by media as specialist expertise.

Yet these achievements do not create a professional category where none has been formally constituted.

This is the crucial distinction: an individual can become professional before the profession becomes institutionalized.

The practitioner's legitimacy can therefore be real at the level of professional practice and still remain incomplete at the level of occupational classification.

This is perhaps the most frustrating feature of the experience.

One can work very hard to establish credibility. One can become better educated. One can become more experienced. One can build a serious business. One can acquire public recognition.

And one can still encounter the feeling of standing slightly outside the formal boundaries of the profession.

That feeling is not necessarily evidence of personal inadequacy.

It can be evidence of an institutional gap.

9. The Political Economy of Migration Expertise

This institutional gap has economic consequences.

Professionalization is partly about who has legitimate authority to convert specialized knowledge into income.

In established professions, the relationship between knowledge and remuneration is relatively straightforward. Training, regulation and social recognition combine to communicate that the practitioner's time and judgment have economic value.

Where professional recognition is weaker, the same relationship can become contested.

This is particularly visible when the professional is located in the Global South.

The problem should not be reduced to an accusation that every Western client consciously devalues African expertise. Many clients do not. Some recognize the quality of the work immediately, become repeat clients and actively seek out specialist practitioners.

But the existence of respectful clients does not eliminate the broader structural question.

Why does professional legitimacy so often travel more easily from the Global North than from the Global South?

Professional credentials themselves can be geographically anchored.

A practitioner may travel to Canada or Australia and invest heavily in acquiring qualifications recognized there. Yet the financial cost of doing so may be radically disproportionate to what that practitioner can earn in the Kenyan market. Moreover, a credential designed to authorize practice within a particular destination-country regulatory system does not automatically create equivalent recognition after the practitioner returns to Africa.

Thus, there is a double inequality.

The Global South practitioner may have less access to the credential and, even where the credential is acquired, less ability to convert it into equivalent local economic value.

This suggests that professionalization cannot simply mean importing foreign qualifications.

It must involve creating locally accessible pathways through which local knowledge and experience can become institutionally recognized.

Read alongside the closure-oriented account of professionalization introduced in Section 5, this double inequality takes on a further dimension. If professional credentials function partly as sheltered-market devices, then a system in which Global South practitioners must obtain Global North credentials to be taken seriously is not simply unequal in access; it is a mechanism by which market shelter is exported from one jurisdiction and imposed as a precondition for legitimacy in another, without a matching transfer of the economic returns that credential is meant to protect at home. A local Kenyan framework of the kind proposed in Section 12 would need to build its own closure — its own criteria for who may practise — around local training, local licensing and local recognition of prior learning, rather than treating a foreign credential as the only available marker of competence.

Otherwise, professionalization risks reproducing the hierarchy it is supposed to solve.

10. The Practitioner as a Knowledge Producer

The professionalization problem also has a methodological dimension.

My movement into migration research has made me increasingly aware that professional immigration practice generates knowledge that is not always visible in conventional migration datasets.

A dataset may tell us how many visas were issued. A refusal statistic may tell us how many applications failed. A migration survey may tell us why people say they want to migrate.

But the practitioner often sees something different: the moment when aspiration encounters administration.

A person arrives with an ambition. They want to study abroad. They want to join a spouse. They want to visit family. They want to establish residence. They want to work.

The practitioner then encounters the transformation of that aspiration into an administratively legible application.

What category applies? What evidence is needed? Can the person realistically satisfy the requirements? What happens when their circumstances do not fit neatly into the available category? What does the process cost? How does a refusal change the person's plans?

Some of these encounters never become migration statistics because the migration never occurs.

A prospective student may abandon an overseas education plan after discovering the financial requirements. A family may postpone reunification because they cannot meet a particular condition. A traveller may decide not to apply after professional assessment reveals a high risk of

refusal. A prospective migrant worker may discover that an apparently attractive overseas opportunity is fraudulent.

These are non-migrations—mobility aspirations that are reshaped or abandoned before the border is ever crossed.

The practitioner sees these moments.

The practitioner therefore occupies a distinctive observational position.

This does not make practitioner knowledge automatically representative. It remains situated and selective. A practitioner sees the clients who seek assistance and is therefore likely to encounter some populations more frequently than others. Professional experience also contains subjective interpretation and cannot simply be converted into a representative dataset.

Yet these limitations do not negate its research value.

They define its appropriate use.

Practitioner experience can generate questions, identify recurring patterns, illuminate administrative frictions and provide hypotheses that can subsequently be investigated through interviews, documentary analysis, comparative research, survey data or other scholarly methods.

The practitioner can therefore be both an intermediary in migration governance and an observer of migration governance.

That dual position is central to the idea of the practitioner-researcher.

11. Reflexivity: From Professional Experience to Scholarship

Using practitioner experience as a basis for research requires reflexivity.

I do not approach immigration practice as a detached observer. I have participated in the field I am studying. I have interests, professional assumptions and experiences that shape what I notice.

That positionality is a limitation.

It is also an analytical resource.

The important point is not to pretend that the practitioner is neutral. It is to make the practitioner's position explicit and subject it to critical examination.

This paper therefore does not use individual client stories as evidence that can automatically be generalized to all migrants. Nor does it reveal confidential client information.

Instead, it treats recurring professional encounters as the starting point for broader analytical questions.

Why do some clients perceive a professional consultation as unnecessary? Why do some expect the practitioner to circumvent government procedures? Why do legitimate practitioners inherit suspicion generated by fraudulent brokers? Why does professional status appear more easily recognizable in some jurisdictions than others? Why does professional expertise sometimes seem to lose economic value as it crosses geographical borders?

These questions emerged from practice.

Research provides the tools to theorize them.

This is an important methodological point because the relationship between professional practice and academic research is often imagined as one-directional: researchers study practitioners, while practitioners provide services.

The practitioner-researcher disrupts that distinction.

Professional practice can be a source of research questions.

Academic scholarship can, in turn, transform professional observations into concepts.

This makes the movement between practice and research intellectually productive rather than contradictory.

12. Toward a Kenyan Framework for Professional Recognition

If the problem identified here is real, what might recognition look like?

The answer should not be to copy Canada or Australia mechanically.

Professional institutions are embedded in national legal systems, labour markets, educational infrastructures and histories. What works in one jurisdiction cannot simply be transplanted into another.

Nor should professionalization become an expensive credentialing exercise accessible only to people who can afford foreign qualifications.

A Kenyan framework could instead be designed around several principles, each considered here with more specificity than a general policy wish-list, precisely because the closure risk identified in Section 5 means that how each principle is implemented matters as much as whether it is adopted.

First, it could establish a distinct occupational category for immigration consultancy, while clearly defining the activities that fall within its scope. The most plausible institutional home is not a wholly new statutory body on the Canadian College model, which would be a significant undertaking for a first iteration, but an intermediate step: a defined professional category recognized within the existing architecture of the Kenya Citizenship and Immigration Regulations and the State Department for Immigration and Citizen Services, alongside business registration and licensing already administered through county and national business-licensing systems. A

dedicated self-regulating body, of the kind the Law Society of Kenya provides for lawyers, could reasonably be a second-stage goal once a critical mass of recognized practitioners exists, rather than a precondition for beginning.

Second, it could create competency-based educational pathways that are accessible locally, for example through short, modular courses delivered by institutions already trusted for public-sector-adjacent training — the Kenya School of Government is one plausible venue, given its existing role in the author's own professional formation — covering immigration law and procedure, ethics, documentary risk assessment and client communication, rather than requiring a full law degree or a foreign qualification.

Third, it could provide recognition of prior learning and transitional mechanisms for practitioners who have already accumulated significant professional experience before the creation of a formal regime. Concretely, this could take the form of a grandfathering window in which practitioners with a defined minimum number of years in practice, verifiable business registration and no record of client complaints or fraud could be admitted to the recognized category on the basis of a portfolio of experience and a shorter bridging course, rather than being required to sit the same entry process as a new entrant. This is the mechanism through which the closure risk discussed in Section 5 is most directly managed: it prevents a new licensing regime from becoming, in effect, a device that excludes the very practitioners whose accumulated expertise motivated the case for recognition in the first place.

Fourth, it could establish ethical and consumer-protection requirements, including transparent fees, written service agreements, clear statements about what practitioners can and cannot guarantee, complaint mechanisms and disciplinary structures.

Fifth, it could clearly distinguish immigration consultancy from labour recruitment, legal practice, educational placement and travel services. This would be important in Kenya because, as Section 4 has shown, the reputational consequences of one category can spill into another regardless of whether any wrongdoing has occurred in the consultancy category itself.

Finally, regulation should recognize that professionalization is not simply about protecting practitioners.

It is about protecting the public.

A legitimate professional framework should make it easier for migrants and prospective migrants to determine whom they are dealing with and what authority that person possesses.

In this respect, the existence of fraudulent brokers strengthens the case for professional differentiation rather than weakening it — provided, as argued above, that the resulting framework is designed to expand who can be recognized as already competent, rather than merely to narrow who may enter.

13. Conclusion

This paper began with a professional question that initially appeared personal: what happens when someone becomes an immigration practitioner in a country where immigration consultancy exists in practice but is not constituted through an equivalent dedicated professional regime?

The answer is more complicated than simply saying that the practitioner lacks recognition.

The practitioner may be highly educated. They may possess years of specialized experience. They may undertake continuing professional development. They may build a legitimate business. They may serve demanding clients. They may receive public recognition as an

expert. They may even become a researcher whose academic work is grounded in the realities of migration practice.

And yet the underlying occupational category may remain institutionally ambiguous.

That ambiguity is the central problem.

Migration scholarship has shown convincingly that intermediaries are an important part of contemporary mobility. The literature on migration industries, migration infrastructure and brokerage demonstrates that migrants increasingly move through systems involving businesses, technologies, institutions and people situated between migrant and state.

This paper extends that insight by distinguishing intermediation from professionalization.

Not every intermediary is a broker in the same sense.

Not every broker is a professional.

And not every professional intermediary is necessarily recognized as such.

The Kenyan case makes this distinction especially visible.

Fraudulent migration recruitment and deceptive overseas education schemes have given the public legitimate reasons to be cautious about people promising opportunities abroad. Those cases can, however, produce reputational spillover, causing legitimate immigration practitioners to be grouped with actors whose activities are entirely different.

At the same time, practitioners may encounter another form of misunderstanding: clients who devalue professional advice as mere paperwork while expecting the practitioner to possess informal power over immigration authorities.

The practitioner is therefore placed in a paradoxical position: too informal to command the status of a professional, but apparently influential enough to be expected to circumvent the state.

The comparison with Canada and Australia reveals that this contradiction is not inevitable. Both countries have built formal systems through which specialist immigration advice can be recognized, regulated and distinguished from unauthorized activity. Canada's statutory framework explicitly regulates immigration and citizenship consultants, while Australia's current regulatory framework provides for formal migration-agent practice, qualifications and continuing professional development.

Kenya's existing immigration regulations recognize consultancy and require appropriate authorization where necessary, but they do not create a comparable dedicated professional licensing system for immigration consultants.

The implication is not that Kenya must become Canada or Australia.

It is that Kenya may need to decide what it wants the immigration-consultancy profession to be — and, this paper has argued, to decide it in a way that treats existing practitioners' accumulated expertise as an asset to be recognized rather than an informality to be regulated away.

That decision has consequences for regulation, consumer protection, professional livelihoods and migration governance.

It also has consequences for knowledge.

The immigration practitioner is not simply a commercial intermediary.

The practitioner stands at the point where the individual's aspiration to move meets the administrative authority of the state. From that position, practitioners observe documentary problems, financial constraints, changing migration aspirations, misunderstandings of law, administrative frictions and other processes that may never appear in conventional datasets.

This makes practitioner knowledge valuable, provided it is handled reflexively and ethically.

The practitioner-researcher therefore occupies a productive but complicated position.

Practice provides proximity. Research provides analysis. Neither is sufficient alone.

Together, they can illuminate aspects of migration governance that remain difficult to see from only one side.

The deeper issue, however, remains professional recognition.

The experience described in this paper suggests that a profession can exist in practice before it exists institutionally.

People can already be doing specialized work. Clients can already be paying for it. Businesses can already be operating. Expertise can already be accumulating.

The absence of a professional category does not mean that the expertise is absent.

It means that the institution has not yet fully decided how that expertise should be named, regulated and valued.

This is why the title *Between Broker and Professional* is deliberately unresolved.

The space between these categories is not empty.

It is occupied by practitioners.

They are already participating in migration governance.

The unresolved question is whether the systems governing mobility will eventually provide them with a professional home.

References

Abbott, A. (1988). *The system of professions: An essay on the division of expert labor*. University of Chicago Press.

Bastide, L., & Yeoh, B. S. A. (2025). Mapping the “middle-spaces” of migration: Towards a linked ecology approach to migration industry, migration infrastructure, and migration brokerage. *Migration Studies*, 13(1), mnaf005.

<https://doi.org/10.1093/migration/mnaf005>.

Gammeltoft-Hansen, T., & Sørensen, N. N. (Eds.). (2013). *The migration industry and the commercialization of international migration*. Routledge.

Larson, M. S. (1977). *The rise of professionalism: A sociological analysis*. University of California Press.

Xiang, B., & Lindquist, J. (2014). Migration infrastructure. *International Migration Review*, 48(1 Suppl.), 122–148. <https://doi.org/10.1111/imre.12141>.

Primary and institutional sources

Canada. (2019). *College of Immigration and Citizenship Consultants Act*, S.C. 2019, c. 29, s. 292. Justice Laws Website.

Government of Canada. (2026). Find out if your representative is authorized.

Immigration, Refugees and Citizenship Canada.

Government of Canada. (2026). Learn about representatives. Immigration, Refugees and Citizenship Canada.

Australia. (2026). *Migration Agents Regulations 2026*. Federal Register of Legislation.

Australia. (2021, compiled 2026). *Migration (Migration Agents Code of Conduct) Regulations 2021*. Federal Register of Legislation.

Kenya. (2011). *Kenya Citizenship and Immigration Act*, No. 12 of 2011. Kenya Law.

Kenya. (2012, as amended through 2025). *Kenya Citizenship and Immigration Regulations*, Legal Notice No. 64 of 2012. Kenya Law.

Ethics and Anti-Corruption Commission. (2024). Report on the status of implementation of the resolutions on the petition on alleged fraud by First Choice Recruitment Consultancy Agency Ltd.

Government of Canada. (2023). Canada and Kenya conclude successful meeting on immigration. Immigration, Refugees and Citizenship Canada.