

Response from Immigration, Refugees and Citizenship Canada (Correspondence Ref. #: 2023-01302735)

Ministerial Correspondence / Correspondance Ministérielle (IRCC)

<IRCC.MinisterialCorrespondence-CorrespondanceMinisterielle.IRCC@cic.gc.ca>

Tue 2023-11-14 11:36 AM

To:Hui Zhang, CAPIC <communications@capic.ca>

Dear Hiu Zhang

The Canadian Association of Professional Immigration Consultants (CAPIC):

Thank you for your correspondence of September 21, 2023, addressed to the office of the Honourable Marc Miller, P.C., M.P., regarding recommendations for safeguarding the integrity of the Canadian immigration system. I have been asked to respond to your concerns.

Strengthening the Integrity of the International Student Program

International students who have been working in Canada play an important role in the post-pandemic economic recovery. To that end, Immigration, Refugees and Citizenship Canada (IRCC) made temporary policy changes to the International Student Program (ISP) and the Post-Graduation Work Permit Program to encourage students to continue pursuing their Canadian programs of study throughout the pandemic and to facilitate opportunities for graduates to obtain valuable work experience.

IRCC recognizes that there are challenges in the ISP, concerning student vulnerability, unethical recruitment, and non-genuine actors in the program. The Department is actively undertaking a review of the ISP to strengthen program integrity and enhance protections to address these concerns. The ultimate goal is to protect international students and Canada's interests, and to modernize the program to better select and retain students that meet Canada's economic and social-cultural goals, including francophone, regional, and immigration objectives.

As part of this review, IRCC has announced the intention to implement two new measures to strengthen Canada's immigration system. Beginning on December 1, 2023, post-secondary designated learning institutions (DLIs) must verify each applicant's Letter Of Acceptance (LOA) directly with IRCC. This updated process aims to protect prospective overseas students from letter of acceptance fraud by confirming the applicant's information with the DLI that they intend to study at, before a study permit is issued. If the DLI does not verify the LOA in 10 calendar days, the application and processing fees will be returned.

IRCC is also working toward developing a 'recognized institutions' framework in 2024 that, if adopted, would recognize DLIs who set a higher standard of service for students. DLIs who demonstrate that they provide exceptional support and outcomes for international students would benefit from expedited study permit processing.

IRCC is engaging with provinces and territories, national associations, and other stakeholders, with emphasis on protection of students and improvement of client services.

Improved Regulation and Oversight of Consultants

IRCC has taken decisive action, investing over \$48 million over four years, in addition to ongoing funding, to improve oversight, strengthen enforcement, and increase accountability among immigration and citizenship consultants. As part of the College of Immigration and Citizenship Consultants' (the College) recent changes, the Government implemented a Code of Professional Conduct for consultants in 2022. The Code establishes strong ethical and professional standards that all licensed consultants must abide by. The College also received additional powers such as the ability to conduct investigations related

to misconduct, and the ability to send out cease and desist letters to unlicensed actors, as well as requesting court injunctions against them.

While IRCC knows that the vast majority of immigration consultants operate within the high standards of the profession, it is also aware that the industry can still be exploited by dishonest individuals namely Unauthorised Practitioners (UAP's). The following are just a couple of examples of the current and future activities the Department is reviewing in order to crack down on the issues related to UAPs:

- Reviewing its complaint process for applicants who are victims of UAP's and coordinating with the College on its public awareness efforts;
- Collaborating with the Canada Border Services Agency in developing, detecting and creating tools that will help to identify these bad actors; and
- Implementing the administrative penalties and consequences regime, which will include violations committed by UAPs.

The Department's long term fraud prevention goals are clear. To improve regulations and government oversight of immigration consultants, strengthen the government's investigations and enforcement tools, including implementing the administrative penalties and consequences regime, in order to take action against UAPs and bad actors, and support public awareness and outreach activities.

Sincerely,

D. Kit
Ministerial Enquiries Division

This electronic address is not available for reply.