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• (1645)

[English]

The Chair (Mrs. Salma Zahid (Scarborough Centre, Lib.)): I call this meeting to order.

Welcome to meeting number 71 of the House of Commons Standing Committee on Citizenship and Immigration.

I have a quick note before we begin. Although this room is equipped with a powerful audio system, feedback events can occur. These can be extremely harmful to the interpreters and can cause serious injury. The most common cause of sound feedback is an earpiece worn too close to a microphone. We therefore ask all participants to exercise a high degree of caution when handling the earpieces, especially when your microphone or your neighbour's microphone is turned on. In order to prevent incidents and safeguard the hearing health of the interpreters, I invite participants to ensure that they speak into the same microphone that their headset is plugged into and avoid manipulating the earbuds by placing them on the table away from the microphone when they are not in use.

Today, we are beginning our study of the exploitation scheme targeting certain international students.

I would like to welcome the Honourable Sean Fraser, Minister of Immigration, Refugees and Citizenship.

Thanks a lot, Minister, for appearing before the committee.

He's joined by two senior officials from the department: Christiane Fox, deputy minister, and Michèle Kingsley, assistant deputy minister, operations. Welcome.

The minister will be with us for the first hour. The officials will stay for the second hour to answer questions.

Minister, you have five minutes for your opening remarks, and then we'll go into a round of questioning. The floor is yours. Please begin.

Hon. Sean Fraser (Minister of Immigration, Refugees and Citizenship): Thank you very much.

Just before we get started, I know we were a little bit delayed with votes. If you guys will have me for the full hour, I won't challenge you on the agreed-upon time. I'm happy to stay and make good on the commitment that we've made to be with you for the first hour.

In addition, I'd like to start by saying thank you. A number of you have reached out to me personally over the course of the last number of days, weeks and months on the very specific issue of the

international students who were facing potential removals as a result of being admitted on the basis on inauthentic documents. To those of you who have been good advocates, I want to say thank you for the many conversations we've shared.

I appreciate, as always, the invitation to appear and to address some of the concerns around these reports of international students and graduates who are facing removal from Canada after these letters of acceptance were submitted as part of their study permit application and were determined to be fraudulent. I understand that the situation is extremely distressing for a number of the students who are engaged. I want to assure them and members of this committee, and anyone else who might be monitoring this situation, that the well-being of students who were genuine applicants to come and study in Canada is paramount for me and for the government.

The fact of the matter is that many of the international students in this cohort of individuals came sincerely to Canada with an intent to study and to pursue an education at the world-class institutions we offer here in Canada. Frankly, some of them were duped by bad actors who claimed to be helping them in their immigration application process.

There are other foreign nationals who we believe had no intent of pursuing higher education in Canada and who used the fraudulent acceptance letters to take advantage of Canada's immigration system. Within this cohort of individuals, some have been engaged in potentially criminal behaviour. There are potentially individuals who knew exactly what they were doing. They knew they were taking advantage of the system and knew it was wrong and did it anyway.

Because there are those who we believe were genuine in their application to come and study in Canada and those who were not, we've made a decision to establish a task force. IRCC is going to be working closely with Canada Border Services Agency to identify the victims of fraud. Further, we've directed the officials at IRCC to approach every incident on a case-by-case basis and to do so with expediency, flexibility and compassion where it's warranted. We need to deploy the necessary tools so that those who are or were genuine students who wished to come study in Canada can remain in Canada and not face additional barriers to the next step of their Canadian journey.

I want to be clear about this. Students who came here to study and did study will not face deportation. The Immigration and Refugee Protection Act provides me, as minister, with discretionary authority, which I believe should be exercised in the present context. Therefore, if the facts of an individual case are clear that an international student came to Canada with the genuine intent to study and without knowledge of the use of fraudulent documentation or participation in criminal activity, we have provided instructions to officers to issue temporary resident permits to those individuals to allow them to remain in Canada.

This is going to ensure that these well-intentioned students and graduates can remain in the country. We're also going to make sure they are not subjected to the five-year ban from re-entering Canada that would normally follow a case of misrepresentation. While this process runs its course, preliminary temporary resident permits will be issued if they are required in order to prevent deportations that have previously been ordered.

• (1650)

[*Translation*]

Immigration, Refugees and Citizenship Canada, or IRCC, is working with its local and international partners to detect and deter fraud. We are continuously improving the systems to detect evidence of fraud. When fraud tips are reported, IRCC will always continue to look into each one.

To uphold our system, a full review of the International Student Program is under way. The review aims to strengthen program integrity and enhance protection to address student vulnerability, unethical recruitment and unscrupulous actors.

[*English*]

To crack down on dishonest consultants, and on the recommendation from a study done by this very committee back in 2017, we've regulated consultants in Canada, who must be licensed under the College of Immigration and Citizenship Consultants. We've invested to improve oversight, strengthen enforcement and increase accountability.

[*Translation*]

IRCC also runs media campaigns both at home and abroad, to deter fraud and help people avoid becoming victims. As recently as March 2023, IRCC ran a campaign in India targeting potential visitors, students, and workers to decrease the misuse of permits and to reduce fraud.

[*English*]

As the Minister of Immigration, Refugees and Citizenship, it's my responsibility to protect the integrity of our immigration system and to ensure that it upholds legitimate cases and supports the victims of fraud but pays no comfort to the perpetrators of such fraud.

Madam Chair, I know that there are students who are watching the proceedings today, and I want to make sure that this message is communicated clearly. I'm committed, unreservedly, to finding a way to support them and to ensuring that they can remain in Canada with a valid legal status if they had a genuine intent to study and if they did not have knowledge that they were benefiting from fraudulent documentation. At the same time, I think we all

need to agree and to understand that those who are complicit in the use of fraud to abuse Canada's immigration system will be held to account for their actions.

Canada is always going to be a welcoming land of opportunity for people from around the world, including those who want to come here to study and to work in Canada and who want to become upstanding members of our communities, but make no mistake: We have no room to tolerate people who attempt to cheat our system, and we absolutely have no intention of giving special treatment to those who commit fraud. We can protect the integrity of the system and demonstrate compassion to the innocent at the same time.

Thank you, everyone. I'm happy to take whatever questions you may have.

The Chair: Thank you, Minister.

We will now go to our first round. We will start with Mr. Uppal.

Mr. Uppal, you have six minutes for your round of questioning. Please begin.

Hon. Tim Uppal (Edmonton Mill Woods, CPC): Thank you, Madam Chair. I will be splitting my time with Member of Parliament Hallan.

Minister, you say, today, that the victims of the scheme and of the fraud will not be deported. I'm sure those victims, those students, are pleased to hear that, but we've heard about this whole situation for months now. People in the community, on YouTube and other media outlets, have known since last September. CBC picked up this news story earlier this year. All of these students have had deportation orders issued against them because the department realized their mistake. Their mistake was that they accepted these fake letters, and the department issued valid visas to Canada for them to come here.

Since then, those students have gone to school. They've been studying. Some of them started working. Some of them started a family here, got married and had children. They've essentially set down roots here in Canada, because this happened over several years. Then, when the department realized their mistake, it issued deportation orders. It was essentially a "shoot first, ask questions later" situation. It left the students with significant mental health issues because of the stress of that, and with financial issues as well, because they have already paid for their student fees and for everything else it takes to get to Canada, and now they're also paying immigration lawyers and others to be able to fight to stay here, when they were the victims of this whole scheme.

As I said, we've known this for months. Conservatives have raised this issue in the House of Commons. Our leader, Pierre Poilievre, had questions in the House of Commons about this issue. In this committee, we've had, at least three or four times, a motion that was presented to study this issue. Unfortunately, the Liberals and the NDP rejected that motion.

Minister, you've had the power this whole time to do what you're saying today. You had that power. Why didn't you do this before?

• (1655)

Hon. Sean Fraser: Madam Chair, how much time do I have to answer that question? It had a number of elements, and I'd like to address each of them.

The Chair: There are four minutes left for Mr. Uppal.

Hon. Sean Fraser: Okay, he is not sharing his time.

First of all, Mr. Uppal, thank you. I have always viewed you to be a reasonable parliamentarian. I have a lot of respect for you, and I enjoy our conversations.

The reality is that I became aware of this issue around the beginning of spring, not at the end of last year. When I first became aware of this, it was as a result of media reports that claimed there were 700 international students who were impacted by this. I wanted to verify the veracity of that reporting. It turns out that it was not an accurate reflection of what was going on.

It's really important when we're dealing with something as serious as a person's ability to remain in Canada that we know the facts we're dealing with, so we undertook a bit of work to understand what was actually going on. What we have determined—and I would differ, respectfully, with your assessment of a “shoot first, ask questions later” process—is that we're dealing with a cohort of people who have been referred to the IRB from CBSA, and there are now 57 individuals who have been subjected to a removal order. Understanding what was going on, after this process played out when people had an opportunity to adduce evidence, was very important. To the extent that I could communicate that we were working on a solution for people who were in fact genuine students, we tried to communicate online to demonstrate that we were working towards a solution.

To identify the right solution sometimes takes longer than people like—including me, on many occasions—but the reality is that I'm not just looking at the need to demonstrate compassion to those who I think should remain in Canada. We absolutely need to demonstrate compassion to those people who should remain in Canada, but we also need to protect the integrity of the system. When we're dealing with a widespread, potentially criminal element to people who are seeking to abuse Canada's immigration system, I start to think about the reputational risk to the international student program more broadly. This is an extraordinary program that brings people to our country who make an incredible difference.

Yes, we need to do what we can to protect the mental health and well-being of people who are going through this process, but we can't cut corners when it comes to developing a process that will ensure we protect the integrity of the system at the same time.

Hon. Tim Uppal: Minister, didn't you essentially treat everybody as a criminal first and then start a process later? Everybody was issued their deportation orders, so everybody was treated the same—as a criminal—and then you took this step, when you could have actually taken this step at the beginning, when you first heard of this problem.

Hon. Sean Fraser: No. With enormous respect, suggesting that people were treated as criminals is a false characterization of what was—

Hon. Tim Uppal: They were being deported, so they—

Hon. Sean Fraser: Let me explain, though. The only people we're dealing with who face a removal order have actually had an opportunity to present a case to the IRB, but we have a shortcoming in this instance, and that shortcoming is tied to the fact that there are individuals who didn't know they were taken advantage of, but the rigidity of the existing rules would have resulted in their removal.

That's why we've introduced this new process, for that narrow cohort of people who have been subjected to a removal order and who we believe demonstrate that there was no intent to abuse the system and that they instead should remain in Canada. This was a tailored solution that was developed after the existing process had run its course, and we expect there will be a few more people who have to go through this process. I think we've been able to develop it in a way that will both protect the integrity of the system and demonstrate compassion to those who certainly deserve it.

Hon. Tim Uppal: Do you know if anyone has been deported through this process?

Hon. Sean Fraser: There have been some individuals who have been deported. It's not a large number.

Hon. Tim Uppal: How many?

Hon. Sean Fraser: I believe there are eight people who have been deported. Those people, should they wish to take part in the process, will have access to the same program that we have now put forward.

Hon. Tim Uppal: Will they be able to come back?

Hon. Sean Fraser: If they demonstrate that their intent to come to Canada was genuine and that they were not complicit in fraud—

Hon. Tim Uppal: The people who are here while you're doing this investigation, will they be able to get work permits? Will they be able to continue their studies? What is the process for that?

Hon. Sean Fraser: Madam Chair, will you allow me the latitude if I can stick around for 30 seconds afterwards?

The Chair: Your time is up.

Hon. Sean Fraser: Mr. Uppal, perhaps when your colleague picks up, I can begin by answering your question.

The Chair: Thank you, Minister.

We will now go to MP Ali.

MP Ali, you have six minutes.

Mr. Shafqat Ali (Brampton Centre, Lib.): Thank you, Madam Chair.

I would like to thank the minister for appearing on such short notice on this important topic.

I have been contacted by quite a few constituents and several stakeholders who are concerned about the situation of these international students who are facing the possibility of deportation. First, I wonder if the minister could provide us with some idea of the number of students who are affected by this situation.

• (1700)

Hon. Sean Fraser: Yes. On the number of students, I believe there are 82 people who were referred to the IRB process. Of the 82, there are about 25 who are still going through the process. The balance would be 57 people who have actually been subjected to a removal order—clearly, that's different from the initially reported 700.

There may be additional cases that come through in the future, but as it stands now, there are 82 people who were referred by CBSA to the IRB, and 57 who have been subjected to removal orders as a result.

Mr. Shafqat Ali: Thank you.

There needs to be a fact-finding process to distinguish between those genuine students who had no knowledge of the fraud committed by the consultant and those who were complicit in that fraud. The minister has set up a task force of IRCC officials to work with CBSA for that purpose.

Can the minister provide us with more information about the fact-finding process and elaborate on what is meant, in today's statement, by the words “if the facts...are clear”?

Hon. Sean Fraser: Certainly. Thank you for this.

The process will work roughly as follows, and perhaps I'll try to answer Mr. Uppal's question as part of my response.

The task force is going to have senior officials from IRCC and CBSA. CBSA is going to refer to IRCC the individuals who are implicated. We will investigate on the basis of the totality of the evidence, including whether a person, in fact, did come to study and whether they complied with the terms of the permit they thought they were legitimately issued, and we will look at other factors that a student may be able to adduce.

If the determination at the end of that process is that the person did not have knowledge of the fraudulent documentation that allowed them to enter Canada and they genuinely intended to study, they'll be permitted to remain in Canada. They'll be issued a temporary resident permit and will be able to continue to work or study, as the case may be, until they come to the next step in their immigration journey in Canada, at which point we will be able to use humanitarian and compassionate grounds to make sure their application is not prejudiced, should they fall into the cohort of people who we believe were not complicit in fraud but instead were taken advantage of by fraudsters.

At the end of the day, the goal here is to make sure the immigration journey for the innocent actors is not interrupted by this dramatically unfortunate episode. We need to have the fact-finding process to determine whether somebody who came to Canada on a study permit but with no intent to study actually should be able to face the consequences, particularly if they knew about the fraud that allowed them to enter Canada and decided to move forward with their application anyway.

Mr. Shafqat Ali: Thank you.

It seems to me that the threat of deportation is a kind of blunt instrument in this situation and is really counterproductive. These are young people who grew up in another country halfway around the

world and who are used to following adult guidance with respect to their studies. Most of them have come here and studied at our approved institutions of higher learning.

Can the minister assure us that discretionary authority will be used to prevent deportation of any of those students until the department completes its fact-finding?

Hon. Sean Fraser: I can confirm that's the case.

For fullness of explanation of the process, before we even get into the territory where we need to concern ourselves with deportations, the ordinary process through which a person can make their case at the IRB will apply. The need for the task force process, on which we shared details today, arises only after a negative decision is rendered at the IRB.

A person will go through the ordinary process, but if the IRB finds them inadmissible, we will immediately issue a temporary resident permit that will allow for the remainder of the investigation to be completed, and the deportation will not be acted upon until there is a final determination by the task force about the nature of a person's knowledge of fraud and their genuine intent to study.

Mr. Shafqat Ali: Thank you for the clarity.

Madam Chair, how much time do I have?

The Chair: You have 55 seconds.

Mr. Shafqat Ali: Minister, I know you've been listening and working hard on this issue with a genuine intent. I know that the opposition party is exploiting this situation of the innocent students who are victims of fraud. You have made it clear that those students will not be deported until they have gone through this process.

Do you want to add anything to make it clearer to those students who are in this limbo?

• (1705)

Hon. Sean Fraser: I don't want to attribute motivations to any people or to one party or another. My experience is that there has been good advocacy by members of Parliament from different parties. You have been a stalwart advocate, Shafqat, in particular, and I see others sitting in this room. I look around, and everybody has spoken to me about this. Tom and Brad have both reached out to me before. We've had Alexis and some of his Bloc colleagues discuss the issue. Jenny has been discussing this with me, and in fact we had the chance to meet to discuss the issue as well.

The reality is that we're listening to the feedback regardless of where it comes from and trying to advance solutions that meet the needs of communities, based on the feedback we've taken.

The Chair: Thank you, Minister.

We will now proceed to Mr. Brunelle-Duceppe for six minutes.

[Translation]

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): Thank you, Madam Chair.

I'm going to disagree with my colleague Mr. Ali. On the contrary, I want to congratulate opposition members and the members of all parties in the House of Commons who have raised this matter. I want to highlight the work the media have done to raise this issue in the public space. Lastly, I want to highlight the way the situation has been managed by the minister, whom I also thank for being here today. I think we'll be on the right track regarding the people concerned by this situation.

What interests me is the overall picture. How have we come to this? How can we ensure that this doesn't happen again? There must be mechanisms, firewalls as it were, that enable us to prevent this kind of situation.

My questions will be related to what has happened. How can we deal with this? What's not working right now? How does this kind of situation arise?

Most of the students who filed resident visa applications did so through a consulting firm. Was Immigration, Refugees and Citizenship Canada aware of that firm before this situation occurred.

[English]

Hon. Sean Fraser: I can speak for myself. I was not personally aware of this particular individual. I am acutely aware of the fact that there are consultants around the world who abuse the system and whom we have to protect against.

Perhaps to our officials, was there an awareness within the department of this particular individual?

[Translation]

Mr. Alexis Brunelle-Duceppe: Were you aware of the firm in question?

Ms. Christiane Fox (Deputy Minister, Department of Citizenship and Immigration): We weren't aware of the firm in question.

Having said that, I'd like to note that there have been refusals. We denied 976 applications that were generated by the same consultant. So there were factors—

Mr. Alexis Brunelle-Duceppe: All right. There were warning signs.

You have to be a member of the College of Immigration and Citizenship Consultants in order to call yourself an immigration consultant in Canada.

Does the College of Immigration and Citizenship Consultants issue permits to immigration consultants?

Hon. Sean Fraser: That's the case for consultants here in Canada, but as for persons who—

Mr. Alexis Brunelle-Duceppe: Yes, I'm referring to those who are here. Is that how it works?

[English]

The Chair: Let's have one person at a time, please. It becomes difficult for the interpreters.

Hon. Sean Fraser: My apologies, sincerely, to the interpreters.

That is the case for people who are registered consultants in Canada. The same is not true for third parties in other countries.

[Translation]

Mr. Alexis Brunelle-Duceppe: As I understand it, it's illegal to call yourself an immigration consultant and to provide consulting services in Canada if you haven't qualified to do so under the law.

[English]

Hon. Sean Fraser: You could potentially be sanctioned by the College of Immigration and Citizenship Consultants if you falsely represent yourself.

[Translation]

Mr. Alexis Brunelle-Duceppe: Don't you think that immigration consultants who guide students who intend to come and study in Canada should be subject to more checks by IRCC or the College of Immigration and Citizenship Consultants?

Minister, isn't it somewhat contradictory to legalize the practices involved in the occupation of immigration consultant in Canada but not to conduct the necessary checks on the firms you communicate with outside Canada? For the moment, neither IRCC nor Global Affairs Canada has considered any type of mechanism.

[English]

Hon. Sean Fraser: We're dealing with the reality of the situation here. I think if we could extraterritorially apply some of the regulations to prevent fraud, we would love to, but we need to do that in partnership with other countries. We work with other countries on a diplomatic level to increase migration protection. As a matter of course, we share information. I mentioned in my remarks some of the work we've been doing in India, as recently as March of this year. The reality, however, is that having Canadian officials enforce Canadian laws in other countries around the world is not a simple thing to do, and we need to work with partners who have the jurisdiction to implement laws that they authorize within their own areas of jurisdiction.

• (1710)

[Translation]

Mr. Alexis Brunelle-Duceppe: That's what I've been saying from the start, Minister. That's where I wanted to take you.

We can sign major free-trade agreements with Europe, the United States, Mexico and the Asia-Pacific region. We can enter into large-scale economic agreements, but we're incapable of conducting bilateral discussions or discussions with large groups of countries regarding the situation we find ourselves in today. Unfortunately, that's precisely the starting point in this matter. I don't hold it against you.

This situation is an opportunity for us to start some serious discussions. You said you weren't following the Century Initiative. However, increasing numbers of people will want to settle in Canada and Quebec. What will we do if we don't have this kind of mechanism? There will be more incidents like this one.

Hon. Sean Fraser: You raise an interesting and important point.

That would be a good idea in an ideal world. However, as you very well know, sometimes we're dealing with criminals in these cases.

[English]

If we're dealing with a situation where we try to regulate an industry globally, the bad actors will still try to operate outside of that system. Despite what progress we may be able to achieve to align the standards of protection, there will always be people who seek to abuse Canada's immigration system.

If there are new ideas that the committee wants to put forward or study about how we can co-operate with partners on the international stage to better protect our system, I would welcome recommendations from the committee.

[Translation]

Mr. Alexis Brunelle-Duceppe: Minister, it may be news to you, but the Bloc Québécois will never form the government.

Now, I'm telling you that your duty as the Minister of Immigration, Refugees and Citizenship is to ask the Minister of Foreign Affairs to conduct those discussions. What we're studying today has been a tragedy for students. Some have been expelled from the country and will have to prove that they shouldn't have been expelled, and they're now suffering from mental health problems.

Your job is to do that. Mine is to tell you to do it.

[English]

Hon. Sean Fraser: Is that the complete time, Madam Chair?

The Chair: You can quickly answer the question.

Hon. Sean Fraser: Look, we work across portfolios and directly with our counterparts in immigration in other countries as well, to foster a culture of integrity when it comes to our mutual immigration systems. However, this is an area where I think Canada and the rest of the world can continue to improve. If there are solutions that you or other members of the committee, or the committee collectively, wish to put forward, I would welcome your suggestions with open arms.

The Chair: Thank you, Minister. Thank you, Mr. Brunelle-Duceppe.

We will now go to Ms. Kwan for six minutes.

Ms. Jenny Kwan (Vancouver East, NDP): Thank you very much, Madam Chair.

Thank you to the minister and the officials for coming to our committee today.

I also want to extend a thank you to the minister for taking time to meet with me specifically on this issue. I know there are lots of issues on the minister's plate, but I appreciate his taking the time to meet with me particularly to try to find ways to ensure that the students who are victims of fraud are not going to be penalized and punished and to look for further actions to make them whole, so to speak.

With respect to the announcement that the minister made, I'd like to get a clarification on the issue around the inadmissibility based on misrepresentation. The minister said just now that the students who are victims would not be subjected to the five-year ban. Could the minister clarify whether that would mean the record of inadmissibility based on misrepresentation will be erased from their file?

Hon. Sean Fraser: The best mechanism we've been able to identify to overcome the five-year inadmissibility ban is to give, in the interim period while a person is currently on a study permit or an existing work permit, a temporary resident permit that aligns with the remaining time on that document. At the next stage in their immigration journey, whether it's applying for a post-graduate work permit, applying for permanent residence or whatever the next steps in that process may be, we would intend to apply humanitarian and compassionate grounds to overcome the inadmissibility barrier so that it doesn't jeopardize that student's or that graduate's opportunity to continue along their immigration journey.

The reason we've chosen that is a function of the legislative requirements that are in place today. We can use existing tools rather than reforming the legislation to avoid a person's immigration journey being interrupted as a result of the fraud that they were not a part of.

Ms. Jenny Kwan: That means it will stay on their record. It would not be erased, but there will be a note to say this will not be prejudice for their future applications. Am I understanding that correctly?

• (1715)

Hon. Sean Fraser: More specifically, it's humanitarian and compassionate reasons, which is an existing exemption under the legislation, but you've more or less identified the correct process.

Ms. Jenny Kwan: Okay. I hope that when it comes to that, it would actually work that way for those students. What I'm worried about is that when you have that bad record, so to speak, that dark mark next to your name, sometimes an official who's processing the application will still say that there's misrepresentation on the record. I want to flag that as a concern, because we obviously would not want to have a second chapter to this issue down the road.

Now, there are students who are in a situation where they have been issued a removal order and they have filed to the Federal Court but, for example, have not yet had the hearing. They are waiting. There are those who have filed and who have been rejected, for example. There are those who have made an application to have their work permit extended, let's say, and they're now out of status but waiting to see what's going to happen to them.

Is the minister saying that with this new task force, those individuals should not worry about all of those outcomes and that their case will be assessed under the new task force?

Hon. Sean Fraser: Look, my background in law before politics is telling me to be very careful, because the facts of individual cases may vary and I don't want to describe in a blanket way that may not capture nuance, but the new process we've shared today, the task force, will be triggered immediately upon an inadmissibility finding at the IRB. You don't need to go through the existing Federal Court challenge to an IRB decision in order to benefit from the process we've laid out before the task force.

I want to be careful not to provide legal advice to people who might be in the middle of a Federal Court hearing. There may be very good reasons why a person chooses to proceed down that path in any event, but for an individual who is not yet at that stage and is going through the IRB process, if they receive a negative decision at the end of that process, they will immediately have access to the steps outlined as part of the task force we've described today.

Ms. Jenny Kwan: If they have not yet received a negative decision.... I'm asking because I've met with the students. I went to Brampton and I met with the students. I've been on Zoom with them. They've called me. Many of them have sent me piles and piles of documentation regarding their cases. I'm putting them all together to submit to the minister's office and the public safety minister's office for consideration.

Some of them are caught up in the situation. In the face of this, they're waiting for CBSA appointments. Because they've been told that they've received their removal order, they're waiting for a CBSA appointment. Should they proceed with that process? I assume that when they get a date, they should show up and present their documents accordingly.

There are others who have filed for Federal Court but have not yet received a date for Federal Court. What should they do? The reason I ask is that it's really important, because it's really expensive for people to go through that process. I know that you, Minister, from your comments, recognize that as well. The question that students are asking is this: Should we not proceed with this and save some legal fees and then go through this other task force process that the minister has set out?

Hon. Sean Fraser: One of the challenges we run into when we're dealing with the existing legislative framework is that simply dealing with this process—when the legislation would still have them go through the IRB process and it could result in inadmissibility—would put us in a situation where we might extend temporarily the status of a person who would subsequently be found inadmissible and would still need to go through a similar process to have access to the humanitarian and compassionate grounds to avoid the five-year inadmissibility.

The individual circumstances.... I want to be very careful not to provide legal advice, but the person who is going through the process should always show up when they're asked by CBSA to show up. They should go through with the IRB process and make their case. It is only the cohort of people who complete that process and are deemed inadmissible at the end of that process who will then require the benefit of the new process we've created today.

I understand that these are many layers of process, but we want to make sure that every individual who is caught up and who doesn't have the compassion given to them that I think the facts deserve still has that last shot through the task force that we announced earlier today.

The Chair: Thank you.

Your time is up, Ms. Kwan.

Hon. Sean Fraser: Madam Chair, if I may, also, of course, for anybody who wishes clarity on the process, we would be pleased to meet after this meeting, whether it's with officials to describe tech-

nically the process.... We want to be as clear as we possibly can, to the extent that there are unanswered questions at the end of today's meeting.

The Chair: Thank you, Minister.

We will now proceed to Mr. Hallan for five minutes.

● (1720)

Mr. Jasraj Singh Hallan (Calgary Forest Lawn, CPC): Thank you, Madam Chair.

Minister, today you said that you found out about the deportations in early spring. That's about the same time that the CBC article came out. Also, you tweeted out at the end of May, after visiting the students, along with our leader and many of my colleagues. The first question that comes to mind for them and for us is, what took you so long? What happened between March and May?

Hon. Sean Fraser: As I explained to Mr. Uppal during his questioning, we needed to verify the accuracy of the reports. In fact, I did interviews with certain community media outlets in the days after becoming aware, because we had no indication, for example, that over 700 people—

Mr. Jasraj Singh Hallan: What was the department doing during that time, though? What were the steps that the department was taking in between those times? It's not about what you did with the media.

Hon. Sean Fraser: Certainly.

One, we connected with CBSA after we became aware of the media reports—

Mr. Jasraj Singh Hallan: Was that in March?

Hon. Sean Fraser: This process would have started probably in the second half of March. Look, after I give a description, I'm happy to go to the officials for a more technical answer.

We sought to identify how many people were impacted. We had no indication that there were 700 people, and we wanted to dig in to figure out why there was a discrepancy. I still don't know where the 700 figure came from.

After we started looking at the number of scenarios, we came to understand that there was a significant number of applications that were tied to a very similar pattern. Nearly a thousand, in fact, had been refused entry on the basis of fraudulent letters of acceptance. There were a few hundred others who were actually admitted, some of whom were genuine students who intended to study. Of that cohort, CBSA has so far referred 82 to the IRB, and 57 of those have actually gone through that process.

It's largely been about understanding the situation that these students are dealing with and the pattern underlying the issuance of fraudulent acceptance letters that led to their being admitted to Canada, and then developing the process to allow them to come—

Mr. Jasraj Singh Hallan: It was a two-month process that led to that, before you tweeted out. Is that what you're saying?

Hon. Sean Fraser: I don't know the exact date. It would have taken a couple of months to understand the facts and the pattern and develop the—

Mr. Jasraj Singh Hallan: The reason why I say it's important is that today you said eight people have been deported, but in your press conference today, you mentioned that many had left voluntarily.

Hon. Sean Fraser: It's not many. It's 10 people.

Mr. Jasraj Singh Hallan: Ten people have left voluntarily. It's still 10 people whose families are affected by this, on top of the other eight who have—

Hon. Sean Fraser: Just to be clear—

Mr. Jasraj Singh Hallan: Let me get to my question.

Hon. Sean Fraser: There's one inaccuracy, and if I need to extend by 20 seconds.... People who left voluntarily are not inadmissible to Canada. They did not complete the IRB process and they have not been found to be—

Mr. Jasraj Singh Hallan: Because they were given that letter, it was almost like, "You are a criminal. You gotta leave."

Hon. Sean Fraser: Those people—

Mr. Jasraj Singh Hallan: "Voluntarily" means they were given something by your department in order for them to leave their life here, where they'd built roots.

The reason why I'm saying this is that it took you two months to get to that point. That's 18 different families you'd already identified that could have been saved earlier. They could have stayed here and not spent that much money. They got deported or left voluntarily. That's why I'm saying this. It took you two months to send out a tweet, "Maybe we'll work on this." I just want you to know the impact it had, not taking any action for those two months. It's interesting, because the tweet came out the day after the Conservatives wrote a public letter to you.

I want to know, again, why it would have taken so long for you to even respond to that.

Hon. Sean Fraser: I had spoken publicly, before the tweet you're referring to in May, about the action we were looking at taking.

As I mentioned in my response to Mr. Uppal's questions, there is serious potential criminality and it's underlying a scheme that has led to people being admitted. We need to watch very carefully. We need to investigate when we see a pattern of hundreds, or potentially in excess of a thousand, applications that were made on the basis of fraudulent documents, in order to make sure we are protecting the integrity of the system and not compromising investigations into how these fraud rings can come to exist in the first place.

With enormous respect—which you know I have for you, given our conversations before—sometimes, when you're developing new programs designed to allow a person to come to and remain in Canada and overcome investigations of fraud, it can take a matter

of weeks to do this. This is not something that was years in the making. We moved quickly to identify the problem—

Mr. Jasraj Singh Hallan: Are you saying that, since you became the minister, there was never a pattern that you or your department picked up on, or any colleges coming to you? Were there any indications from anyone about any kind of pattern, including anyone coming to you and saying that this is happening?

● (1725)

Hon. Sean Fraser: We know there are widespread attempts to defraud Canada's immigration system—

Mr. Jasraj Singh Hallan: Since when? When did you find that out, and what did you do?

The Chair: Mr. Hallan, your time is up.

Hon. Sean Fraser: Madam Chair, with the indulgence of the committee, I can provide a 10-second answer.

The Chair: Go ahead, please.

Hon. Sean Fraser: Upon being appointed minister, during my early briefings, I became aware that there are widespread attempts by bad actors to defraud Canada's immigration system. We have entire branches of the department seeking to investigate these fraudulent activities every single day.

Mr. Jasraj Singh Hallan: Can you—

Hon. Sean Fraser: Madam Chair, I think I have the floor. I'm trying to—

The Chair: Mr. Hallan, let him finish, because your time is up.

Mr. Jasraj Singh Hallan: Can you table that? How many have been caught in the time you've been minister?

Hon. Sean Fraser: Madam Chair, I'm having a hard time hearing the member. You can direct me as you would.

The Chair: The time is up. Maybe you will get the opportunity in another round.

We'll now go to Mr. Dhaliwal for five minutes.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Thank you, Madam Chair.

First of all, I want to thank the honourable minister and his parliamentary secretary. Any time I go to you, Minister, or your staff, you are always welcoming and, of course, very patient in listening and always assuring me that you will come up with a policy that will be good for the victims. I want to thank you for that. I received a call today from one of the family members of the victims, who said this is exactly what they were looking for—what you announced today.

Going from there onwards, you said you can go case by case. You're not going to have a blanket policy. Would you be able to tell us what the consequences would be of implementing a blanket policy instead of looking at individual cases?

Hon. Sean Fraser: I believe the consequences of taking a blanket approach in this instance would be very negative and of a severe scale in both the short term and the long term for Canada's national interest. In the short term, we would be rewarding people who've committed fraud against the state. That is a bad idea. It's a bad idea because it's clearly contrary to the rules that we have in place, but it's also a bad idea because it would create a culture in which bad actors around the world would see a demonstrated inability of a country to manage its own affairs successfully and would seek to further defraud it going forward.

Moreover, many people who are seeking to come to Canada want to follow the rules. To send a signal that we're going to give preference to people who have committed fraud and who have broken the rules over those who are following the processes that we have set out in law and regulations would be a disaster.

I think we've struck the right balance to acknowledge that the existing process did provide an opportunity for certain individuals, potentially a few dozen individuals, who were innocent, who sought to come here genuinely and who were victimized by fraudsters. We're going to be able to demonstrate compassion towards them.

At the same time, Canadians need to know that we're going to crack down on fraud in the system. I think one of the reasons Canadians support ambitious immigration policy is that they trust the process through which people come to Canada. That includes security screening. It includes ensuring that we police fraud, and it ensures that we set people up for success when they arrive.

The path forward, I think, achieves those dual goals of demonstrating compassion for those who deserve it while at the same time not rewarding fraudsters for bad behaviour.

Mr. Sukh Dhaliwal: Minister, one of the 57 people came to my office. I'm not going to expose their identity. In fact, I looked at this person's resume. They went to Langara College and earned a diploma with marks of over 80% in their studies. They've been working for the last five years with one employer. In fact, their employer also contacted me and gave good feedback on that particular person.

For people like that who are facing deportation, you said that these deportations will stop. Can you give a timeline for when this action will come into effect?

Hon. Sean Fraser: It will be as soon as possible, although there are some people who have not yet gone through the IRB process, so for them, the process will begin immediately after they complete the IRB process.

What we envision is an interim temporary resident permit that will be in the ballpark of a number of weeks. That will allow them, for example, eight weeks to complete the investigation. The sole purpose of that temporary resident permit is to allow us to complete the examination of their file. We want to move as quickly as we can to provide a fair resolution but also a fast resolution.

I know from you, Sukh, and from others that the stress on students has been enormous. We don't want this to drag out for months. We want to give them a platform to demonstrate their case and if, in fact, they can confirm that they were a genuine applicant, we want to provide a remedy as quickly as possible, recognizing

the mental health and financial burden many students have undertaken.

● (1730)

Mr. Sukh Dhaliwal: You have given assurance time and time again to those who are victims. Do you want to say something that you haven't said to those students about the actions they should take on their part?

Hon. Sean Fraser: My advice to anyone who's dealing with IR-CC or CBSA is that they should always show up for their appointments. They should always respect the communications they receive. They should also know that we're trying to come at this issue from a place of compassion. There are extraordinary students from around the world who want to come and study in Canada. They make immense economic and social contributions to our communities. The people you're describing meet the profile of so many international students I've met—people who do well in school and who want to contribute to our communities. In the future, our workforce is going to rely on people like these.

Our desire is to provide a quick remedy for them to allow them to remain in Canada and to have certainty that this unfortunate and fraudulent episode will not impact their immigration journey to our country. At the same time, for those who have committed fraud, we need to enforce the rules and demonstrate that there will be consequences for criminal activity or fraudulent behaviour.

Mr. Sukh Dhaliwal: Thank you for your leadership, Minister.

The Chair: Thank you, Mr. Dhaliwal.

We will now proceed to Mr. Brunelle-Duceppe for two and a half minutes.

Go ahead, Mr. Brunelle-Duceppe.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Madam Chair.

Minister, a similar situation arose in Quebec in 2020. Once again, some Indian students had been defrauded. I don't know if you were made aware of that situation. IRCC denied those students their permits to study in private colleges in Quebec, but they had already paid their tuition fees. They weren't reimbursed, however, because the private colleges sought protection under the Companies' Creditors Arrangement Act. I could send you the press clippings on the incident. We're starting to see that this kind of case is specific to India.

You asked me earlier if we had any suggestions to make. As you know, I always do. I give you about 14 proposals a week. We of the Bloc Québécois aren't here just to oppose; we're here to propose. I'm happy when you implement our proposals, but you could adopt more of them.

Are these repeated frauds a valid reason to start immediate bilateral discussions with India, by going through diplomatic channels first, then holding meetings with your Indian counterpart? You could also seek reciprocity with India regarding the agencies that do business with students wishing to study in Canada. Those agencies would then have to be certified by IRCC, even though they're established on Indian soil. You want suggestions? That's one. At some point, we have to stop merely reacting, and we have to work upstream.

Do you think my suggestion is valid?

Hon. Sean Fraser: Thank you for your comment.

[English]

Look, you raise some interesting points. One thing I've come to understand in this particular job is that there are many issues that I think we need to reform over time, and the international student program is a great example. We actually just completed the consultation on the review of the international student program not much more than a week ago.

However, to your point about working with India, we had an initiative that we were working on in March of this year for the purpose of sharing good information to strengthen the integrity...and highlighting the extraordinary opportunity we have to continue to recruit students from that particular country.

As we go forward, we're looking at some new ideas to build a trusted institutions model with some of our post-secondary education partners who demonstrate that they have the capacity to monitor the integrity of applications, to treat students well when they arrive and to help them adjust to life in the workforce.

I think this is the next frontier for the international student program. If you have advice, as always, it would be more than welcome.

The Chair: The time is up, Mr. Brunelle-Duceppe.

We will now proceed to Ms. Kwan for two and a half minutes.

Ms. Jenny Kwan: Thank you.

It sounds to me like the minister is suggesting the students should go through a dual process: through the Federal Court, if they embark on that process, as well as through this other process. It seems to me that it's a duplication of effort if that's the case, and there are limited resources on all fronts. I will further clarify this with officials and the minister at a subsequent meeting, because this is a critical point. I'm already getting emails from students saying, "What do we do now and how should this proceed?"

A critical question is also, when will the new task force start its work? What is the start date?

Hon. Sean Fraser: It's already under way. The process has begun.

For the sake of clarity, on the duality of the process you described, one reason we had to launch a new process is that the remedies that we wish to issue may not be available. If someone today makes a misrepresentation—innocent, negligent or malicious—they may still be deported from Canada under the existing rules. The new process will help us to overcome that.

• (1735)

Ms. Jenny Kwan: Then, on that basis, should the impacted students not embark on that process, with this new task force?

We have CBSA also looking into the situation. We have IRCC, the Federal Court and the IRB looking into the situation. We have limited resources here. If the minister is establishing a special task force, all of that will be housed in one place. This cohort of 57 students who have been identified and have been impacted should go through this new process.

Wouldn't that be the proper way of proceeding and the more efficient way of proceeding?

Hon. Sean Fraser: I appreciate the perspective.

The process that we've developed is only for people who are inadmissible to Canada and are facing a removal. The IRB process exists to determine whether a person is inadmissible or will be removed.

I won't offer advice on whether a person should or should not make a challenge in Federal Court. That is for somebody to be making a decision on their own on the basis of legal advice that they may take.

This provides a remedy for those who have gone through a process that did not have the ability to offer the same remedy.

Ms. Jenny Kwan: I understand that, Minister, but you indicated that there are 57 students who have been identified and have been issued removal orders. They may not have gone through the Federal Court. They may have filed and not been heard yet.

However, for those who have received the removal order, should they not then embark on this new process under the task force?

Hon. Sean Fraser: If you received a removal order, it would be because you have gone through the IRB process and have been found inadmissible. If you've received a removal order after that process, then yes, you should go through this process. The Federal Court is separate.

I would say, as well, that the existing process can do a better job of investigating criminality. We do believe there is significant criminality with some of the applicants who may find themselves in this position. IRCC, in this new process about the status a person may have in Canada, is not expert or built to make that kind of an assessment.

The Chair: Thank you.

The time is up for Ms. Kwan.

We will now proceed to Mr. Redekopp for five minutes. Then we will end the first panel with Ms. Sahota for five minutes.

Mr. Brad Redekopp (Saskatoon West, CPC): Thank you, Madam Chair.

Thanks, Minister, for being here.

You were speaking with Mr. Hallan about the fraudulent investigations and fraudulent actors. Could you please table the information that your department has found on that investigation?

Hon. Sean Fraser: What information are you asking me to table?

Mr. Brad Redekopp: You said that you had a department that was investigating fraudulent students and consultants and that you had obtained some results. It was just at the end of Mr. Hallan's conversation the last time.

Hon. Sean Fraser: It would be helpful if you clarified with specificity, now or after the meeting.

One of the things that I will flag is that, to the extent that the CBSA is looking at an ongoing investigation into fraudulent activity, we obviously won't share information publicly that could compromise an investigation.

However, would it be possible to work through the chair to understand the specific information you're looking for?

Mr. Brad Redekopp: Maybe let's back up.

Have you done any investigating? We talked today about the students, and it's very important that we deal with them. The other issue is preventing this from happening again. Have you investigated and have you initiated investigations to stop that from happening again?

Hon. Sean Fraser: My deputy, I think, would like to chime in. We're feeding each other numbers, but I don't want to speak over her.

Ms. Christiane Fox: I think it's important to know that this particular investigation was launched by the CBSA as a result of a tip. However, the department actually has ongoing investigations all the time. Right now, at this particular time, there are over a hundred investigations through the various lines of business.

Mr. Brad Redekopp: Thank you.

Minister, when did you begin an investigation on this particular issue?

Hon. Sean Fraser: Christiane, do you have the precise date after we received the tip?

Mr. Brad Redekopp: Was it after the tweet, around there?

Ms. Christiane Fox: No, I think it was prior to that. The CBSA can say exactly when.

However, just to give you a sense of scale, if I may—

Mr. Brad Redekopp: Actually, if you could table that, that would be helpful. It would be great if you could do that.

Now, the process was focused on finding these fraudulent consultants. Is that the basis of the investigation? Did you find other fraudulent consultants in that process?

Hon. Sean Fraser: I think the investigation actually would have begun a number of years ago. However, there are many investiga-

tions that are always going on within the department. This particular one involved a main group. There may be others who are tied to this, including people who have a presence in countries outside of India.

With respect to the people who may be involved, they could include all of the potential applicants who may or may not have known about the fraud. When you're asking what other fraudsters or bad actors we have discovered, there could be quite a significant range of people, depending on how broad a definition you take of "bad actor".

● (1740)

Mr. Brad Redekopp: It seems that the problem or the failure here is that there was a bad actor who provided fake letters, yet the department did not recognize that early and was unable to identify that in other cases.

Does the department, then, once it finds a bad actor, go to the other cases? Why didn't these students know that? How come that wasn't found?

Hon. Sean Fraser: We launched a new approach in 2018 to strengthen the verification of letters of acceptance. We focused on the letters that we had a reason to believe were not authentic.

If there is no reason, given the fact that we deal with many hundreds of thousands of applications in a given year, it would completely erode the ability of the department to productively and efficiently process student applications if we were to do an investigation into every letter of acceptance that is provided.

With regard to your earlier question that you started with to go down this road, I think that, going forward, we need to find a way to use new technology to better verify larger numbers of applications more quickly.

I'm sorry. You were trying to chime in, Mr. Redekopp.

Mr. Brad Redekopp: Yes.

I guess what I'm really asking on this is whether there was one consultant who dealt with all these students or whether there were multiple consultants.

Hon. Sean Fraser: There were multiple consultants.

Mr. Brad Redekopp: Okay.

You talk about 2018. If I understand this, you had a manual process up to that point. Then it became automated. However, that's when we started to have problems.

Am I understanding that correctly?

Hon. Sean Fraser: Not quite.

Christiane, would you like to describe the initiative that we launched in 2018?

Mr. Brad Redekopp: No, that's fine. I'm just kind of curious about that.

I guess one thing I want to point out, just to remind the committee, is that four times I tried to raise this issue here at the committee. Four times the Liberals and the NDP voted against investigating this. My motion did talk about pausing the deportations, investigating the problem, fixing the system and allowing the students to live their lives. I am glad that you finally took my advice and actually did this. As has been said before, this is going to be a very happy day for the students.

However, I guess the question still remains. There was inaction until there was a lot of newspaper action, a lot of political action. Why did it take so long to get to this point?

Hon. Sean Fraser: There was not inaction. The reality is that it's common for us to have many investigations, hundreds of investigations, going on at any given point in time that are trying to bust fraudsters who are seeking to abuse Canada's immigration system.

With respect to my knowledge of this specific example, of which there had been a pre-existing investigation that actually preceded my time as minister in this portfolio, it came to my attention in the spring, and I wanted to satisfy myself of the facts and also of the potential criminal elements, and then develop solutions, given that I came to understand there were likely innocent people who were mixed up in a fraudulent scheme.

With enormous respect, taking a month or two to sort out a complicated problem, I think, is reasonable. To suggest there was inaction on behalf of the department when there were live investigations going on for a number of years would not be an accurate depiction of what had actually taken place.

The Chair: Thank you, Minister.

We will now end this panel with Ms. Sahota for five minutes.

Ms. Sahota, go ahead.

Ms. Ruby Sahota (Brampton North, Lib.): Thank you, Madam Chair.

To give some context, I know the Conservatives put forward a motion in this committee as well to say that legislation is to take precedence over all other issues in this committee. The fact that we couldn't get to this issue until now in the committee, I believe, was due to the committee deciding that legislation, the clause-by-clause we were going through, was very important.

I want to thank you, Minister, for listening carefully and coming up with a solution that is a balanced approach, because we were hearing some unbalanced ideas, like the NDP saying that blanket PRs should be given to everyone, and like the Conservatives saying that quick decisions should be made in haste, where I do believe you would not be able to accurately distinguish the good actors from the bad actors. We do want to do that, because we want to keep our immigration system's integrity. I think this solution will get us there.

The other thing is that I've been working on many different student issues for many years. I've also written to the ministers provincially responsible for schools in the various provinces, and particularly I've written to the one in Ontario. We're seeing a growing problem in Ontario with many new colleges popping up that I've never heard of, which don't have adequate space or teaching facilities

and which are taking in large numbers of students. Our federal government has to comply with these lists of designated learning institutions, or DLIs, that are provided by the province.

I want to know if you have any comments that you can make as to the responsibility that the provinces also have in fixing this larger problem that we're beginning to see.

• (1745)

Hon. Sean Fraser: If you'll allow me, the two issues that you mentioned, sort of coming to ground on this issue and the broader issue around DLIs, both speak to the need for co-operation. I think what we've identified through this process... As you know, we've had phone calls, emails and messages back and forth about this particular issue, as I've had with members of different parties, and I find that when we take these ideas from different sources, we can identify what the real issues are.

I think it has led to a workable solution that's going to help protect people who deserve protection in this instance and that's going to hold accountable those who seek to abuse the system. I think the same is true with designated learning institutions. We need to do a better job, not only as a government but also as a society, of working across levels of government and of working with institutions to better monitor the system.

The reality is—at the risk of getting ahead of myself, given where we are from a policy perspective today—I've heard a lot of stories that really trouble me about designated learning institutions. The vast majority are good actors, make no mistake, but when I hear the stories of students who come to this country, who tell me they feel like they were sold a false bill of goods and who are enrolled in a program that may have 1,000 students but with room in the facility for a few dozen students, it suggests to me that there are international students being exploited in this country.

Look at the number of students who were attending brand new institutions that have popped up and who have inadequate mental health and housing supports. I hear stories about people who are being promised a pathway to permanent residency that does not exist for them. I hear promises being made to international students like, "You can come through the student program, but really, you know you just want to work in this country." That is not what the program is about. We need to work very carefully with institutions so that people know what they are getting themselves into and that they are applying for the appropriate programs.

We need to work with provincial governments, which are responsible for identifying DLIs that have access to the program, to ensure that they're willing to hold accountable the institutions that are not treating students fairly but instead are seeking to profit off them as individuals, not caring whether they are exploited or set up for success. The vast majority of institutions are good players. We're working towards developing a trusted partner model with institutions that we know are good actors and that have a strong history of working with students and of respecting them.

The international student program is contributing in excess of \$22 billion annually to this country. Forget for the moment that the economic and social benefits we derive are enormous. If students are making that contribution to us, I think we owe it to them to be honest about what they're getting themselves into, to not exploit them and to set them up for success. As it turns out, making that happen can be challenging, but it's an effort worth making.

Ms. Ruby Sahota: As a short follow-up to that, one of the reasons, I believe, the provinces also have it within their power to fix the system is that I'm hearing from students that although we've created a system in which students can apply for themselves, some of these colleges are acting in collusion with agents abroad who recruit students, and the only way they accept these students is if a student applies through their agent. The student never has the capability of calling the school or finding out directly from the school whether or not they've even been accepted. The school's response at times has been, "Talk to your agent," which shouldn't be the case.

Hon. Sean Fraser: To the extent that there are examples you can provide to our office, please know that we will task the department to investigate them. To the extent that institutions are found to, in a systemic way, be bad actors, they should be shut down. This is not okay. We need to address this head-on. The challenge we face is that it's not just the federal government that holds all the policy levers. We need to work with institutions. We need to work with provincial governments. To the extent that parliamentarians can shine a light on bad actors who seek to abuse the system, you would be doing a service to your community and to your country, and I would appreciate partnering with you any day that you wish.

The Chair: Thank you.

The first panel comes to an end. On behalf of all the members of this committee, I would really like to thank you, Minister, for coming and discussing a very important issue.

We will suspend the meeting for two minutes so that you can leave, and then we will go into a round of questioning with the two officials.

Thank you, Minister.

Hon. Sean Fraser: Thank you.

[*Translation*]

I'm glad to have met with you.

• (1745) _____ (Pause) _____

• (1755)

[*English*]

The Chair: Members, please take your seats so we can start.

For this panel, we have Ms. Fox and Ms. Kingsley with us.

We will go directly into the round of questioning. We will start with Mr. Kmiec for six minutes.

Mr. Kmiec, please go ahead.

Mr. Tom Kmiec (Calgary Shepard, CPC): Thank you, Chair.

My first question is going to be on the DLIs specifically.

With this 2018 system that was introduced, there has to be a method for tracking fake admission letters. How does the system work right now? I submit an application. I have a fake admission letter—I don't know that—so what happens?

Ms. Christiane Fox: I would say that the 2018 process is something that we need to build on and move forward on. The 2018 process was very much about a centre of expertise. If an officer or an agent in admissions were reviewing a case, they would send it to this group on the suspicion that there may be some fraud. They would use some of the tools that we have to assess whether or not...so it was a kind of support.

Where we need to go—and I think this is where the department is moving—is to an actual data-sharing agreement between institutions, DLIs, and the department, so that we have a—

Mr. Tom Kmiec: You don't have that right now.

Ms. Christiane Fox: We do not have that right now.

Mr. Tom Kmiec: I have some of the letters on my tablet here. I've looked at them. At least in one case, the birthdate is different on the letter from the passport and the visa that was given. That person was still able to cross the border and CBSA let them in, even though there are three different birthdates on three different ones.

We've heard now that there are 87 cases. Is it the same visa officer who reviewed them all and issued the study permit or are there multiple different officers who issued them, or is it a machine?

Ms. Christiane Fox: I don't think I have 87 cases anywhere. Originally, CBSA started with—

Mr. Tom Kmiec: Sorry, it was 82.

Ms. Christiane Fox: Yes, 82 cases were referred to the IRB.

I think when we started this process, through the tips, the joint investigations and the investigative work, it was determined that there were about 2,000 cases that were kind of suspicious. That, then, was narrowed down to about 1,400 cases. What we looked at in those 1,400 cases was how many of them were actually refused. I'll give you the precise number. Out of those 1,485, 976 applicants were refused because fraud was detected.

Mr. Tom Kmiec: I'm asking about the front end, when the study permit was issued on a fake acceptance letter. I want to know whether it was an individual visa officer who made the repeat mistake, or was it multiple officers making mistakes?

Ms. Christiane Fox: It would not have been one officer. The fraud occurred through multiple offices.

Mr. Tom Kmiec: This 2018 system doesn't sound very promising, then, which leads me to my next question.

My understanding was that in the previous system, if you were changing your place of studying, you would file with IRCC and say, "By the way, here's a different college that I'm going to." They would do that, and many of these students told me that they did that. Where did that information go?

Ms. Christiane Fox: We absolutely gather that information. We work very closely with DLIs on looking at the compliance regime, what they are seeing and how they are submitting documentation to us. There's a flow of information that happens between the individual applicant, the department and the DLIs.

What we're saying is that we need to use technology to have real-time information flow between DLIs—

Mr. Tom Kmiec: That would be so that the department gets the updates.

Let's say that within the first 30 days after someone lands here in Canada to study, they change their college. Do you have data on how often it happens that somebody changes their college? Wouldn't that be a starting point to verify whether in fact they have a real admission letter or a fake admission letter, and then maybe contact them proactively? Do you have that data?

Ms. Christiane Fox: Yes, we would have it. If somebody submits a change of institution, then we would have that data.

Mr. Tom Kmiec: How often has it happened within 30 days after a person landed here on a study permit?

Ms. Christiane Fox: I would have to get back to you on the precise data of exactly how many times that's happened.

Mr. Tom Kmiec: If you could table that with the committee, that would be incredibly helpful.

In the back-and-forth with the minister about this 2018 system and the numbers, he used the term "widespread...criminal element". These are terms he used at this committee. There is a widespread criminal element on this study permit and fake acceptance letters issue.

Who in the department, in the branch, takes care of investigating this, and when do they start investigations?

• (1800)

Ms. Christiane Fox: I would say that IRCC conducts administrative investigations. As the minister noted, there are over 100 administrative investigations. However, we definitely work with the CBSA and, in some contexts, with the RCMP to refer the investigation to them should it warrant additional intervention from either of them.

Mr. Tom Kmiec: You mentioned a tipoff. You said it was a CBSA tipoff. When did that tipoff happen?

Ms. Christiane Fox: I think the original investigation by CBSA, on a number of cases, started back in 2018. They've been reviewing that. I understand they will be here at the committee on Monday to speak to this, but I think the first tipoff was around 2018.

Mr. Tom Kmiec: Do you know what time in 2018? Was this after the new system was introduced?

Ms. Christiane Fox: I am speaking about an IRCC system. CBSA would need to speak to whatever investigation they undertook.

Mr. Tom Kmiec: I'm just asking about timelines. Did the tipoff happen after the new system was introduced, or was it just in calendar year 2018?

Ms. Christiane Fox: I know of calendar year 2018.

Mr. Tom Kmiec: Okay.

We heard the minister saying that multiple consultants were involved in these fraudulent schemes that defrauded these victims. Are all the consultants in Canada, or are they also in the Punjab? Where are they located? Do we know?

Ms. Christiane Fox: I think it's important to note that we, on an ongoing basis, look at the activities around the world. There are fraudulent actors everywhere. People are trying to take advantage of Canada's immigration system. In this context, it was not limited to one country. I think there were around three countries involved.

However, what I would say is this. We always have to undertake fraud reviews. We have to look at what the department does, not just in the context of the international student program but for all of our programs.

The Chair: Thank you. Your time is up, Mr. Kmiec.

Mr. El-Khoury, go ahead for six minutes.

[Translation]

Mr. Fayçal El-Khoury (Laval—Les Îles, Lib.): Thank you, Madam Chair.

Welcome to the officials, and thank you for taking part in our important meeting.

When it comes to discussing fraud, we have to exercise considerable diplomacy and determination in order to achieve justice and to honour human rights.

Considering everything that has happened, what do you think are the responsibilities of the institutions that have issued fraudulent documents?

What disciplinary measures can you take against all the institutions involved in these frauds?

Ms. Christiane Fox: Madam Chair, I want to thank the member for his question.

I think we all have an interest in establishing a fairly regular information exchange system and an honour system for the institutions. That includes the institutions, colleges and universities. I frequently met with representatives of the colleges and universities during the consultations on the strategic immigration review.

What does an institution have to do to be a trusted institution? Immigration, Refugees and Citizenship Canada has to meet the demand because taking in international students is really a benefit for Canada. Furthermore, by working with the provinces and territories, we may also be able to establish requirements, one of which might be to use tuition fees to invest in the student's area of interest, whether it be mental health or employment services, for example.

The institutions should also work with us and provide us with information. We could also ask them what integrity system is in place at their institution, what consultants they work with and whether they're legitimate. If the institutions meet those criteria, then we could establish specific relationships with them.

I think that all the actors in the system have a considerable interest in working together to combat fraud. There are many institutions, but they don't always know that their letter of offer is in the system, that someone will produce something that isn't an official document of the university or college.

As for the bad actors in the system, if they're unable to meet the criteria, we can establish a different system. It's important to note that, last year, we received more than 730,000 applications from international students, including new applications and applications for extensions. I think we need to start monitoring volume to ensure we can protect those students when they come to Canada.

Lastly, we, as an organization, must try to communicate clearly in an attempt to reduce our dependence on outside consultations and to provide better service to our clientele.

• (1805)

Mr. Fayçal El-Khoury: Ms. Fox, if I understand you correctly, disciplinary measures will be taken against institutions that don't comply with the rules or don't meet the conditions set by your department.

Do I understand you correctly?

Ms. Christiane Fox: I think so.

The College of Immigration and Citizenship Consultants essentially takes measures against universities and consultants that don't abide by the rules.

I would say that the most serious consequence would probably be denial of an application. If a college or university fails to meet the criteria, students won't necessarily have access to the university or college as such.

I think that's one way to establish an honour system with the institutions that can participate and meet the criteria.

Mr. Fayçal El-Khoury: Ms. Fox, have you assessed or analyzed the consequences of this situation for foreign students wishing to come to Canada? Will they then feel that they are safe? What signal can we send to foreign students?

Ms. Christiane Fox: I think that's very important. Through in-country missions, the department informs people of the benefits of coming to study in Canada. We have to keep doing that because our country benefits from the presence of international students.

The message we have to send out is that we need to establish a system that limits fraud. I hope that, through this kind of process,

they'll see that the department and the government are making sure that students who really want to come here to study won't be penalized and that our system puts the individual in context. I think that's a message that has to be circulated.

We hope that the system review and the work we do to inspire trust encourages foreign students to file applications and that we can ensure Canada remains a preferred destination for education and students.

Mr. Fayçal El-Khoury: What about the number of foreign students who wish to come and study here in Canada? Will that number rise or fall as a result of this situation?

Ms. Christiane Fox: It's hard to predict for the moment.

As I mentioned, we received 737,000 applications last year. This year, we've already received 248,000 applications from January to April compared to approximately 170,000 during the same period last year. The demand is still there.

Mr. Fayçal El-Khoury: I see.

Do I have any time left, Madam Chair.

[English]

The Chair: You have 10 seconds.

[Translation]

Mr. Fayçal El-Khoury: All right.

Thank you very much, Ms. Fox.

[English]

The Chair: Thank you, Mr. El-Khoury.

We will now proceed to Mr. Brunelle-Duceppe for six minutes.

[Translation]

Mr. Alexis Brunelle-Duceppe: Thank you, Madam Chair.

Thank you very much for being with us today. The subject we're discussing is extremely important.

You said we needed to work together. I completely agree with you.

Do you receive any information when applicants file complaints with the College of Immigration and Citizenship Consultants in Canada?

Ms. Christiane Fox: Do you want to know whether we receive it directly from the department?

Mr. Alexis Brunelle-Duceppe: Do you receive information when the college receives complaints?

Ms. Christiane Fox: Yes.

Mr. Alexis Brunelle-Duceppe: All right.

Do you know how many complaints were received last year?

Ms. Christiane Fox: I don't have those figures with me right now.

Mr. Alexis Brunelle-Duceppe: Would it be possible for you to get that information and provide it to the committee?

Ms. Christiane Fox: Yes, absolutely.

I'll follow up on that.

Mr. Alexis Brunelle-Duceppe: That's great.

Then do you know how many complaints have been filed since 2019, not counting this year.

I see you don't. All right.

It's important to gather that kind of information when you work together in your department, and especially when you prepare to appear before a committee such as ours.

What method do you use to manage those complaints? Who is then responsible for investigating those complaints when the college receives them?

Ms. Christiane Fox: First of all, I should note that the college conducts its own follow-up to complaints.

• (1810)

Mr. Alexis Brunelle-Duceppe: Yes, that's the question I'm asking.

Ms. Christiane Fox: At the department, we manage the investigations that are conducted within our department.

We have a team that focuses on managing all the complaints the department receives.

We also conduct investigations at the department. Approximately 119 investigations are currently under way in the various areas.

Mr. Alexis Brunelle-Duceppe: I see. That's great.

I'm going to ask you a question that may seem somewhat irrelevant, but I think it's important to mention it because the committee hasn't yet addressed this issue.

You will remember your department's response to the report on the unfair situation between the francophone African students and other foreign students entitled, "Differential Treatment in Recruitment and Acceptance Rates of Foreign Students in Quebec and the Rest of Canada". Your department had 120 days in which to take action on the report, and it provided a response. In that response, the department categorically stated that it acknowledged the presence of racism within the IRCC in analyzing certain applications. The refusal and acceptance rates for those applications were thus biased as a result of that racism.

Do you ensure that IRCC officers and those of the Canada Border Services Agency don't judge fraud cases based on the same prejudices as are associated with the files of international African students, for example?

Are there any specific rules to follow to detect fraud?

If there was a risk of racism against certain foreign students, as your department has admitted, could that also occur in fraud cases?

Ms. Christiane Fox: Madam Chair, I want to make sure I clearly understand the question.

The member wants to know whether the individuals who determine whether a fraud has been committed might be influenced by prejudice. Is that correct?

Mr. Alexis Brunelle-Duceppe: Yes, that's exactly right. If that has happened in the case of acceptances or refusals of foreign students, couldn't it occur, for example, in an analysis conducted to determine whether a foreign student had committed fraud?

Ms. Christiane Fox: Thank you for your question.

We offer training to all officers who make visa-related decisions. The department realized that there had indeed been certain practices in the past that were problematic, and we had to make changes. That was particularly problematic in the case of francophone African students, partly as a result of certain provisions of the act. For example, we have to determine whether the person intends to leave the country when his or her permit expires. The person must also provide certain financial details in order to be approved. I think that would need to be reviewed because sometimes students are refused as a result of those conditions. There may be good reason to adopt a different approach in order to increase rates.

In closing, I would say that when we present refusal rates, we often present them as an overall percentage. However, I think we should present the percentage of refusals for each reason, such as the percentage of students who were denied because they had committed fraud, for example. That way, people would be able to understand the reason for the refusal and would have a better understanding of the percentages.

Mr. Alexis Brunelle-Duceppe: I'm confused here. You just told me that should be reviewed, but I thought that process was already under way when you gave your response to the government.

Ms. Christiane Fox: Madam Chair, I'll clarify my answer.

I'm talking about the way we present the data publicly. We currently present it, but—

Mr. Alexis Brunelle-Duceppe: All right, but the work has been under way since you submitted your report, hasn't it?

Ms. Christiane Fox: Yes, of course.

Mr. Alexis Brunelle-Duceppe: All right. My heart skipped a beat.

Roughly two years ago, a briefing session was organized for the employees in MPs' offices on regulations regarding the title of immigration consultant. If I'm not mistaken, the aim was to provide better protection for applicants working with immigration consultants who in some instances had received inadequate consulting services.

I know you weren't in your current position at the time, but did you hear about that training?

Ms. Christiane Fox: Yes, some institutions mentioned that briefing session to me. In Nova Scotia, for example, some institutions told me they wanted to follow that example and to provide the same sessions to the people in their administration who worked with consultants.

Mr. Alexis Brunelle-Duceppe: Is it still being offered? Is IRCC giving that training?

Ms. Michèle Kingsley (Assistant Deputy Minister, Operations, Department of Citizenship and Immigration): I don't know.

Mr. Alexis Brunelle-Duceppe: It would be really interesting to get that information.

Ms. Christiane Fox: We constantly give out information on our communications with consultants, clients, institutions, foreign missions—

Mr. Alexis Brunelle-Duceppe: I'm actually referring to training for the employees in MPs' offices.

Ms. Christiane Fox: Oh, I see.

• (1815)

Mr. Alexis Brunelle-Duceppe: Yes, the training that was given two years ago was intended for them.

[*English*]

The Chair: I'm sorry for interrupting, Mr. Brunelle-Duceppe, but your time is up.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: That training was worth it. In any case, if it isn't still being given, I strongly advise you to offer it again.

Ms. Christiane Fox: Thank you.

That could also be done in the interviews we conduct with the employees in every MP's office.

Mr. Alexis Brunelle-Duceppe: That's another good proposal from the Bloc Québécois.

Ms. Christiane Fox: I'll check.

Mr. Alexis Brunelle-Duceppe: We're talking about solutions and making sure this kind of thing doesn't happen again.

The Chair: Thank you.

[*English*]

We will now proceed to Ms. Kwan for six minutes.

Ms. Jenny Kwan: Thank you very much, Madam Chair.

I'd like to follow up on the process around the task force. The minister, before he left, said that the process has already started. Does this mean that individuals who have received the inadmissibility order from IRCC or CBSA would not have to do anything, and that this automatically triggers the process for the task force?

Ms. Christiane Fox: The process we set out was really about sequencing the decision. As the minister said, the CBSA will refer matters to the IRB. As soon as the IRB makes a determination of inadmissibility, the department would, in order to prevent the removal order, issue a TRP, a temporary resident permit, in order for the person to stay for the duration of their study permit. During that time, we will look at the case and work with CBSA. The reason we inserted the issuance of the TRP at that moment was to prevent any removals from occurring.

Ms. Jenny Kwan: The students don't have to do anything. Will they then automatically be notified that a TRP has been issued for them?

Ms. Christiane Fox: That is correct, yes.

Ms. Jenny Kwan: If the students have a work permit under way, will that automatically be renewed?

Ms. Christiane Fox: Yes, they will be able to continue either their study or their work as a result of that.

Ms. Jenny Kwan: What about students whose work or study permit has just expired? They might be, because of the situation, out of status. Would they also be made whole and not be subject to sanctions?

Ms. Christiane Fox: I would say we'd have to look at that case by case. The TRP would essentially give them their status back, because they would be allowed to stay under the TRP for a duration of up to three years.

Ms. Jenny Kwan: They would get implied status.

Ms. Christiane Fox: Yes.

Ms. Jenny Kwan: Thank you very much for that clarity.

On the issue around how this happened and why it took so long... One of the issues, as multiple students have said to me, is that through every step of the process, it was never caught: not when the application went in and not when they arrived here in Canada. It was not spotted by CBSA. It was not spotted when they applied for a work permit, for example. It was only in the final step, in many cases, when people were applying for permanent resident status, that this got caught.

My question is about measures to prevent this from happening again. Why is it that the government did not do the check on the documents at the front end? Instead, it's doing the check on what appears to me to be the back end.

Ms. Christiane Fox: It's important to note that—and this is part of the work of the department—in some cases, it was. Over 900 applications were denied, as a result of the fraud, through the same stream of investigation. Why was it that the fraud was detected in those cases and not in others? That is something we will undertake to review.

I would also note that there is, at times, a high level of sophistication. That's why we need to take a look at what tools we need to improve on. I think data sharing is key. If we know exactly how many letters of offer institution X issues every year and compare that against our system, right then and there, at the front end, we can make a determination that we have an issue or that we don't.

These are the types of things we're working towards for the reform of the international student program. It's not perfect. It's one step and there are multiple measures that we layer onto that.

Ms. Jenny Kwan: It would be difficult, even if you know how many there are for the year, because it's different stages. If you get the number by the end of the year, let's say, some of them might have already gone through the system. Anyway, I'm sure you're aware of that and I don't want to spend my limited time going through that issue.

Are you saying that, for every application that comes in, there is a vetting process already, and that these are the ones that got missed somehow, for some reason?

Ms. Christiane Fox: Yes, every application has been vetted.

Ms. Jenny Kwan: Maybe this is a question for CBSA when they come next week, but is it possible that some of these unscrupulous consultants who are identified, or at least known to the government at this point, might have been working in collaboration with Canadian actors here who are aiming to be part of the fraud or scam?

Ms. Christiane Fox: I think that is probably best placed with CBSA. I wouldn't want to dive into that.

• (1820)

Ms. Jenny Kwan: Okay.

In terms of the situation with the students and families impacted... For the students who have already left or been deported, will they be notified that there's this alternative process? How will they know there's another way they can try to prove their innocence?

Ms. Christiane Fox: For the eight individuals who have been removed, we will be reviewing each of those cases and notifying them, if appropriate. If they were in fact genuine students who were here, they will be notified, yes.

Ms. Jenny Kwan: That automatically triggered process for the eight who have been removed, does that include the people who left on their own, as well?

Ms. Christiane Fox: I would start by saying that the eight will be prioritized to be reviewed now. The task force will then undertake that.

Michèle, maybe you can speak to the 10.

Ms. Michèle Kingsley: Thank you.

The 10 who left voluntarily had not been referred to the IRB and there was no finding of inadmissibility for them. They can return. They can reapply to come back to Canada. There is nothing on their file that hints they are inadmissible.

The Chair: Thank you, Ms. Kwan. Your time is up.

We will now proceed to Mr. Kmiec for five minutes.

Mr. Tom Kmiec: Thank you, Madam Chair.

To go back to this 2018 system that was introduced, does this system have a name?

Ms. Christiane Fox: It was just a letter of offer verification system, I think.

Mr. Tom Kmiec: It doesn't have a corporate name...? Is it an in-house software system of some sort?

Ms. Michèle Kingsley: It's a centralized group of program officers who would review letters of acceptance that were deemed by decision-makers to be suspicious. There wasn't an automated process.

It really is that, if a decision-maker abroad were reviewing an application and thought the letter of acceptance looked suspicious and could be fraudulent, he or she would refer it to this group, and this group would check the letter of acceptance.

Mr. Tom Kmiec: That's leading to the next question: Has a notice then been sent to visa officers who are processing these international student applications to tell them that the following consultants have made fraudulent applications and have defrauded other international students, so watch out for their applications? Has that been done?

Ms. Michèle Kingsley: Yes. All of the patterns that we identify of fraud—

Mr. Tom Kmiec: Has a notice been sent to all of these officers processing international student applications? I'm not asking for the process. Did a notice go out, basically, to watch out for the applications done by the consultants that you know have submitted fraudulent applications?

Ms. Michèle Kingsley: Any time we know that there is a fraudulent actor, that there is a pattern of fraud, that does go back out into the networks.

Mr. Tom Kmiec: Okay.

Have any of the colleges in Canada approached IRCC at the senior level, at either the ADM or DM level, to inform you that they suspected there were fraudulent applications and fraudulent acceptance letters? I know of one case where they went and asked for some information from their college and were told that they weren't one of their students.

Have the colleges gone to you proactively? Has anyone gone to you proactively?

Ms. Michèle Kingsley: Fraud is top of mind for all institutions, especially colleges and universities, so it's an ongoing conversation with them in terms of how we do we work—

Mr. Tom Kmiec: Did they contact you?

Ms. Michèle Kingsley: Yes. We have many conversations with them on fraud and other issues.

Mr. Tom Kmiec: Can I ask you, then, about that 2,000 estimate number? How did you arrive at that number?

Ms. Christiane Fox: I think the 2,000 was essentially from when CBSA conducted their review based on various tips. They can speak to this in more detail, but they probably looked at who could fall within that sort of area of risk, vulnerability and fraud activity. Then they started narrowing: How many cases are actually directly linked to the fraudulent activity, how many of those actually came into the country, how many of those are linked to criminal activity and then how many of those are perhaps genuine students? I think that's kind of the process by which we work through the various cases.

Mr. Tom Kmiec: Are you confident that you've identified all the potential cases where a fake acceptance letter was given to an international student? I wouldn't want to come back here in six months and be told that there are another 2,000 and another 2,000. Are you confident that you've caught all of them now?

Ms. Christiane Fox: Thank you for the question.

We always undergo activities around fraud, and I think it would not be appropriate for me to say, "This is it. It's contained here." There are actors in the system that are continuously looking at fraudulent activity and at unscrupulous actors. Therefore, this is the information, this is how we've narrowed it down, this is where we're at with the investigation at this point, and we will continue to be vigilant.

• (1825)

Mr. Tom Kmiec: Are you saying there is a potential that there could be other international students out there in Canada who could also be victims of these unscrupulous malicious consultants?

Ms. Christiane Fox: What I'm saying is that we always need to be vigilant against fraud—always—in all of our lines of business.

Mr. Tom Kmiec: I'll take that as a yes, that there is a potential, then.

Ms. Christiane Fox: Always vigilant....

Mr. Tom Kmiec: Okay. You're good at this.

Again, to go back to that 2,000 number, was that process of identifying them going on between the time when the minister found out in March and then his tweet in May, or was that going on at different timelines?

Ms. Christiane Fox: It was different timelines. It occurred prior to that.

Mr. Tom Kmiec: When?

Ms. Christiane Fox: That's the 2018 that I referred to earlier.

Mr. Tom Kmiec: Since 2018, has there been an accumulation of cases that have been identified and sent down to this program officers group to deal with, or is it just, in general, 2,000 at IRCC? Are these all international students as well?

Ms. Christiane Fox: I'm sorry. Just to be clear, I think, the 2,000 is part of the CBSA investigation.

The letter of offer verification process and the fraudulent activity we monitor within the department is at IRCC, and that is an ongoing process. It is a system that exists for any officer around the world who is suspicious about an application and who may be seeing a pattern. Whatever that may be, they would have a central place to go to and say, "I'm worried about this. Something's off. Can you work with me?" Then that team does that support, and that's very separate from the 2,000.

The Chair: The time is up for Mr. Kmiec.

We will now proceed to Mr. Dhaliwal.

Mr. Dhaliwal, you will have five minutes. You can begin, please.

Mr. Sukh Dhaliwal: Thank you, Madam Chair.

Thank you to the deputy minister, as well as to the assistant deputy minister, for being here.

Deputy Minister, I'm going to carry on with Mr. Kmiec's question because that is a very important question from an integrity perspective.

These unscrupulous agents claim they have inside connections. That is the reason I will ask you this question.

Was this one officer who processed all those cases, or are you certain these were processed by different immigration officers?

Ms. Christiane Fox: What I would say is that there are cases of fraud within the department that have gotten through the screens they have gone through. We constantly look at what tools and measures were in place to prevent it, where the fraud is coming from and where we see patterns. Of course, if ever there were an indication that the pattern is within a particular office or with a particular individual, then we would definitely look into that. This is part of the due diligence within the department.

However, I think it is important that we share that there are different levels of prevention activities that occur. There are communication and advertising campaigns that happen in countries that have a lot of international students who come to Canada to study, and these say, "This is what you need to look out for. These are the things you should expect." We encourage all international students to actually liaise with the designated learning institutions directly.

There are prevention activities and tools. If we have cases of fraud, then there are various things that we do, depending on the nature, the scope and the extent. What we are hoping is to leverage technology to be able to detect that sooner, to have the ability to see patterns and trends from a bit more of a global processing network standpoint. However, I would say that fraud occurs, and it's not particularly one officer or one location.

Mr. Sukh Dhaliwal: Thank you.

What can be done in the long term to better use modernization and technology to detect fraud in a more efficient way and avoid it?

Ms. Christiane Fox: In terms of a modernized platform, I talked about data information sharing. If there are systems in place where particular ID numbers are given by an institution that we can then match, within our systems, to a student to make sure that the connection occurs, that would be one example.

If you can have tools that are part of the same platform that allow you to see if there's a fraudulent activity linked to a similar email address, the name of a consulting firm or a particular college or institution.... These are some of the platform modernization pieces that can help detect fraud. The introduction of some of these technologies will allow us to be able to not only detect it but communicate it in real time across the world.

There are systems in place now, but they can be emphasized and more effective with the better use of technology and, I would say, with better collaboration, including with provinces and territories, which manage and regulate some of the DLIs around the country.

• (1830)

Mr. Sukh Dhaliwal: Thank you.

As a general rule, what should people do if they suspect they have been victims of a fraudulent consultant? Is there a way for them to report this and try to get the situation rectified?

Ms. Michèle Kingsley: If a student or anyone thinks that they have been victimized or if they have knowledge of fraud, they should report it. If they have been working with a consultant, then reporting that, making a complaint to the college of consultants or making a complaint to the bar association would be appropriate. IRCC has, on its website, emails and web forms to submit that information to us. The CBSA has a toll-free number.

We encourage people to report to us any knowledge of fraud. If a newcomer has an application with us and would like to change that application to remove a consultant, that can also be done.

Mr. Sukh Dhaliwal: Deputy Minister, you mentioned bringing awareness to foreign students who want to come here, particularly when it comes to India. What more can be done to help those individuals who want to come here so that they are not the victims of fraud in the future?

Ms. Christiane Fox: I think another thing that could be done is to have a simplified system so there isn't an overreliance on consultants. I think that's step one.

I think step two would be around clear communication with respect to the process and how we articulate that. I think the letter of verification we've talked about is a really important piece, and I think that protects not only the Canadian system and the institution, but also the student to make sure they know at the front end. I think we have to continue the anti-fraud prevention—

The Chair: I'm sorry for interrupting, but time is up for Mr. Dhaliwal.

You can quickly finish the sentence.

Ms. Christiane Fox: I would also say that part of the work of the trusted institutions model is about the outcomes the students have after their experience at a college or university and making that public so that, when a student makes their choice about which institution they go to in this country, they will go to a legitimate institution from which they will see outcomes with postgraduate work programs or employment outcomes or PR outcomes. I think those are some of the indications we can use to push people towards designated, trusted institutions versus, perhaps, some of the bad actors that have been created.

Thank you.

The Chair: Thank you.

Mr. Brunelle-Duceppe, you have two and a half minutes.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you, Madam Chair.

I'd like to ask two questions in these two and a half minutes.

Ms. Fox, does the department currently have enough resources to handle this case and the investigation without delaying other cases? From what the minister told us, people are treating this as a priority. Does that mean other cases will be delayed because you don't necessarily have the resources you need as a result of that priority?

Ms. Christiane Fox: Thank you for that question.

Yes, I think we've been able to assign the necessary resources without that having an impact on the department's other areas of activity. We've had various increases in our human resources, which have enabled us to establish the task force, work as a team and at the same time continue making enormous progress in processing files. We're seeing a lot of improvement.

Mr. Alexis Brunelle-Duceppe: So you're confirming that there'll be no impact on waiting times.

Ms. Christiane Fox: That's correct. I can also confirm that processing time for foreign student applications is now approximately 40 days. Processing time for regular services is 60 days.

Mr. Alexis Brunelle-Duceppe: All right. Thank you very much. That's interesting.

Now what is the timeframe for students who have been victims of fraud? When will those students know their actual status? When will we know that for certain?

• (1835)

Ms. Christiane Fox: That's a very good question. I think that processing time will also depend on the cases and the review of those cases. Some cases may be more complex than others. As I said, I think it's in our interest to give priority to the eight students who have already left the country.

Right now, we think there will be approximately 300 cases of interest in the context of this work. We've just started the work and could provide the committee with an answer to give an idea of when it will be done.

Mr. Alexis Brunelle-Duceppe: It's actually not for me. Students are watching you right now; they want to know what's happening, and how much time this will take.

Is it possible at least to give them a certain timeframe, without being too precise? Will it take months? I'm only asking so the people who are listening to us and are concerned can have some idea.

Ms. Christiane Fox: Thank you.

I think we could say, for the students who're watching now, that we obviously want to do this on a priority basis. It's a matter of weeks; the process won't necessarily be very long. Our work begins once the Immigration and Refugee Board of Canada has made a decision.

Mr. Alexis Brunelle-Duceppe: I'm talking about the timeframe.

All right. Thank you.

[*English*]

The Chair: I'm sorry for interrupting, Mr. Brunelle-Duceppe, but your time is up.

We will now proceed to Ms. Kwan for two and a half minutes.

Ms. Kwan, go ahead.

Ms. Jenny Kwan: Thanks very much.

I think the timeline is really important. What the students want, of course, is the quickest process they can go through and then an outcome from that, because their lives were already turned upside down when they learned about this situation, and people are stressed to the max. The quicker we can turn it around, the better. I'm glad to hear that it might be a matter of only weeks before this can all be finalized. I hope that's the case.

I am interested in looking at how to prevent this from happening, particularly in terms of the ghost consultants. The truth of the matter is that ghost consultants cannot be regulated under Canadian rules because they are from other countries, but we know the students are being preyed upon. There was a study done in 2017, and it seems as though there's nothing much we can do.

I am curious as to whether there is an opportunity for us to work with our counterparts from those different countries to establish a clear set of guidelines, if you will, or expectations regarding how these consultants engage and what they need to provide to the students by way of verifications so it will become a requirement, at a minimum, that those consultants who practise there have to provide that information to the students so they can take it upon themselves to ensure that verification is done at the front end.

Ms. Christiane Fox: Thank you, Madam Chair.

I would start by saying that I completely agree with you on the timeliness of this work. People's lives and mental health have been hugely impacted, so I completely agree with you. That's why we will work through this expeditiously.

To your second point, we definitely share, through our bilateral relations, our missions and our dialogue with other countries, our expectations in Canada and the process by which we want the international student program to work. Your idea of specific guidance is important. We have a lot of documents, but I will undertake to take a look at them and see how they can be improved or how we can look at this situation and then apply the lessons to future communications, because I think we continuously need to provide that guidance.

I would also note that it's important in bilateral conversations, but it's also important from us directly to students.

Ms. Jenny Kwan: I have one last question. For students who—

The Chair: I'm sorry, Ms. Kwan. Your time is up, so you won't have the opportunity.

We will now proceed to Mr. Redekopp for five minutes.

Mr. Brad Redekopp: Thank you, Madam Chair.

Thank you for being here.

Ms. Fox, you just mentioned 300 cases of interest. Could you expand on what exactly that meant? Is that the mysterious 700 number that we're talking about?

Ms. Christiane Fox: This is how I would break it down. The 700 is not something that we have validated, but what I was saying is.... I mentioned a 1,485 number. Of those, 976 were refused and some of them had applications in progress that were abandoned, so we've removed those from the equation.

It looked like about 448 applications were approved. Out of those, some of them have a link to criminality that would not be coming through this process that we've established. The 300 are those that we feel warrant coming through the task force.

• (1840)

Mr. Brad Redekopp: Okay. That makes sense.

If I'm an immigration officer abroad and I suspect fraud, what do I do? Do I call the DLI? Do I talk with the consultant? What happens?

Ms. Christiane Fox: As an immigration officer abroad, you would probably first consult your network of colleagues around you on whether or not whatever has sparked your suspicion is something they've seen within the team they work with. We've described a process whereby there's a centralized team that looks at it from a global perspective. That's another avenue that we would go to.

We have direct relationships and conversations with colleges and universities, and that could definitely be part of the verification process that an officer takes. There would be multiple ways in which somebody could flag, detect and ask questions about something they see that they don't feel is accurate or that seems off.

Mr. Brad Redekopp: The minister said, and you repeated this as well, that you work with foreign governments in order to manage immigration consultants, and you have bilateral talks all the time. You said there were three countries involved in this original group of 2,000 files that you talked about.

What are those three countries?

Ms. Christiane Fox: The three countries are India—foreign nationals from India—Vietnam and the People's Republic of China, but it's predominantly Indian nationals. We think about 85% are Indian nationals.

Mr. Brad Redekopp: Have you then had deeper discussions with the Government of India about this problem in terms of your bilateral discussions? Are there any results to report from them?

Ms. Christiane Fox: We've had general conversations with the government, but specific to this case, we wanted to get to the heart of where things stood. It will be part of the conversations that we have going forward. We have an ongoing conversation with them around fraud.

Mr. Brad Redekopp: I heard that this particular consultant—I believe his name is Rahul Bhargava—was arrested in India. I'm assuming that's true.

Did Canada have anything to do with that, or was that completely unrelated to what we're talking about today?

Ms. Christiane Fox: Not to my knowledge, but perhaps CBSA will be able to share more on that.

Mr. Brad Redekopp: Okay.

The meat of this question is that students I've talked to are very interested in knowing that these bad actors will be caught and prevented from doing this in the future, because they got caught up in this unknowingly and they're worried about who's coming behind them and who's going to have the same problem.

What assurances can you give them that these bad actors will be stopped?

Ms. Christiane Fox: What I would say to those students, and what I would say to all of you, is that we need to continuously look at our programs for a way to have anti-fraud measures built in. I think there will always be that risk, and it's about managing that risk and setting up a system that works for both Canada and the students who choose Canada.

The measures I've described.... As part of the dialogue that we've had across the country, we have had really good ideas from provinces and territories, and from designated learning institutions about what types of models would prevent this. What I would say to those students is that we're trying to build that model so that they can have confidence in coming and studying here.

Mr. Brad Redekopp: On DLIs, the minister said there were problems and that he was concerned about some of them.

Is there an investigation into fraudulent practices at DLIs?

Ms. Christiane Fox: I think what I would say is that provinces and territories, and I think some of the jurisdictions around the country, have done full-on reviews of their institutions. I think other jurisdictions are doing reviews of the connection between private and public institutions and the growth of private institutions. That's ongoing.

Mr. Brad Redekopp: You're saying that's a provincial responsibility and not—

Ms. Christiane Fox: I'm saying it's a joint responsibility.

Mr. Brad Redekopp: Okay.

Are there particular schools in Canada that you could say are suspicious and that you're investigating?

Ms. Christiane Fox: I would say we're constantly looking at risks and looking at where we are seeing fraudulent letters coming from and what data we have by institution. We definitely take a look at that very closely.

The Chair: Thank you.

We will now end this panel and today's meeting with Mr. Ali for five minutes.

Go ahead, Ms. Kwan.

Ms. Jenny Kwan: Chair, before we adjourn the meeting today, I have one item I would like to raise, which is related to the press release that was issued. Before we adjourn, I would like to speak to that.

The Chair: Okay.

Mr. Ali, you have five minutes.

Mr. Shafqat Ali: Thank you, Madam Chair.

I'd like to thank the officials for being here today.

As you know, earlier today the department issued a statement by Minister Fraser that a task force of IRCC officials has been established and tasked to "work closely with [CBSA] to identify the victims of fraud; that is, those students who came to study here in Canada and did exactly that."

Can you expand on how this task force will conduct its work, please?

• (1845)

Ms. Christiane Fox: Yes. Thank you very much for the question.

We have designated two assistant deputy ministers. Michèle is the one from IRCC. From CBSA it will be the vice-president of the intelligence and enforcement branch. The two ADMs will work with their teams in order to prioritize the cases and go through the cases.

Michèle and I meet almost daily, so we will have a process whereby Minister Fraser and I will be kept updated on a very regular basis on the progress we're making on each case and the decisions we're coming to so that we can come to a conclusion as quickly as possible with respect to the decision-making and can inform those involved.

We have put together a bit of a process as to how it's going to unfold, and I think both organizations are very aware of the importance of doing this work as quickly as possible.

Mr. Shafqat Ali: That's great. Thank you.

As a follow-up on this, do you have any time frame for this process to deal with this particular issue of the international students?

Ms. Christiane Fox: Yes. I think we are trying to do this as quickly as we possibly can. We're talking about a matter of weeks.

Obviously we're going to work very quickly once the IRB makes their determination. If it is a determination of inadmissibility, the department will issue a TRP, a temporary resident permit, right away. That's an important sequence of decisions, because it prevents the removal and, therefore, allows us time to go through the case, to look at it on an individual basis and to then make our final decision.

Mr. Shafqat Ali: That's great. Thank you.

Today's statement went on to say that, "if the facts of an individual case are clear that an international student came to Canada with a genuine intent to study, and without knowledge of the use of fraudulent documentation," a temporary resident permit will be issued to that individual. It continues:

This will ensure that these well-intentioned students and graduates can remain in Canada, and ensure that they are not subject to the 5-year ban from re-entering Canada that normally follows in cases of misrepresentation. While this process runs its course, preliminary Temporary Resident Permits will be issued if they are required in order to prevent an imminent deportation....

What is the department planning to do so that this situation is avoided in the future?

Ms. Christiane Fox: This is something we need to take a look at. What circumstances made it such that some permits were approved, while others weren't and were refused on the basis of fraud? I think that looking at the decision-making process and the tools that are in place will help inform the work going forward.

Even prior to this we were aware that there are often bad actors attempting to commit fraud within the immigration system, so how we can improve, through our communications and through our processes, is something we will learn.

At the end of the review of the 300 cases, we will have to take a look at what we have heard from the exchanges with the students themselves in the process we have followed in order to better appreciate and understand it. I think the time you have taken to spend with those students and we have taken and will take is really important, because that's how we get to the source of why they made particular choices at a particular time, what type of connection they had with these bad actors and how that can help inform our future work with potential students around the world.

Mr. Shafqat Ali: Thank you, again.

As a general rule, what should someone do if they suspect they have been the victim of a fraudulent consultant? Is there a way for them to report this and try to get the situation rectified?

Ms. Christiane Fox: Absolutely. Thank you for the question.

What I would say is that we always encourage people to report— to come forward and speak to IRCC or CBSA. I think the vulnerability of the circumstances in which people could find themselves, if they are victims of fraud.... The sooner they advise us, the sooner we can take action and also support, if required. I would encourage people to contact us and let us know immediately.

• (1850)

Mr. Shafqat Ali: That's great.

Am I done?

The Chair: Yes, Mr. Ali, your time is up.

Mr. Shafqat Ali: I just have a quick follow-up on this. It's 30 seconds.

A voice: Oh, oh!

Mr. Shafqat Ali: You took one minute extra.

The Chair: With that, I want to thank Ms. Fox and Ms. Kingsley for appearing before the committee today.

Thank you for all the work you do.

Yes, go ahead, Ms. Kwan.

Ms. Jenny Kwan: Thank you very much, Madam Chair.

This afternoon or late morning, we received the press release sent out from the clerk regarding the motion that was passed on June 7. The motion was very specific in calling on the government as follows:

...to condemn the actions of these fraudulent "ghost consultants" and call on [CBSA] to immediately stay pending deportations of affected international students, waive inadmissibility on the basis of misrepresentation and provide an alternate pathway to permanent status for those impacted, such as the Humanitarian and Compassionate application process or a broad regularization program....

That is the specific language that was passed for this motion.

The press release was editorialized in terms of that language and is definitely not a reflection of the motion that was passed. I remember this distinctly, because there was an amendment that tried to eliminate the words "alternate pathway". That does not even show up in the press release.

I don't think that is a very cool thing to do. Instructions were given by this committee. We voted unanimously on the language that was passed. However, the press release does not reflect that. I am very perturbed by this. I'm very unhappy about this. I don't think this is an honest approach and I'm just dismayed. In the past, when a press release was issued, it took the language of the motion that was passed, specifically. It didn't this time. There was never a draft sent to committee members for review before it went out.

The Chair: I will have a look at that and I will—

A voice: We didn't get it.

Ms. Jenny Kwan: I'm sorry. If I may finish, it doesn't matter that nobody got it. Everyone should have gotten it. What I'm saying is this: The press release should reflect the language of the motion, and it doesn't.

The Chair: Thank you. I'll look into that.

I have one thing before we adjourn the meeting.

Yes, go ahead, Mr. Redekopp.

Mr. Brad Redekopp: I won't take a lot of time, but I fully agree with Ms. Kwan on that.

Thank you.

Ms. Jenny Kwan: This is not how we do business here.

The Chair: Wait one second. There is one item. I need to get your....

Earlier today, the clerk distributed a draft budget for a new study. Is there a motion to adopt that budget?

I ask for silence on both sides, please. All questions should be directed through the chair, with no conversations across the aisle.

Is there a motion to adopt the budget that was circulated by the clerk?

An hon. member: I so move.

(Motion agreed to)

The Chair: Our next meeting is scheduled for Monday, June 19, and the notice will be published in the coming days.

With that, the meeting is adjourned.

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