

Immigration**Study permit fraud must be stopped | Sergio R. Karas**By **Sergio R. Karas**

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(April 11, 2023, 1:52 PM EDT) -- A study permit in Canada is viewed as a ticket to permanent residency by most foreign students. For many, residency in a developed country makes them more attractive for arranged marriages, higher social status and higher earning power to support their relatives back home. It is also a door opener for other members of their family. But this quest is not without risks.

Recent media reports have shone the light on some 700 foreign students from India who are in danger of being deported because their study permits were issued based on allegedly fraudulent documents. One report claims that the students may have presented fake letters of acceptance from Canadian colleges to obtain their study permits with the assistance of immigration consultants. The alleged fraud was discovered by Immigration, Refugees and Citizenship Canada (IRCC) when the students applied for post-graduate work permits or permanent residency.

The students claim that they are innocent victims and were tricked by unscrupulous immigration agents. These agents ensured that the students signed the documents and that they were not listed as authorized representatives in their applications. When the students arrived in Canada, they were told by the agents that the college where they were supposed to pursue their studies was no longer available. Instead, the agents steered them to other small colleges. The students did not report the change of educational institution to IRCC. One immigration consultant in India appears to be responsible for many applications under scrutiny, and he is currently reported to be missing.

The Canadian authorities are keenly aware of study permit fraud and launched a project in 2018 called the "Letter of Acceptance Verification Project." It aimed to ensure that the acceptances sent by Canadian educational institutions were authentic. Under this project, 3,000 students out of the 24,000 examined, were flagged by the Canada Border Services Agency (CBSA) for submitting false admission letters as part of their applications. This is a sign that there is a serious gap in the system that is being exploited.

Some of the study permit fraud can be linked to the increase in the number of study permits issued. According to IRCC, there were 444,145 study permit holders in 2021, which increased to 550,505 by the end of 2022. These numbers are too large for IRCC to vet appropriately.

Fraudulent study permits may also be linked to a rise in the number of fake Canadian colleges. The so-called "diploma mills" or "sham schools" lure unsuspecting students with promises of low tuition fees, easy admission, and the ability to obtain a work permit or permanent residency. However, these schools often provide little or no education, leaving students with worthless degrees and few job prospects. Students who attend these schools may incur significant debt. According to a CBC report, on average, international students pay \$14,306 for one academic year, while domestic students pay \$3,000. Fraudulent colleges can undermine the reputation of Canada's education system and damage its international standing.

One of the most common tactics used by fraudulent colleges is to offer programs that are not accredited or recognized by Canadian regulatory bodies. These schools often have little or no physical presence and may operate solely online or through a small office or storefront. They may also use

misleading or false advertising to attract students, claiming to be affiliated with reputable universities or offering degrees in high-demand fields. Their agents abroad earn hefty commissions for student recruitment.

Another tactic used by fraudulent colleges is to provide false documentation to students, such as transcripts or diplomas. These documents may be used to misrepresent the student's qualifications to potential employers or to immigration officials. According to another CBC report, in 2022, three colleges in Montreal were shut down by the authorities because of financial irregularities and other questionable practices. The consequences were severe, as 2,000 Indian students were left without an educational institution.

To combat fraudulent colleges, the Canadian government has implemented several measures. These include strengthening regulations and oversight of private career colleges, increasing penalties for fraudulent activity and improving communication with foreign students about the risks of attending unaccredited schools. The government has also created a public database of accredited colleges and universities to help students make informed decisions about where to study. However, these measures are insufficient as the number of study permit holders in Canada continues to rise, and many students are counselled to commit misrepresentations to gain a study permit. Sadly, many students see no downside to this reprehensible conduct, as there are few or no consequences for them, and they are single-mindedly focused on their quest for permanent residency.

One key question is why colleges allow so many underachieving and ill-prepared foreign students to be accepted so easily to their programs. Domestic enrolment in colleges is on the decline while foreign student registrations are up significantly. International students are being recruited to fill in the gap. StatsCan points out that public funding of colleges is being replaced by the high tuition fees charged to foreign students. Canadian educational institutions have become addicted to high foreign student tuition fees.

Many foreign students are not without blame. They either provide or are aware of the fraudulent documents used as part of their applications. Even if the students are being "duped" by unscrupulous agents, they may be held responsible for the contents of their applications. In the recent case of *Kaur v. Canada (Minister of Public Safety and Emergency Preparedness)*, 2023 F.C.J. No. 67, the Federal Court held that the student was responsible for confirming the truthfulness of their submission. In most cases, students do not take any precautionary measures, such as verifying the credentials of the consultants and agents they engage or being active participants in the application process.

Students cannot leave the entire application process to their representatives. Fraudulent colleges should not be able to take advantage of vulnerable students. The level of fraud is rising and IRCC must implement significant control mechanisms and risk-management policies to vet applicants and work with the provinces to impose stringent rules on colleges issuing letters of acceptance.

The parabolic increase in the volume of study permit applications as a result of government policies and pressure from colleges and universities is one of the primary causes of fraud. Unscrupulous individuals and unregistered agents who earn recruitment commissions are taking advantage of loopholes to dupe unsuspecting students. Students who rely on agents overseas should become more proactive, check the credentials of their representatives and be skeptical of promises of quick acceptance and low tuition offered by obscure colleges. They should also be mindful of the consequences that they can face if they decide to turn a blind eye or participate in fraudulent applications.

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