

# Beware of fraudulent immigration consultants

Recently, I read an article in a Sri Lankan newspaper concerning immigration consultants. Although I agree with the substance, I did note that the article speaks only of immigration consultants but makes no mention of immigration lawyers, and the differences between the two.

It should be made clear to people interested in migrating to Canada that the title 'immigration consultant' is not synonymous with 'Canadian immigration lawyer'.

Immigration lawyers complete a rigorous period of three years of law school, one year of apprenticeship, followed by nine months of examina-

tions, before they become licensed to practise law in Canada. Immigration consultants undergo a different training procedure.

Unlike immigration consultants, immigration lawyers are not governed by the Canadian Society of Immigration Consultants. Immigration lawyers are members of and answer to their own governing bodies in Canada.

In Ontario, immigration lawyers like all lawyers in the province, are governed by the Law Society of Upper Canada, the largest and oldest of all Canadian Law Societies.

The Law Society of Upper Canada maintains high standards of integrity and professionalism within the

legal profession as a whole by, among other things, routinely offering continuing legal education courses to practising lawyers to ensure that they are up-to-date with the most recent legal trends and information, and by monitoring the conduct of practising lawyers, and administering disciplinary measures if and when necessary.

Most importantly, immigration lawyers differ from immigration consultants in that they are legally trained and licensed barristers and solicitors.

As such, an immigration lawyer can appear before any national review or appellate court in Canada including the Federal Court of Canada and the Su-

preme Court of Canada. In contrast, immigration consultants cannot appear in these courts on behalf of their clients and thus their ability to challenge decisions of Canada Immigration that are unfavourable to the client is limited, since all such challenges are made directly to the Federal Court of Canada at first instance.

Any person can verify the membership and good standing of a lawyer with the appropriate law society.

As with any other profession, trade, or service, there are scrupulous practitioners who take a serious interest in their clients' matters, and unscrupulous people who are interested

only in making quick money.

The following tips should help people to ascertain whether their proposed immigration representative is right for them:

- \* Understand the credentials of the person you are thinking of hiring. Is that person an immigration consultant or an immigration lawyer?

- \* Confirm that the person you are thinking of hiring is a member in good standing of their relevant Canadian-based governing body.

- \* Confirm that the person you are thinking of hiring actually has an office in Canada.

- \* Be wary of any representative who claims to have "connections" to im-

migration officials.

- \* Be equally wary of a representative who claims that the issuance of a visa is guaranteed, as the decision to grant a visa is solely within the jurisdiction of the Canadian Immigration Officer.

- \* Be wary of a representative who provokes you to provide false information or documents in support of your application. This is illegal and also unethical.

Anyone who is looking for a person to represent them in relation to their Canadian Immigration application should do his/her homework before opening the wallet.

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