

*Proceedings on Adjournment Motion*

integrity or character of this "anyone" does not in any way impair his capacity to solicit clients from and prey upon these newcomers who are not familiar with our languages or their rights in Canada.

In all other courts of record, that is to say, the county and district courts and the supreme courts of the provinces, the Supreme Court of Canada and all other federal courts of record, a party may appear for himself, but otherwise he must have legal counsel. Not even a law student is allowed to appear on his behalf. In England they are even stricter. The lawyer must be a barrister. In Canada, although not compulsory, it is customary for barristers rather than solicitors to appear in court. The reason for this is that the matters under review are important. In a criminal matter, liberty or life is at stake. In a civil matter one's financial affairs, and thus one's fortune, are at stake. To protect their interests, the parties require a lawyer and the court usually requires the lawyer's assistance. Provincial laws made it an offence for anyone who is not a lawyer to practice law.

Obviously, provincial legislators feel it would be dangerous and wrong to allow those who are not qualified to act as a lawyer, just as it would be wrong to allow those who are not qualified as doctors to carry out surgery. This feeling is so widely accepted that eight out of ten provinces have passed or are about to pass legal aid schemes so that everyone, regardless of his financial means, may have the lawyer of his choice. The exceptions are Newfoundland and Prince Edward Island. This is paid for by the people and, in Ontario, at least, is accepted by 100 per cent of the people.

Why is it different when it is an appeal before the Immigration Appeal Board? I expect someone thought that they were doing the subject of inquiry or detainee or deportee, as he may be called, a kindness in allowing him to bring a friend, priest or minister who would assist him without charge. These people do not act as counsel. They know better. They advise him to get a lawyer and they come along as a witness and friend.

Who is representing all these people at these special inquiries and before the Immigration Appeal Board? In hundreds of cases they are represented by people who pretend to be lawyers or "consultants" in immigration matters but are without any legal knowledge, training or ethics. They set themselves up as notary publics or travel agents and thus snare these new immigrants. They are usually

assisted in getting this business by the fact that they can speak that person's language. They are not doing it as a friend, but for money—all they can get—often on a contingency basis and for more money than a lawyer would charge. No matter how bad may be their advice, their character or their behaviour before the board, there is no authority to discipline them. Unless the Law Society of the province in question takes on the job of policing these inquiries and charging these people for acting as lawyers, they continue with a free hand.

May I cite some examples. A travel agent has appeared on hundreds of appeals before the board. This gentleman pretends to be a lawyer and even takes written legal retainers and, of course, charges for these services. In another case a former employee of the department, now a travel agent, in an appearance before the board on behalf of someone ordered deported, argued that although he had refused him admission when he was an assessor in the department, he had changed his mind and would now give him something like another 14 points so he could be admitted. Obviously, when he was being paid to do so he reversed his view. This behaviour certainly would not impress the board or assist the cause of the appellant. In another case a former interpreter with the department set up in business as an immigration consultant and now appears before the appeal board, although earlier involved in a criminal charge in connection with applications for landing in Canada.

These are important matters. People can be refused admission although their families are here, or deported up to five years after acquiring landed status and in some cases after even a longer period, although their families would remain here in Canada. If anyone can appear as a lawyer for these people, why not let anyone appear as a lawyer in all courts? Why bother with the expense of training lawyers, when travel agents and notaries public can appear in an appeal court of record?

These people are methodically preying upon new arrivals in Canada who, because of their inability to speak English and lack of knowledge of our country, are easy victims. The public has provided funds so that they may be assured of a lawyer, and those who get the proper advice do have a lawyer. These people being allowed to appear before the Immigration Appeal Board make a mockery of this. Legal aid is even available for those who appear before the Immigration