

Law firm in Sgro probe has many ties to Liberals

'Isn't a conflict that I can see,' partner says

Tom Blackwell, with files from Robert Fife
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The law firm appointed to investigate Immigration Minister Judy Sgro's part in the Romanian exotic dancer affair has links to the minister and the Liberal party that may put it in a conflict of interest, critics charged yesterday.

A partner in the firm of Borden Ladner Gervais falls under Ms. Sgro's authority as chairman of a regulatory body overseeing immigration consultants.

And David Scott, one of the two lawyers appointed by Bernard Shapiro, the federal ethics commissioner, to investigate Ms. Sgro's activities, has frequently represented Jean Chretien in a number of ethics-related cases involving the former prime minister, including the federal inquiry into the sponsorship scandal.

Borden Ladner Gervais has more than 650 lawyers with offices across the country.

Immigration lawyers and opposition critics question why Mr. Shapiro would not have chosen a group more independent of the Liberals to handle the probe.

"When I read the story [about the investigation] this morning, I thought, 'Oh, my God,' " said Sergio Karas, a top Toronto immigration lawyer. "It doesn't help the cause of transparency ... I think it's a bit strange."

Pat Martin, the NDP immigration critic, was more blunt.

"The ethics commissioner should have known better and put more distance between the law firm he chose and the interests of the Minister," Mr. Martin said. "If that law firm has ever enjoyed any Liberal largesse, it surely disqualifies them from passing judgment on the appropriateness of the Minister. You'd have to be an idiot not to see the connection between the two ... It calls into question the results of the investigation if there is the appearance of conflict."

Mr. Shapiro revealed this week he has asked two lawyers from the firm -- Mr. Scott and Lisa Micucci -- to look into allegations Ms. Sgro improperly issued temporary resident permits to people who worked on her campaign. They include Alina Balaican, a Romanian stripper married to a Canadian.

He said the report they produced, for a fee of at least \$30,000, will not be made public but will be used in his own review of the Minister's conduct.

Micheline Rondeau-Parrot, a spokeswoman for Mr. Shapiro, said she could not comment on charges of conflict, but said the law firm was selected solely on merit.

"The firm was chosen for its competencies and qualifications and past experience on those kinds of fact finding," she said.

However Mr. Karas said Borden Ladner Gervais is known as a firm with strong Liberal connections. Since 2000, it has contributed \$165,000 to the party and individual Liberal candidates, more than twice the sum it has given the Conservatives, according to Elections Canada figures.

Benjamin Trister, a prominent partner in Borden Ladner Gervais, was appointed by Denis Coderre, Ms. Sgro's predecessor, to co-chair a committee that looked into the controversial world of immigration consultants.

He has since become chair of the Canadian Society of Immigration Consultants, designated by the government as a regulatory body.

Mr. Trister said yesterday he was not actually appointed to his current position by the minister. But the department agreed to allow him and three others to develop the society in return for committing to certain principles in its operation.

"The appearance of conflict of interest is something that everybody judges through their own eyes," Mr. Trister said. "But I can tell you that, in reality, there isn't a conflict that I can see ... I don't have any kind of relationship with the Minister or her office."

But lawyer David Garson, head of the Ontario Bar Association's immigration section, said the connection between the firm and the immigration and consultants society "does not look very good."

"Why move in those circles? I think you could find other circles."

Mr. Scott has represented Mr. Chretien in a number of high-profile cases. The firm was paid more than \$300,000 to represent the then prime minister in a dispute over whether he should have to publicly release secret agenda books. Mr. Scott also represented him in the Grand-Mere Golf Club affair and at the inquiry into the sponsorship scandal.

The lawyer could not be reached for comment yesterday.

Meanwhile, in Ottawa, the opposition alleged in the Commons that the RCMP is investigating a member of Ms. Sgro's staff for a security breach. Deputy Prime Minister Anne McLellan did not deny the charge when questioned by Conservative MP Diane Ablonczy.

"It is unacceptable for me as Minister of Public Safety, responsible for the Royal Canadian Mounted Police, to comment on any investigation," Ms. McLellan said.

A spokesman for Ms. Sgro said they had no knowledge of a police investigation.