



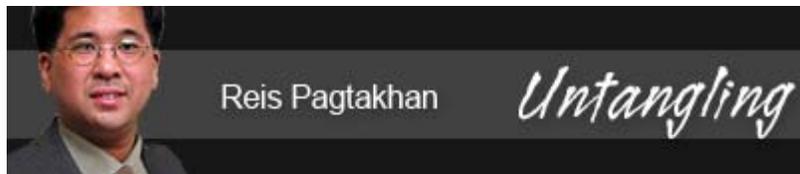
- HEADLINES
- LOCAL NEWS
- PHILIPPINE NEWS
- CANADIAN NEWS
- EDITORIALS & OPINIONS
- ENTERTAINMENT
- COMMUNITY
- SPORTS
- TRAVEL
- JOB MARKET
- EMPLOYMENT ADS



Palaisi
su|do|ku
Click here for solutions

te! a Friend f t M... November 20 - December 05, 2008 | Volume 22, Number 22

Main > Editorials and Opinions



Immigration Law: Can I Be Deported

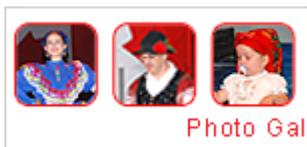
if I Committed a Crime?

Under current immigration law, permanent residents convicted of certain crimes can be deported from Canada. However, one thing that needs to be stressed is that only "serious" crimes may result in deportation. Serious crimes include murder, rape, kidnapping, sexual or physical assault, robbery, breaking and entering properties, and arson.

Over the years, I have read court cases of individuals convicted of property offences, drug offences, and offences of violence whom the court ordered to be deported. There were also cases in which individuals got deported after their having served time for their convictions because they have repeated the same offence, have committed another crime, or failed to follow the terms and conditions of their probations.

I have also seen cases in which individuals thought that their having lived in Canada for a long time would prevent them from being kicked out of the country. This is not always the case. There are many court cases of individuals who have lived in Canada as permanent residents for decades, have raised families, and have had steady jobs but still got deported because of criminal records. And this is really unfortunate especially for those who came to Canada





as children and no longer speak the common language of the country they are returning to, because they will certainly find difficulty not only in communicating with the people there but more so in starting a new life in a community in which they have no close relations or friends.

Whereas cases of permanent residents' getting deported are common, deportation of Canadian citizens is extremely rare. If you are a permanent resident who has been putting off the obtaining of a Canadian citizenship despite your eligibility, you may want to act now and apply for citizenship. Not that you are contemplating of committing a criminal offence, but being a Canadian citizen does not only protect you from untoward deportation but also give you additional rights, which include the eligibility to vote.

If you are a permanent resident and are charged with a crime, letting your lawyer know of this circumstance—that you are only a permanent resident and not a Canadian citizen—is important, because this will help your lawyer enter into a plea bargain that will be more favorable to you considering your circumstance. If your lawyer is not adept with immigration issues and is not aware of your condition, he or she may enter into a plea bargain with the government lawyer that may be seemingly fairly good but actually disastrous in the end. A good example would be a case in which an individual convicted of a crime whose lawyer had entered into a seemingly good plea bargain because the court only ordered the person to be jailed for a few days; however, the plea bargain turned out to be disastrous after all when the court subsequently ordered the person to be deported.

This article is prepared for general information purposes only and is intended to provide comments for readers and friends of Filipino Journal. The contents should not be viewed as legal advice or opinion. If you have specific questions concerning immigration law, you should discuss them with a legal advisor of your choice.

Reis Pagtakhan is a lawyer with the law firm of Aikins, MacAulay & Thorvaldson LLP. He practices in the areas of immigration law and corporate and commercial law. His direct line is 957-4640. If you like to know more about Pagtakhan or Aikins, you may visit the firm's Web site: www.aikins.com.

by R. Reis Pagtakhan, LL.B., B.A. (Hons.)
rrp@aikins.com

other stories:

- > Ang Mundo ng Kalakalan Ay para Nga Lang Ba sa Mga Beterano?
- > Musical Postcards of Eras Gone By
- > Take Care of Your Vehicle Properly
- > The Importance of Simple Hygiene