

**THE LAW SOCIETY OF BRITISH COLUMBIA**

IN THE MATTER OF THE *LEGAL PROFESSION ACT*, SBC 1998, C. 9

AND

**MANJIT SINGH WALIA**

(a member of the Law Society of British Columbia)

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**RULE 3-7.1 CONSENT AGREEMENT SUMMARY**

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1. On December 19, 2024, the Chair of the Discipline Committee approved a consent agreement proposal submitted by Manjit Singh Walia (the “Lawyer”) under Rule 3-7.1 of the Law Society Rules (“Rules”).
2. Under the proposal, the Lawyer admitted that he committed the following misconduct, and that it constitutes professional misconduct pursuant to s. 38(4) of the *Legal Profession Act*:
  - (a) On or about September 8, 2023, in the course of representing my client during a virtual hearing before a tribunal member of the Refugee Protection Division of the Immigration and Refugee Board of Canada, I failed to act honourably and with integrity by writing and displaying for my client’s view a note containing a response to a question posed by the member to my client, contrary to rule 2.2-1 of the *Code of Professional Conduct for British Columbia*.
3. Under the proposal, the Lawyer agreed to pay a fine of \$7,500.
4. In making its decision, the Chair of the Discipline Committee considered an Agreed Statement of Facts dated December 6, 2024, and a letter to the Chair of the Discipline Committee.
5. This consent agreement will now form part of the Lawyer’s Professional Conduct Record.

6. Pursuant to Rule 3-7.1(5) of the Rules, and subject to Rule 3-7.2 of the Rules, the Law Society is bound by an effective consent agreement, and no further action may be taken on the complaint that gave rise to the agreement.
7. The admitted facts set out in the Agreed Statement of Facts have been summarized below.

### **Member Background**

8. The Lawyer was called to the bar and admitted as a member of the Law Society of Alberta on May 10, 2002.
9. The Lawyer was called to the bar and admitted as a member of the Law Society of British Columbia on April 1, 2014.
10. The Lawyer practises primarily immigration law, and also practices wills and estates and administrative law.
11. Since his call to the bar in British Columbia, the Lawyer has practised as a sole practitioner in Surrey.
12. The Lawyer has a Professional Conduct Record. He was reprimanded in Alberta for incompetent representation of a client in a criminal law matter. In BC, he was subject to a Conduct Review in 2017 for his conduct in breaching an undertaking on a real estate conveyance.

### **Background**

13. On November 3, 2023, the Immigration and Refugee Board made a complaint to the Law Society of British Columbia (the “Law Society”) that the Lawyer improperly coached his client during a Refugee Protection Division (“RPD”) hearing.

### **The RPD Hearing**

14. The incident occurred while the Lawyer was representing a family of four seeking refugee status in Canada at a virtual RPD hearing occurring via Microsoft Teams.
15. All participants attended the RPD hearing virtually.
16. The Lawyer and his clients were located in a boardroom at the Lawyer’s office. They appeared virtually via one camera for the whole group.
17. The Lawyer sat adjacent to the camera in the boardroom, and the Claimants sat across from the Lawyer facing the camera.

18. The RPD hearing was presided over by a single RPD adjudicator referred to as the Member.
19. At the commencement of the RPD hearing, the four Claimants made solemn affirmations to tell the truth.
20. The RPD hearing commenced with the Member asking the Claimants questions based on their filed materials.
21. On September 8, 2023, during the questioning of one the Claimants by the Member, the Lawyer wrote a response to the Member's question on a 3x3 inch Post-it note and showed it to the Claimant under questioning.
22. The Lawyer was unaware that the action was visible on camera.
23. The Member observed the Lawyer show a note to his client, and immediately questioned the Lawyer about what he was doing.
24. The Member asked the Lawyer to show the Post-it note to the camera, and the Lawyer complied.
25. Upon reading the note, the Member asked whether the Lawyer was coaching his client. The Lawyer denied that he was. The Member made a note of what had occurred and then proceeded with the remainder of the hearing.
26. Approximately two months later, the RPD released its written decision. The Claimants were denied refugee protection. The decision noted that the Lawyer's conduct affected the Claimant's credibility, but was not determinative on the outcome, as the Claimants would have been denied in any event due to unrelated issues with the claims.
27. The Lawyer admits that his actions amounted to professional misconduct.
28. The Lawyer said he was experiencing significant life stressors, was coping with a lack of sleep, and felt pressured to obtain a positive outcome for his clients, which he felt contributed to his misconduct.
29. In approving the consent agreement proposal, the Chair of the Discipline Committee considered the context the Lawyer provided, the Lawyer's Professional Conduct Record, and that the outcome agreed to was consistent with the outcome in prior similar matters.