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Legal Brief*

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THE “GRANDPARENT” SCAM: PROTECTING YOURSELF AND YOUR LOVED ONES

You receive a call from someone claiming to be a lawyer, who informs you that your favourite grandson has been arrested and is currently being held in custody. You are told that you must pay bail of \$2,500 before he can be released. The only thing missing is your payment. Someone will come by in the next few minutes to collect the money...

You may be a victim of fraud. Here’s what you should do if you receive such a call:

1. Ask for the lawyer’s first and last name and the city in which they practise;
2. With this information, check the *Directory of lawyers* on the Barreau du Québec’s website (available [here](#)) to confirm that the person is indeed a lawyer who is a member of the Barreau du Québec;
3. Call the lawyer at the phone number provided in the *Directory of lawyers* to validate the information given to you.

Under no circumstances should you provide your banking information or credit card number over the phone to pay bail as a surety. In addition, for the same reason, you should not give cash to anyone who comes to your home claiming to be a family member, a lawyer, a police officer, etc.

To act as a surety for a loved one, you will first need to complete a “Surety Declaration” form, as required by section 515.1 of the *Criminal Code*. The accused’s lawyer can provide you with a copy. Once completed, the form will be given directly to a judge. With the judge’s permission, you will become a surety.

In certain cases, the surety will actually have to deposit a sum of money in order for the accused to be released. **Only the office of a court, at a courthouse, is authorized to receive such a payment.** If the accused complies with the conditions of release, the full amount paid will be returned to you when the file is closed. In other cases, an undertaking to pay a sum of money if the accused breaches the conditions of release will be sufficient for the accused to be released.

Finally, even if no financial loss has been incurred, we encourage anyone who believes they have been targeted by a fraud to notify their local police department as well as the Canadian Anti-Fraud Centre (1-888-495-8501).

Be vigilant and talk about it to your loved ones.

Don’t hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you. You can also check your eligibility online [here](#).

To find the contact information for your legal aid office, please click on the following link: www.csj.qc.ca/.

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* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.