

## **Lawyer T**

Nanaimo, BC

Called to the bar May 10, 1978

Became non-practising member January 1, 2004

Voluntarily resigned membership March 31, 2005

## **Facts**

In December 2003 the Law Society was notified that Mr. T had been criminally charged with committing an indecent act. The allegation was that, on August 1, 2003, Mr. T was masturbating while driving his car in a public place and while seen by four teenage girls. Mr. T pleaded guilty to the charge on January 27, 2004.

In granting an absolute discharge, the judge took into account the circumstances of the incident, Mr. T's subsequent actions and evidence that showed he was highly unlikely to re-offend. The judge noted that Mr. T had immediately reported the incident to his firm and the Law Society, had accepted responsibility for his behaviour and communicated early his intention to plead guilty to the offence, had sought treatment and counselling and had expressed deep remorse. As a result of the incident, he experienced both widespread publicity and loss of his position with his firm. The court found no reason for further sanction.

Mr. T became a non-practising member of the Law Society on January 1, 2004, prior to pleading guilty to the criminal charge. The Law Society issued a citation against Mr. T on September 7, 2004. He voluntarily resigned his membership on March 31, 2005.

## **Admission**

Pursuant to Rule 4-21, Mr. T admitted to the Discipline Committee that his conduct in committing an indecent act in public was dishonourable conduct that reflected adversely on the integrity of the legal profession, contrary to Chapter 2, Rule 1 of the *Professional Conduct Handbook*, and constituted conduct unbecoming a member of the Law Society.

At the time of his admission, Mr. T was a former member. He undertook not to apply for reinstatement for one year. On July 7, 2005 the Discipline Committee resolved the outstanding citation by accepting Mr. T's admission and undertaking.

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