

Admission to Discipline Committee

Kenneth Warren Thompson

AGREED STATEMENT OF FACTS

1. Kenneth W. Thompson was born on January 17th, 1953 and was called to the Bar in British Columbia on May 10th, 1978.
2. By letter dated October 30th, 2003 from the Ministry of Attorney General, the Law Society was notified that Mr. Thompson had been arrested by the police as a result of an allegation that four teenaged females, while walking along the highway in Parksville, observed Mr. Thompson masturbating as he drove his car by them.
3. By letter received by the Law Society on November 17th, 2003, Mr. Thompson reported that he had been charged with an offence under section 173 of the *Criminal Code*, and that the charge "relates to an incident that occurred on August 1, 2003 at which time I was arrested. The allegation is that I was seen masturbating while driving my car in Parksville."
4. By letter dated December 10th, 2003 from the Ministry of Attorney General the Law Society was notified that Mr. Thompson had been charged with the following count, as contained in Information No. 55862 sworn on November 10th, 2003:

"Kenneth Warren THOMPSON, on or about the 1st day of August, 2003, at or near Parksville, in the Province of British Columbia, willfully did an indecent act, in a public place, in the presence of one or more persons, contrary to Section 173(1)(a) of the Criminal Code."
5. The Report to Crown Counsel contains an accurate description of the incident that occurred on August 1st, 2003, which resulted in Mr. Thompson's arrest.
6. Mr. Thompson submitted his Application for Non-Practising Membership dated December 16th, 2003 to the Law Society, and on December 31st, 2003 became a non-practising member.
7. At the hearing on January 27th, 2004, in the Provincial Court of British Columbia, Mr. Thompson pled guilty to the charge, as described in Information No. 55862.
8. On February 16th, 2004 The Honourable Judge Lazar granted Mr. Thompson an absolute discharge.
9. On March 31st, 2005 Mr. Thompson resigned as a member of the Law Society of British Columbia.
10. On June 9th, 2004 the Discipline Committee resolved that there be a direction to issue a citation against Mr. Thompson.
11. Mr. Thompson admits that on August 1st, 2003 he performed an indecent act by masturbating in his car in a public place in Parksville, B.C., and that he did this in the presence of four females under the age of 18 years.
12. Mr. Thompson admits that by performing the indecent act as described in paragraph 11 he engaged in dishonourable conduct which reflects adversely on the integrity of the legal profession, and that this conduct is contrary to Chapter 2, Ruling 1 of the *Professional Conduct Handbook* .

13. Mr. Thompson admits that his conduct, as described in the schedule to the citation and admitted to in this Agreed Statement of Facts, constitutes conduct unbecoming a lawyer.