

Vancouver, B.C.

Called to the Bar May 20, 1975

Discipline Hearing Committee: May 24, 1991

C.O.D. Branson, Q.C., Chair, J.G. Hardwick, and J.M. MacIntyre

Summary

The member stole two computer software packages from a store, following which he entered and successfully completed a diversion program. The Hearing Committee accepted his admission that he had conducted himself in a manner unbecoming a member of the Law Society. The Committee ordered that the member be reprimanded, continue in psychiatric treatment, and pay costs of the hearing.

Facts

On January 6, 1990 the member stole two computer software packages valued at \$109.90 from a Richmond software store. He was charged with theft, and then released.

The member entered a diversion program in May, 1990, which he successfully completed by October that same year, having served voluntary probation and performed 20 hours of community service drafting a public legal information brochure. In June, 1990 the member began psychiatric treatment.

Decision

The Hearing Committee accepted Mr. Roadburg's admission that he had conducted himself in a manner unbecoming a member of the Law Society.

The Committee said they were mindful of the concern that this type of conduct could lead to the unfair conclusion that the member was a generally dishonest person. They noted they did not hold this opinion of the member and that, apart from the conduct under review, were unaware of anything against his character or reputation.

Penalty

The Hearing Committee ordered that the member:

1. be reprimanded;
2. continue in therapy as recommended by his psychiatrist;
3. have his psychiatrist advise the Law Society should the member fail to comply with the psychiatrist's treatment recommendations;
4. within 30 days file with the Law Society a written authorization for his psychiatrist to provide the Society with a report, from time to time, at the Society's request; and
5. pay costs of the hearing not exceeding \$950 on or before July 31, 1991.

The Committee rejected the member's application under Law Society Rule 495 (2)(b) to conceal his identity in publication to the profession.

“We have given this serious consideration but are not prepared to make an order” the Committee stated. “In our view, in this case the public interest outweighs that of the member.”

J. Whittow, for the Law Society

J. Hall, Q.C., for the member

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