

2005: No. 2 July-August

Kenneth Warren Thompson

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. Thompson had been criminally charged with committing an indecent act. The allegation was that, on August 1, 2003, Mr. Thompson was masturbating while driving his car in a public place and while seen by four teenage girls. Mr. Thompson 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. Thompson's subsequent actions and evidence that showed he was highly unlikely to re-offend. The judge noted that Mr. Thompson 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. Thompson 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. Thompson on September 7, 2004. He voluntarily resigned his membership on March 31, 2005.

Admission

Pursuant to Rule 4-21, Mr. Thompson 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. Thompson 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. Thompson's admission and undertaking.