

2006 : No. 05 November-December

Gregory Charles Cranston

Vancouver, BC

Called to the bar: July 13, 1977

Discipline hearing : July 21, 2006

Panel : G. Glen Ridgway, Q.C., Chair, Kathryn A. Berge, Q.C., Gordon Turriff, Q.C.

Report issued : October 12, 2006 (indexed as 2006 LSBC 36)

Counsel : Jaia Rai for the Law Society; Christopher E. Hinkson, Q.C. for Mr. Cranston

Facts

On November 1, 2004, BS attended at Mr. Cranston's office with a Transport Canada Bill of Sale for an antique wooden vessel. Indicating that it had been signed that day by AS as the registered owner, the Bill of Sale purported to transfer AS's interest in the vessel to his son, TS. Despite knowing that AS was not present and had not signed the document before him, Mr. Cranston signed the Bill of Sale as witness to AS's execution.

AS and his two sons (TS and BS) were already engaged in internecine litigation. Various additional proceedings soon entangled the vessel in that litigation, in which AS was represented by Lawyer P. On November 19, 2004, Lawyer P sent a letter of complaint to the Law Society regarding Mr. Cranston's involvement in the purported execution of the Bill of Sale. That complaint was investigated and on December 8, 2005, the Discipline Committee directed that a citation be issued against Mr. Cranston.

Admission and penalty

Mr. Cranston admitted that he affixed his signature as a witness to the signing of the Bill of Sale when the document had already been completed and signed outside his presence. Mr. Cranston further admitted that his conduct in doing so amounted to professional misconduct.

The hearing panel accepted Mr. Cranston's admissions and found him guilty of professional misconduct. In so doing, the panel noted that it is manifestly in the public interest that a lawyer's signature as witness to a legal document must be viable evidence of the fact that the lawyer indeed witnessed the affixed signature.

Accepting the penalty proposed by Mr. Cranston under Rule 4-22, the hearing panel accordingly ordered that he:

1. be reprimanded;
2. pay a fine of \$5,000;
3. pay costs of \$3,500; and
4. pay both fine and costs within three months.