

**DISCIPLINE COMMITTEE  
OF THE ONTARIO COLLEGE OF TEACHERS**

**IN THE MATTER OF** the *Ontario College of Teachers Act, 1996*, and the Regulation (Ontario Regulation 437/97) thereunder;

**AND IN THE MATTER OF** a discipline proceeding against Jeremy Raymond Pike, a member of the Ontario College of Teachers.

PANEL:           Rosemary Fontaine, Chair  
                      Gabrielle Blais  
                      Hanno Weinberger

BETWEEN:	)	
	)	Yasmin Nizami,
	)	McCarthy Tétrault LLP,
	)	for Ontario College of Teachers,
ONTARIO COLLEGE OF TEACHERS	)	assisted by Trevor Evans,
	)	Senior Law Clerk
- and -	)	
	)	
JEREMY RAYMOND PIKE)	)	Jeremy Raymond Pike was not
(CERTIFICATE #454299)	)	present, nor was he represented
	)	
	)	Christopher Wirth,
	)	Stockwoods LLP,
	)	Independent Legal Counsel
	)	
	)	Heard: November 11, 2008

**REASONS FOR DECISION, DECISION AND ORDERS**

This matter came on for hearing before a panel of the Discipline Committee (the “Committee”) on November 11, 2008 at the Ontario College of Teachers (“the College”) at Toronto.

A *Notice of Hearing*, dated June 24, 2008 (Exhibit 1) was served on Jeremy Raymond Pike (the “Member”), providing him with notice that the Discipline Committee of the Ontario College of Teachers would meet on July 8, 2008 to set a date for a hearing, and specifying the charges. The Member did not attend on July 8, 2008. The Discipline Committee set November 11, 2008 as the date for the hearing on the merits.

The College tendered an *Affidavit of Audley Trevor Evans* sworn October 31, 2008 (Exhibit 3) setting out the efforts by the College to ensure that the Member had full disclosure and had proper notice of the hearing. The Member was served with the Notice of Hearing and Disclosure Brief on July 22, 2008.

The Member was advised in a letter dated September 18, 2008 from Mr. Evans that the hearing of this matter would commence at 9:00 a.m. on November 11, 2008. Mr. Evans had two telephone conversations with the Member on or about September 19, 2008 and on October 9, 2008, wherein the Member acknowledged receipt of disclosure, recognized that the matter would be proceeding before a committee on November 11, 2008, understood that revocation of his certificate would be sought and that publication of his name could be ordered. The Member indicated that he was considering making submissions to the Committee. No such submissions were received. The Committee was satisfied by the details outlined in Mr. Evans’ Affidavit that the Member had received proper notice of the date, time and place of the hearing.

The Member did not appear at the hearing, nor was he represented by counsel. The Committee commenced the proceedings at 9:30 a.m. in the Member's absence.

## **THE ALLEGATIONS**

The allegations against Jeremy Raymond Pike in the *Notice of Hearing*, (Exhibit 1) dated June 24, 2008 are as follows:

**IT IS ALLEGED** that Jeremy Raymond Pike is guilty of professional misconduct as defined in section 30(2) of the *Ontario College of Teachers Act* (the "Act") in that:

- (a) he failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1(5);
- (b) he failed to comply with the *Act* and the *Education Act*, Revised Statutes of Ontario, 1990, chapter E.2, and specifically section 264(1)(c) thereof or the Regulations made under those Acts, contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- (c) he contravened a law, the contravention of which is relevant to the Member's suitability to hold a Certificate of Qualification and Registration contrary to Ontario Regulation 437/97, subsection 1(16);
- (d) he contravened a law, the contravention of which has caused students under the Member's professional supervision to be put at or to remain at risk contrary to Ontario Regulation 437/97, subsection 1(17);
- (e) he committed acts that having regard to all the circumstances would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 437/97, subsection 1(18); and
- (f) he engaged in conduct unbecoming a Member, contrary to Ontario Regulation 437/97, subsection 1(19).

## **PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:**

1. During the 2003-2004 and 2004-2005 academic years, the Member was employed as an elementary teacher in Oshawa by the Durham District School Board.

2. On or about 2 May 2008, the Member was found guilty of charges that he at various dates between 20 May 2001 and 22 July 2005 :

- (a) at the Municipality of [REDACTED] unlawfully did commit sexual assaults contrary to the *Criminal Code* (Canada);
- (b) at the Municipality of [REDACTED] unlawfully did commit a sexual assault on an unknown young male, contrary to the *Criminal Code* (Canada);
- (c) at the Municipality of [REDACTED] unlawfully did for a sexual purpose touch persons under the age of 14 years, directly with a part or parts of his body, contrary to the *Criminal Code* (Canada);
- (d) at the Municipality of [REDACTED] unlawfully did make child pornography contrary to the *Criminal Code* (Canada); and
- (e) at the Municipality of [REDACTED] unlawfully did have in his possession, child pornography, contrary to the *Criminal Code* (Canada).

3. The Member has not yet been sentenced by the court.

4. On or about 31 August 2006, the Member's employment was terminated by the Board.

At the hearing on November 11, 2008, College Counsel advised the Committee that the Member was not convicted of sexual assaults as alleged in (a) and (b) above, but rather was convicted of sexual interference.

#### **PUBLICATION BAN**

A non-publication and non-broadcast order was issued on May 2, 2008 under subsection 486.4(1) of the *Criminal Code*, in the proceedings in the Ontario Court of Justice. The Committee recognizes and extends this publication ban imposed in the matter of *Her Majesty The Queen v. Jeremy Pike* by the Ontario Court of Justice. There shall be no publication of any information that might tend to identify the victims involved in this matter.

## **MEMBER'S PLEA**

As the Member was not present, nor represented by Counsel, the Committee proceeded on the basis that the Member denied the allegations set out in the *Notice of Hearing*. The Chair, on behalf of the Member, entered a plea of not guilty to the allegations.

## **THE EVIDENCE**

Counsel for the College entered into evidence the following additional documents:

### *Registered Member Information*

Jeremy Raymond Pike is a member of the Ontario College of Teachers as shown on the *Registered Member Information*. (Exhibit 2)

### *Brief of Court Documents – Her Majesty the Queen v. Jeremy Pike* (Exhibit 4)

A *Brief of Court Documents* with respect to the criminal proceedings against the Member was submitted into evidence. This *Brief* consisted of:

- A Warning re Non-Publication and Non-Broadcast Order issued under subsection 486.4(1) of the *Criminal Code*.
- B Certified copy of Information dated May 10, 2006 with Plea of Guilt, Finding of Guilt and Sentencing (pages 11-13)
- C Transcript of Proceedings before the Honourable Madam Justice Devlin at Oshawa on May 2, 2008
- D Transcript of Reasons for Sentence by Madam Justice Devlin on September 29, 2008.

These Court Documents verify that on or about May 2, 2008, the Member pleaded guilty to and was found guilty of eight counts of sexual interference, one count of making child pornography and one count of possession of child pornography.

On September 29, 2008, the Member was sentenced to ten years concurrent imprisonment on the sexual interference counts, followed by two years for making child pornography and two years for possession of child pornography, for a total of fourteen years. He was ordered to [XXX] and to [XXX]. The Judge ordered a life-time ban under section 161 of the *Criminal Code* prohibiting the Member from being in the presence of anyone under the age of fourteen years.

## **DECISION**

### **(i) Onus and Standard of Proof**

The College bears the onus of proving the allegations in accordance with the standard of proof set out in *Re Bernstein and College of Physicians and Surgeons of Ontario* (1977) 15 O.R. (2d) 477. The standard of proof applied by the Committee, in accordance with the *Bernstein* decision, was a balance of probabilities with the qualification that the proof must be “clear and convincing” and based upon “cogent evidence” accepted by the Committee. The Committee also recognized that the more serious the allegation to be proved, the more cogent must be the evidence. The Committee considered the allegations in this case to be very serious and assessed the evidence on that basis.

### **(ii) Decision**

Having considered the evidence, onus and standard of proof, and the submissions made by Counsel for the College, the Committee finds that the facts support a finding of professional misconduct. In particular, the Committee finds that Jeremy Raymond Pike committed acts of professional misconduct, being more particularly breaches of Ontario Regulation 437/97, subsections 1(5), 1(14), 1(15), 1(16), 1(17), 1(18) and 1(19).

## **REASONS FOR DECISION**

Rules 13.05 and 13.06 of the *Rules of Procedure of the Discipline Committee of the Ontario College of Teachers* allow the Committee to accept as proof that an offence was committed by a person, where there is a finding of guilt and conviction in a Canadian court, provided that there is no evidence to the contrary and that no appeal has been granted.

In absence of evidence to the contrary, the Committee accepts the specific findings of fact contained in the *Brief of Court Documents* (Exhibit 4) that on May 2, 2008, the Member pleaded guilty to and was found guilty of eight counts of sexual interference, one count of making child pornography and one count of possession of child pornography.

On September 29, 2008 the Member was sentenced to fourteen years imprisonment. He was ordered to [XXX] and to [XXX]. The Member is also banned for life from being in the presence of anyone under the age of fourteen years.

There was no evidence presented of an Appeal by the Member of his conviction and/or sentence.

The Committee finds that the Member's conviction for sexual interference, possession of child pornography and making child pornography as outlined herein constitute acts of professional misconduct, being more particularly breaches of Ontario Regulation 437/97, subsections 1(5), 1(14) and 1(15).

The Member's criminal conviction is relevant to his suitability to hold a Certificate of Qualification and Registration and has caused students to be put at risk, pursuant to Ontario Regulation 437/97, subsections 1(16) and 1(17).

The Member's conduct was disgraceful, dishonourable, unprofessional and unbecoming a member contrary to Ontario Regulation 437/97, 1(18) and 1 (19).

### **PENALTY DECISION**

The Committee makes the following order as to penalty:

1. The Registrar of the Ontario College of Teachers is directed to revoke the Certificate of Qualification and Registration of the Member, which Certificate the Member is to surrender immediately to the Registrar of the Ontario College of Teachers; and
2. Pursuant to Section 30 (5) (3) of the *Ontario College of Teachers Act*, the findings and order of the Committee shall be published in summary, with the name of the Member in the official publication of the College, *Professionally Speaking/Pour parler profession*.

### **REASONS FOR PENALTY DECISION**

The Member has been found guilty of heinous acts, performed against children. He was originally charged with 95 counts relating to sexual interference and child pornography. He pleaded guilty to and was convicted of ten counts.

The sexual offences involved eight young boys (ages two to fourteen), six who have been identified and two who are unknown. There is photographic and video evidence to indicate that the Member touched the boys while he bathed them and while he slept with them. These assaults included fondling, masturbation, acts of fellatio and anal intercourse. On some occasions the boys' legs were restrained during these acts.

Subsequent to his arrest, the police discovered the following items belonging to the Member:

1. a DVD which contained approximately 3 hours of the Member's self-made video of himself sexually assaulting boys;
2. a CD of still pictures showing the Member sexually assaulting boys;
3. 8 CD's of child pornography comprised of 8,840 still pictures and 113 movies obtained from the Internet;
4. floppy disks containing 180 stories describing adult men having sex with young boys;
5. a number of digital and VHS video-tapes containing 10.5 hours of self-made videos of the Member assaulting young boys; and
6. a laptop and a desktop computer containing approximately 6,525 images of adults sexually assaulting boys. These assaults included fellatio and anal intercourse.

(Exhibit 4, Tab D, p. 3)

There is evidence to indicate that the making of this child pornography by the Member occurred between 2001 and 2005. (Exhibit 4, Tab C, p. 15)

The Member's acts of sexual interference spanned at least four years. His actions were planned and deliberate. He befriended families and began spending time with their children. The Member gained a position of trust as a close family friend, [XXX]. He

[XXX] took these children on [XXX] trips and [XXX] in the park. He [XXX] and [XXX] them and was allowed to have [XXX] with them.

In addition, just prior to his arrest, the Member had applied to teach [XXX] which is the same age group as the children he victimized. He also applied to be a foster parent to young boys and to adopt young boys (Exhibit 4 pp. 10-11, Tab D)

To date the Members of this Committee had not been presented with allegations of sexual misconduct against children of such an egregious and disturbing nature. The Court's decision confirms the severity of this criminal behaviour. The Member received the maximum prison sentence allowed for his counts of sexual interference. He will [XXX]. For life he will not be allowed in the presence of any children under the age of fourteen years.

The Member has brought the profession into disrepute. The Member's conduct over a lengthy period represents an abuse of trust, both with the children and their families. The fact that he engaged in a long-term pattern of sexual abuse of children requires that he receive the maximum penalty, revocation of his certificate of qualification and registration.

The Member's actions were criminal. Publication of the findings and order of the Committee, in summary, along with the name of the Member, identifies to the profession the nature of the Member's misconduct and the consequences for such behaviour. Publication, in this case, acts as a general deterrent and informs the profession that such behaviour will not be tolerated and will result in the harshest penalty, revocation.

Publication serves the public interest by reassuring and informing the community that the profession acts decisively when matters of this nature are brought to its attention.

In conclusion, the Committee is confident that the penalty serves the interests of the public and the profession.

Dated: November 11, 2008

---

Rosemary Fontaine  
Chair, Discipline Panel

---

Gabrielle Blais  
Member, Discipline Panel

---

Hanno Weinberger  
Member, Discipline Panel