

**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 Lee Thomas Taylor, a Member of the Ontario College of Teachers.

PANEL:                      Ted Coulson, Chair  
   Normand Fortin  
   Dick Malowney

BETWEEN:	)	
	)	
	)	
ONTARIO COLLEGE OF TEACHERS	)	Brian Wasyliw,
	)	McCarthy Tétrault,
	)	for Ontario College of Teachers,
	)	assisted by Trevor Evans,
	)	Senior Law Clerk
	)	
- and -	)	Lee Thomas Taylor
	)	was not present,
LEE THOMAS TAYLOR	)	nor represented by counsel
(CERTIFICATE #117405)	)	
	)	Christopher Wirth,
	)	Stockwoods,
	)	Independent Legal Counsel
	)	
	)	Heard: October 3, 2005

**REASONS FOR DECISION, DECISION AND ORDER (S)**

This matter came on for hearing before a panel of the Discipline Committee (the “Committee”) on October 3, 2005 at the Ontario College of Teachers (the “College”) at Toronto.

Two *Notices of Hearing*, one dated November 5, 2004 and one dated February 14, 2005 were served on Lee Thomas Taylor, requesting attendance before the Discipline Committee of the Ontario College of Teachers and specified the charges. The hearing was subsequently set for October 3, 2005.

Lee Thomas Taylor was not in attendance at the hearing.

### The Allegations

The allegations in the *Notices of Hearing* dated November 4, 2004 and February 15, 2005 are as follows:

**IT IS ALLEGED** that Lee Thomas Taylor is guilty of professional misconduct as defined in subsection 30(2) and 40(1.1) of the *Ontario College of Teachers Act, 1996* (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 abused a student or students physically, sexually, verbally, psychologically or emotionally contrary to Ontario Regulation 437/97, subsection 1(7);
- (c) 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);

- (d) 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);
- (e) 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);
- (f) 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);
- (g) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19); and
- (h) he engaged in sexual abuse of a student or students of a nature defined in Sections 1 and 40(1.1) of the Act.

### Publication Ban

On October 3, 2005 the Committee made an order that there be no publication of any information that may disclose the identities of the students or young male persons involved in this matter.

### Agreed Statement of Facts

Counsel for the College advised the Committee that an agreement had been reached on the facts and introduced as *Exhibit 3*, an *Agreed Statement of Facts, Guilty Plea and Joint Submission on Penalty*. (ASF – Exhibit 3)

The *Agreed Statement of Facts, Guilty Plea and Joint Submission on Penalty* provides as follows:

1. Lee Thomas Taylor (the “Member”) is a retired member of the Ontario College of Teachers. A copy of the Ontario College of Teachers Registered Member Information of the Member is attached. (*ASF – Exhibit 3, Tab A*)
2. The Member was employed as a teacher by the Toronto District School Board, or its predecessor, between the approximate dates of September 1968 and September 1999. During that period the Member taught at [XXX] (the “School”).
3. On or about 30 September 1999, the Member retired from the Toronto District School Board.
4. At all material times, [XXX], [XXX], [XXX], [XXX], [XXX] and [XXX], were male persons under the age of eighteen years, [REDACTED]
5. During the approximate years of 1980 and 1981, [XXX] was a male student [XXX] at the School, and was [XXX] involved in [XXX] of the School.
6. During the approximate period of 1 January 1983 and 14 May 1986, the Member was a [XXX] of [XXX], a male person, who was then between approximately [XXX] and [XXX] years of age.
7. On or about 1 April 2005, an Indictment was laid against the Member in the Ontario Superior Court of Justice in respect of 23 counts relating to gross indecency, sexual assault, sexual touching and sexual exploitation of various individuals including those referred to in paragraphs 4 to 6 above, between the approximate dates of 11 September 1980 and 3 May 2003. Attached is a certified copy of the said Indictment. (*ASF – Exhibit 3, Tab B*)

8. On or about 14 May 2004, an Information, a certified copy of which is attached (*ASF – Exhibit 3, Tab C*), was laid against the Member charging that:

- (a) between 1 April 2004 and 12 May 2004 he knowingly accessed child pornography to wit computerized graphic images contrary to section 163.1(4.1) of the Criminal Code (Canada); and
- (b) on or between 1 April 2004 and 12 May 2004, at the Township of [REDACTED] he failed without lawful excuse to comply with the condition of an undertaking entered into before an officer in charge, to wit: keep the peace and be of good behaviour; contrary to section 145(5.1) of the Criminal Code Canada.

9. On or about 27 June 2005, the Member pleaded guilty in the Ontario Superior Court of Justice to eight counts of the Indictment (*Exhibit B*) in respect of the following male persons:

- (a) [XXX] (Count No. 2)
- (b) [XXX] (Count No. 4)
- (c) [XXX] (Count No. 7)
- (d) [XXX] (Count No. 10)
- (e) [XXX] (Count No. 12)
- (f) [XXX] (Count No. 18)
- (g) [XXX] (Count No. 21)
- (h) [XXX] (Count No. 23)

10. The specific charges against the Member as set out in the counts referred to in paragraph 9 are as follows:

- (a) That he between 11 September 1980 and 10 September 1981 at the City of Mississauga did commit an act of gross indecency with [XXX] to wit perform fellatio and masturbation of the penis, contrary to section 157 of the Criminal Code (Canada) – Count No. 2;
- (b) That he on or between 1 January 1983 and 14 May 1986 at the Township of [REDACTED] and the City of Mississauga did commit a sexual assault upon [XXX] contrary to section 246.1(1) of the Criminal Code (Canada) – Count No. 4;
- (c) That he on or between 4 September 1989 and 4 September 1997 at the Township of [REDACTED] did commit a sexual assault upon [XXX] contrary to section 271 of the Criminal Code (Canada) - Count No. 7;
- (d) That he on or between 28 February 1989 and 27 February 1998, at the Township of [REDACTED] and the City of Mississauga did commit a sexual assault upon [XXX], contrary to section 271 of the Criminal Code (Canada) - Count No. 10;
- (e) That he on 1 January 1991 at the Township of [REDACTED] did commit a sexual assault upon [XXX] contrary to section 271 of the Criminal Code (Canada) - Count No. 12;
- (f) That he on or between 9 May 1997 and 8 May 1998 at the City of Mississauga did commit a sexual assault upon [XXX] contrary to section 271 of the Criminal Code (Canada) - Count No. 18;

- (g) That he on or between 5 October 1996 and 4 October 1998 at the Township of ██████ did commit a sexual assault upon [XXX] contrary to section 271 of the Criminal Code (Canada) - Count No. 21; and
- (h) On or about 3 May 2003 at the Township of ██████ did commit a sexual assault upon [XXX] contrary to section 271 of the Criminal Code (Canada) - Count No. 23.

11. Attached is a copy of the transcript of the proceedings in the matter of Her Majesty The Queen v. Lee Thomas Taylor before Mr. Justice O'Neil on 27 June 2005, at Parry Sound. (*ASF-Exhibit 3, Tab D*) The details of the offences committed by the Member against the individuals stated in paragraphs 9 and 10, to which the Member pleaded guilty, are to be found between pages 9 and 38.

12. The remaining 15 counts against the Member as set out in (*ASF-Exhibit 3, Tab B*) were withdrawn by the Crown on 27 June 2005.

13. The charges against the Member as set out in (*ASF-Exhibit 3, Tab C*) were also withdrawn by the Crown on 27 June 2005. However, the Member, through his counsel, acknowledged that he had been in possession of photographs, which he had downloaded and saved in a folder on his computer, depicting young male persons, under the age of 18 years, with exposed genitalia as well as some photographs showing young male persons under the age of 18 years, engaged in sexual activity such as fellatio or masturbation with each other (pages 38 to 39 and 43 to 44 of *ASF-Exhibit 3, Tab D*).

14. On or about 8 July 2004, an Order was made pursuant to section 486 of the Criminal Code (Canada).by Mr. Justice J.C. Crawford , and which was continued by Mr.

Justice J. B. Wilson on 12 November 2004, prohibiting publication of the information now contained in *ASF-Exhibit 3, Tab D* with respect to anything which would identify the names of the students and young persons who are referred to in the preceding paragraphs.

15. The Member is to be sentenced by Mr. Justice O'Neill on 21 November 2005, and at that time both the Crown and the Defence will ask that the Member be incarcerated in a penitentiary for a period of seven years and that he be ordered to [XXX].

16. In addition to the criminal charges referred to in the Indictment, the Member acknowledges that he provided alcohol to all of the young persons referred to in paragraphs 4 to 6 above.

17. By this document, the Member, Lee Thomas Taylor, accepts as true the facts referred to in paragraphs 1 to 16 above.

18. By this document, the Member, Lee Thomas Taylor, pleads guilty to the allegations that the facts referred to in paragraphs 9 to 11 and 13 to 16 above, relating to the conduct of the Member, is conduct which is disgraceful, dishonourable and unprofessional.

19. The Member hereby pleads guilty to the allegations of professional misconduct against him as set out in the Notice of Hearing dated 5 November 2004, and the Notice of Hearing dated 14 February 2005, copies of which are attached in *ASF-Exhibit 3* at *Tabs E and F* respectively, being more particularly breaches of Ontario Regulation 437/97 1(5), (7), (14), (15), (16), (17), (18) and (19). Further, the Member pleads guilty to

engaging in sexual abuse of a student or students of a nature defined in sections 1 and 40(1.1.) of the Ontario College of Teachers Act 1996, Statutes of Ontario, 1996, chapter 12.

20. By this document, the Member states that:

- (a) he understands fully the nature of the allegations made against him;
- (b) he understands that by pleading guilty he is waiving his right to require the College to prove the case against him and the right to have a hearing;  
and
- (c) he states that this plea of guilt was made voluntarily, unequivocally and with the benefit of independent legal counsel.

21. By this document, the Member acknowledges his understanding that any Agreement between the College and the Member with respect to the penalty proposed in this document does not bind the Discipline Committee.

### Member's Plea

The Member hereby pleads guilty to the allegations of professional misconduct against him as set out in the Notice of Hearing dated 5 November 2004, and the Notice of Hearing dated 14 February 2005, copies of which are attached in *ASF-Exhibit 3* at *Tabs E and F* respectively, being more particularly breaches of Ontario Regulation 437/97 1(5), 1(7), 1(14), 1(15), 1(16), 1(17), 1(18) and 1(19). Further, the Member pleads guilty to engaging in sexual abuse of a student or students of a nature defined in sections 1 and

40(1.1.) of the Ontario College of Teachers Act 1996, Statutes of Ontario, 1996, chapter 12.

### Joint Submission as to Finding

In light of the above facts and circumstances to which the Member has pleaded guilty, the Ontario College of Teachers and the Member submit that the Discipline Committee find the Member guilty of professional misconduct, being more particularly breaches of Ontario Regulation 437, subsections 1(5), 1(7), 1(14), 1(15), 1(16), 1(17) 1(18) and 1(19), and that he engaged in sexual abuse of a student of a nature defined in sections 1 and 40(1.1) of the Act.

### Decision as to Finding

Having examined the Exhibits filed, and based on the guilty plea in the *Agreed Statement of Facts, Guilty Plea and Joint Submission on Penalty*, and the submissions made by Counsel, the Committee finds that the facts support a finding of professional misconduct. In particular, the Committee finds that Lee Thomas Taylor committed acts of professional misconduct, being more particularly breaches of Ontario Regulation 437/97 subsection 1(5), 1(7), 1(14), 1(15), 1(16), 1(17), 1(18) and 1(19), and that he engaged in sexual abuse of a student of a nature defined in sections 1 and 40(1.1) of the Act.

### Joint Submission on Penalty

The Ontario College of Teachers and the Member jointly submit that the appropriate penalty to be imposed by the Discipline Committee in this matter would be that the Committee:

- (a) direct the Registrar of the Ontario College of Teachers to immediately revoke the certificate of qualification and registration of the Member, which certificate the Member is to immediately surrender to the Registrar of the Ontario College of Teachers, and
- (b) direct that the findings and Order of the Committee, including the Member's full name, be published in summary, in the official publication of the College, *Professionally Speaking/Pour parler profession*.

### Penalty Decision

The Committee accepts the joint submission as to penalty and makes the following order:

1. The Registrar of the Ontario College of Teachers is directed to revoke immediately the Member's certificate of qualification and registration, which certificate the Member is to surrender immediately to the Registrar of the Ontario College of Teachers.
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 Member's full name, in the official publication of the College, *Professionally Speaking/Pour parler profession*.

## Reasons for Decision and Order

The Committee, having reviewed the Agreed Statement of Facts, finds that the facts support a finding of professional misconduct. The Member provided access to alcohol and pornography in his effort to befriend the young males. This was evidenced by invitations to the Member's [XXX], characterized by things that would be attractive, like snowmobiles and boats, access to alcohol and referred to by various of these young boys as a party place for teenagers. (*Exhibit 3, Tab D, page 9*) This occurred over a number of years and with various young males. This is clearly grooming behaviour and allowed the member to initiate a repeated and lengthy pattern of sexual abuse, conduct which is clearly disgraceful, dishonourable and unprofessional. These activities included backrubs, masturbation and fellatio on the young males. (*Exhibit 3, Tab D, page 13*)

The Member plead guilty to seven counts of sexual assault and one count of gross indecency with respect to eight young males, related to activities dating from 1980 to 2003. The Member acknowledged possession of child pornography depicting young male persons under the age of 18 engaged in sexual activity, such as fellatio or masturbation with each other. (*Exhibit 3, page 5*) These behaviours are conduct unbecoming and confirms that he engaged in sexual abuse of students of a nature defined in sections 1 and 40(1.1) of the Act.

The Committee finds that this conduct is of the most egregious nature that comes before the Discipline Committee and therefore should be dealt with in a most serious manner. The Committee accepts the *Agreed Statement of Facts*, the Member's guilty plea and the

*Joint Submission on Penalty.* The Committee finds that revocation of the Member's certificate of qualification and registration and publication is appropriate in these circumstances and serves to protect the public interest

Date: October 3, 2005

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Ted Coulson  
Chair, Discipline Panel

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Normand Fortin  
Member, Discipline Panel

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Dick Malowney  
Member, Discipline Panel