

**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  
George Albert Ventura also known as Jorge Albert Ventura, a  
member of the Ontario College of Teachers.

PANEL: Ted Coulson, Chair  
Normand Fortin  
Nancy Hutcheson

BETWEEN:	)	
	)	
	)	Carole Jenkins,
	)	McCarthy Tétrault,
	)	for Ontario College of Teachers,
ONTARIO COLLEGE OF TEACHERS	)	assisted by Trevor Evans,
	)	Senior Law Clerk
- and -	)	
	)	
GEORGE ALBERT VENTURA, also	)	Maurice Green, Green & Chercover,
known as JORGE ALBERT VENTURA	)	for George Albert Ventura, also
(CERTIFICATE #247607)	)	known as Jorge Albert Ventura
	)	
	)	
	)	Johanna Braden,
	)	Stockwoods,
	)	Independent Legal Counsel
	)	
	)	Heard: May 31, 2005

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

This matter came on for hearing before a panel of the Discipline Committee (the “Committee”) on May 31, 2005 at the Ontario College of Teachers (“the College”) at Toronto.

A *Notice of Hearing*, dated November 5, 2002 was served on George Albert Ventura also known as Jorge Albert Ventura, requesting attendance before the Discipline Committee of the Ontario College of Teachers on December 4, 2002 to set a date for a hearing, and specifying the charges. The hearing was subsequently set for May 31, 2005.

George Albert Ventura also known as Jorge Albert Ventura was not in attendance at the hearing.

### **The Allegations**

The allegations against George Albert Ventura also known as Jorge Albert Ventura in the *Notice of Hearing*, (*Exhibit 1*) dated November 5, 2002, are as follows:

**IT IS ALLEGED** that George Albert Ventura also known as Jorge Albert Ventura is guilty of professional misconduct and/or is incompetent as defined in sections 30(2) and (3) 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 particularly section 264 (1) (c) thereof, and the Regulations made under those Acts, contrary to Ontario Regulation 437/97, subsections 1 (14) and (15);

- (d) he contravened laws, 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 laws, the contravention of which has caused or may cause a student or students who were under the Member's professional supervision to be put 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
- (g) he displayed a lack of knowledge, skill or judgement and/or a disregard for the welfare of his students of a nature or extent that demonstrates that the Member is either unfit to carry out his professional responsibilities or that the Member's certificate should be made subject to terms, conditions or limitations.

### **Agreed Statement of Facts**

Counsel for the College advised the Committee that an agreement had been reached on the facts and introduced as *Exhibit 2, an Agreed Statement of Facts, Guilty Plea and Joint Submission on Penalty. (ASF – Exhibit 2)*

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

1. George Albert Ventura also known as Jorge Albert Ventura (the "Member") is a Member of the Ontario College of Teachers. Attached hereto is a copy of the Ontario

College of Teachers Registered Member Information of the Member. (*ASF-Exhibit 2, Tab A*)

2. At all material times, the Member was employed by the Toronto District School Board ("the Board"), as a teacher at [XXX] ("the School"). The Member taught at the School from approximately 1991 until 22 March 2001, and had at one time been a [XXX].
3. The Member, while he was employed at the School, and specifically between 24 November 2000, and 22 March 2001, made, possessed and/or distributed child pornography including photographs, stories and/or videos depicting child pornography.
4. Further, while employed at the School, the Member maintained a scrapbook of photographs of male students of the school in [XXX].
5. In the course of making child pornography, the Member superimposed photographs of faces of students of the school onto photographs of young males who were depicted in those photographs as being involved in various sexual acts.
6. The Member posted on websites on the Internet and provided to third parties, photographs of male persons involved in various sexual acts, on which photographs of faces of students of the School had been superimposed.

7. The Member held himself out as being a student while he was engaged in distributing the said material via the Internet and the postal system.
8. While employed by the Board, the Member used computer equipment of the School for the purpose of making, possessing, and/or distributing child pornography, including photographs, stories and videos depicting child pornography.
9. On or about 28 January 2004 the Member pleaded guilty in the Ontario Court of Justice to three counts relating to the making, distribution and possession of child pornography in the City of Toronto between the approximate dates of 25 November 2000 and 18 March 2001. The details of the charges are as follows:
  - (a) that the Member, sometime between and including 25 November 2000 and 18 March 2001, in the City of Toronto, did possess child pornography to wit: images and/or written word depicting children under the age of 18 years engaged in sexually explicit acts or poses thereby committing an offence contrary to the Criminal Code of Canada;
  - (b) that the Member, sometime between and including 25 November 2000 and 18 March 2001, in the City of Toronto, did make child pornography to wit: images and/or written word depicting children under the age of 18 years engaged in sexually explicit acts or poses thereby committing an offence contrary to the Criminal Code of Canada; and
  - (c) that the Member, sometime between and including 25 November 2000 and 22 March 2001, in the City of Toronto, did distribute child pornography to wit: images and/or written word depicting children

under the age of 18 years engaged in sexually explicit acts or poses contrary to the Criminal Code of Canada;

10. Attached is a certified copy of the Information issued by the Ontario Court of Justice on 23 March 2001 showing the details of the charges against the Member, his plea of guilt to counts 4, 5 and 6 and the details of his sentencing. (*ASF-Exhibit 2, Tab B*)
  
11. A non-publication and non-broadcast Order was imposed by the Court pursuant to Section 486(3) of the Criminal Code (Canada), directing that the identities of complainants and any information that could disclose the identities of those persons, are not to be published in any document or broadcast in any way.
  
12. A transcript of the Proceedings before The Honourable Mr. Justice E.F. Ormston in the matter of her Her Majesty the Queen v. Ventura on 28 January 2004 is attached. (*ASF - Exhibit 2, 2 Tab C*)
  
13. On or about 28 September 2004, Mr. Justice Ormston took note of an Agreed Statement of Facts that had been filed by the Crown in which it was agreed by the Member, inter alia, that:
  - (a) on or about 22 March 2001, the Member had in his possession:
    - (i) over six thousand, four hundred images of child pornography;
    - (ii) approximately six thousand, four hundred other images of child erotica;
    - (iii) hundreds of loose pictures and stories, many of which referred to teacher-student relationships, and which were found in

approximately eighty binders, some of which were from the School; and

- (iv) a videotape labelled as being from the Board, which depicted young Asian males between eighteen and twenty years of age engaged in sexual acts;
- (b) he had created a computer compact disc by downloading images of child pornography from the Internet. The compact disc contained over four thousand, five hundred such images;
- (c) On or about 22 March 2001, he had in his home a large sketch of a [XXX] student, which was found hanging above the Member's bed, as well as pictures of that student and another [XXX] student; and
- (d) he also had photographs of both of the students referred to at ( c ) above at his residence.

14. Mr. Justice Ormston sentenced the Member to one year of incarceration to be followed by a period of probation for one year. The terms of the probation included prohibitions on the Member from:

- (a) seeking, obtaining or continuing any employment with remuneration or as a volunteer that involved being in a position of trust or authority towards persons under the age of fourteen years for one year; and
- (b) from attending public swimming areas where persons under the age of fourteen were present or could reasonably expect to be present for one year.

15. The Member was also ordered to [XXX].

16. The decision of Mr. Justice Ormston, which includes the Agreed Statement of Facts, was reported in Quick Law, a case reporting service. A copy of the decision as reported is attached. (*ASF – Exhibit 2, Tab D*)
  
17. On or about 5 October 2004 the sentence passed by Mr. Justice Ormston was imposed on the Member. A transcript of the proceedings on 6 October 2004 is attached. (*ASF – Exhibit 2, Tab E*)
  
18. The Member has not appealed the sentence which has been imposed on him.
  
19. By this document, the Member George Albert Ventura, pleads guilty to the facts referred to in paragraphs 3, 4, 5, 6, 7, 8, 9, 13, 14 and 15 above.
  
20. By this document, the Member George Albert Ventura pleads guilty to the allegations that the facts referred in paragraphs 3, 4, 5, 6, 7, 8, 9, 13, 14 and 15 above relating to the conduct of the Member is conduct which is disgraceful, dishonourable and unprofessional. The Member hereby pleads to the allegations of professional misconduct against him being more particularly breaches of Ontario Regulation 437/97, 1 (5), (7), (14), (15), (16), (17), (18) and 19.
  
21. The Member further pleads guilty to displaying a lack of knowledge, skill or judgment and/or a disregard for the welfare of his students of a nature or extent that demonstrates that the Member is either unfit to carry out his professional responsibilities or that the Member's Certificate should be made subject to terms, conditions or limitations.

22. 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 revoke immediately 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
- (a) 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.

23. 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**

By this document, the Member George Albert Ventura, pleads guilty to the facts referred to in paragraphs 3, 4, 5, 6, 7, 8, 9, 13, 14 and 15 above.

By this document, the Member George Albert Ventura pleads guilty to the allegations that the facts referred in paragraphs 3, 4, 5, 6, 7, 8, 9, 13, 14 and 15 above relating to the conduct of the Member is conduct which is disgraceful, dishonourable and unprofessional. The Member hereby pleads guilty to the allegations of professional

misconduct against him being more particularly breaches of Ontario Regulation 437/97, 1 (5), (7), (14), (15), (16), (17), (18) and 19.

The Member further pleads guilty to displaying a lack of knowledge, skill or judgment and/or a disregard for the welfare of his students of a nature or extent that demonstrates that the Member is either unfit to carry out his professional responsibilities or that the Member's Certificate should be made subject to terms, conditions or limitations.

#### **Decision as to Finding**

Having examined the Exhibits filed, and based on the guilty plea, 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 George Albert Ventura also known as Jorge Albert Ventura 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), as set out in the *Notice of Hearing*.

The Committee further finds that the Member has displayed a lack of knowledge, skill or judgment and/or a disregard for the welfare of his students of a nature or extent that demonstrates that the Member is either unfit to carry out his professional responsibilities or that the Member's Certificate should be made subject to terms, conditions or limitations.

### **Penalty Decision**

The Committee accepts the Joint Submission on Penalty and makes the following order as to penalty:

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; 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 Member's full name, in the official publication of the College, *Professionally Speaking/Pour parler profession*.

### **Reasons for Decision**

The Committee accepted the Member's guilty plea, the *Agreed Statement of Facts, Guilty Plea and Joint Submission on Penalty*. The Member admitted that he had made, possessed and distributed child pornography while employed by the Toronto District School Board, that he had kept a scrapbook of photographs of students in [XXX], that he had superimposed the faces of [XXX] students on to images of child pornography which he then distributed, that he had posed as a student while distributing child pornography over the internet and through the postal system and that he used school equipment in doing so.

The Member was charged under the Criminal Code of Canada and pleaded guilty to three charges of making, possessing and distributing child pornography. He was sentenced to one year of incarceration and placed on probation for one year. The terms of the probation included prohibitions on the Member from:

- (a) seeking, obtaining or continuing any employment with remuneration or as a volunteer that involved being in a position of trust or authority towards persons under the age of fourteen years for one year; and
- (b) from attending public swimming areas where persons under the age of fourteen were present or could reasonably expect to be present for one year.

The Member was also ordered to [XXX].

The Committee concludes that the Member's actions are deplorable. He breached the trust placed in teachers and has shown he cannot be placed in a position of authority over children. His abuses demonstrate unequivocally that he is unsuitable to hold a certificate of qualification and registration.

Accordingly, the Committee is satisfied that revocation of the Member's certificate of qualification and registration and publication is the appropriate penalty.

Publication of the findings and order of the Committee, with the Member's name, meets the objectives of specific deterrence to the Member and general deterrence to the members of the profession.

The Committee concludes that the penalty serves and protects the public interest.

Date: May 31, 2005

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Ted Coulson  
Chair, Discipline Panel

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Normand Fortin  
Member, Discipline Panel

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Nancy Hutcheson  
Member, Discipline Panel