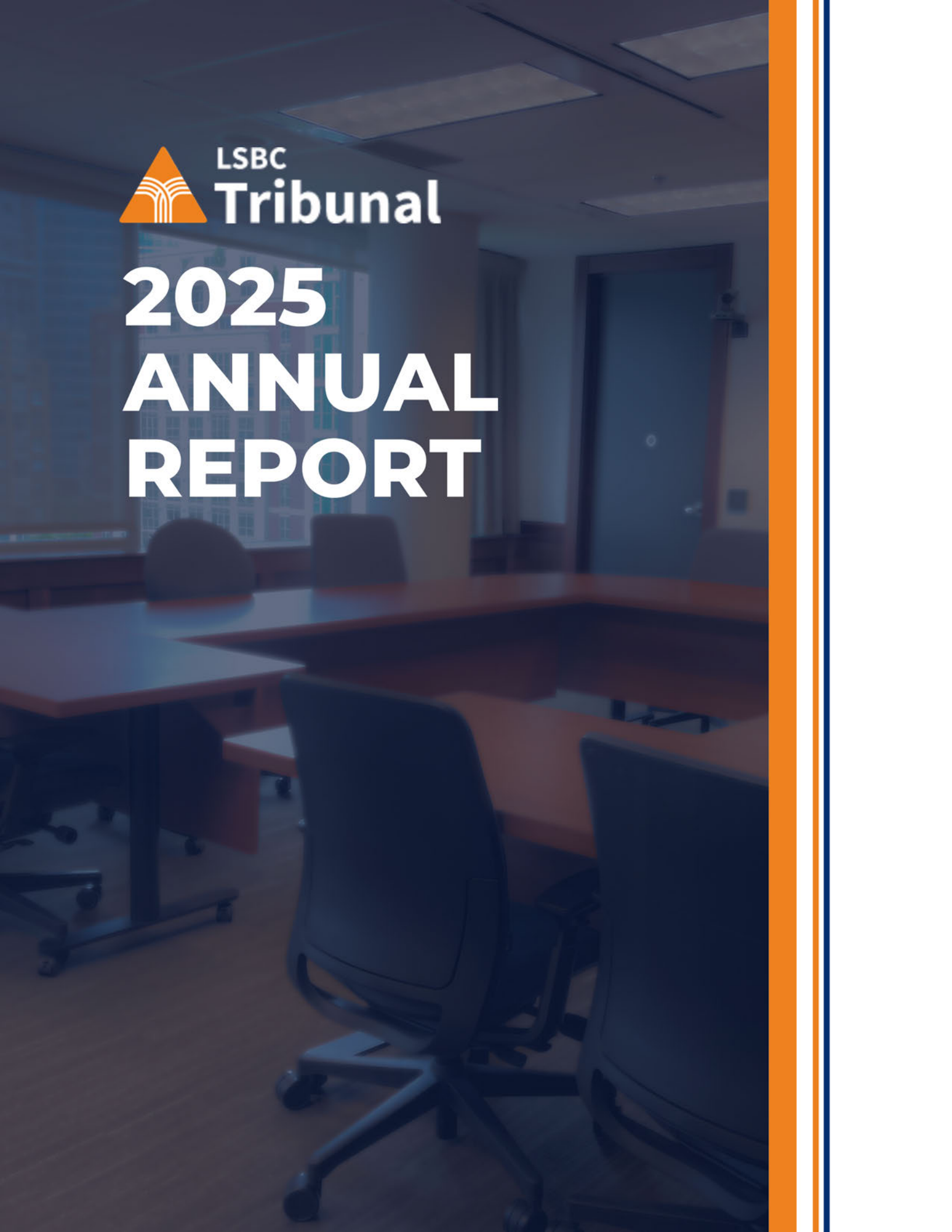




# 2025 ANNUAL REPORT



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# MESSAGE FROM THE TRIBUNAL CHAIR

I am pleased to present the Tribunal's Annual Report for 2025.

While there are fewer matters being heard by the Tribunal, those matters can be more complex and may raise novel issues. They can involve more extensive evidence, including expert evidence, and require greater time and resources from both the parties and the Tribunal. This shift emphasizes the need for clear procedures, practice directions, and effective case management.

In recent years, the Law Society has expanded alternative processes to resolve disciplinary matters, including admitted discipline violations (consent agreements or admissions of misconduct), administrative penalties, and the alternative discipline process (ADP). There are fewer citations being issued and consequently fewer disciplinary matters are being heard by the Tribunal. In 2025, the Credentials Committee did not order any hearings of credentials applications by the Tribunal.

## **Timeliness**

Improving timeliness remained a priority in 2025. Complex cases continue to present scheduling challenges, including counsel availability and the need to ensure procedural fairness by allowing adequate time for disclosure and for parties to prepare. We continue to review our processes with a view to improving hearing timelines.

We have made steady progress in issuing decisions more promptly. The percentage of Tribunal decisions issued within 90 days of the last day of a hearing, including any written submissions, has increased from 61% in 2022, to 77% in 2023, 86% in 2024, and 89% in 2025. We will continue to utilize and adapt our processes to support timely decisions.

In support of timely, high quality, consistent and accessible decisions, we developed guidelines for adjudicators, including a Sufficient Reasons Checklist and updated the LSBC Tribunal Style Guide.

## **Practice Direction on Expert Evidence**

In 2024, many adjournment requests were related to the timing and exchange of expert reports. In response, we revised our practice direction on expert evidence in 2025 to include more detailed guidance on the form, content, and timing of expert evidence. The updated practice direction addresses experts' duties and qualifications, the scope and organization of reports, notice of objections or cross-examination, costs, and timelines for service and filing. It also emphasizes early disclosure to reduce delays.

## **Indigenous Practice Directions**

We consulted with Indigenous staff, lawyers, and non-lawyers to inform the development of practice directions for Indigenous proceedings. External Indigenous counsel has been retained to develop practice directions with the objective of a clear, comprehensive and culturally informed framework for Indigenous proceedings at the Tribunal.

## **Revisions to the Adjudicator Code**

The Code of Professional and Ethical Responsibilities for Tribunal Adjudicators was revised in 2025 to strengthen guidance on conflicts of interest, impartiality, and accountability. The revisions clarify that adjudicators must not participate in a matter if they are aware of a conflict of interest prior to being appointed to the matter and must promptly inform the Chair of any potential conflict. Where concerns about bias arise after a panel or review board is constituted, the full panel or board—rather than the individual adjudicator at issue—now determines whether disqualification is required. Motions adjudicators continue to decide such issues in matters before them.

We also introduced a requirement that adjudicators promptly report any complaints or investigations by a professional regulator, or criminal complaints, investigations or charges. Adjudicators subject to such matters, or to complaints about their adjudicative role, will not be assigned to applications, conferences or hearings until those complaints, investigations or charges are resolved.

Additional updates to the Code address the responsible use of social media, emphasizing the need to avoid creating the appearance of bias. Furthermore, to ensure fairness is preserved, adjudicators must be careful not to access information relevant to the parties, witnesses, or issues in a case, outside the hearing. The Code also reinforces the importance of impartiality and openness to differing perspectives and now provides that draft reasons for motions decisions should generally be completed within one week of the end of the hearing.

## **Communication with the Tribunal**

In 2025, we clarified our expectations for communications with the Tribunal. Requests for adjournments or extensions of time must be brought by a formal Notice of Motion with supporting materials, in accordance with the applicable practice directions. Where requests are by consent, a draft order should be included. Where a panel is already seized with a matter, parties must also propose alternative hearing dates. These measures support fair, predictable processes, and efficient proceedings.

## **Fairness and the Public Interest**

The Tribunal's work is grounded in the principles of natural justice and procedural fairness. Parties must have a meaningful opportunity to be heard, and decisions must be made by impartial adjudicators based on the evidence and the law. We continue to refine our processes to support fairness, transparency, and accessibility.

Protecting the public interest in the administration of justice remains a central mandate. A public representative is appointed to all hearing panels and review boards, bringing broader and diverse perspectives and helping to ensure that decisions maintain public confidence.

**I would like to thank our adjudicators and staff for their dedication and professionalism in conducting and supporting the important work of the Tribunal. It has been a privilege to serve as Tribunal Chair in 2025, and I look forward to the year ahead.**



Herman Van Ommen, KC  
Tribunal Chair

# ABOUT US

## Our core values

### ***Fairness***

We approach every hearing with an open mind with respect to every issue, and avoid doing or saying anything that could cause any person to think otherwise. We are impartial and ensure that we are not improperly influenced in our decision making by internal or external sources. We treat all with respect, courtesy and dignity.

### ***Timeliness***

We are guided by the importance of timely resolution of all matters. We schedule hearing and continuation dates expeditiously and complete written reasons promptly.

### ***Integrity***

We act honestly and ethically. We make each decision on the true merits and justice of the case, based on the law and the evidence. We are not deterred from making the correct decision by any prospect of disapproval from any person, institution or community.

### ***Respect***

We show respect for the parties, representatives and witnesses and for the hearing process itself. We demonstrate sensitivity to issues of indigenous identity, gender, ability, race, language, culture, and religion. We ensure that the hearing room and process is accessible and barrier free for all.

### ***Transparency***

We act in a manner that is transparent. Our decisions, rules, processes and policies are available to lawyers and the public in an easily accessible and understandable format.

### ***Quality***

We strive for excellence in our decision making. We aim for continuous improvement and remain open to change and different perspectives.



# ABOUT US

**The LSBC Tribunal is an independent decision making body which hears and decides regulatory cases in a manner that is fair, respectful, transparent, and in the public interest.**

The Tribunal comprises the Chair, motions adjudicators, hearing panels, and review boards. Hearing panels decide discipline matters and credentials (licensing) matters. Review boards consider reviews of hearing panel decisions on the record of the hearing.

Pre-hearing and pre-review applications and conferences are heard by the Chair or a motions adjudicator, who also conduct comprehensive pre-hearing conferences. To ensure that hearings move forward efficiently, the Tribunal holds pre-hearing chambers every Thursday.

Discipline hearings into a lawyer's conduct or competence are authorized by the Law Society's Discipline Committee by directing the issuance of a citation against the lawyer, which may contain one or more allegations. A hearing panel must either dismiss the allegations in the citation or make one or more adverse determinations against the respondent lawyer. If an adverse determination is made, the hearing panel must decide the appropriate disciplinary action.

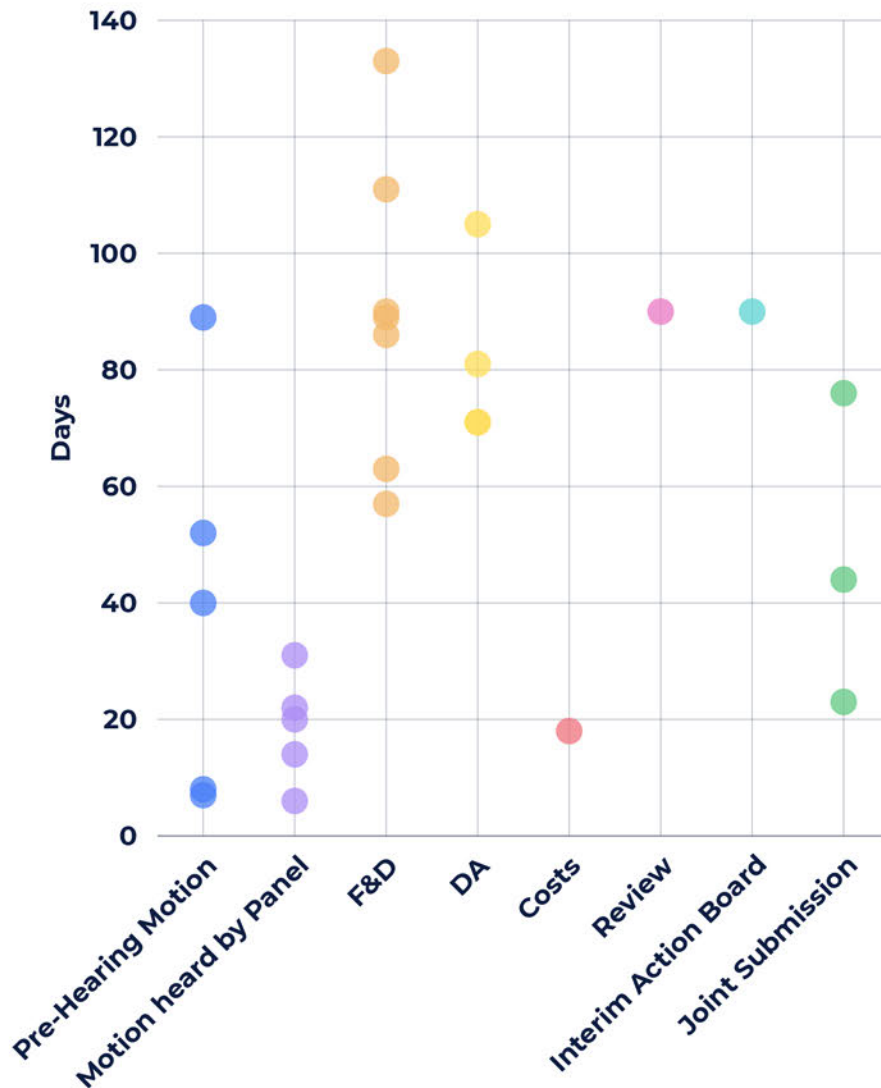
Credentials (licensing) hearings consider applications for enrolment, call and admission, or reinstatement as a member of the Law Society. The Law Society's Credentials Committee, on receiving an application, may order a hearing and must order a hearing when an applicant resigned due to disciplinary proceedings, is suspended, disbarred, or prohibited from practicing in another jurisdiction. The hearing panel may grant an application, or grant it with conditions, if the panel is satisfied that the person is of good character and repute and is fit to become a barrister and a solicitor of the Supreme Court.

A review board may, after a hearing, confirm the decision of the hearing panel or substitute a decision the panel could have made.

# SELECTED STATISTICS: TIMELINESS OF DECISIONS

In 2025, the Tribunal issued 27 decisions within an average of 59 days following the date of the parties' last submissions. Our timeliness improved from 86% in 2024 to 89% of decisions being issued within 90 days of the date of last submission in 2025. Decisions were issued within 6 to 133 days.

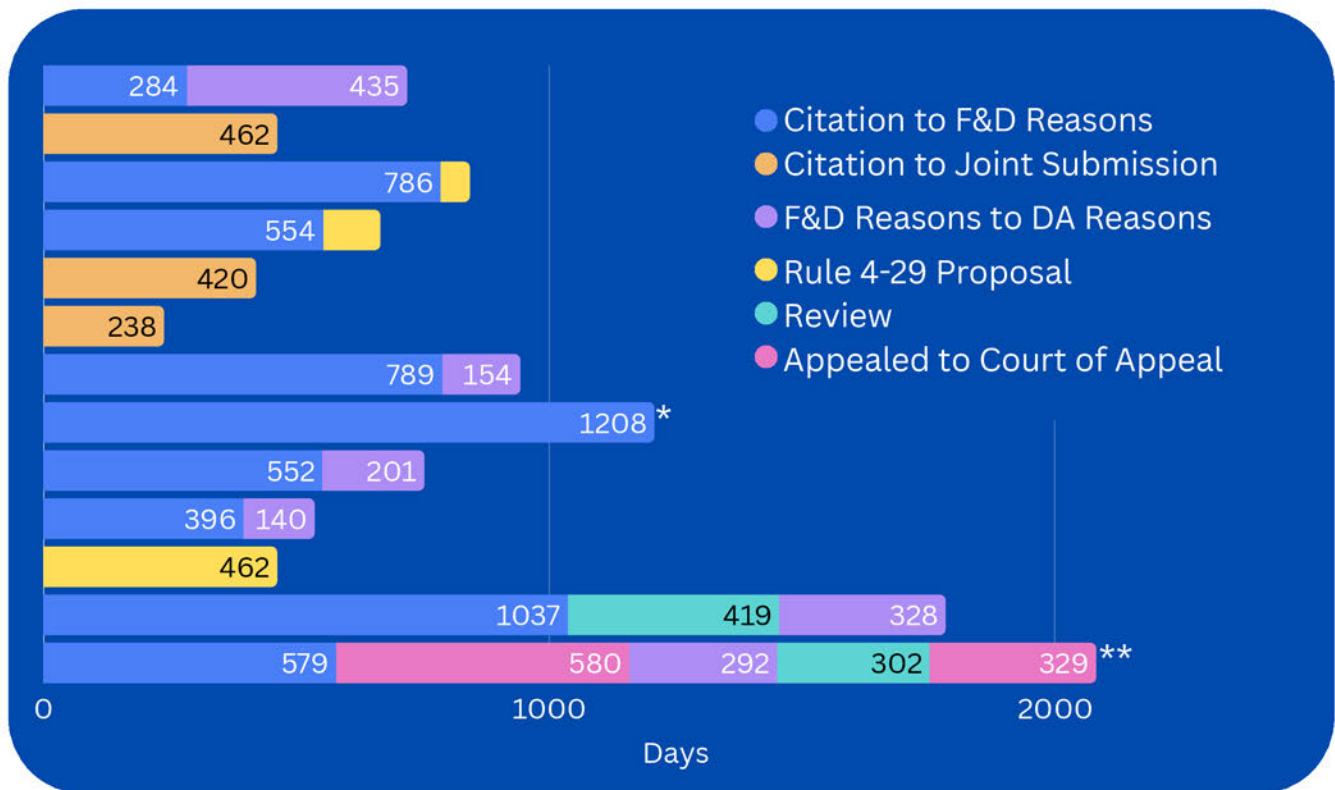
### Timeliness of Decisions



**89%**  
of decisions issued  
within 90 days of last  
submission

**59 days**  
Average days until  
decision issued

# SELECTED STATISTICS: COMPLETED HEARING FILES



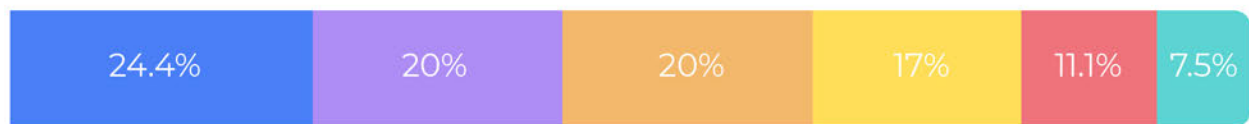
In 2025, 13 hearing files were closed: 4 of which were dismissed or otherwise resolved without a sanction hearing and 9 of which resulted in disciplinary action (upon review 1 disciplinary action was varied, which was upheld in the BC Court of Appeal).

In 2025, the average time to resolve a citation was 2.15 years. Excluding files that went to review or the Court of Appeal, the average time is reduced to 1.8 years.

\*Citation dismissed

\*\*Appeal dismissed

# SELECTED STATISTICS: TYPES OF ALLEGATIONS

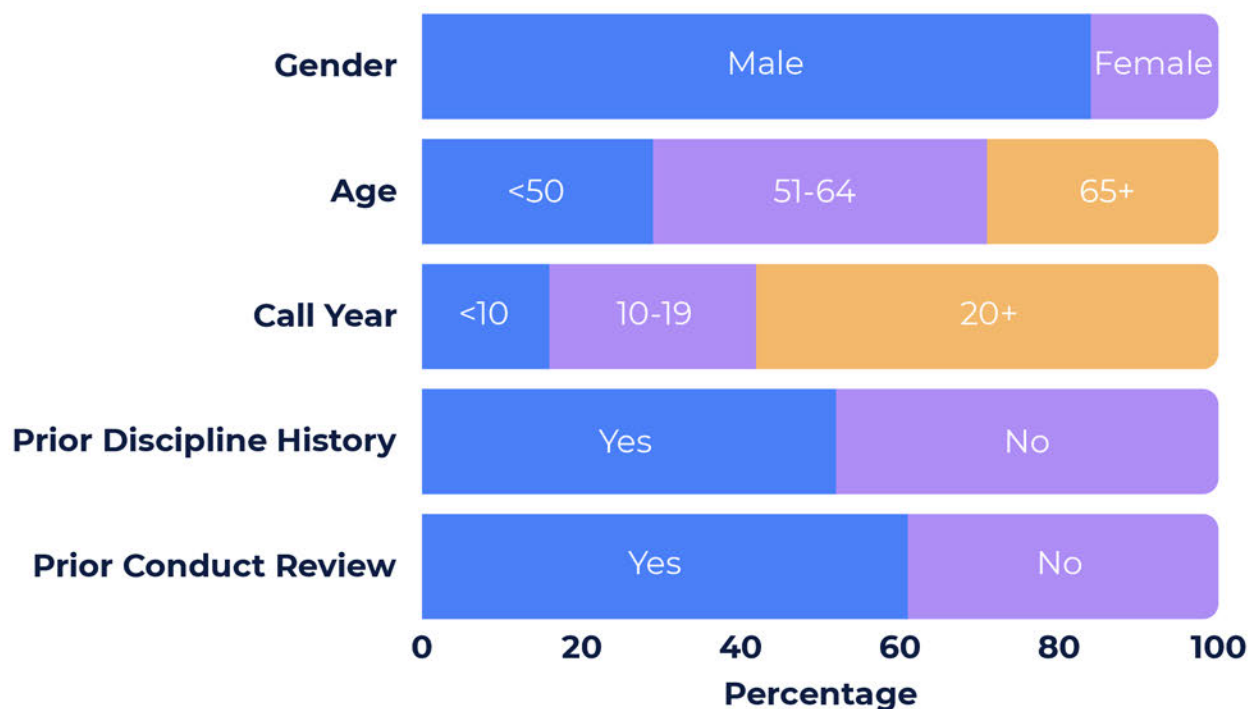


- **24.4%** involved mishandling client funds, including misappropriation, withholding funds, misuse of trust account, breach of accounting rules or billing issues.
- **20%** involved misleading or false representations to clients, opposing parties or the Law Society.
- **20%** involved failures in gatekeeping against money laundering, crime or fraud, client identification/verification failures, or conduct such as use of trust accounts without providing legal services, insufficient inquiry into a client's business or funds, or failing to maintain proper records.
- **17%** involved allegations of failures to comply with other duties to clients such as quality of service, maintaining client confidentiality, delay and failure to respond.
- **11.1%** involved conflicts of interest, such as improper financial dealings with clients, favouring one client over another, or acting against a former client.
- The remainder involved breach of undertaking, conduct unbecoming the profession, bullying and harassment, and criminal or quasi-criminal conduct.

# SELECTED STATISTICS: DEMOGRAPHICS

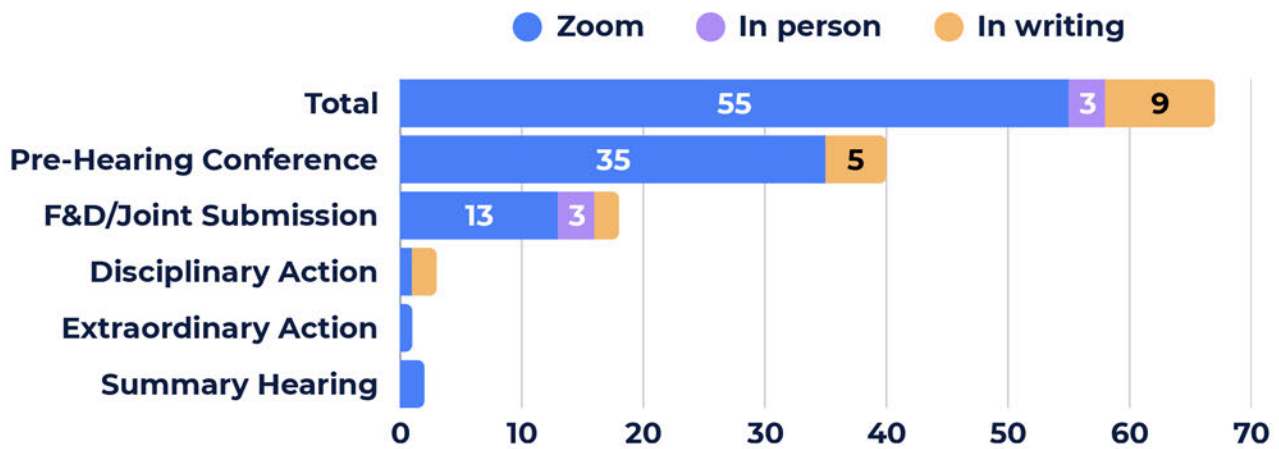
A total of 31 respondents appeared before the Tribunal in 2025.

- 84% identified as male
- 42% were between the ages of 51 and 64
- 58% were called to the bar over 20 years ago
- 52% had prior discipline history
- 61% had a prior conduct review

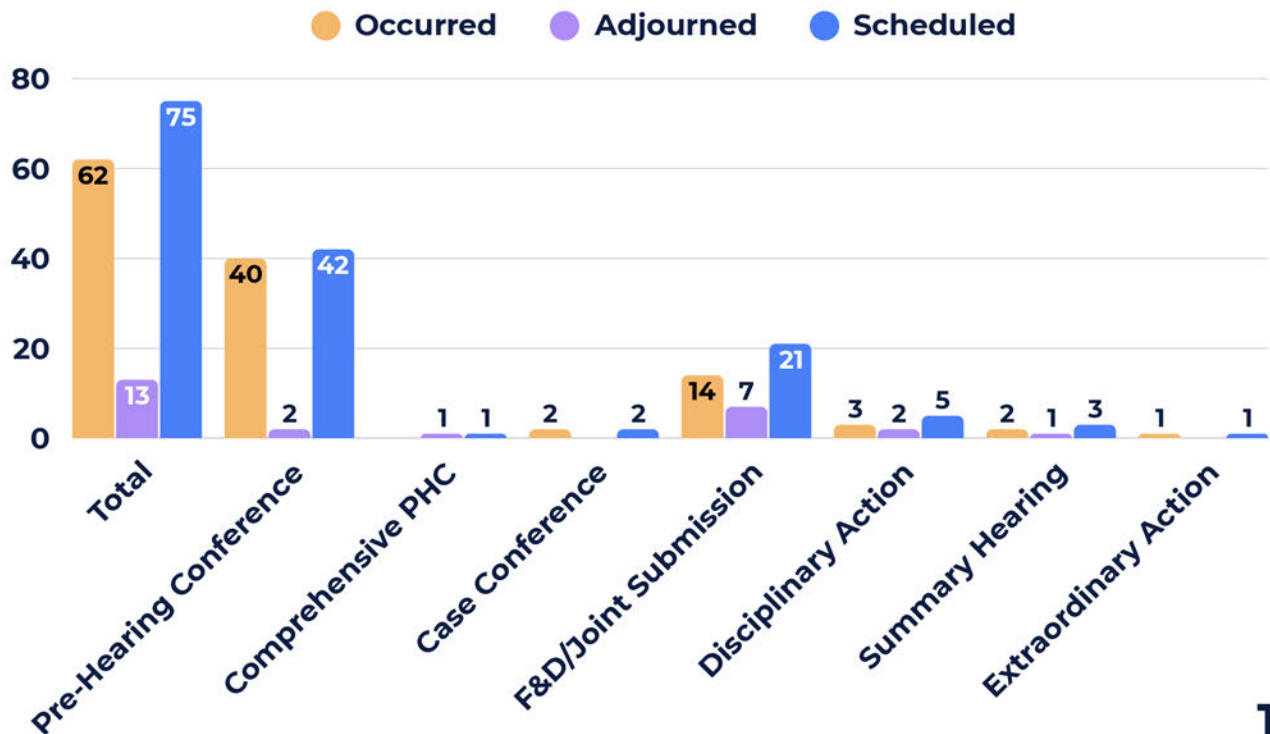


# SELECTED STATISTICS: HEARINGS

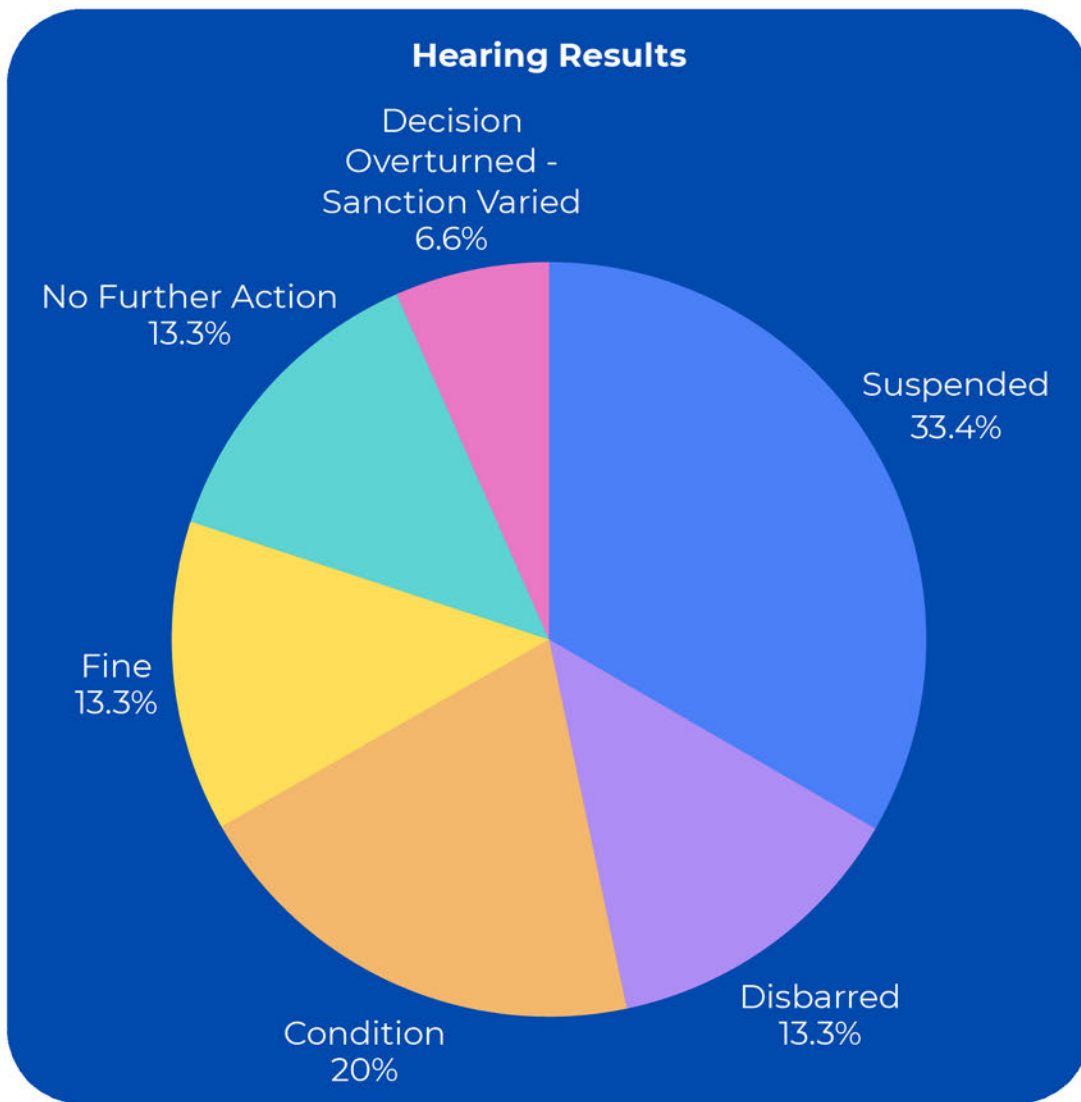
Method of Appearance



Type of Hearing



# SELECTED STATISTICS: HEARING FILES



### New files opened



# COURT OF APPEAL AND DECISION HIGHLIGHTS

**In 2025, the Court of Appeal issued a decision with respect to the following Tribunal matter:**

## ***Cole v. Law Society of British Columbia, 2025 BCCA 423***

The BC Court of Appeal considered a lawyer’s appeal of a review board decision that replaced a hearing panel’s hybrid sanction—a four-month suspension plus a \$20,000 fine—with a six-month suspension. The lawyer argued that the review board had wrongly limited its discretion by requiring “exceptional circumstances” to support a hybrid sanction.

The Court of Appeal clarified that decisions of administrative tribunals are not binding precedents and cannot restrict a tribunal’s discretion. While a tribunal can look to past decisions for guidance, those decisions alone cannot dictate the outcome of future cases. The Court agreed that it would have been legally wrong for the review board to impose an “exceptional circumstances” test in assessing the hybrid sanction.

However, the Court found that, despite imperfect wording, when reading the reasons functionally, contextually and as a whole, the review board had properly considered all relevant factors in determining whether the hybrid sanction imposed by the hearing panel was correct. No legal error occurred, and the appeal was dismissed.

# COURT OF APPEAL AND DECISION HIGHLIGHTS

## ***Law Society of BC v. Gantzert, 2025 LSBC 3***

The hearing panel ordered the lawyer be disbarred in a disciplinary action decision with respect to proven allegations that the lawyer misappropriated client funds and failed to provide the quality of service required of a competent lawyer when representing his client in a personal injury matter.

## ***Law Society of BC v. Barker, 2025 LSBC 4***

The hearing panel considered allegations that the lawyer acted on 11 real estate matters where a notorious fraudster was the main point of contact with extensive involvement in communications, instructions, documents, and funds, including trust deposits and disbursements. The panel found the lawyer failed to make reasonable inquiries in suspicious circumstances. In the circumstances, inquiries were required about relationships, ownership, control, and the source, purpose and routing of funds through the lawyer's trust account.

# COURT OF APPEAL AND DECISION HIGHLIGHTS

## ***Law Society of BC v. Menkes, 2025 LSBC 8***

The hearing panel accepted a joint submission under Rule 5-6.5 that the lawyer committed professional misconduct when he improperly handled client trust funds, including withdrawing money without adequate documentation (\$707.84), transferring funds without billing clients (\$31.91), and depositing trust money into his personal account instead of the firm's general account (\$675.31). The hearing panel imposed the proposed disciplinary action of a one-month suspension as it was not contrary to the public interest, noting that the misconduct was serious but mitigated by the lawyer's health issues, corrective actions, and admission of wrongdoing. The lawyer was ordered to pay \$1,000 in costs.

## ***Law Society of BC v. Bains, 2025 LSBC 14***

The hearing panel accepted a joint submission under Rule 5-6.5 that the lawyer engaged in conduct unbecoming the profession when he displayed his Law Society membership card and suggested he and the officer "work in the same field" during an impaired driving stop, creating the perception that he was seeking special treatment to avoid a roadside driving prohibition. The hearing panel imposed the proposed disciplinary action of a one-month suspension and ordered the lawyer pay \$1,000 in costs.

# COURT OF APPEAL AND DECISION HIGHLIGHTS

## ***Law Society of BC v. Parr, 2025 LSBC 16***

The hearing panel accepted a joint submission under Rule 5-6.5 that the lawyer committed professional misconduct while representing two of his friends who were involved in a business partnership when he acted in conflict of interest, failed to disclose the joint representation, favoured one client's interest over the other's, and later continued to act against one of the friends, his former client, in the same dispute. The hearing panel imposed the proposed disciplinary action of a \$20,000 fine, as it was not contrary to the public interest in the administration of justice, and ordered the lawyer pay \$1,000 in costs.

## ***Law Society of BC v. Barker, 2025 LSBC 20***

The hearing panel considered whether a jointly proposed sanction should be accepted for the proven allegations that the lawyer failed to make reasonable inquiries to be on guard against becoming an unscrupulous person's tool or dupe. The panel found the proven misconduct was serious because the lawyer was wilfully blind to numerous red flags, occurred over a prolonged period, and involved multiple clients and 26 trust account transactions. The panel accepted the jointly proposed sanction of a six-month suspension as it was within the range of appropriate sanctions, although at the lower end, for similar gatekeeper failures and was fair and reasonable in all of the circumstances and served the mandate in s. 3 of the *Legal Profession Act*, SBC 1998, c. 9 to "uphold and protect the public interest in the administration of justice."

# COURT OF APPEAL AND DECISION HIGHLIGHTS

## ***Law Society of BC v. Daignault, 2025 LSBC 22***

The hearing panel found the former lawyer committed professional misconduct when he acted in a series of escrow transactions connected to an immigration-related consulting company. He used his firm's trust account to receive and disburse approximately \$6.2 million CAD and \$250,000 USD without making reasonable inquiries into objectively suspicious circumstances, including unclear business relationships, unusual escrow arrangements, large transfers, and a lack of substantial legal work. The panel also found that he committed professional misconduct when dealing with unrepresented individuals by failing to clearly advise them to obtain independent legal advice or make clear that he was acting solely for his client, the consulting company. However, the panel dismissed the allegations that he acted in a conflict of interest or misappropriated funds.

## ***Law Society of BC v. Pannu, 2025 LSBC 23***

The hearing panel accepted the lawyer's admission that she committed professional misconduct related to two real estate transactions. The admitted professional misconduct included breach of undertakings/trust conditions, failing to promptly respond to opposing counsel, and improperly releasing trust funds. Additionally, the lawyer's written response to the Law Society during the investigation was misleading or false when she stated that there were verbal waivers of those trust conditions.

# COURT OF APPEAL AND DECISION HIGHLIGHTS

## ***Law Society of BC v. Lawyer 21, 2025 LSBC 24***

The lawyer had used her firm's trust account to receive or disburse more than \$3.1 million related to the purchase of a home in China for herself and her ailing mother, including exchanging Canadian dollars for Chinese renminbi through acquaintances. The panel dismissed all allegations of professional misconduct or a breach of the *Act* or rules, finding that the lawyer had acted in good faith and made reasonable inquiries and did not breach the trust accounting rules then in force.

## ***Law Society of BC v. Wang, 2025 LSBC 25***

The hearing panel ordered a four-month suspension from practice in a disciplinary action decision considering the appropriate sanction for proven allegations of failing to make reasonable inquiries in objectively suspicious circumstances, failing to obtain, record and verify client identification in the same matters and improper trust fund management and deficient trust accounting practices.

# 2025 ADJUDICATORS

In 2025, the following individuals acted as adjudicators:

## Elected/government-appointed Benchers

- Aleem Bharmal, KC
- Tanya Chamberlain, KC
- Nikki L. Charleton, KC
- Jennifer Chow, KC
- Christina J. Cook, KC
- Cheryl D'Sa, KC
- Tim Delaney, KC
- Ravi R. Hira, KC
- James A. S. Legh
- Benjamin D. Levine
- Jaspreet Singh Malik
- Marcia McNeil
- Jay Michi
- Georges Rivard, KC
- Gurminder Sandhu, KC
- Nicole E. Smith
- Barbara Stanley, KC
- James Struthers
- Kevin B. Westell
- Gaynor C. Yeung, KC
- Jonathan Yuen
- Paul Barnett
- Natasha Tony

## Appointed lawyers

- Karen Ameyaw
- Nicole Byres, KC
- Cindy Cheuk
- Douglas T. K. Chiu
- Catherine Chow
- Robert Deane, KC
- Susan Kootnekoff
- Julie Mantini
- Kimberly Henders Miller, KC
- Monique Pongracic-Speier, KC
- Sean Rowell
- Kate Saunders, KC
- Krista Simon
- Maia Tsurumi
- Jason Twa
- Robert Wickett, KC

## Non-lawyer public representatives

- Alykhan Alladina
- Linda Berg
- Clarence Bolt
- Gregory Cran
- David Dewhirst
- Michael Dungey
- Warren Funt
- Kris Gustavson
- Darlene Hammell
- Karen Kesteloo
- Cyril Kesten
- Harinder Mahil
- Brendan Matthews
- Diane McRae
- Erwin Nest
- Paul Ruffell
- Ruth Wittenberg

## Motions Adjudicators

Motions adjudicators are appointed by the Tribunal Chair to aid in case management and to decide preliminary applications, facilitating fair and efficient resolution of matters.

In addition to the Tribunal Chair, Herman Van Ommen, KC, the following lawyers served as motions adjudicators in 2025: Nicole Byres, KC; Kimberly Henders Miller, KC; Gurminder Sandhu, KC; Kate Saunders, KC

# 2025 ADJUDICATORS

## **Recruitment**

In 2025, we welcomed 3 new adjudicators to the LSBC Tribunal: Anna Filip; Sonya Pighin; and Tegan Tang. Their term began in January 2026.

With the addition of the new adjudicators, the LSBC Tribunal now has 12 non-bencher lawyers and 14 public representatives (including one paralegal and one notary), along with elected Benchers, available to sit on panels.

## **Continuing Adjudicator Education**

As part of our ongoing commitment to developing our adjudicators' skills and knowledge, all adjudicators completed our mandatory annual education session. This year's conference included the following topics: important regulatory decisions in 2025, unconscious bias, the law on adjudicator bias, complaint processes and amendments to the Code of Professional and Ethical Responsibilities for Tribunal Adjudicators and the oath of office.

Additionally, we delivered a two-day interactive Hearing Skills workshop with BC Council of Administrative Tribunals instructors. The course taught essential skills for conducting fair and effective administrative hearings including understanding principles of natural justice, identifying and managing procedural fairness issues as they arise in real-time and recognizing and avoiding perceptions of bias.

In 2025, Tribunal staff began developing content for an online Administrative Justice course that includes foundational principles of administrative justice as well as Tribunal specific information and materials. Staff continue to review and refine the course content and develop the structure of the on-line course with a view to creating a comprehensive, engaging and user-friendly format.

## Tribunal Staff in 2025

Herman Van Ommen, KC (Chair)

Alison L. Kirby (Tribunal Counsel)

Sandra Haywood-Farmer (Tribunal Advisor)

Michelle Robertson (Hearing Administrator)

Jane Ladesma (Hearing Clerk)

Amanda Kerr (Hearing Clerk and Legal Assistant)

Haley Wieczorek (Summer Student)

The LSBC Tribunal has its administrative office on the 9th floor, 845 Cambie Street in downtown Vancouver. The Tribunal Registry's main function is to coordinate hearings and provide support to the Tribunal Chair and adjudicators in the exercise of their duties. Staff is also responsible for updating the Tribunal's website and communicating with hearing participants, individuals and organizations about the hearing processes.

We would like to thank staff and the adjudicators for all their hard work. Their contributions are indispensable to the Tribunal's ability to fulfill its vital responsibilities in serving the public interest.

## TRIBUNAL REGISTRY