



DISCIPLINE CASE SUMMARY

a. Yves Audet (DOB: 1969.08.25)

b. Professional Misconduct.

c. The hearing was held May 12, 1997 in the Hastings Room of the Palisades Hotel, Vancouver, BC. The report and recommendations of the hearing panel were presented to Council on August 21, 1997.

d. The citation alleged that Mr Yves Audet was charged and found guilty of the offence that on or about July 9, 1992, at or near Val d'Amour, New Brunswick, being a person in a position of trust and authority towards a fourteen-year old female student known to him, did for a sexual purpose directly touch, with a part of his body, a part of the body of said female contrary to Section 153(1)(a) of the *Criminal Code of Canada*. On May 30, 1996, Mr. Audet was convicted of this offence.

e. The hearing panel determined that Mr. Audet was guilty of professional misconduct in that he was convicted of sexual exploitation under Section 153 of the *Criminal Code*. The court decision gave the panel sufficient evidence that:

1. Mr. Audet knew the age of the student and that she was in a club where minors were not allowed by law,
2. Mr. Audet admitted to initiating the touching.
3. After the act of sexual touching, Mr. Audet asked the student not to tell anyone.
4. Mr. Audet indicated to the student that they might see each other again before the beginning of the next school year.
5. At the time this offence occurred, Mr. Audet had been advised that his contract had been renewed and that he would be teaching Grades 7, 8 and 9 at the student's school.

The panel considered that this relationship constituted a serious breach of the trust placed on members of the profession and found Mr. Yves Audet guilty of professional misconduct.

f. The panel recommended that Yves Audet's certificate of qualification be cancelled and his membership terminated. The Council concurred with this recommendation.