



DISCIPLINE CASE SUMMARY

- a. James Seymour Sutherland

- b. Professional misconduct
- c. The hearing was held on October 18, 2010, at the College's offices in Vancouver, BC. This matter originated as a report under section 7(2) of the *Independent School Act*.
- d. During the period of November 2007 through February 2008, while teaching at an elementary school, Mr. Sutherland accessed adult pornography websites from his classroom computer during instructional time.
- e. The Hearing Sub-Committee (the "Panel") was unanimous in its decision that Mr. Sutherland was guilty of professional misconduct. The Panel found that the only reasonable inference to be drawn from the evidence provided was that it was Mr. Sutherland who accessed and viewed adult pornography websites on his school computer in his classroom during instructional time. The Panel concluded from the facts that Mr. Sutherland breached Standard 2 of the College's *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*. Standard 2 requires a teacher to behave honestly and ethically and with the integrity and dignity befitting the profession. Viewing pornography during instructional classroom time is wrong and repugnant. Although there was no evidence that any of the students were exposed to the pornographic images or sites, Mr. Sutherland risked exposing the children under his care and to the accompanying risk of emotional or psychological harm as a result of accidental exposure to pornographic material. Furthermore, the Panel agreed that it would itself cause a separate harm to the children if they were to see their teacher viewing pornography in the classroom, eroding the children's trust and confidence in their teachers.
- f. The Panel unanimously ordered a one-year suspension of Mr. Sutherland's certificate of qualification. In addition, the Panel unanimously ordered that costs in the amount of \$4,500 to be paid by Mr. Sutherland prior to the conclusion of his one-year suspension. With respect to publication, the Panel ordered that Mr. Sutherland's name, along with a case summary of the Panel's findings, be published.