



DISCIPLINE CASE SUMMARY

- a. Gregory McKeand Gies
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- b. Conduct unbecoming a member of the College.
- c. The first phase of the hearing was held on October 20-22, 2008, and the final phase of the hearing was held on November 10, 2008, at the College's offices in Vancouver. This matter originated as a Registrar's Report under section 28(4) of the *Teaching Profession Act*.
- d. Between 2002 and 2006, when the incidents took place, Mr. Gies was employed as a secondary and elementary school teacher. In 2006, Mr. Gies was charged criminally with possession of child pornography, contrary to section 163.1(4) of the Criminal Code of Canada. At the conclusion of the criminal trial which commenced in October 2007, the member was acquitted. In 2008, Mr. Gies admitted to the College by way of a Statement of Agreed Facts, to possession of child pornography and to having engaged in conduct unbecoming a member of the College. Mr. Gies has expressly acknowledged that his actions breached the College's Standards of Competency and Conduct.
- e. The Hearing Sub-Committee (the "Committee") unanimously accepted the facts and admissions made by Mr. Gies in the Agreed Statement of Facts. The Committee found that while employed as a teacher, Mr. Gies repeatedly downloaded child pornography to his personal computer. The Member collected, sorted and categorized hundreds of thousands of still images and video files of children under the age of 18 years engaged in, or depicted to be engaged in sexual activity. The Committee found that Mr. Gies breached Standard #2 the College's Standards of Competency and Conduct, which states, "Educators act with integrity, maintaining the dignity and credibility of the profession. They understand that their individual conduct contributes to the perception of the profession as a whole. Educators are accountable for their conduct while on duty, as well as off duty, where that conduct has an effect on the education system." In addition, the Committee found that engaging in criminal behaviour itself (even if there is no conviction) brings the profession into disrepute. That the behaviour involves child pornography clearly fails to maintain the dignity and credibility of the profession.
- f. The Committee considered the submissions presented by counsel on penalty, publication and costs. The Committee unanimously agreed that the Member's teaching certificate be cancelled and his membership in the British Columbia College of Teachers be terminated. With respect to costs, the Committee agreed that no costs be assessed to Mr. Gies. In the matter of publication, the Committee unanimously agreed that his name be published in accordance with sections 27.2 and 27.3 of the *Teaching Profession Act*.