

# Law Society of Ontario Secures Stay in Case Involving Lawyer's Licensing

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The Law Society of Ontario has successfully secured a stay related to the licensing application of a man who admitted to sexually abusing children in 2009, temporarily blocking his ability to be licensed to practise law, as recently reported by the [Toronto Star](#).

The stay effectively halts AA's ability to be called to the bar and practise law while the appeal process continues. Ontario Court of Appeal Justice Grant Huscroft granted the stay pending the outcome of the Law Society's appeal, which challenges the decision that found the man to be of "good character" for the purposes of becoming a lawyer. WeirFoulds Partners Ben Kates and Kelsey Ivory represented the Law Society in the case as external counsel.

The man, referred to as AA because of a publication ban that is also being challenged, was initially found to meet the "good character" requirement by the Law Society Tribunal, despite his admission to sexually abusing three kindergarten-aged children while studying abroad. The Law Society unsuccessfully challenged that initial decision, first in an internal appeal at the Law Society Tribunal and, subsequently, in an application for judicial review before the Divisional Court. It now seeks leave to appeal at Ontario's highest court. The case raises critical questions about the primacy of the Law Society's public protection mandate, and the appropriate use of publication bans.

In his ruling, Justice Huscroft found that the Law Society's case met the three-party test for a stay. He noted that AA's concession that a serious issue exists was "appropriate" and that "Whether a person who has admitted sexual abuse of children is of good character is a matter of public importance that affects public confidence in the legal system and the public interest." He emphasized the importance of public interest principles, noting that the Law Society would suffer irreparable harm if AA were permitted to practise law before the appeal is decided.

"I am satisfied that the Law Society will suffer irreparable harm if the stay is not granted," Huscroft wrote. "If the stay is not granted and the Law Society succeeds on its appeal, the Law Society's ability to protect the public interest will have been frustrated." Finally, Justice Huscroft rejected AA's argument that "any material inconvenience" related to his delayed entry to practise could outweigh the irreparable harm to the public interest if a stay is not granted."

Ben Kates emphasized the gravity of the situation in oral submissions before the Ontario Court of Appeal. "Integrity and trust are at the heart of what it means to be granted the privilege of practising law," Kates said. "AA engaged in essentially the most egregious breach of trust imaginable, and we stand before you arguing that the decision certifying his good character was wrongly decided."

Kates also underscored that permitting AA to practise law, especially with his identity anonymized, would undermine public trust in the legal system and the profession because potential clients would have no way of knowing if he is the lawyer they are retaining.

To learn more about Ben Kates and Kelsey Ivory, please visit their respective profiles.

To learn more about WeirFoulds' Regulatory Practice Group, please visit the team's [overview page](#).

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