

WeirFoulds Secures Successful Outcome for Law Society of Ontario in Significant Court of Appeal Decision

January 26, 2026

The Ontario Court of Appeal has released its decision in *Law Society of Ontario v. AA*, granting the Law Society of Ontario's (LSO) appeal of a "good character" matter and remitting it to the Law Society Tribunal for a new hearing.

WeirFoulds Partner Amy Block and Regulatory Practice Group Chair Ben Kates, along with LSO in-house counsel Andrea Luey, represented the LSO on the appeal [which was heard by the Court in August 2025](#). The appeal overturns an earlier holding that a licensing applicant who sexually abused three young children in 2009 met the statutory requirement under the *Law Society Act* that all lawyers be of "good character". The licence was granted by the Law Society Tribunal Hearing Division under the condition that AA could not meet with "minor children" while unsupervised. That decision had been sustained on internal appeal before the Law Society Tribunal Hearing Division and on judicial review before the Divisional Court.

In its decision, the Court of Appeal held that the finding of good character was unreasonable because, among other things, the hearing panel did not properly account for the text, context, and purpose of section 27 of the *Law Society Act*. The Court emphasized the need for the Tribunal to consider public trust and confidence in the legal profession when assessing whether an applicant meets the good character requirement. The Court concluded that the hearing panel had failed to grapple with key aspects of the statutory scheme, which rendered the decision unreasonable. The Court also found that the licensing condition imposed by the hearing panel was internally inconsistent with the conclusion that the applicant was of good character.

The Court also considered the anonymization order sought by AA and provided guidance on dealing with overlapping protective orders made on multi-level appeals. The proposed order was directed at protecting the identity of AA's child, who was also his victim, but also had the effect of shielding his own name. Applying a *Sherman Estate* analysis, the Court granted the requested order (and allowed the Divisional Court's anonymization order to stand) on the basis that the infringement on the open court principle was justified in circumstances where AA would not be licensed. It commented that the outcome might be different if AA were licensed following a re-hearing.

This significant appellate decision reinforces the centrality of public interest, public confidence, and trust in the licensing process for Ontario's legal professions. It also provides important guidance on the proper application of the good character requirement.

To learn more about Amy Block or Ben Kates, please visit their respective profile pages.

To learn more about WeirFoulds' Regulatory Practice Group, [click here](#).



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