

REPORT OF THE HEARING PANEL  
OF THE PROFESSIONAL CONDUCT COMMITTEE

IN THE MATTER OF CHARGES OF UNPROFESSIONAL  
CONDUCT AGAINST GORDON W PICKUP

The hearing panel of the Professional Conduct Committee of The Alberta Teachers' Association reports that charges of unprofessional conduct laid against Gordon W Pickup of [REDACTED] were duly investigated in accordance with the *Teaching Profession Act*. The hearing was first convened by telephone conference call originating in Barnett House, 11010 142 Street NW, Edmonton, Alberta, Canada on Thursday, September 11, 1997 at 0900. Professional Conduct Committee members serving as the hearing panel were [REDACTED]

[REDACTED] was the prosecuting officer.

All parties named participated in the conference call.

The accused did not participate in the conference call. Legal counsel for the accused, [REDACTED] of Davidson Gregory, did not participate in the conference call but submitted a written request for adjournment on the basis that the accused was in custody awaiting trial on criminal charges. Prosecuting officer, [REDACTED] supported the request for adjournment. The hearing panel granted an adjournment until criminal proceedings against the accused could be concluded with the proviso that the hearing may reconvene if criminal proceedings were not completed by February 28, 1998.

APPOINTMENT OF NEW HEARING PANEL

Since the accused was convicted of an indictable offence, the original hearing panel was unable to proceed to hear the case as it lacked a public member, as specified under the *Teaching Profession Act*. The executive secretary dissolved the panel and appointed a new hearing panel to include a public member.

RESUMPTION OF HEARING

The hearing panel of the Professional Conduct Committee convened in Barnett House, 11010 142 Street NW, Edmonton, Alberta, Canada on Tuesday, December 16, 1997 at 0900. Professional Conduct Committee members present as the hearing panel were [REDACTED] (chair), [REDACTED] and [REDACTED]. [REDACTED] of [REDACTED] was counsel to the hearing panel, [REDACTED] was secretary and [REDACTED] was recorder. [REDACTED] presented the case against the accused.

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The accused was neither present nor represented by legal counsel. The secretary informed members of the panel that correspondence had been received from [REDACTED] indicating that neither [REDACTED] nor G Pickup would be in attendance at the hearing. (Exhibit 1) The hearing panel was satisfied that the accused was properly notified that he and legal counsel representing him, or either of them, could attend the hearing. The hearing proceeded.

The hearing panel was informed that a ban on publication of the name of the victim identified in Charges 1, 2, 3 and 5 had been imposed by the courts. Thus the hearing panel decided to refer to the student named in Charges 1, 2, 3 and 5 as Person X.

CONSTITUTION/JURISDICTION

There was no objection either to the constitution of the hearing panel or its jurisdiction to hear the case.

PLEA

The following charges were read by the secretary to the hearing panel:

1. Gordon W Pickup is charged with unprofessional conduct contrary to the *Teaching Profession Act* in that he, on or about the 3<sup>rd</sup> day of November, 1997 in [REDACTED] plead guilty to and was convicted of an indictable offence under the Criminal Code of Canada to wit: On or between the 1<sup>st</sup> day of October, A.D. 1996, and the 1<sup>st</sup> day of March, A.D. 1997, at or near [REDACTED], in the Province of Alberta, being in a position of trust or authority towards (Person X) a young person, did for a sexual purpose, touch directly the body of (Person X), a young person, with a part of his body, contrary to the provisions of section 153 (a) Criminal Code. (Court Docket No. 70799754P10101)
2. Gordon W Pickup is charged with unprofessional conduct contrary to the *Teaching Profession Act* in that he, on or about the 3<sup>rd</sup> day of November, 1997 in [REDACTED] plead guilty to and was convicted of an indictable offence under the Criminal Code of Canada to wit: On or about the 5<sup>th</sup> day of August, A.D. 1997, at or near [REDACTED], in the Province of Alberta, did being at large on his undertaking given to a justice and being bound to comply with a condition of that undertaking directed by the said justice fail without lawful excuse to comply



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with that condition to wit: to have no contact directly or indirectly with (Person X), contrary to Section 145(3) of the Criminal Code. (Court Docket No. 71097372P101)

3. Gordon W Pickup is charged with unprofessional conduct contrary to the *Teaching Profession Act* and Clause 4 of the Code of Professional Conduct in that he did not treat (Person X), a student, with dignity and respect and was not considerate of [REDACTED] circumstances.

4. Gordon W Pickup is charged with unprofessional conduct contrary to the *Teaching Profession Act* in that he, while a member of The Alberta Teachers' Association, failed to treat a student, [REDACTED] with dignity and respect and to be considerate of [REDACTED] circumstances.

5. Gordon W Pickup is charged with unprofessional conduct contrary to the *Teaching Profession Act* and Clause 18 of the Code of Professional Conduct in that he, while a member of The Alberta Teachers' Association, failed to act in a manner which maintains the honor and dignity of the profession by his conduct in relation to (Person X) and [REDACTED]

The prosecution requested that Charge 5 be revised to delete "in relation to Person X and [REDACTED]". The hearing panel declined to accept the revision on the grounds that no prior notice of amendment had been communicated to the accused.

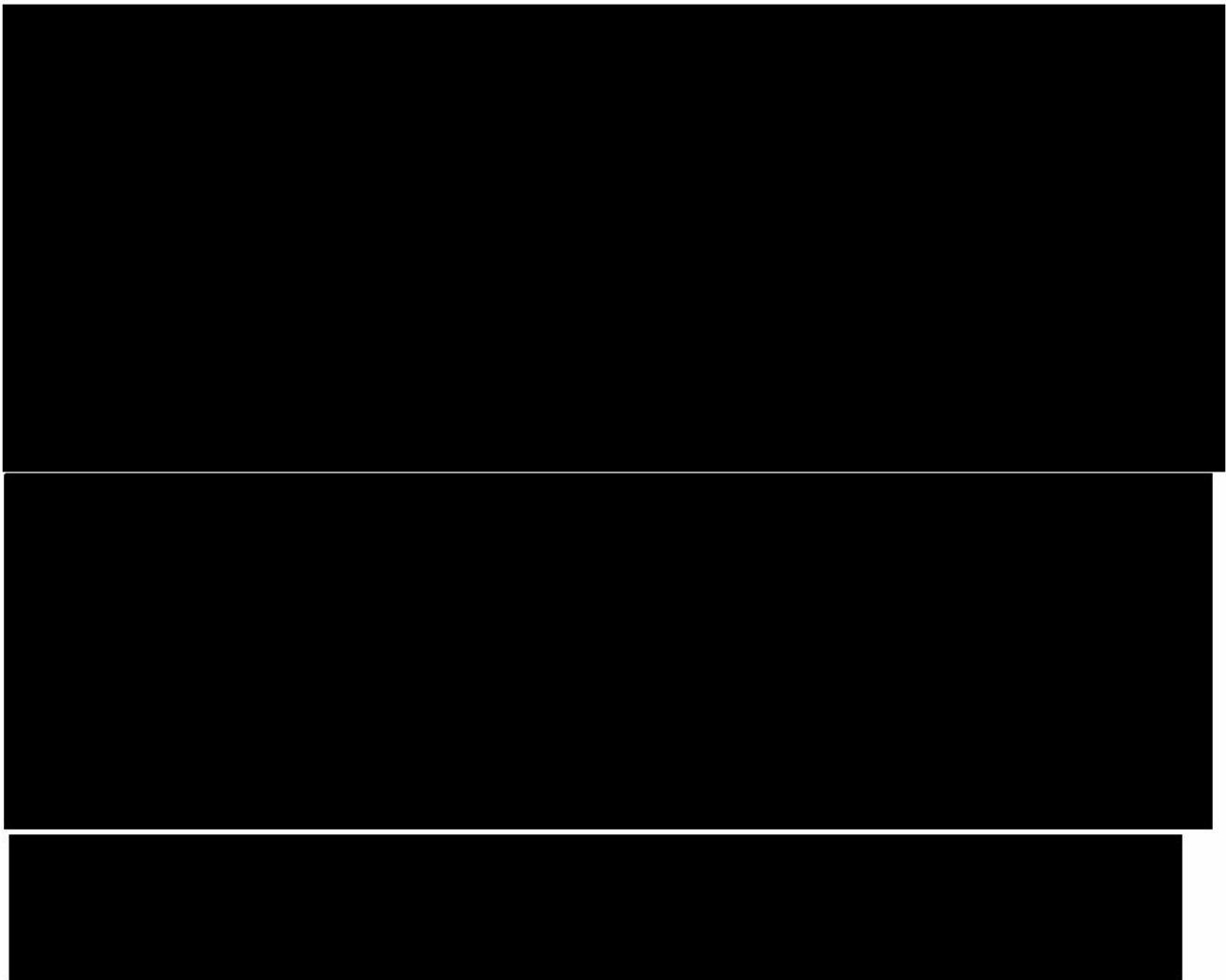
As the accused was not present and had made no plea, a plea of "not guilty" to the charges was entered.

WITNESSES

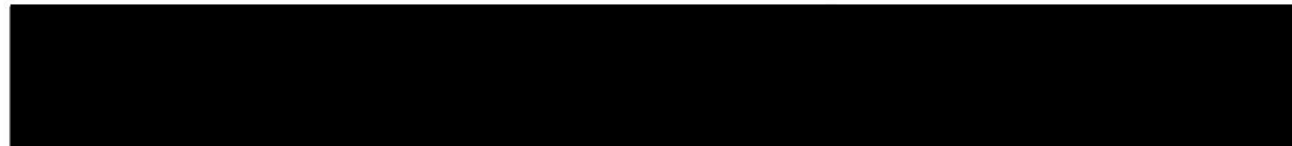
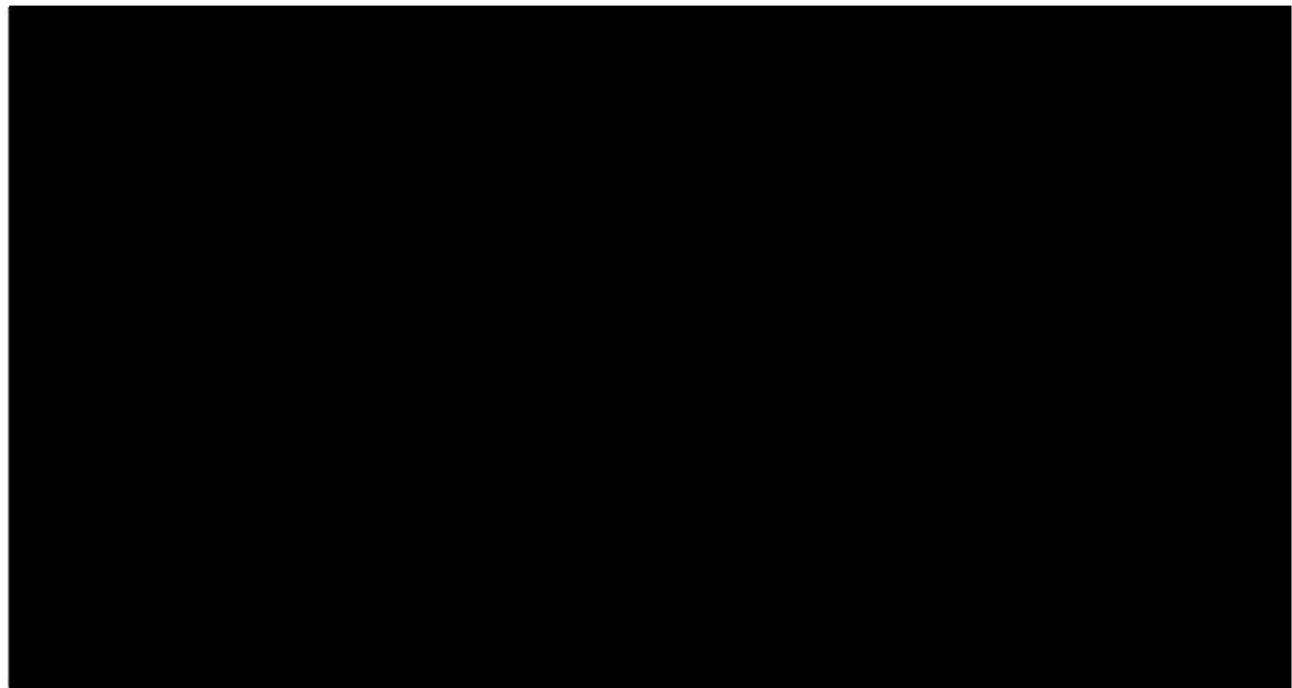
The prosecution called [REDACTED] Person X's father and Person X's mother. [REDACTED] sworn testimony was provided by speaker phone from the offices of the Canadian Teachers' Federation [REDACTED]

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED THAT:

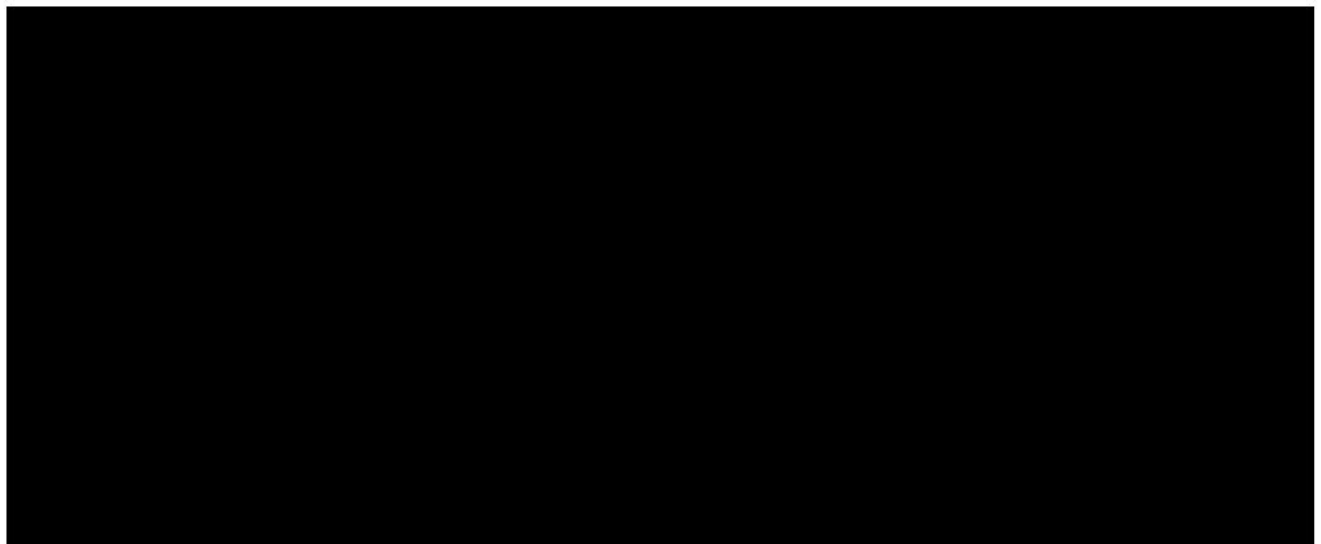
1. G Pickup was a member of The Alberta Teachers' Association at the time of the offences.  
(Exhibits 1A and 6)
2. G Pickup was employed as a teacher by [School DivisionRedacted] from 1981 until 1997.  
(Exhibits 1A and 5)
3. G Pickup taught at [School Redacted] during the 1990/91 and the 1996/97 school years.  
(Exhibits 1A and 4)



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DECISION OF THE HEARING PANEL

Charge 1 - Guilty  
Charge 2 - Guilty  
Charge 3 - Guilty  
Charge 4 - Guilty  
Charge 5 - Guilty

REASONS FOR DECISION

Charge 1 - G Pickup was convicted of an indictable offence under the *Criminal Code* of Canada and is guilty of unprofessional conduct.

Charge 2 - G Pickup was convicted of an indictable offence under the *Criminal Code* of Canada and is guilty of unprofessional conduct.

Charge 3 - As a teacher in a position of trust, G Pickup established, maintained and continued a romantic relationship with a student, Person X. On his initiative, this relationship continued in spite of the request of Person X's parents that G Pickup terminate the relationship. G Pickup chose to continue the relationship even after a court issued restraining order. Person X became estranged from [REDACTED] parents as a result of [REDACTED] relationship with G Pickup. Person X's education and health suffered.

Charge 4 - By his actions and behavior toward [REDACTED] G Pickup did not treat [REDACTED] with dignity and respect. G Pickup placed [REDACTED] in a position that caused the student distress. G Pickup's advances interfered with the maintenance of an appropriate student/teacher relationship.

Charge 5 - By initiating inappropriate touching and a romantic relationship with two [Gender Redacted] students, G Pickup failed to uphold the honor and dignity of the profession. Resulting newspaper and media coverage that detailed the incidents brought dishonor to the profession.



### PENALTY

The hearing panel of the Professional Conduct Committee imposes the following penalties on G Pickup:

Charge 1 - cancellation of G Pickup's membership in The Alberta Teachers' Association, a recommendation to the minister of education that G Pickup's teaching certificate be cancelled and a fine of \$4,000.

Charge 2 - cancellation of G Pickup's membership in The Alberta Teachers' Association, a recommendation to the minister of education that G Pickup's teaching certificate be cancelled and a fine of \$2,000.

Charge 3 - a letter of severe reprimand and a fine of \$1,000.

Charge 4 - a letter of severe reprimand.

Charge 5 - cancellation of G Pickup's membership in The Alberta Teachers' Association, a recommendation to the minister of education that G Pickup's teaching certificate be cancelled and a fine of \$1,000.

### REASONS FOR PENALTY

1. G Pickup was convicted of two indictable offences under the *Criminal Code* and is guilty of unprofessional conduct under s.22(2) of the *Teaching Profession Act*.
2. Teachers who are convicted of indictable offences bring dishonor and disrepute to the profession.
3. A teacher should not be engaged in sexual relationships with students. Society views such actions as repugnant and reprehensible. G Pickup's actions showed disregard for societal expectations of teachers.
4. Society has the right to expect that teachers will act in a manner which establishes and maintains a trust relationship between teachers and students. G Pickup exploited vulnerable [Gender Redacted] students who viewed their teacher as an understanding, caring and trustworthy adult.



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5. Teachers who engage in such deplorable activities create negative impacts on families and the teaching profession.
6. There is no evidence that G Pickup accepts responsibility for his behavior or has demonstrated remorse.
7. The court proceedings received widespread media coverage which brought dishonor and disrepute to the profession.

Dated at the City of Edmonton in the Province of Alberta, Tuesday, January 13, 1998.

THE HEARING PANEL OF THE  
PROFESSIONAL CONDUCT COMMITTEE  
OF THE ALBERTA TEACHERS' ASSOCIATION

[REDACTED]