



**The Law Society of Saskatchewan**

**RUSSELL PEET**

**HEARING DATE: September 30, 2016**

**HEARING DECISION DATE: November 9, 2016**

**PENALTY HEARING DATE: December 5, 2016**

**PENALTY HEARING DECISION DATE: January 23, 2017**

**ADDENDUM TO PENALTY DECISION DATE: February 27, 2017**

*Law Society of Saskatchewan v. Peet, 2017 SKLSS 2*

**IN THE MATTER OF *THE LEGAL PROFESSIONS ACT, 1990*  
AND IN THE MATTER OF  
RUSSELL PEET, OF PREECEVILLE, SASKATCHEWAN**

**ADDENDUM OF THE HEARING COMMITTEE  
FOR THE LAW SOCIETY OF SASKATCHEWAN**

1. Prior to the commencement of Mr. Peet's suspension, Mr. Peet requested that the start date of his suspension be postponed from March 1, 2017 to April 16, 2017. Mr. Huber, on behalf of the Law Society of Saskatchewan consents to Mr. Peet's request. Both Mr. Peet and Mr. Huber are of the view that this Discipline Committee retains jurisdiction to make the requested adjustment to the previous Order.
2. Therefore, this Committee's Decision of January 23, 2017 is hereby amended to the effect that Mr. Peet's three-month suspension shall commence April 16, 2017.

DATED at the City of Saskatoon, in the Province of Saskatchewan this 27<sup>th</sup> day of February, 2017.

"Jay Watson"  
Chair, Hearing Committee

DATED at the City of Prince Albert, in the Province of Saskatchewan this 27<sup>th</sup> day of February, 2017.

"Greg Chovin"

DATED at the City of Moose Jaw, in the Province of Saskatchewan this 27<sup>th</sup> day of February, 2017.

“Timothy McLeod”

**DECISION OF THE HEARING COMMITTEE**  
**FOR THE LAW SOCIETY OF SASKATCHEWAN**

Members of the Hearing Committee:

Jay Watson (Chair), Greg Chovin, Timothy McLeod

Counsel:

Timothy Huber, for the Conduct Investigation Committee

Russell Peet, on his own behalf

**INTRODUCTION**

3. By Formal Complaint dated February 3, 2016, Mr. Russell Peet is charged with being guilty of conduct unbecoming a lawyer in that he:

- a. did fail to promptly and completely reply to communications from the Law Society of Saskatchewan, namely those communications dated September 28, 2015, October 21, 2015 and November 16, 2015.

4. The allegations against Mr. Peet were heard by telephone conference call on September 30, 2016. Mr. Timothy Huber appeared for the Law Society of Saskatchewan and Mr. Peet represented himself.

**FACTS**

5. The evidence submitted by the Law Society of Saskatchewan took the form of an Affidavit of Donna Sigmeth, Q.C., Acting Executive Director and Complaints Counsel for the Law Society of Saskatchewan. Mr. Peet admitted that all times relevant to this matter, he was a Member in good standing of the Law Society of Saskatchewan and therefore there was no necessity for Mr. Huber to file a Certificate of the Executive Director of the Law Society of Saskatchewan pursuant to Section 83 of *The Legal Profession Act*.

**PARTICULARS OF CONDUCT: The Formal Complaint Dated February 3, 2016**

6. The uncontroverted evidence is that on September 20, 2015, the Law Society of Saskatchewan received a complaint from E.G. regarding Mr. Russell Peet. Ms. Sigmeth forwarded the complaint of E.G. to Mr. Peet on September 28, 2015 via fax and regular mail. Ms. Sigmeth sent a follow up letter to Mr. Peet on October 21, 2015 via fax and registered mail, again looking for Mr. Peet's response to the complaint. Mr. Peet did not respond to either of these letters.

7. Ms. Sigmeth sent a further follow-up letter to Mr. Peet on November 17, 2015, again via fax and registered mail. In this letter, she indicated that failure to reply would result in the matter being referred to the Conduct Investigation Committee. Mr. Peet did not respond to this letter.

8. On December 11, 2015, Ms. Sigmeth sent a letter to Mr. Peet via fax and registered mail confirming that the matter had been referred to the Conduct Investigation Committee. Mr. Peet did not respond to this letter.

9. On January 11, 2016, the Conduct Investigation Committee reviewing this matter recommended that charges of conduct unbecoming be laid against Mr. Peet. The Formal Complaint was issued on February 3, 2016 and was forwarded to Mr. Peet via registered mail and fax on February 4, 2016 by Mr. Huber along with a covering letter. Mr. Peet did not respond to Mr. Huber's February 4 2016 letter.

10. Ms. Sigmeth wrote again to Mr. Peet with respect to this matter on March 21, 2016 in an attempt to obtain Mr. Peet's response to the original complaint dated September 20, 2015. In her March 21, 2016 letter, Ms. Sigmeth imposed a deadline for his response of April 4, 2016. She advised Mr. Peet that if he did not respond before the deadline one of the options open to the Conduct Investigation Committee was to issue an interim suspension. Mr. Peet finally provided his substantive response to the original complaint on April 1, 2016. This letter was the first communication of any kind received by Ms. Sigmeth with respect to the original complaint dated September 20, 2015.

11. Mr. Peet cross-examined Ms. Sigmeth on her affidavit. In cross-examination Ms. Sigmeth confirmed that she had now received answers to all of her questions regarding the original complaint. She also confirmed that she would not be referring the original complaint to the Conduct Investigation Committee and therefore, Mr. Peet does not face any discipline with respect to the original complaint of September 20, 2016.

12. Mr. Peet testified on his own behalf, indicating that he sent a letter directly to E.G. sometime in October regarding the complaint but that he did not have a copy of the letter that was sent. He indicated that initially he was concerned about solicitor-client privilege and that was why he didn't initially respond to Ms. Sigmeth's letter. Mr. Peet admitted that he did not promptly reply to communications from the Law Society of Saskatchewan, namely those communications dated September 28, 2015, October 21, 2015 and November 16, 2015, despite acknowledging receipt of all of them.

## **CODE OF PROFESSIONAL CONDUCT**

### **13. CHAPTER 7- RELATIONSHIP TO THE SOCIETY AND OTHER LAWYERS**

7.1-1A lawyer must reply promptly and completely to any communication from the Society.

14. The Saskatchewan Court of Appeal dealt with exactly this issue in the case of *Peet v. The Law Society of Saskatchewan* 2014 SKCA 109 where at paragraph 76 Richards, C.J.S. stated as follows:

"[76] It is apparent from these two chronologies that, as he contends, Mr. Peet did, in fact, ultimately respond to each of the Law Society's inquiries. However, this is not a basis for overturning the finding of the Hearing Committee. The Amended Formal Complaint did not allege that he failed to respond to communications from the Society. It alleged that he failed to reply "promptly" to such communications."

"[78] In this case, Mr. Peet generally responded to Ms. Hodges Neufeld only after at least one reminder letter. More significantly, on two occasions, he responded to her only after repeated requests for a response and, only then, after she threatened to draw his failure to respond to her letters to the attention of the Discipline Committee. All of this is a basis on which it could be reasonably determined that the complaint in issue had been made out."

## **DECISION**

15. The Discipline Committee finds that the charge against Mr. Peet has been made out. Although Mr. Peet did eventually completely reply to the communications of the Law Society of Saskatchewan, he admits that he did not promptly reply to the communications from the Law Society of Saskatchewan and is therefore guilty of conduct unbecoming a barrister and solicitor. Mr. Peet received notice of the original complaint on September 28, 2015 and yet did not respond to the Law Society of Saskatchewan until April 1, 2016, some six months later. A six month delay in responding to a request from the Law Society of Saskatchewan is clearly unreasonable and unprofessional. A further telephone conference will be scheduled with respect to penalty.

DATED at the City of Saskatoon, in the Province of Saskatchewan this 9<sup>th</sup> day of November, 2016.

**DECISION OF THE HEARING COMMITTEE IN REGARD TO PENALTY FOR  
THE LAW SOCIETY OF SASKATCHEWAN**

**INTRODUCTION**

16. By Formal Complaint dated February 3, 2016, Mr. Russell Peet was charged with being guilty of conduct unbecoming a lawyer in that he:

- a. did fail to promptly and completely reply to communications from the Law Society of Saskatchewan, namely those communications dated September 28, 2015, October 21, 2015 and November 16, 2015.

17. This Committee by Decision dated November 9, 2016 found that the charge against Mr. Peet was made out. The matter was adjourned to December 5, 2016 to argue the issue of penalty.

**POSITION OF THE CONDUCT INVESTIGATION COMMITTEE**

18. The position of the Conduct Investigation Committee (“CIC”) is that Mr. Peet should be suspended for somewhere between one and six months and in addition, that he receives a substantial fine and costs in the amount of \$2,571.75. Mr. Huber, on behalf of the CIC filed a written Brief relying on several decisions. The most applicable are:

- a. *Paul Walsh v. Law Society of Manitoba, 2006*
- b. *Law Society of Upper Canada v. Taylor, [2010] L.S.D.D. No. 97*
- c. *Law Society of Saskatchewan v. Hardy, L.S.D.D. 04-2004*
- d. *Law Society of Saskatchewan v. Hardy, L.S.D.D. 10-2006*
- e. *Law Society of Saskatchewan v. Hardy, L.S.D.D. 5-2007*
- f. *Law Society of Saskatchewan v. Peet, 2013 SKLSS 5*
- g. *Peet v. Law Society of Saskatchewan, 2014 SKCA 109*

17. Mr. Walsh was found guilty of conduct unbecoming in relation to three counts relating to failure to serve his client, failing to show courtesy and good faith to another lawyer by failing to respond to communications and failing to be honest and candid with his client. Generally, the allegations proven against Walsh fell in the lower end of the spectrum of seriousness such that a reprimand or fine might have been the typical sanction. The most significant factor in the Walsh case, and the feature that makes it relevant to the current matter, is the issue of the prior discipline record. Mr. Walsh had a record involving nine prior discipline proceedings involving 13 findings of conduct unbecoming along with two formal cautions. The Hearing Committee discussed the significance of Mr. Walsh’s record starting at paragraph 10:

It is true that, standing in isolation, each count might be characterized as falling on the scale somewhat closer to the “less serious” end of it. But they do not stand in isolation.

Overshadowing everything else on the issue of penalty is Mr. Walsh’s prior discipline record. He has been the subject of formal disciplinary proceedings on no less than nine prior occasions. That record is comprised of two formal cautions

and 13 findings, or admissions of guilt for professional misconduct. He has already been fined a total of \$23,000.00 and ordered to pay costs of \$20,500.00.

Significantly, many of these past convictions involve similar breaches of the Code of Professional Conduct: failure to show courtesy and good faith to his clients and other members of the Society, failure to answer with reasonable promptness communications from clients and other lawyers, failure to serve his clients in a conscientious, diligent and efficient manner, failure to observe a proper standard of conduct, failure to be honest and candid when advising his client. To put it another way, no fine that has been imposed in the past has ever deterred Mr. Walsh from reoffending in a similar manner within a relatively short time.

...

Both parties provided a number of authorities that were decisions by discipline panels in Manitoba and other jurisdictions. These are of limited use. Many of them impose penalties that were result of a joint recommendation. It is common knowledge that such a “plea bargain” may be based on factors that are not fully disclosed on the record and are likely fact-specific to the particular case. Others are cases where the member offered explanations, such as medical conditions (depression, for example) for his failings; that is not the case here. Ultimately the prior decisions have little applicability because the extent of Mr. Walsh’s discipline history puts him alone in an entirely unique category. His fellow practitioners have either avoided, such misconduct in the first place, learned their lesson after their first few appearances before the Discipline Committee or left the profession; voluntarily or involuntarily, long before their tenth appearance before this Committee. Only Mr. Walsh has persisted to this point.

18. The Hearing Committee in *Walsh* ordered a six-month suspension and a fine in the amount of \$25,000.00 plus costs in the amount of \$3,910.52. This represented a very significant penalty for the misconduct proven. The significant penalty was driven by the lawyer’s prior record and the need for progressive discipline.

19. Mr. Walsh appealed the decision of the Hearing Committee. The Manitoba Court of Appeal upheld the Hearing Committee, decision in *Walsh v. Law Society of Manitoba*. [2006] M.J. No. 461.

20. In the *Taylor* case, the member was found guilty of conduct unbecoming in relation to a failure to provide information to the Law Society and failure to maintain proper books and records, two matters that would typically result in penalties at the low end of the spectrum.

21. In determining the appropriate penalty, the Hearing Committee in *Taylor* highlighted the fact that Mr. Taylor had a significant discipline record. Mr. Taylor had been disciplined 5 times before. Starting at paragraph 14 the Hearing Committee assesses the effect of a significant discipline record as follows:

However, when we have circumstances of repeat offenders, involving multiple aspects of professional misconduct, I am not satisfied that the individual, focused

approach to each act of professional misconduct is appropriate. In my view, in this type of circumstance the total appropriate punishment is in fact greater than the sum of the individual parts. It would be an error in principle to examine the aspects of professional misconduct as discrete silos and attempt to fashion a punishment as though those acts of misconduct happened in isolation.

Further, and in particular with respect to the principle of specific deterrence, not only are the two acts of professional misconduct before me today not to be viewed in isolation from each other, they must be viewed in the context of what I now consider to be a significant discipline history, evidenced by the agreed statement of facts.

This is the fifth time that Mr. Taylor has had his conduct questioned in a manner that has brought it before the discipline process since 1994. That is an unfortunate and an unacceptable track record for many reasons, but in particular because of the common nature of the type of offence which he has previously committed.

22. As a result of a joint submission, Mr. Taylor was suspended for a period of five months. The Hearing Committee stated in its decision that, if it were not for the joint submission, the suspension would have been lengthier.

23. The issue at play in the current case, specifically those relating to the impact of the Member's prior discipline record, are exactly the same as those in Taylor. In this case, however, there is no joint submission to dictate the possible sanction.

24. The *Hardy* cases all deal with instances of failure to respond to the Law Society and instance of dilatory practice. The 2004 case is provided as a point of reference for the discipline history associated with Mr. Hardy leading into the 2006 matter and ultimately the 2007 matter. By 2007, Mr. Hardy had already been found guilty of conduct unbecoming for failing to respond to the Law Society on two prior occasions. The 2007 case pertained only to Mr. Hardy's failure to respond to the Law Society. Despite the fact that a failure to respond might typically be on the low end of the spectrum, the penalty imposed in 2007 for failure to respond to the Law Society was a 30-day suspension. That sanction was accompanied by extensive practice conditions.

25. In the current case, the proven misconduct also related to the Member's failure to respond to the Law Society in a timely fashion. As with Mr. Hardy, the Member has an extensive record in relation to failure to respond to the Law society.

26. The most recent example of the Member being disciplined for failure to respond to the Law Society in a prompt fashion is from 2013. The Hearing Committee in that matter could not have been more clear in relation to the expectations of the profession and the level of responsiveness required when dealing with the Law Society. The Hearing Committee stated the following starting at paragraph 48:

48. In the *Law Society v. Werry*, the Hearing Committee stated at paragraph 9 the following:

As a guideline three requests from a client, another lawyer or the Society, with a reasonable deadline to respond, should be sufficient to justify a complaint to the Society. Of course, it is understood that the requests have to be reasonable in terms of deadline and frequency. It is hard to lay down a firm rule because situations vary with the circumstances but it is possible to suggest a guideline for members. Again, if a member fails to respond to the third request for response given with a reasonable timeline then the client or member being ignored should consider filing a complaint with the Law Society.

49. Though the above quoted paragraph from *Werry* appears to apply to requests for response from a client, another lawyer/member or the Society, it is the Committee's view that such "guideline" as discussed in *Werry* is only appropriate for requests dealing with a request from a client or another lawyer/member. The LSS itself, in our view, should be in a different category. It may be that the *Werry* panel misspoke with respect to including the LSS in the guidelines regarding the three requests. The above quoted paragraph goes on, in discussing a third request, to mention the client or member being ignored. It does not again mention the LSS. It is the Committee's view that a guideline for three requests from the LSS for response is not a reasonable guideline and if such was intended by the *Werry* panel, we reject it.

50. The reasons for the LSS being subject to a stricter standard in our view is obvious. Interestingly, the *Werry* decision at paragraph 8 provides a summary of the rationale:

Failure to respond to a client puts the reputation of the member and entire profession in a bad light. Failure to respond to a committee of the Law Society and a representative appointed by that committee jeopardizes the Society's ability to carry out its legislative mandate and in turn affects the reputation of all members...

51. Chapter XV of the Code deals specifically with the duty to reply promptly to the LSS. This obligation is at the heart of the regulation of the profession, a cornerstone of the right to self-govern.

27. The exhortations of the 2013 Hearing Committee to the Member appear to have fallen upon deaf ears. Less than a year after the Court of Appeal upheld the decisions of the Hearing Committee the Member was yet again failing to reply to the communications of the Law Society. The Member was suspended for a period of 30 days and was required to pay costs of the prosecution in the amount of \$16,216.80.

#### **MR. PEET'S POSITION**

28. Mr. Peet's position is that, while acknowledging his wrong doing and that there were no legitimate reasons for him not to respond to the Law Society in a prompt manner, is that there is



no need for a suspension and rather that the matter could be dealt with by some sort of a practice review.

## **DECISION**

29. Considering the Member's prior record, and the widely-accepted principles of progressive discipline, the bottom end of the range in this matter is a suspension of one month. The *Hardy* precedent provides support for that as a starting point. But the Member in the current case has a record that is even worse than that of Mr. Hardy. The Member's last discipline proceeding yielded a suspension of one month in the presence of two significant mitigating factors (delay and no intervening complaints). In the current matter, no such mitigating factors exist. And in relation to the current matter, the Member had the benefit of the prior matter to instruct him as to what was expected of him. In the interests of progressive discipline, something more than a one month suspension is required in the current case. The primary consideration in all Law Society discipline proceedings is the protection of the public.

30. This is clearly set out in our governing legislation at S. 3.1 wherein the Law Society's mandate is stated to be "to protect the public by assuring the integrity, knowledge, skill, proficiency and competence of members". This is closely related to the need to maintain the public's confidence in the integrity of the profession and the ability of the profession to govern its own members. The conduct of Mr. Peet must be dealt with in a way that both protects the public and fosters the public confidence in the legal profession.

31. Typically, the goal is to craft a penalty that represents a specific deterrence to the Member and a general deterrence to the profession as a whole. In the current case, the issues related to both specific and general deterrence are complicated by the Member's substantial and closely related discipline history.

32. It is the decision of this committee that Mr. Peet be suspended for a period of three months such suspension to commence March 1, 2017. In addition, Mr. Peet is fined the sum of \$7,500.00 to be paid by December 31, 2017. In addition, he shall pay costs in the amount of \$2,571.75 to be paid by no later than December 31, 2017.

33. Mr. Huber, on part of the CIC also requested that a trustee be put in place by this committee and the cost of same to be charged to Mr. Peet. Given that there have been no difficulties with respect to the management of Mr. Peet's previous suspensions, the Committee declines to make that order.

DATED at the City of Saskatoon, in the Province of Saskatchewan this 23<sup>rd</sup> day of January, 2017.

"Jay Watson"  
Chair, Hearing Committee

DATED at the City of Prince Albert, in the Province of Saskatchewan this 19<sup>th</sup> day of January, 2017.

"Greg Chovin"

DATED at the City of Moose Jaw, in the Province of Saskatchewan this 19<sup>th</sup> day of January, 2017.

“Timothy McLeod”

### **AGREED STATEMENT OF FACTS AND ADMISSIONS**

**In relation to the Formal Complaint dated February 3, 2016 alleging that Russell Peet of the Town of Preeceville, in the Province of Saskatchewan is guilty of conduct unbecoming a lawyer in that he:**

- 1. did fail to promptly and completely reply to communications from the Law Society of Saskatchewan, namely those communications dated September 28, 2015, October 21, 2015 and November 16, 2015.**

### **JURISDICTION**

34. Russell Peet (hereinafter “the Member”) is, and was at all times material to this proceeding, a practicing Member of the Law Society of Saskatchewan (hereinafter the “Law Society”), and accordingly is subject to the provisions of The Legal Profession Act, 1990 (hereinafter the “Act”) as well as the Rules of the Law Society of Saskatchewan (the “Rules”). Attached at Tab “1” is a Certificate of the Executive Director of the Law Society of Saskatchewan pursuant to section 83 of the Act confirming the Member’s practicing status.

35. The Member is currently the subject of a Formal Complaint initiated by the Law Society dated February 3, 2016. Attached at Tab “2” is a copy of the Formal Complaint along with proof of service. The Member intends to plead guilty to the allegation contained in the Formal Complaint.

### **BACKGROUND OF THE COMPLAINT**

36. On September 20, 2016 the Law Society of Saskatchewan received a complaint from E.G. The complaint of E.G. as received by the Law Society is attached hereto at Tab “3”.

37. Donna Sigmeth, Q.C., Complaints Counsel, held the view that the complaint warranted a response from Mr. Peet.

### **PARTICULARS OF CONDUCT**

38. Ms. Sigmeth forwarded the complaint of E.G. to Mr. Peet on September 28, 2015 via fax and regular mail (despite the fact that the letter states that it was sent via registered mail). In her cover letter she requested that Mr. Peet provide a response within ten days. Attached hereto at Tab “4” is the letter Ms. Sigmeth drafted to Mr. Peet dated September 28, 2015. Attached hereto at Tab “5” is the fax confirmation reflecting that the fax was successfully delivered to 306-547-5590. The records of the Law Society of Saskatchewan confirm that the fax number for Peet Law Firm, is 306-547-5590. This same fax number appears on Mr. Peet’s letterhead.

39. Mr. Peet did not respond to Ms. Sigmeth’s September 28, 2015 letter.

40. Ms. Sigmeth sent a follow-up letter to Mr. Peet on October 21, 2015 via fax and registered mail. This follow-up letter, signed on Ms. Sigmeth's behalf by her colleague Stacey McPeck, sought a response to her initial letter and the complaint of E.G. Once again a ten day deadline for response was imposed. Attached at Tab "6" is Ms. Sigmeth's letter dated October 21, 2015. Attached hereto at Tab "7" is the fax confirmation reflecting that the fax was successfully delivered to 306-547-5590. Attached at Tab "8" is the registered mail delivery confirmation pertaining to the letter dated October 21, 2015. Ms. Sigmeth caused the October 21, 2015 correspondence to be forwarded to Mr. Peet via email as well. Attached hereto at Tab "9" is a copy of the email sent to Mr. Peet at PLF@sasktel.net, on Ms. Sigmeth's behalf, with correspondence attached, from Cherie Young. Attached hereto at Tab "10" is a delivery receipt confirming successful delivery of the email.

41. Mr. Peet did not respond to Ms. Sigmeth's October 21, 2015 letter.

42. Ms. Sigmeth sent a further follow-up letter to Mr. Peet on November 17, 2015 (dated November 16, 2015) via fax and registered mail. Once again a ten day deadline for response was imposed. Ms. Sigmeth indicated that a further failure to reply would result in the matter being referred to the Conduct Investigation Committee. Attached at Tab "11" is Ms. Sigmeth's letter dated November 16, 2015. Attached hereto at Tab "12" is the fax confirmation reflecting that the fax was successfully delivered to 306-547-5590. Attached at Tab "13" is the registered mail delivery confirmation pertaining to the letter dated November 16, 2015.

43. Mr. Peet did not respond to Ms. Sigmeth's November 16, 2015 letter.

44. On December 11, 2015, Ms. Sigmeth sent Mr. Peet a letter via fax and registered mail confirming that she had referred the matter to the Conduct Investigation Committee. Attached hereto at Tab "12" is Ms. Sigmeth's letter dated December 11, 2015. Attached hereto at Tab "14" is the fax confirmation reflecting that the fax was successfully delivered to 306-547-5590. Attached at Tab "15" is the registered mail delivery confirmation pertaining to the letter dated December 11, 2015.

45. Mr. Peet did not respond to Ms. Sigmeth's December 11, 2015 letter.

46. On January 11, 2016, the Conduct Investigation Committee recommended that charges of conduct unbecoming be pursued against Mr. Peet for his failures to respond to Ms. Sigmeth's correspondence. A Formal Complaint was issued on February 3, 2016 and was forwarded to the Member via email, registered mail and fax on February 4, 2016. Attached hereto at Tab "16" is a copy of the letter sent to Mr. Peet by Mr. Huber. Attached hereto at Tab "17" is the fax confirmation reflecting that the fax was successfully delivered to 306-547-5590. Attached at Tab "18" is the email sent to Mr. Peet including the delivery and "read receipt" from Mr. Peet's email account pertaining to the email containing the February 4, 2016 correspondence. Because a "read receipt" for the email was returned, confirming that Mr. Peet had received and opened the email, the paper copy of the letter was ultimately not sent via registered mail as indicated.

47. Mr. Peet did not respond to the February 4, 2016 letter from Mr. Huber.

48. Ms. Sigmeth wrote a further letter to Mr. Peet on March 21, 2016 via email, fax and registered mail. Despite the fact that the failure to respond issue had been referred to hearing, she was still obliged to investigate the original complaint of E.G. Ms. Sigmeth's March 21, 2016 letter was an attempt to further that investigation. Ms. Sigmeth imposed a final deadline for a response of April 4, 2016. In her letter Ms. Sigmeth advised Mr. Peet that if he did not respond before the deadline she would be referring the matter to CIC yet again and that one of the options open to the Conduct Investigation Committee was his Interim Suspension.

49. Mr. Peet provided his substantive response to the E.G. complaint on April 1, 2016. This was the first communication of any kind received from Mr. Peet in relation to the complaint of E.G. since the matter was brought to his attention and his response was first sought on September 20, 2015.

50. Since Mr. Peet's response was received on April 1, 2016, Ms. Sigmeth has been investigating the matter and she currently does not anticipate that the original complaint of E.G. will be the subject of a referral to the Conduct Investigation Committee, although the matter is not yet officially closed.