



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

IN THE MATTER OF THE *TEACHERS ACT*, SBC 2011 c. 19

AND

IN THE MATTER CONCERNING

SIMON WILLIAM ISBISTER



CONSENT RESOLUTION AGREEMENT

BETWEEN:

THE COMMISSIONER, APPOINTED UNDER THE *TEACHERS ACT*
(the "Commissioner")

AND:

SIMON WILLIAM ISBISTER
(“Isbister”)

BACKGROUND and FACTS

1. Isbister holds a valid Professional Certificate of Qualification, No [REDACTED]. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on June 29, 2007, is valid from May 1, 2007, and was continued under the *Teachers Act* as of January 9, 2012. Isbister previously held an Interim Professional Certificate, which was issued on January 20, 2003, which expired June 30, 2007.
2. At all material times, Isbister was employed as a high school teacher by School District No. 37 (Delta) (the "District") at a school in the District (the "School").
3. On August 27, 2018, the District made a report to the Commissioner regarding Isbister, under section 16 of the *School Act*.

4. In November of 2017, the following events occurred:

- a. On November 20, 2017, Isbister posted a listing in the "Casual Encounters" section of Craigslist, looking for persons interested in meeting with him and another person. He also posted a photograph of himself and this other person.
- b. On November 20, 2017, Isbister responded to an ad posted in the "Casual Encounters" section on Craigslist from a person using the online name "lo lo", who purported to be an 18 year old female. This reply stated: "U guys seem very nice. My name's Sierra. I'm turning 13 so please don't share my pic". Attached to this message was a photo of the bottom half of the face of a young female, showing her tongue with a stud piercing. This message from "Sierra" was actually sent by a person associated with Surrey Creep Catchers.
- c. Isbister replied writing: "Ahh, hi! Thanks for your note. 13 is very young though. Not sure how I feel about that." "Sierra" responded by writing "lol. No worries. I'm mature. and attracted to older guys". Isbister responded by asking if Sierra had "played with many older guys". Sierra responded that she had with "a couple". Isbister replied "Lucky them!", then asked where Sierra had met them. The discussion continued about where she had met older men online, where she met them in person, and her living arrangements.
- d. Isbister then wrote "So, I'm really curious to meet you, but nervous too. I could get into a lot of trouble for meeting a girl so young, right?", to which Sierra replied "ummm. i dunno. i guess ya. But I'm nervous too. I'd never tell ne one" [sic]. In reply, Isbister asked when Sierra was usually free. He asked Sierra if she were on Kik and when she said, no, asked for her phone number to text her.
- e. On November 23, 2017, Isbister contacted Sierra again, asking if she had changed her mind, if she was receiving his texts, and if "tonight still works for you". More messages were exchanged that night and the next day, regarding meeting together on the weekend. In this exchange, Isbister also wrote: "Mostly, I'd love to just meet you. I'm very intrigued but also kinda nervous". Sierra asked if the other person in Isbister's photo knew about the proposed date and Sierra's age, to which Isbister wrote "no, not entirely".
- f. After further exchanges, Isbister proposed meeting in the afternoon, but this meeting did not occur because Sierra said she could not meet in the afternoon and Isbister said he could not meet that night. During this exchange, Isbister asked Sierra if she was ever free to meet after school. He also wrote "I'm excited to meet you! Sad I can't be free tonight!"

- g. On Sunday, November 25, 2017, Isbister again contacted Sierra, asking "Does Tuesday work for you?" After further exchanges, they agreed to meet on Tuesday. On Tuesday evening, Isbister arranged to meet Sierra that night at a Tim Horton's in Surrey, at 10:30 p.m. During this exchange, Isbister asked Sierra if she had an "earlier date first" and then wrote "(kinda hot!)". He also wrote that he was "Super looking forward to meeting" her.
- h. On Tuesday, November 27, 2017, Isbister went to the Tim Horton's around 10:30 p.m., where he waited in his car in the parking lot. Sierra texted him that she was nearly there, and asked him to buy her a hot chocolate, so she would be able to identify him. Isbister asked how he would know it was Sierra, and she replied describing the clothes she was wearing.
- i. Isbister went into the Tim Horton's and ordered a hot chocolate. At this time, it was close to 11:00 p.m.. While Isbister was ordering and paying, a man from Surrey Creep Catchers came in and called "Simon! Simon! What's up?". This man video-recorded his interaction with Isbister (the "Video"). The Video shows that as the man continued to talk, Isbister turned around, walked away from the camera and then towards it. The man asked if Isbister would sit down and talk or if he would have to follow Isbister to his car and make a citizen's arrest. The man asked Isbister if he knew who the man was. Isbister replied "I can guess". The exchange between the man from Surrey Creep Catchers and Isbister lasted approximately 15 minutes, during which Isbister said that he came to the Tim Horton's to meet "Sierra" because he was worried about her. Isbister acknowledged that Sierra's profile stated she was 18, and that she had told him she was 12.
- j. On November 28, 2017, Surrey Creep Catchers posted the Video on its webpage, under the name of "Simon".
5. On August 22, 2018, an anonymous caller told the District about the Video and that Isbister was in the Video.
6. On August 23, 2018, an anonymous caller told the Intake Officer of the Ministry of Education about the Video and that Isbister was in the Video.
7. On August 27, 2018, the District suspended Isbister under section 15(5) of the *School Act*.
8. On September 21, 2018, Isbister resigned from his employment with the District.
9. On October 4, 2018, Isbister signed an undertaking not to teach in any role or position requiring authorization under the *Teachers Act*.

10. On October 13, 2020, the Commissioner considered this matter and determined to propose a consent resolution agreement to Isbister, in accordance with section 53(1)(a) of the *Teachers Act*.

CONSEQUENCES

11. This Agreement is made under section 53 of the *Teachers Act*.
12. Isbister understands and acknowledges that this Agreement is not effective until executed by the Commissioner, and that the date of execution by the Commissioner will be the effective date of this Agreement (the "Effective Date").
13. Isbister admits that the facts set out in paragraphs 1 to 9 of this Agreement are true.
14. Isbister admits that the conduct described in paragraph 4 of this Agreement constitutes conduct unbecoming and is contrary to Standard #2 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
15. Isbister agrees to a cancellation of his certificate of qualification under sections 53 and 64(e) of the *Teachers Act*, which will occur on the first business day following the Effective Date.
16. Further, Isbister agrees that he will never apply for, and understands the Director of Certification (the "Director") will be required not to issue to him, a certificate of qualification, an independent school teaching certificate or any other authorization to teach in the kindergarten to grade 12 education system under section 64(g) of the *Teachers Act*, or any successor legislation.
17. In determining that a cancellation and ban on issuance of a certificate or other authorization under the *Teachers Act* is an appropriate consequence, the Commissioner considered the following factors:
 - a. Isbister's conduct spanned several days and showed a pattern of persistence in meeting with "Sierra";
 - b. Isbister was aware from when he first started communicating with "Sierra" that he could "get into a lot of trouble"; and
 - c. Isbister's conduct was very serious misconduct that undermines the public confidence in the education system.

18. Isbister agrees not to make any statement orally or in writing which contradicts, disputes or calls into question the terms of this Agreement or the admissions made in it.


EFFECT OF THE AGREEMENT

19. The Director will record the terms of this Agreement on the Ministry of Education's online registry under section 79(d) of the *Teachers Act*.
20. Isbister acknowledges that this Agreement will be published in accordance with section 54 of the *Teachers Act*, which includes posting the Agreement, in full, on the following website: www.teacherregulation.gov.bc.ca.
21. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
22. If Isbister applies for a certificate of qualification, an independent school teaching certificate, or other authorization to teach in the kindergarten to grade twelve education system, it is agreed, without limiting any other power of the Director to determine Isbister's fitness and suitability to be granted a certificate of qualification, independent school teaching certificate or letter of permission, that the Director may consider:
- a. the facts set out and admitted in this Agreement;
 - b. any document or other evidence gathered or prepared by the Professional Conduct Unit of the Ministry of Education in any investigation of this matter; and
 - c. any evidence of breach by Isbister of one or more terms of this Agreement.
23. Isbister acknowledges that he has voluntarily entered into this Agreement with the benefit of independent legal advice, and that he fully understands the terms and conditions set out in this Agreement.

Signed in Delta, B.C.
this 3rd day of June, 2021.


Simon William Isbister

Signed in Victoria, B.C.
this 4 day of June, 2021.


Howard L. Kushner, Commissioner