

**CASE NO.**

**VOL. NO.**

**PAGE**

Cite as: Solicitor "X" v. Nova Scotia Barristers' Society, 1998 NSCA 170

SOLICITOR "X"

- and -

NOVA SCOTIA BARRISTERS' SOCIETY

Appellant

Respondent

C.A. No. 146508

Halifax

ROSCOE, J.A.

**APPEAL HEARD:**

September 29, 1998

**JUDGMENT DELIVERED:**

November 6, 1998

**SUBJECT:**

**Barristers and Solicitors Act - Disciplinary Tribunal,  
Natural Justice, Reasonable Apprehension of Bias**

**SUMMARY:**

The appellant barrister was found guilty by a disciplinary committee of the Barristers Society of two counts of professional misconduct arising out of a complaint made by former clients who were also tenants of a commercial property owned by the barrister.

**ISSUE:**

Whether the conduct of the disciplinary panel gave rise to a reasonable apprehension of bias.

**RESULT:**

Appeal allowed. Decision of panel set aside. The lengthy interrogation of the appellant by the panel members on matters not relevant to the charges, combined with the suggestions of bad faith and unfair conduct on the part of the appellant, gave rise to a reasonable apprehension of bias and thus breached the rules of natural justice.

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