

## **Executive Summary – Ravi-Inder Soligo April 17, 2014**

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario held on **April 17, 2014**

### **Allegations of Professional Misconduct and Plea**

Mr. Soligo entered a guilty plea in relation to the following allegations:

- Sexual abuse of a client;
- Contravening a standard'
- Practising while in a conflict of interest; and
- Disgraceful, dishonourable or unprofessional

### **The Facts and Findings of the Panel**

The facts of the case were established by way of an Agreed Statement of Facts which set out the following:

Client, A.H. filed a complaint with the College in relation to the conduct of Mr. Soligo. A.H. obtained a number of massage therapy treatments from Mr. Soligo for head injury symptoms and neck pain as A.H. had suffered a number of concussions. Her treatments with Mr. Soligo commenced in October of 2010 up to August of 2011.

After one of the first treatments, A.H. cancelled the next scheduled appointment as she felt that the treatment was causing her symptoms to worsen. In response, Mr. Soligo called A.H. to offer free massage therapy treatments as part of a case study he advised her that he was conducting. A.H. agreed to participate, and attended for approximately 10 to 12 free treatments. She began paying for treatments again in or around April 2011.

In or around March 2011, Mr. Soligo began embracing A.H. for lengthy periods at the end of treatments. They also began discussing personal matters. A.H. was invited to go out socially to local dances on at least two occasions in and around April 2011. A.H. did not attend the dances. If Mr. Soligo were to testify, his evidence would be that these invitations were not of a sexual nature.

In June of 2011 A.H. drove to Montreal with Mr. Soligo to attend a conference and A.H. was attending an ashram nearby. During the drive to Montreal, Mr. Soligo touched A.H.'s thigh a number of times. When they returned from Montreal Mr. Soligo invited A.H. to stay at his house, as it was late when they arrived. That night they had sexual intercourse.

After that evening A.H. returned to received massage therapy treatments with Mr. Soligo for which payment was made and a receipt was issued. Treatments continued until in or around August of 2011.

If Mr. Soligo were to testify, his evidence would be that following the June 2011 treatment, he ceased to have sexual relations during the summer however he admitted that there was sexual touching throughout that time. In September 2011, the sexual and therapeutic relationship ended.

Mr. Soligo admitted to each of the allegations of professional misconduct.

### **Decision of the Panel and Penalty and Cost Award Imposed**

The Discipline Panel accepted the Joint Penalty Submission of the College and Mr. Soligo and imposed the following penalty:

1. The Member's Certificate of Registration shall be revoked, effective immediately;
2. The Member shall reimburse the College in the amount of \$7,500.00 towards the cost of its investigation and hearing, within ninety (90) days of the date of the Decision;
3. The Member shall reimburse the College up to \$3,000.00 for any funding provided to A.H. under the program required under section 85.7 of the *Health Professions Procedural Code*, and shall immediately post \$3,000.00 for this purpose, with any excess funds to be returned to the Member, at the Member's request, on the fifth anniversary of the Decision;
4. A public and recorded reprimand; and
5. The publication of this decision in the usual course, which includes publication in the Annual Report of the College, an Executive Summary posted on the College's website, as well as a summary of findings, also accessible through the College website. Additionally, the College may publish, at the discretion of the Registrar, details of the Member's failure to comply with any terms of the penalty imposed.

### **Panel's Reasons for Decision**

The Panel stated "revocation was the only outcome fitting" for the egregious breach of professional boundaries involved in this case. The Penalty imposed was deemed to be fair and appropriate addressing the principles of penalty in protecting the public and providing both specific and general deterrence.

The Panel noted that the mandatory penalty imposed is in keeping with the College's Zero Tolerance policy regarding sexual abuse of clients by a Registrant. Additionally, the Panel imposed a term requiring the Registrant to pay \$3000 towards counseling/therapy costs for the client.