



College of  
Massage  
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## **Discipline Hearing Summary – Aprile Manjoo, RMT (Brampton, ON) November 12, 2015**

Summary of the Discipline hearing before a Panel of the Discipline Committee of the College of Massage Therapists of Ontario (CMTO) was held on November 12, 2015.

### **Allegations of Professional Misconduct**

April Manjoo, a Registered Massage Therapist (RMT), was found to have engaged in the following acts of professional misconduct:

- Sexual abuse of a client;
- Practising while in a conflict of interest; and
- Engaging in disgraceful, dishonourable or unprofessional conduct.

### **The Facts**

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

On March 25, 2014, the College received a complaint from R.M., a member of the public, indicating that he and Ms. Manjoo had engaged in a sexual relationship while they were in a treating relationship, and that Ms. Manjoo had falsified insurance receipts. According to R.M., he and Ms. Manjoo entered into a sexual relationship in 2009, which carried on until approximately January of 2014. R.M. claimed that although the sexual activity was preceded by Massage Therapy on one or two occasions, typically Massage Therapy treatment was not provided. Despite this, Ms. Manjoo billed R.M.'s insurer for most or all of these treatments.

On April 2, 2014, the College appointed an investigator. This person interviewed Ms. Manjoo on April 7, 2014. At that time, Ms. Manjoo admitted that she and R.M. had engaged in sexual intercourse throughout the time she had treated him.

### **Findings of the Panel, Penalty Order and Cost Award Imposed**

Based on the Agreed Statement of Facts and Ms. Manjoo's admissions, the Panel unanimously found Ms. Manjoo to have engaged in each of the allegations of professional misconduct.

The Panel accepted the Joint Penalty Submission of the Parties and imposed the following Penalty Order:

1. Revocation of Ms. Manjoo's Certificate of Registration effective immediately;
2. A public and recorded reprimand that Ms. Manjoo will attend in person;

3. The Discipline Committee's decision will be published in the usual course, including publication in CMTO's *Annual Report*, a Discipline Hearing Summary posted on CMTO's website, and a summary of findings and penalty order on CMTO's public register.

#### *Cost Award*

Ms. Manjoo will contribute \$2,000 to the College's investigation and prosecution costs.

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

The Panel noted Ms. Manjoo admitted to a sexual relationship with a client from 2009 to 2014 that was concurrent with a treatment relationship. In such a case, the *Health Professionals Procedural Code* mandates the penalty of revocation of the Registrant's Certificate of Registration.

The severity of the penalty sends a clear message to Ms. Manjoo, the public and to the community, that sexual abuse will not be tolerated by the College. It also conveys the message that pursuant to the legislation, the College will take appropriate action against their registrants who commit acts of misconduct of this serious nature, regardless of the circumstances.

Ms. Manjoo submitted a number of mitigating factors that were considered by the Panel in the process of arriving at their decision. These mitigating factors included the following:

1. Ms. Manjoo admitted to the relationship in the first interview;
2. Her early admittance of the allegations avoided the cost and time of a contested hearing;
3. She had no prior disciplinary history with the College;
4. The client was 20 years older than she; and
5. She did not engage in sexual activity in the clinic.

The mitigating factors are relevant to the possibility of Ms. Manjoo seeking reinstatement of her Certificate of Registration once she has served the mandatory five-year suspension.

The Panel acknowledges Ms. Manjoo's genuine remorse for her behaviour and finds that she truly understands the gravity of her misconduct in engaging in a sexual relationship with a client.

At the conclusion of the hearing, Ms. Manjoo waived her right to appeal and an oral reprimand was delivered by the Panel.