



College of Massage Therapists of Ontario

1867 Yonge Street, Suite 810, Toronto, ON M4S 1Y5 | www.cmta.com | cmta@cmta.com

Phone 416.489.2626 | Toll-free (Ontario) 800.465.1933

Penalty Hearing Summary

Daryosh Goldar, RMT (Toronto, ON), March 1, 2018

Decision

In a [prior decision](#) dated September 13, 2017, the Discipline Committee found that Mr. Daryosh Goldar, a Registered Massage Therapist (RMT), committed acts of professional misconduct in that he:

1. sexually abused a client;
2. abused a client physically or verbally;
3. engaged in conduct or performed an act, relevant to the practice of the profession, that, having regard to all the circumstances, would reasonably be regarded by registrants as disgraceful, dishonourable or unprofessional; and
4. engaged in conduct that would reasonably be regarded by registrants as conduct unbecoming of a Massage Therapist.

Penalty Order and Cost Award

At the penalty phase of the hearing, on March 1, 2018, the Discipline Committee ordered the following penalty:

1. Mr. Goldar was reprimanded by a Panel of the Discipline Committee. The fact of the reprimand and the text of the reprimand is to appear on the public register. (The reprimand can be read below.)
2. Mr. Goldar's Certificate of Registration was revoked.
3. Mr. Goldar was required to reimburse the College for funding for therapy and counselling provided to the abused client.
4. Mr. Goldar was required to pay to the College costs in the amount of \$60,000.00 payable within six (6) months of March 1, 2018.

The complete Decision and Reasons will be available online on the Canadian Legal Information Institute (CanLII) [website](#).

Reprimand Delivered to Mr. Goldar

The following reprimand was delivered by the Panel of the Discipline Committee:

As you are aware the College has a zero tolerance policy for sexual abuse of patients. This is derived from the *Regulated Health Professions Act* and is reflected in the mandatory revocation and reprimand ordered in your penalty today.

This Panel is extremely concerned with the conduct that you displayed. The remarks of a sexual nature that were made to your patient were not for a clinical purpose, and in light of your subsequent behaviour, only highlighted the sexual intent. Your actions demonstrated an abysmal lack of professionalism and due care. You allowed your patient's breasts and labia to be repeatedly exposed during your Massage Therapy sessions. The unwanted and unwarranted touching of your patient's breasts without clinical indication or consent had no therapeutic value. This behaviour, therefore, constitutes sexual abuse of a patient, and this College will not tolerate it.

The Panel is concerned that you still do not fully appreciate the impact that your actions have had on your patient. You have yet to demonstrate any remorse or acceptance of responsibility for your actions. The remarks of a sexual nature and the touching of a sexual nature was a significant invasion of your patient's personal integrity. You repeatedly tried to detract from and camouflage the sexual nature and intent of your behaviour towards your patient.

The Panel found that the brokering of what appeared to be a bribe to buy your patient's silence was conduct unbecoming of a regulated health professional. We are extremely disappointed in your lack of professional judgment. Regulated health professionals are expected to uphold the highest standards of care, and to always protect their patients and the public.