



College of Massage Therapists of Ontario

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

Phone 416.489.2626 | Toll-free (Ontario) 800.465.1933

Discipline Hearing Summary

Josef Pittman (North York, ON)

January 18, 2023

Decision

On January 18, 2023, the Discipline Committee found that Mr. Pittman engaged in the following acts of professional misconduct:

1. was found guilty of an offence that was relevant to his suitability to practise (sexual assault, contrary to section 271 of the Criminal Code of Canada);
2. sexually abused a client, more particularly, touching of a sexual nature of a client;
3. contravened a Standard of Practice of the profession or a published Standard of the College, or failed to maintain the Standard of Practice of the profession, in particular, the Standard for *Maintaining Professional Boundaries and Preventing Sexual Abuse*;
4. physically abused a client; and
5. 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.

The findings of professional misconduct arose from Mr. Pittman's conduct toward a client during a Massage Therapy treatment in 2021 where Mr. Pittman touched the client's genitals.

Penalty Order and Cost Award

The Discipline Committee's order included the following:

1. Mr. Pittman must appear before a panel of the Discipline Committee immediately following the hearing of this matter to be reprimanded, with the fact of the reprimand and the text of the reprimand to appear on the College's public register.
2. The Registrar is directed to revoke Mr. Pittman's Certificate of Registration, beginning on January 18, 2023.

3. Mr. Pittman must reimburse the College for funding provided for the client [for therapy or counselling] under the program required under section 85.7 of the Health Professions Procedural Code.
4. Mr. Pittman must, within thirty (30) days of January 18, 2023, post security acceptable to the College in the amount of \$2,500 to guarantee the payment of any amounts he may be required to reimburse the College under the order in paragraph 3.
5. Mr. Pittman must pay the College costs in the amount of \$3,475 which can be paid in twelve (12) monthly instalments, with the first payment beginning thirty (30) days from January 18, 2023, in the amount of \$296 and the remaining eleven (11) payments to be paid on a monthly basis thereafter, in the amount of \$289 per month.

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

Reprimand Delivered to Mr. Pittman

The following reprimand was delivered by a panel of the Discipline Committee:

Mr. Pittman, the panel would like to acknowledge your cooperation in arriving at joint submissions at both phases of this hearing, which assisted in the process and lessened the burden of time and resources upon the College and the profession. We also appreciate your presence here today.

Having said that, the panel finds that your conduct was completely unacceptable for a Registered Massage Therapist and a regulated health professional. The act of sexual abuse that you committed is quite simply reprehensible and particularly heinous when it occurs at the hands of a trusted healthcare professional. You engaged in behaviour that violated the physical integrity of your client. You exploited your position of trust towards your client while they were in a vulnerable position.

You have shown a complete disregard for the public, your client and your professional obligations. Rather than give the care you have been privileged to provide to your client, you have abused them and their trust. The Discipline Committee has zero tolerance for sexual abuse.

Public safety and public protection are at the forefront of this Committee's mandate. Revocation was mandatory in this case, and this panel would not have been satisfied with any outcome other than the revocation of your Certificate of Registration, given the serious and disturbing nature of your conduct.