



College of Massage Therapists of Ontario

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Discipline Hearing Summary

Gerard Rodrigues (Peterborough, ON)

April 25, 2024

Decision

On April 25, 2024, the Discipline Committee found that Mr. Rodrigues engaged in the following acts of professional misconduct:

1. he was found guilty of an offence relevant to his suitability to practise;
2. sexually abused clients;
3. physically abused clients;
4. contravened a Standard of Practice of the profession or a published Standard of the College, in particular, the Standard for *Maintaining Professional Boundaries and Preventing Sexual Abuse*, or failed to maintain the Standard of Practice of the profession; 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.

Mr. Rodrigues was given notice of the hearing, but he did not participate.

The Discipline Committee's findings relate to Mr. Rodrigues's conduct toward six Massage Therapy clients. In 2021 and 2022, Mr. Rodrigues was convicted of sexual assault of these clients, which was an offence relevant to his suitability to practise Massage Therapy. The sexual assaults included touching of the clients' breasts and/or genitals and digital penetration. The Committee relied on this same conduct to find that Mr. Rodrigues sexually and physically abused his clients during their appointments.

Penalty Order and Costs Award

The Discipline Committee's order included the following:

1. Mr. Rodrigues must appear before a panel of the Discipline Committee to be reprimanded within 30 days of the date of the order, 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 immediately revoke Mr. Rodrigues's Certificate of Registration;
3. Mr. Rodrigues must reimburse the College for funding that has been and that may be provided to the six clients [for therapy or counselling] under the program required by section 85.7 of the Health Professions Procedural Code¹;
 - a) \$16,060 for the client referred to in the Notice of Hearing in File No. 191212-0101;
 - b) \$17,370 for each client referred to in the Notice of Hearing in File No. 200130-0201; and
 - c) \$17,370 for each client referred to in the Notice of Hearing in File No. 200204-0101;
4. Mr. Rodrigues is required, within 30 days of the date of this order, to post security acceptable to the College in the amount of \$48,000 to guarantee the payment of any amounts he may be required to reimburse the College under paragraph 3 of the order;
5. Any amount of security provided by Mr. Rodrigues pursuant to paragraph 4 of the order that has not been used by January 15, 2026 will be returned to Mr. Rodrigues. If, at any point in time prior to January 15, 2026, the College holds security in an amount that exceeds the remaining eligible amount of all clients referred to in paragraph 3, the College will return that excess amount to Mr. Rodrigues; and
6. Mr. Rodrigues is required to pay the College costs in the amount of \$5,852 within 30 days of the date of the order.

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

¹ Schedule 2 to the [Regulated Health Professions Act, 1991](#).