

## Discipline Summary

### Gail-Anne Cumberbatch (Toronto, ON)

May 1, 2025

#### Decision

On May 1, 2025, the Ontario Massage Therapists Discipline Tribunal (tribunal) found that Ms. Cumberbatch had engaged in the following acts of professional misconduct:

1. received any form of benefit from the practice of Massage Therapy while under suspension without full disclosure to the College of the nature of the benefit to be obtained and without obtaining prior approval from the Executive Committee;
2. contravened the *Massage Therapy Act, 1991*, the *Regulated Health Professions Act, 1991*, or the regulations under either of those acts (more particularly, contravened section 7 of the *Massage Therapy Act, 1991* [holding out and use of restricted title]); and
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.

The tribunal found that Ms. Cumberbatch practised Massage Therapy when she was suspended from the College and therefore not allowed to practise. This occurred during three different periods of suspension and over a total period of three and a half years between 2013 and 2022.

#### Penalty and Costs Order

The tribunal's order included the following:

1. Ms. Cumberbatch is required to appear before the panel 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 public register of the College.
2. The Registrar is directed to revoke Ms. Cumberbatch's Certificate of Registration effective May 1, 2025.
3. Ms. Cumberbatch is required to pay the College costs of \$5,852 by June 2, 2025.

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

## **Reprimand Delivered to Ms. Cumberbatch**

The following reprimand was delivered by a panel of the tribunal:

Ms. Cumberbatch, this panel found that you engaged in professional misconduct when you received considerable benefits from the practice of Massage Therapy and held yourself out as a Massage Therapist while under suspension.

By repeatedly practising and providing receipts with your registration number over a period of three years, while under three separate suspensions, you have demonstrated a flagrant disregard for the discipline process and the College's ability to regulate the profession. You put the public at risk by holding yourself out as a Massage Therapist, which holds professional duties and expectations, at a time when you were not a member of the College. Actions such as yours undermine the public's confidence in this profession.

The College of Massage Therapists of Ontario and this [tribunal] have no tolerance for registrants who disregard the regulations that govern the profession. This is reflected in our penalty order, which includes the revocation of your Certificate of Registration.