

# Reynard Graham, Former RMT

**Location:**

Victoria, BC

**Date of Action:**

Jun 26, 2015

**Nature of Action:** On June 26, 2015, a panel of the Discipline Committee (the "Panel") determined that Mr. Graham: 1) failed to comply with section 75 of the College's Bylaws, which requires each registrant to adhere to the College's Code of Ethical Conduct (the "Code"); 2) failed to comply with sections 1(2) and 2(a) of the Code; and 3) committed professional misconduct as set out in the Citation dated December 15, 2014. View [Citation](#) (PDF)

Given that Mr. Graham is no longer a registrant of the College, the only penalties available under the section 39.2 of the Health Professions Act (the "Act"), are a reprimand under section 39(2)(a), and/or a fine under section 39(2)(f). As a result, the Panel ordered that Mr. Graham be reprimanded and fined in the amount of \$8,000.

However, the Panel noted in its decision that if Mr. Graham been a registrant at the time of the hearing "the Panel would very likely have decided to cancel his license under section 39(8) of the Act due to the seriousness of his misconduct. Further, the Panel would have considered not permitting him to apply for reinstatement of registration for a period of two years from the date of the order. The Panel may have also imposed a condition that he not be eligible to apply for reinstatement of registration until he provides a psychological or psychiatric assessment report demonstrating his fitness to practice and/or other requirements."

**Reasons:** The Panel found that Mr. Graham was convicted of an offence, being one count of sexual assault (against a 16 year old female patient) contrary to section 271 of the Criminal Code and was sentenced to inter alia a 6 month conditional sentence and 6 months of probation. Further, the Panel accepted the underlying evidence that Mr. Graham "sexually touched" a 16 year old female patient, that she did not consent, and that Mr. Graham cupped her breasts and commented on them. The Panel also accepted Mr. Graham's admission of such conduct.

View [Reasons for Decision](#) (Verdict & Penalty – PDF)