

Gilles-Philippe (Phil) Lavoie, Former RMT

Location:

Saanich, BC

Date of Action:

January 11, 2023

Nature of Action: A section 39(2) order by consent under section 37.1 of the *Health Professions Act*, R.S.B.C. 1996, c. 183. Following the issuance of a citation giving notice of a formal discipline hearing, the respondent, Gilles-Phillipe (Phil) Lavoie, made a proposal to enter a consent order with the Inquiry Committee. Mr. Lavoie ultimately consented to an order by the Inquiry Committee that:

- his registration with CMTBC be cancelled effective January 11, 2023; and
- he is not eligible to apply for reinstatement of registration with CMTBC for a period of 25 years from the date of the order, that is, until January 11, 2048.

Mr. Lavoie will also pay to the College a portion of the costs of the investigation.

Given this resolution, a formal discipline hearing will not proceed.

[Read Mr. Lavoie's proposal](#) (PDF).

[Read the Consent Order and Reasons](#) (PDF).

Reasons: Mr. Lavoie made the following admissions:

- On or about August 10, 2020, at the clinic at which he practiced massage therapy, he intentionally and secretly video recorded a female patient (the "Patient") while she was disrobing at the beginning of her massage therapy appointment. Specifically, he positioned his mobile phone in a place in the treatment room such that its camera was facing toward the area that he anticipated the Patient would disrobe, turned the mobile phone record function on, and exited the treatment room.

The mobile phone captured the Patient disrobing at the beginning of the massage therapy appointment.

- On or about June 11, 2021, he was convicted in the British Columbia Provincial Court on the following charge: that between March 20, 2020 and August 10, 2020, at or near Saanich, British Columbia, he did commit the offence of secretly observing/recording nudity in a private place, contrary to section 162(1)(a) of the *Criminal Code*. This charge related to his secret video recording, on his mobile phone, of the Patient and three other women (one of whom was also his patient).

Mr. Lavoie also admitted that the conduct outlined above amounts to separate acts of professional misconduct.

The Inquiry Committee noted that Mr. Lavoie agreed to cancel his registration and will not be eligible to apply for reinstatement of registration for a period of 25 years.

The Inquiry Committee noted that if Mr. Lavoie applies for registration after 25 years, he will not have an automatic right to registration; instead, his application will be addressed by the Registration Committee in accordance with section 20 of the *Health Professions Act* and the Bylaws of CMTBC, including as they may be amended. In the event of a future application for registration, Mr. Lavoie will be required to meet all legislative and bylaw requirements relating to registration, including those relating to good character; and pursuant to section 54(5) of the CMTBC Bylaws he will be required to satisfy the Registration Committee that his registration will not pose an undue risk to public health or safety or otherwise be contrary to the public interest.

The Inquiry Committee considered Mr. Lavoie's admitted conduct to be extremely serious. The Inquiry Committee is satisfied that the consent order in this matter appropriately reflects the seriousness of the admitted conduct and will protect patient safety through cancellation of Mr. Lavoie's registration, meaning that Mr. Lavoie is no longer authorized to practice as a registered massage therapist in B.C.