

# Jeremy Jakobsze, Former RMT

## Location:

Maple Ridge, BC

## Date of Action:

July 24, 2023; September 19, 2023

**Nature of Action and Reasons:** On December 12, 2022, a panel of the Discipline Committee of the College of Massage Therapists of British Columbia (the “College”) convened to hear a formal citation issued to the respondent, Jeremy Jakobsze. Mr. Jakobsze was a registered massage therapist at the time of the events described in the citation but ceased to be a registrant of the College on November 25, 2022, when he resigned his registration.

The citation set out allegations that Mr. Jakobsze engaged in unjustified acts of retribution against a prospective patient (A.A.) after A.A. posted a negative Google review (the “Online Review”) about Mr. Jakobsze following an interaction that A.A. had with Mr. Jakobsze and that Mr. Jakobsze communicated unprofessionally with staff of the College during the investigation into his conduct in relation to A.A.

Following the discipline hearing, the Discipline Committee panel issued a [decision and reasons dated July 24, 2023](#) (PDF).

Subsequently, the College and Mr. Jakobsze were given an opportunity to provide submissions on penalty and costs to the panel; however, Mr. Jakobsze did not provide submissions. After considering submissions from the College on penalty and costs, the panel issued an [order and reasons on penalty and costs dated September 19, 2023](#) (PDF). A summary of the order may be found below under the heading “Panel’s Decision dated September 19, 2023.”

## Panel’s Decision dated July 24, 2023

### Allegation 1

The panel found that subsequent to June 3, 2020, and following A.A. posting the Online Review, Mr. Jakobsze engaged in unjustified acts of retribution or harassment against A.A. as follows:

- On or about June 4, 2020, Mr. Jakobsze submitted a complaint to A.A.'s regulatory body (the "Regulatory Body"), including allegations that A.A. engaged in "fraudulent" acts, "theft" and "gender-based harassment" against him and implying that A.A. had violated the *Criminal Code*.
- In July 2020, shortly after the Regulatory Body dismissed Mr. Jakobsze's complaint against A.A., Mr. Jakobsze contacted A.A.'s employer by email and phone and stated to representatives of A.A.'s employer that A.A. may pose a risk to others.
- He applied for a review of the Regulatory Body's dismissal of his complaint by way of application to the Health Professions Review Board (the "HPRB"). On October 20, 2020, Mr. Jakobsze wrote to a representative of the HPRB reiterating that "there was a substantial cause for concern regarding A.A.'s mental health" and alleging that A.A. engaged in "hate speech" and should be held accountable for "provenly [sic] false accusations."
- Mr. Jakobsze made a complaint to the RCMP against A.A., alleging that A.A. engaged in "hate speech" in relation to him.

The panel determined that, by engaging in this conduct, Mr. Jakobsze breached the College's Code of Ethics then in effect, and that he committed professional misconduct.

## **Allegation 2**

Following the initiation of an investigation by the Inquiry Committee of the College into Mr. Jakobsze's conduct regarding A.A., the panel found that Mr. Jakobsze communicated unprofessionally with College staff as follows:

- On August 31, 2020, Mr. Jakobsze sent an email to a College investigator in which he referred to the investigator as an "unprofessional investigator."
- On November 4, 2020, Mr. Jakobsze sent an email to the College's Director, Inquiry & Discipline (the "Director"), in which he described the Director as "someone with a mental delay."
- On November 5, 2020, Mr. Jakobsze sent an email to the Director stating, "I don't know who touched you when you were 12 or what boy didn't like you in high school, but it is not my fault that someone hurt you previously in life...It is absolutely clear that you have a vendetta against me for unjustified or unclarified reasons...You need to stop harassing me and my family to suit your own sexist motives...You are

unfit to carry out your duties. I will see to it that you are removed from your position.”

- On November 5, 2020, after the Registrar of the College (the “Registrar”) wrote to Mr. Jakobsze stating that Mr. Jakobsze’s email of November 5, 2020, to the Director was unacceptable and unprofessional and suggesting that Mr. Jakobsze apologize to the Director, Mr. Jakobsze responded to the Registrar by email asserting that the Director was “negligent” or “delayed” and “needs to be removed from her position promptly...” and that the Registrar should get his “head straight.”
- On November 20, 2020, Mr. Jakobsze contacted the College’s legal counsel, referred to the College investigation process as a “kangaroo court,” and stated, “You can be a criminal if you want. Just ask yourself if it’s worth it.”
- On or about December 10, 2020, when completing his 2021 College registration renewal declaration, in answer to the question of whether, in the past year, he had been the subject of a complaint, investigation, disciplinary action or finding, Mr. Jakobsze responded “yes,” but then, rather than declaring the complaint made against him by A.A., he wrote, “I am subject to abuse of power and hate crimes by [the Director], the Registrar and the Inquiry Committee.”

The panel determined that, by engaging in this conduct, Mr. Jakobsze breached the College’s Code of Ethics then in effect, and that he committed professional misconduct.

## **Conclusion**

In summary, the panel found that the College had proved the allegations in the citation to the requisite standard. The hearing proceeded to a decision on penalty and costs, as outlined below.

## **Panel’s Decision dated September 19, 2023**

Following the issuance of the July 24, 2023 decision, the panel, as required by law, requested submissions in writing from the College and Mr. Jakobsze regarding the appropriate penalty and costs. The panel determined it had jurisdiction to impose any of the penalties listed in s. 39(2) of the *Health Professions Act* on Mr. Jakobsze, and it ordered that he:

- Be reprimanded.

- Pay a fine to the College in the amount of \$4,000.00 within six months of the date of the order.
- Pay costs to the College in the amount of \$8,178.83 within six months of the date of the order.
- Be suspended for ten months, to be served commencing the date of his reinstatement in the event that he applies for registration with the College and is successfully reinstated in the future.

Following the ten-month suspension, the lifting of the suspension is conditional on the discipline committee or the board determining that Mr. Jakobsze has:

- successfully completed the PROBE: Ethics and Boundaries Program at his sole expense; and
- paid in full the costs and fine awarded by the panel, if any remain unpaid at the time of reinstatement.

The panel stated in its decision that:

- The nature and gravity of Mr. Jakobsze's proven conduct was serious.
- Mr. Jakobsze's past disciplinary record weighed in favour of the imposition of a more serious penalty.
- Mr. Jakobsze has not acknowledged his misconduct.

The panel stressed a strong need to send a clear message to Mr. Jakobsze and other members of the profession about the importance of cooperating with the College. The requirement to cooperate with the College is critical to the College's ability to regulate the profession and act in the public interest. The public must have confidence that members of the profession will cooperate with their regulators and will be held to account when they fail to do so. The panel found that a serious penalty was necessary to uphold and protect the public interest.

The Complainant is referred to in the decision by generic initials in order to avoid identifying them.