

**IN THE MATTER OF THE *HEALTH PROFESSIONS ACT*, R.S.B.C. 1996, c. 183
(the “HPA”)**

**AND IN THE MATTER OF
THE COLLEGE OF MASSAGE THERAPISTS
OF BRITISH COLUMBIA (“CMTBC”)**

**AND
BODHI JONES
(the “Registrant”)**

**CONSENT ORDER PROPOSAL
(the “Proposal”)**

BACKGROUND

1. This Proposal is made by the Registrant to the Inquiry Committee of CMTBC (the “Committee”) under section 37.1 of the HPA.
2. On May 5, 2016, CMTBC registered the Registrant under No. 7638.
3. On February 15, 2017, the Registrant contacted CMTBC and advised that he had been charged with assault.
4. On February 21, 2017, the Registrant became a former registrant when he requested to resign his registration with CMTBC, which CMTBC accepted.
5. On February 21, 2017, CMTBC posted a Public Notification of Action stating that the Registrant had voluntarily resigned during an investigation arising from his conduct while practicing massage therapy and that he was not entitled to practice as a registered massage therapist in British Columbia or use protected titles reserved for registrant of CMTBC.
6. On February 28, 2017, a complainant submitted a complaint to CMTBC with respect to events that formed the basis of a criminal complaint of sexual assault against the Registrant which was alleged to have occurred on November 20, 2016, during the course of a massage at a spa.
7. CMTBC opened a complaint file under No. 2017-00012. On March 1, 2017, the Committee initiated an investigation. As a criminal investigation was ongoing, CMTBC elected to hold part of its investigation in abeyance pending the conclusion of criminal proceedings.

8. On November 21, 2018, the Registrant pleaded guilty and was convicted of offences as follows:
 - a. Count 1, from or about the 29th day of October 2016 to the 31st day of December 2016, inclusive, at or near Vancouver, in the Province of British Columbia, did commit an offence of sexual assault, contrary to Section 271 of the *Criminal Code*;
 - b. Count 2, on or about the 20th day of November 2016, at or near Vancouver, in the Province of British Columbia, did commit an offence of sexual assault, contrary to Section 271 of the *Criminal Code*;
 - c. Count 3, from or about the 18th day of December 2016 to the 22nd day of January 2017, inclusive, at or near Vancouver, in the Province of British Columbia, did commit an offence of sexual assault, contrary to Section 271 of the *Criminal Code*.
9. Count 2 related to conduct which was the subject of the February 28, 2017 complaint to CMTBC.
10. On April 10, 2019, the Registrant was sentenced to, *inter alia*, a conditional sentence of 18 months' house arrest and three years' probation. He was ordered to provide a sample of DNA and be registered on the National Sex Offender Registry for his lifetime.
11. Some of the conditions of the Registrant's sentence are that he not hold himself out as a provider of massage services or the provider of any other services involving therapeutic touching and not provide any massages to female persons.
12. On November 20, 2019, the Committee directed the issuance of a citation in No. 2017-00012.
13. On February 5, 2020, the Committee commenced investigations on its own motion under file Nos. 2020-00012 and 2020-00013 with respect to the conduct which related to Counts 1 and 3.
14. On July 15, 2020, the Committee directed the issuance of citations in Nos. 2020-00012 and 2020-00013 and that those two matters be heard together with No. 2017-00012. A citation concerning all three matters was issued for a discipline hearing on September 1 and 2, 2020.

ADMISSIONS

15. The Registrant admits that:
 - a. at some point between about October 29, 2016 and December 31, 2016, while he was a registrant of CMTBC and conducting a massage of a female client at spa, he touched her inappropriately and in a sexual manner without her consent;

- b. on or about November 20, 2016, while he was a registrant of CMTBC and conducting a massage of a second female client at a spa, he touched her inappropriately and in a sexual manner without her consent;
 - c. on or about January 22, 2017, while he was a registrant of CMTBC and conducting a massage of a third female client at a spa, he touched her inappropriately and in a sexual manner without her consent;
 - d. on November 21, 2018, he was convicted of one count of sexual assault as a result of his conduct set out in sub-paragraph 15a, above;
 - e. on November 21, 2018, he was convicted of one count of sexual assault as a result of his conduct set out in sub-paragraph 15b, above; and
 - f. on November 21, 2018, he was convicted of one count of sexual assault as a result of his conduct set out in sub-paragraph 15c, above.
16. The Registrant admits that the conduct set out in each of paragraphs 15a – 15f, above, amount to separate acts of professional misconduct.

CONSENT TO ORDER

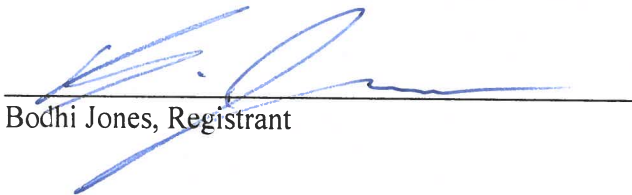
17. The Registrant proposes resolution of this matter on the following terms:
- a. that, pursuant to section 39(2) of the HPA, his registration with CMTBC is cancelled effective the date of the Committee's approval of this Proposal;
 - b. that, pursuant to section 39(8) of the HPA, the Committee order that he not be eligible to apply for reinstatement of registration for a period of 30 years from the Committee's approval of this Proposal; and
 - c. the Registrant shall not pay any costs of CMTBC with respect to its investigation or discipline of the Registrant in this matter.

ACKNOWLEDGEMENTS

18. The Respondent acknowledges that, if this Proposal is accepted by the Committee, it will issue a Consent Order consistent with this Proposal that is considered to be an order of the discipline committee made under section 39 of the HPA. If the Proposal is rejected, the hearing will proceed as though the Proposal had not been made and without consideration of its contents.
19. The Registrant acknowledges that, if this Proposal is accepted by the Committee, publication of this Proposal and the Consent Order issued will be made in accordance with section 39.3 of the HPA.

20. The Registrant acknowledges that in the event a Consent Order is issued in accordance with this Proposal, and he applies for registration after 30 years, his application will be addressed by the registration committee in accordance with section 20 of the HPA and the Bylaws of CMTBC. He will be required to meet the standard for good character and all other registration requirements.
21. The Registrant acknowledges that he has had an opportunity to obtain legal advice and representation throughout CMTBC processes and before making this Proposal and that he fully understands and agrees to the terms and conditions set out herein.

SIGNED in Vancouver, B.C. the 30 day of July, 2020.


Bodhi Jones, Registrant

Signature of Bodhi Jones witnessed on above date by:

GREG CAVALLAS 
Witness Name (Please Print) and Signature