

IN THE MATTER OF THE *HEALTH PROFESSIONS ACT* RSBC 1996 c. 183

AND IN THE MATTER OF

**THE COLLEGE OF MASSAGE THERAPISTS
OF BRITISH COLUMBIA ("CMTBC")**

AND

**GRAHAM BREault
(the "Registrant")**

CONSENT ORDER AND REASONS
Under s. 37.1 of the *Health Professions Act*

The Inquiry Committee of the CMTBC considered the Consent Order Proposal (the "Proposal") submitted by the Registrant on November 27, 2019 concerning a complaint made to the CMTBC, a copy of which Proposal is attached to this Order.

The Inquiry Committee noted the Registrant's admissions as set out in the Proposal that:

12.
 - a. On October 26, 2016, prior to when he became a registrant of CMTBC but after he had applied to do so, while conducting a body massage of a female client he touched her inappropriately and in a sexual manner without her consent; and
 - b. On November 7, 2018, while he was a registrant of CMTBC, he was convicted of a sexual assault which occurred on October 26, 2016.

This conduct is fundamentally inconsistent with the duties owed by registrants to clients, to the profession and to the public. The Committee noted that the Registrant agrees to cancel his registration and will not be eligible to apply for reinstatement of registration for a period of 20 years.

Having reviewed the Proposal and based upon the considerations set out above, the Inquiry Committee makes the following orders pursuant to s. 37.1 and 39 of the *Health Professions Act* that:

1. the Registrant's registration with the CMTBC is cancelled effective December 4, 2019;
2. the Registrant is not eligible to apply for reinstatement of registration with the CMTBC for a period of 20 years from the date of this Order, that is, until December 4, 2039;
3. the Registrant shall not pay any costs of CMTBC with respect to its investigation or discipline of the Registrant in this matter.

This Consent Order is made this 4th day of December, 2019 by the Inquiry Committee:



James McGettigan



Jana Konkin



Lorna Pawluk



Lynne Harris



Pamela Nonis



Robin Perry



Sheila Cessford



Teresa Budd



Wendy Sanders