

**THE DISCIPLINE COMMITTEE OF THE COLLEGE  
OF PHYSICIANS AND SURGEONS OF ONTARIO**

**IN THE MATTER OF a Hearing directed  
by the Complaints Committee of  
the College of Physicians and Surgeons  
of Ontario, pursuant to Section 38 to 56  
of the Health Professions Procedural Code  
of the Regulated Health Professions Act 1991,  
S.O.1991, c. 18 as amended.**

**BETWEEN:**

**THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO**

**- and -**

**DR. PETER CAMERON FORRESTER MOORE**

**PANEL MEMBERS:** DR. L. ROBINSON (Chair)  
DR. B. ADAMS  
H. MAEOTS  
L. SAMIS

**HEARING DATE:** JULY 6, 1998

**DECISION/RELEASED DATE:**

JULY 6, 1998

## DECISION AND REASONS FOR DECISION

The matter came before the Discipline Committee of the College of Physicians and Surgeons of Ontario at Toronto on July 6, 1998.

### THE ALLEGATIONS

In the Notice of Hearing, it was alleged that Dr. Moore is guilty of professional misconduct in that:

- (a) he failed to maintain the standard of practice of the profession, contrary to paragraph 26.20 of Ontario Regulation 577/75, as amended;
- (b) he engaged in sexual impropriety with a patient, contrary to paragraph 26.28 of Ontario Regulation 577/75, as amended;
- (c) he engaged in conduct or an act relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to paragraph 26.31 of Ontario Regulation 577/75, as amended.

The particulars alleged were as follows:

- (1) The complainant was a patient of Dr. Moore's in 1978. He saw him for psychotherapy sessions on a weekly basis for several months.
- (2) During one session Dr. Moore encouraged the patient to the effect that he should follow his impulses and as a result the patient removed all his clothes.
- (3) At a subsequent appointment Dr. Moore again encouraged the patient, and the patient removed all his clothes. Dr. Moore encouraged the patient to remove Dr. Moore's clothes, and the patient pulled down Dr. Moore's trousers and underwear. Dr. Moore encouraged the patient to touch Dr. Moore's genitalia, but the patient refused to do so.

- (4) The patient terminated his therapy after this event.
- (5) The conduct alleged in the paragraphs 2-4 above constitutes professional misconduct as defined in paragraphs 26.20, 26.28 and 26.31 of Ontario Regulation 577/75 as amended, made under the *Health Disciplines Act, 1974*, S.O. 1974, c.47, as amended.

In addition to the Notice of Hearing, an Agreed Facts and Consent Disposition was placed before the Committee. Dr. Moore was present at the hearing but not the complainant. No evidence was led.

#### **THE CIRCUMSTANCES OF THIS HEARING**

Counsel for the College told the Committee that in 1991 Dr. Moore was disciplined for similar actions that occurred after the allegations under consideration at this hearing. Dr. Moore was found guilty, and received the following penalty:

- 1) Dr. Moore was reprimanded, and the fact of the reprimand recorded in the Register;
- 2) His licence to practise medicine was suspended for two years. The suspension itself was to be suspended after two months provided that Dr. Moore continued in psychotherapy with a psychiatrist satisfactory to the Registrar; that Dr. Moore's practice continued to be supervised by Dr. X. or a supervisor satisfactory to the Registrar; and that the psychotherapist and supervisor continued to provide quarterly reports satisfactory to the Registrar until the psychotherapy and the supervision are concluded to the satisfaction of the Registrar.

The Committee was told that Dr. Moore had complied with the terms and conditions placed on his licence to practise (now known as Certificate of Registration). This was not a case of re-offence; the allegations referred to activities that pre-dated the previous hearing, although the complaint was made after that hearing. The prosecutor informed the Committee that he the College was satisfied that Dr. Moore now practised in an acceptable manner, as monitored by his psychotherapist and practice supervisor. Supervision of his practice was deemed no longer necessary and discontinued in August 1996, but Dr. Moore is receiving psychotherapy on an ongoing basis.

## **AGREED FACTS AND CONSENT DISPOSITION**

### **Part 1. Statement of Agreed Facts**

The Statement established the facts as set out in the particulars of the Notice of Hearing, with an amendment to paragraph 5 in that reference to paragraphs 26.20 and 26.31 of Ontario Regulation 577/75 was omitted.

### **Part II. Admission and Withdrawal**

The College of Physicians and Surgeons of Ontario and Dr. Peter Cameron Forrester Moore agree to findings by the Discipline Committee in accordance with the following admission and withdrawal:

#### **Admission**

Dr. Moore admits that he is guilty of professional misconduct in that he engaged in sexual impropriety with a patient, contrary to paragraph 26.28 of Ontario Regulation 577/75.

#### **Withdrawal**

The College withdraws the allegations that Dr. Moore failed to maintain the standard of practice of the profession, contrary to paragraph 26.20 of Ontario Regulation 577/75, and that Dr. Moore engaged in conduct or an act relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful,

dishonourable or unprofessional, contrary to paragraph 26.31 of Ontario Regulation 577/75, as amended.

### **Part III. Consent Disposition**

In accordance with section 4.1 of the *Statutory Powers and Procedures Act*, the parties consent to the disposition of this proceeding, without a hearing, by an order of the Discipline Committee in the form of the attached order placed before the Committee.

### **THE DECISION**

The Committee reviewed all the information placed before it, including the draft order agreed upon by the College and Dr. Moore. It accepted that this was not a case of re-offence and that Dr. Moore had made good progress under the terms and conditions imposed on his Certificate of Registration. The Committee agreed that a recorded reprimand was an appropriate penalty in view of the seriousness of the offence, but that, in the circumstances, any further terms or restrictions on Dr. Moore's Certificate of Registration were not warranted. The public appeared to be adequately protected by those terms still in place, which must be reinforced by this decision. In deciding on the appropriate penalty, the Committee accepted the draft order with one revision, agreed upon by both parties, as follows:

### **THE ORDER**

1. This Committee finds Dr. Peter Cameron Forrester Moore guilty of professional misconduct in that he engaged in sexual impropriety with a patient, contrary to paragraph 26.28 of Ontario Regulation 577/75, which is more particularly specified in the Agreed Statement of Facts.
2. This Committee directs Dr. Moore to appear before this Committee to be reprimanded and that the fact of the reprimand be recorded in the register.

3. This Committee further directs that the imposition of any further penalty is suspended upon the following terms:

- (1) Dr. Moore will continue in psychotherapy with a psychiatrist acceptable to the Registrar.
- (2) Dr. Moore will instruct his treating psychiatrist, and Dr. Moore's treating psychiatrist will indicate his or her agreement in writing to the College, to notify the Registrar of the College in the event that he or she identifies any change in Dr. Moore's condition which gives him or her cause for concern that Dr. Moore's patients might be at risk.

Dr. Moore waived his right to appeal, and the reprimand was duly administered.