

**THE INVESTIGATIVE SUBCOMMITTEE OF
THE CANADIAN ATHLETIC THERAPIST ASSOCIATION**

-and-

CONNOR SYMES

AGREED STATEMENT OF FACTS AND PENALTY

Agreed Facts:

1. Mr. Symes has been a Certified Athletic Therapist (“CAT(C)”) since November 14, 2014 and a member of the Canadian Athletic Therapists Association (the “CATA”) since January 26, 2012.
2. At all material times hereto, Mr. Symes owned and operated Postural Athletic Therapy, in Victoria, BC.
3. Mr. Symes provided treatment to a patient in August 2015 through to and including November 2015.
4. Mr. Symes made inappropriate comments and engaged in inappropriate contact with the patient during some treatment sessions.
5. At the end of October 2015, Mr. Symes invited the patient to his home to engage in sexual intercourse. Mr. Symes and the patient engaged in sexual intercourse shortly thereafter. The patient ceased receiving treatment from Mr. Symes in November 2015.
6. At some point after the patient stopped receiving treatment from Mr. Symes and Postural Athletic Therapy, Mr. Symes destroyed the patient’s records.
7. The patient made a complaint to the CATA in August 2017 (the “Complaint”).
8. By letter dated August 10, 2017, the CATA notified Mr. Symes of the Complaint, allegations contained in the Complaint, that an Investigative Subcommittee (“IC”) would be appointed to investigate the Complaint, how the investigation would proceed, and that the alleged violations contained in the Complaint could be modified by the IC. The IC

conducted an investigation into the Complaint to determine whether there had been a breach of various sections of the CATA Code of Ethics and Code of Conduct.

9. Mr. Symes agrees that:

- (a) Mr. Symes made inappropriate comments and engaged in inappropriate contact with a patient while providing treatment.
- (b) Mr. Symes entered into a relationship with a patient and engaged in sexual intercourse with his patient.
- (c) Mr. Symes destroyed the patient's records.
- (d) The facts establish that Mr. Symes failed to uphold the standard of care expected of a CAT(C) which includes, without limitation, the following:
 - (i) Conducting himself in a matter that does not merit the respect of the society, the profession, and the CATA's members;
 - (ii) Not respecting a patient's dignity, needs, values, and wishes;
 - (iii) Not maintaining appropriate documentation for clients;
 - (iv) Conducting himself in a manner that would be regarded by the CATA's members as disgraceful, dishonourable, and unprofessional;
 - (v) Engaging in conduct unbecoming of an athletic therapist; and
 - (vi) Not maintaining a generally accepted standard of practice.

10. As a CAT(C), Mr. Symes is responsible for:

- (a) Complying with the minimum standards set forth in the Code of Conduct and Code of Ethics;
- (b) Ensuring that he maintains and preserves a complete treatment file for his patients;
- (c) Not engaging in inappropriate conduct with a patient; and

(d) Conducting himself in a manner that is considered to be professional and deserving of respect.

11. Mr. Symes admits that based on the facts set out above, that he violated the following provisions of the Code of Ethics and Code of Conduct as follows:

i. Members act with honesty and integrity.

ii. Members respect human rights.

iii. Members provide competent care consistent with the requirements and the limitations of the profession.

vii. Members support the mission of the Association and adhere to the by-laws, the Scope of Practice, the Membership binder, the CATA Policies and Procedures, the Code of Ethics and the Code of Conduct.

ix. Members recognize that self-regulation of the profession is a privilege and that each Member has a continuing responsibility to merit this privilege and to support the Association.

x. Members conduct themselves in a manner that merits the respect of the society, the profession and its Members.

xiv. Members keep their professional commitments by integrating Athletic Therapy principles into their daily practice.

B. Responsibilities to the Client

ii. Members shall respect the client's dignity, needs, values, and wishes.

x. Members shall maintain appropriate documentation for all clients.

xvii. Members shall not physically, emotionally, or sexually abuse or harass a client or any other person.

xxii. Members shall not engage in conduct that is relevant to the practice of Athletic Therapy that would reasonably be regarded by Members as disgraceful, dishonourable or unprofessional.

xxiii. Members shall not engage in conduct unbecoming an Athletic Therapist.

Agreed Penalty:

12. Mr. Symes' membership shall immediately be terminated and he shall surrender his membership and Certificate to the CATA within ten (10) business days following the execution of this Agreed Statement of Facts and Penalty.
13. There shall be no costs or monetary penalties payable with respect to the Complaint.
14. Mr. Symes agrees to and does waive any right of appeal or any right review of the investigation of or resolution concerning the Complaint, including any reference to the CATA's Ombudsperson or Board of Directors.
15. This Agreed Statement of Facts and Penalty shall be posted on the CATA's website.
16. Mr. Symes admits as fact the statement contained within this Agreed Statement of Facts and Penalty for the purposes of these proceedings.
17. Mr. Symes acknowledges that he has obtained legal advice prior to signing this Agreed Statement of Facts and Penalty. Mr. Symes is signing this Agreed Statement of Facts and Penalty freely and voluntarily.