

ONTARIO REGISTERED PSYCHOTHERAPISTS DISCIPLINE TRIBUNAL

Citation: *College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario v. Jayatunge*, 2024 ONRPDT 8

Date: September 10, 2024

File No.: 24-006-RP

BETWEEN:

College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario

College

- and -

Ruwan Jayatunge

Registrant

FINDING AND PENALTY REASONS

Heard: In writing

Panel:

Sophie Martel (panel chair)

Heidi Ahonen (registered psychotherapist)

Steven Boychyn (public)

Carol Cowan-Levine (registered psychotherapist)

David Keast (public)

Appearances:

Alexandra (Sandra) Matushenko, for the College

Ruwan Jayatunge, not present or represented

Introduction

[1] Ruwan Jayatunge, the registrant, first registered with the College of Registered Psychotherapists of Ontario (College) in November 2016.

[2] The College started investigating the registrant in 2019 after receiving a complaint about some of his social media posts. The matter went to the Inquiries, Complaints and Reports Committee (ICRC), which issued a decision on April 8, 2021, requiring that the registrant appear before it to be cautioned and complete a course in ethics and boundaries. The registrant applied to the Health Professions Appeal and Review Board (HPARB) for a review of the ICRC's decision. On June 9, 2022, HPARB confirmed the ICRC decision.

[3] In December 2020, the College employee who had been involved in the social media complaint (the College employee) started receiving email correspondence from someone who later identified himself as a freelance journalist. While the College employee never spoke with this individual, the registrant later accused the College employee of sharing confidential information and expressing negative views about the 2SLGBTQIA+ community. In 2022, the College received multiple emails and voicemails from various individuals accusing the College employee of expressing negative views towards the 2SLGBTQIA+ community. The College employee denies these accusations.

[4] The College investigated the origin of some of the emails it received, including obtaining the opinion of an expert in the forensic analysis of internet protocol (IP) addresses. Relying on its investigation and the expert opinion, the College alleges that the registrant assumed numerous false identities and made false accusations about the College employee.

[5] The registrant did not participate in these proceedings despite having been properly notified. Given his non-participation, to make the process more efficient, the Tribunal held the hearing in writing under the *Hearings in Tribunal Proceedings (Temporary Measures) Act, 2020*, SO 2020, c. 5, Sched. 3 and the Case Management Direction (CMD) dated April 15, 2024. The College presented its evidence by way of its hearing brief and made submissions in writing.

[6] We conclude that the registrant committed professional misconduct by:

- contravening a standard of practice of the profession and published standards of the College, more specifically Standard 1.1 – Accepting the Regulatory Authority of the College and Standard 1.5 – General Conduct;
- engaging in disgraceful, dishonourable or unprofessional conduct; and,
- engaging in conduct unbecoming a member of the profession.

[7] The registrant repeatedly made false accusations against a College employee, which continued after he was sent a cease-and-desist letter. The registrant also did not participate in the discipline proceeding. As a result, we find him to be ungovernable and, therefore, revoke his certificate of registration. We also order that he pay costs of \$6,055.

Registrant's non-participation

[8] The College made exceptional efforts in January and February 2024 to serve the registrant with the Notice of Hearing and to send him all hearing-related documents. These efforts included unsuccessful attempts to serve the registrant personally at his last two known addresses and sending him the Notice of Hearing and other hearing-related materials by mail and email. The registrant himself previously confirmed residing at one of the mailing addresses in 2022 and had also communicated by email with the College until November 2023. The registrant never advised of any address changes since his last communications with the College.

[9] Despite sending him the Notice of Hearing and the hearing-related documentation by mail and email, the registrant never communicated with College counsel. He also did not attend the case management conference held on April 12, 2024. The CMD of April 15, 2024, advised the registrant that if he did not participate in the discipline process, the hearing may proceed without him and that orders could include the suspension or revocation of his certificate and paying costs to the College. The CMD directed the registrant to immediately contact the Hearings Office and College counsel if he intended to participate. The CMD further directed that the hearing would be held in writing pursuant to s. 3(1) of the *Hearings in Tribunal Proceedings (Temporary Measures) Act*.

[10] The Hearings Office and College counsel sent the CMD to the registrant by email. The registrant never responded.

[11] We are satisfied that the registrant received notice of the proceedings. He did not attend the case management conference nor advise the College or the Hearings Office that he wished to participate in the discipline process. In these circumstances, we proceeded in writing without the registrant's participation.

Evidence

[12] The College's hearing brief includes affidavits from the College employee, from Mark Pioro, the College's Deputy Registrar and General Counsel, from Andrew Sprung, a College-appointed investigator and from Matthew Musters, who has expertise in computer forensics. The College seeks to introduce Mr. Musters' evidence as expert evidence.

The College employee

[13] The College employee interacted with the registrant while handling the complaint against him in 2019 concerning his social media posts. All their¹ communications with the registrant were through emails and form letters. They did not speak with the registrant. The matter was referred to a panel of the ICRC, which, on April 8, 2021, released its decision requiring that the registrant appear before them to be cautioned and that he complete a course in ethics and boundaries. The College employee informed the registrant of the ICRC's decision. In response to the registrant's review request, HPARB confirmed the ICRC decision on June 9, 2022.

[14] On December 16, 2020, the College employee received an email from someone who identified himself as Wicrama Perera (WP) and who indicated he was from Sri Lanka. WP wrote requesting to speak with the College employee. The College employee and WP exchanged several emails and twice set up a time at which WP was to call the College employee, but the College employee never received a call from WP. Eventually, on January 13, 2021, the College employee wrote to WP to advise that given their inability to coordinate, they would no longer accommodate arrangements for phone calls.

¹ We use the pronouns "they" and "their" when referring to the College employee so as not to identify their gender.

As they had in previous emails, the College employee urged WP to set out his questions via email. WP never did so.

[15] On March 1, 2021, the registrant sent the College employee an email he had received from WP on February 28, 2021. In that email, WP indicated he was a freelance journalist and advised the registrant that the College employee had told WP about his CRPO file. The email included the file number, which the College employee found unusual because file numbers were not public information at this time and because the College does not disclose information about ongoing complaints to third parties. On April 16, 2021, two days after the registrant had initiated his HPARB review, the registrant sent the College employee another email he had received from WP on April 7, 2021. In that email WP claimed he had contacted the College employee, who shared the same view that he did that, "homosexuality is a mental illness and according to every religion it's a sin."

[16] As noted earlier, HPARB released its decision on June 9, 2022. In June or July 2022, the College employee was informed by the College's Human Resources department that the College had received emails accusing the College employee of homophobia and of sharing confidential information with WP. In August 2022, the College employee received an email from someone named Indunil Perera alleging that they had been informed by several individuals of the employee's "negative remarks and unprofessional behaviour toward LGBT people."

[17] The College employee denies all the accusations. They do not have nor have ever expressed homophobic views. They have found the allegations to be upsetting and hurtful and feel they have been targeted because of their name and its association with a particular religion.

Emails and voicemails received by the College

[18] The College received emails from WP as well as emails from eleven different email addresses from June to September 2022. The emails made similar allegations against the College employee claiming that they had made unprofessional statements and/or demonstrated negative attitudes towards "gay" or "LGBT" people.

[19] In July 2022, the College also received voicemails from individuals who identified themselves by different names and who alleged that the College employee had an anti-

“LGBT” or “anti-gay” attitude. While the voicemails followed a similar script at least some of them were left by individuals with different voices from one another.

[20] Mr. Piore took a number of steps regarding these complaints and the allegation that the College employee had spoken with WP about the registrant’s file. Since College staff typically save phone call notes in the College’s internal system, he first searched the College’s files but could not locate any notes of phone calls with WP.

[21] He then retained Mr. Musters to assist in determining the IP address from which WP’s email was sent. Mr. Musters advised that WP’s most recent email of June 28, 2022, in which WP wrote that the College employee had communicated homophobic views to him, was sent from an IP address that traced back to a Microsoft Exchange Mail server in New York owned by an incorporated company. We address the admission of Mr. Musters’ opinion regarding WP’s IP address and those of other individuals later in these reasons.

[22] Mr. Piore then tried to track the IP addresses of the emails sent from some of the other senders - those who had sent letters of complaint to the College in June and July 2022. He discovered a website called Grabify, which can be used to create converted hyperlinks sent to users using an intermediary page. The person sending the converted link can then track the IP information of users that clicked the converted link.

[23] Mr. Piore instructed another College employee to send the registrant an email on July 15, 2022, containing a converted Grabify link. Mr. Piore subsequently obtained the Grabify results containing the information about the person who clicked the link. These results captured the IP address the registrant was using.

[24] Mr. Piore and another College employee then sent emails with the converted Grabify link to the email addresses of four of the individuals who had reportedly complained to the College about the College employee during the summer of 2022. One of these individuals never clicked the link such that Mr. Piore never obtained IP or other analytical information relating to this email address. The Grabify results for the other three individuals showed that their IP addresses were the same IP address as the one the registrant clicked, contained in the email to him.

[25] Mr. Piore then again retained Mr. Musters to provide an opinion about the Grabify information and whether the three emails were opened from the same computer and

internet connection. The College seeks to admit Mr. Musters' opinion about the IP addresses as expert evidence.

Expert evidence

Admission

[26] The College seeks to admit the expert evidence of Mr. Musters, President of Computer Forensics Inc. This evidence includes his forensic report of October 6, 2022, and an affidavit sworn on June 27, 2024. Mr. Musters' evidence relates to the analysis of the tracking of IP addresses used by those who sent emails received by the College that make allegations against the College employee.

[27] Witnesses generally testify about facts and are not permitted to give their opinions. Expert evidence is an exception. For the Tribunal to allow an expert to give opinion evidence, the party that wants to call the evidence must show that it is relevant, necessary, that it is not inadmissible because of another rule of evidence and that it comes from a properly qualified expert: *R. v. Mohan*, 1994 CanLII 80 (SCC). A threshold requirement is also that the expert be able and willing to carry out their duty to the Tribunal to give evidence that is impartial, independent and unbiased: *White Burgess Langille Inman v. Abbott and Haliburton Co.*, 2015 SCC 23 at para. 46.

[28] Even if the above criteria are met, the Tribunal engages in a second discretionary gatekeeping step in which it balances the potential risks and benefits of admitting the evidence and decides whether the potential benefits justify the risks: *White Burgess* at para. 24.

[29] As noted earlier, in 2022, the College received numerous emails from different individuals making similar accusations about the College employee. After doing some of its own research, the College sought the expert advice of Mr. Musters regarding the emails from the registrant, of WP, and three of the individuals who sent complaint letters to the College about the College employee.

[30] We admit the expert evidence of Mr. Musters. We accept that Mr. Musters is an expert in the forensic analysis of IP addresses. Mr. Musters is the President of Computer Forensics Inc. In 2013, he obtained a Bachelor of Science (Honours). He majored in neuroscience and behaviour with a focus on criminal behaviour and computer science. Since completing his university studies, he has worked as a forensic investigator in

computer science and forensics. He has given expert testimony in courts and administrative tribunals on computer science and forensics including on the issues of forensic analysis and the nature and operation of IP addresses.

[31] Mr. Musters' evidence is relevant as it provides evidence on a key issue in this proceeding: the IP location of the people using email addresses from which allegations against the College employee were sent. The evidence is necessary as it addresses an issue outside the expertise of this panel, namely the reliability of the website used to track the IP addresses at issue and the analysis of the results. The forensic report and affidavit do not include any evidence that would otherwise be excluded. Furthermore, Mr. Musters' affidavit confirms that he acted independently and objectively in his analysis and in the preparation of his opinion. Lastly, there are no potential risks in admitting the evidence that outweigh its benefits.

The opinion

[32] As noted previously, Mr. Musters was initially retained in July 2022 to assist in determining the IP address from which WP's emails were sent. Mr. Musters advised that WP's most recent email of June 28, 2022, in which WP wrote that the College employee had communicated homophobic views to him, was sent from an IP address that traced back to a Microsoft Exchange Mail server in New York owned by an incorporated company.² He opined that this did not necessarily mean that the sender was physically present in New York but that the email was routed through that server.

[33] His retainer was then extended to include assisting with the IP addresses of the registrant and three of the individuals who had sent letters of complaints to the College about the College employee. The College provided Mr. Musters with their Grabify results.

[34] Mr. Musters explained that Grabify is a free web-based tool that can be used to track IP addresses and provide detailed and advanced analytic information about users who click the converted links. Mr. Musters conducted several tests to assess the

² Mr. Musters provided the name of the incorporated company but it is not relevant for our determination and as a result, we refer to this company as the "incorporated company." The name of the incorporated company has no apparent relationship to this proceeding.

accuracy and reliability of the Grabify service using as many variables as possible such as conducting tests from different locations, using different internet service providers, and using a mixture of dynamic, static, and VPN masked IP addresses. In all scenarios, Grabify accurately recorded the results.

[35] Mr. Musters also independently verified the Grabify information provided to him by the College. He confirmed that the results were unaltered and reliable. He then analyzed the Grabify results. The IP address of the device used to access each link was the same address. Other information was also the same such as the time zone of the user, the screen size of the device used, the graphic processing unit, the operating system and the internet service provider, which was Rogers Communication (Rogers). He concluded that despite the four links being sent to four different email addresses, all four links were opened on the same device and at the same IP address.

[36] Mr. Musters was also of the view that the registrant's physical device would be helpful from an investigative standpoint to see if some of the Grabify findings could be attributed to a specific individual. Mr. Sprung, an investigator hired by the College, and Mr. Musters attempted to obtain the registrant's physical device by attending at his Ajax address on September 8, 2022. Mr. Musters saw someone who appeared to be the registrant leave the property but did not interact with him since Mr. Sprung had not yet arrived. By the time Mr. Sprung arrived, the registrant had left and they were unsuccessful in requesting his computer. Other attempts to obtain the registrant's computer were unsuccessful.

Rogers information

[37] At the College's instruction, Mr. Sprung issued a summons to Rogers requiring it to produce subscriber information pertaining to the IP address noted in the Grabify results. The information provided by Rogers confirmed that the IP address (used by the registrant and the three email complainants) was registered to an account associated with an Ajax address. The Ajax address is the address of record for the registrant (where the College attempted to serve him with the Notice of Hearing and where Mr. Musters saw an individual matching the registrant's physical description).

Phone calls to WP

[38] Mr. Strung also attempted to call the three phone numbers provided by WP in one of his January 2021 emails to the College employee. Two numbers were mobile numbers and one was a landline. The phone calls to mobile numbers were answered by an automated message that said the customer was not responding to the call and to try again another time. The phone call to the landline rang for about one minute at which point the call was disconnected. Mr. Sprung attempted to call these numbers at different hours of the day but received the same message at the mobile numbers and the disconnection at the landline number.

Events after the College's email and voice messages information

[39] After receiving Mr. Musters' report, on October 5, 2022, Mr. Piore sent the registrant a letter advising that the College had evidence that he had been sending emails to the College making false and vexatious complaints using false identities. He advised the registrant that the College considered these emails to constitute harassment and requested that the registrant immediately cease and desist from sending any further emails using pseudonyms or regarding the College employee. He also asked that the registrant refrain from asking others to contact the College to file complaints on his behalf.

[40] The registrant responded on October 11, 2022. He denied the accusations.

[41] Despite the cease-and-desist letter, on January 13, 2023, the registrant sent an email to the College addressed to the President stating that the College employee had racist and anti-LGBT sentiments. On November 11, 2023, the registrant sent the College an email alleging that the College employee had "accepted and apologized" to him for having communicated with WP in an unethical way. The registrant continued to accuse the College employee of anti-LGBT sentiments and having an anti-LGBT attitude in this email.

[42] Also in November 2023, the College received a letter dated November 17, 2023, addressed to the College President and purportedly signed by WP. WP alleged that they had had several email and telephone communications with the College employee and that the College employee was "hugely prejudiced against gay people and one time named them as sinners." WP also wrote that the College employee had once asked her

if the registrant was “gay,” and that it had surprised her that there was an “anti-gay” person working for the College.

[43] On June 23, 2024 and July 6, 2024, the College received letters signed by yet another unknown complainant. The letters indicate that WP had confirmed the anti-LGBT remarks and sentiments of the College employee. The letter of July 6, 2024, sent the day after the College sent the Hearings Office and the registrant its written submissions, was also sent to the Hearings Office.

Professional misconduct findings

Factual conclusions

[44] The registrant did not participate and thus did not submit any evidence refuting the College’s evidence, nor did he cross-examine the witnesses with respect to their affidavit evidence. We have nevertheless assessed the evidence as a whole to determine whether it is consistent and accords with common sense.

[45] The email exchanges with the College employee and WP support the College employee’s affidavit evidence. While several emails were exchanged between the College employee and WP documenting their attempt to schedule phone calls, these attempts were ultimately unsuccessful. The last email sent by the College employee to WP states that “arrangements for phone calls will no longer be accommodated at this time.” Given this statement and the previous emails documenting unsuccessful phone call attempts, it makes sense that no phone calls ever took place before or after this email.

[46] WP’s own email to the College in June 2022 also failed to provide any evidence of a phone conversation with the College employee. In response to Mr. Pioro’s email requesting approximate dates and notes of conversations that he had with the College employee, WP responded on June 29, 2022, stating that the conversation took place between December 2022 to late 2021 with some phone calls. WP attached the first email he received from the College employee on December 16, 2020, in which the College employee thanked him for his email and advised that they could set up a time to speak. WP did not, however, forward any notes of phone calls nor did he attach any email communication that substantiated that a phone call took place. One would have

expected a freelance journalist to record and maintain accurate notes of communications.

[47] Mr. Sprung's evidence of his unsuccessful attempts to call WP at the numbers he provided to the College employee also support the conclusion that WP is a fictional rather than real person. One would again have expected a freelance journalist to have a phone number where he could be readily reached.

[48] We also note that while the College received voicemails and numerous letters of complaints from multiple email addresses in 2022, none of these voicemails or letters provided any specifics about what the College employee had said, to whom, when, or in what context. The complaints merely made vague statements about anti-LGBT attitudes or remarks without any specifics. If the College employee had made such remarks, one would have expected more detailed information. The absence of any specific information suggests that these complaints do not have a factual foundation.

[49] There are also inconsistencies with what appears to be WP's own attitude towards the 2SLGBTQIA+ community. In the email WP purportedly sent to the registrant on February 28, 2021 (which the registrant forwarded to the College employee), WP advised that he and the College employee shared the same view that "homosexuality is a mental illness and according to every religion it is a sin." In subsequent correspondence to the College in June 2022 and November 2023, WP's tone and views appear to have changed, expressing shock and surprise with the College employee's negative attitudes toward the 2SLGBTQIA+ community. These inconsistencies also suggest that the complaints were fictional.

[50] The documentary evidence of the email communications between the College employee and WP and the absence of any specific information in the multiple complaints supports the College employee's evidence that they never spoke to WP and never made negative statements about the 2SLGBTQIA+ community.

[51] We rely on the expert evidence of Mr. Musters that at least three of the emails received by the College complaining about the College employee were sent from the same IP address as the registrant. Furthermore, the information from Rogers confirms that the IP address used by the registrant and these three complainants was registered to an account associated with the registrant's Ajax address. While Mr. Musters advised that WP's email was sent from a different IP address that traced back to a Microsoft

Exchange Mail server in New York, he also opined that this did not necessarily mean that the sender was physically present in New York – only that the email was routed through that server. In our view, the registrant either assumed the identity of WP or worked in collusion with him.

[52] Given the similarity of the language of the letters of complaints sent to the College that were investigated to those whose origin was not investigated, it makes sense to conclude that all complaints were sent either by or at the direction of the registrant. Similarly, the voicemails received by the College, albeit from different voices, have similar language to the written complaints such that they are likely to have been left at the direction of the registrant.

[53] Lastly, we note that the complaints started arriving shortly after the registrant received HPARB's decision confirming the ICRC decision. It appears that having not been satisfied with the ICRC decision, as confirmed by HPARB on June 9, 2022, the registrant decided to embark on a quest to malign the College employee who had handled the initial social media complaint.

[54] Assessing the evidence as a whole, on the balance of probabilities, we conclude that in 2022, the registrant assumed numerous false identities and made false accusations about the College employee. He then continued to make false allegations against the College employee after the College sent him a cease-and-desist letter.

Professional misconduct

[55] The Professional Misconduct Regulation made under the *Psychotherapy Act*, 2007, SO 2007, c. 10, Sched. R. includes the following among the listed acts of professional misconduct:

- Paragraph 1: Contravening, by act or omission, a standard of practice of the profession or failing to maintain the standard of practice of the profession.
- Paragraph 52: Engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

- Paragraph 53: Engaging in conduct that would reasonably be regarded by members as conduct unbecoming a member of the profession.

[56] The General Conduct Standard, Standard 1.5 of the Professional Practice Standards, addresses disgraceful, dishonourable or unprofessional conduct and conduct unbecoming a member of the profession. It states that disgraceful, dishonourable or unprofessional conduct is conduct that has not been foreseen by specific definitions of professional misconduct articulated by the College. It captures behaviour that goes beyond legitimate professional discretion or errors in judgement. Conduct unbecoming a member of the profession generally refers to actions outside the practice of psychotherapy. Such actions are ones that reflect poorly on the registrant's integrity and the profession as a whole.

[57] Assuming false identifies and making false accusations against a College employee is conduct that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional. It is also conduct unbecoming a member of the profession. Such behaviour is also contrary to Standard 1.5.

[58] Standard 1.1 of the General Conduct Standard also sets out a registrant's obligation to recognize the authority of the College. The Standard notes that in accepting a Certificate of Registration from the College, registrants obtain privileges such as the use of the title Registered Psychotherapist. At the same time, registrants take on obligations, such as recognizing the authority of the College. The registrant contravened this standard. He not only assumed different identities to make false accusations about the College employee to the College, but he also continued to do so in his own name and that of WP after the College had sent him a cease-and-desist letter.

[59] We therefore find that the registrant committed the acts of misconduct set out above.

Penalty

[60] Having made findings of professional misconduct, we now turn to the appropriate penalty. The College submits that the registrant's underlying conduct is particularly serious in that he made or caused to be made repeated and false accusations against a College employee. The College submits that this conduct, which negatively impacted the

College employee, demonstrates the registrant's disregard for his professional responsibilities and the College's authority. Combined with his failure to participate in the discipline process, the College submits that the registrant is ungovernable such that his certificate of registration should be revoked.

[61] We agree that the proven misconduct was serious. The registrant assumed false identities to make serious and false allegations against a College employee. The registrant continued making these accusations after having been sent a cease-and-desist letter. Furthermore, the College and the Hearings Office received a letter from an unknown complainant as recently as July 6, 2024, similar to letters previously sent by the registrant, falsely maintaining allegations of discriminatory remarks and sentiments of the College employee. These ongoing false accusations against the College employee suggest that the likelihood of future misconduct is high absent revocation.

[62] The registrant also did not participate in the disciplinary process:

- He did not respond to the correspondence sent by College counsel relating to the disciplinary process.
- He did not attend the case management conference.
- He did not communicate with the Hearings Office concerning his participation in the discipline hearing and he did not participate in the discipline hearing.

[63] As of the date of Mr. Piore's affidavit, the registrant had yet to appear before a panel of the ICRC and to complete the required course in ethics and boundaries, as ordered by the ICRC and upheld by HPARB. While this does not constitute a previous discipline history, the outstanding order further demonstrates the registrant's refusal to be governed by the College.

[64] The primary purpose of the College and of a penalty order is the protection of the public. A penalty order must demonstrate to the public that the profession can and will address misconduct appropriately and that it can regulate its registrants effectively. The registrant's failure to complete the ICRC order requirements, his repetitive false accusations against a College employee (which include the assumption of false

identities), and his failure to participate in the discipline process, demonstrate that he is not willing to be governed by the College's rules.

[65] The registrant has not tendered or alluded to any possible mitigating factors or other evidence that may explain the misconduct and his failure to participate.

[66] Ungovernability in the context of a regulated health professional has been defined as a "pattern of conduct that demonstrates that the member is unprepared to recognize his or her professional obligations and the regulator's role." It does not just relate to a prior disciplinary record but occurs, "when the member's present attitude to his or her governing body makes it clear that the member is unlikely to cooperate with the College in the future." (*College of Physicians and Surgeons of Ontario v. Sweet*, 2017 ONCPSD 40 at p. 17).

[67] Recently, in *College of Registered Psychotherapists v. Kravetsky*, 2023 ONCRPO 3, and *College of Registered Psychotherapists v. Becker*, 2024 ONRPDT 7, panels have found registrants to be ungovernable and ordered the revocation of their certificates of registration where the registrants ignored College communications and failed to participate in the discipline proceedings.

[68] In this case, the failure to participate in the discipline proceeding is compounded by the repeated false and serious accusations against a College employee. We conclude that the registrant is ungovernable and order the revocation of his certificate of registration.

[69] In the event of revocation, the College did not request that we also order a reprimand. Given the registrant's lack of participation in this proceeding, in our view, a reprimand would not serve any useful purpose to supplement the revocation order.

Costs

[70] We accept the College's submission and order costs of \$6,055, which is commensurate with Tariff A to the Discipline Committee Rules of Procedure, regarding the costs and expenses of a day of hearing.

Order

1. The Tribunal directs the Registrar to revoke the Registrant's certificate of registration effective immediately.

2. The Tribunal requires the Registrant to pay the College costs of \$6,055 within 30 days of the date of these reasons.