

Indexed as: Georgantopoulos (re)

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

IN THE MATTER OF a Hearing directed
by the Executive Committee of
the College of Physicians and Surgeons of Ontario
pursuant to Section 36(1) of the *Health Professions Procedural Code*
being Schedule 2 to the *Regulated Health Professions Act, 1991*,
S.O. 1991, c. 18, as amended.

B E T W E E N:

THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

- and -

DR. CHRISTOS GEORGANTOPOULOS

PANEL MEMBERS:

**DR. L. THURLING
S. DAVIS
DR. M. DAVIE
J. DHAWAN
DR. F. SLIWIN**

Hearing Dates: December 5, 2006
Decision Date: December 5, 2006
Release of Written Reasons Date: January 18, 2007

DECISION AND REASONS FOR DECISION

The Discipline Committee of the College of Physicians and Surgeons of Ontario (the “Committee”) heard this matter at Toronto on December 5, 2006. At the conclusion of the hearing, the Committee stated its finding that Dr. Georgantopoulos committed acts of professional misconduct and delivered its penalty order, with written reasons to follow.

THE ALLEGATIONS

The Notice of Hearing alleged that Dr. Georgantopoulos committed acts of professional misconduct:

1. under clause 51(1)(a) of the Health Professions Procedural Code (“the Code”) which is Schedule 2 to the *Regulated Health Professions Act*, 1991, in that he has been found guilty of an offence that is relevant to his suitability to practice;
2. under paragraph 1(1)33 of Ontario Regulation 856/93 made under the *Medicine Act*, 1991 (“O. Reg. 856/93”), in that he has engaged in conduct or an act or acts relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional; and
3. under paragraph 1(1)34 of O. Reg. 856/93 in that he engaged in conduct unbecoming a physician.

RESPONSE TO THE ALLEGATIONS

As described below, Dr. Georgantopoulos admitted to the allegation in paragraph 3 of the Notice of Hearing, as set out above. The College withdrew allegations numbered 1 and 2.

FACTS AND EVIDENCE

The following Agreed Statement of Facts was filed as an exhibit and presented to the Committee:

Facts

1. On December 5th, 2002, Dr. Georgantopoulos was found guilty by Madam Justice Beaman of the Ontario Court of Justice of the following offences, committed against his then wife:

- 1) That on or about the 24th day of February, 1999 at the City of Ottawa did knowingly utter a threat to his then wife to cause serious bodily harm, contrary to Section 264.1(2) of the Criminal Code of Canada;
- 2) That on or about the 4th day of March, 1999 at the City of Ottawa did commit an assault on his then wife, contrary to Section 266 of the Criminal Code of Canada;
- 3) That on or about the 28th day of March, 1999 at the City of Ottawa did knowingly utter a threat to his then wife to cause serious bodily harm, contrary to Section 264.1(2) of the Criminal Code of Canada;
- 4) That on or about the 16th day of April, 1999 at the City of Ottawa did commit an assault on his then wife, contrary to Section 266 of the Criminal Code of Canada;

On April 7th, 2003, Dr. Georgantopoulos was sentenced to a suspended sentence and one year probation to be served concurrently on all counts. A copy of the Information sworn April 29th, 1999, is attached at Tab 1 [to the Agreed Statement of Facts]. A copy of the Reasons for Judgment of Madam Justice Beaman is attached at Tab 2 [to the Agreed Statement of Facts]. A copy of the Reasons for Sentence of Madam Justice Beaman is attached at Tab 3 [to the Agreed Statement of Facts].

2. Dr. Georgantopoulos appealed his convictions and sentence to the Superior Court of Justice. The conviction appeal was dismissed on October 10th, 2004. The sentence appeal was allowed on June 16th, 2005. The sentence was varied to a conditional discharge with twelve months probation, subject to the

same terms put in place by the Trial Judge. A copy of the Reasons of Mr. Justice Kealey regarding the sentence appeal is attached at Tab 4 [to the Agreed Statement of Facts].

3. Dr. Georgantopoulos further appealed his finding of guilty to the Ontario Court of Appeal. On July 28th, 2006, that appeal was dismissed.

Admission

4. Dr. Georgantopoulos admits that he committed professional misconduct under paragraph 1(1)34 of Ontario Regulation 856/93 made under the *Medicine Act, 1991* S.O. 1993 (O.Reg.856/93), specifically, conduct unbecoming a physician.

FINDING

The Committee accepted as true all of the facts set out in the Agreed Statement of Facts. Having regard to these facts, the Committee accepted Dr. Georgantopoulos' admission and found that he committed an act of professional misconduct under paragraph 1(1)34 of O.Reg.856/93, specifically, conduct unbecoming a physician.

PENALTY AND REASONS FOR PENALTY

Counsel for the College and counsel for the member made a joint submission as to an appropriate penalty and costs.

The jointly proposed penalty consisted of a public reprimand, a three month suspension of Dr. Georgantopoulos' certificate of registration, itself to be suspended upon completion of the College Boundaries Course and a suitable Anger Management program, and costs of \$2,500.00, all of the above to be recorded on the register.

Counsel for the College reviewed with the panel prior decisions of the Committee in analogous cases, where similar penalty orders were made.

The Committee concluded that the joint submission proposed a penalty order that was appropriate in all of the circumstances. The proposed penalty demonstrates that the profession does not countenance behaviour of the type at issue in this matter. Members of the College must maintain the highest standards of integrity, and in turn the public must be able to trust physicians, especially (but not limited to) family doctors, to be sensitive and to demonstrate leadership on issues of domestic violence or abuse.

The principle of specific deterrence is met by the proposed penalty. The Committee takes note of the fact that the conduct at issue occurred over a short period of time, but displayed a pattern of moral turpitude.

As well, the proposed penalty sends a message to the profession to deter other members from engaging in similar unbecoming conduct.

The Committee therefore concluded that the jointly proposed penalty was in the public interest, and was just and appropriate.

ORDER

The Discipline Committee ordered and directed that:

1. Dr. Georgantopoulos appear before the panel to be reprimanded.
2. The Registrar suspend Dr. Georgantopoulos' certificate of registration for a period of three (3) months, all of which will be suspended if Dr. Georgantopoulos completes the College's Boundaries Course, and an anger management program approved by the College, and provides proof of such completion, within six (6) months of the date of the imposition of this penalty.
3. Dr. Georgantopoulos pay to the College costs in the amount of \$2,500.00.
4. The results of this proceeding be included in the register.

At the completion of the hearing, Dr. Georgantopoulos waived his right to appeal and the Committee administered the public reprimand.