

ONTARIO PHYSICIANS AND SURGEONS DISCIPLINE TRIBUNAL

Citation: *College of Physicians and Surgeons of Ontario v. Stern*, 2025 ONPSDT 32

Date: December 3, 2025

Tribunal File No.: 25-008

BETWEEN:

College of Physicians and Surgeons of Ontario

College

- and -

Robert Joseph Stern

Registrant

FINDING AND PENALTY REASONS

Heard: October 14, 2025, by videoconference

Panel:

Jennifer Scott (panel chair)

Lucy Becker (public)

Camille Lemieux (physician)

Veronica Mohr (physician)

Linda Robbins (public)

Appearances:

Elisabeth Widner, for the College

Alison Craig, for the registrant

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Introduction

[1] Dr. Stern was a general practitioner who practised primarily in the hospital setting. He obtained his independent practice certificate from the College of Physicians and Surgeons of Ontario (College) in 1990.

[2] In July 2022, Dr. Stern was charged with possession of child pornography, accessing child pornography and making available child pornography under ss. 163.1(4), 163.1(4.1) and 163.1(3) of the *Criminal Code*, RSC 1985, c. C-46. These sections are now referred to as child sexual abuse and exploitation material in the *Criminal Code*.

[3] In July 2022, Dr. Stern resigned his hospital privileges and in October 2022, he signed an undertaking with the College to cease practising medicine in all jurisdictions.

[4] In November 2022, Dr. Stern was charged with additional offences of making child pornography, possession of child pornography and voyeurism under ss. 163.1(2), 163.1(4), 162(1)(c) and 162(1) of the *Criminal Code*.

[5] In May 2023, Dr. Stern resigned from College membership. Under s. 14(1) of the Health Professions Procedural Code, Schedule 2 to the *Regulated Health Professions Act (RHPA)*, 1991, SO 1991, c. 18 (Code), the College continued to have jurisdiction over Dr. Stern for his actions before his resignation. Dr. Stern's conduct and resulting criminal charges occurred before his resignation and the College had jurisdiction over his conduct.

[6] On July 11, 2023, Dr. Stern pleaded guilty and was convicted of possession of child pornography, making child pornography and voyeurism under ss. 163.1(4), 163.1(2) and 162(1) of the *Criminal Code*. On June 21, 2024, Dr. Stern was sentenced to a total of four years in custody.

[7] In December 2023, Dr. Stern was charged with failing to comply with a release order (related to his criminal charges) that he not attend locations where persons under the age of 16 were present or could reasonably be expected to be present. Dr. Stern had attended the library frequently since April 2023. He was found guilty of this offence under s. 145(5)(a) of the *Criminal Code* on September 3, 2024, and was sentenced to a 90-day consecutive sentence to the sentence he was already serving. This offence occurred one month prior to his resignation and the College had jurisdiction.

[8] The hearing before the Tribunal proceeded on October 14, 2025. Dr. Stern's counsel attended the hearing; Dr. Stern did not attend.

[9] The parties relied on an Agreed Statement of Facts (ASF) at the hearing. In the ASF, Dr. Stern admitted that he had been found guilty of an offence relevant to his suitability to practise under s. 51(1)(a) of the Code, had engaged in disgraceful, dishonourable or unprofessional conduct and in conduct unbecoming a physician. We accepted his admissions and made those findings.

[10] Dr. Stern and the College jointly submitted that we should impose the mandatory penalty of reprimand and revocation of Dr. Stern's certification of registration. The parties agreed that we should order Dr. Stern to pay costs of the hearing to the College of \$6,000. We made the order requested by the parties.

[11] These are the reasons for our decision.

Child Pornography

[12] The court found Dr. Stern guilty of possession of child pornography, making child pornography and surreptitiously observing or making visual recordings of persons in circumstances where they had reasonable expectations of privacy. The Court's findings in the criminal proceeding are set out in the transcript attached to the ASF. Dr. Stern admits those findings. More specifically, he admits that at the time of his arrest, he was in possession of 1,085 images of child pornography and 745 videos of child pornography. He admits further that between 2013 and 2020, he took videos of family members in the washroom of the family home.

[13] The photos and videos in the possession of Dr. Stern are described in the criminal transcript. The children in the images range in age from infants to 13 years old. The images include pictures of young children being penetrated, both vaginally and anally, by adult men. They also show a one-year-old with an erect male penis touching her mouth and oral sex by a six-year-old on an adult male. The court described these images as "profoundly disturbing."

Professional Misconduct

[14] Under s. 51(1)(a) of the Code, the Tribunal shall find a member has committed an act of professional misconduct if the member has been found guilty of an offence that is relevant to the member's suitability to practise.

[15] Dr. Stern admits that his criminal conviction for possessing and making child pornography together with engaging in voyeurism are offences that are relevant to his suitability to practise. He also admits that these offences constitute disgraceful, dishonourable or unprofessional conduct and conduct that is unbecoming a physician.

Finding

[16] We find Dr. Stern has committed acts of professional misconduct in that he has been found guilty of offences that are relevant to his suitability to practise under s. 51(1)(a) of the Code, has engaged in conduct that is disgraceful, dishonourable or unprofessional and in conduct that is unbecoming a physician.

Penalty

[17] The proposed penalty is a reprimand and revocation of Dr. Stern's certificate of registration.

[18] Section 51(5.2)(a) of the Code requires the Tribunal to reprimand the member and revoke the member's certificate of registration if the member has been found guilty of professional misconduct under s. 51(1)(a) of the Code and the offence is prescribed by regulation. Sections 162(1) (voyeurism) and 163.1 (child pornography) of the *Criminal Code* are prescribed offences in the Code (see Ontario Regulation 262/18, made under the *RHPA*).

[19] The requirements of s. 51(5.2)(a) of the Code are met in this case. Once these requirements are met, the Tribunal must apply the mandatory penalty. It must reprimand Dr. Stern and revoke his certificate of registration. Given the mandatory nature of the penalty, it is not necessary to consider whether the joint submission on penalty meets the legal test for acceptance.

Order

[20] At the conclusion of the hearing, we ordered and directed:

- a. Dr. Stern attend before the panel to be reprimanded.
- b. The Registrar revoke Dr. Stern's certificate of registration, effective October 15, 2025 at 12:01 a.m.
- c. Dr. Stern pay costs to the College in the amount of \$6,000 by November 14, 2025.

[21] Dr. Stern did not attend the hearing and the reprimand was delivered in writing.