

**SUMMARY of the Decision of the Inquiries, Complaints and Reports Committee
(the Committee)**
(Information is available about the complaints process [here](#) and about the Committee [here](#))

**Dr. Paul Maxwell Irwin (CPSO# 57194)
(the Respondent)**

INTRODUCTION

The College received information raising concerns about a possible sexual relationship between the Respondent (General Surgery) and a patient (Ms X), based on some online correspondence Ms X's family member had seen. Subsequently, the Committee approved the Registrar's appointment of investigators to conduct an investigation into this matter.

COMMITTEE'S DECISION

A Surgical Panel the Committee considered this matter at its meeting of January 22, 2021. The Committee required the Respondent to attend at the College to be cautioned in person with respect to maintaining appropriate boundaries. The Committee also accepted an undertaking from the Respondent.

COMMITTEE'S ANALYSIS

The Respondent did not deny a series of iMessage conversations with Ms X, some of which used sexual humour. Applying a series of factors applicable for the time when the text messages took place, the Committee considered whether there was an ongoing doctor-patient relationship such that the messages could be considered sexual abuse. In the view of the timing of the end of the doctor-patient relationship and the time when the messages occurred, the Committee concluded the text exchanges could not be characterized as sexual abuse. The Committee was also of the view that in the context of the case, the text exchange did not amount to disgraceful, dishonourable or unprofessional conduct.

However, the Committee was concerned about the Respondent's understanding of boundaries in light of the content of the text messages given the previous length of the doctor-patient relationship and the Respondent's acknowledgement he had spent time at Ms X's home. The Committee accepted an undertaking from the Respondent, with terms to include professional education in ethics and boundaries, and required the Respondent to attend at the College to be cautioned, as set out above.