

**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. William-Lee Raymond Smyth (CPSO #65618)
Orthopedic Surgery
(the Respondent)

INTRODUCTION

The College received information raising concerns about the Respondent's behaviour in the operating room (OR). Among other things, the Respondent was alleged to have made inappropriate comments about/to nursing staff and to have made an inappropriate gesture with amputated digits.

Subsequently, the Committee approved the Registrar's appointment of investigators to conduct a broad review of the Respondent's practice.

The Committee later received additional information from other staff outlining further concerns regarding the Respondent's behaviour in the OR.

COMMITTEE'S DECISION

A Surgical Panel of the Committee considered this matter at its meeting of February 7, 2020. The Committee required the Respondent to attend at the College to be cautioned in person on his unprofessional behaviour and communications in the professional environment, and with respect to the treatment of amputated digits.

COMMITTEE'S ANALYSIS

The Committee noted that the Respondent denied many of the claims made against him. He detailed specific witness information refuting the majority of the allegations and putting others into context. However, the Committee still found that there was concerning information demonstrating that the Respondent engaged in some inappropriate behaviour in the OR.

The College considered information from an investigation into the Respondent's conduct, which was performed by an investigator retained by the hospital. The Committee also considered the Respondent's response to the College, in which he acknowledged that he failed to communicate as well as he should have, particularly with two nurses, and that he used to hold amputated digits between his fingers as a joking gesture.

As a result of the hospital's investigation, the Respondent completed the "PROBE" course on ethics and boundaries and engaged in a series of one-to-one counselling, in which he was said to have achieved some insight into how he is perceived and how inappropriate his behaviour

had been. The Chief Nursing Officer and Director of Patient Care at the hospital also provided information in support of the Respondent, indicating that his behaviour is well monitored and continues to be satisfactory. No further complaints were received since the Respondent completed this remediation in 2018.

While it appeared to the Committee that the Respondent had recently improved his practice, the Committee remained concerned about his unprofessional communications and the manner in which he behaved in the OR. The Committee was therefore of the view that it would be appropriate to caution the Respondent in person, as outlined above.