

# Participating in CNO's sexual abuse investigation and discipline process: What to expect

Participating in an investigation and discipline process can be very difficult. It is important to understand the process so you can decide what to do and prepare. This fact sheet will help you to understand our investigation and discipline process, know what to expect and how the College of Nurses of Ontario (CNO) will support you.

## What is CNO?

CNO is the regulator for all nurses in Ontario. Our role is to make sure people in Ontario receive safe nursing care. One of the ways we do this is by setting and enforcing nursing standards of practice.

## Patient sexual abuse and the law

Nurses are responsible for establishing and maintaining appropriate boundaries in their professional relationships with patients. Nurses are not allowed to have sexual relations with a patient or engage in sexual touching, behaviour or remarks with a patient. These acts are unethical, abusive and against the law.

Sharing your experience can be difficult; yet, by reporting to CNO, you could prevent future harm to other patients, and you may find some closure through our professional conduct processes. If you are considering reporting sexual abuse, contact CNO at 416 928-0900, ext. 6989 (toll-free in Canada 1 800 387-5526, ext. 6989) to speak with one of our representatives.

## The investigation

When CNO receives a complaint or report, an investigator begins gathering information related to the matter. This would include interviewing you and requesting your consent to obtain documents. The investigator also notifies and obtains information from the nurse and any other witnesses.

## The decision-making process

After the information is gathered, CNO's [Inquiries, Complaints and Reports Committee](#) (ICRC) will review a report of the investigation. The ICRC may, or may not, decide to take further action. The ICRC may decide to send the case to the [Discipline Committee](#), caution the nurse, require the nurse to take training or advise the nurse on how to conduct him or herself in future.

Cases sent to the Discipline Committee, will undergo a fair legal process called a hearing. Hearings are generally held at CNO and are open to the public. The purpose of the hearing is to determine if the nurse committed professional misconduct. A panel of nurses and members of the public hear the evidence on both sides and make a decision based on that evidence.

Depending on the circumstances of your case, you may be asked to testify. Testifying may take a day or two but, varies from case to case. CNO's lawyer and Prosecutions staff will work with you to discuss potential timing and help you prepare so you know what to expect.

CNO provides or can request other supports for you, for example:

- answering your questions and helping you access resources, such as [applying for therapy/ counselling funding](#)
- paying for your travel and accommodations during the hearing
- CNO's lawyer can request a publication ban regarding your name to protect your privacy
- CNO's lawyer can request that you testify behind a screen so you do not have to see the other hearing participants
- the CNO's lawyer can request that the nurse, if self-represented, not be permitted to cross-examine you – and that only a lawyer can ask you questions.



## FACT SHEET FICHE D'INFORMATION

You can also bring a support person to the hearing with you.

After the hearing ends, the Discipline Committee will make a decision and send its decision to CNO, the nurse and you.

More information about participating in a discipline process can be found in CNO's [\*Discipline Hearings Information for Witnesses\*](#).

### **For more information**

Contact the College of Nurses of Ontario at:

E-mail: [cno@cnomail.org](mailto:cno@cnomail.org)

Fax: 416 928-6507

Telephone: 416 928-0900

Toll-free in Canada: 1 800 387-5526

Website: [www.cno.org](http://www.cno.org)