



College of
Midwives
of Ontario

Ordre des
sages-femmes
de l'Ontario

Sexual Abuse Complaints Guide

Revised September 2023

The midwife-client relationship is based on trust. Sexual abuse by a midwife violates that trust and is never acceptable.

The College has zero-tolerance for sexual abuse and has the responsibility to investigate all complaints.

If you believe you or someone you know has been sexually abused by a midwife, please contact the College at 416-640-2252.

Coming forward can be very difficult. This guide is intended to assist you in understanding why it is important to report sexual abuse and what to expect when you do.

What is Sexual Abuse?

Sexual abuse is a breach of professional boundaries between a midwife and client and a misuse of power in the midwife-client relationship.

Sexual abuse of a client is defined as:

- Sexual relations of any form between a midwife and a client
- Touching a client in a sexual manner or touching a client's chest
- Asking a client to touch themselves or the midwife in a sexual way
- Sexual gestures, such as imitating sexual acts
- Making sexualized comments about a client's physical appearance or clothing
- Making sexual jokes

- Asking inappropriate questions about a client's personal, intimate relationships
- Asking a client out on a date
- Displaying inappropriate sexual materials, such as sexualized photographs or videos

In the course of providing clinical care, a midwife may, with client consent, touch a client in a way that is appropriate to the service being provided. For example, conducting an internal examination to assess cervical dilation. This conduct is very different from touching a client in a sexual manner.

What if I didn't object?

Even if you did not object and think you were a willing participant, by law, the midwife's actions or remarks are still inappropriate and unacceptable.

Client consent does not exist in these situations. It is always the midwife's responsibility and never the client's, to understand and maintain an appropriate professional relationship.

Who can bring forward a complaint?

Anyone. The College investigates complaints about sexual abuse raised by clients and others who may have witnessed or heard about a midwife engaging in such conduct.

Why should I tell the College?

The College relies on the public informing them of concerns that pose a risk to the public so that it can take steps to address any concerning conduct and achieve its mandate to protect the public.

We understand that reporting sexual abuse can be difficult. Everyone has their own reasons for reporting concerns to the College. A common reason is not wanting others to have the same experience. Incidents of sexual abuse are

often not isolated and by telling the College what happened to you, you may be able to prevent others from having similar experiences.

How does the complaints process work?

Details of the College's complaints process can be found in the College's Guide to Filing a Complaint.

The College treats all complaints seriously and with sensitivity. An investigator will likely interview you and other witnesses or persons with relevant information. You'll have an opportunity to meet the investigator in person, regardless of where you live in the province or speak to the investigator by video conference or by phone. You are welcome to bring someone along with you for support.

If your complaint is referred to the Discipline Committee for a hearing to determine whether the midwife has engaged in professional misconduct you may be asked to testify. Discipline hearings are much like court proceedings. Details of the College's Discipline Process can be found on our website.

The College does not have the authority to assess injury or to award compensation. This is the subject of civil court proceedings.

What if I don't want to file a complaint?

There are other ways to share information with the College without getting involved in a formal complaints process, such as reporting information to the College.

What should I expect when I contact the College?

A staff member can assist you to learn more about how we can help and/or make a complaint or report information. You can expect your concern to be treated seriously and respectfully at each stage of the process.

You can contact the College anonymously and make general inquiries about the complaints process. However, if the College knows the name of the midwife involved, in order to fulfil its mandate of protecting the public, the College may be obliged to act on certain information it receives.

You should be aware that if the College proceeds with an investigation or complaint, we must disclose your name to the midwife who is being investigated so that the midwife has an opportunity to respond.

Is there funding for therapy and counselling?

Yes, clients who were or may have been sexually abused by a midwife while they were a client are eligible to obtain funding for therapy and counselling if they have filed a complaint with the College, are the subject of a Registrar's investigation into allegations of sexual abuse, or where there has been a finding of sexual abuse by a panel of the Discipline Committee. Information about the funding program that is overseen by the College's Client Relations Committee and application forms are posted on our website.

Contact us

We can be reached by phone at 416-640-2252 or by email at conduct@cmo.on.ca.



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