

**DISCIPLINE COMMITTEE OF THE ROYAL COLLEGE OF DENTAL SURGEONS OF
ONTARIO**

Citation: Royal College of Dental Surgeons of Ontario v. Bacchus, 2026 ONRCDSO 2

Date: 2026-03-30

File Nos.: 24-0502, 24-0503

BETWEEN:

Royal College of Dental Surgeons of Ontario

-and-

Kevin Bacchus

Registration No. 12892

FINDING REASONS

PANEL MEMBERS:

Judy Welikovitch, Public Member (Chair)
Eilyad Honarparvar, Professional Member
Vanessa Theriault, Professional Member
Brian Smith, Public Member
Andrea Gonsalves, Subject Matter Expert

APPEARANCES:

Glynnis Hawe, for the College
Kevin Bacchus, unrepresented

Heard: November 21, 2025, by video conference

REASONS FOR DECISION

1. This matter involves two (2) Notices of Hearing (RCDSO File Nos. 24-0502/24-0503) regarding Dr. Kevin Bacchus.
2. This matter first came on for a hearing before a panel of the Discipline Committee (the “**Panel**”) of the Royal College of Dental Surgeons of Ontario (the “**RCDSO**” or the “**College**”) on May 30, 2025, via videoconference.
3. At the commencement of the hearing, Dr. Bacchus, the Registrant concerned, brought a motion to have two panel members recuse themselves from hearing this matter on the basis of a reasonable apprehension of bias. At the time, Dr. Bacchus was represented by counsel.
4. Dr. Bacchus objected to the participation of two publicly appointed members of the Panel: the Chair, Ms. Judy Welikovitch, and Mr. Brian Smith. Dr. Bacchus alleged that since both Ms. Welikovitch and Mr. Smith had been part of a panel on

an earlier, contested matter in which he was involved, and since he disputes the findings made by that panel and has appealed that decision to the Divisional Court of Ontario,¹ he had a reasonable apprehension of bias related to those Panel members.

5. Following a hearing of the motion to recuse on the merits, the Panel issued a decision on July 15, 2025. Dr. Bacchus' motion was dismissed and the Hearings Administrator was directed by the Panel to schedule this hearing for the earliest possible date.

6. The hearing of this matter then came on before the same Panel on November 21, 2025. At that time, the Divisional Court had not yet released its decision in Dr. Bacchus' appeal. At this appearance, Dr. Bacchus was unrepresented.

Motion to Hear Matters Together

7. As noted, this hearing involved two Notices of Hearing in RCDSO File Nos. 24-0502 and 24-0503.

8. At the commencement of the hearing, the parties joined in bringing a motion to have both matters heard together, but with respect to liability only. Dr. Bacchus was concerned that, should these matters proceed to a penalty phase, that any penalties ordered be separately and clearly tied to the allegations contained in each Notice of Hearing.

9. The motion was brought pursuant to subsection 9.1(1) of the *Statutory Powers Procedure Act*² which addresses proceedings involving similar questions. Pursuant to that section, the Panel may combine the proceedings, or any part of them, with the consent of the parties.³ Here, the parties have mutually consented to joinder of the matters with respect to liability only.

10. In support of the motion, counsel for the College argued that joining the matters with respect to liability only would be most efficient and would avoid duplication of evidence and submissions.

Decision on Motion

11. The Panel considered the statute, the contents of the Notices of Hearing, and the submissions of the parties and ordered that the allegations contained in RCDSO File Nos. 24-0502 and 24-0503 be heard together with respect to the liability phase of the proceedings only.

¹ Divisional Court File No. 196/25

² *Statutory Powers Procedure Act*, RSO 1990, c S.22 ("SPPA").

³ SPPA, s (1)(a)

12. The Notices of Hearing together contain three short, discrete allegations which can be more efficiently heard at the same time. Hearing the matters together will avoid duplication of evidence and submissions and will further avoid the possibility of inconsistent decisions.

Decision on Merits and Reasons for Decision

13. At the commencement of the hearing, the College entered the following documents as exhibits:

- (a) Notice of Hearing No. 24-0502 (“**NOH 1**”) as Exhibit 1;
- (b) Notice of Hearing No. 24-0503 (“**NOH 2**”) as Exhibit 2; and
- (c) An Agreed Statement of Facts (“**ASF**”), signed by the parties, as Exhibit 3.

Notice of Hearing 1: The Allegation (Exhibit 1)

14. NOH 1 contains the following allegation: that Dr. Bacchus committed an act or acts of professional misconduct as provided by s. 51(1)(c) of the Health Professions Procedural Code (the “**Code**”), being Schedule 2 of the *Regulated Health Professions Act, 1991*, SO 1991, c. 18 (the “**RHPA**”) in that, during 2024, he contravened a federal, provincial or territorial law, municipal by-law or rule of a public hospital within the meaning of the *Public Hospitals Act*,⁴ relevant to the provision of dental care to the public, contrary to paragraph 50 of Section 2 on Ontario Regulation 853/93⁵ (the “**Regulation**”), as amended.

15. More particularly, the College alleged that on or about September 29, 2022, Dr. Bacchus was found guilty of:

- (a) aggravated assault, contrary to section 268 of the *Criminal Code of Canada*⁶ (the “**Criminal Code**”); and
- (b) assault with a weapon, contrary to section 267(a) of the *Criminal Code*.

16. Further, the College alleged that on or about January 23, 2024, the Court of Appeal of Ontario released its decision dismissing Dr. Bacchus’ appeal from his conviction; and that his appeal from the sentence was dismissed as abandoned.

Notice of Hearing 2 (Exhibit 2)

Allegation #1: Impaired Driving and Driving While Impaired

⁴ *Public Hospitals Act*, RSO 1990, c P.40

⁵ Regulation made under the *Dentistry Act, 1991*, SO 1991, c 24

⁶ *Criminal Code of Canada*, RSC 1985, c C-46

17. The College alleged that Dr. Bacchus committed an act or acts of professional misconduct as provided by s. 51(1)(c) of the Code in that, during 2020 and/or 2021, he contravened a provision of the *Dentistry Act, 1991*,⁷ the *RHPA*, or the regulations under either of these Acts, contrary to paragraph 48 of Section 2 of the Regulation.

18. In particular, the College alleged that on or about July 13, 2020, Dr. Bacchus was criminally charged with impaired driving and with driving while impaired by alcohol with a blood alcohol content over 80 mg per 100 mL of blood. Further, it was alleged that Dr. Bacchus did not report these charges to the College until February 25, 2021, that is, that he failed to report his charges to the College as soon as reasonably practicable, as he was required to do by s. 85.6.4(2) of the *RHPA*.

Allegation #2: Disgraceful, Dishonourable, Unprofessional or Unethical Conduct

19. The College alleged that Dr. Bacchus committed an act or acts of professional misconduct as provided by s. 51(1)(c) of the Code in that, during 2020 and/or 2021, he engaged in conduct or performed an act that, having regard to all the circumstances, would reasonably be regarded by registrants of the profession as disgraceful, dishonourable, unprofessional or unethical (“**DDUU**”), contrary to paragraph 59 of Section 2 of the Regulation.

20. In particular, the College alleged that on July 13, 2020, Dr. Bacchus was criminally charged with impaired driving and driving while impaired by alcohol with a blood alcohol content over 80 mg in 100 mL of blood. Further, it was alleged that Dr. Bacchus did not report these charges to the College until February 25, 2021, being seven (7) months later. More specifically, that he failed to report these charges to the College in a timely fashion or as soon as was reasonably practicable, as he was required to do by s. 85.6.4(2) of the Regulation.

Agreed Statement of Facts and The Registrant’s Plea

21. Dr. Bacchus admitted the allegations of professional misconduct in both NOH 1 and NOH 2. No written plea inquiry was tendered.

22. The Chair conducted an oral plea inquiry with the Registrant. Dr. Bacchus admitted the allegations of professional misconduct that were brought against him. In addition, he offered some context and reasons for his misconduct for the Panel’s consideration. College counsel pointed out, quite correctly, that Dr. Bacchus was not under oath and that the information could be used by the Panel for context only.

⁷ *Dentistry Act, 1991*, SO 1991 c 24

23. Further, the Registrant entered into an Agreed Statement of Facts (Exhibit 3) when he was assisted by counsel, and was not resiling from the contents of that document. The ASF was signed by Dr. Bacchus on May 22, 2025, and his signature was witnessed by his then-counsel. College counsel signed the ASF on May 30, 2025.

24. Based upon the Registrant's plea and his responses to the questions posed by the Chair, the Panel was satisfied that Dr. Bacchus' admissions contained in the ASF were voluntary, informed and unequivocal.

25. A copy of the ASF, with exhibits omitted, is appended to these Reasons.

The Evidence: Facts and Professional Misconduct Admitted

26. Dr. Kevin Bacchus was first registered with the RCDSO as a general dentist in 1995.

27. The evidence set out in the ASF elaborates upon the particulars set out in the Notices of Hearing. The full content of the College's allegations has been set forth in paragraphs 14-20 above.

NOH 1: Aggravated Assault – Professional Misconduct Admitted

28. The Registrant admitted that he committed the acts of professional misconduct as alleged in allegation 1 of NOH 1 in that he admitted that he contravened a federal law relevant to the provision of dental care to the public, contrary to paragraph 50 of section 2 of the Regulation, as amended.

29. More specifically, the Registrant admitted:

(a) That he wounded, maimed or endangered the life of Person D, thereby committing an aggravated assault, contrary to s. 268 of the *Criminal Code*; and

(b) That in committing an assault on Person D, he used a weapon – specifically, a knife – contrary to s. 267(a) of the *Criminal Code*.

30. The Registrant agreed and admitted that on October 7, 2019, Person C, a registered dental hygienist and former employee of Dr. Bacchus, informed the College that on October 5, 2019, the Registrant stabbed Person D, in the neck and head.

31. The Registrant further agreed and admitted that:

- (a) on October 11, 2019, Dr. Bacchus' legal counsel and brother, Riyad Bacchus, also notified the College that Dr. Bacchus had been criminally charged with assault with a weapon and aggravated assault;
- (b) on September 29, 2022, following a trial, Dr. Bacchus was found guilty on both counts as described above;
- (c) Dr. Bacchus appealed his conviction. In a decision dated January 23, 2024, the Court of Appeal dismissed Dr. Bacchus' appeal against conviction and sentence in its entirety.⁸

NOH 2: Impaired Driving and Driving While Impaired with Blood Alcohol Reading Over 80 mg/100 mL

32. The Registrant agreed and admitted the following:

- (a) On or about July 13, 2020, he was arrested in Barrie, Ontario for driving under the influence. Dr. Bacchus provided a breath sample with a reading of 150 mg of alcohol in 100 mL of blood.
- (b) He was then arrested and charged with two criminal offences (the "**Charges**"), as follows:
 - i. Operation of a vehicle while impaired by alcohol, contrary to s. 320.14(1)(a) of the *Criminal Code*; and
 - ii. Operation of a vehicle while impaired by alcohol with a blood concentration that was equal to or exceeded 80 mg of alcohol in 100 mL of blood, contrary to s. 320.14(1)(b) of the *Criminal Code*.
- (c) On February 22, 2021, being more than seven (7) months later, Dr. Bacchus notified the College for the first time that he had been charged with "DUI" on July 13, 2020, in the City of Barrie;
- (d) On February 25, 2021, Dr. Bacchus disclosed the existence of both charges with which he had been charged on July 13, 2020;
- (e) On March 31, 2021, Dr. Bacchus notified the College that the Charges had been withdrawn and that, on the same date, he was charged and pled guilty to a single charge of careless driving under s. 130(1) of the *Highway Traffic Act*;⁹

⁸ *R v Bacchus*, 2024 ONCA 43

⁹ RSO 1990, c H.8

- (f) Dr. Bacchus was required by s. 85.6.4 of the Code to file a report in writing to the Registrar of the College as soon as reasonably practicable after being charged with an offence;
- (g) If Dr. Bacchus were to testify, he would say that he did not report the Charges for more than seven (7) months because he was under the mistaken impression that his legal counsel at the time had done so.
- (h) Nevertheless, Dr. Bacchus agreed and admitted that it was his responsibility to report the Charges to the College in a timely manner and that his failure to report the Charges himself, or to ensure that his counsel reported the charges in a timely manner, constitutes professional misconduct;
- (i) Dr. Bacchus agreed and admitted that he committed the acts of professional misconduct as alleged in NOH 2, Paragraph 1 in that he failed to report the Charges for more than seven (7) months; and
- (j) Dr. Bacchus agreed and admitted that he committed the acts of professional misconduct as alleged in NOH 2, Paragraph 2 in that failing to report the Charges to the College for more than seven (7) months was conduct that, having regard to all the circumstances, would reasonably be regarded by registrants of the profession as unprofessional. Dr. Bacchus did not agree nor admit that his conduct, having regard to all the circumstances, would reasonably be regarded by registrants as disgraceful, dishonourable or unethical.

Decision

33. The Panel deliberated and considered the evidence, including the admissions made by Dr. Bacchus in the ASF, and the submissions of the parties. The Panel rendered an oral decision on November 21, 2025, finding that the Registrant committed the acts of professional misconduct as alleged in the two Notices of Hearing, and contrary to section 51(1)(c) of the Code and paragraphs 48, 50 and 59 of section 2 of the Regulation.

Reasons for Decision

34. The Registrant did not contest the single allegation set forth in NOH 1, nor did he contest the two (2) allegations set forth in NOH 2. He admitted the facts and content included in the ASF. He agreed and admitted, and the Panel accepts, that the agreed-upon facts set forth in the ASF constitute professional misconduct under the headings of misconduct as set out above at paragraphs 14, 18 19, 28, 29 and 32 above. It is noted that with respect to the second ground of professional misconduct alleged in NOH 2 (i.e. DDUU), the Registrant admitted only that his conduct had been

unprofessional. As noted, he did not admit that his conduct had been disgraceful, dishonourable or unethical.

Finding: NOH 1 - Allegation – Contravened a Federal Law Relevant to Provision of Dental Care to Public

35. The Panel finds with respect to NOH 1, having considered the agreed-upon facts contained in the ASF and the submissions of the parties, that the evidence proves the misconduct alleged on a balance of probabilities. More specifically, the Panel finds that Dr. Bacchus contravened a federal law relevant to the provision of dental care to the public, that being the *Criminal Code*.

36. Although the professional misconduct that gave rise to NOH 1 did not occur in a clinical setting, Dr. Bacchus' convictions for aggravated assault and assault with a weapon demonstrate a disregard for the safety of individual members of the public. His misconduct erodes public confidence in the profession in general. The College and the public expect that registrants will behave professionally, in a way that shows respect for laws, and in a way that supports public confidence in the profession. The Panel is of the view that the conduct that led to Dr. Bacchus' convictions demonstrates poor judgment on his part and is contrary to the public's fundamental expectations of regulated health professionals.

37. The consequences of Dr. Bacchus' conduct, and the public awareness of his conduct, established a sufficient nexus to the provision of dental care.¹⁰

Finding: NOH 2 – Allegation #1 – Impaired Driving and Driving While Impaired with Blood Alcohol Reading Over 80mg/100ml

38. With respect to the allegations contained in NOH 2, having considered the ASF, the admissions made by Dr. Bacchus and the submissions of the parties, the Panel finds that the evidence proves, on a balance of probabilities, that he failed to report the Charges to the College in a timely manner.

39. Dr. Bacchus argued that he was under the mistaken impression that his counsel had reported the Charges to the College on his behalf. He did, nevertheless, admit and agree that it was his responsibility to report the charges to the College in a timely manner and that his failure to take the necessary steps to ensure that his counsel had reported the Charges amounted to professional misconduct.

40. The issue of Dr. Bacchus' mistaken impression is not relevant to a finding that he did not report the Charges as soon as practicable, as required. It is open to him

¹⁰ *RCDSO v Natsis*, 2020 ONRCDSO 8 (CanLII)

to make those submissions with respect to mitigation at the penalty phase of these proceedings.

Finding: NOH 2 – Allegation #2 – DDUU - Unprofessional Conduct

41. With respect to NOH 2, the Panel finds that the evidence establishes, on a balance of probabilities, that Dr. Bacchus' conduct would reasonably be considered by registrants of the profession as unprofessional. There is no evidence upon which to find that Dr. Bacchus committed professional misconduct on the grounds that his conduct was disgraceful, dishonourable or unethical, as alleged.

42. The Panel is of the view that in failing to report that he had been criminally charged with impaired driving and driving while impaired by alcohol with a blood alcohol content in excess of 80mg in 100ml of blood, as required, that Dr. Bacchus did not conduct himself in a professional manner. His conduct demonstrated a serious disregard for his obligations under the *Regulated Health Professions Act*, section 85.6.4(2). It also gives rise to questions about Dr. Bacchus' sense of professional accountability to the College.

Conclusion

43. To summarize, the Panel finds, on a balance of probabilities, that

- (a) Dr. Bacchus was charged with and convicted of both aggravated assault and assault with a weapon, contrary to the *Criminal Code*. He admitted, and the Panel finds, that he committed acts of professional misconduct contrary to paragraph 50 of Section 2 of the Regulation as described in NOH 1;
- (b) Dr. Bacchus was charged on or about July 13, 2020, with driving while impaired and driving while impaired with a blood alcohol reading greater than 80mg of alcohol per 100mL of blood. These charges were withdrawn on or about March 31, 2021, and he was charged with and pled guilty to a single charge of careless driving under the *Highway Traffic Act*;
- (c) Dr. Bacchus did not report to the College that he had been charged in July 2020 with offences under the *Criminal Code*. He admitted, and the Panel finds, that he failed to report the charges to the College for more than seven (7) months, which was not as soon as reasonably practicable as is required by s. 85.6.4 of the Code. This amounted to professional misconduct, as alleged and described in NOH 2; and
- (d) Further with respect to NOH 2, that Dr. Bacchus' conduct was unprofessional. The College alleged, and Dr. Bacchus admitted, that his failure to report the charges to the RCDSO in a timely way was conduct

that, having regard to all the circumstances, would reasonably be regarded by registrants as unprofessional.

I, Judy Welikovitch, sign these Reasons for Decision as Chairperson of this Discipline Panel.



March 30, 2026

Judy Welikovitch
Chair, Discipline Committee Panel

Date

APPENDIX

24-0502/24-0503

IN THE MATTER OF a Hearing of a panel of the Discipline Committee of the Royal College of Dental Surgeons of Ontario held pursuant to the provisions of the Health Professions Procedural Code which is Schedule 2 to the *Regulated Health Professions Act, 1991*, SO 1991, c 18 (“Code”) respecting one **DR. KEVIN BACCHUS** of the City of Sarnia, in the Province of Ontario;

AND IN THE MATTER OF the *Dentistry Act, 1991*, SO 1991, c 24 and Ontario Regulation 853, Regulations of Ontario, 1993, as amended (“Dentistry Act Regulation”);

AND IN THE MATTER OF the *Statutory Powers Procedure Act*, RSO 1990, c. S.22, as amended (“Statutory Powers Procedure Act”).

AGREED STATEMENT OF FACTS

A. The Member

1. Dr. Kevin Bacchus (the “Member”) first registered with the Royal College of Dental Surgeons of Ontario (the “College”) as a general dentist in 1995.

B. Notice of Hearing

2. The allegations of professional misconduct against the Member are set out in two Notices of Hearing, as follows:
 - (a) Notice of Hearing #1, dated July 30, 2024, hearing file no. 24-0502; and
 - (b) Notice of Hearing #2, dated July 30, 2024, hearing file no. 24-0503.
3. The College and the Member have agreed to resolve the allegations in both Notices of Hearing on the basis of the facts and admissions set out below.

C. Facts and admissions

1. Notice of Hearing #1: Aggravated assault

4. On October 5, 2019, Dr. Bacchus was arrested and charged with two criminal offences, as follows:
 - (a) Count 1 - that he wounded, maimed, or endangered the life of Person D thereby committing an aggravated assault contrary to s. 268 of the *Criminal Code*; and
 - (b) Count 2 - that in committing an assault on Person D, he used a weapon—a knife—contrary to s. 267(a) of the *Criminal Code*.
5. On October 7, 2019, Person C, a registered dental hygienist and former employee of the Member informed the College that on October 5, 2019, the Member had stabbed

[redacted], Person D, in the neck and head. Person D had previously been a patient of Dr. Bacchus, which patient relationship ceased in or about November 2017.

6. On October 11, 2019, Dr. Bacchus's legal counsel and brother, Riyad Bacchus, also notified the College that Dr. Bacchus had been criminally charged with assault with a weapon and aggravated assault.
7. On September 29, 2022, following a trial before Justice R. Raikes, the Member was found guilty on both counts. A copy of the oral Reasons for Judgment transcript dated September 29, 2022 is attached as Exhibit "A". A copy of Justice Raikes' Reasons for Judgment in *R v Bacchus*, 2022 ONSC 5432, is attached as Exhibit "B".
8. On February 1, 2023, Justice Raikes stayed Dr. Bacchus's conviction on Count 2.
9. On April 11, 2023, the Member was sentenced to a conditional sentence of 22 months for his conviction on Count 1, made up of nine months on house arrest, followed by six months of curfew. Justice Raikes also ordered the Member to be subject to a period of probation for two years following the completion of his conditional sentence. A copy of the oral Reasons for Sentence transcript dated April 11, 2023 is attached as Exhibit "C".
10. The Member appealed his conviction. In a decision dated January 23, 2024, the Court of Appeal for Ontario dismissed the Member's appeal in its entirety. A copy of the Reasons for Decision in *R v Bacchus*, 2024 ONCA 43, is attached as Exhibit "D".
11. The Member admits that he committed the acts of professional misconduct as alleged in paragraph 1 of Notice of Hearing #1 in that he contravened federal law, relevant to the provision of dental care to the public, contrary to paragraph 50 of section 2 of Ontario Regulation 853, Regulations of Ontario, 1993, as amended.

2. Notice of Hearing #2: Driving under the influence

12. At 10:56pm on July 13, 2020, Dr. Bacchus was arrested in Barrie, Ontario for driving under the influence. Dr. Bacchus provided a breath sample with a reading of 150 milligrams of alcohol in 100 milliliters of blood, and was charged with two criminal offences, as follows (the "Charges"):
 - (a) Operation of a vehicle while impaired by alcohol, contrary to s. 320.14(1)(a) of the *Criminal Code*; and
 - (b) Operation of a vehicle while impaired by alcohol with a blood alcohol concentration that was equal to or exceeded 80 mg of alcohol in 100 mL of blood, contrary to s. 320.14(1)(b) of the *Criminal Code*.
13. On February 22, 2021, Dr. Bacchus notified the College for the first time that he had been charged with a "DUI" on "Jul 12 20" in the City of Barrie. On February 25, 2021, Dr. Bacchus disclosed the existence of both Charges, with which he had been charged on July 13, 2020.
14. On March 31, 2021, Dr. Bacchus notified the College that the Charges had been withdrawn. On the same date, the Member was charged and pled guilty to a single charge of careless driving under s. 130(1) of the *Highway Traffic Act*.

15. The Member was required by s. 85.6.4 of the *Health Professions Procedural Code* to file a report in writing to the Registrar of the College as soon as reasonably practicable after the Member was charged with an offence.
16. If Dr. Bacchus were to testify, he would state that he did not report the Charges for more than seven months because he was under the mistaken impression that his legal counsel at the time had reported the charges to the College. Nevertheless, the Member admits that it was his responsibility to report the charges to the College in a timely manner and that his failure to take the necessary steps to report the charges or to ensure that his counsel reported the charges, in a timely manner, amounts to professional misconduct.
17. The Member has had the opportunity to take independent legal advice with respect to his admissions.
18. The Member admits that he committed the acts of professional misconduct as alleged in paragraph 1 of Notice of Hearing #2, in that he failed to report the Charges for more than seven months, which was not as soon as reasonably practicable as required by s. 85.6.4(2) of the *Code*.
19. The Member admits that he committed the acts of professional misconduct as alleged in paragraph 2 of Notice of Hearing #2 and, in particular, that his failure to report the Charges to the College is conduct that, having regard to all of circumstances, would reasonably be regarded by members as unprofessional.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 30th day of May 2025.