



DECISION 3

Dr. Philip Willenburg

1105 Kingston Rd Bldg D #3
Pickering, Ontario

ALLEGATIONS OF PROFESSIONAL MISCONDUCT

- Disgraceful, dishonourable, unprofessional or unethical conduct (para. 59)
- Contravened a law (para.50)

BRIEF SYNOPSIS OF FACTS

- Dr. Willenburg deliberately concealed a video camera in his office washroom for the purpose of videotaping patients and/or staff members.
- The camera recorded two staff members, one of whom was also a patient, before the camera was discovered by staff members.
- In relation to this incident, Dr. Willenburg pled guilty in criminal court to the charge of voyeurism contrary to section 162(1)(a) of the Criminal Code of Canada.

DECISION**Finding**

The member pleaded guilty and was found guilty with respect to the above allegations of professional misconduct.

Penalty

- Reprimand
- Suspension of certificate of registration for five months (July 31, 2015 – December 30, 2015)

Costs/Publication

- Costs awarded to College in the amount \$5,000
- Pursuant to the legislation, publication of this matter includes the member's name and address

PANEL'S REASONING

- The penalty was a joint submission reached following a pre-hearing conference.
- The panel unanimously agreed that the proposed penalty was reasonable and in the public interest as it met the goals of deterrence and rehabilitation.
- The length of the suspension was significant.
- The penalty clearly demonstrates to the public that the profession has no tolerance for a dentist who is found to have committed serious acts of professional misconduct and who breached the trust that his employees placed in him.
- In its deliberation on penalty the panel considered as an aggravating fact that the conduct involved a breach of trust.
- The panel also considered the mitigating factors which included:
 - The member had no previous discipline history.
 - The member cooperated with the College.

- The member's admission of guilt, which demonstrates acceptance of responsibility and remorse.
- The member had already successfully completed a group therapy session at the Centre of Addiction and Mental Health.
- The member was voluntarily continuing with professional counselling.
- The member had already completed a boundaries course approved by the College.