

**COLLEGE OF MASSAGE THERAPISTS OF NEW BRUNSWICK
(the “College”)**

HEARING COMMITTEE DECISION

APRIL 22, 2026

IN THE MATTER OF A COMPLAINT CONCERNING

**MANNING BUCHANAN (the “Member”)
dated July 23, 2025 (the “Complaint”)**

Background

1. The Hearing Committee (the “**Committee**”) met to consider the Complaint filed by the Complainant (referred to herein as “**MM**” or the “**Complainant**”) regarding Manning Buchanan on March 20, 2026.
2. With the consent of the Member and the Complainant, the Committee received as evidence, and carefully reviewed and considered documents respecting the Complaint consisting of a book of bound documents marked as Book 1, a list of which is attached to this Decision as Schedule “A.”
3. The Complainant and the Member attended the hearing and were not represented by legal counsel.
4. The Committee received sworn testimony from the following witnesses:
 - (a) MM, the Complainant; and
 - (b) Manning Buchanan, the Member.

Opening Submissions

5. The Complainant did not make any opening submissions to the Committee.
6. In his opening submissions, the Member stated that the Complainant’s evidence was true to a point and then the evidence becomes exaggerated and ultimately false. The Member expressed a desire to explain what happened through his testimony.

Evidence

MM

7. The Complainant testified that he has been a Registered Massage Therapist (“**RMT**”) for approximately three (3) years. The Complainant and the Member have known each other for approximately five (5) years. They became friends in college when they were both attending the massage therapy program at Eastern College.
8. The Complainant explained that after graduating from college and prior to July 17, 2025, he had received treatment from the Member approximately three (3) times.

9. On July 17, 2025, the Complainant testified that he was messaging the Member about his recent breakup. The Complainant stated that he told the Member that he was experiencing a migraine and was not working for the rest of the day. The Complainant asked if the Member would have time to provide him with a massage therapy treatment and scheduled a treatment with the Member at 4:00 p.m. that day, at the clinic where the Member worked.
10. The Complainant explained that the treatment session started with a brief discussion with the Member about the treatment plan. In addition to his migraine, the Complainant indicated that he was experiencing a left shoulder injury from rock climbing at the time of the treatment. The Complainant and the Member agreed that the treatment would focus on the Complainant's migraine and left shoulder. The Member had also mentioned completing a cupping course and it was agreed that the Member would do some cupping on the Complainant's back.
11. The Member then left the room to allow the Complainant to undress. The Complainant indicated that he undressed from the waist up, keeping his pants and socks on. The Complainant recalled that he was wearing stretchy, athletic pants that did not have belt loops. The Complainant explained he proceeded to lay facedown on the treatment table and waited for the Member to return.
12. The Complainant stated that when the Member re-entered the treatment room, the Member "*smacked*" the Complainant on the buttocks. The Complainant indicated this was fairly normal behaviour for the two of them when they were in college and was not uncommon in his treatment sessions with the Member. The Complainant testified that he initially did not think anything of this as it was something that had occurred before.
13. The Complainant described the treatment as proceeding "*normally*" for the first 30 minutes, including the use of cupping techniques. The Complainant stated he and the Member talked and joked while the Member was providing treatment, including discussing the Complainant's recent breakup.
14. The Complainant stated that after approximately 30 minutes, he turned over to lay on his back. When he did so, the Member kissed the Complainant on the forehead.
15. The Member then began working on the Complainant's shoulders and pectoral muscles. The Complainant testified that while the Member was working on his pectoral muscles, the Member grabbed and pinched the Complainant's nipples. The Complainant indicated this conduct was also fairly normal behaviour for them and was reminiscent of their behaviour when in college.
16. As the Member continued working on the Complainant's pectoral muscles, the Member and the Complainant continued to talk, and the Member made a sexual joke asking whether the Complainant wanted the "*pulled pork special*." The Complainant explained that this was a joke the Member used to make while they were in college in reference to "*happy endings*." The Complainant stated that he looked at his phone and responded, "*haha, I don't think we have time*."
17. Near the end of the appointment, the Complainant explained that the Member began doing a wringing motion, moving down the Complainant's pectoral muscles to the Complainant's waist, genitals, and then legs. The Complainant described the Member moving his hands down the Complainant's left leg, making contact with the Complainant's genitals, and then proceeding back up the leg and over his genitals again. The Member repeated this act on the right leg, moving down the right leg, over the Complainant's genitals, and then back

up the right leg over his genitals. The Complainant stated that, at this time, he was chuckling and thought that the Member's behaviour was "*weird*", but the Complainant was acting as though he was not fazed.

18. The Complainant then testified that the Member was standing on the Complainant's right side and attempted to push the front of the Complainant's pants down with one hand to expose the Complainant's genitals. The Complainant indicated that when this happened, he said "*no*" and "*stop*" and spread his legs in an attempt to stop his pants from being pushed down by the Member. The Member, however, pushed the Complainant's pants and draping down past the Complainant's genitals, above his knees. The Complainant's underwear remained pulled up because the Complainant spread his legs.
19. Following this interaction, the Complainant stated that the Member continued with standard massage techniques until the end of the treatment session.
20. At the end of the treatment session, the Member left the treatment room. The Complainant dressed and then proceeded out of the treatment room to pay for his session. The Complainant provided the Member with a \$10 tip, as per usual. The Member later sent the Complainant a Snapchat video waving the bill for the services and saying, "*Thank you for the tip, wish you would have given me the other one, not actually, but actually*", while laughing.
21. The Complainant provided a screenshot of a Facebook Messenger chat between himself and the Member, wherein the Complainant stated that he was uncomfortable with the treatment session and, among other things, that "*there was definitely a boundary crossed*" and that "*I said no after you tried to pull my pants down and you kept wringing down the front of me and touching my dick anyways.*" The Member responded and, in part, stated that he "*shouldn't have acted that way, I wanted to be playful and tease ya a bit but I took it to far and im really sorry.*"

Manning Buchanan

22. The Member testified that he has been an RMT for approximately three (3) years and that he and the Complainant had been friends since college.
23. The Member recalled treating the Complainant three (3) or four (4) times prior to July 17, 2025.
24. The Member stated that on July 17, 2025, he reached out to the Complainant to discuss the Complainant's recent breakup. The Complainant responded and indicated that he had a migraine and asked if the Member had any availability. The Complainant scheduled a treatment with the Member that day and said to the Member that they could catch up while the Member was treating him.
25. The Member indicated that he and the Complainant discussed the treatment plan and agreed to focus on the shoulder and neck area but would be cautious with the pressure on the Complainant's neck. The Member stated they also agreed to use cupping. The Member stated that after discussing the treatment plan, he indicated that the Complainant should undress down to his comfort level and left the room.
26. The Member knocked before re-entering the room and found the Complainant facedown on the table. The Member stated he did not recall slapping the Complainant on the buttocks when he entered the room during this treatment.

27. The Member stated that the treatment began with the Complainant lying facedown on the table. The Member explained that he undraped the Complainant to the bottom rib and began the treatment which included working on trigger points and lower trapezius muscles, while ensuring the pressure was not too much. The Member then asked the Complainant if he was ready for cupping. With the Complainant's consent, the Member started using the cups with a bit of gliding and then left them stationary of the Member's trapezius muscles while he continued working on the Complainant's neck.
28. The Member indicated that he and the Complainant chatted throughout this treatment about their personal lives, summer plans, other massage therapists, and what they could do on their next adventure together. The Member then removed the cups and did a bit of a *"flush out."*
29. The Member indicated that he then had the Complainant turn onto his back to work on the shoulder and pectoral area. The Member explained that the conversation then turned back to the Complainant's recent breakup.
30. The Member stated that while the Complainant was face up in the supine position and the Member was sitting in a chair behind the Complainant's head, he kissed the Complainant on the forehead and the Complainant laughed. The Member explained this was something they would do during school within their friend group. The Member acknowledged that the kiss was inappropriate in a clinical setting but stated that it was not abnormal for their relationship.
31. After this, the conversation then turned to discussing other therapists. The Member recalled that the Complainant made a comment about one of their former classmates probably offering *"happy endings."* The Member indicated that he responded, *"can you imagine being that unprofessional"* and the Complainant replied, *"well..."* At this point, the Member was working on the Complainant's pectoral muscles and said, *"what were you going to say."* When the Complainant did not respond, the Member twisted the Complainant's nipple and said again, *"what were you going to say."* The Member acknowledged that twisting the Complainant's nipple during treatment was inappropriate.
32. The Complainant responded to the Member and stated that he had treated his former partner. The Member then stated *"did you come in here looking for a pulled pork sandwich"*, in a joking manner. The Member testified that this was not an offer to the Complainant. In his response to the Complaint, the Member indicated that this is a joke that he and the Complainant would make to each other while in college in reference to *"happy endings."*
33. Following this conversation, the Member noted that the Complainant's pectoral area was getting red. The Member then asked if the Complainant wanted to finish the final ten (10) minutes of the treatment with a relaxation massage. The Member lowered the drape and noticed that the Complainant still had his pants on. The Member acknowledged that he put his finger in the waistband of the Complainant's pants, used his finger to give the pants *"a little yank"*, and asked if the Complainant wanted to remove his pants. The Complainant said, *"no."* When asked to clarify what type of pants the Complainant was wearing, the Member recalled that the Complainant was wearing pants that were more business casual attire, with belt loops.
34. The Member then continued treatment. The Member explained that he undraped the Complainant to the Complainant's waistline, tucked the draping into the Complainant's pant waistline and did a couple of swipes on the Complainant's belly for relaxation. The

Member then pulled the draping back up, pulled the draping over the Complainant's leg and tucked one side in between the Complainant's two legs, so that he could massage the Complainant's leg. The Member held the Complainant's pants steady and then massaged down one of the Complainant's legs, then repeated the same for the other leg.

35. At the end of the treatment, the Complainant paid for the session and gave the Member a \$10 tip. The Complainant initiated a hug with the Member before leaving. The Member acknowledged that he later made a statement to the Complainant that *"thank you for the tip"* and *"I didn't give you the other tip,"* or something to that effect.
36. In regard to the Facebook Messenger screenshot, the Member explained that he was apologizing for his conduct during the session. In particular, the Member explained that during the session he was trying to keep the conversation light, given that the Complainant was depressed about his breakup, and that the Member should have been more mindful of the Complainant's state of mind.
37. The Member further testified that, after receiving the Facebook Messenger message from the Complainant, he tried to call the Complainant to discuss the situation. The Member stated that he did not agree with some of the statements made in the message by the Complainant but that he wanted to apologize anyway for making the Complainant feel uncomfortable. When the Complainant did not respond to his call, the Member then replied to the message and apologized, despite disagreeing with some of the Complainant's message.
38. The Member acknowledged during his testimony that the Complainant came in for a treatment and that the Member behaved unprofessionally towards the Complainant.

Closing Submissions

39. The Complainant did not make any closing submissions to the Committee.
40. In his closing submissions, the Member stated that there are several discrepancies in the Complainant's evidence, including between the documents and the Complainant's testimony. The Member pointed to differences in statements from the Complainant including about his mental wellbeing during the time and the type of relationship he had with his former partner and indicated that there are other inconsistencies throughout the documents. The Member also submitted that the Complainant testified that his underwear was exposed during the session, which was not mentioned in the documents.
41. The Member referred the Committee to his admissions that he gave the Complainant a kiss on the forehead and twisted the Complainant's nipple and acknowledged that this conduct was inappropriate. Given the discrepancies in the Complainant's evidence, the Member submitted that *"can we really say that anything more serious than what I have admitted to has happened."*

Findings

42. Based on the evidence received, the Committee finds that, on July 17, 2025, the Complainant attended the Member's clinic and received massage therapy treatment from the Member. During this treatment, the Complainant was a client of the Member.
43. During the treatment of the Complainant, the Member admitted and the Committee accepts that the Member kissed the Complainant's forehead and touched and twisted the Complainant's nipple. Although the Complainant and Member's testimony differed in

whether the Member touched one or both of the Complainant's nipples, the Committee finds that this distinction does not matter in the circumstances.

44. The Member admitted and the Committee finds that the Member made a reference to a *"pulled pork sandwich,"* which the Complainant and Member acknowledged was a reference to a *"happy ending."* The Committee understands this to be a term commonly used to refer to sexual acts at the conclusion of a massage therapy treatment.
45. The Committee further finds that it is more likely than not that the Member touched the Complainant's genitals during treatment. The Committee considered and carefully weighed the totality of the evidence, including the documents and the testimonies of the Member and the Complainant. Although the Member denied this conduct, the Committee finds the Complainant's evidence to be more credible and accepts the Complainant's version of events. In making this determination, the Committee considered that:
 - (a) The Committee found the Complainant's evidence credible and reliable throughout the hearing. Although there were some discrepancies in the details in the Complainant's testimony and documentary evidence, the Complainant's overall version of events remained consistent. There were also some discrepancies in the Member's evidence.
 - (b) Shortly after the treatment on July 17, 2025, the Complainant stated in a message to the Member that, *"I said no after you tried to pull my pants down and you kept wringing down the front of me and touching my dick anyways."* This is consistent with the Complainant's testimony at the hearing. While the Member disputed in his testimony the accuracy of some of the Complainant's message, the Member's reply to the Complainant at the time was that he *"shouldn't have acted that way, I wanted to be playful and tease ya a bit but I took it to far and im really sorry."*
 - (c) The Complainant's description of the Member tugging at his pants and being asked to remove his pants was consistent throughout his evidence. The Member's initial response was that he put his finger in the belt loop of the Complainant's pants and tugged; the Member's testimony during the hearing was that he stuck a finger in the side of the pants but later stated that he believed the Complainant's pants had belt loops.
 - (d) The Member's explanation for moving to the Complainant's lower body with only ten (10) minutes remaining in the session was not credible. Based on the treatment plan discussed by the Member and the Complainant, the Committee finds that there was no reason for the Member to treat the Complainant's lower body. Further, the Committee finds that ten (10) minutes is not sufficient time for a new technique or for a relaxation massage.
 - (e) The Member's explanation for asking the Complainant if he wanted to remove his pants was not credible. The Member testified that, at the beginning of the session, he told the Complainant to undress to his comfort level. Given this, there was no reason why the Member should have asked the Complainant to remove his pants during the session.
46. The Member admitted and the Committee finds that the Member further made a comment after the treatment session to the Complainant to the effect of, *"thank you for the tip"* and *"I didn't give you the other tip."* The Committee understands that *"the other tip"* was in reference to the Member's genitals.

47. Based on the foregoing, the Committee finds that the Member engaged in professional misconduct in that:
- (a) The Member kissed the Complainant's forehead, touched the Complainant's nipples, and touched the Complainant's genitals, which each constitute touching of a sexual nature with a client;
 - (b) The Member made a sexual joke about the "*pulled pork sandwich*" during treatment, which constitutes a remark of a sexual nature towards a client; and
 - (c) The Member made a sexual joke after the treatment session about "*the tip*," which constitutes a remark of a sexual nature towards a client.
48. The Committee finds that the touching, behaviour and remarks outlined in paragraph 47 by the Member were not of a clinical nature appropriate to the service provided to the Complainant.
49. Although the Complainant and the Member indicated that they have a history of engaging in behaviour such as kissing on the forehead and twisting of the nipples while they were in college together, this does not justify the conduct of this nature in a treatment session and does not negate the sexual nature of the touching.
50. Further, under subsection 45(2) of the *Massage Therapy Act* (the "**Act**"), any touching of a client and any behaviour or remarks of a sexual nature towards a client constitutes sexual abuse. A lack of consent is not required for a finding of sexual abuse within the meaning of subsection 45(2) of the *Act*.

Remedy

51. In determining the appropriate remedy, the Committee considered the following factors:
- (a) The Member has been a licensed and practising RMT since 2023;
 - (b) The Member has not previously been found guilty of any professional misconduct or incompetence;
 - (c) Sexual abuse of a patient constitutes serious professional misconduct which warrants a significant penalty;
 - (d) The Member acknowledged and admitted to behaving inappropriately and unprofessionally in relation to kissing the Complainant's forehead, twisting the Complainant's nipple, and his behaviour and remarks during the treatment;
 - (e) The Member did not appear to understand the seriousness of this conduct and maintained that this type of conduct was not uncommon between himself and the Complainant;
 - (f) The need for public protection to ensure the public's confidence in the integrity of the profession;
 - (g) The impact of the possible sanctions or penalties on the Member and the Member's clients; and

- (h) The need for specific and general deterrence, and penalties imposed in similar cases.
52. After considering all of the foregoing, the Committee finds that the conduct of the Member is deserving of sanction.

Order

53. Based on the evidence and the findings, the Committee orders that:
- (a) The Member is reprimanded for his conduct and such reprimand shall stay in his file for a period of two (2) years from the date of this decision;
 - (b) The Registrar shall suspend the Member's registration for a period of six (6) months, commencing on the date of this decision;
 - (c) The Member shall, within six (6) months of the date of the Committee's decision and at his expense, provide proof acceptable to the Registrar of successful completion of a professional boundaries and ethics course for RMTs to be approved in advance by the Registrar;
 - (d) The Member shall pay to the College within eighteen (18) months of the date of this decision a fine in the amount of \$1,000;
 - (e) The Member shall pay to the College within eighteen (18) months of the date of this decision a portion of the costs of the College with respect to this Complaint, in the amount of \$2,500;
 - (f) It is the Member's responsibility to ensure that each of the conditions outlined above in paragraphs 52(b) to (e) are met and, if the Member fails to satisfy any of the conditions outlined on or before the dates required, the Member's registration may be suspended at the discretion of the Registrar. The matter will then be referred back to a panel of the Hearing Committee;
 - (g) The Registrar shall cause notice of the Committee's decision to be published on the College's website with the Member's name; and
 - (h) Upon compliance with all of the above, and subject to the Member's continued compliance with all of the College's registration requirements, the conditions imposed under this order shall be automatically lifted.

DATED this 22nd day of April, 2026.

Signed by:

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Jenn Allaert, Chairperson

Signed by:

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Edwin White, Committee Member

Signed by:

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Melissa Michaud, Public Member

SCHEDULE "A"

COLLEGE OF MASSAGE THERAPISTS OF NEW BRUNSWICK

IN THE MATTER OF THE COMPLAINT RESPECTING MANNING BUCHANAN

DOCUMENTS CONSIDERED BY THE HEARING COMMITTEE

I N D E X

<u>Tab</u>	<u>Date</u>	<u>Description</u>
1.	July 23, 2025	Complaint by MM, Enclosing: A) Report of Member – Undated B) E-transfer Screen Capture – Undated C) Various Text Messages between the Complainant & the Member – Undated
2.	August 11, 2025	Notice of Complaint Letter to the Member
3.	August 11, 2025	Letter to the Complainant Acknowledging Receipt of Complaint
4.	August 19, 2025 (received)	Member's Response to Complaint
5.	August 22, 2025	Letter to the Member Acknowledging Receipt of Response
6.	August 22, 2025	Letter to the Complainant Enclosing the Member's Response
7.	August 29, 2025 (received)	Member's Further Response to Complaint, Enclosing: A) Various Screenshots – Undated
8.	September 1, 2025	Complainant's Reply to the Member's Response to Complaint
9.	September 4, 2025	Letter to the Member Acknowledging Receipt of Further Response
10.	September 4, 2025	Letter to the Complainant Acknowledging Receipt of Reply
11.	October 9, 2025	Registrar's Referral to the Complaints Committee
12.	October 9, 2025	Letter to the Member Enclosing the Registrar's Referral to the Complaints Committee
13.	October 9, 2025	Letter to the Complainant Enclosing the Registrar's Referral to the Complaints Committee
14.	November 6, 2025	Email from the Member to S. Mecking Enclosing Various Screenshots
15.	November 7, 2025	Email from the Complainant to S. Mecking
16.	November 24, 2025	Complaints Committee Decision
17.	December 9, 2025	Letter to the Member Enclosing Complaints Committee Decision
18.	December 9, 2025	Letter to the Complainant Enclosing Complaints Committee Decision