

**DISCIPLINE COMMITTEE OF THE  
ONTARIO COLLEGE OF SOCIAL WORKERS AND SOCIAL SERVICE WORKERS**

Indexed as: Ontario College of Social Workers and Social Service Workers v Angeles, 2025  
ONCSWSSW 2

Date: 20250206

**BETWEEN:**

THE ONTARIO COLLEGE OF SOCIAL WORKERS  
AND SOCIAL SERVICE WORKERS

- and -

MARY ANN ANGELES

PANEL: Charlene Crews, Chair, Professional Member  
Candice Snake, Professional Member  
Nicole Bonnie, Public Member

Appearances: Benjamin Kates, counsel for the College  
John McIntyre, counsel for the Registrant  
Andrea Gonsalves, Independent Legal Counsel to the Panel

Heard: June 17, 2024

**DECISION AND REASONS FOR DECISION**

[1] This matter came on for hearing by video conference on June 17, 2024, before a panel of the Discipline Committee (the “**Panel**”) of the Ontario College of Social Workers and Social Service Workers (the “**College**”). The Panel announced its decision on the misconduct allegations, penalty and costs orally at the hearing. These are our reasons for decision.

**The allegations**

[2] The Notice of Hearing dated September 11, 2023, alleges that the Registrant, Mary Ann Angeles (the “**Registrant**”) is guilty of professional misconduct pursuant to the *Social Work and Social Service Work Act*, 1998, SO 1998, c 31 (the “**Act**”) in that she is alleged to have engaged in conduct that contravenes the Act, Ontario Regulation 384/00 (the “**Professional Misconduct Regulation**”), Schedule “A” to By-law No. 66 of the Ontario College of Social Workers and Social

Service Workers, being the Ontario College of Social Workers and Social Service Workers Code of Ethics (the “**Code of Ethics**”), and Schedule “B” to By-law No. 66 of the Ontario College of Social Workers and Social Service Workers, being the Ontario College of Social Workers and Social Service Workers Standards of Practice Handbook (the “**Handbook**”).

[3] The factual particulars of the allegations against the Registrant are set out in the Notice of Hearing as follows:

1. From in or about 2018-2021, you were registered as a social worker with the Ontario College of Social Workers and Social Service Workers (the “**College**”).
2. During this time, you provided services to [C1] (the “**Client**”). You provided counselling to the Client between August 27, 2018 to in or around June 2021, until the Client’s death.
3. The Client was experiencing grief and depression and sought support from you with respect to those issues. The Client also sought support from you with respect to her gender identity transition and family relationship issues. The Client was vulnerable at the time that she sought services from you.
4. You became aware, during the course of your professional relationship with the Client, that she was experiencing conflict with her two adult children.
5. On or about December 2, 2019, you discussed end-of-life planning with the Client during a counselling session. During that session and/or other previous sessions, the Client expressed gratitude to you for the services you provided to the Client.
6. On or about December 16, 2019, the Client changed her will to bequeath \$30,000.00 to you. Prior to December 16, 2019, the Client’s two adult children were the largest and/or majority beneficiaries of the Client’s estate. Following the December 16, 2019 will change, you replaced the Client’s adult children as largest and/or majority beneficiary.
7. On or about January 22, 2020, you wrote in the Client’s record that the Client was not interested in leaving a “living legacy” letter to her adult children to explain what she desired to communicate to them. You discussed finances with the Client during at least one session, including the payment of outstanding debts, in or around February 11, 2020.
8. You took a leave of absence from approximately June 25, 2020 to January 25, 2021, but continued to communicate with the Client during that time, including by text message. You conducted a “wellness check” on the Client by telephone during your leave of absence.
9. You exchanged text messages with the Client that were not therapeutic in nature.
10. You met the Client outside the therapeutic relationship, including at her home, at McDonalds and at the mechanic. You took the Client shopping and drove her to her home on at least one occasion.
11. You exchanged gifts with the Client, including, but not limited to:

- a. You gave the Client flowers in or around June 19, 2020;
  - b. You gave the Client a birthday card in or around June 19, 2020;
  - c. You gave the Client a holiday arrangement in or around November 2020; and,
  - d. Upon the Client's death in or around June 2021, the Client gave you a share of the Client's estate valued to be approximately \$30,000;
12. In or around July 2020, you purchased a 2001 Oldsmobile vehicle from the Client for approximately \$250.00 or \$500.00, which was less than fair market value for that vehicle.
  13. You failed to maintain records and/or accurate records of all interactions you had with the Client. You did not document the "wellness check" that you conducted on the Client, the text messages you exchanged with the Client, your attendances at the Client's home, the gifts exchanged, or the purchase of the Client's vehicle.
  14. At times, information you recorded in the Client's record was cursory in nature and lacking in detail, and did not facilitate the monitoring and evaluation of the effects of the services you provided to the Client, including, but not limited to, information regarding end-of-life planning, expressions of gratitude made by the client, discussions regarding finances, and leaving the Client's children a "living legacy" letter.

[4] The Notice of Hearing alleges that by reason of engaging in some or all of the conduct outlined above, the Registrant is guilty of professional misconduct as set out in ss. 26(2)(a) and (c) of the Act:

- a) *[Withdrawn]*
- b) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle I of the Handbook** (commented on in **Interpretation 1.5**) by failing to be aware of your values, attitudes and needs and how these impact on your professional relationships with clients;
- c) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle I of the Handbook** (commented on in **Interpretation 1.6**) by failing to distinguish your needs and interests from those of your clients to ensure that, within professional relationships, clients' needs and interests remain paramount;
- d) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle I of the Handbook** (commented on in **Interpretation 1.7**) by failing to maintain an awareness and consideration of the purpose, mandate and function of the organization you were employed by and how these impact on and limit professional relationships with clients;
- e) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook** (commented on in **Interpretation 2.2**) by failing to ensure clients are protected from an abuse of power during the provision of professional services and/or failing to establish and maintain clear and appropriate boundaries in professional relationships for the protection of clients;

- f) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook** (commented on in **Interpretation 2.2.1**) by engaging in a professional relationship that constitutes a conflict of interest and/or in a situation in which you ought reasonably to have known that the client would be at risk in any way;
- g) *[Withdrawn]*
- h) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook** (commented on in **Interpretation 2.2.4**) by soliciting or using information from clients to acquire, either directly or indirectly, advantage or material benefit;
- i) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook** (commented on in **Interpretation 2.2.8**) by failing to avoid conduct which could reasonably be perceived as reflecting negatively on the professions of social work or social service work;
- j) *[Withdrawn]*
- k) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle III of the Handbook** (commented on in **Interpretation 3.7**) by failing to assume full responsibility for demonstrating that the client or former client has not been exploited, coerced or manipulated, intentionally or unintentionally;
- l) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle IV of the Handbook** (commented on in **Interpretation 4.1.1 and Footnote 3**) by failing to record information that conforms with accepted service or intervention standards and protocols within the profession of social work and social service work, relevant to the services provided, and is in the format that facilitates the monitoring and evaluation of the effects of the service/intervention;
- m) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle IV of the Handbook** (commented on in **Interpretation 4.1.3**) by failing to keep systematic, dated, and legible records for each client or client system served;
- n) *[Withdrawn]*
- o) In that you violated **Section 2.10 of the Professional Misconduct Regulation** by providing a professional service while in a conflict of interest;
- p) In that you violated **Section 2.28 of the Professional Misconduct Regulation** by contravening the Act or regulations or by-laws;
- q) *[Withdrawn]* and
- r) In that you violated **Section 2.36 of the Professional Misconduct Regulation** by engaging in conduct or performing an act relevant to the practice of the profession that, having regard to all circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

[5] At the outset of the hearing, the College sought, and the Panel granted, leave to withdraw allegations a), g), j), n) and q).

## **Registrant's position**

[6] The Registrant admitted the allegations set out in the Notice of Hearing other than those that were withdrawn. At the hearing the Panel conducted an oral plea inquiry and was satisfied that the Registrant's admission was voluntary, informed and unequivocal. The Agreed Statement of Facts (discussed further below) also reflected the Registrant's admissions of misconduct and her decision to enter into the Agreed Statement of Facts freely and voluntarily, understanding the consequences of doing so.

## **The evidence**

[7] The evidence was tendered by way of an Agreed Statement of Facts, which provided in relevant part as follows.<sup>1</sup>

### **A. Background Overview**

1. Mary Ann Angeles (the "**Registrant**") provided social work services to [C1] (the "**Client**") between August 27, 2018 to in or around June 2021, when the Client passed away unexpectedly. At all material times the Client was elderly and a vulnerable person.
2. In and around 2019, the Client came out to the Registrant as transgender. From that point forward, the Registrant provided the Client with social work services related to the Client's transition.<sup>2</sup>
3. In and around September 2019, the Client had a falling out with her two [children].
4. On or about December 16, 2019, the Client changed her will. Among other changes, the Client's new will bequeathed to the Registrant 30% of the residue of the Client's estate and reduced her [childrens'] combined bequest from 100% to 30%.
5. From no later than June 2020 until June 2021, the interactions between the Registrant and the Client exceeded the strict bounds of a professional relationship such that it could be regarded as a personal one. To be clear, the Registrant and Client were neither friends nor romantically involved. During this time, the Registrant engaged in out-of-session contacts with the Client, including contact that violated professional boundaries. Among other things, the Registrant visited the Client's home, gave her two gifts, accompanied her on a shopping trip, and purchased the Client's vehicle.
6. The Registrant recognizes that in the circumstances it would be inappropriate and would reflect poorly upon the profession of social work if she were to have accepted the bequest from the Client. On or about June 7, 2024, the Registrant executed an irrevocable Disclaimer of Beneficiary by which she renounced any entitlement to the bequest.

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<sup>1</sup> Exhibits "A" through "D" appended to the Agreed Statement of Facts are excluded from the summary in these Reasons for Decision.

<sup>2</sup> Note: Out of respect for the wishes of the Client, this Agreed Statement of Facts employs "she/her" pronouns with reference to the Client throughout her life notwithstanding that she went by "he/him" pronouns at times within the scope of this agreement.

**A. The Registrant's Background**

7. The Registrant obtained a Master's Degree in Social Work from the University of Toronto in 2004. She first registered with the College as a Social Worker on November 11, 2010. She is a member of the College in good standing.
8. At all material times, the Registrant worked for [employment] at the [city] locations. The Registrant was on personal leave from [employment] between June 25, 2020 and January 25, 2021.
9. [employment] centres are non-profit, multi-serviced health centres that provide primary health care, health promotion, and community services. The centres serve economically and socially disadvantaged persons.

**B. Services Provided by the Registrant to the Client**

10. The Registrant began providing social work services to the Client, including counselling on August 27, 2018. On that date, the Registrant reviewed with the Client her scope of practice, which included psychotherapy, and the Client signed an informed consent form for counselling. The Client was [age] when she began receiving social work services from the Registrant.
11. Initially, the services provided by the Registrant to the Client related to chronic depression and grief arising from the death of the Client's wife 15 years earlier. The Client attended five counselling sessions with the Registrant between August 27, 2018 and November 28, 2018. During a November 28, 2018 therapy session, the Client told the Registrant there were "some areas from [her] past that may be unresolved and wonders if this may be impacting sleep."
12. On March 7, 2019, during a three-month follow-up therapy session to check in with the Registrant, the Client disclosed that she was transgender and had been for her whole life. The Client advised that she identified as a woman and sought support with the process of transitioning. The Client expressed contentment with having come out as transgender.
13. Between April 2019 and June 2021, the Client attended another 30 counselling sessions with the Registrant. The counselling sessions stopped during the Registrant's personal leave between June 25, 2020 and January 20, 2021, after which point they resumed. The Registrant continued to hold regular counselling sessions with the Client until the Client passed away unexpectedly on June 10, 2021.
14. Beginning on April 8, 2019, the Client's counselling sessions with the Registrant focused, but not exclusively, on issues related to the Client's gender identity. The Registrant provided the Client with counselling on issues that included the impact of coming out on her relationship with her [children]; the physical and social aspects of transitioning; preparing to present herself in public; the availability of external supports and resources; fears about lack of acceptance and violence; and struggles with having not pursued changes earlier in life. The Client continually reasserted her happiness with the decision to come out as transgender.
15. In and around September 2019, the Client had a conflict with her two [children], [C2] and [C3]. The conflict was unrelated to the Client's gender transition, which

she had not yet disclosed to her [children]. From that time onward, the Registrant's sessions with the Client from time to time included discussions about the resultant damage to the Client's relationship with her [children]. Future sessions also addressed the additional strain that her coming out as transgender had on the Client's relationship with her [children].

### C. The Client's Will

16. During the material time, the Client had two wills, one dated October 19, 2017 (the "**Original Will**") and one dated December 16, 2019 (the "**Second Will**"). The Second Will superseded the Original Will. The Client received legal advice from the same lawyer on both the Original Will and the Second Will.
17. At the time that the Client began obtaining social work services from the Registrant in August 2018, she had in place the Original Will. The Original Will appointed her [child], [C2], as estate trustee. It provided for, among other things, the residue of the estate to be divided as between the Client's two [children], [C2] and [C3].
18. The Registrant's clinical notes indicate that at a counselling session on December 2, 2019, she and the Client had a "[d]iscussion regarding end of life planning." The Registrant's notes contain no other detail of the discussion. If the Registrant were to testify, she would advise that [employment] clients raised end-of-life planning from time to time and that [employment] had on hand end-of-life planning resources to distribute to clients.
19. On December 16, 2019, the Client signed the Second Will to replace the Original Will. Among other changes, the Second Will added the Registrant as a 30% beneficiary of the residue of the Client's estate and removed [C2] as estate trustee in favour of the Client's lawyer. It also reduced the Client's [childrens'] collective share of the residue of the estate from 100% to 30%. The Second Will provided for 15% of the estate residue to go to the [organization] to be utilized for mental health and LGBTQ services.
20. If she were to testify, the Registrant would advise that she did not influence the Client to change her will and that she did not learn about the bequest from the Client until after the Client's passing in June 2021. Nevertheless, the Registrant is of the view that to accept the bequest in the circumstances would give the appearance of a conflict of interest and would reflect negatively on the profession of social work.
21. On June 7, 2024 the Registrant executed an irrevocable Disclaimer of Beneficiary and a Renunciation and Consent regarding the Second Will and delivered them to the trustee of the Client's estate. The effect of the Disclaimer of Interest is that the Registrant has renounced her interest in the Client's estate, which amounted to approximately \$30,000. Copies of the Disclaimer of Beneficiary and Renunciation and Consent executed by the Registrant are attached at **Exhibit "A"** and **Exhibit "B"** to this Agreed Statement of Facts, respectively.
22. In addition, the Registrant executed and delivered to the trustee of the Client's estate a Consent to Release Information enabling the College to confirm that her Disclaimer of Beneficiary has been given effect. A copy of the Consent to Release Information executed by the Registrant is attached at **Exhibit "C"** to this Agreed Statement of Facts.

23. The Registrant's bequest will be reallocated as determined by the Client's estate trustee.

**D. Boundary Violations During the Counselling Relationship**

24. The Registrant engaged in boundary-violating conduct with the Client through both the purchase of a vehicle and other out-of-session conduct. At no time, before or after these interactions did the Registrant consult a practice advisor at the College or the Ethics-A Tool, a publicly available College document that summarizes how Registrants are supposed to act in challenging ethical situations. The Registrant did not reflect on the inherent risks and benefits related to her out-of-session interactions with the Client, consult with others, including her employer, about her ethical choices, or document the process. A copy of the College's Ethics-A Tool document is attached at **Exhibit "D"** to this Agreed Statement of Facts.
25. Though the nature of some text messages sent between the Client and the Registrant represent boundary concerns, the fact that they communicated by text messages was expected by the Registrant's employer to mitigate the impact of the COVID-19 pandemic.

**i. Car Purchase**

26. In and around July 2020, the Registrant purchased a vehicle from the Client, a brown 4- door 2001 Oldsmobile Aurora with approximately 250,000 kilometers on it. The sale price paid by the Registrant was \$400 in cash.
27. In and around the summer of 2020, the Client had been attempting to sell her vehicle. She got in touch with the Registrant to see if she knew of any potential buyers. On or about July 4, 2020 at 8:41 a.m., the Client texted the Registrant, "Hi mary ann this is my new number was great to hear from you as always." The Registrant expressed interest in purchasing the vehicle herself. She and the Client went on to exchange text messages about the vehicle as follows:<sup>3</sup>

MA: Could you hold it for me and I'll get back to you tonight.

Cl: No problem

MA: Thanks!!

28. The Client and the Registrant then made plans to meet at a McDonald's restaurant the following morning to discuss the car purchase. They met for breakfast on July 5, 2020 at approximately 7:00 a.m.
29. On or about July 9, 2020, the Registrant, accompanied by her [child], met the Client and a mechanic, again at a McDonald's restaurant to discuss the car purchase. They then took the car to the mechanic for an inspection, and the Registrant arranged for the Client's transportation home. At some time that day, the Client texted the Registrant, "Just wanted to let you know I have not told anyone what I sold the car for. I just said I got what I was asking.. not really anyones [sic] business. Hope you enjoy it as much as i did [emoji]".

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<sup>3</sup> MA indicates the Registrant, and C1 indicates the Client.



30. Later, the Registrant and the Client texted as follows:
- MA: I'm picking it up Monday after lunch. Then I'm hoping to bring it to Brampton to visit a friend. Should I grab an oil change before we head out? I'll find out Monday from the mechanic how much it is. The.k [sic] you muchly. Hope your weekend is going good
- C1: Should not be bad as every thing has been kept up on it i [sic] am sure you will love it as much as I did
- MA: I'm looking forward to it [emoji]
31. On Monday, July 13, 2020, the Registrant texted the Client that she had picked up the vehicle. The Registrant and the Client subsequently exchanged more text messages about the vehicle, its use, and the Registrant's and the children's excitement about it.
32. The Client legally transferred ownership of the car to the Registrant on July 14, 2020.

**ii. Personal Relationship and Out-of-Session Contact**

33. Apart from the transaction involving the Client's vehicle, the Registrant and the Client had several interactions outside of counselling sessions, including during the period of the Registrant's leave of absence:
- (a) On or about June 19, 2020, before her leave of absence, the Registrant attended at the Client's home to drop off flowers and a card for the Client's [age] birthday. The card contained an inscription to the effect of: "Dear [Client], every woman deserves flowers on her [age] Birthday."
  - (b) Subsequent to the visit set out above, the Client texted the Registrant, "Just wanted to say thanks for coming over today. I hope everything works out for you I tried a little bit I don't know if anything happened but I know you probably think I'm a weird person..." If the Registrant were to testify, she would advise that the Client was referring to her trying mindful meditation to alleviate chronic pain.
  - (c) During the Registrant's leave of absence, the Client requested a call from the Registrant to discuss her struggles with her family issues. The Registrant contacted the Client for a "wellness check" from her personal phone. The Registrant did not document that conversation on the Client's record.
  - (d) The Registrant dropped a Christmas wreath off at the Client's home.
  - (e) On the way home from the car assessment, the Registrant accompanied the Client shopping for women's clothes at the Client's request to provide her with support in her transition.
  - (f) The Registrant texted the Client on an unknown date, as follows: "... people can be gifted with healing in both ordinary and non ordinary ways. So it doesn't sound strange or odd by any means to me. Please don't feel like you have to keep quiet about it."

34. The Registrant did not tell her employer that she had exchanged text messages with the Client until after the Client's daughter, [C2], told the Registrar's employer that she found text messages between them following the Client's death.
35. The Registrant has had no prior complaints before the College. She received counselling around boundaries from her employer and has taken and/or audited the following courses on boundaries and ethics:
  - (a) 2 Day Intensive Course: Clinical Supervision Providing Effective Supervision, Navigating Ethical Issues and Managing Risk, PESI, audited July 31 and August 1, 2023;
  - (b) Ethics and Risk Management in Behavioural Health: What Every Clinician Needs to Know About Mental Health and the Law, PESI, audited December 19, 2023;
  - (c) Clinical Supervision: Building Skills for Ethical & Effective Practice, PESI, passed December 21, 2023; and
  - (d) Boundaries in Clinical Practice: Top Ethical Challenges, PESI, passed December 21, 2023.

### **Decision of the panel**

[8] Having considered the Registrant's admissions, the evidence contained in the Agreed Statement of Facts, and the submissions of counsel, the Panel found that the Registrant committed the acts of professional misconduct alleged in allegations (a)-(f), (h)-(i), (k)-(m), (o)-(p) and (r) of the Notice of Hearing. With respect to allegation (r), the Panel found that the Registrant's conduct would reasonably be regarded by members as dishonourable and unprofessional.

### **Reasons for decision**

[9] The evidence satisfied the Panel that the Registrant had an inappropriate relationship with a vulnerable Client, which constitutes professional misconduct in multiple ways.

[10] The Registrant violated multiple standards of practice of her profession as set out in allegations (b)-(f), (h)-(i) and (k)-(m). Allegations b), c) and d) all relate to Principle I of the Handbook, Relationships with Clients, as commented on in Interpretations 1.5, 1.6 and 1.7, respectively. These standards require members to be aware of their values, attitudes and needs and how these impact on their professional relationships with clients, to distinguish their own needs and interests from those of their clients to ensure that, within professional relationships, clients' needs and interests remain paramount and to maintain an awareness and consideration of the purpose, mandate and function of the organization where they were employed and how these impact on and limit professional relationships with clients.

[11] The evidence in this case established that the Registrant failed to maintain these standards. The Registrant failed to set and evaluate goals in the professional relationship, and failed to distinguish her needs and interests from those of her Client. In particular, the Registrant failed to record wellness checks she completed. Her notes were vague and did not allow for the evaluation or assessment of the therapeutic relationship. She did not seek supervision for any challenges. The

Registrant met with the Client while her [child] was present. The Registrant crossed boundaries and used her position to solicit information from the Client for her own personal gain by purchasing a car from the Client far below market value. The Registrant also used, for her own needs, the Client's vulnerable state and conflict with her [children]. The Registrant's claims that she did not know of the inheritance does not discount the fact that the Registrant had crossed multiple boundaries with the Client.

[12] Principle II of the Handbook, which deals with Competence and Integrity, is engaged by allegations (e), (f), (h) and (i), in particular as commented on in Interpretations 2.2, 2.2.1, 2.2.4 and 2.2.8, respectively. These standards require members to ensure clients are protected from abuses of power during the provision of professional services and to establish and maintain clear and appropriate boundaries in professional relationships for the protection of clients; to refrain from engaging in a professional relationship that constitutes a conflict of interest or in situations in which the member ought reasonably to have known that the client would be at risk; not to use information from clients to acquire, either directly or indirectly, advantage or material benefit; and to avoid conduct which could reasonably be perceived as reflecting negatively on the professions of social work or social service work. Relatedly, allegation o) is that the Registrant engaged in professional misconduct as set out in s. 2.10 of the Professional Misconduct Regulation by providing a professional service while in a conflict of interest.

[13] The evidence established that the Registrant failed to maintain appropriate professional boundaries between herself and her Client, and the Registrant was in a clear conflict of interest with respect to the Client. Although the Registrant and the client were not friends or did not have a romantic relationship, it is clear the Registrant violated professional conduct by messaging personal details as well as personal finances and debts with the client. This information led the Panel to believe the Registrant maintained communication on a level that could be viewed as a personal relationship.

[14] The Registrant provided counselling for grief and depression to the Client between August 27, 2018 to in or around June 2021, until the Client's death. During these sessions the Registrant ought to have known the client's vulnerability. Specifically the client seeking support for her gender identity and the family relationship breakdown with her 2 [children]. The lack of care and regard for the client's vulnerability led to the Registrant taking advantage of the client's vulnerable state and goes against the therapeutic relationship and ethics of the social work profession.

[15] Based on client case notes the Registrant discussed end of life planning with the client. The Client changed her will from the 2 [children] receiving the largest portion as beneficiaries to adding the Registrant as a major beneficiary to receive \$30,000.00 from the client's estate. Although the Registrant claimed to have not known about the will change, this evidence shows boundary crossing and can be viewed as an intended conflict of interest.

[16] The Registrant's conduct undermined her professionalism and risked undermining the broader public perception of social work and the social work profession. While on a leave of absence the Registrant contacted the Client by text message and completed a wellness check by telephone. On other occasions through these text messages the Registrant also contacted the Client with information not therapeutic in nature. This shows a self-serving intention on the Registrant's part leading to a lack in judgement and personal boundary crossing.

[17] The Registrant exchanged gifts with the Client for birthdays, holidays, and sent flowers. This too is another example of boundary crossing.

[18] The Registrant purchased a 2001 Oldsmobile vehicle at a less than fair market value price. This calls into question the judgement, conflict of interest and professionalism of the Registrant.

[19] Allegation (k) is that the Registrant failed to maintain the standards of the profession set out in Principle III of the Handbook, as commented on in Interpretation 3.7, by failing to assume full responsibility for demonstrating that the Client was not exploited, coerced or manipulated, intentionally or unintentionally. Based on the evidence, the Panel was satisfied that the Registrant failed to assume full responsibility for demonstrating that, in circumstances where a personal relationship had occurred, the Client had not been coerced or manipulated intentionally or unintentionally.

[20] Allegations (l) and (m) relate to recordkeeping standards for the social work profession as set out in Principle IV of the Handbook and commented on in Interpretation 4.1.1 and Footnote 3, and Interpretation 4.1.3. Members must record information that conforms with accepted service or intervention standards and protocols within the profession, relevant to the services provided, and that is in the format that facilitates the monitoring and evaluation of the effects of the service/intervention. Members must also keep systematic, dated, and legible records for each client or client system served;

[21] The Registrant's recordkeeping for the Client lacked details and was superficial in nature. The records did not enable examination and assessment of the goals of the therapeutic relationship. The Registrant failed to keep accurate records of all her interactions with the Client. In particular she did not document either the 'wellness check' that she conducted with the Client while on leave from her employment, or the meeting with the Client to discuss the purchase of the Clients vehicle.

[22] With respect to allegation (r), the Panel found that the Registrant's misconduct would reasonably be regarded by members as dishonourable and unprofessional. The Registrant's conduct falls well below the standards the public expects of members of the profession and extends beyond mere unprofessional conduct to conduct that has an element of moral failing. The Registrant's choices and actions as evident in the admitted facts jeopardize the public's confidence in the social work profession's ability to service vulnerable clients. The lack of judgment demonstrated by the Registrant inhibited her ability to employ professionalism and the values associated with the profession. The Registrant knew or ought to have known that the Client was vulnerable and needed additional care based on the challenges she presented during the therapeutic relationship. Not seeking supervision during her time servicing the Client also brings into question her judgment and standards for delivering her practice. In deliberately omitting to keep records of certain interactions, she further engaged in boundary crossings, and deepened the conflict of interest. Additionally the exchange for financial gain in purchasing a car less than market value adds to the dishonourable finding.

### **Penalty submissions**

[23] The parties were in agreement on the issue of penalty. They presented to the Panel a Joint Submissions as to Penalty ("**Joint Submission**") asking this Panel make an order as follows.

1. The Registrant shall be reprimanded by the Discipline Committee and the facts and nature of the reprimand shall be recorded on the College's Register.
2. The Registrar shall be directed to suspend the Registrant's certificate of registration for a period of three months, the first month of which shall be served commencing on the date of the Discipline Committee's order herein. The remaining two months shall be remitted if, on or before the 12-month anniversary of the Discipline Committee's order herein, the Registrant provides evidence, satisfactory to the Registrar of the College, of compliance with the terms and conditions imposed under paragraphs 3(a) and (b), below. If the Registrant fails to comply with those terms and conditions, the Registrant shall serve the remaining two months following the 12-month anniversary of the Discipline Committee's order herein.
3. The Registrar shall be directed to impose terms, conditions and limitations on the Registrant's certificate of registration consisting of the following:<sup>4</sup>
  - a. The Registrant shall participate in and successfully complete, at her own expense, coursework on the topic of professional ethics, as prescribed by and acceptable to the College, and provide proof of such completion to the Registrar within 12 months from the date of this Order;
  - b. The Registrant shall meet with the Registrar, Registrar's Designate, or a regulatory expert within 12 months of the date of the order to discuss, among other things, strategies for preventing future such misconduct from occurring;
4. The Discipline Committee's finding and order (or a summary thereof) shall be published, with identifying information concerning the Registrant, included in the College's official publication and on the College's website, and the results of the hearing shall be recorded on the Register and in any other media-related format that is provided to the public and is deemed appropriate by the College.
5. The Registrant shall pay costs to the College in the amount of \$5,000 to be paid in accordance with the following schedule:
  - a. \$1,000 to be paid within 30 days of acceptance by the panel of this order;
  - b. \$1,000 to be paid within 90 days of the acceptance by the panel of this penalty;
  - c. \$1,000 to be paid within 180 days of the acceptance by the panel of this penalty;
  - d. \$1,000 to be paid within 270 days of the acceptance by the panel of this penalty;
  - e. \$1,000 to be paid within one year of the acceptance by the panel of this penalty.

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<sup>4</sup> If the Registrant is unable to meet the terms, conditions, and limitations hereby imposed upon her, then she is to contact the Registrar within 14 days of discovering that the terms, conditions, and limitations cannot be satisfied and advise the College of the same.

6. If the Registrant fails to make any of the payments at paragraphs 5(a), (b), (c), or (d) in accordance with the payment schedule set out herein, the entire amount of costs outstanding will become due immediately.

[24] In support of the joint submission, College counsel argued that it meets the well-established objectives of penalty: specific deterrence to the Registrant, general deterrence to the membership as a whole, public protection and public confidence, all while achieving measure of proportionality. In particular, the reprimand serves as a deterrent and provides an element of remediation. It provides an opportunity for the Panel to express disapproval of the Registrant's conduct while also providing direction.

[25] The suspension serves as a strong deterrent and sends a message to both the Registrant and the broader profession. Given the nature of the misconduct and unique circumstances of this case, a suspension of modest to medium length is appropriate. The suspension is for three months, with two months remitted, which puts it at the low end of suspensions for boundary violations.

[26] The terms, conditions and limitations that would be imposed on the Registrant's certificate of registration will allow her to internalize lessons learned from this case.

[27] Publication of the Panel's decision is consistent with the Committee's approach in all recent cases. It serves an instructive role to the profession by explaining why the Panel found misconduct occurred in this case, which will help other members identify when they are crossing boundaries they might not otherwise recognize.

[28] College counsel argued that the aggravating factors in this case include the vulnerability of the Client and the number of boundary crossings. Mitigating factors include that the Registrant has no discipline history and her admission to the allegations early in the process. Her voluntary decision to renounce the bequest of \$30,000, is also significant.

[29] Finally, College counsel argued that the penalty set out in the joint submission falls within the range of penalties ordered by the Discipline Committee in cases of similar misconduct.

[30] The Registrant's counsel agreed with the submissions of College counsel. He argued that multiple mitigating factors in this case warrant a lower penalty than has been seen in other cases of boundary crossings. The Registrant has voluntarily undertaken remedial coursework and has shown remorse and insight that gives comfort she will not engage in misconduct in the future. This was not a case of a disregard for professional boundaries but rather a lapse of judgment.

### **Penalty decision**

[31] Having considered the findings of professional misconduct, the evidence and the submissions of the parties, the Panel accepted the Joint Submission and made an order as follows.

1. The Registrant shall be reprimanded by the Discipline Committee and the facts and nature of the reprimand shall be recorded on the College's Register.
2. The Registrar shall be directed to suspend the Registrant's certificate of registration for a period of three months, the first month of which shall be served commencing on the date of the Discipline Committee's order herein. The remaining two months shall be remitted

if, on or before the 12-month anniversary of the Discipline Committee's order herein, the Registrant provides evidence, satisfactory to the Registrar of the College, of compliance with the terms and conditions imposed under paragraphs 3(a) and (b), below. If the Registrant fails to comply with those terms and conditions, the Registrant shall serve the remaining two months following the 12-month anniversary of the Discipline Committee's order herein.

3. The Registrar is hereby directed to impose terms, conditions and limitations on the Registrant's certificate of registration consisting of the following:<sup>5</sup>
  - a. The Registrant shall participate in and successfully complete, at her own expense, coursework on the topic of professional ethics, as prescribed by and acceptable to the College, and provide proof of such completion to the Registrar within 12 months from the date of this Order;
  - b. The Registrant shall meet with the Registrar, Registrar's Designate, or a regulatory expert within 12 months of the date of the order to discuss, among other things, strategies for preventing future such misconduct from occurring;
4. The Discipline Committee's finding and order (or a summary thereof) shall be published, with identifying information concerning the Registrant, included in the College's official publication and on the College's website, and the results of the hearing shall be recorded on the Register and in any other media-related format that is provided to the public and is deemed appropriate by the College.
5. The Registrant shall pay costs to the College in the amount of \$5,000 to be paid in accordance with the following schedule:
  - a. \$1,000 to be paid within 30 days of acceptance by the panel of this order;
  - b. \$1,000 to be paid within 90 days of the acceptance by the panel of this penalty;
  - c. \$1,000 to be paid within 180 days of the acceptance by the panel of this penalty;
  - d. \$1,000 to be paid within 270 days of the acceptance by the panel of this penalty;
  - e. \$1,000 to be paid within one year of the acceptance by the panel of this penalty.
6. If the Registrant fails to make any of the payments at paragraphs 5(a), (b), (c), or (d) in accordance with the payment schedule set out herein, the entire amount of costs outstanding will become due immediately.

[32] The Panel's announced its order orally on the record at the hearing.

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<sup>5</sup> If the Registrant is unable to meet the terms, conditions, and limitations hereby imposed upon her, then she is to contact the Registrar within 14 days of discovering that the terms, conditions, and limitations cannot be satisfied and advise the College of the same.

### Reasons for penalty decision

[33] The Panel recognized once it makes findings of professional misconduct, the penalty imposed should maintain high professional standards, preserve public confidence in the ability of the College to regulate its Registrants, and, above all, protect the public. This is achieved through a penalty that considers the principles of general deterrence, specific deterrence and, where appropriate, rehabilitation and remediation of the Registrant's practice. The Panel also considered the principle that the Panel should accept a joint submission on penalty unless it would bring the administration of justice into disrepute or would be otherwise contrary to the public interest.

[34] The Joint Submission fulfills the purposes and objectives of penalty orders in professional discipline proceedings. The Panel agrees with the submissions of counsel that the suspension serves as an effective deterrent to the Registrant and to the profession as a whole. Through the reprimand the Panel can convey directly to the Registrant our strong disapproval of her actions, which provides elements of deterrence and rehabilitation. The terms, conditions and limitations to be imposed on the Registrant's certificate of registration offer rehabilitation and remediation: the requirement to complete coursework on professional ethics and to meet with the Registrar (or her designate) or a regulatory expert will help the Registrant gain skills, insights and strategies to help her avoid misconduct in the future. Publication of the Panel's finding and order provides transparency and accountability to the public and general deterrence to the profession.

[35] Taken in its entirety, the Panel is satisfied that the Joint Submission will deter the Registrant and other members of the profession from engaging in similar misconduct in the future, and will protect the public. The penalty we have ordered is proportionate to the circumstances of the Registrant and the nature of the misconduct. The penalty falls within the range of penalties ordered in similar cases. In accepting the Joint Submission, the Panel is satisfied that the penalty communicates to the public that the profession is properly regulated and it maintains public confidence in the College and the social work profession.

[36] On the issue of costs, the Panel is satisfied that this an appropriate case in which to order the Registrant to pay costs. The parties' agreement on the amount of \$5,000 is reasonable and within the range of other uncontested matters before this Discipline Committee. The payment schedule is fair in the circumstances. The Panel saw no reason to depart from the parties' agreement as to costs.

I, Charlene Crews, sign this decision as chairperson of the Panel and on behalf of the Panel members listed below.

Date: February 6, 2025

Signed:

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Charlene Crews, Chair  
Candice Snake  
Nicole Bonnie