



Ontario College of  
Social Workers and  
Social Service Workers

Ordre des travailleurs  
sociaux et des techniciens  
en travail social de l'Ontario

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

**PANEL:** Rick Lamb Chair, Public Member  
Mukesh Kowlessar Professional Member  
Amanda Bettencourt Professional Member

**BETWEEN:**

ONTARIO COLLEGE OF SOCIAL WORKERS )  
AND SOCIAL SERVICE WORKERS ) Jill Dougherty for Ontario  
 ) College of Social Workers  
 ) and Social Service Workers  
-and- )  
 )  
 )  
LORI WELDON ) No Representation for  
 ) Lori Weldon  
 )  
 )  
 )  
 ) Andrea Gonsalves,  
 ) Independent Legal Counsel  
 )

Heard: February 9, 2018

**DECISION AND REASONS FOR DECISION**

This matter came on for hearing before a panel of the Discipline Committee (the “**Panel**”) on February 9, 2018 at the Ontario College of Social Workers and Social Service Workers (the “**College**”).

Lori Weldon (the “**Member**” or “**Ms. Weldon**”) was neither present nor represented at the hearing. College Counsel called evidence to establish that the Member had been served with the Notice of Hearing and advised of the hearing date. The Panel accepted that the Member was properly served with the Notice of Hearing and had adequate notice of the time, date, place and nature of the hearing.

Accordingly, the Panel proceeded with the hearing in the Member’s absence on the basis that the Member denied the allegations against her.

## **The Allegations**

In the Notice of Hearing dated November 10, 2016, the Member is alleged to be guilty of professional misconduct pursuant to the *Social Work and Social Service Work Act, 1998*, S.O. 1998, Chapter 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**”).

The allegations set out in the Notice of Hearing and the particulars of those allegations are as follows.

1. Now, and at all times relevant to the allegations in this Notice of Hearing, you were a former registered social work member of the Ontario College of Social Workers and Social Service Workers.
2. On or about April 26, 2007, you were registered as a member of the College in the membership category of social worker.
3. On or about September 3, 2014, your certificate of registration was suspended for non-payment of fees. As a suspended member, you were no longer entitled to use the restricted titles “social worker” or “registered social worker”, or the restricted abbreviation “RSW”.
4. On or about November 3, 2015, it came to the attention of the College (in the course of processing an equivalency application regarding an applicant for whom you were listed as a supervisor) that you were operating a business under the name Reclaim Counselling and Wellness Centre (“**Reclaim**”) and/or working as part-time faculty in the Niagara College Social Service Worker program, while your certificate of registration was suspended. In doing so, you were:
5. Using the restricted titles “social worker” and/or “registered social worker”, including on the Reclaim website, in your biography and/or in promotional and other materials relating to Reclaim;

6. Holding yourself out as a social worker and/or registered social worker; and/or engaging in the practice of social work.
7. By letters dated on or about November 13, 2015 and May 9, 2016, the College notified you that you were contravening the title protection provisions of the Act, gave you an opportunity to make representations regarding the actions you had taken in response to the College's notice and advised you of steps required to bring yourself into compliance with the Act and/or to seek reinstatement of your certificate of registration with the College.
8. On or about January 8, 2016, in response to your inquiries about the procedure and costs to be a College member, the College provided you with a reinstatement form.
9. Despite these communications from the College, you failed to provide representations to the College, did not apply to reinstate your certificate of registration and continued to use the restricted titles "social worker" and/or "registered social worker"; use the restricted abbreviation "RSW"; hold yourself out as a as a social worker and/or registered social worker; and/or engage in the practice of social work.

It is alleged that by reason of engaging in some or all of the conduct outlined above, you are guilty of professional misconduct as set out in Section 26(2) (a) and (c) of the *Act*:

1. In that you violated section 2.1 of the Professional Misconduct Regulation by contravening a term, condition or limitation imposed on your certificate of registration when you inappropriately used the term, title or designation "social worker", "registered social worker" and/ or "RSW") in respect of your practice and/or engaged in the practice of social work while your certificate of registration was suspended;
2. In that you violated section 2.15 of the Professional Misconduct Regulation by inappropriately using a term, title or designation (and, in particular, the term, title or designations "social worker", "registered social worker" and/ or "RSW") in respect of your practice;
3. In that you violated section 2.28 of the Professional Misconduct Regulation by contravening the Act or regulations or by-laws when you inappropriately used the term, title or designation "social worker", "registered social worker" and/ or "RSW") in respect of your practice and/or engaged in the practice of social work while your certificate of registration was suspended;
4. In that you violated section 2.29 of the Professional Misconduct Regulation by contravening a provincial law, the contravention of which is relevant to your suitability to practise, when you inappropriately used the term, title or designation "social worker", "registered social worker" and/

or "RSW") in respect of your practice and/or engaged in the practice of social work while your certificate of registration was suspended;

5. 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 the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional when you inappropriately used the term, title or designation "social worker", "registered social worker" and/ or "RSW") in respect of your practice and/or engaged in the practice of social work while your certificate of registration was suspended;
6. In that you violated section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook (commented on in Interpretation 2.2.5 and 2.2.7) by failing to co-operate fully with all policies and procedures of the Complaints, Discipline and Fitness to Practise Committees (although you knew that an investigation was underway in relation to your conduct), and/or misrepresenting your professional qualifications when you misrepresented in connection with your work at Reclaim that you were a registered social worker and held a certificate or registration in the College.
7. In that you violated section 2.2 of the Professional Misconduct Regulation and Principle III of the Handbook (commented on in Interpretation 3.1) by failing to provide clients with accurate and complete information regarding the extent, nature, and limitations of any services available to them when you misrepresented in connection with your work at Reclaim and/or Niagara College that you were a registered social worker, held a certificate or registration in the College and were entitled to engage in the practice of social work;
8. In that you violated section 2.2 of the Professional Misconduct Regulation and Principle VII of the Handbook (commented on in Interpretation 7.1.1 and 7.1.5) by advertising your services in a manner that was false and/or misleading and that displayed your affiliation with the College in a manner that falsely implied the College's certification;
9. In that you violated section 2.2 of the Professional Misconduct Regulation and Principle VII of the Handbook (commented on in Interpretation 7.3, 7.3.3 and 7.4) by failing to describe your areas of competence, professional affiliations and services in an honest and accurate manner; failing to correct false, misleading or inaccurate information and representations made by others concerning your qualifications or services; and/or soliciting prospective clients in ways that were misleading, disadvantaged fellow members or discredited the profession of social work;
10. In that you violated section 26(2)(a) of the Act by engaged in conduct that contravenes the Act, the regulations or the by-laws and, in particular,

section 46(1) of the Act by using the title "social worker" and/or "registered social worker" and/or an abbreviation of those titles to represent, expressly or by implication, that you were a social worker and/or a registered social worker when your certificate of registration was suspended.

### **Member's Position**

The Member was neither present at the hearing nor represented. Accordingly, she was deemed to have denied the allegations.

### **The Evidence**

The College called two witnesses in the liability stage of the hearing. The first witness, Tracy Raso, is a complaints and discipline officer at the College. Prior to that role, Ms. Raso was the registration coordinator for the College. One of Ms. Raso's responsibilities as registration coordinator was to review and evaluate equivalency applications submitted to the College by membership applicants who do not have a social work degree or diploma but meet certain other criteria. She testified that her first involvement with the Lori Weldon case was when she evaluated a Length of Practice and Supervision Confirmation form, dated May 12, 2015, for [name redacted], who has been working under the supervision of Lori Weldon at Reclaim Counselling and Wellness Centre. That form was marked as Exhibit 5 at the hearing.

Ms. Raso testified that Lori Weldon, was identified as the supervisor on [name redacted]'s Length of Practice and Supervision Confirmation form, and Ms. Weldon's academic qualifications were listed as "MSW". Ms. Raso also identified a brochure for the Member's business, Reclaim Counsel and Wellness Centre, which had been submitted with [name redacted]'s Length of Practice and Supervision Confirmation form and which indicated that Ms. Weldon is a "RSW". Ms. Raso explained that as part of the evaluation process, it was her practice to check to see if the applicant's supervisor was a member of the College. One question on the Length of Practice and Supervision Confirmation form asks the applicant whether their supervisor is a member of the College. [Name redacted] has answered "no" to that question. When Ms. Raso looked up Ms. Weldon, she saw that Ms. Weldon was not an active member of the College. According to the College's internal database, the Member's certificate of registration with the College had been suspended as of September 3, 2014, due to non-payment of fees.

Ms. Raso next inquired into whether Ms. Weldon had received a letter from the Registrar of the College notifying her of non-payment of fees, and discovered that a letter had been sent to Mrs. Weldon on September 4, 2014 notifying her that her certificate of registration had been suspended due to non-payment of fees.

Ms. Raso testified that as part of her research she also looked at Ms. Weldon's business website, and a screen shot of that website, captured on October 8, 2015, was marked as Exhibit 9 at the hearing. On the website Ms. Weldon is described as "RSW" and a "Registered Social Worker". Ms. Raso set out this information in a memo dated October 26, 2015, and provided it to the College's Registrar and the Director of Registration. The Registrar met with Ms. Raso and recommended that this matter be turned over to Complaints and Discipline. On November 3,

2015, the foregoing information was sent to Lisa Loiselle, Case Manager/Investigator, Complaints and Discipline for the College.

Ms. Loiselle was called as the College's second witness. She testified that her involvement with the Weldon case started when she received an email from Ms. Raso with the information described above. After reviewing the original documents and files, Ms. Loiselle drafted a letter to Ms. Weldon, which was signed by the Registrar. The letter, dated November 13, 2015 outlined the proper use of the protected titles "Social Worker", "Registered Social Worker" and "RSW", and advised Ms. Weldon of the potential consequences of the misuse of these titles. The letter asked for a response from Ms. Weldon by December 18, 2015. The College did not receive a response.

In January of 2016, the College's Membership Administrator received an email from Ms. Weldon confirming that she had received the November 13, 2015, letter about her non-payment of fees and asked for direction about how she could rectify this situation. The Membership Administrator mailed to Ms. Weldon a reinstatement form the week of January 4, 2015.

On April 7, 2016, having received no response from Ms. Weldon in connection with the November 13, 2015 letter, and having determined that Ms. Weldon continued to use the title "Social Worker" on her website, Ms. Loiselle called Ms. Weldon in an attempt to remind her of her obligations and get a response. Ms. Weldon's home number was out of service. Ms. Loiselle left a voicemail at Ms. Weldon's business number indicating she was seeking a response to the College's "cease and desist" letter.

On May 9, 2016, Ms. Loiselle checked the Reclaim website and noted that it still indicated that Ms. Weldon is a RSW, and Ms. Weldon's promotional material still identifies her as a RSW, who is currently engaging in practice.

The Registrar decided to direct an investigation into the matter. On May 9, 2016, a letter was sent to Ms. Weldon notifying her of the investigation. Ms. Loiselle testified that the College did not receive a response from Ms. Weldon, and that Ms. Weldon has not made any efforts to reinstate her registration. Ms. Weldon remains on administrative suspension.

## **Decision**

The Panel recognized that the College bears the onus of proving the allegations against the Member on the balance of probabilities, using clear, cogent and convincing evidence.

Having considered the onus and standard of proof, the evidence of the College and the submissions of counsel, the Panel finds that the Member committed professional misconduct as alleged in paragraphs 1 through 10 of Part II of the Notice of Hearing. With respect to allegation 5, the Panel finds that the Member's conduct would reasonably be regarded by members as dishonourable and unprofessional

## **Reasons for Decision**

The Member's certificate of registration was suspended as of September 3, 2014, for non-payment of fees. Following this, the Member was notified of the suspension, and the terms, conditions and limitations that this put on the Member's certificate of registration. Specifically,

she was advised that she “may no longer use the protected title ‘social worker’ or ‘registered social worker’ or their French equivalents”, that she “may no longer represent or hold out, expressly or by implication, that [she is] a social worker or registered social worker”, and that “[i]t is an act of professional misconduct to engage in the practice of social work or social service work while [her] certificate of registration is suspended.”

Notwithstanding that notice, on or about November 3, 2015, it came to the College’s attention that the Member was continuing to use the titles “social worker”, “registered social worker”, and “RSW”. Evidence of this was found on the website and in the promotional materials for the member’s business, Reclaim Counselling and Wellness Centre.

After careful consideration of the evidence, the Panel finds that the Member engaged in professional misconduct as set out in allegations 1, 2 and 3 of the Notice of Hearing by misusing the protected titles “social worker”, “registered social worker” and/or “RSW” while her certificate of registration was suspended.

The Panel is satisfied on the evidence that the Member used the protected titles “social worker”, “registered social worker, and “RSW” after her certificate of registration was suspended, and after she was notified of the suspension and of the terms, conditions and limitations that resulted from the suspension. In addition, in an email dated December 29, 2015, which was made an exhibit at the hearing, Ms. Weldon stated that she had “been working about 10 hours a week in private practice”.

With respect to allegation 4, the Panel further finds that the Member engaged in conduct that contravenes provincial law, the contravention of which is relevant to the Member’s suitability to practise, by using the protected titles “social worker”, “registered social worker”, and “RSW” while the Member’s certificate of registration was under suspension. Specifically, the Member contravened subsection 46(1) of the *Social Work and Social Service Work Act*, which provides that “No person except a registered social worker” shall use the titles “social worker” or “registered social worker”, or shall represent or hold out that he or she is a social worker or registered social worker. The contravention is relevant to the Member’s suitability to practise in that she has displayed an unwillingness to conduct herself in accordance with the *Social Work and Social Service Work Act* – legislation that directly relates to and governs this profession. Furthermore, once her non-compliance was brought to her attention and she was given a period of time to correct her misconduct without penalty, she showed disregard for the requirements of the *Social Work and Social Service Work Act* by taking no steps to rectify the situation. Lastly, the Member’s disregard for the dictates of the *Social Work and Social Service Work Act* involved misrepresentations to her clients and showed that the Member did not have in mind her clients’ best interests or the protection of the public.

With respect to allegations 7, 8 and 9 in the Notice of Hearing, the Panel finds that the Member failed to provide her clients with accurate and complete information, when she held herself out as a “social worker”, “registered social worker” and/or “RSW” on her business website, brochure and business card for Reclaim Counselling and Wellness Centre. The Member made no effort to amend her advertising or promotional materials, and therefore continued to hold herself out as a “registered social worker” who was entitled to engage in all aspects of the practise of social work.

In respect to allegation 6 the Panel finds that the Member violated section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook (commented on in interpretation 2.2.5 and 2.2.7) by failing to co-operate fully with all policies and procedures of the Complaints, Discipline and Fitness to Practice Committees, and by misrepresenting her professional qualifications when she held herself out as a registered social worker in connection with her work at Reclaim and indicated to the public and to clients that she held a certificate of registration with the College. As noted above, the evidence established that the Member continued to use the titles “registered social worker” and “RSW” when she was not one because her certificate of registration had been suspended. In addition, she failed to comply with directions from the College that she cease holding herself out as a registered social worker.

With respect to allegation 5, the Panel finds that the Member’s conduct would reasonably be regarded by members of the profession as dishonourable and unprofessional, contrary to section 2.36 of the Professional Misconduct Regulation. College counsel argued that the conduct also would reasonably be regarded as disgraceful. The Panel accepted that to be regarded as disgraceful or dishonourable, the Member’s actions must have an element of dishonesty and/or moral failing. The Panel was concerned by the fact that despite repeated communications from the College, the Member failed to provide representations to the College, failed to apply to reinstate her certificate of registration, continued to use the restricted titles, and failed to take any other steps to remedy the situation. The Panel also took the evidence of the Member’s unstable financial circumstances. On balance, while the Panel was not satisfied that the Member’s conduct rises to the level of being reasonably regarded as “disgraceful”, the Panel does find that it is accurately described as both unprofessional and dishonourable.

The Panel therefore finds that the Member has committed professional misconduct as set out in the allegations 1 through 10 of the Notice of Hearing.

### **Penalty – College Submissions**

In light of the findings against the Member, the College requested that the Panel make an order as follows:

1. Ms. Weldon shall be reprimanded by the Discipline Committee and the fact and nature of the reprimand shall be recorded on the College’s Register.
2. The Registrar shall be directed to suspend Ms. Weldon’s Certificate of Registration for a period of four (4) months, the first three (3) months of which shall be served commencing on the date when Ms. Weldon’s Certificate of Registration is no longer otherwise suspended. The remaining one (1) month of the suspension shall be remitted if, on or before the six (6) month anniversary of the Discipline Committee’s Order herein, Ms. Weldon provides evidence, satisfactory to the Registrar of the College, of compliance with the terms and conditions imposed under paragraph 3 as set out below. If Ms. Weldon fails to comply with those terms and conditions, Ms. Weldon shall serve the remaining one (1) month of the suspension, which shall be served immediately following the first three (3) month period of suspension, or if that period of three (3) months ends less than six (6) months after the Discipline Committee’s Order herein, shall

be served beginning on the six (6) month anniversary of the Discipline Committee's order herein.<sup>1</sup>

3. The Registrar shall be directed to impose terms, conditions and limitations on Ms. Weldon's Certificate of Registration, to be recorded on the Register, requiring Ms. Weldon to, at her own expense, participate in and successfully complete a directed reading course, and provide proof of such completion to the Registrar within six (6) months from the date of the Order of the Discipline Committee herein, as follows:
  - a. Ms. Weldon shall read the article "What Does it Mean to Be a Self-governing Regulated Profession?" by Robert Schultze (the "Article");
  - b. Within six (6) months from the date of the Order of the Discipline Committee herein, and at her own expense, Ms. Weldon shall provide to the Registrar a typewritten essay of at least 2500 words that is written by Ms. Weldon, reflects on Ms. Weldon's understanding of the Article, and addresses the following:
    - i. The acts or omission for which Ms. Weldon was found to have committed professional misconduct in the Order of the Discipline Committee herein;
    - ii. The potential consequences of Ms. Weldon's professional misconduct to her clients, colleagues, the profession of social work, and to herself; and
    - iii. Strategies put in place by Ms. Weldon to prevent her professional misconduct from recurring; and
  - c. Ms. Weldon shall, on a date to be set by the Registrar, attend at the College's office to meet with the Registrar or her designate for the purpose of discussing Ms. Weldon's essay, the Article, and the directed reading course, to the satisfaction of the Registrar.
4. The Registrar shall be directed to impose terms, conditions and limitations on Ms. Weldon's Certificate of Registration, to be recorded on the Register, requiring Ms. Weldon, at her own expense, to make amendments to the use of any titles in connection with her practice (including, but not limited to, her advertising, website, business cards and any other materials related to her practice) as may be necessary to bring them into compliance with the requirements of the *Social Work*

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<sup>1</sup> For greater clarity, the terms and conditions imposed under paragraph 3 hereof will be binding on Ms. Weldon regardless of the length of the suspension served and Ms. Weldon may not elect to serve the full suspension in place of performing those terms and conditions. If Ms. Weldon fails to comply with the terms and conditions, the Registrar may refer the matter to the Executive Committee of the College. The Executive Committee, pursuant to its authority, may take such action as it deems appropriate, which may include referring to the Discipline Committee allegations of professional misconduct arising from any failure to comply with the terms and conditions.

*and Social Service Work Act, 1998*, and the regulations thereunder, as those requirements currently stand and as they may be amended from time to time.

5. The Discipline Committee's finding and Order (or a summary thereof) shall be published, with identifying information concerning Ms. Weldon included, in the College's official publication, on the College's website, and in any other manner or outlet for publication the College deems appropriate, and the results of the hearing shall be recorded on the Register.
6. Ms. Weldon shall pay costs to the College in the amount of seven thousand five hundred dollars (\$7,500.00), with the first instalment of three hundred dollars (\$300.00) payable no later than June 1, 2018, and the remainder payable in thirty-six (36) equal instalments of two hundred dollars (\$200.00) each, payable on the first day of the month for thirty-six (36) consecutive months, beginning with July 1, 2018. In the event that any of the payments are not made in accordance with the above schedule, the entire amount outstanding shall become immediately due.

### **Evidence and Submissions of College Counsel in Support of the Penalty Sought**

The College called a third witness, Richelle Samuel, who testified at the penalty stage of the hearing. Ms. Samuel is the Director of Complaints and Discipline for the College. She testified about the total costs the College incurred in the Lori Weldon matter from November 7, 2016 to the date of the hearing. A bill of costs in the amount of \$22,433.29 was marked as an exhibit. The bill of costs includes fees and disbursements for College counsel, fees for independent legal counsel, and the College's internal costs to conduct the hearing.

College Counsel submitted that the proposed Order is appropriate, protects the public interest by serving the functions of general and specific deterrence, sufficiently addresses the remediation and rehabilitation of Ms. Weldon, and is proportionate to the Panel's misconduct findings.

College Counsel submitted that a reprimand is appropriate, as it would allow the Panel to convey its concerns and disapproval of Ms. Weldon's conduct in person. College Counsel submitted that the suspension is also appropriate due to the serious nature of the professional misconduct found by the Panel in this case. Suspensions are widely recognized as having both a specific and general deterrent effect, due to the financial consequences of being unable to work as a social worker for the period of suspension. College Counsel noted that in this case, a suspension order should not take effect until the Member's certificate of registration is not otherwise suspended.

College counsel argued that the terms, conditions and limitations that the College seeks to have imposed on Ms. Weldon's certificate of registration have been devised with her remediation in mind. The coursework is intended to be remedial and educational. The publication of this disciplinary matter with the Member's name is routinely done by professional disciplinary bodies and serves the interests of specific and general deterrence, in that it serves to deter repetition of this conduct by Ms. Weldon and to deter other members from engaging in similar conduct.

College Counsel submitted that the proposed order was crafted having regard to the aggravating factor that Ms. Weldon declined to participate in the hearing. She argued that the proposed order is appropriate and reasonable, and satisfies the duty of the College to protect the public interest.

College Counsel provided to the Panel several cases the College submitted demonstrate that the penalty sought falls within a reasonable range, namely *College of Early Childhood Educators v. Swain*, 2017 ONCECE 2, *College of Nurses of Ontario v. Librado*, 2014 CanLII 64832, *College of Nurses of Ontario v. Pangilinan*, 2005 CanLII 80977, and *Ontario College of Pharmacists v. Dimitry*, 2013 ONCPDC 8, and the Discipline Decision Summary from the Discipline Committee of this College, in respect of a Member, RSW, dated June 30, 2011.

College Counsel submitted that it is within the Discipline Committee's jurisdiction to award costs where appropriate. College Counsel proposed that Ms. Weldon pay costs in the amount of \$7,500.00. In support of its request for costs, the College provided the Panel with two cases from the Discipline Committee of this College, and two court decisions upholding a decision of the Discipline Committee of the College of Chiropractors of Ontario, including its costs award.

### **Penalty Decision**

Having considered the findings of professional misconduct, the relevant evidence and the submissions of the College, the Panel orders as follows.

1. The Member shall be reprimanded by the Discipline Committee and the fact and nature of the reprimand shall be recorded on the College's Register.
2. The Registrar is directed to suspend the Member's Certificate of Registration for a period of four (4) months, the first three (3) months of which shall be served commencing on the date when the Member's Certificate of Registration is no longer otherwise suspended. The remaining one (1) month of the suspension shall be remitted if, on or before the six (6) month anniversary of the Discipline Committee's Order herein, the Member provides evidence, satisfactory to the Registrar of the College, of compliance with the terms and conditions imposed under paragraph 3 as set out below. If the Member fails to comply with those terms and conditions, the Member shall serve the remaining one (1) month of the suspension, which shall be served immediately following the first three (3) month period of suspension, or if that period of three (3) months ends less than six (6) months after the Discipline Committee's Order herein, shall be served beginning on the six (6) month anniversary of the Discipline Committee's order herein.<sup>2</sup>
3. The Registrar is directed to impose terms, conditions and limitations on the Member's Certificate of Registration, to be recorded on the Register, requiring the Member to, at her own expense, participate in and successfully complete a directed reading course, and provide proof of such completion to the Registrar within six (6) months from the date of the Order of the Discipline Committee herein, as follows:

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<sup>2</sup> For greater clarity, the terms and conditions imposed under paragraph 3 hereof will be binding on Ms. Weldon regardless of the length of the suspension served and Ms. Weldon may not elect to serve the full suspension in place of performing those terms and conditions. If Ms. Weldon fails to comply with the terms and conditions, the Registrar may refer the matter to the Executive Committee of the College. The Executive Committee, pursuant to its authority, may take such action as it deems appropriate, which may include referring to the Discipline Committee allegations of professional misconduct arising from any failure to comply with the terms and conditions.

- a. The Member shall read the article “What Does it Mean to Be a Self-governing Regulated Profession?” by Robert Schultze (the “**Article**”);
  - b. Within six (6) months from the date of the Order of the Discipline Committee herein, and at her own expense, the Member shall provide to the Registrar a typewritten essay of at least 2500 words that is written by the Member, reflects on the Member’s understanding of the Article, and addresses the following:
    - i. The arts or omission for which the Member was found to have committed professional misconduct in the Order of the Discipline Committee herein;
    - ii. The potential consequences of the Member’s professional misconduct to her clients, colleagues, the profession of social work, and to herself; and
    - iii. Strategies put in place by the Member to prevent her professional misconduct from recurring; and
  - c. The Member shall, on a date to be set by the Registrar, attend at the College’s office to meet with the Registrar or her designate for the purpose of discussing the Member’s essay, the Article, and the directed reading course, to the satisfaction of the Registrar.
4. The Registrar is directed to impose terms, conditions and limitations on the Member’s Certificate of Registration, to be recorded on the Register, requiring the Member, at her own expense, to make amendments to the use of any titles in connection with her practice (including, but not limited to, her advertising, website, business cards and any other materials related to her practice) as may be necessary to bring them into compliance with the requirements of the *Social Work and Social Service Work Act, 1998*, and the regulations thereunder, as those requirements currently stand and as they may be amended from time to time.
  5. The Discipline Committee’s finding and Order (or a summary thereof) shall be published, with identifying information concerning the Member included, in the College’s official publication, on the College’s website, and in any other manner or outlet for publication the College deems appropriate, and the results of the hearing shall be recorded on the Register.
  6. The Member shall pay costs to the College in the amount of seven thousand five hundred dollars (\$7,500.00), with the first instalment of three hundred dollars (\$300.00) payable no later than July 15, 2018, and the remainder payable in thirty-six (36) equal instalments of two hundred dollars (\$200.00) each, payable on the first day of the month for thirty-six (36) consecutive months, beginning with September 1, 2018. In the event that any of the payments are not made in accordance with the above schedule, the entire amount outstanding shall become immediately due.

## Reasons for Penalty Decision

The Panel recognized that the penalty should maintain high professional standards, preserve public confidence in the ability of the College to regulate its members, and, above all, protect the public. These objectives are achieved through a penalty that addresses the principles of general deterrence, specific deterrence and, where appropriate, rehabilitation and remediation of the Member's practice.

The Panel finds that the penalty sought by the College maintains high professional standards and falls within an appropriate range when compared with previous cases from the Discipline Committee, as well as similar cases decided by other regulatory bodies. The Panel finds that a four month suspension of the Member's certificate of registration (to commence on the date her certificate is no longer suspended and with the possibility of one month being remitted) will serve the purpose of deterring Ms. Weldon from engaging in this type of behavior again in the future. A suspension of that length will also act as a general deterrent by demonstrating to the membership of the College the consequences of this kind of misconduct, and that such behavior is not acceptable and is not taken lightly by the College. The suspension and reprimand advance the goal of public protection by ensuring that Ms. Weldon is aware of the seriousness of her conduct. The order provides the Member with the opportunity to remit one month of the suspension by prevent demonstrating to the Registrar's satisfaction that she has completed the education requirements in paragraph 3 the order within a fixed timeframe. That opportunity, along with the education requirements, support Ms. Weldon's rehabilitation and remediation by helping her gain insight into her misconduct and understand how not to engage in such conduct in the future. Specifically, she is required to complete a reading course, which includes reading a specified article and subsequent writing of an essay displaying her understanding of that article. The publication of the Discipline decision on the College's Register with the Member's name functions as both a specific and general deterrent, as it serves to deter Ms. Weldon from engaging in professional misconduct again in the future as well as serves as an example of the consequences of engaging in professional misconduct to other members.

Thus, the Panel found that this penalty is appropriate and reasonable, and satisfies the College's duty to protect the public interest.

With respect to the College's request for costs, the Panel considered that the rationale for costs orders against members of a professional self-regulating body is that the general membership should not unfairly bear the cost of a successful prosecution of a member whose conduct has been found wanting. The Panel also considered the need to send a clear message to the membership of the College that professional misconduct is a very serious concern and will be addressed accordingly. Furthermore, the Panel took into consideration the College's actual costs in investigating this matter and bringing it to a hearing, the Panel's findings, and the College's success in proving the Member's misconduct. Additionally, the Panel found the College's request for costs in the amount of \$7,500.00, which is approximately one third (1/3) of the overall costs for the hearing, to be reasonable, proportionate, and comparable to costs awards in previous cases brought before the Discipline Committee of the Ontario College of Social Workers and Social Service Workers (for example *Ontario College of Social Workers and Social Service Workers v. Joseph Vaz*), as well as similar cases heard by other regulatory bodies (*Dr. Michael Reid v. College of Chiropractors of Ontario*).

After considering the above mentioned factors, the Panel finds the request for costs in the amount of \$7,500.00 is reasonable and appropriate.

However, the Panel finds it appropriate to postpone the date of the first payment for costs from June 1, 2018 to July 15, 2018, due to the time that was required for the Panel to deliberate and release this decision. It would not be appropriate to require the Member to begin to pay costs before the Panel's decision was released, and the Member ought to be given a fair and reasonable amount of time to make the scheduled payment. Accordingly, the payment schedule will be as follows: the first payment will be due on July 15, 2018, and each of the subsequent monthly payments will be due on the first of the month, starting September 1, 2018 and continuing for a duration of thirty-six (36) months.

I, Rick Lamb, sign this Decision as Chairperson of the Panel and on behalf of the Panel members listed below.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Rick Lamb, Chair  
Mukesh Kowlessar  
Amanda Bettencourt