



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**

Indexed as: Ontario College of Social Workers and Social Service Workers v Alicia Beloshesky, 2020 ONCSWSSW 9

Decision date: 20201210

**BETWEEN:**

THE ONTARIO COLLEGE OF SOCIAL WORKERS  
AND SOCIAL SERVICE WORKERS

- and -

ALICIA BELOSHEKY

PANEL: Frances Keogh Chair, Professional Member  
Rita Silverthorn Professional Member  
Andy Kusi-Appiah Public Member

Appearances: Ada Keon, counsel for the College  
Alicia Beloshesky, self-represented  
Andrea Gonsalves, Independent Legal Counsel to the Panel

Heard: September 22, 2020

**DECISION AND REASONS FOR DECISION**

[1] This matter came on for hearing by video conference on September 22, 2020, before a panel of the Discipline Committee (the “**Panel**”) of the Ontario College of Social Workers and Social Service Workers (the “**College**”).

## The Allegations

[2] In the Notice of Hearing dated August 21, 2019, the Member is alleged to be guilty of professional misconduct pursuant to the *Social Work and Social Service Work Act*, 1998, S.O. 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 allegations set out in the Notice of Hearing and the particulars of those allegations are as follows:

### I. The following are particulars of the said allegations:

1. At all relevant times, you were registered as a social work member with the Ontario College of Social Workers and Social Service Workers (the “**College**”).
2. You obtained a Master’s degree as a Social Worker from Ryerson University in or about 2016. You first registered with the College as a social work member on or about April 13, 2017.
3. Between in or about April 2018 and in or about October 2018 (the “**Relevant Period**”) you worked as a Concurrent Disorders Specialist at the Rapid Access Addiction Clinic (“**RAAC**”), which was affiliated with the [redacted].
4. Your role was to provide addiction services to clients at the RAAC including initial screening and assessment, treatment planning, brief intervention and lifestyle and personal counselling to assist clients to develop skills to manage substance misuse and/or mental health issues.
5. The Client, [redacted], was referred to the RAAC on or about April 2018, and you were assigned to be his worker. At that time, the Client was 24 years of age.
6. You were aware that the Client self-referred to the RAAC because he struggled with polysubstance abuse. In addition, he had a diagnosis of major depressive disorder with mild to severe anxiety, for which he took medication, and type one diabetes. The Client had a grade 11 education, and had been diagnosed with a learning disability.
7. During the Relevant Period, you:

- (a) Attended at the Client's home on a frequent and/or daily basis to socialize and/or engage in sexual relations with the Client;
  - (b) Sent the Client personal, inappropriate and/or intimate photographs of yourself;
  - (c) Exchanged frequent personal, sexual and/or inappropriate text messages with the Client;
  - (d) Discussed with the Client via text message your concerns that you might lose your job and may have damaged your career, including due to your relationship with and/or conduct in relation to the Client;
  - (e) Discussed with the Client via text message that one of your relatives sold "weed" and how you had vaped and/or eaten some of the weed;
  - (f) Attended at restaurants/eateries with the Client; and/or
  - (g) Disclosed information to the Client about your personal life;
8. In or about October 2018, you abruptly ended the therapeutic and personal/sexual relationship with the Client.
9. You resigned your position with the [redacted] on or about January 18, 2019.
10. The Client was negatively affected by the ending of the relationship, and experienced some level of relapse with respect to his substance misuse.

**II. 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:**

- (a) In that you violated **Section 2.2 of the Professional Misconduct Regulation** and:
  - (i) **Principle I of the Handbook (commented on in Interpretation 1.5 and 1.6)** by failing to be aware of your values, attitudes and needs and how those impact on your professional relationships with clients; and failing to distinguish your needs and interests from those of the client;
  - (ii) **Principle II of the Handbook (commented on in Interpretation 2.2, 2.2.1, 2.2.2, 2.2.3 and 2.2.8)** by failing to maintain clear and appropriate boundaries in a professional relationship; by not engaging in professional

relationships that constitute a conflict of interest; by having sexual relations with a client; by using your professional position of authority to exploit a client; and by failing to avoid conduct which could reasonably be perceived as reflecting negatively on the profession of social work;

(iii) **Principle III of the Handbook (commented on in Interpretation 3.7)** by failing to assume full responsibility for demonstrating that the client had not been exploited or manipulated in a situation where a personal relationship occurred; and/or

(iv) **Principle VIII of the Handbook (commented on in Interpretation 8.1, 8.2, 8.2.1, 8.2.2, 8.2.3, 8.3, 8.4, 8.6 and [withdrawn])** by failing to ensure that sexual misconduct did not occur; by engaging in sexual intercourse with the client; by engaging in touching of a sexual nature with the client; by engaging in behaviour or making remarks of a sexual nature towards the client other than behaviour or remarks of a clinical nature appropriate to the service provided; by failing to seek consultation/supervision and develop an appropriate plan, where you developed sexual feelings towards a client that could have put the client at risk; the by failing to clearly state that the behaviour was inappropriate by virtue of the professional relationship in situations where the client initiated the behaviour of a sexual nature; by engaging in sexual relations with a client at the time of counselling and the provision of professional services; and/or [withdrawn].

(b) In that you violated **Section 2.5 of the Professional Misconduct Regulation** by abusing a client sexually, verbally, psychologically or emotionally, including sexually abusing a client within the meaning of subsection 43 (4) of the Act;

(c) In that you violated **Section 2.28 of the Professional Misconduct Regulation** by contravening the Act or regulations or by-laws; and/or

(d) 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.

### **Member's Position**

[4] The College sought leave to withdraw a reference to one Interpretation of the Handbook that had been set out in allegation (a)(iv) of the Notice of Hearing. The Panel granted leave to withdraw that reference. The Member admitted to the remaining allegations set out in the Notice

of Hearing. The Member also signed a written plea inquiry that was entered into evidence at the hearing. The Panel also conducted an oral plea inquiry at the hearing. The Panel was satisfied that the Member's admission was voluntary, informed and unequivocal.

### **The Evidence**

[5] The evidence was tendered by way of an Agreed Statement of Facts, which provided in relevant part as follows.

1. Alicia Grace Beloshesky (the "**Member**") registered as a social work member with the Ontario College of Social Workers and Social Service Workers (the "**College**") on April 13, 2017.
2. At all times relevant to the allegations, the Member was a registered social work member with the College.
3. Between in or about January 2018 and in or about October 2018 the Member worked as a Concurrent Disorders Specialist at the Rapid Access Addiction Clinic ("**RAAC**"), which was affiliated with the [ *redacted* ].
4. The Member's role was to provide addiction services to clients at the RAAC including initial screening and assessment, treatment planning, brief intervention and lifestyle and personal counselling to assist clients to develop skills to manage substance misuse and/or mental health issues.
5. The Client, [ *redacted* ], was referred to the RAAC on or about April 2018, and the Member was assigned to be his worker. At that time, the Client was about 24 years of age. Between on or about April 2018 until in or about October 2018, the Member provided social work services to the Client (the "**Relevant Period**").
6. The Member was aware that the Client was a vulnerable individual and had self-referred to the RAAC because he struggled with polysubstance abuse. In addition, he had a diagnosis of major depressive disorder with mild to severe anxiety, for which he took medication, and type one diabetes. The Client had a grade 11 education, and had been diagnosed with a learning disability.
7. If the Member were to testify, she would state that during the Relevant Period she was suffering from mental health challenges which were exacerbated by being in an abusive relationship. While the Member takes full responsibility for her actions, and does not intend to excuse or condone her actions, she hopes to give context to the psychological and emotional state she was in at the relevant time. Since October 2018 the Member has sought out multiple formal (professional) and informal supports for herself. She attends therapy on a regular basis, and is working towards improving her own mental health. The Member sincerely regrets her actions and the impact that they continue to have on the Client.

8. During the Relevant Period, the relationship between the Member and the Client moved from a primarily professional relationship to include a personal and sexual relationship.
9. During the Relevant Period, the Member:
  - (a) Told the Client to keep the relationship a secret and delete the text messages between them. The Client attempted to hide the relationship from his parents, and found maintaining the secrecy of the relationship to be stressful;
  - (b) Attended at the Client's home on more than one occasion to socialize and/or engage in sexual relations with the Client;
  - (c) Sent the Client personal, inappropriate and/or intimate photographs of herself;
  - (d) Exchanged frequent personal, sexual and/or inappropriate text messages with the Client; including but not limited to:
    - (i) "Awwww your [*sic*] so sweet! You'll miss me, really? Wow that's nice";
    - (ii) "Aw a sleep over haha I don't think we would do much sleeping though;"
    - (iii) "Drugs destroy lives and rote [*sic*] you from the inside out. I know that sounds extreme but that has been my experience from taking drugs";
    - (iv) "Thanks for spending your night with me. I'm sorry if I'm complimenting our relationship by telling you how I feel. It's just getting harder for me not to tell you how I feel. I didn't want to tell you for the longest time cus [*sic*] I know it's not right cus [*sic*] of my role as your worker. But it's hard especially when you talk about me and tell me how you feel about me";
    - (v) 'I'm taking a bubble bath right now [...] I guess I've put that imagine [*sic*] in your head now [...] I was going to send you something but I feel like I'm already teasing you enough as is";
  - (e) Engaged in telephone conversations of a personal/romantic nature with the Client;
  - (f) Discussed with the Client via text message her concerns that she might lose her job and may have damaged her career, including but not limited to a text message stating:

- (i) “My relationship has imploded. My career is fucked. I can’t come back I have to try and find something else. Everything is a big question mark and it’s all because of my actions.”;
  - (g) Discussed with the Client via text message that one of her relatives sold “weed” and how she had used a vape pen. The Member also sent photographs of the weed to the Client; and/or
  - (h) Disclosed information to the Client about her personal life;
10. In or about early October 2018, the Member abruptly terminated the therapeutic and personal/sexual relationship with the Client via text message, when the Member’s partner discovered the relationship. The last encounter that the Member had with the Client was October 4, 2018.
  11. The Client was extremely distressed at the cessation of contact, and repeatedly texted the Member over the next two months, attempting to re-establish contact. If the Member were to testify, she would state that she had not received any of the Client’s texts as she had surrendered her work cell phone when she went on short term leave from her employment.
  12. The majority of the Client’s texts sent after the therapeutic relationship ended describe the negative effect the lack of contact was having on his mental state. He referenced that he did not deserve the way the member was treating him and that he was seeking medical attention and obtaining additional medication to address his worsening mental health. The Clients’ parents observed that the Client suffered a relapse with respect to his polysubstance abuse and developed issues trusting people.
  13. The Member resigned her position with the [redacted] on or about January 18, 2019.
  14. The Member admits that by reason of engaging in the conduct outlined above, she is guilty of professional misconduct as set out in section 26(2)(a) and (c) of the *Act*:
    - (a) **In that she violated Section 2.2 of the Professional Misconduct Regulation** and:
      - (i) **Principle I of the Handbook (commented on in Interpretation 1.5 and 1.6)** by failing to be aware of her values, attitudes and needs and how those impact on her professional relationships with clients; and failing to distinguish her needs and interests from those of the client;
      - (ii) **Principle II of the Handbook (commented on in Interpretation 2.2, 2.2.1, 2.2.2, 2.2.3 and 2.2.8)** by failing to maintain clear and appropriate boundaries in a professional relationship; by engaging in a professional relationship that constituted a conflict of interest;

by having sexual relations with a client; by using her professional position of authority to exploit a client; and by failing to avoid conduct which could reasonably be perceived as reflecting negatively on the profession of social work;

- (iii) **Principle III of the Handbook (commented on in Interpretation 3.7)** by failing to assume full responsibility for demonstrating that the client had not been exploited or manipulated in a situation where a personal relationship occurred; and/or
  - (iv) **Principle VIII of the Handbook (commented on in Interpretation 8.1, 8.2, 8.2.1, 8.2.2, 8.2.3, 8.3, 8.4, and 8.6)** by failing to ensure that sexual misconduct did not occur; by engaging in sexual intercourse with the client; by engaging in touching of a sexual nature with the client; by engaging in behaviour or making remarks of a sexual nature towards the client other than behaviour or remarks of a clinical nature appropriate to the service provided; by failing to seek consultation/supervision and develop an appropriate plan, where she developed sexual feelings towards a client that could have put the client at risk; by failing to clearly state that the behaviour was inappropriate by virtue of the professional relationship in situations where the client initiated the behaviour of a sexual nature; and/or by engaging in sexual relations with a client at the time of counselling and the provision of professional services;
- (b) In that she violated **Section 2.5 of the Professional Misconduct Regulation** by abusing a client sexually, verbally, psychologically or emotionally, including sexually abusing a client within the meaning of subsection 43 (4) of the Act;
  - (c) In that she violated **Section 2.28 of the Professional Misconduct Regulation** by contravening the Act or regulations or by-laws; and/or
  - (d) In that she 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 and unprofessional.

### **Decision of the Panel**

[6] Having considered the admissions of the Member, the evidence contained in the Agreed Statement of Fact, and the submissions of counsel, the Panel found that the Member committed professional misconduct as alleged in the Notice of Hearing, except for the reference in allegation (a)(iv) that was withdrawn. With respect to allegation (d) the Panel found that the Member's conduct would reasonably be regarded by members as disgraceful, dishonourable and unprofessional.



## Reasons for the Decision

[7] The Panel accepted the Member's admissions and was satisfied that the Agreed Statement of Facts proved on a balance of probabilities each of the allegations against the Member.

[8] With respect to allegation (a) in the Notice of Hearing, the Panel found that the Member failed to meet the standards of the profession, and therefore violated section 2.2 of the Professional Misconduct Regulation, by contravening the standards set out in the Handbook in each of the four subparagraphs under allegation (a). Specifically:

- a. With respect to allegation (a)(i) in the Notice of Hearing, the Panel found that the Member violated Principle I of the Handbook (as commented on in Interpretation 1.5 and 1.6) by failing to be aware of her values, attitudes and needs, and how those impact on her professional relationships with her Client; and by failing to distinguish her needs and interests from those of the Client. In particular, the Member attended at the Client's home on a frequent basis to socialize and engage in sexual relations with the Client. The Member abruptly ended the therapeutic and personal/sexual relationship with the client, and this action on the part of the Member negatively affected the Client and he experienced some level of relapse with respect to his polysubstance abuse and developed problems in trusting others.
- b. With respect to allegation (a)(ii) in the Notice of Hearing, the Panel found that the Member violated Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook (as commented on in Interpretation 2.2, 2.2.1, 2.2.2, 2.2.3 and 2.2.8) by failing to maintain clear and appropriate boundaries in her professional relationship with the Client; by engaging in a professional relationship with the Client that constituted a conflict of interest; by having sexual relations with the Client; by using her professional position of authority to exploit the Client; and by failing to avoid conduct which could reasonably be perceived as reflecting negatively on the profession of social work. The Member exchanged frequent personal, sexual and inappropriate text messages with the Client, as detailed in the Agreed Statement of Facts. The Member also discussed with the Client via text message that one of her relatives sold "weed" and how she had used a vape pen. The Member also sent photographs of the weed to the Client, and disclosed information to the Client about her personal life. The Member visited the Client's home on a frequent basis to socialize and engage in sexual relations with him.
- c. With respect to allegation a(iii) in the Notice of Hearing, the Panel found that the Member violated Principle III of the Handbook (as commented on in Interpretation 3.7) by failing to assume full responsibility for demonstrating that the Client had not been exploited or manipulated in a situation where a personal relationship occurred. The Member failed to assume full responsibility when she told the Client to keep the relationship a secret and to delete the text messages between them.
- d. With respect to allegation a(iv) in the Notice of Hearing, the Panel found that the Member violated Principle VIII of the Handbook (as commented on in Interpretation 8.1, 8.2, 8.2.1, 8.2.2, 8.2.3, 8.3, 8.4, and 8.6) by failing to ensure that sexual misconduct did not occur; by engaging in sexual intercourse with the Client; by engaging in touching of a sexual nature with the Client; by engaging in behaviour

or making remarks of a sexual nature towards the Client other than behaviour or remarks of a clinical nature appropriate to the service provided; by failing to seek consultation/supervision and develop an appropriate plan, where she developed sexual feelings towards her Client that could have put the Client at risk; by failing to clearly state that the behaviour was inappropriate by virtue of the professional relationship in situations where the Client initiated the behaviour of a sexual nature; and/or by engaging in sexual relations with the Client at the time she provided counselling and other professional services to the Client. The Member did engage in sexual relations with the Client contrary to Principle VIII of the Handbook. The Member attended at the Client's home frequently to socialize and engage in sexual relations with the Client. The Member told the Client to keep the relationship secret and to delete the messages between them. The Client attempted to hide the relationship from his parents, and found maintaining the secrecy of the relationship to be stressful. The Client was negatively affected by the ending of the relationship, and experienced some level of relapse with respect to his substance abuse. All of the above constitutes a violation of Principle VIII of the Handbook.

[9] With respect to allegation (b) in the Notice of Hearing, the Panel found that the member violated section 2.5 of the Professional Misconduct Regulation by abusing a client sexually, verbally, psychologically and/or emotionally, including sexually abusing the Client within the meaning of subsection 43(4) of the Act. Subsection 43(4) of the Act provides the following definition of "sexual abuse":

"sexual abuse", with respect to a client by a member of the College means,

- (a) sexual intercourse or another form of physical sexual relations between the member and the client,
- (b) touching, of a sexual nature, of the client by the member, or
- (c) behaviour or remarks of a sexual nature by the member towards the client, other than behaviour or remarks of a clinical nature appropriate to the service provided

[10] The evidence in the Agreed Statement of Facts is that Member attended at the Client's home frequently to socialize and/or engage in sexual relations with the Client. The Client was negatively affected by the ending of the relationship, and experienced some level of relapse with respect to his substance misuse. The Panel finds on a balance of probabilities that the Member abused her Client and, specifically, sexually abused the Client within the meaning of subsection 43(4) of the Act. This constitutes professional misconduct pursuant to section 2.5 of the Professional Misconduct Regulation.

[11] With respect to allegation (c) in the Notice of Hearing, the Panel found that the member violated Section 2.28 of the Professional Misconduct Regulation by contravening the Act or regulations or by-laws. For the reasons set out above, the Panel found that the Member contravened the Handbook (which is a by-law of the College), engaged in misconduct as defined in the Professional Misconduct Regulation, and committed sexual abuse as the term is defined in subsection 43(4) of the Act. It follows that the Member contravened the Act, the regulations and

the College by-laws. While this finding is perhaps redundant, given the Panel's findings on the other allegations, the Panel is prepared to find that it is supported on the evidence.

[12] With respect to allegation (d) in the Notice of Hearing, the Panel found that the member 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 and unprofessional. By engaging in a sexual relationship with her client and trying to conceal it, the Member engaged in conduct that was disgraceful, dishonourable and unprofessional. Given the seriousness of the Member's misconduct, it casts serious doubts on her moral fitness and inherent inability to discharge the higher obligations the public expects social work professionals to meet.

### **Penalty Submissions**

[13] 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 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 shall be directed to revoke the Member's certificate of registration.
3. The period of time during which the Member may not apply to the College for a new certificate of registration shall be fixed at five (5) years from the date of the Discipline Committee's Order.
4. 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 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 Member shall pay costs to the College in the amount of \$1000, which shall be paid in 12 monthly installments. The first payment shall be in the amount of \$87 which shall be due on the date of the Order. The remaining 11 installments shall each be in the amount of \$83 and shall be due on the first of each month.

[14] College counsel submitted that the penalty proposed in the Joint Submission meets the College's mandate to protect the public interest, maintains high standards of practice, is appropriate having regard to all the circumstances of the present case, and meets the objectives of penalty.

[15] The penalty has particular components which provide both specific and general deterrence. The revocation of the Member's certificate of registration demonstrates to the Member and to other members of the profession that conduct of this nature will not be treated lightly. The publication of the details of this decision will further communicate a clear message to the public that professional misconduct of this nature will not be tolerated. The reprimand allows the Panel to

communicate directly to the Member its strong disapproval of her conduct, which also has a specific deterrent effect.

[16] Fixing a period of five years from the date of the Panel's order, during which the Member may not apply for a certificate of registration, pursuant to subsection 26(7) of the Act deals with the seriousness of the Member's conduct and is in line with prior decisions of the Discipline Committee (including *Ontario College of Social Workers and Social Service Workers v Lynette Heywood*) as well as the approach of other professional regulatory colleges, particularly those operating under the *Regulated Health Professions Act, 1991*, SO 1991, c 18, which imposes a mandatory period of five years before a member whose certification of registration has been revoked for sexual abuse of a patient may apply for reinstatement (see s. 72(3)).

[17] Counsel for the College submitted that there are a number of mitigating and aggravating circumstances that should be considered in determining the appropriate penalty in this case. The mitigating factors are that the Member, (1) has no prior discipline history with the College, and (2) acknowledged her misconduct early in the process and entered into the Agreed Statement of Facts and joint submission on penalty, which suggests that remedial measures are likely to be successful.

[18] The aggravating factors are that the conduct was serious, involving sexual abuse of a client. During the Relevant Period, the relationship between the Member and the Client moved from a primarily professional relationship to include a personal and sexual relationship. This is a clear violation of the standards of this profession.

### **Penalty Decision**

[19] Having considered the findings of professional misconduct, the evidence and the submissions of the parties, the Panel accepts the Joint Submission and makes an order 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 revoke the Member's certificate of registration.
3. The period of time during which the Member may not apply to the College for a new certificate of registration shall be fixed at five (5) years from the date of the Discipline Committee's Order.
4. 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 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 Member shall pay costs to the College in the amount of \$1,000, which shall be paid in 12 monthly installments. The first payment shall be in the amount of \$87 which shall be due on the date of the Order. The remaining 11 installments shall each be in the amount of \$83 and shall be due on the first of each month.

### Reasons for Penalty Decision

[20] 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. This is achieved through a penalty that considers the principles of general deterrence, specific deterrence and, where appropriate, rehabilitation and remediation of the Member's practice. The Panel also considered the principle that the Panel should accept a joint submission on penalty unless it is contrary to the public interest and would bring the administration of justice into disrepute.

[21] The Panel concluded that the jointly proposed penalty was within the acceptable range of penalty for this type of professional misconduct. The Panel considered the aggravating and mitigating circumstances submitted by College counsel. The aggravating factors in this case are that the Member sexually abused her Client and tried to hide it. With respect to mitigating factors, the Panel noted that the Member was remorseful, cooperated with the College, has agreed to the proposed penalty, and has no prior complaints during her professional social work career. By agreeing to the facts and proposed penalty, the Member has accepted responsibility for her actions.

[22] The elements of the jointly proposed penalty will deter other members of the profession from engaging in similar misconduct, and will specifically deter the Member from repeating her misconduct. In particular, the revocation of the Member's certificate of registration demonstrates to the Member and to other members of the profession that this type of reprehensible conduct will result in appropriately severe consequences. In addition, the publication of the details of this decision will further communicate a clear message to the public that professional misconduct of this nature (sexual abuse of clients) will not be tolerated. The reprimand by the Panel directly conveys to the Member that her peers strongly disapprove of her conduct. This also serves a specific deterrent effect.

[23] The five-year ban on the Member applying for a new certificate of registration operates as a general deterrent and ensures public protection. The Panel notes that in other cases, including *OCSWSSW v. Nathalie Beauchamp-Brown* (2017) and *OCSWSSW v. Heywood* (2017), the Discipline Committee has made orders revoking the certificates of registration of members who engaged in sexual abuse and imposed five-year bans before the members could apply for new certificates of registration.

[24] The Panel was satisfied that the proposed penalty is reasonable in the light of the goals and principles of maintaining high professional standards, preserving public confidence in the College's ability to regulate its members and above all, protecting the public. For these reasons, the Panel found no reason to depart from the Joint Submission.

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

Date: Dec 10 2020

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

Frances Keogh, Chair  
Rita Silverthorn  
Andy Kusi-Appiah