



Ontario College of
Social Workers and
Social Service Workers

Ordre des travailleurs
sociaux et des techniciens
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Discipline Decision Summary

This summary of the Discipline Committee's Decision and Reason for Decision (dated March 8, 2010) is published pursuant to the Discipline Committee's penalty order.

By publishing this summary, the College endeavours to:

- illustrate for social workers, social service workers and members of the public, what does or does not constitute professional misconduct;
- provide social workers and social service workers with direction about the College's standards of practice and professional behaviour, to be applied in future, should they find themselves in similar circumstances;
- implement the Discipline Committee's decision; and
- provide social workers, social service workers and members of the public with an understanding to the College's discipline process.

PROFESSIONAL MISCONDUCT

Sanford Champion, RSW

AGREED STATEMENT OF FACT

The College and the Member submitted a written statement to the Discipline Committee in which the following facts were agreed:

1. From in on or about March 10, 2003 to on or about March 31, 2006, Sanford Champion (the "Member") was employed as a social worker by the Penetanguishene Mental Health Centre (the "PMHC").
2. In or about January 2004, the Member provided a letter to his Manager, while at work, asking for prayer support and financial donations to support his attendance at "The 7th Annual African Global Conference 2004" in Nigeria in or about March 5th to 14th, 2004.
3. Upon receiving that letter, the Manager asked the Member not to request financial assistance from anyone else at PMHC. The Member agreed not to do so.
4. In or about early 2004, the Member shared with a PMHC Chaplain his plans to attend a missions trip in Nigeria and provided the Chaplain with the letter seeking prayer and financial support. The Member accepted a donation from the Chaplain in the amount of \$20.
5. In or about March, 2004, the Member shared with a PMHC RN (with whom he had become friends through a church they both attended) and the RN's spouse, his plans to attend a missions trip to Nigeria and requested prayer and financial

support for the trip. The Member received \$100 in financial assistance from the RN at that time.

6. In or about August, 2004, at the Member's suggestion, the Member attended at the home of the RN and the RN's spouse with a request for prayer. Although the Member did not initially tell them what his "prayer need" related to, the Member approached the RN at work the following day to elaborate. The Member indicated that he was trying to bring a large amount of money into the country and needed to pay certain fees so that the money (the "Funds") could be obtained.
7. The RN asked about helping, and inquired how much money the Member needed. The Member said that \$25,000 US was required. The RN subsequently provided the Member with \$35,000 CDN, in reliance upon the Member's indication that he would repay the amount provided within seven to ten days. The RN obtained that money by using a line of credit secured against the equity of the RN's home.
8. In or about late September or early October, 2004, the Member obtained an additional \$14,000 from the RN, to pay for fees in connection with bringing the Funds into the country.
9. In or about October 2004, the Member advised the RN and the RN's spouse that the Member had withheld certain details from the authorities regarding the value of the Funds (by reporting that the amount of the Funds was \$25,000,000, whereas it was actually \$45,000,000). The Member explained to the RN and the RN's spouse that the authorities were now asking for additional fees, which needed to be paid in order to obtain the full amount of the Funds. The Member received a further \$50,000.00 from the RN and the RN's spouse for that purpose.
10. In or about November of 2004, the Member travelled to Istanbul, Turkey with the RN and the RN's spouse, at their expense, for the purpose of dealing with bringing the Funds to Canada. Although the Member agreed to repay the RN and the RN's spouse for the cost of the trip, he did not do so.
11. During that trip, the Member made contact with one of the individuals involved in trying to bring the Funds to Canada, who showed the RN and the RN's spouse packages which allegedly contained the Funds, and advised them that a chemical was needed to remove the colourings from the money to expose the valid currency. The RN and the RN's spouse were told that more money was needed to purchase the chemical.
12. The Member promised to give the RN and the RN's spouse seven times what he owed them, but failed to do so, or to repay them for any of the amounts described above.
13. In or about January of 2006, the Member was charged with four counts of fraud over \$5,000, contrary to s. 380(1)(a) of the *Criminal Code*, three of which counts related to defrauding the RN and the RN's spouse and one of which related to defrauding another individual.

14. On or about March 31, 2006, the Member was terminated from his position as a Social Worker at the PMHC following an internal investigation into the inappropriate solicitation of funds for personal use by the Member at the workplace during working hours.
15. On or about January 28, 2008, the Member was convicted of all four counts of fraud over \$5,000.00 and, on or about March 10, 2008, was sentenced to a 12-month custodial sentence, followed by two years probation. The Member was also ordered to make restitution in the amount of \$100,000 to the RN and the RN's spouse.
16. Initially, the Member believed that the scheme for bringing the Funds to Canada (and the need to pay various fees in order to do so) was legitimate. In his Reasons for Sentence in the criminal proceedings regarding the Member, the Honourable Mr. Justice Glass found that the Member himself "had lost money to the Nigerian scam system", "began not believing that the Nigerian scheme was a believable scheme, but within days he became involved" and "took money from the victims here [including the RN and the RN's spouse] trying to get [t]his (sic) own money back".
17. According to the findings of Mr. Justice Glass and the Member's resulting criminal conviction, the Member provided the RN and the RN's spouse with information which he knew to be false and induced them to invest in or about \$99,000.00 in the fraudulent scheme."

Allegations and Plea

The Member admitted the truth of the above facts and that he is guilty of professional misconduct as set out in Section 26(2) (a) and (c) of the *Social Work and Social Service Work Act* (the "Act"). The Discipline Committee, after considering the Agreed Statement of Facts, found that the facts support a finding of professional misconduct. In particular, the Discipline Committee found that the Member committed an act of professional misconduct as set out in Section 26(2) (a) and (c) of the Act, in that the Member violated sections 2.29 and 2.36 of Ontario Regulation 384/00 (Professional Misconduct) by:

- a) contravening a federal law (namely, s.380(a) of the *Criminal Code*), the contravention of which is relevant to his suitability to practise the profession of social work; and
- b) 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 he solicited (and in some cases received) funds from co-workers and others;

Penalty Order

The panel of the Discipline Committee accepted the Joint Submission as to Penalty submitted by the College and the Member, concluded that the proposed penalty was

reasonable and served to protect the public interest and made an order in accordance with the terms of the Joint Submission as to Penalty. The panel noted that the Member cooperated with the College and that, by agreeing to the facts and a proposed penalty, the Member has accepted responsibility for his actions. Moreover, the Committee concluded that its order meets the objectives of:

- General deterrence (i.e. a message to the profession to deter members of the profession from engaging in similar misconduct) and specific deterrence to the Member; and,
- Takes into account certain mitigating factors, such as the Member's voluntary withdrawal from practice and the fact that he has served a period of incarceration in connection with the conduct which gave rise to this disciplinary proceeding.

The panel ordered that:

1. The Member be reprimanded in person by the Discipline Committee and the reprimand be recorded on the Register.
2. The Registrar suspend the Member's Certificate of Registration for a period of six (6) months from the date of the Discipline Committee's Order, four (4) months of which suspension shall be suspended and shall not be imposed in recognition of the Member's voluntary withdrawal from the practice of social work from in or about October 15, 2006 to in or about March 10, 2008, pursuant to an undertaking given by the Member to the College.
3. The Discipline Committee's finding and Order (or a summary thereof) be published, with the name of the Member, in *Perspective* and on the College's website, and the results of the hearing be recorded on the Register.