



On August 3, 2022 allegations of the Member's professional misconduct were referred to the Discipline Committee for hearing, on a date yet to be fixed. Please see the Notice of Hearing below:

**ONTARIO COLLEGE OF SOCIAL WORKERS
AND SOCIAL SERVICE WORKERS**

IN THE MATTER OF Sections 26 and 28 of the *Social Work and Social Service Work Act, 1998*, S.O. 1998, Chapter 31;

AND IN THE MATTER OF a hearing directed to be held by the Discipline Committee of the Ontario College of Social Workers and Social Service Workers under the *Social Work and Social Service Work Act, 1998*;

AND IN THE MATTER OF allegations respecting the professional conduct of Essa Egal, a Social Worker and suspended member of the said College;

NOTICE OF HEARING

TAKE NOTICE that a hearing will take place on a date to be fixed by the Registrar at the hour of 9:30 o'clock in the forenoon (or as soon after that time as a panel can be convened for the purpose of conducting the hearing) at the Board Room of the Ontario College of Social Workers and Social Service Workers, 250 Bloor Street East, Suite 1000, Toronto, Ontario before the Discipline Committee of the Ontario College of Social Workers and Social Service Workers. The hearing will be held pursuant to the provisions of sections 26 and 28 of the *Social Work and Social Service Work Act, 1998* (the "Act") and pursuant to the Regulations made thereunder, for the purpose of hearing and determining allegations of professional misconduct against you, Essa Egal, which allegations were referred to the Discipline Committee pursuant to section 25(1) of the Act.

AND TAKE NOTICE that you are alleged to be guilty of professional misconduct within the meaning of section 26(2) of the Act in that you are 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**")¹.

I. The following are particulars of the said allegations:

1. At all times relevant to the allegations, you were a registered social worker with the Ontario College of Social Workers and Social Service Workers (the “College”).
2. Client “XX” began receiving counselling from you in or about 2014, when she was approximately 12 years old, to deal with her anxiety and panic attacks. “XX” received social work services from you through your private practice.
3. On or about February 23, 2019, “XX” had an appointment with you. She was approximately 17 years old at that time.
4. During the February 23, 2019 appointment, you violated professional boundaries, engaged in touching of a sexual nature of “XX”, and/or engaged in behaviour or remarks of a sexual nature towards “XX” that were not of a clinical nature appropriate to the service provided. In particular, you:
 - (a) Touched “XX” on her stomach and/or torso area;
 - (b) Suggested that “XX” lift her shirt;
 - (c) Suggested that “XX” remove her shirt and/or her bra;
 - (d) Touched and/or massaged “XX”’s chest, back, and/or breasts; and/or
 - (e) Hugged “XX” and kissed her on the forehead.
5. “XX” had a panic attack as a result of your conduct.
6. “XX” disclosed your conduct to her mother and to another counsellor, who encouraged her to report your conduct to the College.

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:

¹ By-law 24, as amended by By-law Nos. 32 and 48 and revoked effective July 1, 2008 by By-law 66, continues to apply to conduct which occurred prior to July 1, 2008.

(a) In that you violated **Section 2.2 of the Professional Misconduct Regulation** and

(i) Principle I of the Handbook (commented on in Interpretations 1.5 and 1.6) by:

(A) failing to be aware of your values, attitudes and needs and how those impact on your professional relationship with clients;

(B) failing to distinguish your needs and interests from those of your clients to ensure that, within your professional relationship, clients' needs and interests remained paramount;

(ii) Principle II of the Handbook (commented on in Interpretations 2.2, 2.2.1, 2.2.3, and 2.2.8) by:

(A) failing to ensure clients are protected from an abuse of power during the provision of professional services and/or failing to maintain clear and appropriate boundaries in a professional relationship;

(B) 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;

(C) using information obtained in the course of a professional relationship and/or your professional position of authority to coerce, improperly influence, harass, abuse or exploit a client;

(D) engaging in conduct that 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 a client was not exploited, coerced or manipulated, intentionally or unintentionally;

(iv) Principle VIII of the Handbook (commented on in Interpretations 8.1 and 8.2) by:

(A) failing to be solely responsible for ensuring that sexual misconduct did not occur;

(B) engaging in touching of a sexual nature of a client and/or engaging in behaviour or remarks of a sexual nature

towards a client, other than behaviour or remarks of a clinical nature appropriate to the service provided;

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

(c) In that you violated **Section 2.6 of the Professional Misconduct Regulation** in that you used information obtained during a professional relationship with a client or used your professional position of authority to coerce, improperly influence, harass, or exploit a client;

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

(e) 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

AND TAKE NOTICE that the Discipline Committee may make an order under Section 26(4), (5), (6), (7), (8) and (9) of the Act, or any of them, in respect of any or all of the above allegations.

AND FURTHER TAKE NOTICE that the parties (including the College and you) shall be given the opportunity to examine before the hearing any documents that will be given in evidence at the hearing.

AND FURTHER TAKE NOTICE that at the said hearing, you are entitled to be present and to be represented by counsel.

IF YOU DO NOT ATTEND AT THE HEARING IN ACCORDANCE WITH THIS NOTICE OF HEARING, THE DISCIPLINE COMMITTEE MAY PROCEED WITH THE HEARING, AND MAY DEAL WITH THE ABOVE ALLEGATIONS

AGAINST YOU, IN YOUR ABSENCE AND WITHOUT ANY FURTHER
NOTICE TO YOU.

Dated at Toronto, the 4th day of August 2022.

By: _____
Registrar and CEO
Ontario College of Social Workers and Social Service Workers