



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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On November 17, 2021 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 **Gerlinde Goodwin**, a Social Worker and 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 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, **Gerlinde Goodwin**, which allegations were referred to the Discipline Committee pursuant to section 24(5)(a) 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. You are, and were at all times relevant to these allegations, a registered social worker with the Ontario College of Social Workers and Social Service Workers (the “**College**”).
2. At all material times, you were engaged in practice at the Assiginack Family Health Team in Manitowaning, Ontario (the “**Clinic**”) and later established a private practice in Little Current, Ontario.
3. In or about December 2016, you were engaged by [the Client] to provide social work services, including counselling. [The Client] was a vulnerable client who had been referred to you and sought assistance to deal with a variety of mental health issues.
4. As you were aware, [the Client] was initially afraid of going to therapy and did not think they would be able to trust a therapist. However, over time, [the Client] began to feel comfortable and trusted you.
5. During the initial period, you saw [the Client] once a week. Later, the appointments were less frequent – once every two or three weeks.

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.

6. Other than limited records while working at the Clinic, you failed to make notes of your counseling sessions with [the Client] and/or adequate records with respect to the services provided to [the Client].
7. As the counselling sessions progressed, [the Client] began to experience feelings for you and they expressed those feelings to you.
8. In addition, you also shared personal information about your life with [the Client]. During your appointments with [the Client], you discussed your mother and husband – in fact, on some occasions, the entire session with [the Client] was spent discussing your family circumstances.
9. As a result of the personal relationship that you had developed with [the Client], [the Client] began offering and giving you marijuana. This occurred approximately six to eight times.
10. Over time, the feelings that [the Client] had for you continued to develop to the point that they expressed to you that they loved you “like a sister”. Based on your response, [the Client] felt that those feelings and your personal relationship with them were appropriate.
11. During the session at which [the Client] had expressed their affection for you, you asked [the Client] for a hug. Based on this, [the Client] understood that everything was fine.
12. As you were aware, [the Client’s] mental health difficulties escalated over time.
13. Nonetheless, in March 2019, you made plans for an extended vacation, during which time you failed to provide and/or explain to [the Client] a plan for counseling while you were away. It was a difficult time for [the Client].
14. In May 2019, four days before your first appointment with [the Client] upon your return from vacation, you texted [the Client] and advised that your relationship with them was over. You abruptly terminated your social work services.

15. Your text to [the Client] caused them to become distressed. They had been without a therapist for approximately eight to ten weeks and now had no therapist. When contacted by [the Client], you refused to speak with them – simply replying that you were no longer in their circle of care.
16. As a result of the situation, [the Client’s] mental health severely deteriorated and they became suicidal.
17. When [the Client] texted and emailed you to talk, you never responded. As a result, [the Client] attended at your workplace. Upon seeing [the Client] in the parking lot, you stated words to the effect: “kind of creepy don’t you think.”, which caused [the Client] further upset and distress.

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, as follows:

- (a) violation of Sections 2.2 and 2.28 of the Professional Misconduct Regulation and Principle I of the Handbook (commented on in Interpretations 1.1, 1.2, 1.5 and 1.6) by failing to participate together with your client to set and evaluate goals; by failing to observe, clarify and inquire about information presented to you by clients; by failing to maintain awareness of your own values, attitudes and needs and how these impact on your professional relationship with the client; and by failing to distinguish your needs and interests from those of your client to ensure that the client’s needs and interests remain paramount;
- (b) violation of Sections 2.2, 2.6, and 2.10 of the Professional Misconduct Regulation and Principle II of the Handbook (commented on in Interpretations 2.1, 2.2.1, 2.2.3. and 2.2.8) by failing to establish and maintain clear and appropriate boundaries in your professional relationships for the protection of the client; by failing to engage in the process of self-review and evaluation of your practice and seek consultation when appropriate; by engaging in professional relationships that constitute a conflict of interest or in situations in which you ought reasonably to have

known that the client would be at risk; and by failing to avoid conduct which could reasonably be perceived as reflecting negatively on the profession of social service work;

- (c) violation of Sections 2.2 and 2.8 of the Professional Misconduct Regulation and Principle III of the Handbook (commented on in Interpretations 3.6, 3.7, 3.9, and 3.10) by failing to inform the client of the foreseeable risks associated with the provision of professional services; by failing to assume full responsibility for demonstrating that the client has not been exploited, coerced or manipulated intentionally or unintentionally where a personal relationship occurs with the client; by discontinuing professional services that were needed;
- (d) violation of Sections 2.2 and 2.20 of the Professional Misconduct Regulation and Principle IV of the Handbook (commented on in Interpretations 4.1.1, 4.1.3, 4.1.5, and 4.1.6.) by failing to ensure that recorded information conformed with accepted service or intervention standards and protocols within the profession of social work, relevant to the services provided, and in a format that facilitates the monitoring and evaluation of the effects of the service/intervention; by failing to keep systematic, dated, and legible records for each client served; by failing to document your own actions; and by failing to ensure that information was recorded when the event occurred or as soon as possible thereafter;
- (e) violation of 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 _____ day of November 2021.

By: _____
**Registrar and Chief Executive Officer
Ontario College of Social Workers and Social Service**