



On December 7, 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 Jennifer Houston, a Social Worker and resigned 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, Jennifer Houston, 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. At times relevant to the allegations, you were a registered social worker with the Ontario College of Social Workers and Social Service Workers (the "**College**"). At all relevant times, you provided social work services through your private practice "Jennifer Houston Counselling Services".
2. From time to time between the period July 16, 2021 and April 8, 2022, you provided social work services to clients C1 and C2, including counselling and/or psychotherapy. C1 and C2 are married, and the services you provided to C1 and C2 during that time included couples counselling. C1 and C2 attended sessions both together and privately on their own. C1 and C2 attended at least 12 sessions with you, either separately or together, between August 9, 2021 and February 3, 2022.
3. Through your provision of social work services to C1 you knew no later than October 4, 2021 that C1 was a vulnerable client, and he consulted with you from time to time regarding his mental health and drug use.
4. In and around October 2022, you were in an accident involving a motor vehicle and suffered injuries, including a head injury. Following the accident, you temporarily ceased providing social work services on account of your injuries. You resumed providing social work services no later than January 17, 2022. On April 8, 2022, you advised your clients that you were taking a leave of absence for medical reasons. In and around June 2022 you notified the College of your intention to resign your certificate of registration with the College, and the College cancelled your certificate effective August 5, 2022.

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.

5. Between approximately January and April 2022, you engaged in the practice of social work while suffering from an illness or dysfunction that you knew or ought to have known reasonably impaired your ability to practise.
6. On or about February 3, 2022, during or after a counselling session with C1, you began a personal and sexual relationship with C1 that lasted until approximately May 2022. Between approximately February and May 2022, you violated professional boundaries; and/or engaged in sexual intercourse or another form of physical sexual relations; touching of a sexual nature; and/or behaviour or remarks of a sexual nature with C1.
7. On or after February 3, 2022, you advised C1 that you would no longer provide C1 with social work services. You did not advise C2 you would no longer provide her with social work services. C2 continued to believe that you were her social worker until at least April 8, 2022.
8. Between approximately February and May 2022, you engaged in a series of boundary violations, conflicts of interest, and/or failed to ensure that the needs and interest of your clients, C1 and C2, remained paramount, including, but not limited to:
 - a) staying the same residence as C1 from time to time between February and April 2022;
 - b) attending at hotels with C1;
 - c) using drugs and/or alcohol with C1;
 - d) exchanging frequent personal text and/or email messages with C1, including messages of a sexual nature;
 - e) requesting and accepting funds from C1;
9. From time to time between approximately February and May 2022, you disclosed information to C1 that you attributed to C2 and advised had been conveyed to you by her during private counselling sessions. To the extent you were telling the truth, you improperly disclosed information concerning or received from your client C2. To the extent you were not telling the truth, you misled C1. In any event, you acted in a conflict of interest with C2 and C1 and failed to ensure that their needs and interests remained paramount.

10. Your conduct harmed both C1 and C2, who feel they were manipulated by you. C1 was not ready to stop receiving social work services at the time you initiated an intimate relationship on February 3, 2022, yet you did not make reasonable efforts to arrange alternative or replacement services after you purported to terminate the client relationship.

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** by failing to meet the standards of the profession and in particular:
 - i. **Principle I of the Handbook (commented on in Interpretations 1.5 and 1.6)** by failing to be aware of your values, attitudes and needs and how those impact on your professional relationship with clients; by failing to distinguish your needs and interests from those of your clients; and by failing 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, 2.2.2, 2.2.3, 2.2.4, 2.2.6, and 2.2.8)** by:
 - A. failing to ensure clients are protected from an abuse of power, including sexual misconduct, during and after the provision of professional services and/or failing to establish and 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 or former client would be at risk; failing to evaluate professional relationships and other situations involving clients or former clients for potential conflicts of interest; failing to

avoid conflicts of interest and/or dual relationship with clients or former clients that could impair your professional judgment or increase risk of exploitation or harm to clients or former clients;

- C. engaging in sexual relations with a client or person where those relations, combined with the professional relationship, would create a conflict of interest;
- D. using information obtained in the course of a professional relationship and/or using your professional position of authority, to improperly influence, harass, abuse or exploit a client or former client;
- E. soliciting or using information from clients to acquire, either directly or indirectly, advantage or material benefits;
- F. engaging in the practice of social work while suffering from illness or dysfunction which you knew or ought to have known reasonably impaired your ability to practise; and
- G. engaging in conduct that could reasonably be perceived as reflecting negatively on the profession of social service work;

iii. **Principle III of the Handbook (commented on in Interpretations 3.7) by:**

- A. by failing, in the context of a personal relationship with a client or former client, to assume full responsibility for demonstrating that the client or former client was not exploited, coerced or manipulated, intentionally or unintentionally;

iv. **Principle V of the Handbook (commented on in Interpretations 5.3) by:**

- A. disclosing information concerning or received from clients, which disclosure was not subject to any permissible exceptions;

v. **Principle VIII of the Handbook (commented on in Interpretations 8.1, 8.2, 8.7 and 8.8) by:**

- A. failing to ensure that sexual misconduct does not occur;
- B. engaging in sexual intercourse or another form of physical sexual relationship; touching of a sexual nature; and/or behaviour or remarks of sexual nature with a client;
- C. engaging in sexual relationship with a client to whom you provided psychotherapy and/or counselling services following the termination of the professional relationship;

- b) In that you violated **Section 2.5 of the Professional Misconduct Regulation** by abusing a client sexually, psychologically or emotionally, including sexually abusing a client within the meaning of subsection 43(4) of the Act;
- c) In that you violated **Section 2.6 of the Professional Misconduct Regulation** by using information obtained during a professional relationship with a client or using your professional position of authority to coerce, improperly influence, harass, or exploit a client or former client;
- d) In that you violated **Section 2.7 of the Professional Misconduct Regulation** by practising the profession while suffering from illness or dysfunction, which you knew or ought reasonably to have known impaired your ability to practise; 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 9th day of December 2022.

By: _____

Registrar and CEO
Ontario College of Social Workers and Social Service Workers