



On September 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 Jeremy Mayer, 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 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,

Jeremy Mayer, 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:

Background

1. At all relevant times, you were registered as a social worker with the Ontario College of Social Workers and Social Service Workers (the "College").
2. In or about 2007, you became acquainted with [XX].
3. Over time, you and [XX] became friendly with one another. You and [XX] began socializing together and communicating by text and email. You began sharing details of your personal lives and problems and provided one another advice and support in dealing with those issues.

Misrepresenting Yourself as [XX's] Social Worker

4. In or about late 2020 and/or early 2021, [XX] told you that she was considering filing a complaint with the College of Registered Psychotherapists of Ontario ("CRPO") about an allegedly racist comment that had been made by the leader of a mood disorders group in which [XX] participated.

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. [XX] spoke to you about the possibility of filing a complaint with the CRPO and you offered to assist her in doing so. Among other things, you offered to review her draft complaint and provide feedback and to coach her about how to present herself during any interviews that would take place.
6. While [XX] was dealing with the CRPO complaint process, your relationship with her became intimate (from approximately May through September 2021).
7. In the course of providing [XX] with advice on the CRPO complaints process, you advised her to tell the CRPO that the situation had caused her much anxiety and to say that she wanted her “social worker” (i.e. you) present for the interview.
8. On or about June 30, 2021, you told [XX] that you wanted her permission to contact the CRPO on her behalf.
9. On or about July 2, 2021, [XX] filled out a consent form authorizing the CRPO to disclose all information relevant to her complaint to you. You signed the form and after your name, you listed the credentials “M.S.W., R.S.W.” and your College registration number.
10. Also on or about July 2, 2021, you emailed the CRPO providing the consent form that [XX] had prepared. In that email:
 - (a) you stated that [XX] had asked you to inquire about the status of her complaint;
 - (b) you indicated that the situation had caused [XX] much distress and that she was seeking closure;
 - (c) you stated that a recent letter from the CRPO indicating that it required additional time to complete its investigation had “compounded her sense of confusion and anxiety”; and
 - (d) you signed the email using the credentials “MSW” and “RSW”.
11. Shortly thereafter, the CRPO contacted [XX] about the status of her complaint. She responded by informing the CRPO that she had authorized you, as her social worker, to contact them for clarification.

12. On or about July 5, 2021, the CRPO emailed you seeking to clarify your role in the process. You replied indicating that [XX] had asked you to help her understand the process and to provide supportive counselling. You further stated that all correspondence should be sent directly to you. Once again, you signed the email using the credentials “MSW” and “RSW”.
13. You used your professional credentials when communicating with the CRPO to attempt to lend credence to [XX’s] complaint and/or to attempt to influence the manner in which the CRPO viewed and/or dealt with [XX’s] complaint.
14. Your communications with the CRPO described above would have led a reasonable person to believe that you were communicating with the CRPO in your professional capacity as a social worker, that you were expressing a professional opinion about [XX’s] mental/emotional state, and/or that you were treating [XX] as her social worker.
15. In reality, you had not been retained as [XX’s] social worker and were simply assisting her as her friend and/or romantic partner. You were not expressing a professional opinion and had not performed the necessary assessments to express a professional opinion about her mental/emotional state.

Breaches of Client Confidentiality

16. In the course of your personal relationship with [XX], you disclosed confidential information to her about one of your clients, Client D.
17. Among other things, you disclosed to [XX] some or all of:
 - (a) Client D’s first and last name;
 - (b) The nature of a group that Client D had founded and the type of work it did;
 - (c) Details about Client D’s personal relationships;
 - (d) Details about various issues Client D was dealing with and/or issues for which she was seeking counselling; and
 - (e) Where Client D lived (which you pointed out to [XX] when the two of you were out for a walk).

18. The information you disclosed to [XX] was sufficiently specific that she was able to locate Client D on Facebook and send her a message, and was able to locate her precise residence.
19. [XX] went to Client D's house one evening and asked her if she was receiving counselling from you. [XX] then proceeded to tell Client D various personal details that you had disclosed to [XX] about Client D.
20. These events caused Client D to become upset.

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 Principle I of the Handbook (as commented on in Interpretations 1.5 and 1.6)** by:
 - (i) failing to be aware of your values, attitudes and needs and how these impact on your professional relationships with clients; and/or
 - (ii) failing to distinguish your needs and interests from those of your clients to ensure that, within professional relationships, clients' needs and interests remain paramount;
- (b) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook (as commented on in Interpretation 2.2.8)** by engaging in conduct that could reasonably be seen as reflecting negatively on the profession of social work;
- (c) In that you violated **Section 2.2 and 2.21 of the Professional Misconduct Regulation, and Principle IV of the Handbook (as commented on in Interpretation 4.1.2)** by making a statement in the record or in reports based on the record; making a record; or issuing or signing a certificate, report, or other document in the course of practising the profession that you knew or ought reasonably to know was false, misleading, inaccurate, or otherwise improper;
- (d) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle V of the Handbook (as commented on in Interpretations 5.1, 5.3, 5.3.6)** by:

- (i) Failing to comply with any applicable privacy and other legislation and/or failing to obtain consent to the disclosure of client information, including personal information, unless otherwise permitted or required by law;
 - (ii) Disclosing information concerning or received from clients, in situations where none of the enumerated exceptions in Interpretation 5.3 applied to permit disclosure; and/or
 - (iii) Disclosing the identity of and/or information about a person who has consulted or retained you, in circumstances where the person did not consent to that disclosure and such disclosure was not required or allowed by law;
- (e) In that you violated **Section 2.11 of the Professional Misconduct Regulation** by disclosing information about a client to a person other than the client or the client's authorized representative, in circumstances where none of the enumerated exceptions in Section 2.11 applied to permit disclosure;
- (f) In that you contravened **Section 2.29 of the Professional Misconduct Regulation** by contravening a federal, provincial or territorial law or a municipal by-law in circumstances where the purpose of the law or by-law is to protect public health and/or the contravention is relevant to your suitability to practice, and in particular by violating s. 29 of the *Personal Health Information Protection Act, 2004*, S.O. 2004, c. 3, Sched. A.
- (g) 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 7th day of September, 2022.