



Ontario College of  
Social Workers and  
Social Service Workers

Ordre des travailleurs  
sociaux et des techniciens  
en travail social de l'Ontario

250 Bloor Street E.  
Suite 1000  
Toronto, ON M4W 1E6

Phone: 416-972-9882  
Fax: 416-972-1512  
www.ocswssw.org

On April 28, 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 Jesse Fraser, 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, Jesse Fraser, 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**")<sup>1</sup>.

I. **The following are particulars of the said allegations:**

1. You are, and were at all times relevant to these allegations, a registered social work member with the Ontario College of Social Workers and Social Service Workers (the "**College**").
2. At all the material times, you were practising at [redacted] Secondary School (the "**School**"), where you were employed as a school social worker by the District School Board of Niagara (the "**School Board**") in [redacted], Ontario.
3. In or about March 2019, the client, [redacted] (the "**Client**"), who was then a 17-year-old student at the school, was referred to you for social work services. From in or about March of 2019 to in or about May of 2019, you provided social work services, including (but not limited to) counselling services, to the Client.
4. To your knowledge, the Client was a vulnerable person who was dealing with her legal status in Canada and a potential refugee claim. The Client was referred to you for social work services in relation to, among other things, mental health issues (including anxiety and depression), problematic personal and family relationships, housing issues and threats to her personal safety.
5. From in or about March of 2019 to in or about May of 2019 (the "**Relevant Period**"), you met with the Client repeatedly in your office at the School and elsewhere, ostensibly to provide social work services to her, including counselling.
6. During the Relevant Period you:

---

<sup>1</sup> 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. met with the Client with increasing frequency,
  - b. hugged the Client;
  - c. touched the Client's breast;
  - d. engaged in touching of the Client of a sexual nature;
  - e. communicated with the Client via text, including frequent exchange of romantic, and/or sexually explicit messages with the Client;
  - f. engaged in behaviour and/or made remarks to the Client of an inappropriate and/or sexual nature that were not appropriate to the service provided;
  - g. shared details of your personal life with the Client; and/or
  - h. failed to keep proper clinical records of your meetings with the Client that included details regarding the services provided.
7. In or about June 13, 2019, you resigned from your employment with the School Board.

**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, including (but not limited to):
  - (i) **Principle II of the Handbook (commented on in Interpretation 2.2, 2.2.2 and 2.2.8)** by failing to maintain clear and appropriate boundaries in a professional relationship; by having sexual relations with a client; and by engaging in conduct which could reasonably be perceived as reflecting negatively on the profession of social work;
  - (ii) **Principle III of the Handbook (commented on in Interpretation 3.2)** by failing to deliver client services and respond to client queries, concerns, and/or complaints in a timely and reasonable manner;

- (iii) **Principle IV of the Handbook (commented on in Interpretation 4.1, 4.1.3 and Footnotes 1, 2 and 3)** by failing to keep systematic, dated, and legible records for each client or client system served; and
  
  - (iv) **Principle VIII of the Handbook (commented on in Interpretation 8.1, 8.2.2, 8.2.3, 8.3, 8.4 and 8.6)** by failing to ensure that sexual misconduct did not occur; by engaging in touching of a sexual nature with the client; by engaging in behaviour or making remarks of a sexual nature towards the client, other than behaviour or remarks of a clinical nature appropriate to the service provided; by failing to seek consultation/supervision and develop an appropriate plan, where you developed sexual feelings towards a client that could have put the client at risk; by failing to clearly state that the behaviour was inappropriate by virtue of the professional relationship in situations where the client initiated the behaviour of a sexual nature; and by engaging in sexual relations with a client at the time of counselling and the provision of professional services.
- (b) In that you violated **Section 2.5 of the Professional Misconduct Regulation** by abusing a client sexually, verbally psychologically or emotionally, including sexually abusing a client within the meaning of subsection 43(4) of the *Act*;
- (c) In that you violated **Section 2.20 of the Professional Misconduct Regulation** by failing to keep records as required by the regulations and standards of the profession; and
- (d) 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 28th day of April, 2021

By: \_\_\_\_\_  
Registrar and CEO  
Ontario College of Social Workers and Social Service Workers