



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 Krystal Fortier, a Social Service 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, Krystal Fortier, 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. Now and at all times relevant to the allegations, you were a registered social service worker with the Ontario College of Social Workers and Social Service Workers (the "**College**"). At all relevant times, you provided social service work services to clients through your employment at Collège Boréal as an instructor in the social service worker diploma program.
2. The scope of practice of the profession of social service work includes, among other things:
 - (a) The provision of supervision and/or consultation to a social service worker or social service work student or other supervisee; and
 - (b) the provision of educational services to social service work students.
3. From time to time between January 2018 and February 2021, you provided some or all of the following social service work services to Client C1, in particular:
 - (a) Between in or about January 2018 and June 2018, you provided social service work services to Client C1 through the Victim Witness Assistant Program, including counselling.
 - (b) Between in or about January 2022 and February 2021, you provided social service work services in your capacity as part-time instructor at Collège Boréal. During that time, you were C1's instructor for all or part of two social service work courses and served as her supervisor.
 - (c) In and around December 2020, C1 consulted you regarding a domestic issue with potential legal ramifications. C1 approached you for guidance because you had invited her and your other students to contact you if they needed to speak with someone.
 - (d) Between January 2018 and February 2021, C1 disclosed to you confidential, personal, and sensitive information, including in relation to personal relationships and sexual abuse.

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.

4. Between in and about September and December 2020, you provided social service work services to Clients C2 and C3 in your capacity as a part-time instructor at Collège Boréal. During that time, you were C2 and C3's instructor for one social service work course.
5. Between September and December, 2020 you requested, and received, the personal telephone numbers of C1, C2, and C3 for the purpose of contacting them regarding class-related matters.
6. Between December 2020 and February 2021, you violated professional boundaries and/or engaged in behaviour that was not of a clinical nature appropriate to the service provided. In particular, you engaged in some or all of the following behaviour:
 - (a) Between approximately September and December 2020, you disclosed the details of your personal life to students, including to C1, C2, and C3, while instructing a social service work class, including details relating to:
 - (i) Your personal relationship(s);
 - (ii) Your family relationship(s); and
 - (iii) Your personal struggles with addiction.
 - (b) Between December and February 2020, you requested loans or car rides from your current and/or former students in the social services worker program, in particular:
 - (i) On or about December 9, 2020, you sent text messages to C2 requesting a loan of \$40. You then accepted a loan of \$40 from C2.
 - (ii) In and around December 2020 and January 2021, you sent text messages to C3 requesting a loan of \$60.
 - (iii) On or about January 5, 2021, you sent text messages to C2 requesting a loan of \$20. You then accepted a loan of \$40 from C2.
 - (iv) On or about January 6, 2021, you sent text messages to C2 requesting a loan of \$40.
 - (v) In and around early January 2021, you sent text messages to C1 requesting a ride to the Metro grocery store.
 - (vi) On or about January 15, 2021, you sent text messages to C1 requesting a loan of \$100.
 - (vii) On or about February 2, 2021, you sent text messages to C1 requesting a ride to the Metro grocery store.
7. In and around early February 2021, C1, C2 and C3 reported your conduct to Collège Boréal staff.

8. On or about February 3, 2021, you denied to Collège Boréal that you had asked students for money or rides. Later that day, you admitted asking for rides but said you had forgotten that you had done so. You resigned from Collège Boréal.

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

(i) **Principle I of the Handbook (commented on in Interpretations 1.5, 1.6 and 1.7)** 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 to ensure that, within your professional relationship, clients' needs and interests remained paramount; and, while employed by an organization, by failing to maintain an awareness and consideration of the purpose, mandate and function of that organization and how these impact on and limited professional relationships with clients.

(ii) **Principle II of the Handbook (commented on in Interpretations 2.2, 2.2.1, 2.2.3, 2.2.4, and 2.2.8)** by:

(A) failing to ensure clients are protected from an abuse of power during and after 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 using your professional position of authority, to coerce, improperly influence, harass, abuse or exploit a client, former client, student, trainee, employee, colleague or research subject;

(D) soliciting or using information from clients to acquire, either directly or indirectly, advantage or material benefits; and

(E) 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; and

(b) 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 and/or your professional position of authority to coerce, improperly influence, harass or exploit a client or former client;

(c) In that you violated **Section 2.10 of the Professional Misconduct Regulation** by providing a professional service while in a conflict of interest; and/or

(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 _____ day of

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