

**DISCIPLINE COMMITTEE OF THE
ONTARIO COLLEGE OF SOCIAL WORKERS AND SOCIAL SERVICE WORKERS**

Indexed as: Ontario College of Social Workers and Social Service Workers v Jeff Packer,
2026 ONCSWSSW 4

Date: 20260520

BETWEEN:

THE ONTARIO COLLEGE OF SOCIAL WORKERS
AND SOCIAL SERVICE WORKERS

- and -

JEFF PACKER

PANEL:	Charlene Crews	Chair, Professional Member
	Chisanga Chekwe	Public Member
	Kimberley Westfall-Connor	Non-Council Community Member

Appearances: Benjamin Kates, counsel for the College
Lisa E. Hamilton, counsel for the Registrant
Andrea Gonsalves and Edward Marrocco, Independent Legal Counsel to
the Panel

Heard: October 8, 14, 15, 16, 2025; November 5, 7, 2025; January 30, 2026

DECISION AND REASONS FOR DECISION

[1] The Ontario College of Social Workers and Social Service Workers (the “**College**”) alleges that the registrant, Jeff Packer (“**Mr. Packer**” or the “**Registrant**”¹), has engaged in acts of professional misconduct. A hearing proceeded by video conference before a panel of the Discipline Committee (the “**Panel**”) of the College on October 8, 14, 15 and 16, and November 5, 2025, followed by written submissions, and closing arguments presented on January 30, 2026.

¹ Mr. Packer resigned from the College prior to the completion of this hearing. However, as discussed below, the College retains jurisdiction over the allegations in the notice of hearing. Although Mr. Packer is no longer a registrant of the College, he is referred to in these reasons as the “Registrant”.

[2] For the reasons set out below, the Panel finds that the Registrant has engaged in professional misconduct as alleged in the Notice of Hearing.

Overview

[3] This case concerns allegations of professional misconduct against the Registrant, Jeff Packer, a registered social worker, arising from a phone call he initiated on April 9, 2021, to [N1], the estranged spouse of a potential client, [C1], who had contacted the Registrant earlier that morning. At the time of the call, [N1] and [C1] were in the midst of a high-conflict marital breakdown involving allegations of intimate partner violence (“IPV”); criminal charges had been laid against [C1] just eight days earlier.

[4] The College alleged that the Registrant made the unsolicited call to [N1] without her consent, failed to conduct appropriate risk screening, and made inappropriate and harmful comments to her during the call, including statements that minimised the IPV allegations and urged [N1] to reconcile with her husband.

[5] The Panel found the Registrant engaged in professional misconduct on all four allegations in the Notice of Hearing. In reaching this conclusion, the Panel preferred the evidence of the Complainant, [N1], over that of the Registrant where their accounts of what happened during the phone call conflicted. The Panel accepted expert evidence from Dr. Angela Hovey that the Registrant’s conduct fell below the standards expected of a reasonably prudent social worker in an IPV context, including by initiating contact without consent, failing to conduct proper risk assessment, and making statements that were inconsistent with trauma-informed, evidence-based practice. The Panel found the Registrant’s conduct to be dishonourable and unprofessional, though not disgraceful.

Publication ban

[6] The College requested an order with consent of the Registrant banning publication of any information that would directly or indirectly cause the individual identified in the notice of hearing as [N1] to be publicly identifiable.

[7] The Panel granted the order as requested, pursuant to s. 28(7) of the *Social Work and Social Service Work Act, 1998*, SO 1998, c 31 (the “Act”). The case involves discussions of alleged IPV against the Complainant, [N1]. The Panel was satisfied that those allegations constitute personal matters about [N1] that are of such a nature that the desirability of avoiding public disclosure of them outweighs the desirability of adhering to the principle that hearings be open to the public. The public interest in [N1]’s identity is minimal or non-existent. The public need not know her identity in order to have a full understanding of the allegations against the Registrant, the material facts of this case, and our reasons for decision. On the other hand, disclosure of [N1]’s identity in connection with the discussions of IPV would intrude into her personal affairs in an area that warrants privacy.

Jurisdiction

[8] The Panel is satisfied that the College maintains its jurisdiction, despite the resignation of the Registrant from the College following the completion of the evidence portion of this hearing in December 2025.

[9] Subsection 13(3) of the Act states that “A person whose certificate of registration is revoked or cancelled or expires continues to be subject to the jurisdiction of the College for professional misconduct, incompetence, or incapacity referable to any time during which the person held a certificate of registration under this Act and may be investigated under Sections 24 and 32.” The allegations in this case occurred during a time when Mr. Packer was registered with the College. As such, this proceeding engages the College’s jurisdiction for professional misconduct “referable to any time during which [Mr. Packer] held a certificate of registration.”

The allegations

[10] In the Notice of Hearing dated July 18, 2022, the Registrant is alleged to be guilty of professional misconduct pursuant to the *Social Work and Social Service Work Act*, 1998, SO 1998, c 31 (the “**Act**”) in that he is 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**”).

[11] The factual particulars of the College’s allegations against the Registrant are set out in the Notice of Hearing as follows:

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”). At all relevant times, you provided social work services that included counselling, through your private practice.
2. In or about April 2021, [C1] contacted you about obtaining professional services. At the time, [C1] was in the process of separating from his spouse, [N1]. [N1] was not a client of yours and had never previously met or spoken to you.
3. At the request of [C1], you contacted [N1] by phone on or about April 9, 2021. At that point, you had not yet had your initial session with [C1].
4. During the April 9, 2021 phone call, you engaged in unprofessional communications, responded inappropriately to [N1]’s concerns about the abusive nature of her relationship with [C1], and/or provided comments or opinions without sufficient information, including but not limited to by:
 - (a) Telling [N1] to “call off her lawyer” and make the relationship with [C1] work;
 - (b) Accusing her of sabotaging her children’s lives and happiness by separating from [C1];
 - (c) Stating that her children will resent her for separating from [C1];
 - (d) In response to [N1]’s statement that she had left the relationship because of [C1]’s abuse and her fear for the safety of her and her children, stating that abuse is always mutual, suggesting that she was involved in and/or

contributed to [C1]'s abusive behaviour, and/or stating that she brought the situation on herself;

- (e) Stating that the criminal assault charges against [C1] were just allegations, that they were likely false, and/or that we live in a society where women “pull the abuse card” to take the easy way out (or words to that effect);
- (f) Stating that the time after leaving an alleged abuser is the most unsafe and that [N1] should consider reconciling with [C1] for her own safety; and/or
- (g) Laughing at [N1]'s attempts to explain her position and/or speaking to her in a condescending manner.

5. Your comments caused [N1] to feel scared and upset.

[12] The College alleges in the Notice of Hearing that by reason of engaging in some or all of the conduct outlined above, the Registrant is guilty of professional misconduct as set out in section 26(2)(a) and (c) of the Act, as follows:

- (a) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook (as commented on in Interpretation 2.1.2)** by failing to remain current with emerging social work or social service work knowledge and practice relevant to your areas of professional practice with respect to issues related to intimate partner violence;
- (b) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook (as commented on in Interpretation 2.1.4)** by failing to ensure that any professional recommendations or opinions you provide are appropriately substantiated by evidence and supported by a credible body of professional social work knowledge with respect to issues related to intimate partner violence.
- (c) In that you violated **Section 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook (as commented on in Interpretation 2.1.5)** by failing to engage in the process of self-review and evaluation of your practice and failing to seek consultation when appropriate with respect to your interactions with [N1], as part of maintaining competence and acquiring skills in social work practice.
- (d) In that you violated **Sections 2.2 and 2.36 of the Professional Misconduct Regulation and Principle II of the Handbook (as commented on in Interpretation 2.2.8)** 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/or by failing to avoid conduct in the practice of social work that could reasonably be perceived as reflecting negatively on the profession of social work.

Registrant's position

[13] The Registrant denies all the allegations of professional misconduct in the Notice of Hearing dated July 18, 2022.

The evidence

Complainant ([N1].)

[14] The College called [N1] as a witness.

[15] [N1] testified that the Registrant made an unsolicited phone call to her on or about April 9, 2021. At the time of the phone call, [N1] and her former spouse, [C1], were involved in a high-conflict marital breakdown. [N1] testified that [C1] had a history of domestic violence. Eight days before the phone call, police became involved, [C1] was removed from the matrimonial home and charged with two counts of assault towards [N1]. [N1] had not given any prior consent for the Registrant to contact her. She understood the call to be connected to services her husband had sought. She testified that the unsolicited call was upsetting to her.

[16] [N1] described the history of domestic violence including threats by [C1], and her concerns about her own safety and that of their children. By April 2021, she had made the decision to separate and was in the process of retaining a lawyer. In addition to the police involvement and criminal charges laid against [C1] on April 1, 2021, a no-contact order was imposed against [C1], restraining him from contacting [N1]. [N1]'s priorities at that time were safety for herself and the children. She had the locks changed, conducted a safety check, and the Children's Aid Society became involved. She had no desire to reconcile.

[17] [N1] and [C1] had explored family counselling prior to April 2021 and engaged in one session, but the counsellor terminated further counselling because of the domestic violence. [N1] was not open to additional counselling with [C1] in April 2021 and she certainly did not want to get back together. Her focus was on establishing safe structures like a parenting plan through formal channels (lawyers, victim services, Luke's Place), not joint therapy.

[18] [N1] testified the Registrant's call on April 9, 2021, came "out of the blue," on her cell phone. She had received no email or text message preceding the call, and had not given permission to the Registrant to call her, nor authorized anyone to share her contact information with him. She had received no advance notice from [C1] and she had never encountered the Registrant before. [N1] felt stressed, scared and vulnerable at the time of the call given the events of the past week.

[19] [N1] testified that the Registrant introduced himself and said he was [C1]'s therapist. He said he was reaching out on [C1]'s behalf and asked if she was willing to get back together with [C1] or do counselling, to which she replied "no". He told her it was "a dangerous time," and asserted she was "sabotaging" the relationship between herself, her children, and their father, and that her kids would grow to resent her. [N1] told the Registrant about [C1]'s criminal charges, to which the Registrant said those were "just allegations" and "likely not true". [N1] stated that the Registrant went on to claim that "abuse is mutual," and suggested women "use the abuse card" because they know they can get away with it. He told [N1] to "call off" her lawyers, and encouraged her to reconcile with [C1]. She felt that the Registrant was very critical of her decision to end the relationship. [N1] described the Registrant's tone as condescending and recalled the Registrant laughing when she tried to defend herself.

[20] The Registrant did not explain the services he was proposing to provide. By the end of the call, she did not have a sense of what counselling with [C1] would look like. She did not say anything to indicate an interest in receiving such services.

[21] [N1] became sad, angry and upset during the call, raised her voice near the end. She said the call was a few minutes long and ended when she hung up. She described feeling shocked and scared; she felt it reflected [C1]’s effort to have contact despite the no-contact order.

[22] After ending the phone call, [N1] said she left the house and contacted her mother. Two days later, she reported the call to CAS and then to the College.

[23] On cross-examination, [N1] testified that she was paying attention during the call despite feeling stressed and that she remembered some of his comments very clearly, though she does not have a perfect recollection of the words spoken. She acknowledged that she and Mr. Packer could have had different perceptions. She estimated the call was less than ten minutes.

[24] [N1] agreed that the Registrant did not tell her he had been [C1]’s counsellor since 2017 but she testified that his name “rang a bell”. The Registrant’s counsel confronted [N1] with an email sent to [N1] along with an invoice from the Registrant’s clinic relating to services provided to her husband in 2017. Although the email header referenced Mr. Packer’s clinic, the face of the invoice identified “Susan Packer” as the service provider. [N1] agreed she had not focussed on that detail previously.

Dr. Angela Hovey (Expert witness for the College)

[25] The College tendered expert evidence from Professor Angela Hovey, PhD, RSW.

[26] Dr. Hovey is a registered social worker with over three decades of practice experience. She is an Associate Professor (tenured) at Lakehead University’s School of Social Work. Her academic and clinical background centers on IPV, trauma, counselling practice and supervision, documentation standards, and service delivery within justice-involved and community contexts. She has previously been qualified as an expert in legal proceedings and has overseen large clinical programs, conducted file audits, supervised documentation practices, and taught interviewing and communication skills aligned to the College’s Code and Standards.

[27] Without objection from the Registrant, the Panel accepted Dr. Hovey as qualified to give expert opinion evidence in social work counselling practice and theory, including ethics, boundaries, communications, case management, and work in IPV contexts. She prepared a report setting out her opinion, dated May 30, 2023, which she adopted in her evidence at the hearing.

[28] Taking the Registrant’s version at face value, Dr. Hovey opined on whether initiating an outreach call to a non-client ex-spouse in a fresh separation with IPV indicators aligns with competent, ethical social work practice.

[29] Dr. Hovey opined that a registrant should not initiate contact with an ex-spouse without consent in the context of a fresh separation involving police and IPV allegations. A competent social worker would prioritize IPV risk screening and safety—before any outreach to the non-client spouse—and would avoid early messaging that steers toward conjoint, co-parenting, or cooperative parenting and reunification (“CPR”)-type services until risk has been appraised and the survivor’s informed consent is obtained.

[30] Dr. Hovey emphasized that the Registrant prioritized his purpose of discussing CPR/co-parenting options over listening to the complainant’s circumstances and that [N1] had not

consented to the call. She explained that joint pathways are inappropriate where a complainant reports fear and active charges. Dr. Hovey also underscored the danger of frameworks implying mutuality or victim blame in IPV.

[31] According to Dr. Hovey, introducing CPR/conjoint pathways before screening and safety planning is inconsistent with IPV-informed practice, risks harm, and can be experienced by survivors as minimizing or pressuring. Proper sequencing requires screening, safety assessment, and survivor-led consent prior to any conjoint service discussion.

[32] The Registrant did not, in Dr. Hovey's view, consistently integrate trauma-informed practice across the two parents. Dr. Hovey analyzed a letter the Registrant sent to the College on March 28, 2022, in response to the complaint in this matter. Dr. Hovey testified that in the letter the Registrant described trauma-informed modalities (e.g., eye movement desensitization and reprocessing, or "EMDR") and empathic framing when discussing [C1]'s needs, while the Complainant's IPV disclosures and safety concerns, as well as the context of the criminal charges, did not elicit from the Registrant a parallel trauma-informed approach to his interactions with the Complainant. This tonal disparity indicates a failure to apply current IPV knowledge and trauma-informed care consistently, particularly toward the survivor.

[33] Dr. Hovey further opined that the Registrant relied on, or signalled alignment with, sources that downplay the gendered aspects of IPV, which is not consistent with remaining current. In particular, in the Registrant's response to the College he referred to research by the Canadian psychologist, Dr. Donald Dutton. Dr. Hovey summarized the teachings and research of Dr. Dutton as being critical of "the way IPV is viewed" and explained that "he indicates in his books that women use violence in intimate relationships to the same extent as men." She testified that this is "a worldview about IPV that places violence on equal footing between men and women." Dr. Hovey also described certain phrases attributed to the Registrant – "abuse being mutual" and "women pulling the abuse card" – as "sentiments of Dr. Dutton's book".

[34] Dr. Hovey explained that such sources are out of step with contemporary, methodologically robust research recognizing IPV as gendered in prevalence and lethality, especially around separation. In her view, invoking those sources in this context raises concern about whether current, evidence-based IPV knowledge was appropriately integrated into the Registrant's practice.

[35] In an IPV-flagged scenario, a practice consistent with professional standards would reflect documented risk appraisal and a clear rationale for any outreach; it would prioritize survivor-oriented referrals (e.g., such as violence against women services, legal supports, and safety planning) ahead of conjoint/co-parenting pathways; and it would include meaningful self-evaluation and consultation.

[36] Dr. Hovey commented on the report of Dr. Barbara Jo Fidler, who had been retained by the Registrant to provide expert evidence but was not called to testify at the hearing. The Registrant did not rely on her report.

[37] On cross-examination, Dr. Hovey acknowledged limits in her practical exposure to certain family-court-integrated processes.

Jeff Packer (the Registrant)

[38] Mr. Packer testified in his own defence. He became a registered social worker in July 2004. He entered York University as a mature student to complete a B.A. (psychology major/sociology minor) and then completed an M.S.W. at the University of Toronto in 1991. He was initially a member of the Ontario Association of Social Workers, and joined the College when it launched in 2004. Prior to being registered, he accumulated roughly 14 years of experience at the Durham Family Court Clinic, working with high-risk youth and families.

[39] Mr. Packer discussed his leadership and supervisory roles, including at the John Howard Society as clinical director supervising primarily child and youth workers. During that time period he also provided professional services at Catholic Family Services and was growing a private practice, Jeff Packer & Associates, which he incorporated in June 2004. He has experience teaching and speaking on family systems, high-risk adolescents, separation/divorce practice, and interviewing/communication skills. He also designed and taught a counselling skills course. By 2021, about 25% of his practice involved marriage and family counselling, with trauma work (including EMDR since 2019) often intertwined; he also provided supervision to clinicians and interns.

[40] Mr. Packer situated his post-separation work within family systems theory, emphasizing that high-conflict separations require structure and that parenting disputes can split children's loyalties, increasing the risk of adverse outcomes. He explained his practice evolved from individual "coaching and connection," to CPR around 2018–2019, focusing on family-system communication rather than individual therapy.

[41] Mr. Packer acknowledge that the only research he cited in his March 28, 2022, response to the College regarding [N1]'s complaint was that of Dr. Dutton. The Registrant agreed that Dr. Dutton is controversial and that he shakes up the standard thinking regarding domestic violence, power and control coming from a feminist perspective. He gave evidence that there is pervasive misinformation in society about the causes of IPV and that Dr. Dutton's research and teachings challenge the gender paradigm that violence is usually perpetrated by males on females. Dr. Dutton's teachings suggest that this gender paradigm is not supported by research and do not fit with many worldviews.

[42] He testified that often he is initially contacted about potential services by one parent or through lawyers or the court, and that not every inquiry results in a retainer. When one parent first contacts him and there are no safety issues, his usual protocol is to ensure the other parent is informed and to equalize time and information. However, where there are issues of IPV or criminal charges, he shifts to risk assessment and de-escalation.

[43] The Panel was taken to the Registrant's clinic's template CPR agreement, which uses the term "therapist" to refer to the person delivering the service and frames the "client" as the "entire family system," potentially involving co-parents, children, and occasionally grandparents or others. He characterized CPR as "therapeutically aware," drawing on social work knowledge and systems theory, but distinct from providing individual psychotherapy within the CPR role. He emphasized that CPR is not "marital counselling," that it is intended to be neutral and court-governed, and that it often proceeds only after independent legal advice and a court order.

[44] Mr. Packer testified that [C1] first contacted him in the morning of April 9, 2021, in a highly distressed context after being criminally charged. He testified that he sought to de-escalate with [C1] and discuss options. The Registrant testified that it was his idea to contact [N1] and that his goal was to give her equal information to what he had given [C1] about CPR services and to inquire about her safety.

[45] Several hours after speaking with [C1], the Registrant called [N1]. The Registrant testified that he contemplated whether to call her for several hours and finally called her around 4:00 pm that Friday, April 9. According to the Registrant's notes, the call lasted approximately 20 minutes. He testified that he generally describes a menu of options to separating parents—such as CPR, litigation, mediation, and parenting coordination—and that he believed he did so for both parents that day, while acknowledging the inherent memory limits several years later. Mr. Packer also acknowledged he cannot be 100% certain of the exact words used on each call; he maintained he is about “90% sure” he delivered his standard overview of options to both, including CPR, litigation, mediation, and parenting coordination. He also said he probably offered comparatively more detail about CPR because he knows that process best.

[46] The Registrant testified that on the call he presented CPR as an individualized, non-therapeutic, post-separation coaching process involving separate meetings, an information/consent step, likely need for legal advice, and a potentially lengthy legal road to any court order.

[47] He recalled that the tone of the call was calm and professional. [N1] was matter-of-fact, generally receptive to the information he provided, asked questions, and appeared to have existing supports (lawyer, police, victim services). The Registrant avoided eliciting details of alleged abuse at this initial contact and simply confirmed [N1] had services and supports.

[48] The Registrant's evidence was that he did not encourage [N1] to reconcile with [C1], he did not tell her to “call off” her lawyer, and he did not blame her or suggest that the IPV allegations were false. He made cautious references to abuse dynamics: while noting that some communication patterns can be mutual, he clarified to [N1] that in IPV/domestic abuse mutuality is far less likely, and expressly denied saying “abuse is always mutual” or that “women play the abuse card”. The Registrant explained that he did state to [N1] that separation soon after abuse can be a dangerous time, but gave her no advice to reconcile for safety. He denied laughing at [N1] or any condescension. He stated that any levity would have been minimal and not at [N1]'s expense.

[49] According to Mr. Packer, [N1] remained open to information and did not indicate the call was unwelcome. She spoke roughly a quarter of the 20-minute call, mentioned criminal charges, and seemed relaxed albeit busy. He did not detect any significant shift in tone until the last 10–15 seconds, when she ended the call amicably with a neutral “not interested” sentiment.

[50] Although initiating such calls was not his standard practice, the Registrant testified that he considered the situation acute enough to warrant outreach, and the information he provided was standard for such services. The Registrant explained that he called [N1] because he perceived risk to her and wanted to do a safety check. However, he did not conduct a wellness check or contact police on or after April 9, and his note did not document acute risk. He acknowledged in cross-examination that this “duty to warn” defence was not mentioned in his contemporaneous notes or his response to the College in March 2022.

Submissions

The College's submissions

[51] The College frames its case around the April 9, 2021 phone call. It asserts that the call never should have occurred and that [N1]'s distress was a foreseeable consequence of the Registrant initiating an unsolicited communication with a vulnerable person in an IPV context. The College argues that, on any account of the call, the initiation itself breached minimum professional standards and that the Complainant's reaction—distress and feeling invalidated—was predictable and underscores that the conduct fell below the profession's expectations.

[52] To discharge its burden, the College relies on both [N1]'s testimony and the expert evidence of Dr. Hovey, whose opinion was not contested by a competing expert. Dr. Hovey opined that a reasonably prudent social worker should have screened for risk, avoided contacting an alleged victim of IPV without their prior consent, and proceeded only in a trauma-informed, consent-based, collaborative manner. The College argues that these baseline requirements apply regardless of whether a formal client relationship has formed, and they attach at the pre-contact and call-initiation stages—where the College says the Registrant failed outright.

[53] The College stresses that, even on the Registrant's version, three uncontested features of what occurred on his call with [N1] substantiate misconduct: (1) Mr. Packer offered to call on behalf of [C1], (2) he called without advance consent, and (3) he did so in the face of a no-contact order.

[54] The College submits that if the Panel accepts [N1]'s account, the Registrant's statements (including urging reconciliation during a "dangerous time," saying she was "sabotaging" her relationship with her children, and referring to charges as "just allegations" while invoking "the abuse card") flagrantly contravene proper professional practices. The College argues that these remarks are so obviously contrary to the standards of practice that a breach is "notorious" even without expert evidence.

[55] Second, even on the Registrant's own testimony, his decision to initiate the call with [N1] and his manner of communication with her breach the competence and integrity standards under Principle II of the Handbook (Interpretations 2.1.2, 2.1.4, 2.1.5) and the obligation to avoid conduct reflecting negatively on the profession (Interpretation 2.2.8).

[56] The College argues that Mr. Packer was neither credible nor reliable for several reasons. For one, Mr. Packer claimed during the hearing that he perceived a safety concern that he wanted to de-escalate, but the College highlights that the Registrant's contemporaneous notes contain no related references. Further, no such explanation was provided in the Registrant's March 28, 2022 response letter to the College, in his counsel's opening statement or in the hypothetical scenarios he put to his own anticipated expert, Dr. Fidler.

[57] The College also emphasizes other shifts in Mr. Packer's narratives over time. It notes inconsistencies in the Registrant's accounts of how [N1] presented during the call and his own alleged approach to the phone call as well as varying evidence regarding whether the call was exceptional and whether the Registrant called [N1] because he made a promise to [C1] that he would do so.

[58] The College argues that the Registrant refused to make reasonable concessions in cross-examination. It points to, among other examples, the Registrant's refusal to accept that [C1] apparently supported the call to [N1] and denying that he (the Registrant) had indeed proposed the call as a repair effort despite notes of those exact points being contained in his own contemporaneous records. At its core, the College challenges Mr. Packer's narrative as inconsistent with common experience and lacking common sense.

[59] The College seeks findings of misconduct as set out in the Notice of Hearing under sections 2.2 and 2.36 of the Professional Misconduct Regulation.

The Registrant's submissions

[60] The Registrant focusses his defence on three issues: whether initiating contact without advance consent constitutes misconduct in an IPV context; whether anything he said during the call breached any standards of practice; and how the Panel should treat Dr. Hovey's opinions.

[61] The Registrant accepts that [N1] gave no prior consent to the call and that he was aware of potential or actual IPV; however, he maintains that, in context, a limited informational outreach and safety check were reasonable and aligned with his professional obligations.

[62] He asks the Panel to reject Dr. Hovey's opinion that it was a breach of the standards to initiate the call to [N1] without her prior consent for three reasons. First, the opinion is logically unsound because one cannot obtain consent without making some initial contact. Second, the opinion rests on incomplete or incorrect factual underpinnings because Dr. Hovey neither interviewed the parties nor gave any weight to the Registrant's account. Third, Dr. Hovey relies on standards that were not set out in the Notice of Hearing. The Registrant argues that the Panel's findings must map to standards cited in the Notice and that none of the pleaded standards impose a requirement to obtain consent prior to initiating a phone call. The standards regulate maintaining competence and ensuring recommendations are grounded in credible social work knowledge, not the specific act of placing a single informational call. He further argues that the College's reliance on other instruments (such as the National Association of Social Workers Code of Ethics; advertising rules; confidentiality principles; and privacy law requirements) is improper because they were not particularized in the Notice of Hearing and, in any event, they do not prohibit one-off informational outreach to a non-client. Nor do they convert initial permission-seeking into misconduct.

[63] Turning to what was said during the call, the Registrant asserts the issue is purely a credibility contest and that a careful review favors his account over the Complainant's on key details. He argues the Complainant harboured animus toward [C1] and misapprehended the Registrant's past role. He highlights the invoice produced during [N1]'s testimony (which indicated that a therapist other than the Registrant had provided services to [C1] in the past) to demonstrate what he argues is [N1]'s selective attention, misinterpretation and memory issues.

[64] Like the College, the Registrant also noted points of common ground. There is no dispute that he introduced himself to [N1] and asked to speak. It is agreed that [N1] said she was not interested in counselling (which, he says, prompted him to explain how CPR is not counselling). Both parties agree that [N1] ended the call when she wished—undermining any suggestion of a refusal on the Registrant's part to disengage.

[65] Turning to specific words spoken on the call, the Registrant argues that perceived quotations can be reconciled with his neutral, options-oriented script used in thousands of intake-style interactions. He argues that the word “reconciling” maps to explaining litigation versus mediation pathways, that a “dangerous time” aligns with resource/safety screening, “calling off lawyers” reflects comparative costs and processes; “sabotaging” references adverse childhood experiences from high-conflict parenting; and “just allegations” corresponds to his effort to address misinformation about abuse allegations in co-parenting disputes. He attributes the Complainant’s perception that he was condescending during the call to the neutrality he must maintain given the prospect of future court-facing CPR involvement.

[66] The Registrant also relies on his evidence with respect to the call duration. He asserts that his contemporaneous note reflects a 20-minute call, while the Complainant first insisted the call was “a few minutes” and later conceded it was possibly “10 minutes”. Mr. Packer argues that [N1]’s evidence is inconsistent with the breadth of statements she attributes to him and suggests she likely took in only part of their total exchange.

[67] He also argues that his minimalist contemporaneous note—name, phone number, and duration—meets or exceeds expectations for a non-client informational call and that the record-keeping standard does not demand a verbatim transcript of discussions even for clients. He explains perceived inconsistencies across his complaint response, expert instructions, and testimony as the product of nuance, years-long reflection on an unremarkable event, and the differences between hypothesizing fact sets and recalling an actual call.

[68] The Registrant denies that Dr. Dutton’s theories informed what he said on the phone with [N1]. Rather, he argues that in his response letter to the College he had referenced Dr. Dutton’s work with regard to the misperception among separated parents that situations involving allegations of abuse somehow relieve the obligation to continue to collaborate as parents.

[69] With respect to Dr. Hovey, the Registrant submits that she is a generalist whose pedagogy and practice are centered on individual counselling, not the specialized, non-therapeutic, court-facing CPR context that demands strict neutrality and often proceeds only with independent legal advice and a court order. He argues that Dr. Hovey’s intake/consent views import a therapeutic model ill-suited to communications pre-retainer in a CPR context. He asserts that if the Panel prefers his evidence over [N1]’s much of Dr. Hovey’s critique falls away for being premised on disputed or inapplicable factual assumptions.

[70] The Registrant asks the Panel to find that: initiating contact without advance consent was reasonable and not prohibited by the standards particularized in the Notice of Hearing; his communications were neutral and informational, and that the College has not discharged its onus. Mr. Packer seeks the dismissal of all allegations for being unsubstantiated.

Advice of Independent Legal Counsel

[71] Independent legal counsel (“**ILC**”) provided advice orally on the record at the conclusion of closing arguments. Counsel for both parties had an opportunity to comment on the advice before the Panel rose to begin deliberations. Neither party disagreed with the substance of ILC’s comments.

[72] ILC advised the Panel to begin by deliberating on the factual particulars in Part I of the Notice of Hearing, reviewing the oral and documentary evidence and making findings on whether the alleged events did or did not occur. Under Part II, the Panel must then determine whether any proven facts constitute professional misconduct under subsections 26(2)(a) and/or (c) of the Act, and specifically whether they amount to misconduct under sections 2.2 and 2.36 of the Professional Misconduct Regulation. ILC noted that although the Registrant is no longer registered with the College, the Panel retains continuing jurisdiction in this discipline process under s. 13(3) of the Act.

[73] ILC reminded the Panel that the College bears the burden and the standard of proof is the balance of probabilities. ILC advised the Panel to rely only on evidence it finds clear, convincing, and cogent. If the College has not proven an allegation of misconduct on clear, convincing, and cogent evidence on a balance of probabilities, the Panel must find in favor of Mr. Packer on that issue.

[74] ILC then turned to the assessment of credibility and agreed with counsel for the parties that some background facts are not in dispute, such as the sequence of events, dynamics between the Complainant and her husband, and the role of police in respect of [C1]. ILC did, however, caution that what was said on the April 9 phone call remains contested. Counsel advised that credibility is not an all-or-nothing exercise. The Panel may accept portions of any witness's testimony that it finds are honest and reliable while rejecting portions it finds unreliable or less than forthright. ILC reminded the Panel that reliability concerns memory and recall, and that a witness can misremember without intending to mislead. Similarly, discrepancies or failures of recollection are common and do not necessarily discredit a witness. ILC advised the Panel to explain in its reasons why it prefers one version of events over another, to comment on the reliability and truthfulness of accepted or rejected evidence, and to use common sense and the credibility factors set out in the parties' written submissions.

[75] When considering allegations based on failures to meet standards of practice, ILC recommended that the Panel ask two questions: (1) what is the relevant standard of practice? and (2) does the evidence prove on a balance of probabilities that the Registrant contravened that standard? ILC noted the Panel may consider the College's Code of Ethics and Practice Handbook (as in force at the relevant time) and the expert testimony and materials in evidence in relation to the standards and their scope. ILC noted, consistent with submissions of counsel for the Registrant, that Dr. Hovey did not offer opinions on credibility and should not be considered to have done so.

[76] ILC advised that for allegation (d) and the alleged head of misconduct under section 2.36 of the Professional Misconduct Regulation, the Panel should consider its factual findings and then ask how reasonable members of the profession would perceive the conduct. The Panel does not require expert evidence because the Panel itself is entitled to speak on behalf of the profession in this regard. ILC emphasized that the three terms in section 2.36 (disgraceful, dishonourable, and unprofessional) are disjunctive and that the Panel should determine and particularize which term(s), if any, apply. ILC explained that "unprofessional" conduct does not require evidence of dishonesty or immorality and can include a serious or persistent disregard for professional obligations. However, mere errors in judgment or reasonable discretionary decisions are not necessarily "unprofessional." The term "dishonourable" typically requires proof of dishonesty or deceit and carrying an element of moral failing. "Disgraceful" conduct is more severe than dishonourable, and requires proof of moral failing that shames the member and by extension the

profession. In general, disgraceful conduct casts serious doubt on a registrant's moral fitness and ability to meet the profession's higher obligations.

Decision of the Panel

[77] The College bears the onus of proving the allegations against the Registrant on the balance of probabilities, using clear, cogent and convincing evidence.

[78] Having considered the onus and standard of proof, the evidence, and the submissions of the parties, the Panel finds that the College has met its burden of proof on all four allegations in the Notice of Hearing; that is, allegations (a), (b), (c) and (d) have each been proven.

Reasons for decision

[79] Although the parties were in agreement on many of the basic facts, some key facts were in dispute. Witness credibility therefore played an important role in this case, particularly in respect of the interaction between the Registrant and [N1] during the phone call on April 9, 2021 and where they differ in their evidence.

Credibility assessments

[80] Credibility and reliability are two distinct concepts that the panel must take into account when evaluating the evidence of witnesses. Credibility relates to a witness's veracity. Reliability engages consideration of the witness's ability to accurately observe, recall, and recount the events in question (*R v C(H)*, [2009 ONCA 56](#), at para 41). The Panel must consider both credibility and reliability in its assessment of each witness's evidence.

[81] In *Pitts and Director of Family Benefits Branch of the Ministry of Community & Social Services*, [1985 CanLII 2053 \(ON SC\)](#), at para. 33, the Divisional Court provided guidance with respect to the assessment of credibility in the professional discipline context. In weighing the testimony of witnesses, the Panel does not have to decide an issue simply in conformity with the majority of the witnesses. The Panel can, if it sees fit, believe one witness against many. The test is not the relative number of witnesses, but the relative force of their testimony. With respect to the testimony of any witness, the Panel can believe all that the witness has said, or part of it, or the Panel may reject it entirely. Discrepancies in a witness's testimony, or between the testimony of one witness and that of others, do not necessarily mean that the witness should be discredited. Inconsistencies on peripheral matters may be unimportant, but when they relate to a material issue they can affect a witness's credibility.

[82] In determining the credit to be given to the evidence of a witness, the Panel should use its good common sense and its knowledge of human nature.

[83] The Panel considered the principles set out in the case law and the following factors in assessing the credibility and reliability of the witnesses' evidence:

- (a) The extent of the witness's opportunity to observe the matter about which they testified;
- (b) Whether the witness has any interest in the outcome of the litigation;

- (c) Whether the witness exhibits any partisanship or any undue leanings towards the side that called them as a witness;
- (d) The probability or improbability of the witness's story;
- (e) Whether the testimony of the witness was contradicted by the evidence of another witness or witnesses who the Panel considers more worthy; and
- (f) The appearance and demeanour of the witness, and the manner in which the witness testified.

[84] Applying those factors, the Panel arrived at the following assessments of credibility and reliability.

Credibility assessment of [N1]

[85] [N1] testified in a forthright manner and did not hesitate to answer questions put to her, even when they concerned deeply personal topics such as the breakdown of her marriage and her eventual separation from her husband. She provided clear, cogent and convincing evidence about the phone call she received from the Registrant and the circumstances in which she received it.

[86] There was no evidence to suggest that [N1] had any interest beyond that of any other complainant raising concerns about a registrant's conduct. The Panel accepts that professionals working in high-conflict family disputes may be susceptible to animus and that that animus could lead to false allegations. However, in this particular case, there is no evidence to suggest that [N1] fabricated any part of her testimony. Further, the Registrant never held any real decision-making authority over the complainant or her family. Her concerns arose out of the things said during the phone call and not simply because there was a phone call.

[87] [N1] was able to observe the events in question and remember specific details because she was one of two participants in that phone call and it was an exceptional phone call for her to have received. The phone call took place during a memorable time for her, in the immediate aftermath of the separation from her husband and with the police outside her door. She fairly conceded that her recollection may have faded with the passage of time but testified that certain comments stood out to her then and it was evident from her testimony that they continue to even today.

[88] The inconsistencies in [N1]'s evidence are peripheral in nature, such as the duration of the phone call itself, and she conceded this point when asked about it under cross-examination. There were no material inconsistencies in her evidence and the substance of her evidence did not change. The reliability concerns are confined to peripheral matters. She provided a fair and balanced account of the Registrant's conduct during that April 9, 2021, phone call.

Credibility Assessment of Jeff Packer

[89] The Registrant was one of two parties who were on that phone call and therefore had an opportunity to observe the events in question. There is no evidence to suggest that he has any interest beyond that of any other member facing similar misconduct allegations.

[90] The Registrant took no contemporaneous notes of the call with the Complainant and acknowledged that it can be difficult to recall details without notes. In the absence of any contemporaneous notes, the Registrant's evidence regarding the phone call to [N1] tended to rely on his usual practice; what he generally did in such situations. The Registrant admitted that "four years is a long time....so yes, I rely on my practice." It strains plausibility that the Registrant would recall details of a relatively brief phone call four years earlier when at the time he considered that call to be unremarkable.

[91] The Registrant testified that he spoke to the Complainant's husband initially on April 9, 2021 and found him to be in significant distress. The Registrant was concerned that the husband may harm himself or the Complainant. He maintained that after the call with the husband had ended he needed to assure himself of the Complainant's safety without any follow up with the husband or contacting the police. However, the Registrant's contemporaneous notes about the call with the Complainant's husband made no mention of any concerns about the husband's well-being. Additionally, there is no mention of any concern for safety in the Registrant's response letter to the College dated March 28, 2022. It strains common sense that the Registrant would not have followed up with a wellness check, immediately contacted the police with his safety concerns, or called [N1] much earlier in the day, if there were in fact significant safety concerns. If the phone call in question was an exceptional departure from his usual practice, motivated by serious safety concerns, then he would have likely recorded that in his contemporaneous notes precisely because it was so important.

[92] The Registrant testified that during the call he placed to [N1] she had a "very relaxed tone" and seemed open to hearing about his CPR process. However, in his response letter to the College, the Registrant described [N1] as being "understandably upset" and that she sounded "not open to this information at the time of the call". This is a material inconsistency in the Registrant's evidence regarding the Complainant's presentation during the phone call in question.

[93] The Registrant was internally inconsistent in his own evidence as to whether or not the phone call he made to [N1] was exceptional. He described the call as being ordinary but then also testified that the call was the only time he could remember having reached out to one parent after speaking to the other about CPR services. It defies common sense that the call was both ordinary and exceptional.

[94] The Registrant's evidence was also internally inconsistent regarding the commitment he made to the husband to call [N1]. He testified initially that he had recommended to the husband that he would call [N1] and that the husband had agreed to that approach. The Registrant's notes from April 9, 2021 corroborate this narrative. However, he also testified later on that he did not tell the husband he would call and that he "didn't know then" and that he was "letting it sit" while he thought about what he would do. He also testified that it was a sticky note that ultimately reminded him to call the Complainant on his way out of the office that day at 4pm. This demonstrates an evolving narrative as to the reason for the call and concerns the Panel.

[95] The Registrant repeatedly refused to concede even small points when confronted with documents under cross-examination. There are significant material internal and external inconsistencies in his evidence that were not resolved. The Registrant's evidence put forward a version of events that contradicted his own evidence and was at odds with his prior statements and his contemporaneous notes.

[96] The Panel therefore prefers the evidence of the Complainant where her evidence and that of the Registrant conflict. The centre point of the disagreement in their evidence is whether Mr. Packer made certain statements on the phone call, which he denies. Our findings as to what he said on the call are discussed below.

Findings on allegations of professional misconduct

Allegation (a) – failing to remain current with emerging social work or social service work knowledge and practice relevant to your areas of professional practice with respect to issues related to intimate partner violence (Principle II, Interpretation 2.1.2 of the Handbook)

[97] In regard to allegation (a), this Panel finds that the College has proven the Registrant engaged in professional misconduct under s. 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook, as commented on in Interpretation 2.1.2, by failing to remain current with emerging social work or social service work knowledge and practice relevant to his area of professional practice with respect to issues of IPV.

[98] The standard set out in Principle II and Interpretation 2.1.2 requires registrants to remain current with emerging social work knowledge and practice that is relevant to their areas of practice. The facts in this case establish that Mr. Packer fell below the expected standards when he failed to maintain current social work knowledge with respect to his practice and its intersection with IPV. The Panel relies on Dr. Hovey’s evidence that a similarly situated social worker “must have an advanced and comprehensive understanding of IPV and trauma-informed practice to engage or respectfully communicate with alleged victims of IPV, whether the alleged victim is a client, or potential client”. Although the Registrant may be knowledgeable about emerging social work knowledge, he failed to translate that knowledge into practice and apply it in his interaction with [N1].

[99] Dr Hovey gave evidence that the “the reasonably prudent social worker must determine that the parties have a mutual interest in seeking services” and that before reaching out “to one partner, I want to know that person consents, the context of the relationship, and, if there are any violence, whether there are any concerns about that”. She went on to testify that when there is IPV, the social worker needs to assess for risk of control and intimate terrorism “before engaging in conjoint work”. If the “situation does create elevated risk, the social worker must ensure that the alleged victim is not being cornered into doing this or being committed to working in a situation that puts them at risk of further coercion or abuse.” The Panel accepts Dr. Hovey’s opinion on these points as reflecting the standards of practice.

[100] The Registrant chose to initiate a phone call to [N1] on April 9, 2021, even though he knew, or ought to have known, after [C1] informed him of the charges that had been laid, that there was a no contact order in place. A reasonable, similarly situated social worker would conduct an appropriate screening that ascertained the relationship dynamic and risk factors and use an approach that recognized the nuances of IPV. Instead of taking those steps, Mr. Packer proceeded with an approach that was not appropriate in the situation and which was unsupported by a credible body of social work knowledge. He reached out on behalf of [N1]’s husband during a particularly traumatic time, without warning or conducting a proper screening, and used language that inflamed the situation and caused her great concern. The manner in which he spoke to [N1] resulted in her feeling vulnerable, scared, and re-traumatized. This failure demonstrates either that he failed to

remain current with social work knowledge, or a fundamental disconnect between his current social work knowledge and his practice approach on that day.

[101] The decision in *Ontario College of Social Workers and Social Service Workers v Scott, 2020 ONCSWSSW 5*, is of assistance to the Panel because it dealt with similar circumstances. *Scott* also involved a context of IPV. The registrant failed to conduct a proper screening, individual sessions, or safety planning and framed the client couple's relationship in terms of both parties' roles in triggering and escalating the conflict. The Discipline Committee in *Scott* found that the registrant used a therapeutic approach that was inappropriate to an IPV situation and was not supported by a current and credible body of social work knowledge. They went on to note that the registrant's conduct may have unintentionally "condoned and/or enabled that abusive behaviour" (*Scott*, at para [11](#)).

[102] Accordingly, the Panel is satisfied on a balance of probabilities that the Registrant failed to meet the standards of the profession as set out in Principle II of the Handbook and Interpretation 2.1.2.

Allegation (b) – failing to ensure that any professional recommendations or opinions you provide are appropriately substantiated by evidence and supported by a credible body of professional social work knowledge with respect to issues related to intimate partner violence. (Principle II, Interpretation 2.1.4 of the Handbook)

[103] In regard to allegation (b), this Panel finds that the College has proven the Registrant engaged in professional misconduct under s. 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook, as commented on in Interpretation 2.1.4, by failing to ensure that any professional recommendations or opinions he provided were appropriately substantiated by evidence and supported by a credible body of professional social work knowledge with respect to issues related to IPV.

[104] Having regard to our credibility findings as set out above, the Panel prefers the evidence of [N1] over that of the Registrant where they differed in recounting what occurred during the April 9 phone call. The Panel finds on a balance of probabilities that the Registrant made statements that communicated the messaging to which [N1] testified, namely:

- (a) To "call off her lawyer" and make the relationship with [C1] work;
- (b) That she was sabotaging her children's lives and happiness by separating from [C1];
- (c) That her children will resent her for separating from [C1];
- (d) In response to [N1]'s statement that she had left the relationship because of [C1]'s abuse and her fear for the safety of her and her children, stating that abuse is always mutual, suggesting that she was involved in and/or contributed to [C1]'s abusive behaviour, and/or stating that she brought the situation on herself;
- (e) That the criminal assault charges against [C1] were just allegations, that they were likely false, and/or that we live in a society where women "pull the abuse card" to take the easy way out (or words to that effect);

- (f) That the time after leaving an alleged abuser is the most unsafe and that [N1] should consider reconciling with [C1] for her own safety.

[105] Based on those findings, the Panel finds that the Registrant shared his opinions and recommendations in an unprofessional manner during that phone call.

[106] The Registrant gave evidence that he was aware he could be perceived as “direct”. Given [N1]’s testimony, the Registrant’s awareness of how he could be perceived, his knowledge about Dr. Dutton’s research, and his evidence about his particular practice focus; it is more likely than not that the Registrant made statements during the phone call that reflected the underlying messages listed above. It is reasonable that the Complainant would remember statements conveying such messages because they are so egregious and so far beyond what is expected of a social worker.

[107] Dr. Hovey gave evidence that it would be “completely inappropriate” for a social worker to respond to an assertion of IPV as being “just allegations” or by saying that “abuse is mutual”.

[108] The Panel recognizes that emerging social work knowledge can at times challenge norms in a way that propels research forward. However, professional recommendations and/or opinions provided by a registrant must be appropriately substantiated by evidence and a credible body of professional knowledge. Reliance on a singular theory or area of research can risk causing harm to vulnerable clients. During his evidence, the Registrant conceded that Dr. Dutton’s work was “controversial” and that it “shakes up the standard thinking out there that domestic violence is related to power and control issues and patriarchal issues related to feminist theory.” The Panel finds that Dr. Dutton’s research is emerging and that it would be considered controversial by many in the profession as the Registrant himself admitted. It is therefore concerning that the Registrant would rely solely on Dr. Dutton’s research to inform his approach to a real-world IPV situation, as demonstrated by citing only Dr Dutton’s research in his response letter to the College and his testimony given about Dr. Dutton’s research.

[109] In other cases this Discipline Committee has found a registrant has failed to meet the standards in 2.1.4 when applying a flawed framework with vulnerable clients and when using an unsupported communication style on behalf of a client. In the case of *Ontario College of Social Workers and Social Service Workers v Goulard*, [2020 ONCSWSSW 6](#), the registrant failed to modify his “tough love” approach and chose a framework that was “flawed and inappropriate for use with client” given the client’s vulnerabilities. The Discipline Committee found that while direct approaches may be appropriate in some circumstances, “aggressive, insulting, profane, and derogatory behaviour is not condoned by any credible body of professional social work knowledge” (*Goulard*, at para [18](#)). Similarly, in this case, the Registrant admitted to being aware that his tone is not always “well-received” and yet he failed to modify his approach with respect to a vulnerable potential client.

[110] The Registrant was acting in a professional capacity at the time he placed the impugned phone call to [N1]. That is true regardless of whether she or her husband were the Registrant’s formal clients at that point in time. The absence of a formal client relationship does not diminish the Registrant’s obligations to uphold the standards of practice when engaging with a potential client. Dr. Hovey opined that social workers have an “ethical responsibility to represent the profession and act with integrity and competence” in any situation where interactions are occurring. The Panel agrees. That ethical responsibility arises inherently because of the social

worker's position as a social worker and the services they offer. Mr. Packer ought to have known of and understood that ethical responsibility.

[111] The Registrant's behaviour during the phone call with [N1] was egregious. It was not grounded in a credible body of social work knowledge but rather appeared to be influenced by a singular and controversial scholar (Dr. Dutton) and poor judgment. The Registrant's conduct in his interaction with [N1] was a violation of the standard set out in Principle II and Interpretation 2.1.4.

Allegation (c) – failing to engage in the process of self-review and evaluation of your practice and failing to seek consultation when appropriate with respect to your interactions with [N1], as part of maintaining competence and acquiring skills in social work practice. (Principle II, Interpretation 2.1.5 of the Handbook)

[112] In regard to allegation (c), this Panel finds that the College has proven the Registrant engaged in professional misconduct under s. 2.2 of the Professional Misconduct Regulation and Principle II of the Handbook, as commented on in Interpretation 2.1.5, by failing to engage in the process of self-review and evaluation of his practice and failing to seek consultation when appropriate with respect to his interactions with [N1], as part of maintaining competence and acquiring skills in social work practice.

[113] The Registrant gave evidence he thought about his decision to call the Complainant over the course of the day on April 9, 2021, prior to actually calling her. He testified he had never before had to call a co-parent in such circumstances. He had time to seek consultation, given that he waited until almost 4:00 pm to make the impugned call. He also gave evidence that he works with associates in his clinic. Given his practice set up, the Panel finds that he could have easily consulted with an associate, yet he did not. Additionally, if the Registrant had truly believed that he had a duty to warn [N1] due to concerns for her safety, he would have prioritized that in his day. He could have sought external consultation on whether that duty was triggered and what he would be required to do in those circumstances. On the Registrant's own evidence he failed to seek any consultation despite this situation being a first for him.

[114] The Registrant gave evidence he was aware of his tone and approach not always being "well-received". He testified that he can come across as "matter-of-fact" and that he was aware that people may see that as condescending. His evidence demonstrates that he failed to adequately engage in a process of self review and evaluation of his practice by being aware of his tone and approach through client feedback. He also failed to take any steps to modify or correct that issue. He ought to have known, as an experienced social worker, that he needed to match tone to his audience when he ultimately decided to call the Complainant.

[115] Dr. Hovey's evidence was that the Registrant had "failed to engage in evaluating his practice with female IPV victims in a meaningful way to maintain competence in this area of his social work practice." The Panel agrees. It is not enough to simply engage in the process of self-review. Self-review requires the social worker to commit to improving on any deficiencies that they discover through that process.

[116] The Registrant gave evidence that his practice was made up of 75-85% male clients. The Panel agrees that there is nothing inherently wrong with a practice that focuses on one gender. However, in this particular instance, the Registrant's approach to dealing with issues of IPV

demonstrated an unduly narrow perspective coupled with a lack of experience supporting female victims of IPV. An experienced social worker, such as the Registrant, ought to have known that he needed to seek consultation to ensure a well-rounded and appropriate response to the situation. The Complainant stated in her testimony that “someone with his credentials should know how abuse works, [including the] cycles of abuse and vulnerability I was experiencing at the time”. The Panel agrees.

[117] The Panel finds that the Registrant demonstrated a complete lack of caution in his approach to the Complainant, during a period of increased vulnerability. He failed to participate in a robust process of self-review and to seek consultation when this was the first time he had faced a situation like this.

Allegation (d) – 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/or by failing to avoid conduct in the practice of social work that could reasonably be perceived as reflecting negatively on the profession of social work. (Principle II, Interpretation 2.2.8 of the Handbook)

[118] In regard to allegation (d), this Panel finds that the College has proven the Registrant engaged in professional misconduct under ss. 2.2 and 2.36 of the Professional Misconduct Regulation and Principle II of the Handbook, as commented on in Interpretation 2.2.8, 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/or by failing to avoid conduct in the practice of social work that could reasonably be perceived as reflecting negatively on the profession of social work.

[119] This standard requires that the Registrant avoid conduct that could reasonably be perceived to reflect negatively on the profession of social work. It is assessed on an objective standard and does not require expert evidence. The Panel finds that the Registrant’s conduct fell below the standard and reflects negatively on the profession.

[120] The Registrant initiated contact with an alleged victim of IPV in the aftermath of an incident involving the police and criminal charges being laid. He did so at the request of the alleged abuser and when there was a no-contact order in place. His approach upset the Complainant. Dr Hovey gave evidence of the risk of re-traumatization that can occur when initiating contact in circumstances of IPV and how that can ultimately undermine the victim’s decision to leave. Dr. Hovey also opined that when victims of IPV feel pressure to participate in conjoint services, it can perpetuate the cycle of coercive control by the aggressor. In this case, the Complainant testified that she felt very “scared that he was a professional reaching out telling me that I needed to get back together with the person who had abused me... I knew I needed to get out.”

[121] The decision in *Ackermann v Ontario College of Social Workers and Social Service Workers* (2003) provides valuable guidance to the Panel on the meaning of the terms disgraceful, dishonourable, and unprofessional.

‘Disgraceful’ conduct is conduct that has the effect of shaming the Member and, by extension, the profession. In order to be disgraceful, the conduct should cast serious doubt on the Member’s moral fitness and inherent ability to discharge the higher

obligations the public expects professionals to meet. ‘Dishonourable’ conduct is similar but need not be as severe. Both dishonourable and disgraceful conduct have an element of moral failing.

[122] These definitions have been adopted and applied by this Discipline Committee in many subsequent cases.

[123] For all the reasons explained above and in consideration of the totality of the Registrant’s misconduct, the Panel finds the Registrant’s conduct would be reasonably regarded by members of the profession as both dishonourable and unprofessional. His conduct showed not only a serious disregard for his professional responsibilities and a lack of judgment; his conduct casts serious doubt on his moral fitness and inherent ability to discharge the obligations rightly expected of social workers. He knew or ought to have known that his conduct fell well below what was expected. That said, and while the Registrant’s misconduct was severe, the Panel finds that it does not rise to the level of disgraceful on the facts of this case.

Conclusion

[124] For the reasons set out above, the Panel has made findings of professional misconduct against the Registrant in respect of all allegations of professional misconduct. In accordance with the order of the prehearing conference presiding officer, made on consent of the parties, the penalty hearing in this matter will be scheduled after the Discipline Committee hears and makes a decision in respect of a second Notice of Hearing concerning the Registrant, which is dated April 18, 2023. If a finding of professional misconduct is made in regards to that Notice of Hearing, the penalty hearings for both matters will be consolidated and heard together.

I, Charlene Crews, sign this decision as chairperson of the Panel and on behalf of the Panel members listed below.

Date: May 20, 2026

Signed: _____

Charlene Crews, Chair
Chisanga Chekwe
Kimberley Westfall-Connor