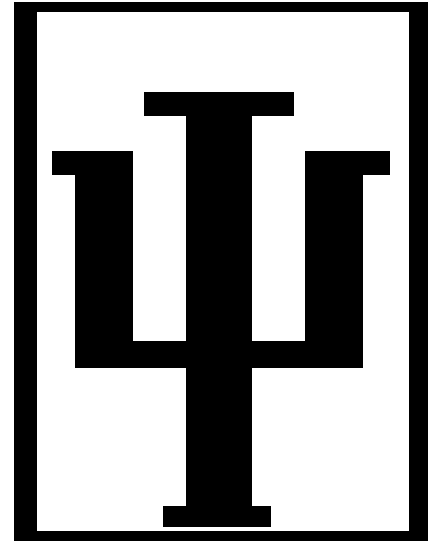


The College of Psychologists of Ontario  
L'Ordre des psychologues de L'Ontario

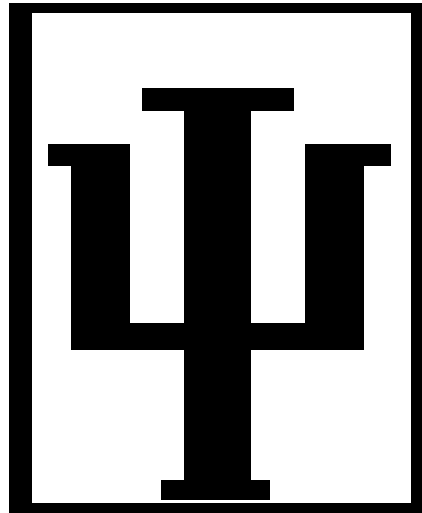
ANNUAL  
REPORT



2011/2012

# **The College of Psychologists of Ontario L'Ordre des psychologues de l'Ontario**

110 Eglinton Avenue West, Suite 500, Toronto, Ontario M4R 1A3



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# Council and Staff

<b>Council Members</b>	District 1 – North	Milan Pomichalek, Ph.D., C.Psych.
	District 2 – Southwest	Mustaq Khan, Ph.D., C.Psych.
	District 3 – Central	Allyson Harrison, Ph.D., C.Psych.
	District 4 – East	Lise Mercier, Ph.D., C.Psych.
	District 5 – GTA East	Ruth Berman, Ph.D., C.Psych.
	District 6 – GTA West	Peter Farvolden, Ph.D., C.Psych.
	District 7 – Psychological Associate	Robert Gauthier, M.Ed., C.Psych.Assoc.
	District 8 – Academic	Abby Goldstein, Ph.D., C.Psych.
	Non-Voting	Jane Ledingham, Ph.D., C.Psych.
		Glenn Webster, M.Ed., C.Psych.Assoc.
	Public Appointees	Judy Cohen
	Vincent Lacroix	
	Ivan McFarlane	
	Peter McKegey	
	Cheryl Rampersad	
	Ethel Teitelbaum	
<b>College Staff</b>	Registrar & Executive Director	Catherine Yarrow, MBA, Ph.D., C.Psych.
	Deputy Registrar/Director, Professional Affairs	Rick Morris, Ph.D., C.Psych.
	Director, Investigations and Hearings	Barry Gang, Dip.C.S., C.Psych.Assoc.
	Director, Registration	Lesia Mackanyn
	Administrative Assistant: Investigations and Hearings	Indira Darshanand
	Information Systems Administrator	Gnana Fernando
	Administrative Assistant: Registration	Sulmaz Ghorashi
	Practice Advisor/QA Coordinator	Julie Hahn
	Administrative Assistant: Member Services	Milly Hum
	Investigator	Mona McTague
	Administrative Assistant: Registration	Fiona McCann
	Manager, Administration	Stephanie Morton
	Assistant to the Registrar	Prema Shankaran
	Case Manager	Lee-Ann Siu
	Administrative Assistant: Investigations and Hearings	Jean-Michel Trussart
	Administrative Assistant: Registration	Myra Veluz
Case Manager	Zimra Yetnikoff	

# Council

**Introduction** The Council is the Board of Directors of the College and is responsible for managing and administering the affairs of the College. This report covers the fiscal year June 1, 2011 to May 31, 2012.

Re-elected to the Council were Dr. Lise Mercier, District 4 (East) and Mr. Robert Gauthier, District 7 (Psychological Associates). Dr. Abby Goldstein (Academic) was appointed to Council by the Executive Committee for a three-year term.

Six public members served on Council during the year: Mr. Vincent Lacroix, Dr. Ivan McFarlane, Mr. Peter McKegney, Ms Cheryl Rampersad, Ms Ethel Teitelbaum and Ms Judy Cohen. Mr. Lacroix was reappointed to Council in March 2011 and Dr. McFarlane was reappointed in May 2011. Ms Judy Cohen was appointed to Council in March 2011.

The Council met eight times during the year: four times face-to-face and four times by teleconference. Observers were able to attend at the College to hear the proceedings during each of the eight meetings. At the June 2011 meeting, Council elected Dr. Milan Pomichalek as President and Mr. Robert Gauthier as Vice-President.

**Council Actions** Strategic Issues. After consultation, the Council updated the College's strategic direction by approving a new Mission and Vision Statement, both English and French versions.

Registration Regulation. Following stakeholder consultation, the Council approved for Ministry submission registration regulation amendments dealing with mobility, academic training requirements, other non-exemptible requirements and housekeeping changes. Council approved for stakeholder consultation a separate set of proposed amendments to close the class of masters level Psychological Associate registration and to register current Psychological Associate members as Psychologists.

New Titles Regulation. After consultation, Council approved for submission to the Ministry a "Titles" regulation, which would incorporate the standard permitting only those members registered as psychologists on the basis of a doctoral degree to use the title "doctor".

Bylaws. Council approved a Bylaw amendment which would require inclusion of the highest degree on which registration is based on all certificates of registration issued after January 1, 2010. In addition, amendments were made to the Bylaw on Banking and Finance respecting staff signing officers.

Business. Council received quarterly reports and annual reports from the statutory committees and an annual report on the Jurisprudence and Ethics Examination.

Financial. Council appointed signing officers for the year, approved the audited financial statements for the fiscal year ending May 31, 2011 and appointed the auditors for the following year. In addition, Council accepted a recommendation not to raise registration fees and approved the annual budget for 2012-2013.

# Executive Committee

**Introduction** The Executive Committee held five meetings and one teleconference during the year.

<b>Members</b>	Milan Pomichalek, Ph.D., C.Psych.	President
	Robert Gauthier, M.Ed., C.Psych.Assoc.	Vice-President
	Ian D.R. Brown, Ph.D., C.Psych.	
	Lise Mercier, Ph.D., C.Psych.	
	Vincent LaCroix	Public Member
	Peter McKegney	Public Member

**College Staff Support** Catherine Yarrow, MBA, Ph.D., C.Psych., Registrar & Executive Director  
Prema Shankaran, Assistant to the Registrar

**Activities** Following their election at the Council meeting of June 17, 2011, the Executive Committee appointed members of the Council and of the College to six statutory committees, the Jurisprudence and Ethics Examination Committee (JEEC), the Finance and Audit Committee (FAC), and the Nominations and Leadership Development Committee.

The Committee received updates regarding consultations on the proposed new Mission and Vision Statements for the College and on proposed amendments to the College's Registration Regulation. The Committee directed that the proposed Registration Regulation amendments be revised and returned to Council for review and approval prior to submission to the Ministry. The Committee also reviewed proposals to create or amend Bylaws or policies.

During the year, the Committee appointed or provided direction respecting several College task forces charged with: shaping the future of psychology regulation in Ontario, preparing a submission to the HPRAC consultation on the sexual abuse provisions in the RHPA in the context of treatment of spouses by health professionals, and considering whether members who perform the future controlled act relating to psychotherapy should be permitted to delegate performance of that controlled act.

Following review by the Finance and Audit Committee, the Executive Committee approved the draft 2012-2013 budget for presentation to Council. As the academic training directors had been unable to identify a nominee for appointment to Council for a three-year term, the Executive Committee appointed Dr. Jane Ledingham who agreed to serve a further one-year term.

During the year, subcommittees of the Executive met on five occasions, either in person or by teleconference, to consider proposed joint submissions in Discipline cases.

The President represented the College at meetings of the Association of State and Provincial Psychology Boards and also attended meetings of the Association of Canadian Psychology Regulatory Organizations. On April 26-27, 2012 the Executive Committee met in Thunder Bay and hosted a reception for local members.

# Registration Committee

**Introduction** The major roles of the Registration Committee are: (1) to review all applications for registration of psychologists and psychological associates referred by the Registrar, at all steps in the registration or appeals process, and to make individual registration decisions; (2) to review applications under Section 19. of the Regulated Health Professions Act (RHPA) for removal or modification of a term, condition or limitation; (3) to review applications for change of area of practice or change of status for autonomous practice members; and (4) to recommend registration policy and procedures consistent with the RHPA, with Regulation 533/98, Registration, with applicable interprovincial legislation such as the amended Agreement on Internal Trade (AIT) and the Ontario Labour Mobility Act, or international agreements such as the Association of State and Provincial Psychology Board's (ASPPB) Reciprocity Agreement.

<b>Members</b>	Tim Hill, M.A., C.Psych. Assoc., Chair	College Member
	Oliver Foese, Dipl. Psych., C.Psych. Assoc.	College Member
	Vince Lacroix	Public Member
	Jane Ledingham, Ph.D., C.Psych.	Academic Member of Council
	Peter McKeegney	Public Member
	Lise Mercier, Ph.D., C.Psych.	Council Member
	Mary Stewart, Ph.D., C.Psych.	College Member
	Carolee Orme, Ph.D., C.Psych.	College Member
Abby Goldstein, Ph.D., C.Psych.	Academic Member of Council	

<b>College Staff Support</b>	Lesia Mackanyn	Director, Registration
	Myra Veluz	Senior Registration Assistant
	Sulmaz Ghoraishi	Administrative Assistant: Registration
	Fiona McCann	Administrative Assistant: Registration

**Meetings** The Registration Committee held a total of 17 meetings in this fiscal year. The Committee met in plenary session for the consideration of broader issues, including the preparation of recommendations to Council on registration policy. Plenary sessions were held on 6 occasions. The Committee met in panel sessions for the review of individual cases. Panel A and Panel B each met 6 times.

**Results of Plenary Deliberations** Following the proclamation of the Ontario Labour Mobility Act and the resultant amendments to RHPA, the Committee reviewed proposals for amendments to the Registration Regulation to ensure compliance. A registration sub-committee was organized and began the task of identifying the criteria for registration, based upon the wording of the proposed changes to the Registration Regulation. The existing template for submission of retraining plans is currently being revised to better streamline the interaction between applicants and the Committee.

**Panel Deliberations** All cases referred by the Registrar to the Registration Committee require thorough preliminary staff review with multiple interactions between the applicant and staff. More than half of the cases require multiple reviews by a panel of the Registration Committee during the period of supervised practice or for approval for an oral examination. In some instances, where the decision is not favorable to the applicant, appeals can be made to the Health Professions Appeal and Review Board (HPARB). Decisions from HPARB have provided direction to each panel in rendering more detailed orders, communicated in a manner consistent with the provisions of RHPA.

### Summary of Activities For 2011-2012

#### Applications Received by the College: June 1, 2011 to May 31, 2012

(application = completed application form + fee)

#### Applications for a certificate authorizing supervised practice:

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	27	14	20	11	<b>72</b>
Psychologist	72	25	22	6	<b>125</b>
Total	99	39	42	17	<b>197</b>

#### Applications for a certificate authorizing interim autonomous practice:

Canadian Jurisdiction								USA	Total
Title	AB	BC	NB	NF	NS	QC	SK		
Psychological Associate	0	0	0	0	0	1	1	1	<b>3</b>
Psychologist	8	3	0	0	3	13	2	3	<b>32*</b>
Total	8	3	0	0	3	14	3	4	<b>35</b>

\* 13 of these applications presented with masters level degree

**Certificates of Registration Issued by the College: June 1, 2011 to May 31, 2012****Certificates Authorizing Supervised Practice Issued: June 1, 2011 to May 31, 2012**

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	8	3	6	5	<b>22</b>
Psychologist	67	23	18	4	<b>112</b>
Total	75	26	24	9	<b>134</b>

**Certificates Authorizing Interim Autonomous Practice Issued: June 1, 2011 to May 31, 2012**

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	0	0	0	0	0
Psychologist	0	0	3	0	3
Psychologist (AIT)	2	10	5	3	20*
Total	2	10	8	3	23

\* 9 with masters level degree

**Certificates Authorizing Autonomous Practice Issued: June 1, 2011 to May 31, 2012**

Title	Academic Credentials from Ontario Universities	Academic Credentials from Universities elsewhere in Canada	Academic Credentials from Universities in the U.S.	International Academic Credentials other than the U.S.	Total
Psychological Associate	12	1	6	3	22
Psychologist	54	27	21	8	110*
Total	66	28	27	11	132

\* 25 with masters level degree through AIT, including Ontario Psychological Associate members whose title changed to Psychologist.



### College Examinations: Comparisons by Year

#### Examination for Professional Practice in Psychology

	2004 - 05	2005 - 06	2006 - 07	2007 - 08	2008 - 09	2009 - 10	2010 - 11	2011-12
Applications received by the College and submitted to the Professional Examination Service (PES)	146	148	138	114	135	117	113	<b>132</b>
Scores received from PES	125	154	132	118	125	114	116	<b>126</b>

#### Jurisprudence & Ethics Examination

Examination Session	Number of candidates 2004 - 2005	Number of candidates 2005 - 2006	Number of candidates 2006 - 2007	Number of candidates 2007 - 2008	Number of candidates 2008 - 2009	Number of candidates 2009 - 2010	Number of candidates 2010 - 2011	Number of candidates 2011 - 2012
Fall Examination	78	50	61	58	70	63	68	<b>66</b>
Spring Examination	90	71	87	81	87	69	83	<b>113</b>
Total for the year	168	121	148	139	157	132	151	<b>179</b>

#### Oral Examinations

Examination Session	Number of Candidates 2004 - 2005	Number of Candidates 2005 - 2006	Number of Candidates 2006 - 2007	Number of Candidates 2007 - 2008	Number of Candidates 2008 - 2009	Number of Candidates 2009 - 2010	Number of Candidates 2010 - 2011	Number of candidates 2011 - 2012
June Examinations	52	58	64	61	-	59	39	<b>55</b>
December Examinations	70	77	64	61	61	72	50	<b>47</b>
May Examinations				45				
Total for the year	122	135	128	167	61	131	89	<b>102</b>

**Registration Interviews: June 1, 2011 to May 31, 2012**

(mobility, term/condition/limitation, change of area)

Title	2004 - 2005	2005 - 2006	2006 - 2007	2007 - 2008	2008 - 2009	2009 - 2010	2010 - 2011	2011-2012
Psychological Associate	4	2	2	4	5	4	10	<b>0</b>
Psychologist	7	7	13	13	8	10	2	<b>2</b>
Total for the year	11	9	15	17	13	14	12	<b>2</b>

**N.B. in 2011-2012 CPO no longer conducting interviews for Canadian mobility applicants.****Applications Refused: June 1, 2011 to May 31, 2012**

(Reviewed = referred to Registration Committee for detailed review)

Title	Academic Credentials from Ontario Universities		Academic Credentials from Universities elsewhere in Canada		Academic Credentials from Universities in the U.S.		International Academic Credentials other than the U.S.		Total	
	Reviewed	Refused	Reviewed	Refused	Reviewed	Refused	Reviewed	Refused	Reviewed	Refused
Psychological Associate	1	0	4	0	3	1	3	0	11	1
Psychologist	1	1	0	0	1	1	6	1	8	3
Total for the year	2	1	4	0	4	2	9	1	<b>19</b>	<b>4</b>

# Quality Assurance Committee

**Introduction** The Regulated Health Professions Act, 1991 (RHPA) requires that the College of Psychologists establish a Quality Assurance Program. A Quality Assurance Program is defined as “a program to assure the quality of the practice of the profession and to promote the continuing competence among the members”. The Quality Assurance Committee has the statutory responsibility for the development and implementation of the College’s Quality Assurance Program.

**Members** The Quality Assurance Committee of the College of Psychologists consists of three members of the Council (one public and two professional), and two professional non-Council members, as well as staff support. Members of the Committee for the year 2011-2012 were:

Lise Mercier Ph.D., C.Psych., Chair,	Council Member
Allyson Harrison, Ph.D., C.Psych.,	Council Member
Marlies Suderman, Ph.D., C.Psych.	College Member
Ethel Teitelbaum	Public Member
Meg Waurick, M.A., C.Psych.Assoc.	College Member

<b>College Staff Support</b>	Rick Morris, Ph.D., C.Psych., Julie Hahn	Deputy Registrar/Director, Professional Affairs Practice Advisor/QA Coordinator
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**Activities** *Self Assessment Guide and Professional Development Plans*

The Committee reviewed the returns of the 2011 *Declarations of Completion* for the *Self Assessment Guide and Professional Development Plans (SAG)* due from the odd-registration numbered members. It noted those members whose *Declarations* were outstanding and authorized reminders be sent to them. Through a series of informal (e-mails) and formal (letters) reminders the required *Declaration* was received from all but seven of the 1733 members required to participate in this component of the Quality Assurance Program this year. A second and final reminder was sent to these seven members who were directed to submit their full and complete *SAG*, for Committee review, not just the *Declarations of Completion*. In response to the final reminder, four members submitted their completed *Self Assessment Guide and Professional Development Plans*. Three members remained outstanding with respect to this requirement. The Committee directed that these three members be referred to the Registrar for non-compliance with Principle 1.4 of the *Standards of Professional Conduct* which requires members to participate fully in the Quality Assurance Program.

The Committee reviewed the *Self Assessment Guide and Professional Development Plans* submitted by the four members. Minor concerns were noted in three of the four and the Committee directed that letters be sent to them with some suggestions as to how they could address the concerns. In two cases, the members indicated difficulty in meeting the submission deadlines due to personal or family illnesses. The Committee suggested to these members that, in future, these members notify the College of such extenuating circumstances as noted in all of the reminders. With the other two, where no reason for non-compliance was given, the Committee requested that in future, they complete the *SAG* in a more timely fashion.

The Committee reviewed the *SAG* for changes or required updating. Notification of the 2012 *Self Assessment Guide and Professional Development Plans* was sent to all even-registration numbered members. Dates were determined for the *SAG* distribution and the submission deadline and a reminder schedule was developed.

***Peer Assisted Reviews***

The Committee reviewed the findings of the *Peer Assisted Reviews (PAR)* completed during the 2011-2012 year. There was also review and discussion of the feedback surveys submitted by the reviewers and the members reviewed. Overall, the reviews were positive, consistent with previous *PAR*'s undertaken. There were no specific comments or concerns noted by the reviewers regarding the practices reviewed. As has been the case with past reviews, most members reviewed noted that the process, although stressful, was generally a positive and constructive experience.

The Committee noted concerns expressed by three members reviewed related to not receiving a copy of the review report (2) and the attitude of a reviewer (1). Staff were directed to review the concern raised regarding one reviewer's approach to a member reviewed. Staff had already taken steps to remedy the 'report' situation for these two members. In organizing future reviews staff will further stress, to the reviewers, the need for members reviewed to receive copies of the report in a timely fashion. To facilitate this, new chart entitled 'QA Peer Assisted Review Timeline' has been developed which explicitly outlines the step-by-step timeline expectations of the complete review process/cycle. This will be provided to both participants and reviewers.

***Quality Assurance Regulation Amendments – Continuing Professional Development (CPD)***

In October 2011, the College circulated proposed amendments to the Quality Assurance Regulation regarding Continuing Professional Development to the membership. At the conclusion of the circulation period, the Quality Assurance Committee spent considerable time reviewing the many comments and suggestions received.

In reviewing the feedback, the Committee considered the issues raised with a view toward modifying the proposed regulation amendments, in response to the feedback, if it was deemed warranted. The Committee noted that although a concern may have been raised by two or three members it was not necessarily to be seen to reflect the entire membership. At the same time, the Committee noted that a concern raised by one member may be quite valid and something that was not considered in the Committee's initial discussion.

The Committee noted that there was an overall positive response to both the *CPD* system and the requirement for 50 hours/credits per two years. Of the comments received, the Committee specifically noted there was some confusion with the way in which the requirements for *CPD* related to 'Ethics, Standards and Legislation' was described. Concern was also expressed over the amount of 'Ethics, Standards and Legislation' *CPD* required (10 hours) as it was suggested that this area of knowledge does not change so regularly as to require this much attention.

Comments also noted that rural members may have more difficulty undertaking *CPD* activities which involve others (peer consultation, workshops, formal CE courses, etc.) with the suggestion that more Self-Directed Learning be permitted. Other comments suggested that members with "inactive" status should be excluded from this requirement as they not currently practicing. As well, some members suggested that "inactive" members living outside of Ontario be exempt from this Quality Assurance expectation as they would be required to comply with their local provincial/territorial/state regulatory board's requirements.

A summary comment was to request that the College find a way to assist members to track *CPD* so that the system does not result in a complicated administrative burden. As well, it was noted that a set of FAQ's to clarify and address questions from members would be very helpful.

Following the review of the feedback, the Committee recommended one significant change to the proposed amendment. After considerable discussion, the Committee decided to recommend an increase in the amount of Self-Directed Learning permitted from 5 hours over two years to 15 hours over two years, in fulfillment of the *Continuing Professional Development* requirement. In doing so, the Committee recognized both the added difficulty members in rural areas may have in obtaining more formal continuing education and, as well, the ever-increasing opportunities for online educational materials and activities.

The Committee also made a number of minor changes to the language of the proposed regulation in order to clarify the process and recognized that further clarification, in the form of FAQ's should be developed as part of the roll out of the process. In addition, the Committee agreed that the College should undertake to provide a simple, online method for members to track their CPD. The Committee directed that, with these recommended changes, the *CPD* section be incorporated into the proposed Quality Assurance Regulation amendment and be forwarded to the College Council for approval for submission to the Ministry of Health and Long-Term Care. The recommendations of the Committee were accepted by the Council and the amendments to the Quality Assurance Regulation, including the *CPD* section, were approved for submission. The Committee recommended that work begin on a "roll out" plan including FAQ's and a system for member tracking of *CPD* as approval of the Regulation amendments becomes imminent.

# Fitness to Practice Committee

**Introduction** The role of the Fitness to Practice Committee is to conduct hearings in matters referred by the Inquiries, Complaints and Reports Committee concerning the alleged incapacity of a member. The Committee is also responsible for hearing applications for reinstatement by members whose certificate of registration was revoked following incapacity proceedings.

**Members** The Fitness to Practice Committee of the College of Psychologists consisted of three members of the Council (one public and two professional) and two professional, non-Council members. Members of the Committee for the year 2011-2012 were as follows:

Robert Gauthier	M.Ed.,C.Psych.Assoc.	Chair	Council
Jane Ledingham	Ph.D.,C.Psych.		Council
Judy Cohen			Council, Public Member
Bruce Bauer	M.A.,C.Psych.Assoc.		College
Donald Rudzinski	Ph.D.,C.Psych.		College

<b>College Staff Support</b>	Barry Gang, Dip.C.S., C.Psych.Assoc.	Director, Investigations and Hearings
	Jean-Michel Trussart	Administrative Assistant: Investigations and Hearings
	Indira Darshanand	Administrative Assistant: Investigations and Hearings

**Activities** The Committee did not receive any referrals or conduct any hearings this year.

# Client Relations Committee

**Introduction** Section 84 of the Procedural Code of the Regulated Health Professions Act, 1991 (RHPA) requires the College of Psychologists to have a Client Relations Committee whose mandate is to enhance relations between members and their clients. The Code outlines some specific responsibilities for the Committee with respect to sexual abuse prevention while allowing the Committee to address a broader spectrum of client-member relations.

**Members** The Client Relations Committee consists of four members of Council (two public and two professional) and two professional, non-Council members, as well as staff support. Members of the Committee for the fiscal year 2011-2012 were as follows:

Mustaq Kahn, Ph.D., C.Psych. Chair,	Council Member
Donna Ferguson, Psy.D., C.Psych.	College Member
Agnieszka Gajdzis, M.A., C.Psych.Assoc.	College Member
Abby Goldstein, Ph.D., C.Psych.	Council Member
Cheryl Rampersad	Public Member
Ethel Teitelbaum	Public Member

<b>College Staff Support</b>	Rick Morris, Ph.D., C.Psych.	Deputy Registrar/Director, Professional Affairs
	Julie Hahn	Practice Advisor/QA Coordinator

**Activities** The Committee reviewed the *Model Standards for Telepsychology Service* developed and adopted by the Association of Canadian Psychology Regulatory Organizations (ACPRO). ACPRO recommended these *Model Standards* to each Canadian regulatory body for consideration and adoption, as appropriate within the jurisdiction. The response of the Committee to the *Model Standards* was positive and the Committee moved that they be forwarded to the College Council for adoption.

#### Funding for Therapy and Counselling:

The Committee discussed the Funding for Therapy and Counselling Program and how it has been used since its inception with the passing of the Regulated Health Professions Act in 1994. Currently, there is one individual receiving funding for therapy under the program. There were no new applications in the past year. Two other individuals have been deemed eligible by previous Client Relations Committees and notified of their eligibility. As yet, they have not accessed the fund.

# Inquiries, Complaints and Reports Committee

**Introduction** The Inquiries, Complaints and Reports Committee (ICRC) is responsible for the investigation of complaints, as well as the approval and disposition of Registrar's Investigations, with respect to the conduct and competence of members. It is also responsible for inquiries into whether or not a member is incapacitated. As required by statute, every matter is considered by a panel of the Committee comprised of two professional members of the Committee and one member of the Committee appointed to the College by the Lieutenant Governor in Council. After the panel considers all of the relevant information in a matter, it renders a decision to the parties. Except when referring a matter to the Fitness to Practice or Discipline Committees, the Committee provides the parties with written reasons for its decision.

If either party to a complaint is dissatisfied with the adequacy of the Committee's investigation or believes the decision reached is unreasonable, he or she can request a review by the Health Professions Appeal and Review Board (HPARB). The HPARB is an adjudicative tribunal under the Regulated Health Professions Act, 1991 (RHPA). Through reviews, the HPARB monitors the activities of the ICRC to ensure it fulfills its duties in the public interest and as mandated by legislation.

<b>Members</b>	Dalia Slonim Psy.D.,C.Psych. Chair	Council Member
	Ian Brown Ph.D.,C.Psych.	Council Member
	Allyson Harrison Ph.D.,C.Psych.	Council Member
	Mustaq Khan Ph.D.,C.Psych.	Council Member
	Milan Pomichalek Ph.D.,C.Psych.	Council Member
	Robert Gauthier M.Ed.,C.Psych.Assoc	Council Member
	Judy Cohen	Council, Public Member
	Ivan McFarlane	Council, Public Member
	Cheryl Rampersad	Council, Public Member
	Michael Minden Ph.D.,C.Psych.	College Member
	David Duncan Ph.D.,C.Psych.	College Member
	Marjory Phillips Ph.D.,C.Psych.	College Member
	Lynn Stewart Ph.D.,C.Psych.	College Member
	Judy Fair M.A.Sc.,C.Psych.Assoc.	College Member
	Glenn Webster M.Ed.,C.Psych.Assoc.	College Member

<b>College Staff Support</b>	Barry Gang, Dip.C.S., C.Psych.Assoc.	Director, Investigations and Hearings
	Mona McTague	Investigator: Investigations and Resolutions
	Lee-Ann Siu	Case Manager: Investigations and Resolutions
	Zimra Yetnikoff	Case Manager: Investigations and Resolutions
	Jean-Michel Trussart	Administrative Assistant: Investigations and Hearings
	Indira Darshanand	Administrative Assistant: Investigations and Hearings

## **Activities** Investigations and Resolutions

During the 2011-12 fiscal year the College received 259 informal reports of concern about members' practices which were resolved without the need for investigation. In addition, the College initiated the investigation of 74 formal complaints and one Registrar's Investigation.

These investigations relate to the following services:



Psychotherapy / Counseling	21
Rehabilitation / Insurance Assessment	17
Custody & Access / Child Welfare Assessment	10
Neuropsychological Assessment	2
Educational Assessment	5
Industrial / Occupational Assessment	2
Correctional Assessment	1
Other Psychological Assessment	6
Supervision	4
Administration	2
Teaching / Training	1
Mediation	1
Not Related to Psychological Services	3
Total:	75

Investigations typically involve multiple allegations.  
Allegations investigated included:

Inadequate data to support conclusions	33
Conduct unbecoming a member of the CPO	26
Failure to render services appropriate to the user's needs	24
Bias	22
False or misleading statements	20
Inaccurate information	16
Insensitive treatment of clients	15
Breach of confidentiality	11
Conflict of interest	12
Failure to obtain informed consent	12
Failure to respond to a request in a timely manner	12
Fees and billing problems	9
Poor quality of services	9
Failure to fulfill the terms of the agreement with user	8
Lack of competence	8
Boundary violation	7
Failure to provide services sought	6
Improper supervision	5
Inadequate handling of termination	5
Non-sexual abuse	4
Incapacity	3
Record keeping problems	3
Illegal conduct	2
Inadequate feedback	2
Inappropriate conduct towards an employee	2
Problematic statements made at trial	2
Sexual abuse	2
Sexual harassment	2

Failure to comply with College requirements	1
Improper office conditions	1
Failure to comply with limitation	1
Inappropriate advertising and announcements	1
Non -acceptance of regulatory authority of the College	1
Dual relationship	1

***Dispositions  
Reached During  
the Year***

During the 2011-12 fiscal year, the ICRC made the following dispositions:

Take no Further Action	24
Advice	11
Written Caution	10
Administrative Withdrawal	6
Referral to the Discipline Committee	4
Take No Action; Complaint Frivolous, Vexatious, Made in Bad Faith, Moot or otherwise an Abuse of Process	3
Incapacity Investigation	2
Oral Caution	2
Written Caution and Undertaking	2
Oral Caution and Undertakings	1
Closed – No Jurisdiction	1
Total:	66

Review by the Health Professions Appeal and Review Board (HPARB) of 13 Decisions was requested by complainants and/ or members. HPARB issued 19 Decisions, including those for reviews requested in previous years, confirming the College's Decisions. The Board deemed one Decision unreasonable. It also gave notice it would not proceed with 3 matters and granted 3 requests to withdraw a request for review.

# Discipline Committee

**Introduction** The Discipline Committee conducts hearings into allegations of misconduct and/or incompetence, referred by the Inquiries, Complaints and Reports Committee. The Committee is also responsible for holding hearings of applications for the reinstatement of a certificate of registration which has been revoked as a result of a disciplinary proceeding.

<b>Members</b>	Glenn Webster M.Ed.C.Psych.Assoc. Chair	College Member
	Ian Brown Ph.D.,C.Psych	Council Member
	Abby Goldstein Ph.D.,C.Psych	Council Member
	Allyson Harrison Ph.D.,C.Psych.	Council Member
	Mustaq Khan Ph.D.,C.Psych	Council Member
	Lise Mercier Ph.D.,C.Psych.	Council Member
	Jane Ledingham Ph.D., C.Psych.	Council Member
	Milan Pomichalek Ph.D.,C.Psych.	Council Member
	Dalia Slonim Psy.D.,C.Psych.	Council Member
	Robert Gauthier M.Ed.C.Psych.Assoc.	Council Member
	Judy Cohen	Council, Public Member
	Vincent Lacroix	Council, Public Member
	Ivan McFarlane	Council, Public Member
	Peter McKegney	Council, Public Member
	Cheryl Rampersad	Council, Public Member
	Ethel Teitelbaum	Council, Public Member
	Clarissa Bush Ph.D.,C.Psych	College Member
	Maggie Mamen Ph.D.,C.Psych.	College Member
	Mary Ann Mountain Ph.,D.,C.Psych.	College Member
	Nina Josefowitz Ph.D.,C.Psych.	College Member
	David Teplin Psy.D.,C.Psych.	College Member
	Mary Bradley M.A.Sc., C.Psych.Assoc.	College Member

**Staff Support** Barry Gang, Dip.C.S., C.Psych.Assoc., Director, Investigations and Hearings  
Jean-Michel Trussart, Indira Darshanand, Administrative Assistants: Investigations and Hearings

**Matters Before the Committee** **Patricia Padden, Ph.D (former member)**

A panel of the Inquiries, Complaints and Reports Committee referred the following specified allegations, to the Discipline Committee:

While a member of the College of Psychologists of Ontario, Patricia Padden:

1. Committed an act of professional misconduct contrary to s. 1(2) of Ontario Regulation 801/93 ("O. Reg. 801/93"), made under the Psychology Act, 1991, S.O. 1991, Ch. 38, in that she failed to maintain the standards of the profession, including

a. Failing to conduct herself so that her activities and those of any persons she supervises in providing psychological services adhere to those statutes and regulations which are relevant to the provision of psychological services and the professional standards, policies and ethics

adopted by the College.

b. Failing, after having agreed to assist a client, to render services and undertake those procedures appropriate to the user's needs.

c. Failing to attempt to identify situations in which particular interventions or assessment techniques or norms may not be applicable or may require adjustment in administration or interpretation because of factors such as gender, age, race, ethnicity, national origin, religion, sexual orientation, disability, language, or socioeconomic status.

d. Allowing a person to examine a client record or giving any information, copy or thing from a client record to any person when not required or allowed either by law or by the standards of the profession.

e. Using information obtained during the provision of psychological services and/or using a power relationship associated with the provision of psychological services to abuse or exploit either a client or former client.

2. Committed an act of professional misconduct contrary to s. 1(3) of O. Reg. 801/93 in that she did something in relation to a client for the purpose of prevention, assessment, diagnosis, intervention or other purpose in a situation in which a consent is required by law, without such consent.

3. Committed an act of professional misconduct contrary to s. 1(11) of O. Reg. 801/93 in that she gave information about a client to a person other than the client or her authorized representative, without consent and without being required or allowed to do so by law.

4. Committed an act of professional misconduct contrary to s. 1(34) of O. Reg. 801/93 in that she engaged in conduct or performed an act, in the course of practicing the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

Patricia Padden is no longer a member of the College of Psychologists of Ontario.

On December 16, 2011 a panel of the Discipline Committee agreed to a joint request by Dr. Padden and the College to adjourn the matter, sine die. In an unrelated Discipline matter, Dr. Padden has already surrendered her Certificate of Registration, having earlier resigned her membership in the College. She had also undertaken to the College to never reapply for registration as a registered psychologist in Ontario, or to seek or renew registration or licensure as a psychologist in any other jurisdiction in the world. On this basis, the public interest did not require a finding at this time, however the College retains the discretion to resume prosecution of this matter if at any time Dr. Padden seeks to reapply for membership in this College, or to seek or renew registration or licensure as a psychologist in any other jurisdiction in the world.

**Lisa Trépanier, Ph.D., C. Psych.**

On April 18, 2012, a panel of the Discipline Committee accepted the following Statement of Agreed Facts and Joint Submission on Penalty and found that Dr. Trépanier had committed Professional Misconduct:

STATEMENT OF AGREED FACTS

The defendant, Dr. Lisa Trépanier, hereby formally admitted to the following facts:

1. Dr. Trépanier is a psychologist and a member of the College of Psychologists of Ontario. Dr. Trépanier's certificate of registration was issued in 2003.

2. In 2007 and 2008, Dr. Trépanier was employed as a staff psychologist in acute care medicine at REDACTED. She was the professional practice leader for psychology at REDACTED. At that time, Dr. Trépanier also maintained a part-time private practice, was an assistant professor in the Department of Psychiatry in the Faculty of Medicine at the University of REDACTED, and was a lecturer at REDACTED, working on a contractual basis.

Facts relating to Student A

3. In 2007 and 2008, Student A, whose identity has been disclosed to Dr Trépanier, was in the doctoral program in counselling psychology at the University of REDACTED. Beginning in September 2007 Student A was in a practicum placement at REDACTED, where Student A was under Dr. Trépanier's supervision one day per week. Initially, Student A was job shadowing Dr. Trépanier. Later, Student A provided professional psychological services. Throughout this period, Dr. Trépanier knew or ought reasonably to have known that her status as Student A's supervisor gave rise to a power imbalance.

4. Throughout the course of her supervision of Student A, Dr. Trépanier failed to establish and maintain appropriate boundaries, particulars which are set out below.

5. While she was Student A's supervisor, Dr. Trépanier extended to Student A invitations to join her at lunches, dinners, and social gatherings. In addition, Dr. Trépanier invited Student A to Dr. Trépanier's time-share in Hawaii to attend an INS conference and for a day trip to Dr. Trépanier's time-share at Horseshoe Valley Resort, Ontario.

6. Dr. Trépanier asked Student A if Student A would help mark some exam questions in respect of a course that Dr. Trépanier was teaching at REDACTED. Student A agreed and felt obligated to do so. Marking these exams was not part of Student A's work at REDACTED and it was not appropriate for Dr. Trépanier to have made this request.

7. In the course of her supervision of Student A, Dr. Trépanier made frequent inappropriate personal disclosures to Student A.

8. In the course of her supervision of Student A, Dr. Trépanier also made unsolicited sexually oriented comments and related explicit sexually-oriented anecdotes and jokes to Student A and to others, including Dr. B, in Student A's presence. Dr. Trépanier knew or ought reasonably to have known that these comments, jokes, and anecdotes were inappropriate and unwelcome and that they resulted in an offensive, hostile, and intimidating professional environment. Furthermore, Dr. Trépanier knew or ought to have known that this conduct might reasonably be expected to cause harm, insecurity, discomfort, offence, or humiliation to Student A and others.

9. In May, 2008, when questioned by Student A, Dr. Trépanier inappropriately disclosed to Student A that she had sexual feelings for Student A. Dr. Trépanier also suggested that this fact may have a "positive" effect on her evaluation of Student A. When questioned further by Student A, Dr. Trépanier denied that there was anything inappropriate about disclosing these feelings and told Student A that this state of affairs was nothing for Student A to be concerned about.

10. Dr. Trépanier knew or ought reasonably to have known that her feelings for Student A

compromised her objectivity as Student A's supervisor.

11. Dr. Trépanier inappropriately disclosed to Student A her experiences supervising Dr. B and asked Student A to be a witness in respect of Dr. B's complaint to the College and Dr. Trépanier.

#### Facts relating to Dr. B

12. From approximately July, 2007 to the end of December, 2007, Dr. Trépanier was Dr. B's primary direct-line supervisor at REDACTED. Throughout this period, Dr. B, whose identity has been disclosed to Dr. Trépanier, was providing psychological services. Throughout this period, Dr. Trépanier knew or ought reasonably to have known that her status as Dr. B's supervisor gave rise to a power imbalance.

13. Dr. Trépanier's supervision of Dr. B was wholly inadequate and fell below the standards of the profession. For example, Dr. Trépanier failed to assist Dr. B to prepare for a Consent and Capacity Board hearing, despite Dr. B's requests for assistance, failed to provide any feedback whatsoever in respect of Dr. B's performance as a witness at the hearing, despite Dr. B's repeated requests for same, was not reasonably available to Dr. B during the course of her supervision, and sent a Primary Supervisor's Work Appraisal Form to the College, together with a cover letter critical of Dr. B and advising that she would no longer act as Dr. B's supervisor, without first discussing the substance of her appraisal and of her purported concerns with Dr. B.

14. Dr. Trépanier's written appraisal of Dr. B, and her report of same to the College, were false and misleading in that they contained false representations to the effect that Dr. Trépanier had been reasonably available to Dr. B, provided adequate supervision, and had meaningfully shared her purported concerns with Dr. B.

15. Throughout the course of her supervision of Dr. B, Dr. Trépanier failed to establish and maintain appropriate boundaries, particulars of which are set out below.

16. While she was Dr. B's supervisor, Dr. Trépanier extended to Dr. B invitations to join her for lunches and dinners and invited Dr. B to Dr. Trépanier's time-share in Hawaii to attend an INS conference.

17. In the course of her supervision of Dr. B, Dr. Trépanier made sexually-oriented comments and related explicit sexually-oriented anecdotes to Dr. B, often in the presence of others. On occasion, Dr. B was the focus of Dr. Trépanier's sexually-oriented jokes, told in Dr. B's presence and in the presence of other students and professional colleagues. Dr. Trépanier knew or ought reasonably to have known that these comments, anecdotes, and jokes were inappropriate, offensive, and unwelcome and that they resulted in an offensive, hostile, and intimidating professional environment. Furthermore, Dr. Trépanier knew or ought reasonably to have known that this conduct might reasonably be expected to cause harm, insecurity, discomfort, offence, or humiliation to Dr. B.

#### Facts relating to Patient C

18. From approximately November, 2004 to approximately December, 2005, Dr. Trépanier provided psychological services to Patient C. Patient C's identity has been disclosed to Dr. Trépanier. Patient C was, at all relevant times, a vulnerable person.

19. Beginning in December, 2006, Dr. Trépanier commenced a personal relationship with Patient C. As of that time, Dr. Trépanier allowed Patient C to live in her home and accompany

her on social outings. Their personal relationship was inappropriate and unprofessional.

20. During the course of her personal relationship with Patient C, Dr. Trépanier occasionally allowed Patient C to assist her with her administrative work, in scoring her tests in her private practice, and in running errands.

21. During the course of her personal relationship with Patient C, Dr. Trépanier wrote a letter to REDACTED Social Services on Patient C's behalf, in which she purported to give her "professional opinion" to the effect that Patient C's welfare should be backdated to a certain date. In this letter, she noted her professional designation.

Further admissions:

22. Dr. Trépanier admitted and the panel found that, by acting in the manner described above, she committed the following acts of professional misconduct:

(a) Failing to maintain the standards of the profession, contrary to s. 1(2) of Ontario Regulation 801/93 (the "Professional Misconduct Regulation"), made under the Psychology Act, 1991, S.O. 1991, Chap. 38, including the standards set out in the Regulation Guideline (Psychologists) - Requirements and Registration Process and Standards 4.1(b) and (c), 2.4(2), and 13.1(a), (b), and (c) of the Standards of Professional Conduct (effective September 1, 2005);

(b) Failing to supervise adequately one or more people who were under her professional responsibility and who were providing professional services, contrary to s. 1(4) of the Professional Misconduct Regulation;

(c) Practicing the profession while in a conflict of interest, contrary to s. 1(10) of the Professional Misconduct Regulation;

(d) Making a record, or issuing or signing a certificate, report, or similar document that she knew or ought to have known was false, misleading, or otherwise improper, contrary to s. 1(20) of the Professional Misconduct Regulation; and

(e) Engaging in conduct or performing acts, in the course of practicing the profession that, having regard to all the circumstances, would reasonably be regarded by my members as disgraceful, dishonourable, and unprofessional, contrary to s. 1(34) of the Professional Misconduct Regulation.

#### JOINT SUBMISSION ON PENALTY

The parties jointly submitted that the following penalty should be imposed and the panel ORDERED that:

1. On the day of her Discipline hearing, Dr. Trépanier shall appear before the Discipline Committee to be reprimanded and the fact of the reprimand shall be recorded on the Public Register.

2. Dr. Trépanier's Certificate of Registration shall be suspended for a period of four months, effective April 25, 2012.

3. A term, condition, or limitation shall be placed immediately on Dr. Trépanier's Certificate of Registration requiring that, prior to returning to practice, Dr. Trépanier, attend, at her own expense, and successfully complete a boundaries course of the Registrar's choosing. This term, condition, and limitation will remain on Dr. Trépanier's Certificate of Registration until such

time as the aforesaid boundaries course has been successfully completed and the Registrar has been notified of same. (Dr. Trépanier has completed this requirement and this term, limitation and condition was removed on July 31, 2012)

4. A term, condition, or limitation shall be placed immediately on Dr. Trépanier's Certificate of Registration requiring that, starting immediately upon her return to practice, Dr. Trépanier undergo, at her own expense, mentorship with a psychologist selected by the Registrar, for a period of one year after her return to practice. The mentor shall review the Discipline Committee's Decision and Reasons at the outset of the mentorship and shall make written reports to the Registrar on a quarterly basis. The mentorship shall be focused on boundary issues.

This term, condition, or limitation will remain on Dr. Trépanier's Certificate of Registration until the date that is one year after the aforesaid mentorship began.

#### REASONS FOR THE DECISION

The Panel agreed that the jointly recommended penalty was appropriate and that it served the public interest. In particular, the Panel noted the importance of the remediation portion of the penalty. Dr. Trépanier admitted guilt to the allegations of misconduct specified in the Notice of Hearing. She did not require the complainants to testify in a public setting. She both waived her right of appeal and agreed to an undertaking with the College. Dr. Trépanier's cooperation, admission of guilt, and the nature of the undertaking played heavily in the Panel's decision to accept the jointly proposed penalty.

#### **Hermanus Van der Spuy**

A panel of the Inquiries, Complaints and Reports Committee referred the following allegations to the Discipline Committee:

Dr. Hermanus van der Spuy committed an act of professional misconduct in that he:

1. Failed to maintain the standards of the profession contrary to subsection 1(2) of the Professional Misconduct Regulation. This failure included providing a psychological service to someone with whom he was involved in a personal and/or sexual relationship, contravening one or more of the Standards of Professional Conduct (Effective September 1, 2005), including Standards 2.1, 12.1 and 12.5 thereof.
2. Abused a client, contrary to s. 1(6) of the Professional Misconduct Regulation.
3. Practiced the profession while in a conflict of interest, contrary to s. 1(10) of the Professional Misconduct Regulation.
4. Made a record, or issued or signed a certificate, report or similar document that he knew or ought to have known was false, misleading or otherwise improper, contrary to s. 1(20) of the Professional Misconduct Regulation.
5. Engaged in conduct or performed an act, in the course of practicing the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional, contrary to s. 1(34) of the Professional Misconduct Regulation.
6. Engaged in conduct which amounted to sexual abuse which is an act of professional



misconduct under section 51(1)(b.1) of the Health Professional Procedural Code, being Schedule 2 to the Regulated Health Professions Act, 1991, S.O. 1991, c. 18.

With respect to the matter noted above, a panel of the Inquiries, Complaints and Reports Committee also referred the following allegation to the Discipline Committee:

Dr. Hermanus Van der Spuy committed an act of professional misconduct in that he failed to maintain the standards of the profession contrary to subsection 1(2) of the Professional Misconduct Regulation, in that he rendered professional opinions that were not based on current, reliable, adequate, and appropriate information contravening the Standards of Professional Conduct (Effective September 1, 2005), including Standard 14.3 thereof.

At a disciplinary hearing on December 16, 2011, Dr. van der Spuy and the College of Psychologists of Ontario agreed to the following disposition in respect of the allegations of professional misconduct:

(a) The hearing into the allegations of professional misconduct set out in the Amended Notice of Hearing will be adjourned sine die on the basis of the following agreement and undertaking:

(i) Dr. van der Spuy has resigned his membership in the College of Psychologists of Ontario and is therefore no longer entitled to practice psychology in the Province of Ontario effective January 31, 2011;

(ii) Dr. van der Spuy provided the original copy of his Certificate of Registration to counsel for the College of Psychologists on September 14, 2011;

(iii) Dr. van der Spuy hereby undertakes and agrees never to reapply for a certificate of registration to practice as a psychologist or as a psychological associate in Ontario; the alternative, if he has licensure in any such jurisdiction, he has resigned from the practice of psychology in such jurisdiction;

(v) Dr. van der Spuy agrees that he will never apply anywhere in the world for licensure or regulatory permission of any kind to engage in the practice of psychology;

(vi) In the event that Dr. van der Spuy breaches any of these commitments, and in particular if he applies for licensure to practice psychology anywhere in the world, or for a certificate of registration to practice psychology in the province of Ontario, it will result in the scheduling of a hearing of the allegations set out in the Amended Notice of Hearing to be decided, on the merits, in a timely manner;

(vii) The allegations set out in the Amended Notice of Hearing, and this agreement and undertaking, will be available on the public register of the College of Psychologists of Ontario.

(viii) The allegations contained in the Amended Notice of Hearing, and this agreement and undertaking, will be communicated by the College of Psychologists of Ontario to the Association of State and Provincial Psychology Boards ("ASPPB").

**Erin Danto, Ph.D (former member)**

A hearing before a Panel of the Discipline Committee of the College of Psychologists of Ontario took place in Toronto on August 4, 2011 concerning allegations of professional misconduct against Dr. Erin Danto

STATEMENT OF AGREED FACTS:

As stated in a statement of agreed facts,

1. Dr. Erin Danto was a psychologist and licensed to practice psychology in Ontario until 2009.
2. In 2009 Dr. Danto was employed as a Staff Psychologist at a Federal penitentiary in Kingston, Ontario, where she provided psychological services to inmates.
3. Between August 2007 and June 2009, Dr. Danto provided these services to a male inmate who was serving a life sentence for second degree murder.
4. On or about June 13, 2009, the inmate escaped from custody. Following his escape, a search of his cell revealed information connecting him to Dr. Danto. When questioned about this by the police, Dr. Danto denied any involvement with the inmate beyond her professional relationship with him.
5. Five days later the inmate and Dr. Danto were apprehended by police while traveling together in Dr. Danto's car. Both Dr. Danto and the inmate were arrested and taken into custody.
6. Two days later, on July 20, 2009, Dr. Danto pled guilty to two criminal charges: Accessory After the Fact to an Offence of Unlawful Escape from Custody and Breach of Trust. She was found guilty of both counts and sentenced to a prison term of two years less a day, to be served in a provincial reformatory.
7. Shortly thereafter, Dr. Danto resigned her membership with the College.

DECISION:

Based upon the Statement of Agreed Facts, the Panel found that Dr. Danto had:

8. Dr. Danto committed an act of professional misconduct contrary to section 51(1)(a) of the Health Professions Procedural Code ("the Code"), being Schedule 2 to the Regulated Health Professions Act, 1991, S.O., 1991, c. 18 ("the Code"), in that she has been found guilty of an offence that is relevant to her suitability to practise;
9. Dr. Danto committed an act of professional misconduct contrary to section 51(1) (c) of the Code and section 1, paragraph 32 of Ontario Regulation 801/93, made under the Psychology Act, 1991, S.O. 1991, c. 38 ("Ont. Reg. 801/93") in that, while a member of the College, she contravened a Federal law and the contravention is relevant to the member's suitability to practise.
  - (a) Dr. Danto committed an act of professional misconduct contrary to section 51(1) (c) of the Code and section 1, paragraph 34 of Ont. Reg. 801/93 in that she engaged in conduct or performed an act, in the course of practicing the profession, that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

PENALTY:

As agreed to in a joint submission on penalty, the panel directed that Dr. Danto's Certificate of Registration be revoked.

Panel's Reasons:

In imposing the penalty, the Panel acknowledged Dr. Danto's expression of remorse and her efforts to rehabilitate herself. The Panel also acknowledged the mitigating factors put forward by College Counsel—i.e. that Dr. Danto had no prior criminal record, that she made an early and voluntary plea of guilty, that she cooperated with the College in formulating the Agreed Statement of Facts and Findings, and that she resigned her membership in the College voluntarily in 2009. In addition, Dr. Danto spent close to two years in prison and has been deported to the United States.

Nevertheless, the Panel determined that revocation was the appropriate penalty, in view of the seriousness of Dr. Danto's offences—not only each offence on its own but the cumulative effect. The penalty of revocation is imposed in order to ensure public protection as well as with regard to the principles of specific and general deterrence—specific deterrence to Dr. Danto and general to other members of the College. It is a reminder to members of the profession of the necessity to adhere to the highest ethical and moral standards. In addition the public must have confidence in the profession's ability to regulate itself and provide protection from a member who disregards professional standards and breaks the Criminal Code.

In addition, the Panel notes that Dr. Danto's lack of personal and professional judgment, her inappropriate professional relationship with her client and her subsequent actions were serious breaches of ethical and professional standards which had harmful consequences for a vulnerable client who was then faced with further legal charges.

In reaching its decision on revocation as the penalty, and in weighing the fact that Dr. Danto has already been penalized by the legal system, the Panel considered the decision of the College of Physicians and Surgeons (CPSO) of September 3, 2010 in the Kitafuke case. In this case a physician, who had been found guilty of criminal charges, had his registration revoked by a Discipline Panel. In its decision the CPSO Panel wrote:

#54 ....while public protection is an important factor to be considered, it is not the only factor which the Committee should rely on when considering a penalty of revocation. The penalty must also address the principles of specific and general deterrence and maintaining the public's confidence and trust in the profession's ability to regulate itself.

#66 .....Dr. Kitafuke's misconduct constitutes a serious breach of professional trust and brought the reputation of the profession into disrepute...

The Panel is of the opinion that the above-noted statements from the Kitafuke case apply to the facts of this case. The Panel believes that the seriousness of the allegations against Dr. Danto is similar in many respects to the Kitafuke case.

#### WITHDRAWAL OF ALLEGATIONS

A Hearing of a panel of the Discipline Committee took place on August 4, 2011, into allegations that a member committed professional misconduct in relation to conclusions made during the course of an assessment. Following thorough review of the evidence by the College and pursuant to consultation with another member of the profession, it was determined that there was no reasonable chance of a successful prosecution. Because there was no reasonable chance of a successful prosecution the panel directed and ordered that the Notice of Hearing be withdrawn.

# THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

## INDEPENDENT AUDITOR'S REPORT

TO THE MEMBERS OF THE COUNCIL OF THE THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

The accompanying summary financial statements of The College of Psychologists of Ontario (the "College"), which comprise the summary balance sheet as at May 31, 2012, and the summary statement of operations for the year then ended, are derived from the audited financial statements of the College for the year ended May 31, 2012. We expressed an unmodified audit opinion on those financial statements in our report dated September 21, 2012.

The summary financial statements do not contain all the disclosures required by Canadian generally accepted accounting principles. Reading the summary financial statements therefore, is not a substitute for reading the audited financial statements of the College.

### Management's Responsibility for the Summary Financial Statements

Management is responsible for the preparation of a summary of the audited financial statements in accordance with Canadian generally accepted accounting principles.

### Auditor's Responsibility

Our responsibility is to express an opinion on the summary financial statements based on our procedures, which were conducted in accordance with Canadian Auditing Standard (CAS) 810, "Engagements to Report on Summary Financial Statements".

### Opinion

In our opinion, the summary financial statements derived from the audited financial statements of the College for the year ended May 31, 2012 are a fair summary of those financial statements, in accordance with Canadian generally accepted accounting principles.

*Clarke Derming LLP*

CHARTERED ACCOUNTANTS  
Licensed Public Accountants

Toronto, Ontario  
September 21, 2012

## SUMMARY STATEMENT OF FINANCIAL POSITION

AS AT MAY 31, 2012

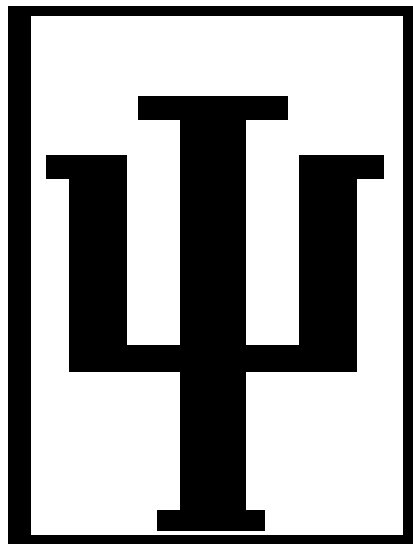
	2012	2011
<b>ASSETS</b>		
Current assets		
Cash and equivalents	\$ 6,000,268	\$ 5,049,568
Prepaid expenses and sundry assets	38,860	62,826
	<u>6,039,128</u>	<u>5,112,394</u>
Investments at fair value	745,262	1,591,388
Property and equipment	254,107	211,075
	<u>7,038,497</u>	<u>6,914,857</u>
<b>LIABILITIES</b>		
Current liabilities		
Accounts payable and accrued liabilities	199,434	282,585
Registration fees received in advance	2,251,523	2,258,381
	<u>2,450,957</u>	<u>2,540,966</u>
<b>NET ASSETS</b>		
Invested in capital assets	254,107	211,075
Internally restricted reserve funds	2,862,303	2,979,850
Unrestricted	1,471,130	1,182,966
	<u>4,587,540</u>	<u>4,373,891</u>
	<u>7,038,497</u>	<u>6,914,857</u>

## SUMMARY STATEMENT OF OPERATIONS

YEAR ENDED MAY 31, 2012

Revenues		
Registration fees	2,770,275	2,665,115
Examination fees	119,370	116,390
Interest and miscellaneous income	96,428	68,384
	<u>2,986,073</u>	<u>2,849,889</u>
Expenses		
Administration	2,043,076	1,897,496
Professional services	106,010	157,622
Investigations, hearings and resolutions	217,111	270,145
Examination and seminar costs	158,105	158,204
Governance	77,423	89,037
Registration	52,564	59,798
Professional organizations	26,855	28,150
Communication, education and training	66,378	76,959
Quality assurance	24,902	26,954
	<u>2,772,424</u>	<u>2,764,365</u>
Excess of revenues over expenses for the year	\$ 213,649	\$ 85,524

THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
L'Ordre des psychologues de L'Ontario



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