

# The e-Bulletin

THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO  
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO  
Regulating Psychologists & Psychological Associates

Volume 5, Number 2

April 2014

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## Renewal Reminder

A reminder to members: membership renewal notices were emailed on April 14, 2014. Fees are due by June 1, 2014 and a late fee will be applied automatically after this date.

[Read More...](#)

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### President's Message

It appears that spring has finally arrived as I write this. Surely by the time you read this all the snow will be gone and we can think about summer!

Recently, the Registrar and I signed the sealed copies of the revised Registration Regulation and the amended Quality Assurance Regulation, the result of several years of work.

[More....](#)

### Council Highlights

Highlights from the Council meeting held on March 21, 2014 can be [found here](#).

### Barbara Wand Seminar 2014

The Barbara Wand Seminar in Professional Ethics, Standards and Conduct will be held in Toronto on May 12, 2014. Once again, the Seminar will also be presented as a webcast for those who are unable to attend in person.

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### Quality Assurance Program 2014 Reminder

The Self Assessment Guide and Professional Development Plan component of the Quality Assurance Program is completed by all members of the College every other year.

[Read More...](#)

### Oral Examiners Needed

As part of a self regulating profession, each year busy Ontario psychologists and psychological associates make the time to participate in the various statutory committees and regulatory activities which contribute to the high quality of psychological

## Changes to the Register

Since March 2014, there have been many changes to the College Register as new Certificates of Registration were issued or members retired or resigned. As well, the College learned, with regret, of the deaths of a colleague.

### [View Changes to the Register](#)

## Upcoming Council Meeting Dates

The following dates have been confirmed for the next Council Meetings:

June 20, 2014  
September 19, 2014  
December 12, 2014

Observers are welcome. Please advise the College of your wish to attend by calling 416-961-8817 or emailing [cpo@cpo.on.ca](mailto:cpo@cpo.on.ca)

### Quick Links

[College of Psychologists Of Ontario](#)

416-961-8817  
800-489-8388  
[cpo@cpo.on.ca](mailto:cpo@cpo.on.ca)

services that are offered in this province. We are now looking for members who wish to bring their skills to the table and engage in this important function.

### [Read more...](#)

## Elections to Council 2014

Elections were held on March 31, 2014 for Council positions in two districts. The College wishes to congratulate:

Gilles Hébert, Ph.D.,C.Psych.  
Robert Gauthier, M.Sc.,M.Ed., C.Psych.Assoc.

### [Read more...](#)

## With Regret

In March 2014, the College learned with regret of the passing of Dr. John T. Goodman. Dr. Goodman had been registered as a psychologist since 1968.

### [Read more...](#)

## Investigations, Reports and Complaints Committee Activities and Advisory Information

The ICRC reports the following statistical information for the first 2 quarters of the fiscal year, beginning on June 1, 2013:

Advisory Information from the ICRC: Handling Frivolous, Vexatious, Made in Bad Faith, Moot or Otherwise an Abuse of Process Complaints

### [Read more...](#)

## President's Message

It appears that spring has finally arrived as I write this. Surely by the time you read this all the snow will be gone and we can think about summer!

Recently, the Registrar and I signed the sealed copies of the revised Registration Regulation and the amended Quality Assurance Regulation, the result of several years of work. Although there are still a few steps left in the process, it appears that these regulations will come into force in the near future. Registration applicants and the graduate training programs have already been advised of the increased specificity in the revised registration requirements. College members will be hearing more about the changes to the Quality Assurance program in the fall.

On April 24, the Executive Committee and the Registrar enjoyed meeting with local members in the Kingston area. Each year, the Committee holds one of its meetings in a different part of the province to allow members in the respective area to meet with the Executive in a relaxed atmosphere. It's also an opportunity for members of the College to meet and socialize with each other. This has been a beneficial exercise and the feedback has been positive.

In June, the first Council meeting of the fiscal year will occur. There will be a number of new Council members taking the seats vacated by Council members whose terms are ending: Dr. Lise Mercier (District 4), Dr. Abby Goldstein (District 8 – Academic), and Dr. Ivan McFarlane (public member). Their contributions have been greatly appreciated. The Council and staff will continue to address the many issues facing the regulation of psychology in Ontario and look forward to the participation of the newly elected professional members and recently appointed public members on the Council.

Robert Gauthier, M.Sc., M. Ed., C.Psych.Assoc.  
President

## Council Highlights – March 21, 2014

### Strategic Issues

The Council developed a statement of values for the College. The draft values statement will be reviewed by the Executive Committee and brought back to Council in September for final approval.

### Policy Issues

#### Report on the Delegation of the Controlled Act of Psychotherapy.

A motion was approved whereby members will not be permitted to delegate the future controlled act of psychotherapy.

#### By-Law 25 The Register and Related Matters

The member consultation has been concluded and the proposed amendments to By-Law 25: The Register and Related Matters were approved.

#### Conflict of Interest and Reasonable Apprehension of Bias Policy

Council approved the proposed policy amendments.

### Business Issues

#### Final Report from the Task Force on Psychological Service Providers in the Context of Disputes Concerning Child Custody and Access or Child Protection

The Inquiries, Complaints and Reports Committee (ICRC) provided feedback on recommendations made by the Custody and Access Task Force to change the College's investigation procedures for complaints against members working in this area. Council requested that the Task Force review the feedback from the ICRC to determine whether they might wish to provide further comment.

### Other Business

The following meeting date was approved: Council Meeting – December 12, 2014

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The Barbara Wand Seminar  
in Professional Ethics, Standards and Conduct  
May 12, 2014, Toronto  
*In-Person and by Webinar*

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For more registration and other information, please visit:  
[Barbara Wand Seminar](#)

What is planned...

***Issues in Complaints and Discipline:***

***Frequently Asked Questions***

**Lisa Hamilton, LL.B.**

Bell, Temple  
Toronto, Ontario

***The Complaints Process***

Barry Gang, MBA, Dip.C.S., C.Psych.Assoc.  
Director, Investigations and Hearings  
College of Psychologists of Ontario  
Toronto, Ontario

***Digital and Social Media:***

***Integrating Ethics Codes with Online Behaviour***

**Keely Kolmes, Psy.D.**

San Francisco, California

***Tricky Issues in Professional Practice***

**Rick Morris, Ph.D., C.Psych.**

Deputy Registrar/Director, Professional Affairs  
College of Psychologists of Ontario  
Toronto, Ontario

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In Person Registration		Webcast Registration	
Members	\$99.00	Individual:	\$75
Non-Member	\$125.00	Group of 1-9:	\$125
Students	\$ 30.00	Group of 10-24:	\$175
		Group of 25+:	\$225

## Quality Assurance Program 2014 Notice

The Self Assessment Guide and Professional Development Plan component of the [Quality Assurance Program](#) is completed by all members of the College every other year. In 2014, Autonomous Practice members with even registration numbers as well as all Supervised Practice and Interim Autonomous Practice members are required to complete the [Self Assessment Guide and Professional Development Plan](#). Once completed, members are required to submit the [Declaration of Completion](#) to the College as documentation that this has been done. The deadline for submission of the Declaration of Completion is June 27, 2014. Information about the Self Assessment Guide and Professional Development Plan and the Declaration of Completion is available on the [College website](#).

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The College of Psychologists requires *EXAMINERS* to participate in the Oral Examination of Candidates seeking Registration.

## Participation Opportunity

As part of a self regulating profession, each year busy Ontario psychologists and psychological associates make the time to participate in the various statutory committees and regulatory activities which contribute to the high quality of psychological services that are offered in this province. We are now looking for members who wish to bring their skills to the table and engage in this important function.

Oral examinations of candidates for registration are held twice a year, in December and June. The examinations are held in Toronto and each candidate is interviewed by a team of three members who question the candidate in his or her area(s) of practice and in the application of ethical and jurisprudence knowledge. To offer each candidate, who is ready to undergo this final step in the registration process, the opportunity for this interview, the College requires a number of oral examiners for each session. At the recent examinations conducted in December 2013, a total of 46 examiners contributed their time and talents.

### Qualifications

- Five or more years of practice since registration
- No term, condition or limitation on Certificate of Registration
- Not currently the subject of a matter pending before the Inquiries, Complaints and Reports, Discipline or Quality Assurance Committees.

Members able to conduct the oral examinations in French are especially needed.

### Availability

Examinations take place over a three-day period and examiners should be available for the entire examination schedule. Examiners are required for upcoming oral examinations being planned for December 2014 and June 2015.

### Compensation

Each examiner is paid a daily honorarium. Travel and accommodation expenses are also covered.

### Application Process

The selection of members to assist with a particular set of oral exams, from among those who are interested, is made based on a number of criteria. These include the necessity to match examiners' area(s) of practice with that of the candidates, the need to provide bilingual examiners for Francophone candidates, and the desirability of having both new and

experienced examiners on each team. In addition, the College strives to ensure the examination teams are made up of members from across the province and represent both male and female practitioners. Due to the need to match examination teams with candidates, it is not always possible to involve all interested members.

If you are interested in being on the roster of oral examiners please send an email to Ms. Lesia Mackanyn, Director, Registration at [lmackanyn@cpo.on.ca](mailto:lmackanyn@cpo.on.ca). Please indicate your area(s) of practice, as well as your availability for the upcoming dates: December 3, 4, 5, 2014.

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## Election to College Council March 2014

Elections were held on March 31, 2014 for Council positions in two districts.

The College wishes to congratulate:

Gilles Hébert, Ph.D., C.Psych. - *elected in District 4 (East)*

Robert Gauthier, M.Sc, M.Ed., C.Psych.Assoc. - *acclaimed in District 7 (Psychological Associates)*

To introduce these members of Council, reproduced below are the Biographical and Candidate Statements which they submitted as part of the election process.

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**Gilles Hébert, PhD, C.Psych**  
**Electoral District 4 – East**

### **BIOGRAPHY**

I have been a member of the College of Psychologists of Ontario since 1995. In 2001, I founded Hébert & Associates ( [www.Hebert.ca](http://www.Hebert.ca) ), among one of the largest private practices in Ottawa, which is comprised of 10 psychologists who provide services for a wide range of clientele and presenting problems.

Native of northern Ontario and fluently bilingual, I completed my undergraduate and graduate studies at the University of Ottawa. My doctoral thesis focused on REM sleep research and was written with the supervision of Dr. Joseph De Koninck.

Since 1985, I have gained clinical experience in a wide variety of treatment settings with remarkable mentors. Initially, I worked as an orderly at the Pierre Janet Psychiatric Hospital, then as an intern at the Rehabilitation Centre (Chronic Pain Clinic with Dr. Peter Henderson) and the Royal Ottawa Hospital (Outpatient Geriatric Psychiatry with Dr. Daniel Lavoie). Subsequently, I worked under the direction of Dr. Gretchen Conrad at the Ottawa Hospital.

I am a member of the Canadian Psychological Association (CPA), the Canadian Academy of Psychologists in Disability Assessment (CAPDA), the International Association for the Study of Pain (IASP), the Ottawa Academy of Psychology (OAP), and the Canadian Sleep Society (CSS). I am also registered with the Canadian Registry of Health Service Providers in Psychology (CRHSP).

### **STATEMENT FOR COUNCIL**

Those who know me are aware that I strive to work towards resolution through a cooperative approach. My primary aim in submitting my candidacy is to build upon the well-established foundations of the College of Psychologists of Ontario and represent your needs whilst serving the needs of the College and the public. Through respectful dialogue, I wish to enhance effective communication between the College and its members. In order to facilitate an exchange of ideas regarding current issues in our profession as well as the needs of our communities, I wish to promote more regular meetings between the College and

its members in all districts. I firmly believe that my experience, open-mindedness and collaborative approach would be valuable assets to the College of Psychologists of Ontario.

I am seeking your support to promote a new philosophy focused on enhancing rapport between the College of Psychologists and its members as well as advocating collaboration which is centered on education and the needs of the Ontario public. It would be an honour to represent the members of District 4 – East, and I would welcome the opportunity to further discuss these topics and any other concerns that you have. Thank you.

Gilles Hébert  
613-565-9090 Ext. 223  
gilles@hebert.ca

**Gilles Hébert, PhD, C.Psych**  
**District Électoral 4 – Est**

## **BIOGRAPHIE**

Je suis membre de l'Ordre des psychologues de l'Ontario depuis 1995. En 2001, j'ai fondé Hébert & Associés ( [www.hebert.ca](http://www.hebert.ca) ), un des plus grand cabinets à Ottawa qui compte 10 psychologues offrant une gamme complète de services à notre communauté.

D'origine franco-ontarienne, j'ai complété mes études du premier cycle et mes études supérieures à l'Université d'Ottawa. Ma thèse doctorale portait sur le sommeil paradoxal et fut supervisée par Dr Joseph De Koninck.

Depuis 1985, j'ai acquis de l'expérience clinique dans divers milieux et sous la direction de mentors remarquables. J'ai d'abord été préposé aux bénéficiaires au Centre hospitalier Pierre-Janet et ensuite interne à la Clinique de douleur chronique au Centre de Réadaptation sous la supervision du Dr Peter Henderson et en psychiatrie gériatrique à l'Hôpital Royal d'Ottawa sous la supervision du Dr Daniel Lavoie. Par la suite, j'ai travaillé à l'Hôpital d'Ottawa sous la direction du Dr Gretchen Conrad.

Je suis membre de plusieurs sociétés et associations, notamment la Société canadienne de psychologie (SCP), du Canadian Academy of Psychologists in Disability Assessment (CAPDA), du International Association for the Study of Pain (IASP), de l'Académie de psychologie d'Ottawa, et la Société canadienne du sommeil. Je suis aussi inscrit au Répertoire canadien des psychologues offrant des services de santé (RCPOSS).

## **ÉNONCÉ POUR LE CONSEIL**

Ceux et celles qui me connaissent savent que je cherche avant tout à oeuvrer dans un climat de respect et de collaboration. Je sou mets ma candidature pour vous représenter dans le but de vous servir tout en servant l'Ordre des psychologues de l'Ontario et le public ontarien. Par le biais d'un dialogue respectueux, je souhaite favoriser la communication entre l'Ordre et ses membres. Afin de faciliter un échange d'idées adaptées à l'actualité ontarienne de notre profession et aux besoins de nos communautés, je veux faire la promotion de rencontres entre l'Ordre et ses membres dans tous les districts et ce, sur une base régulière. Je crois fermement que mon expérience, ma volonté et mon

intention de rapprocher l'Ordre de ses membres constitueront des atouts pour l'Ordre des psychologues de l'Ontario.

Je demande votre appui pour promouvoir une nouvelle philosophie définissant un rapport entre l'Ordre des Psychologues et ses membres qui préconise une collaboration misant sur l'éducation et ajustée aux besoins du public ontarien. Représenter les membres du District 4 –Est serait pour moi un honneur. J'espère avoir le privilège d'échanger davantage à ce sujet avec vous et de répondre à vos questions. Merci.

Gilles Hébert  
613-565-9090 poste 223  
gilles@hebert.ca

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**Robert Gauthier, M.Sc., M.Ed., C.Psych.Assoc.**  
**District 7 – Psychological Associates**

### **BIOGRAPHY**

I am now finishing my second three-year term on Council and it certainly has been my privilege to represent District 7 for the past six years. A member of Council can sit for a maximum of three terms and I am seeking the third term.

As a member of Council, I have been involved in numerous committees affecting the regulation of psychology in Ontario. Some of those committees deal with ensuring members adhere to the standards of the profession (e.g., Inquiries Complaints and Reports Committee, Discipline) but many have been related to the impact of our profession (e.g., Task Force on Shaping the Future of Psychology in Ontario.) I am currently president of the College; this is only the second time in the history of psychology regulation in Ontario that a Psychological Associate has been the president. I have also been fortunate in attending national and international meetings which has been very helpful in understanding the broader scope of regulation of psychology as we develop policy to address how that broader scope affects us in Ontario. Prior to my six years on Council for the College of Psychologist of Ontario, I was on the regulatory board for the profession in Newfoundland and Labrador for approximately ten years.

### **CANDIDATE'S STATEMENT**

The regulation of our profession has been a strong interest of mine for many years. In our changing world, issues related to the profession continually rise and change. For example, issues related to 'telepsychology' and distance education are current and have to be resolved. Another issue is the migration of professionals moving among countries and facing the challenges of regulation in their new home. Finding a balance between ensuring the protection of the public (which is the primary mandate of the College) and ensuring immigrants can practice is a challenge. Within our own country, a current challenge is the development of a national standard for entry into the profession. That standard will not be based upon university degree but rather upon competencies; that is, the current goal is not that all Canadian psychologists have a doctoral degree but rather than we all have at least a minimum set of competencies.

A major issue for Psychological Associates in Ontario is the apparent unfairness of the titles (doctoral level psychologists, masters-level psychologists as a result of the Agreement on Internal Trade, and

masters-level psychological associates.) Resolving this issue is currently tied to the proposed cessation of masters-level registration but I think the two issues have to be separated and that we must move forward in pursuit of the title Psychologist for all members of the College of Psychologists of Ontario.  
Robert Gauthier

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## With Regret

In March 2014, the College learned with regret of the passing of Dr. John T. Goodman. Dr. Goodman had been registered as a psychologist in Ontario since 1968. Over the course of his professional career he held academic appointments at Yale University, the McMaster Medical School and the University of Ottawa. In addition he served as Chief Psychologist at St. Joseph's Hospital in Hamilton and as Director of Psychology at the Children's Hospital of Eastern Ontario. Dr. Goodman also maintained a private practice from 1968 until the day of his passing. Elected to the Council of the College of Psychologists of Ontario in 1995, Dr. Goodman served as President of the College from 1996 to 1998. Following his term on Council he continued to share his wisdom and expertise through his ongoing involvement with College committees.

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The ICRC reports the following statistical information for the first 3 quarters of the fiscal year, beginning on June 1, 2013:

Complaints Received, by Nature of Service:

	<b><u>YTD</u></b> <b><u>Current</u></b>	<b><u>Previous</u></b>
Administration	0	1
Capacity Assessment	4	1
Consultation	0	-
Corrections Assessment	1	1
Custody & Access / Child Welfare Assessment	5	5
Educational Assessment	8	4
Industrial / Occupational Assessment	4	-
Mediation	0	-
Neuropsychological Assessment	0	2
Not Related to Psychological Services	1	5
Other Psychological Assessment	4	7
Psychotherapy / Counseling	12	14
Rehabilitation / Insurance Assessment	8	15
Supervision	40	3
Teaching / Training	0	1
Unknown	2	-
<b>Total:</b>	<b>89</b>	<b>59</b>

Decisions Released by the College:

	<b><u>YTD</u></b> <b><u>Current</u></b>	<b><u>Previous</u></b>
Administrative Withdrawal	2	8
Advice	7	10
Take no Further Action	13	15
Oral Caution	4	2
Oral Caution and Undertakings	1	-
Written Caution	4	7
Written Caution and Undertaking	1	2
Written Caution and SCERP <sup>1</sup>	1	-
Referral to the Discipline Committee	2	4
Take No Action, if Complaint Frivolous, Vexatious, Made in Bad Faith, Moot or otherwise an Abuse of Process	7	4
<b>Total:</b>	<b>40</b>	<b>52</b>

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<sup>1</sup> Specified Continuing Education or Remediation Program

Most complaints and reports considered by the Inquiries, Complaints and Reports Committee address more than one allegation. The allegations considered by the Committee, as well as the frequency of each disposition of these allegations, are listed below:

<b><u>Dispositions by Allegation (Year to Date)</u></b>											
	Withdrawal	Take no Further Action F&V	Take no Further Action	Advice	Caution	Caution & Under Taking	Oral Caution	Oral Caution & Under Taking	Oral Caution & SCERP *	Written Caution & SCERP *	Refer to Discipline
Acceptance of Regulatory Authority of the College	-	-	-	-	-	-	-	-	-	-	-
Bias	1	1	8	-	-	-	1	-	-	1	-
Breach of confidentiality	-	-	4	1	1	-	-	-	-	-	1
Conduct unbecoming a member of the CPO	-	2	7	4	-	-	1	1	-	-	1
Conflict of interest	-	-	4	-	-	-	-	-	-	-	-
Failure to render services appropriate to the user's needs	-	-	3	1	-	-	-	-	-	1	-
Failure to obtain informed consent	-	-	2	2	-	-	1	-	-	-	-
Failure to provide appropriate explanation	-	-	1	-	-	-	1	-	-	-	-
Failure to provide services sought	-	-	-	-	-	-	-	1	-	-	-
Failure to report child abuse or neglect	-	-	1	-	-	-	-	-	-	-	-
Failure to respond to a request in a timely manner	-	1	2	1	1	-	-	-	-	-	-
False or misleading statements	1	1	3	-	1	-	-	1	-	-	1
Fees and billing problems	-	-	-	1	1	-	-	1	-	-	-
Improper supervision	-	1	3	1	-	-	-	-	-	-	-
Inaccurate information	-	-	-	-	-	-	1	-	-	-	1
Inadequate data to support conclusions	-	-	3	1	1	1	1	-	-	-	1
Inadequate handling of termination	-	-	3	-	-	-	-	-	-	-	-
Inappropriate conduct toward a colleague	-	-	2	-	-	-	-	-	-	-	-
Inappropriate conduct toward an employee	-	-	1	-	-	-	-	-	-	-	-
Incompetence	-	-	2	-	-	-	-	-	-	-	-
Insensitive treatment of clients	-	2	1	-	-	-	-	-	-	1	-

<b><u>Dispositions by Allegation (Year to Date)</u></b>												
	Withdrawal	Take no Further Action F&V	Take no Further Action	Advice	Caution	Caution & Under Taking	Oral Caution	Oral Caution & Under Taking	Oral Caution & SCERP *	Written Caution & SCERP *	Refer to Discipline	
Non-Sexual Abuse	-	1	1	-	-	-	-	-	-	-	-	
Providing services while impaired	-	1	-	-	-	-	-	-	-	-	-	
Quality of services	-	-	3	-	-	-	1	-	-	-	-	
Record keeping Problems	-	-	-	-	-	-	1	-	-	-	1	
Sexual harassment	-	-	1	-	-	-	-	-	-	-	-	

\*Specified Continuing Education or Remediation Program

#### Health Professions Appeal and Review Board

The Health Professions Appeal and Review Board reviews the Decisions of Ontario's Health Regulatory Colleges at the request of either a College member or complainant. Within the last quarter it received three requests for review of a College of Psychologists of Ontario Decision and Reasons and disposed of one review, as indicated below:

	<u>YTD</u> <u>Current</u>	<u>Previous</u>
Reviews Requested	9	9

	<u>YTD</u> <u>Current</u>	<u>Previous</u>
Decision Confirmed	6	6
Decision Unreasonable	-	-
Notice to not Proceed	-	1
Withdrawn	2	-



**Advisory Information from the Investigations,  
Reports and Complaints Committee for  
Members**

**Handling Frivolous, Vexatious,  
Made in Bad Faith, Moot or  
Otherwise an Abuse of Process  
Complaints**

The College regularly provides statistics regarding complaints made in the *e-Bulletin*. These statistics indicate that the majority of allegations investigated by the College do not lead the Inquiries, Complaints and Reports Committee (ICRC) to take any further action. As well, the majority of such College Decisions, when reviewed by the Health Professions Appeal and Review Board (HPARB) are upheld. The HPARB is the government body with the authority to review ICRC Decisions.

Some members have raised concerns regarding the College's investigation of complaints that they believe have no merit. These include complaints that appear to have been made for collateral purposes, such as interrupting litigation, obtaining otherwise confidential information through the complaints process, or harassing the member.

The Health Professions Procedural Code (Code) under the Regulation Health Professions Act (RHPA), in governing the actions of the College, does provide a mechanism for addressing complaints which are frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process. Section s. 26 of the Code states:

*(4) If the panel considers a complaint to be frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process, it shall give the complainant and the member notice that it intends to take no action with respect to the*

*complaint and that the complainant and the member have a right to make written submissions within 30 days after receiving the notice. 2007, c. 10, Sched. M, s. 30.*

The Code does not provide operational definitions of the terms "frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process." Some guidance can be found, however, within decisions of the HPARB about applications of these provisions of the Code on the particular facts of the cases before it. While each case is dependent upon its own facts, the decisions of HPARB suggest the following principles which will guide HPARB in determining whether a complaint considered by the ICRC was properly dismissed as frivolous, vexatious, or otherwise an abuse of process. The HPARB has indicated in its Decisions that:

- A history of previous complaints by the same party was not, in and of itself, a reason to find a complaint frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process, specifically when a current complaint is unrelated to a previous one.
- A complaint is not frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process, when a breach of care has been alleged and when it is not obvious on the face of the complaint that it cannot succeed, or is brought for an improper purpose or is about rolling forward grounds and issues into subsequent actions
- Information indicating that the complainant was utilizing the complaints process to gather information for collateral purposes and previous complaints by the same individual will not, depending upon the facts of the particular case, necessarily be sufficient grounds to support a decision that a complaint was frivolous, vexatious, made

in bad faith, moot or otherwise an abuse of process.

The College does not wish to pursue matters which appear to be frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process. While each decision is based on the facts of the particular case, in order to ensure that it satisfies its mandate to protect the public interest in maintaining fairness and consistency, the ICRC has instituted guidelines for the identification of such complaints. These guidelines are reviewed from time to time, usually on an annual basis.

Currently, the guidelines utilized in considering whether a complaint may be frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process include:

- The member who is the subject of the complaint was not a member of the College at the time of the event(s) giving rise to the complaint;
- The concerns raised in the complaint are not relevant to the member's practice of, or suitability to practice, psychology;
- The substance of the complaint has been the subject of a prior complaint by the complainant against the member and has already been disposed of by the College;
- The complaint has been made by an individual with a pattern of making unsubstantiated complaints; or,
- There is another more appropriate statutory remedy available to the complainant that would serve the public interest as well as the rights of the complainant and the member.

The concept of the public interest is key in these guidelines. The ICRC has taken the view that the College has an obligation to investigate

wherever the concerns about a member's conduct indicate that the public interest could require a need for the College to take some action. It is important to note that even when another body can address the matter giving rise to the complaint, only the College has the authority to make determinations as to whether a member has committed professional misconduct, is incompetent or is incapacitated.

The ICRC is a screening body without the authority to make a definitive finding that a member has committed professional misconduct, is incompetent or incapacitated. Its function, as a screening body, is to refer matters of this nature to the appropriate College adjudicative body, either the Discipline Committee or the Fitness to Practice Committee. The provisions related to whether a complaint is frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process do allow the College to choose not to investigate a complaint for the purpose of this screening. In most cases however, some investigation is necessary to determine whether screening is required.

When the ICRC intends to deem a complaint to be frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process, it is required by statute to provide notice of this to both the complainant and member. Both are given the opportunity to make further submissions before this Decision is finalized. As with all ICRC Decisions, the Decision to deem a complaint to be frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process is subject to review by the HPARB upon request of the complainant (or member). The HPARB has the authority to either confirm the Decision or require the College to proceed with an investigation.

During the last fiscal year, the ICRC deemed 7% of the complaints it reviewed to be frivolous, vexatious, made in bad faith, moot or otherwise

an abuse of process. This year, to date, the number is approximately 17%. In most cases, the reason for deeming a complaint to be frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process is that even if true, the allegations would not constitute grounds for professional misconduct and/or there is no possible way of collecting sufficient information to establish that professional misconduct occurred.

We trust this discussion will provide some assistance to our members in understanding the process by which the ICRC addresses and considers complaints which may be regarded as frivolous, vexatious, or otherwise an abuse of process.

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## Renewal Reminder

A reminder to all members: membership renewal notices were emailed on April 14, 2014. Fees are due by June 1, 2014 and a penalty of 10 per cent of the annual fee will be applied automatically after this date. Payment may be made by Visa/Mastercard, online banking or by sending a cheque. If you require assistance with the online renewal, please contact the College at 416-961-8817, ext 237 or 221. You may also email [renewals@cpo.on.ca](mailto:renewals@cpo.on.ca). To access your online renewal, please visit [www.cpo.on.ca](http://www.cpo.on.ca), and click on the Members tab at the bottom. The Login button will take you to the Member Services area.

The College has made a commitment to reduce its use of paper and therefore, this year, the renewal notice will not be sent by regular mail. Members are encouraged to ensure that their email address is up to date so as not to miss important notices such as this.

# Changes to the Register

## Certificates of Registration

The College would like to congratulate the *Psychologist* and *Psychological Associate* members who received Certificates of Registration since March, 2014.

### Psychologists - Certificate Authorizing Autonomous Practice

Paola Caponetto  
Lynn Molyneux Hart  
Patrick Lechasseur  
Ann Mary Martell

Nicole Simone McCance  
Ali Shahrami  
Abraham Chaim Worenklein

### Psychologists - Certificate Authorizing Supervised Practice

Katherine Nadine Alexander  
Nina Belyakova  
Melissa Ann Bruder  
Christine Mavie Cabrera  
Jennifer Lynn Cometto  
Tanya Cotler  
Ashley Marie Di Battista  
Renuka Chandrabhan Gupta  
Paula Marie McLaughlin  
Karen Elizabeth Roberts

Kristoffer Yves Romero  
Kristin Maria Schaub  
Krystelle Nicole Shaughnessy  
Marc Shiffman  
Tricia Corinne Vause  
Julia Vinik  
Carolina Vintu  
Kristina Marie Sales Wilder

The College wishes to thank those members who generously provided their time and expertise to act as primary and alternate supervisors for new members issued Certificates Authorizing Autonomous Practice

### Psychological Associates - Certificate Authorizing Supervised Practice

Andrea Monica Laznik Amit  
Sera Cristina Rossi

Julia Elizabeth Steeves

## Deceased Members

The College learn with regret of the death of one member. The College extends condolences to the family, friends and professional colleagues of John. T. Goodman.

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