

IN THE MATTER OF THE *HEALTH PROFESSIONS ACT*, RSA 2000, c.H-7

**AND IN THE MATTER OF A HEARING INTO THE CONDUCT OF EVERETT
(RANDY) HAMILTON, A MEMBER OF THE ALBERTA COLLEGE OF SOCIAL
WORKERS**

REASONS FOR DECISION

Pursuant to a public hearing held on March 19, 2025 at Edmonton, Alberta, the Alberta College of Social Workers Hearing Tribunal (the “Hearing Tribunal”) is issuing its reasons for decision.

These reasons will review the proceedings involving the Member and then state the Hearing Tribunal’s decision. Following this, the reasons will identify the legal questions the Hearing Panel must determine with respect to each allegation. These reasons will then set out the applicable legislation, standards and codes that are relevant for these proceedings.

Finally, these reasons will set out the rulings made during the hearing, the evidence heard by the Hearing Tribunal, the legal principles that arise in this hearing and the legal questions as they relate to each of the allegations.

INTRODUCTION AND SUMMARY OF DECISION

A hearing into the conduct of Everett (Randy) Hamilton (the “Member”) was held on March 19, 2025 pursuant to the *Health Professions Act*, RSA 2000, c H-7.

The Notice of Hearing listed the following citation made against the Member:

1. That you failed to comply with the Order of the Hearing Tribunal, particulars of which include one or more of the following:
 - a. Failing to serve your suspension of two (2) weeks within ninety (90) days of the Consent Order;
 - b. Failing to undertake twelve (12) consultations with a senior social work practitioner and report to the ACSW Complaints Director for twelve (12) months from the date of the Consent Order, specifically failing to undertake the consultations once per month and failing to report the consultations to the Complaints Director;
 - c. Failing to undertake contact with the OCSW to ascertain any and all outstanding sanctions from the oral Decision and Written Reasons of the Discipline Committee of 2015 and/or specifically failing to complete all outstanding OCSW sanctions to the satisfaction of the OCSW such that you would be eligible to commence a reinstatement application within one (1) year of the date of the Consent Order;
 - d. Failing to successfully complete the ethics course within one (1) year of the date of the Consent Order;

- e. Failing to provide confirmation that you are maintaining treatment with a medical practitioner with respect to your wellness and/or that you have been appropriately discharged from treatment and specifically failing to provide the confirmation to the Complaints Director for a period of two (2) years from the date of the Consent Order; and/or
- f. Failing to provide proof of Reasons for Decision and Orders of this hearing to your employer, Alberta Health Services, within ninety (90) days of the date of the Consent Order.

It was alleged that the Member contravened ss. G.1(a) - (b), of the Standards of Practice 2023, Value 4 of the Code of Ethics 2005, and that these contraventions constituted unprofessional conduct pursuant to ss. 1(1)(pp) (i), (ii) (viii) and (xii) of the *Health Professions Act*.

At the hearing, counsel for the Complaints Director advised that the Member had signed an Admission of Unprofessional Conduct which admitted to the following unprofessional conduct:

1. That I failed to comply with the Order of the Hearing Tribunal, particulars of which include one or more of the following:
 - a. Failing to serve my suspension of two (2) weeks within ninety (90) days of the Consent Order;
 - b. Failing to undertake twelve (12) consultations with a senior social work practitioner and report to the ACSW Complaints Director for twelve (12) months from the date of the Consent Order, specifically failing to undertake the consultations once per month and failing to report the consultations to the Complaints Director;
 - c. Failing to undertake contact with the OCSW to ascertain any and all outstanding sanctions from the oral Decision and Written Reasons of the Discipline Committee of 2015 and/or specifically failing to complete all outstanding OCSW sanctions to the satisfaction of the OCSW such that I would be eligible to commence a reinstatement application within one (1) year of the date of the Consent Order;
 - d. Failing to provide confirmation that I am maintaining treatment with a medical practitioner with respect to my wellness and/or that I have been appropriately discharged from treatment and specifically failing to provide the confirmation to the Complaints Director for a period of two (2) years from the date of the Consent Order.

The Complaints Director and Member advised that they had agreed to a joint submission on sanctions in respect of the admitted unprofessional conduct. Further, counsel for the Complaints Director confirmed that other aspects of the original citation that are not contained in the Admission of Unprofessional Conduct as summarized above would not be pursued. Accordingly, the hearing proceeded to consider whether the Hearing Tribunal should accept this joint submission on unprofessional conduct and sanction.

At the conclusion of the hearing, the Hearing Tribunal advised that it accepted the joint submission on unprofessional conduct and sanction, and that it would issue a written decision with reasons in due course.

COMPOSITION OF THE HEARING TRIBUNAL

Section 12 of the Act provides:

12(1) *Twenty-five percent of the voting members of a council, a complaint review committee and a hearing tribunal and of a panel of any of them must be public members but with the consent of the council the percentage of the public members may be greater than 25%.*

(2) *Despite the bylaws governing quorum, the number of public members required by subsection (1) must be present at an appeal under Part 4 before a council, a ratification of a settlement and a review by a complaint review committee and a hearing by a hearing tribunal.*

(3) *Despite subsections (1) and (2), the powers and duties of a council, complaint review committee or a hearing tribunal or a panel of any of them are not affected by a vacancy in the office of a public member for up to 6 months from the date that the schedule to this Act that governs the college comes into force.*

The members of the Hearing Tribunal were:

- Vince Paniak (Chair, Public Member)
- Georgeann Wilkin (Public Member)
- Susan Mallon (Registered Member)
- Verna Wittigo (Registered Member)

Michael Swanberg attended the hearing as independent legal counsel to the Hearing Tribunal.

The hearing was a public hearing pursuant to s. 78 of the Act.

PARTIES

The parties present at the hearing were:

- Everett (Randy) Hamilton (the Member)
- Sheryl Pearson (ACSW Complaints Director)
- Karen Smith, K.C. (Counsel for the ACSW Complaints Director)

LEGAL QUESTION

Since the parties presented a joint submission on both the admission of unprofessional conduct, and the sanction to be imposed in respect of that admitted unprofessional conduct, the Hearing Tribunal considered whether accepting this joint submission would bring the administration of justice into

disrepute, or would be contrary to the public interest, which is consistent with the direction of the Supreme Court of Canada in **R v. Anthony-Cook**, 2016 SCC 43 [**Anthony-Cook**].

As part of this analysis, the Hearing Tribunal considered whether the admissions made by the Member constitute unprofessional conduct under the *Health Professions Act* and the applicable provisions in the Standards of Practice and Code of Ethics, and whether the proposed sanction is fit, proportionate and appropriate in the circumstances.

LEGISLATION AND APPLICABLE STANDARDS AND CODES

The Act

The Notice of Hearing alleged that the Member contravened section 1(1)(pp) (i), (ii), (viii) and (xii), which are as follows:

(pp) “unprofessional conduct” means one or more of the following, whether or not it is disgraceful or dishonourable:

- (i) displaying a lack of knowledge of or lack of skill or judgment in the provision of professional services;*
- (ii) contravention of this Act, a code of ethics or standards of practice;*
- ...*
- (viii) failure or refusal*
 - (A) to comply with an agreement that is part of a ratified settlement;*
 - (B) to comply with a request of or co-operate with an investigator;*
 - (C) to undergo an examination under section 118, or*
 - (D) to comply with a notice to attend or a notice to produce under Part 4.*
- ...*
- (xii) conduct that harms the integrity of the regulated profession;*

The Standards of Practice

The Notice of Hearing alleged that the Member contravened sections G.1(a) and (b) of the ACSW Standards of Practice, which are as follows:

G.1(a) A social worker is legally and ethically obligated to adhere to the Health Professions Act, the Social Workers Profession Regulation, the ACSW Bylaws, the Code of Ethics and the Standards of Practice, regardless of workplace policies.

G.1(b) A social worker will not act in a manner that may reduce public trust in social work and social workers.

The Code of Ethics

The Notice of Hearing alleged that the Member contravened Value #4 of the ACSW Code of Ethics, which is as follows:

Social workers demonstrate respect for the profession's purpose, values and ethical principles relevant to their field of practice. Social workers maintain a high level of professional conduct by acting honestly and responsibly, and promoting the values of the profession. Social workers strive for impartiality in their professional practice, and refrain from imposing their personal values, views and preferences on clients. It is the responsibility of social workers to establish the tenor of their professional relationship with clients, and others to whom they have a professional duty, and to maintain professional boundaries. As individuals, social workers take care in their actions to not bring the reputation of the profession into disrepute. An essential element of integrity in professional practice is ethical accountability based on this Code of Ethics, the IFSW International Declaration of Ethical Principles of Social Work, and other relevant provincial/territorial standards and guidelines. Where conflicts exist with respect to these sources of ethical guidance, social workers are encouraged to seek advice, including consultation with their regulatory body.

EVIDENCE RECEIVED IN THE HEARING

The Parties jointly entered the following documents into evidence at the hearing:

- Revised Admission of Unprofessional Conduct;
- Revised Consent Order and Agreed Statement of Facts with Appendices; and
- Investigation Report for Complaint File No. 22.087.

The Investigation Report was not put into evidence to prove the truth of its contents. It was put into evidence to demonstrate to the Hearing Tribunal that the report was prepared, and to apprise the Hearing Tribunal of the steps taken in the investigation and the materials collected.

No oral evidence was given at the hearing.

FINDINGS OF THE HEARING TRIBUNAL

As noted at the beginning of this decision, the Member submitted an Admission of Unprofessional Conduct which admitted to certain aspects of the original citation, and counsel for the Complaints Director confirmed that the other aspects of the original citation that were not reflected in the Admission of Unprofessional Conduct would not be pursued. Accordingly, the sole issue for consideration by the Hearing Tribunal was whether the Admission of Unprofessional Conduct, and the joint submission on sanction, should be accepted by the Hearing Tribunal.

Counsel for the Complaints Director referred to the Supreme Court of Canada's decision in **Anthony-Cook** to provide guidance on how a Hearing Tribunal should determine whether to accept an admission of unprofessional conduct and a joint submission on sanction. Paragraphs 32-34 of the Supreme Court

of Canada's decision in **Anthony-Cook** confirm that a decision-maker should not depart from a joint submission unless doing so would bring the administration of justice into disrepute, or it would otherwise be contrary to the public interest:

Under the public interest test, a trial judge should not depart from a joint submission on sentence unless the proposed sentence would bring the administration of justice into disrepute or is otherwise contrary to the public interest. But, what does this threshold mean? Two decisions from the Newfoundland and Labrador Court of Appeal are helpful in this regard.

In Druken, at para. 29, the court held that a joint submission will bring the administration of justice into disrepute or be contrary to the public interest if, despite the public interest considerations that support imposing it, it is so "markedly out of line with the expectations of reasonable persons aware of the circumstances of the case that they would view it as a break down in the proper functioning of the criminal justice system". And, as stated by the same court in R. v. B.O.2, 2010 NLCA 19, at para. 56 (CanLII), when assessing a joint submission, trial judges should "avoid rendering a decision that causes an informed and reasonable public to lose confidence in the institution of the courts".

In my view, these powerful statements capture the essence of the public interest test developed by the Martin Committee. They emphasize that a joint submission should not be rejected lightly, a conclusion with which I agree. Rejection denotes a submission so unhinged from the circumstances of the offence and the offender that its acceptance would lead reasonable and informed persons, aware of all the relevant circumstances, including the importance of promoting certainty in resolution discussions, to believe that the proper functioning of the justice system had broken down. This is an undeniably high threshold — and for good reason, as I shall explain.

The Hearing Tribunal first considered whether to accept the admission of unprofessional conduct executed by the Member, and then considered whether to accept the joint submission on sanctions, being mindful that it should decline to accept these joint submissions only if doing so would bring the administration of justice into disrepute, or if it would be contrary to the public interest.

1. Admission of Unprofessional Conduct

The Consent Order contained an Agreed Statement of Facts, which set out the following facts that are considered to be proven and can be relied on by the Hearing Tribunal for the truth of their contents:

1. At all material times, [the Member] has been a Registered Social Worker with the Alberta College of Social Workers ("ACSW").
2. [The Member] agreed to findings of unprofessional conduct and consented to an order as to sanctions with respect to a complaint by [a complainant] (the "Consent Order").
3. On April 26, 2024, the Hearing Tribunal orally accepted the joint submissions of the Consent Order, which ordered, *inter alia*, as follows:

(2) [The Member] shall be suspended from the practice of Social Work for a period of twelve (12) weeks with a commence date to be approved by the Complaints Director but within the next ninety (90) days. [The Member] shall be required to serve a two week suspension wherein he will be removed from all activities and responsibilities relating to social work practice, including his present employment for a two (2) week period. The subsequent 10 weeks of suspension shall be held in abeyance pending a completion of the remaining outstanding sanctions included herein. This suspension period held in abeyance shall be for a period of two (2) years. In the event that [the Member] fails to satisfy the sanctions herein, or is subject to a further complaint which is referred to a hearing within the subsequent two (2) years, [the Member] shall be required to complete the remaining 10 weeks of suspension at the Complaints Director's discretion.

(3) [The Member] shall undertake 12 consultations with a senior social work practitioner (as approved by the ACSW Complaints Director) over the next 12 months, specifically with Consultations being required once per month for the full calendar year. Reporting shall be permitted and required to the ACSW Complaints Director, and all costs associated with the Consultations shall be the responsibility of [the Member].

(4) [The Member] shall be obliged to contact the Ontario College of Social Workers and Social Work Services ("OCSW") to ascertain any and all outstanding sanctions with respect to the oral Decision and Written Reasons of the Discipline Committee of 2015. [The Member] shall be required to complete all outstanding OCSW sanctions to the satisfaction of OCSW such that [the Member] shall be eligible to commence a reinstatement application. The costs of completing the OCSW sanctions shall be the sole responsibility of [the Member] and shall be completed within one year from the date of this Order. [The Member] shall have the responsibility of reporting the successful completion of the OCSW sanctions with verification to the ACSW Complaints Director within one year of the date of this Order.

(5) [The Member] shall successfully complete an ethics course, specifically, PHIL 333 at Athabasca University (or an approved substitution as approved by the Complaints Director) within one (1) year of the date of this Order. The cost of the course shall be [the Member's] responsibility.

(6) [The Member] shall provide on an annual basis (once per year) confirmation that he is maintaining treatment with a medical practitioner with respect to his wellness, or that he has been appropriately discharged from treatment. The confirmation letter from the treating health care professional shall be provided to the Complaints Director for a period of two (2) years from the date of this Order.

(7) [The Member] shall provide proof of providing the Reasons for Decisions and Orders of this hearing before the ACSW Hearing Tribunal to his present employer, Alberta Health Services. [The Member] shall provide to the Complaints Director verification of disclosure to his employer within ninety (90) days from the date of this Order and within thirty (30) days of the Reasons for Decision being issued to the Complaints Director.

(8) The Complaints Director shall maintain the discretion to suspend [the Member's] practice pending a Hearing should the Complaints Director, in their sole discretion, conclude that [the Member] has breached this Order.

4. The order of the Hearing Tribunal was effective the date of the Hearing of April 26, 2024.
5. The aforementioned sanctions in the Consent Order were not stayed.
6. The written decision of the Hearing Tribunal was provided to the Hearings Director on September 11, 2024.
7. The written decision of the Hearing Tribunal was not served by the Hearings Director on [the Member] until January 16, 2025.

The Agreed Findings set out in the Consent Order further confirm that:

1. The Member failed to serve his suspension of two (2) weeks within ninety (90) days, as required by the previous Consent Order.
2. The Member failed to undertake the twelve required consultations with a senior social work practitioner and report to the ACSW Complaints Director for twelve (12) months from the date of the Consent Order.
3. The Member failed to undertake contact with the OCSW to ascertain any outstanding sanctions from the oral decision of the OCSW Discipline Committee in 2015, and failed to complete all outstanding OCSW sanctions such that he would be eligible to apply for reinstatement with the OCSW within one (1) year of the date of the Consent Order.
4. The Member failed to provide confirmation that he was maintaining treatment with a medical practitioner with respect to his wellness and/or that he has been appropriately discharged from treatment, and he failed to provide confirmation to the Complaints Director of this for a period of two (2) years from the date of the Consent Order.

The Consent Order includes an Acknowledgment of Responsibility, whereby the Member acknowledged that his conduct as described in the Agreed Statement of Facts and Agreed Findings constitutes unprofessional conduct worthy of sanction under the *Health Professions Act*, the Standards of Practice, and the Code of Conduct.

The Hearing Tribunal accepts the Member's Admission of Unprofessional Conduct and finds that the admitted facts in the Agreed Statement of Facts support a finding that he breached his duty to adhere to the terms of the previous Consent Order approved by the Hearing Tribunal on April 26, 2024. Specifically, the Member did not complete the required terms of the Consent Order within the timeframes specified in the Consent Order, noting in particular that the Consent Order is effective as of the date it is approved by the Hearing Tribunal, and irrespective of when the final written decision is issued. The Hearing Tribunal notes that the Member was present at the April 26, 2024 hearing where the previous Consent Order was approved, and it should have been clear to him that he was required to complete the terms of the Order within the specified timeframes thereafter. While it is unfortunate

that the final written decision was not provided to him until January 2025, that does not excuse his failure to otherwise adhere to the terms of the Consent Order, which he was aware of.

In failing to adhere to the terms of the Consent Order approved by the Hearing Tribunal on April 26, 2024, the Member breached Value #4 of the ACSW Code of Ethics, sections G.1(a) and (b) of the ACSW Standards of Practice, and sections 1(1)(pp) (i), (ii), (viii) and (xii) of the *Health Professions Act*.

2. Joint Submission on Sanctions

The Parties jointly submitted the following Order for Sanctions to be imposed with respect to the admitted unprofessional conduct:

1. A Reprimand shall be issued as against the Member.
2. [The Member] shall be required to comply with the orders of the Hearing Tribunal of April 24, 2024 as follows:
 - a. With respect to the period of suspension ordered under clause 2 of the April 24, 2024 Consent Order, [the Member] shall serve that suspension commencing the week of March 31, 2025 through to April 11, 2025. The Complaints Director will consider this satisfied if the suspension is completed within this time period. There will be no requirement for a further ten (10) weeks of the suspension unless there is a further complaint within the next two (2) years. That two (2) year period will be extended from the date of commencement from this Order.
 - b. With respect to the requirement that the Member undertake 12 consultations with a senior social worker practitioner as set out in clause 3 of the April 24, 2024 Consent Order, the Member shall adhere to all of those directions, and he confirmed that he has made contact and retained a consultant, Mr. Ian Mackenzie, and has scheduled his first appointment.
 - c. With respect to the requirement that the Member contact the OCSW to ascertain any remaining sanctions, and otherwise complete all remaining sanctions to the satisfaction of the OCSW as set out in clause 4 of the Consent Order from April 24, 2024, the Member shall complete all of those requirements within the timeframes noted, and he confirms that he in fact made contact with the OCSW effective February 7, 2025, with a follow-up on February 11, 2025, and ongoing monthly liaison with the Complaints Director is required.
 - d. With respect to the requirement that the Member complete PHIL 333 at Athabasca University, or another course approved by the Complaints Director as set out in clause 5 of the April 24, 2024 Consent Order, the Member provided confirmation that he has now enrolled in PHIL 333 at Athabasca University and he shall complete that course by April 30, 2025, with ongoing reporting to be provided to the Complaints Director.
 - e. With respect to the requirement that the Member provide on an annual basis (once per year) that he is maintaining treatment with a medical practitioner with respect to wellness, or that he has been appropriately discharged from treatment, as per clause 6

of the April 24, 2024 Consent Order, he shall be required to satisfy this for a period of two years after the date of this Tribunal's decision approving the new Consent Order. The Member advised that he has made arrangements for his next wellness appointment with a medical practitioner for March 27, 2025.

- f. The Member provided proof demonstrating that he did provide the written decision of the Hearing Tribunal to his present employer in accordance with clause 7 of the April 24, 2024 Consent Order.
 - g. The Member shall be required to pay costs for the April 24, 2024 Consent Order in the amount of \$1,000 within one year from the date of this Order. The Member advised that he intended to pay these costs by April 24, 2025.
 - h. The Complaints Director shall maintain the discretion to suspend the Member's permit to practice pending a Hearing if the Complaints Director, in their sole discretion, concludes that the Member has breached the terms of the April 24, 2025 Order, as amended.
 - i. There shall be publication of this Decision and the Reasons on a "with names" basis given the aforementioned suspension. The Complaints Director confirmed that, in fact, the April 2024 decision was never published, and that this will now occur.
3. Within six (6) months of the date of this Order, [the Member] will be required to successfully attend and complete the Probe Ethics and Boundaries Course. Verification of successful completion must be provided by [the Member] to the Complaints Director within the timeframe and the cost to complete shall be the responsibility of [the Member].
 4. [The Member] shall pay further costs in the amount of \$1000.00 within six (6) months of the date of this Order.
 5. There shall be publication of this Order on a "with names" basis.

In addition to the guidance provided by the Supreme Court of Canada's decision in **Anthony-Cook**, the Hearing Tribunal had regard for the factors set out in the decision of the Newfoundland and Labrador Superior Court in **Jaswal v. Newfoundland Medical Board**, 1996 CarswellNfld 32 [**Jaswal**] for determining a fit and proper sanction in professional regulatory proceedings concerning unprofessional conduct:

1. The nature and gravity of the proven allegations;
2. The age and experience of the offending member;
3. The previous character of the member and in particular, the presence of any prior complaints or convictions;
4. The age and mental condition of the patient;
5. The number of times the offence was proven to have occurred;

6. The role of the member in acknowledging what had occurred;
7. Whether the offending member had already suffered other serious financial or other penalties as a result of allegations having been made;
8. The impact of the incident on the patient;
9. The presence or absence of any mitigating circumstances;
10. The need to promote specific and general deterrence and, thereby, to protect the public and ensure the safety and proper practice of Social Work;
11. A need to maintain the public's confidence in the integrity of the profession;
12. The degree to which the offensive conduct was found to have occurred was clearly regarded, by consensus, as being the type of conduct that would fall outside the range of permitted conduct; and
13. The range of sentence in similar cases.

Counsel for the Complaints Director submitted that the joint submission on sanctions was appropriate and proportionate, and properly accounted for the *Jaswal* factors described above.

The Member was given an opportunity to address the Hearing Tribunal, and he confirmed that he agreed with the proposed sanctions. The Member apologized and confirmed that he took full responsibility for the admitted unprofessional conduct.

The Hearing Tribunal agrees that the joint submission on sanction is fit and appropriate in the circumstances. Adhering to orders made by the Hearing Tribunal is very important, and is central to the ACSW's ability to regulate its members and to protect the public. Failing to adhere to orders of the Hearing Tribunal calls into question members' governability, and undermines the ACSW's mandate to protect the public. Accordingly, this matter entails serious misconduct which must be addressed with serious sanctions and also engages a requirement to denounce and deter such misconduct – indeed, in many cases where a member fails to adhere to a Hearing Tribunal's orders, a lengthy suspension will be warranted, which underscores the seriousness of this particular type of misconduct.

The Hearing Tribunal also notes that this Member has a history of discipline proceedings, including discipline proceedings in Ontario, and the prior proceedings in Alberta which led to the April 2024 Consent Order. This is an aggravating factor under the *Jaswal* factors which indicates that serious sanctions are warranted.

That said, the Hearing Tribunal was satisfied that the Member did not flagrantly or intentionally breach the April 2024 Consent Order. The evidence demonstrates that he mistakenly believed that the timelines in that Order would not begin to run until he received the Hearing Tribunal's written decision, and that was the reason why he failed to adhere to the April 2024 Consent Order within the timelines noted. The Hearing Tribunal notes that he made no attempt to clarify his misapprehension with the Complaints Director at any time between April 2024 and January 2025, when he received the Hearing Tribunal's written reasons, and it is no excuse that he was under a misapprehension regarding when the

Consent Order was effective. All that said, this matter is less serious than other matters involving situations where a member has breached an Order of the Hearing Tribunal, because in this case, the Member did not intentionally breach the April 2024 Consent Order.

The Hearing Tribunal also notes that the Member was genuinely remorseful and apologized for his unprofessional conduct. The evidence also shows that the Member has taken steps to adhere to the April 2024 Consent Order between January 2025 and the date of this hearing, which demonstrates that he understands the importance of following that Order diligently going forward. These are mitigating factors in determining a fit and appropriate sanction.

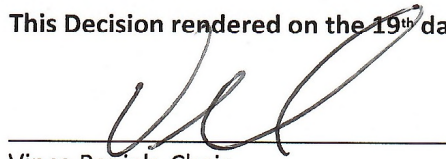
In all the circumstances, the Hearing Tribunal is satisfied that the joint recommendation on sanctions is fit, proportionate and appropriate. The sanctions properly balance the seriousness of the misconduct and the Member's past disciplinary history against the fact that his breach of the April 2024 Consent Order was unintentional, and is therefore not as serious as a situation where a member intentionally breaches an Order. The Hearing Tribunal notes that the proposed sanctions are serious – the Member will serve a period of suspension, will undertake further professional education via the Probe Ethics and Boundaries Course, and will pay an additional sum of \$1,000.00 in costs, above the costs ordered in the April 2024 Consent Order. The Hearing Tribunal is satisfied that these sanctions will both ensure that the Member complies with orders of this Tribunal going forward, and will also generally deter other members from breaching orders of this Tribunal.

Further, the Hearing Tribunal is satisfied that the administration of justice would not be brought into disrepute if the proposed sanctions are accepted, nor are the proposed sanctions contrary to the public interest. This is not one of the rare cases where this Hearing Tribunal should override a carefully negotiated joint submission on sanctions.

CONCLUSION AND NEXT STEPS

The Hearing Tribunal accepts the Member's Admission of Unprofessional Conduct, and the Parties' joint submission on sanctions, as summarized above.

This Decision rendered on the 19th day of March 2025.



Vince Paniak, Chair
On behalf of the Hearing Tribunal