

COLLEGE OF LICENSED COUNSELLING THERAPISTS OF NEW BRUNSWICK

Notice of Discipline Committee Decision

In March 2020, the College of Licensed Counselling Therapists of New Brunswick ("College") received a complaint from a social worker alleging that the Member was aware of child abuse and failed to report it to the Department of Social Development ("Complaint").

At a meeting on June 11, 2021, the Discipline Committee of the College ("Committee") heard submissions from legal counsel for the Member on the merits of the Complaint. Following this meeting, the Committee issued a decision of the same date wherein it found the Complaint to be substantiated.

The Committee reconvened on November 19, 2021 to hear submissions regarding the appropriate remedy. Based on the submissions, the Committee found that:

1. the Member had an obligation to report the sexual abuse of a child and failed to meet the Member's obligation when they delegated that responsibility to the mother of the child who had disclosed the sexual abuse;
2. the Member has acknowledged that in the future they will not delegate responsibility to report when sexual abuse is disclosed during a therapy session and also confirmed that they would report the sexual abuse immediately;
3. the Member's conduct in failing to report the sexual abuse of a child disclosed to them in a therapy session constitutes professional misconduct and incompetence;
4. the Member failed to respect the integrity and promote the welfare of their client who was vulnerable by failing to directly report the disclosure of sexual abuse; and
5. the Member failed to disclose the sexual abuse to prevent clear and imminent danger to their client, the child, who had disclosed sexual abuse. The delegation to the mother of their obligation to disclose sexual abuse, to prevent clear and imminent danger to her child, was inappropriate.

In determining the appropriate order, the Committee considered the following:

1. the Member's experience and the fact that the Member had never been the subject of any disciplinary action or complaint;
2. the Member acknowledged they had fallen short of the expected standards of conduct for members of the College;
3. the Member had apologized to the Committee, the College, and the client's mother; and
4. the Member was aware of the obligation to immediately report a disclosure of sexual abuse themselves and would personally do so in the future.

Based on the submissions and the findings, the Committee ordered that:

1. the Member be reprimanded for the Member's admitted conduct and the reprimand placed on the Member's file with the College for 12 months;
2. the Member provide confirmation of successful completion of an ethics course; and
3. the Member pay a portion of the costs associated with the Complaint of \$3,000.
