

IN THE MATTER OF:

THE PSYCHOLOGISTS REGISTRATION ACT

AND IN THE MATTER OF:

DR. RICHARD SHORE, A MEMBER OF THE
PSYCHOLOGICAL ASSOCIATION OF MANITOBA

AND IN THE MATTER OF:

A HEARING BEFORE THE INQUIRY COMMITTEE
OF THE PSYCHOLOGICAL ASSOCIATION OF
MANITOBA IN RESPECT OF CHARGES ISSUED
APRIL 14, 2020 AND JANUARY 19, 2021

INQUIRY PANEL:

Dr. James Newton, Chair

Dr. Lesley Koven

Mr. Ian Hughes, Public Representative

**RESOLUTION AND ORDER OF AN INQUIRY PANEL OF
THE PSYCHOLOGICAL ASSOCIATION OF MANITOBA
UNDER S. 41 OF BY-LAW NO. 1 OF THE PSYCHOLOGICAL
ASSOCIATION OF MANITOBA**

**COUNSEL FOR THE INVESTIGATION COMMITTEE OF THE PSYCHOLOGICAL
ASSOCIATION OF MANITOBA:**

Blair Graham, Q.C

COUNSEL FOR THE MEMBER, DR. RICHARD SHORE:

Dayna Steinfeld

COUNSEL FOR THE INQUIRY PANEL:

Nicole Watson

RESOLUTION AND ORDER

WHEREAS on April 16, 2007 an Inquiry Committee Panel of the Psychological Association of Manitoba ("PAM") accepted a plea of guilty from Dr. Shore to charges of professional misconduct. The charges to which Dr. Shore pleaded guilty included, among others, that he had failed to observe appropriate professional boundaries with a client, exploited the relationship with that client to further his own personal interests, provided psychological services to the client when he was not fit to provide those services and that he had failed to create and maintain accurate and complete records of his treatment of that client. As a result of the guilty plea the Inquiry Committee Panel ordered, among other things, that Dr. Shore's Certificate of Registration with PAM be suspended for a two month period (from April 9, 2007 to June 8, 2007), and that he would be supervised in his practice for a period of at least 12 months, commencing on June 5, 2007.

AND WHEREAS in May 2018 Dr. Shore pleaded guilty to charges of engaging in conduct unbecoming a member, to separate charges of making false and deceptive statements with respect to his association affiliations, and a separate charge of professional misconduct, the details of which are contained in the Resolution and Order of the Inquiry Committee Panel dated May 15, 2018 published on PAM's website.

AND WHEREAS as a result of Dr. Shore's guilty plea to the said charges, an Inquiry Panel by Resolution and Order dated May 15, 2018, ordered among other things that:

- a) Dr. Shore practice psychology under the supervision of Dr. Lesley Enns ("Dr. Enns") for a period of at least one year (from January 1, 2018) and outlined certain conditions associated with that supervision; and
- b) Dr. Shore was entitled to continue to treat adult clients with anxiety, depression, relationship difficulties and Post-Traumatic Stress Disorder, who have some concurrent Cluster A and/or Cluster C personality traits and to continue to use a Cognitive Behavioural Therapy approach in the

treatment of such clients. Dr. Shore was required to limit his practice by not engaging in the treatment of pure personality disorders or in the treatment of clients with strong Cluster B personality disorder traits for anxiety, depression, relationship difficulties and Post Traumatic Stress Disorder.

AND WHEREAS the period of supervision required by the Resolution and Order dated May 15, 2018 was extended beyond January 1, 2019 on the basis of a recommendation by Dr. Enns, and with the concurrence of Dr. Shore and the Complaints Committee of PAM;

AND WHEREAS as part of the supervision to be provided pursuant to the Resolution and Order dated May 15, 2018 (which supervision had in fact commenced in 2017) Dr. Shore agreed with Dr. Enns that he would disclose to her all active files on which he was then working and would allow Dr. Enns to review all such files and to provide him with any required guidance and direction;

AND WHEREAS on June 21, 2019, a complaint was received from a Canadian Forces veteran relating to Dr. Shore's care and treatment of the veteran between 2010 and 2017, which resulted in charges of professional misconduct dated April 14, 2020 being issued against Dr. Shore;

AND WHEREAS on December 18, 2019, a complaint was received from Medavie Blue Cross with respect to counselling and other psychological services provided by Dr. Shore to another Canadian Forces veteran between 2012 and 2020 which resulted in Charges of Professional Misconduct dated January 19, 2021 being issued against Dr. Shore;

AND WHEREAS the hearing into the charges of professional misconduct dated April 14, 2020 and the charges of professional misconduct dated January 19, 2021 proceeded on February 22, 2021, in the presence of Dr. Shore and his counsel, and in the presence of counsel for the Complaints Committee of PAM;

AND WHEREAS Dr. Shore pleaded guilty to the charges of professional misconduct dated April 14, 2020 and to the charges of professional misconduct dated January 19, 2021 and the parties tendered a joint recommendation and, through their counsel, made submissions with respect to the joint recommendation which were heard by this Inquiry Committee Panel on February 22, 2021;

AND WHEREAS the Inquiry Committee Panel accepted Dr. Shore's plea of guilty and accepted the parties' joint recommendation and thereby found Dr. Shore to be guilty of all of the charges issued against him, as more particularly set forth in written reasons for decision delivered in this matter;

AND ON HEARING the submissions of counsel for the parties with respect to the appropriate disposition of these matters;

NOW THEREFORE BE IT RESOLVED AND ORDERED that:

1. Pursuant to subsections 40(a) and 40(g) of By-Law No. 1 of the Psychological Association of Manitoba (PAM) under *The Psychologists Registration Act*, C.C.S.M. c. P190 (the "Act"), Richard Shore, Ph.D., C. Psych ("Dr. Shore") is guilty of professional misconduct and conduct unbecoming a member of PAM as a result of the facts, and matters outlined and referred to in Charges of Professional Misconduct dated April 14, 2020 (attached hereto as Schedule A) in connection with his interactions with a former client who was a veteran of the Canadian Armed Forces occurring between 2010 and 2017.
2. Pursuant to subsections 40(a), 40(b) and 40(g) of By-Law No. 1 of PAM, under the *Act*, Dr. Shore is guilty of professional misconduct and of contravening various provisions of the Code of Conduct of PAM, and of conduct unbecoming a member of PAM as a result of the facts and matters outlined and referred to in Charges of Professional Misconduct dated January 19, 2021 (attached hereto as Schedule B) in connection with his interactions with another former client, who was also a veteran of the Canadian Armed Forces, occurring between 2012 and 2020.

3. Pursuant to subsection 41(1)(a) of By-Law No. 1 of PAM, Dr. Shore is hereby reprimanded with respect to the facts, matters and things outlined and referred to in the Charges of Professional Misconduct dated April 14, 2020 (Schedule A) in connection with Dr. Shore's interactions with his former client occurring between 2010 and 2017.

4. Pursuant to subsection 41(1)(a) of By-Law No. 1 of PAM, Dr. Shore is hereby reprimanded with respect to the facts, matters and things outlined and referred to in the Charges of Professional Misconduct dated January 19, 2021 (Schedule B) in connection with Dr. Shore's interactions with another client, occurring between 2012 and 2020.

5. Pursuant to subsections 22(1)(c) and 41(3) of By-Law No. 1 of PAM, Dr. Shore is hereby permitted to voluntarily surrender his Certificate of Registration with PAM effective February 22, 2021, on the terms and conditions outlined in this Resolution and Order, which voluntary surrender is accepted and takes effect as of the date of this Resolution and Order.

6. As a result of the voluntary surrender by Dr. Shore of his Certificate of Registration with PAM, Dr. Shore shall no longer be entitled to use the title "Psychologist" or to otherwise represent or hold himself out to the public as a psychologist or to use a title or a description of his services containing the words "psychologist", "psychological" or "psychology" or any derivative thereof.

7. There shall be publication of this Resolution and Order and the written reasons for decision delivered in this matter on PAM's website, and in PAM's newsletter with the content consistent with the Resolution and Order and written reasons for decision delivered in this matter, which publications shall specifically refer to Dr. Shore by name.

8. PAM shall send notices to all third party service providers and institutional referral sources, including without limiting the generality of the foregoing Medavie Blue Cross, the Manitoba Public Insurance Corporation, and the Workers Compensation Board of Manitoba, which notices shall notify those referral sources that as a result of multiple

complaints of professional misconduct against Dr. Shore, he has voluntarily surrendered his registration with PAM and as a further result of those complaints and this Resolution and Order, Dr. Shore is no longer entitled to use the title "Psychologist" or to otherwise represent or hold himself out to the public as a psychologist or to use a title or description of his services containing the words "psychologist", "psychological" or "psychology" or any derivative thereof.

9. Dr. Shore shall immediately take steps to have references to him as a psychologist removed from the websites and other publications of The Manitoba Psychological Society and from <https://threebestrated.ca/psychologists-in-winnipeg-mb> and from any other website or publication referring to Dr. Shore as a psychologist.

10. The surrender of Dr. Shore's registration and the disposition of the charges referred to herein shall be reported by PAM to the Inter-Jurisdictional Disciplinary Data Bank.

11. Pursuant to section 42 of By-Law No. 1 of PAM, Dr. Shore shall contribute to the cost of these proceedings in the amount of \$15,000.00, on the express understanding that as a result of Dr. Shore's present financial circumstances, those costs shall not be payable to PAM unless and until Dr. Shore shall make an application to have his registration with PAM reinstated. In the event Dr. Shore shall apply to have his registration with PAM reinstated, the full amount of \$15,000.00 shall become due and payable as a condition of any such reinstatement, which condition shall be in addition to any other conditions which may be imposed by PAM in relation to any such reinstatement.

DATED this 22 day of February, 2021.



Dr. James Newton

Dr. Lesley Koven

Ian Hughes, Public Representative

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DATED this 22 day of February, 2021.

Dr. James Newton

L. Koven

Dr. Lesley Koven

Ian Hughes, Public Representative

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DATED this 22 day of February, 2021.

Dr. James Newton

Dr. Lesley Koven

Ian Hughes, Public Representative

Schedule A

IN THE MATTER OF: *THE PSYCHOLOGISTS REGISTRATION ACT, C.C.S.M.*

- and -

IN THE MATTER OF: DR. RICHARD SHORE, C. PSYCH., a member of the
 Psychological Association of Manitoba

TO: Dr. Richard Shore, C. Psych.
 Winnipeg MB

CHARGES OF PROFESSIONAL MISCONDUCT

The Psychological Association of Manitoba
208-584 Pembina Highway
Winnipeg MB R3M 3X7

IN THE MATTER OF: *THE PSYCHOLOGISTS REGISTRATION ACT, C.C.S.M.*

- and -

IN THE MATTER OF: DR. RICHARD SHORE, C. PSYCH., a member of the
 Psychological Association of Manitoba

TO: Dr. Richard Shore, C. Psych.
 Winnipeg MB

CHARGES OF PROFESSIONAL MISCONDUCT

The Complaints Committee of the Psychological Association of Manitoba ("PAM"), pursuant to *The Psychologists Registration Act* of Manitoba (the "Act"), and to the By-Laws of PAM, does hereby charge that you, Richard Shore, being a member of PAM, have been guilty of:

- (a) Conduct unbecoming of a member of PAM contrary to s.7.7 of the Code of Conduct of PAM (the "Code"); and
- (b) professional misconduct;

in connection with your interactions with your former client, C.B.

Take note that the allegations against you are that:

1. You had a professional relationship with C.B. between in or about the year 2010 until October 2017. Throughout that period, C.B. was your client and was receiving therapy and counselling from you for Post-Traumatic Stress Disorder, depression and anger management issues. On not less than three occasions during therapeutic sessions with C.B. you fell asleep and continued to sleep during those sessions until you were awakened by C.B. You thereby engaged in

conduct which was unbecoming of a psychologist, contrary to subsection 7.7 of the Code.

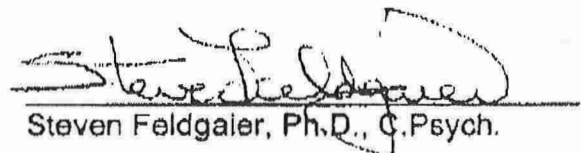
2. You also engaged in professional misconduct in your professional interactions with C.B., particulars of which are that:

- (a) You repeatedly failed to submit reports on behalf of C.B. to Veterans Affairs Canada ("VAC"), which reports were required in order for C.B. to receive benefits from VAC related to his physical and psychological conditions, in a timely way, or at all, and thereby failed to take steps to protect or to act in accordance with C.B.'s welfare, in breach of s.5.1 of the Code;
- (b) You repeatedly undertook to C.B., and to VAC that the required reports would be forthcoming by certain dates, but you repeatedly neglected to fulfil those undertakings, thereby failing to fulfill the terms of your agreements and undertakings in breach of s.8.3 of the Code;
- (c) You failed to take adequate steps to preserve the confidentiality of the information, including sensitive personal health information, being provided to you by C.B., during your sessions with him. Specifically, you conducted your sessions with C.B. in a house which you were sharing with another individual, while that individual was present, without taking measures to ensure the privacy of those sessions. Further, you allowed that individual to have access to documentation containing the personal health information of C.B. in the fall of 2017. By virtue of all of the foregoing you breached s.6.6 of the Code;
- (d) After C.B. complained about those confidentiality issues, you met with C.B. for therapy and/or counselling sessions on three occasions in a public restaurant, without regard for C.B.'s discomfort relating to conducting such sessions in a public setting, thereby failing or neglecting

to take steps to protect or act in accordance with C.B.'s welfare in breach of s.5.1 of the Code.

- (e) Throughout 2016 and 2017, you did not recognize that you are not assisting C.B., and that his psychological health was not improving as a result of your therapy and counselling. You failed to make an appropriate referral to another psychologist or health care provider in circumstances in which it was appropriate to do so and thereby breached s.8.2 of the Code.

DATED this 14 day of April 2020.



Steven Feldgaler, Ph.D., C.Psych.

Chair of the Complaints Committee of
The Psychological Association of
Manitoba

Schedule B

IN THE MATTER OF: *THE PSYCHOLOGISTS REGISTRATION ACT, C.C.S.M.*

- and -

IN THE MATTER OF: DR. RICHARD SHORE, C. PSYCH., a member of the
 Psychological Association of Manitoba

TO: Dr. Richard Shore, C. Psych.
 Winnipeg MB

CHARGES OF PROFESSIONAL MISCONDUCT

The Psychological Association of Manitoba
208-584 Pembina Highway
Winnipeg MB R3M 3X7

IN THE MATTER OF: *THE PSYCHOLOGISTS REGISTRATION ACT, C.C.S.M.*

- and -

IN THE MATTER OF: DR. RICHARD SHORE, C. PSYCH., a member of the
Psychological Association of Manitoba

TO: Dr. Richard Shore, C. Psych.
Winnipeg MB

CHARGES OF PROFESSIONAL MISCONDUCT

The Complaints Committee of the Psychological Association of Manitoba ("PAM"), pursuant to *The Psychologists Registration Act* of Manitoba (the "Act"), and to the By-Laws of PAM, does hereby charge that you, Richard Shore, being a member of PAM, have been guilty of:

- (a) Being involved in a prohibited dual relationship in breach ss. 5.10 of the Code of Conduct of PAM (the "Code");
- (b) Professional misconduct and acting in a manner which would be regarded by other members of PAM as unbecoming, disgraceful, dishonourable or unprofessional in breach of ss. 7.6 and 7.7 of the Code;
- (c) Failing to act in accordance with a client's welfare, in breach of ss. 5.1 and 8.2 of the Code;
- (d) Providing psychological services and rendering an account for those services when you were not registered or licensed to provide such services in breach ss. 18.1(b) of the Code.

Take note that the particulars of the allegations against you are outlined below.

1. You had a professional relationship with Client X, a veteran of the Canadian Armed Forces (the "Veteran") between in or about December 2012 and continuing until at least February 2020. Throughout that period, the Veteran was your client and was receiving therapy and counselling from you for Post-Traumatic Stress Disorder and other psychological conditions. From in or about December 2012, you provided therapy and counselling to the Veteran on a regular basis. Commencing in or about December 2016 and continuing until at least February 2020, you regularly provided therapy and counselling to the Veteran by way of two hour sessions, occurring once a week in his home. In addition, for a period of time after November 19, 2019, you continued to provide therapy and counselling to the Veteran free of charge, i.e. on a "pro bono" basis. While it may have been initially appropriate to provide therapy and counselling to the Veteran in his home, and to do so by way of two hour sessions, your persistence in doing so for a period of several years, and for part of that period to do so on a pro-bono basis, resulted in circumstances in which your objectivity could reasonably be expected to be impaired because of the social and emotional relationship between you and the Veteran. You thereby provided therapy to the Veteran while in a dual relationship, in breach of ss. 5.10 of the Code.
2. You also engaged in professional misconduct in your professional interactions with the Veteran and, specifically:
 - (a) By a Resolution and Order of an Inquiry Committee Panel dated May 15th, 2018, it was ordered, among other things, that you would practice psychology under the supervision of Dr. Lesley Enns, PHD, C.Psych ("Dr. Enns"). The said Resolution and Order stipulated that you were to disclose to Dr. Enns all of the patients to whom you were providing psychological services. You failed to disclose the ongoing professional relationship you had with the Veteran to Dr. Enns and the ongoing counselling and therapy you were providing to the Veteran, either when the supervision commenced, or at any time until a complaint of

misconduct against you was received. Your failure to disclose your professional relationship with the Veteran to Dr. Enns was a breach of the Inquiry Committee Panel's Resolution and Order dated May 15th, 2018. You thereby engaged in professional misconduct and in conduct that was unbecoming, disgraceful, and dishonourable in breach of ss. 7.6 and 7.7 of the Code; and

- (b) The Resolution and Order of an Inquiry Committee Panel dated May 15th, 2018, also ordered that you were not to engage in the treatment of clients with strong, concurrent Cluster B personality disorder traits associated with Post-Traumatic Stress Disorder. The Veteran whom you were treating had strong, concurrent Cluster B personality disorder traits associated with Post-Traumatic Stress Disorder and your provision of treatment to the Veteran was therefore a breach of the Inquiry Committee Panel's Resolution and Order dated May 15th, 2018. You thereby engaged in professional misconduct and in conduct that was unbecoming, disgraceful and dishonourable, thereby breaching subsection 7.6 and 7.7 of the Code.

- 3. During your professional relationship with the Veteran, and throughout the period in which you were providing treatment and counselling to him, you failed to recognize that although there was some periodic improvement in the Veteran's psychological functioning, the Veteran was not making substantial progress in therapy on an overall basis, and that after accounting for periods of decompensation which the Veteran experienced, his psychological health was not substantially improving. Nonetheless, your treatment plan remained essentially unchanged. You failed to recognize that your treatment plan required some modification and some variability in your treatment approach.

Furthermore, there were several compelling therapeutic reasons relating to the Veteran which should have resulted in this case being brought to the attention of your Supervisor, Dr. Enns. Those reasons included your own clinical concerns for the Veteran, the complex and atypical presentation of the Veteran over an

extended period of time, and your own awareness that the Veteran had experienced periods of decompensation including in 2019 and 2020.

By not modifying your treatment plan and not presenting the Veteran's case to Dr. Enns for supervision, you failed to act in accordance with the Veteran's welfare and to provide psychological services adequate to the Veteran's needs in breach of ss. 5.1 and 8.2 of the Code.

4. In or about the months of July and/or August 2016, you provided psychological services, including counselling to the Veteran and rendered an account for your services, when you were not registered or licensed to provide such services. At that time your license and registration to provide psychological services had been cancelled as a result of your failure to pay your 2016 annual registration dues to PAM. You thereby breached ss. 18.1(b) of the Code.

DATED this 19th day of January, 2021.

Dr. Stewart Feldman, C. Psych
Chair of the Complaints Committee of
The Psychological Association of
Manitoba