

IN THE MATTER OF: *The Regulated Health Professions Act, C.C.S.M. c. R117*

AND IN THE MATTER OF: LAURA MAY FRIESEN, A MEMBER OF THE COLLEGE OF REGISTERED NURSES OF MANITOBA, REGISTRATION #404042

AND IN THE MATTER OF: AN INQUIRY COMMITTEE PANEL HEARING OF THE COLLEGE OF REGISTERED NURSES OF MANITOBA

DECISION AND REASONS



College of
Registered Nurses
of Manitoba

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Panel Members:

Jennifer Colvine, Chair, RN
Michael Blackburn, public representative
Joseph Lovelace, public representative
Brenda Sullivan, RN
Danielle Yaffe, RN

**Counsel to and representative of
the Complaints Investigation**

Committee (the “CIC”):

Keith Murkin
Meighen Haddad LLP
Denise Nakonechny, RN
Manager of Professional Conduct

Registrant and counsel:

Laura May Friesen, RN
Trevor Ray
Myers LLP

Counsel to the Panel:

Jeff Hirsch K.C.
Thompson Dorfman Sweatman LLP

Introduction and Preliminary Issues

1. On Friday, October 3, 2025, the Panel held a hearing into charges against a registrant of the College, Laura May Friesen (the “Registrant”).
2. The initial return date for the hearing was February 28, 2025, and it was adjourned on January 28, 2025 on the basis of the Registrant’s signed Waiver. A subsequent return date, as agreed by all parties, was set on April 4, 2025 for October 3, 2025.
3. At the commencement of the hearing, it was established that the Notice of Hearing dated January 10, 2025 (the “Notice”), had been properly served and the jurisdictional requirements set forth in subsections 102(3), 116(2), and 116(4) of the Act had been met.
4. The parties raised no objections to the composition of the Panel.
5. The Registrant indicated their intention to enter a plea of guilty to the charges contained in the Notice. At the direction of the Chair, counsel to the Panel conducted a plea inquiry. The Panel was satisfied that the Registrant: was voluntarily pleading guilty; understood that by pleading guilty: they gave up the right to contest the factual accuracy of the allegations made against them; acknowledged the breaches alleged in the Notice and that they constituted professional misconduct; and that even though a joint recommendation may be made with respect to the appropriate sanction, the Panel – subject to the law applying to joint recommendations – is not bound to follow the joint recommendation, and that the Panel will determine the appropriate penalty after considering the evidence and the submissions of counsel.
6. The Registrant entered a plea of guilty to all the counts in the Notice, namely that:
 - (a) On or about April 21, 2009, while they were a teacher, they were arrested for having in their possession credit cards they had stolen from their colleagues. In total they were charged with 35 counts under the Criminal Code.

(b) On or about April 21, 2009, they pled guilty to seven of the charges, the remainder being stayed or withdrawn.

(c) On October 20, 2009, they were sentenced to a conditional discharge to be given upon satisfactory completion of a three-year probation order, the conditions of which included:

- a. Report as directed to their probation officer, under the supervisor of Restorative Justice Resolution;
- b. Keep the peace and be on good behaviour;
- c. Perform 100 hours of community service work by August 31, 2010;
- d. Attend, participate, and complete treatment programs or counselling as directed and supervised by their probation officer;
- e. Pay restitution in accordance with a restitution order in the amount of \$3,344.92 to the court for the victims;
- f. Attend an assessment by the Addictions Foundation of Manitoba (the “AFM”) and attend, participate and complete all treatment programs recommended by the AFM;
- g. Abstain from communicating with the victims.

(d) Their teaching certificate was revoked until they fulfilled the terms of their probation order.

(e) On or about February 24, 2020, they applied for registration to the CRNM as a Graduate Nurse (“GN”). The application form included the question “Have you ever been charged, convicted or found guilty (i.e. conditional discharge, absolute discharge or suspended sentence) of a criminal offence or regulatory offence?” to which they responded “No”. Their application was approved, and they were registered as a GN.

(f) On or about May 15, 2020, they applied to the CRNM for registration as a Registered Nurse (“RN”). The application form included the question “Have you ever been charged, convicted or found guilty (i.e. conditional discharge,

absolute discharge or suspended sentence) of a criminal offence or regulatory offense?" to which they responded "No". Their application was approved, and they were registered as an RN.

(g) In the intervening periods, they completed registration renewals in 2020, 2021, 2022 and 2023 during which they failed to disclose that they had been charged, convicted or found guilty of a criminal offence.

7. The Registrant admitted that their conduct described above constituted professional misconduct.
8. The Panel heard submissions from counsel for the CIC, describing the background facts giving rise to the matter raised in the Notice.
9. The Panel also heard from the Registrant and their counsel who provided additional information on the Registrant's personal background and current circumstances.
10. The Registrant and the CIC jointly recommended the following disposition:
 - (a) The Registrant pay costs in the amount of \$4,000.00;
 - (b) The Registrant pay a fine of \$7,500.00;
 - (c) The Registrant be issued a reprimand; and
 - (d) The Panel's decision and disposition will be published on the College website. (the "Joint Recommendation")
11. The Panel advised the parties on October 3, 2025 that it would accept the Joint Recommendation and would subsequently provide written reasons for decision. These are those reasons.

Facts

Background

12. The Registrant achieved registration as a GN on February 24, 2020 and as an RN in May 2020.
13. They are currently employed as an RN at the Health Sciences Centre in Winnipeg and have been working in that role since May 14, 2025.

The Breach

14. The application to become a GN included the question:

Have you ever been charged, convicted or found guilty (i.e. conditional discharge, absolute discharge or suspended sentence) of a criminal or regulatory offense?

15. The Registrant answered this question “No.”

16. They submitted a Winnipeg Police Service criminal record check dated January 8, 2020, with their initial application. The criminal record check showed that they did not have a criminal record. Given the nature of their criminal charges and their sentence (to be discussed further below), the conviction would not show up on a standard criminal record check.

17. Later in 2020, the Registrant applied for registration with the College as an RN and was asked the same question:

Have you ever been charged, convicted or found guilty (i.e. conditional discharge, absolute discharge or suspended sentence) of a criminal or regulatory offense?

18. The Registrant answered this question “No.”

19. Registered Nurses are required to submit an annual renewal application each year to renew their certificate to practice. The Registrant renewed their RN registration in 2021, 2022 and 2023. The renewal application contains the following question:

Have you ever been charged, convicted or found guilty (even if you have received a conditional discharge, absolute discharge or suspended sentence) of a criminal or regulatory offence.

20. The Registrant answered this question “No” in each of their three years of renewal.

21. In and around April 2023, during the course of an unrelated matter, the Registrant submitted a medical report to the College. The medical report included a notation that indicated they had been previously charged with a criminal offence.

22. The information related to this incident had not been previously disclosed to anyone at the College. The Manager of Professional Conduct identified this disclosure within the medical report.

23. The Investigator, through legal counsel, obtained court documents which confirmed that the Registrant had been charged with criminal offences in April 2009. The details of the criminal charges include:

- (a) On or about April 21, 2009, the Registrant pled guilty to charges related to credit card theft and was sentenced on October 20, 2009. There were originally 35 charges laid, but they ultimately plead guilty to seven of them, and the remaining charges were stayed
- (b) They received a conditional discharge which included a three-year Probation Order with various conditions.

24. A conditional discharge is a type of criminal sentence where the accused has a conviction entered onto their criminal record and is placed on a probation order with conditions. As long as the accused complies with the terms of the probation order and completes it successfully, the conviction is discharged, and the accused ends up without an entry on

their record.” As such, a conditional discharge would not show up on a Criminal Record Check.

25. The conviction was removed from the Registrant’s record after they successfully complied with their probation order; accordingly, the conviction did not appear on their Criminal Record Check provided during their 2020 application process.

26. The College’s policy “AA-25 Background Check Findings/Disclosure by Applicants” includes:

- (a) “Fitness to practice takes into account the ability to be honest and trustworthy. Good character is based on an individual’s conduct, behaviour, and attitude. It also takes account of any past criminal or unacceptable behaviour that is likely to be incompatible with professional registration. A person’s character must be compatible with the capability to independently engage in safe and effective practice.”
- (b) “An applicant must make written disclosure of a charge, conviction, or a finding of guilt (including a conditional discharge, absolute discharge, or suspended sentence) for a criminal offence...”

27. The Registrant failed to disclose their charges or criminal convictions as required.

28. When confronted by the Investigator, the Registrant confirmed that they had pled guilty to the offences and received a conditional discharge with a three-year probation order. The Registrant was cooperative with the Investigator and the investigation once confronted with the information.

Submission of the CIC

29. Counsel for the CIC characterized the Registrant’s misconduct as four separate instances of non-disclosure in the face of the Registrant’s positive obligation to make that disclosure. He submitted that this could not have been a mere oversight.

30. The failure to disclose the charges and the Criminal Conviction effectively occurred four times – first on the initial application for registration in 2020 and then three more times in providing false answers on renewal applications from 2021 to 2023, inclusive.

31. Mr. Murkin asserted that the disclosure requirements exist for a purpose – to ensure that the College has a “full picture” of an applicant (and an ongoing registrant) in order to ensure that they are safe and fit to practice as an RN.

32. The College’s policy AA-25 Background Check Findings/Disclosure by Applicants includes:

- (a) “Fitness to practice takes into account the ability to be honest and trustworthy. Good character is based on an individual’s conduct, behaviour, and attitude. It also takes account of any past criminal or unacceptable behaviour that is likely to be incompatible with professional registration. A person’s character must be compatible with the capability to independently engage in safe and effective practice.”
- (b) An applicant must make written disclosure of a charge, conviction, or a finding of guilt (including a conditional discharge, absolute discharge, or suspended sentence) for a criminal offence...”

33. Counsel referred to the College’s Practice Direction: Self Disclosure (the “Practice Direction”), at Part 1, subsection 2(b), which states an applicant must make written disclosure of a charge, conviction or a finding of guilt (including a conditional discharge, absolute discharge or suspended sentence) for a criminal offence or careless driving causing death under The Highway Traffic Act of Manitoba or other similar legislation.

34. In addition he referred to the College’s Practice Direction, at Part 2, subsection 2(b), which includes the same provision for registrants who must make written disclosure of a charge, conviction or a finding of guilt (including a conditional discharge, absolute

discharge or suspended sentence) for a criminal offence or careless driving causing death under *The Highway Traffic Act* of Manitoba or other similar legislation.

35. Counsel cited the CRNM Practice Direction: Practice Expectations for RNs which states (among other things):

Professional Practice

Registered nurses are accountable and responsible to demonstrate professional behaviours, attributes and values that uphold trust in the profession of registered nursing. As an RN, you must:

...

2. Promote a practice environment that supports responsibility, accountability, professional development, and respect for others by:

...

b. Taking personal responsibility for your professional conduct and fitness to practice including responsibility to notify the College as required according to College regulations and practice directions.

...

Ethical Practice

Registered nurses recognize, promote, and uphold the ethical standards of the nursing profession. As an RN, you must:

14. Practise in accordance with the values outlined in the *Code of Ethical Conduct*.

36. In addition, Mr. Murkin referred to the Panel several provisions in the Code of Ethics, including Primary Value A, Ethical Responsibilities 1 and 5, and Primary Value G, Ethical Responsibilities 1 and 2:

A. Providing Safe, Compassionate, Competent and Ethical Care

Nurses provide safe, compassionate, competent and ethical care.

1. Nurses have a responsibility to conduct themselves according to the ethical responsibilities outlined in this document and in practice standards in what they do...

5. Nurses are honest...

G. Being Accountable

Nurses are accountable for their actions and answerable for their practice.

1. Nurses, as members of a self-regulating profession, practise according to the values and responsibilities in the Code and in keeping with the professional standards, laws and regulations supporting ethical practice.

2. Nurses are honest and practise with integrity in all of their professional interactions...

37. Mr. Murkin submitted that the Registrant, by their conduct, had breached the provisions of subsection 2.6(1) of the College of Registered Nurses of Manitoba General Regulation compelling applicants to disclose, among other things, a charge, conviction or finding of guilt (including a conditional discharge) for any criminal offence.

38. He noted that the Registrant had thereby breached section 86 of the Act which calls for compliance with the Act, regulations, by-laws, standards of practice, code of ethics and practice directions for registered nurses.

39. Counsel for the CIC submitted that the Registrant's breach of their obligations on an ongoing basis demonstrated a lack of integrity on the part of the Registrant.

40. With respect to penalty, counsel for the CIC reviewed the general principles related to the purposes of sentencing with particular emphasis on general deterrence.

41. Mr. Murkin submitted that the sentencing objectives the Panel ought to keep in mind were punishment, denunciation, and ensuring the public retained confidence in the ability of the College to properly regulate its registrants.

42. With respect to the Joint Recommendation, counsel urged the Panel to accept it, referring to previous Inquiry Committee Panel jurisprudence which adopted the Anthony Cook v Her Majesty the Queen public interest test – that is, an adjudicator may reject and depart from a joint recommendation on penalty only where the proposed disposition would bring the administration of justice into disrepute or would otherwise be contrary to the public interest. At paragraph 34 of that decision, the Court described this as an “undeniably high threshold”, writing:

[A] joint submission should not be rejected lightly... 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.

43. Counsel noted that the proposed disposition was in line with recent College Inquiry Committee decisions including Kist (May 28, 2024) and Andrew (August 1, 2024).

44. Mr. Murkin asked the Panel to consider the factors on sentencing principles set out in Jaswal v. Medical Board (Nfld.).

Submission of the Registrant

45. Counsel for the Registrant noted that the convictions were for behaviour that occurred 16 years ago and did not involve the Registrant’s conduct as an RN.

46. Mr. Ray indicated that the Registrant was then in an entirely different personal circumstance.

47. Counsel for the Registrant, in addressing publication, asked that the underlying charges for the Criminal Conviction not be included in the Panel’s Decision and Reasons. He noted that there was a potential prejudicial effect of including that detail which outweighed any

potential salutary deterrent effect and asked that the reference be restricted to unspecified criminal convictions.

48. The Registrant addressed the Panel directly, apologizing for what they characterized as dishonest, selfish, and self-gratifying behaviour. They stated that their dishonesty hurt others, has followed them, and has caused them considerable guilt and shame.

49. They stated that the Criminal Conviction occurred a long time ago when their circumstances were very different.

50. The Registrant said the charges of misconduct demonstrated to them that they “still have something to learn” and that they have now “chosen to accept their past and learn from it and grow”.

51. The Registrant said that in the past two years, they have lived their life with honesty, gratitude and faith and have worked hard and put their patients first.

Analysis and Decision

52. Subsection 124(1) of the Act authorizes the Panel to make any finding permitted under subsection 124(2) which includes that an investigated member has breached the Code of Ethics or Standards or is guilty of professional misconduct.

53. The Panel finds that the facts submitted establish that the Registrant is guilty of professional misconduct as alleged in the Notice. The Registrant acknowledged and admitted that their conduct amounted to professional misconduct. The panel accepted the guilty plea.

54. In assessing the misconduct, the Panel noted the specific portions of the Practice Direction referred to above as well as its preamble:

“Compliance with practice directions are required...”

It is the responsibility of all registered nurses or RNs in Manitoba to understand all practice expectations and be accountable to apply them to their own nursing practice. regardless of roles or practice settings. Responsibility is the duty to satisfactorily complete your obligations. Accountability means being capable to explain why you did or did not meet these expectations."

55. The authority of a Panel to make sentencing orders, and orders related to costs are found in sections 126 and 127 of the Act.

56. In reaching its decision, the Panel acknowledges the submissions of counsel to the CIC and the Registrant and was mindful of the objectives of such orders which have been articulated by various authorities.

57. In *The Regulation of Professions in Canada*, Carswell 2021, James T. Casey describes the purpose of sentencing in professional discipline cases, citing *McKee v. College of Psychologists (British Columbia)*, [1994] 9 W.W.R. 374 (at page 376):

[W]here the legislature has entrusted the disciplinary process to a self-governing professional body, the legislative purpose is regulation of the profession in the public interest. The emphasis must clearly be upon the protection of the public interest...

58. Citing McKee and a number of other authorities, Casey goes on to list the factors in determining how the public is protected including:

... specific deterrence of the member from engaging in further misconduct, general deterrence of other members of the profession, rehabilitation of the member, punishment of the offender, ..., the denunciation by society of the conduct, the need to maintain the public's confidence in the integrity of the profession's ability to properly supervise the conduct of its members and ensuring that the penalty imposed is not disparate with penalties in other cases.

59. When determining an appropriate penalty, in accordance with *Jaswal v. Medical Board (Nfld.)* 1996 CanLII 11630 (NLSC), the Panel considered the following factors:

- (a) the nature and gravity of the proven allegations;
- (b) the experience of the Registrant;
- (c) the absence of any prior discipline history;
- (d) the number of times the offence was proven to have occurred;
- (e) the role of the Registrant in acknowledging what had occurred;
- (f) the presence or absence of any mitigating circumstances;
- (g) the need to promote specific and general deterrence and, thereby, to protect the public;
- (h) the need to maintain the public's confidence in the integrity of the profession; and,
- (i) the degree to which the offensive conduct that 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 the range of sentence in other similar cases.

60. Several factors may serve to mitigate the severity of an appropriate penalty in a particular case. As noted by Casey in his text, these include:

- (a) the attitude of the [Registrant] since the offence was committed, with a less severe punishment being justified where the individual genuinely recognizes that their conduct was wrong;
- (b) the age and inexperience of the [Registrant] at the time the offences were committed;
- (c) whether the misconduct was a "first offence" for the [Registrant]; and
- (d) whether the [Registrant] pleaded guilty to the charges of professional misconduct, which may be taken as demonstrating the acceptance of responsibility for their actions.

61. In this case, the Panel noted the following aggravating factors:

- (a) the number of untruthful applications to the College; and
- (b) the ongoing failure to disclose the Criminal Conviction.

62. The Panel also took into consideration the following mitigating factors, noting that the Registrant:

- (a) has no previous discipline/complaints history;
- (b) pled guilty to all charges thereby saving the time and expense of a protracted disciplinary hearing; and
- (c) has apologized for their misconduct.

63. The Panel finds however that the Registrant repeatedly failed to disclose their Criminal Conviction and that believing that they did not have to disclose because it was “so long ago and it was done with” (Investigation Report page 12, paragraph 42) is inconsistent with the ethical and professional obligations of an RN and is to be denounced. It is unacceptable for RNs to be anything less than honest.

64. As the Notice, as well as the Agreed Statement of Facts, describes the detail of the Criminal Conviction, the Panel was not persuaded that its reasons ought to redact that detail. The Panel was of the view that accountability for the Registrant was not well-served by further limiting disclosure in these reasons.

65. In light of the Panel’s overall assessment of the various aggravating and mitigating factors, it is satisfied that the joint recommendation is in line with prior decisions acknowledging the seriousness of the misconduct and sending a message to the profession that the College’s laws, standards, regulations, Code of Ethics, and practice directions apply to all registrants who must be accountable for their conduct.

66. The Panel is of the view that the penalty it is imposing properly addresses and protects the public interest, and achieves the purpose of:

- (a) providing general deterrence to all registered nurses that this type of conduct will be investigated, reviewed, and punished; and
- (b) reassuring the public that the College is working to maintain standards and ensure continued trust in registered nurses.

67. The Panel has therefore accepted the joint recommendation and makes the following Order:

- (a) The Registrant is to pay costs to the College in the amount of \$4,000.00;
- (b) The Registrant is hereby fined in the amount of \$7,500.00;
- (c) The Registrant is issued a reprimand; and
- (d) The Inquiry Committee's decision and reasons will be published on the College's website.

DATED at Winnipeg, Manitoba, the 27th day of November, 2025.

JENNIFER COLVINE, Chair of the Panel RN Member *has authorized the use of electronic signature*

MICHAEL BLACKBURN, Public Representative *has authorized the use of electronic signature*

JOSEPH LOVELACE, Public Representative *has authorized the use of electronic signature*

BRENDA SULLIVAN, RN Member *has authorized the use of electronic signature*

DANIELLE YAFFE, RN Member *has authorized the use of electronic signature*