

## **DR. SUFFIELD LIED TO MS. [REDACTED] THE CAP, AND OTHERS**

444. Dr. Janzen did not address and did not consider Dr. Suffield's numerous lies to Ms. [REDACTED] the CAP, and others.

## **Dr. Suffield lied about his inability to form opinions about Ms. [REDACTED]**

445. In Suffield December 2011 Report, Dr. Suffield stated (CFS 233):

Though I had reviewed this background information, I was not able to form an opinion as to Ms. [REDACTED] cognitive, interpersonal, and occupational functioning without having direct and substantial professional conduct with her.

446. Dr. Suffield statement is a lie. At the time he made the statement, Dr. Suffield knew that he **did form and disseminated his opinions** of Ms. [REDACTED] to the SD5 without having any contact whatsoever with Ms. [REDACTED]
- (a) in a phone call with Ms. Stuart on June 8, 2011 (CFS 179 and CFS 184)
  - (b) in a phone call with Ms. Stuart on August 26, 2011
  - (c) in Suffield October 2011 Report faxed to the SD5 (CFS 112-133)

447. Dr. Suffield disseminated those opinions about Ms. [REDACTED] without meeting Ms. [REDACTED] and without having any contact with her whatsoever.

## **Dr. Suffield lied to Ms. [REDACTED] during consent that he did not "fully formed" his opinion of her**

448. Dr. Suffield stated in Suffield December 2011 Report that during a phone call with Ms. [REDACTED] on November 29, 2011, he explained to Ms. [REDACTED] the following (CFS153):

... I also explained why we were meeting. I said I had reviewed material about her, but had not met her, and could not ethically form an opinion about her without meeting and interviewing her....

449. Dr. Suffield stated in Suffield December 2011 Report that, during consent, he explained to Ms. [REDACTED] the following (CFS154):

... I reminded her that, as we discussed the previous day, I had not fully formed my opinion, and need to spend time with her, to gain understanding of her situation, and ask some clarifying questions...

450. Dr. Suffield statements were lies. Dr. Suffield already fully formed his opinion of Ms. [REDACTED] and faxed his Suffield October 2011 Report to the SD5. Dr. Suffield also failed to disclose that he already fully formed his opinion of Ms. [REDACTED] and faxed it to the SD5 pretending that he had not done so because he was not able to do so.

## Dr. Suffield lied about Dr. L [REDACTED] being naïve to the matters

451. On September 4, 2018, Ms [REDACTED] with Dr. Uttl met with Dr. Suffield to examine Ms. [REDACTED] records.
452. Prior to the meeting, Dr. Suffield disclosed to Ms [REDACTED] that Dr. L [REDACTED] would be attending as an observer. Upon learning this, [REDACTED] emailed Dr. L [REDACTED] to alert him that there is a potential for a conflict of interest.
453. Dr. Suffield admitted that on August 28, 2011 Dr. L [REDACTED] advised him that he had consulted on psychometrics in Ms [REDACTED] matter (CFS 1034).
454. At the beginning of the meeting on September 4, 2018, Dr. Suffield **falsely stated** to Ms. [REDACTED] and to all present, that Dr. L [REDACTED] was naïve to the matters.
455. This statement was a lie; Dr. Suffield knew that Dr. L [REDACTED] was not naïve to the matters but already involved with the matters.
456. The transcript of Dr. Suffield's false statement is below (the audio recording is available upon request) (@00:19:06 timestamp):

[REDACTED] (Dr. L [REDACTED]) is from my perspective completely naïve about any of this.

457. Clearly, Dr. Suffield lied to Ms. [REDACTED] and equally clearly, everyone present in the meeting knew that Dr. Suffield just lied to Ms. [REDACTED] including Ms. [REDACTED]
458. Dr. Uttl recorded the meeting precisely because Dr. Suffield lied previously in Suffield December 20, 2011 Report so as to defend against Dr. Suffield further lies. As expected, Dr. Suffield continued lying.

## Dr. Suffield's description of the meeting with Ms [REDACTED] Dr. Uttl

459. Dr. Suffield's descriptions as to what transpired during the meeting are often false, misleading, and incomplete. In any case, they do not accurately summarize the meeting.
460. It is true, however, that Dr. Uttl asked Dr. Suffield many pointed questions, the questions that ought to have been answered in Dr. Suffield's October 2011 as well as in Dr. Suffield's December 2011 Reports already but were not. For example, where did the data for Elementary Teachers in Dr. Suffield's figure on page 9 of Suffield December 2011 Report come from? Dr. Suffield largely refused to answer, took the matters under advisement, but never actually advised of his answers.
461. Contrary to Dr. Suffield's claim that "Dr. Uttl's many questions were taking on an aggressive, argumentative tone", Dr. Uttl's questions were not aggressive, not argumentative, and did not have "aggressive, argumentative tone". Furthermore, **Dr. Suffield did not bring the meeting to the end because he felt he addressed Ms [REDACTED] request to access the material. Dr. Suffield brought the meeting to the end because he was concerned that the meeting was recorded.** Dr. Suffield's statement to the CAP was false.
462. Furthermore, if Dr. Suffield was truthful, it would not matter to him whether the meeting was or was not recorded just as it did not matter to Ms. [REDACTED] or Dr. Uttl. The meeting was recorded because Dr. Suffield was already known to lie, including in his Suffield December 2011 Report.
463. The following is the transcript of the end of the meeting demonstrating Dr. Suffield's failure to answer one simple question and bringing the meeting to the end because he was concerned that it was recorded (BU = Bob Uttl, BS = Braxton Suffield):

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BU: Could you tell me where these elementary teacher scores come from? On your page, you know, 9 of your December 30th report.

BS: Yeah, those would have come from the GATB manual and other material.

BU: GATB manual. What do they represent? Because I don't think GATB manual provides anything like that. Last time I checked.

BS: It may also stand for the NOC. It's probably...

BU: NOC career handbook. Okay. Because NOC career handbook does not provide this kind of stuff at all. It's nowhere to be found there. So I wonder how you determine it, because it's not cited here or anything.

BS: Well, when you prepare your rebuttal, I'll have an answer to that.

BU: Right now, you don't know?

BS: I do. I just want to be very careful. Because your tone and your approach Bob, I want to be very careful. Actually I'm going to ask you now, if you are recording our conversation

BU: I'm not going to be answering any questions, just like you are not answering any questions. Right. Of that nature.

BS: You're not going to tell me if you're recording a conversation.

BU: No. It's completely irrelevant to this discussion.

BS: It's irrelevant?

BU: Yes. I'm not asking you whether you are recording it.

BS: Alright. I think we're done here.

BU: Reason?

BS: Well you won't clarify whether you are recording our conversation I don't believe you have my permission to record our conversation.

BU: I don't need it. No one in Alberta needs a permission to record conversations.

BS: All right. So I think we're done.

BU: All right. Thank you very much. We will continue in a

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written form. That way it's all clear.

BS: [inaudible]

BU: Okay. Thank you very much.

BS: Your welcome

## Dr. Suffield lied to the CAP about the GATB CDN manual

464. In his response to the CAP, Dr. Suffield wrote (CFS 1048-1049):

As detailed in Sections III and IV of the Canadian edition of the GATB (GATB CDN), many occupations – including elementary and secondary school teachers – were studied extensively when the GATB was developed. Table 9-3 (below) shows data from the 234 elementary and secondary school teachers who participated in an initial validation, and another 263 teachers who participate in and cross validation study. Thus, GATB scores for teachers are based on the total sample of 497 teachers

...

Ms. [REDACTED] agent, Dr. Uttl, was aware that GATB norms are available for many specific occupations, because I [Dr. Suffield] sent him [Dr. Uttl] some of my email correspondence with Nelson Canada in March 2017.

...

Therefore, Ms. [REDACTED] and Dr. Uttl were aware that Dr. Westcott was essentially correct when she wrote: "The GATB does what very few other tests do: it permits comparison of client characteristics with those of actual workers in specific occupations."

465. Dr. Suffield's statements are not only false but also **astonishing lies**:

- Nelson Canada nor anyone else ever published any "Section III or IV of the Canadian edition of the GATB"
- Nelson Canada only published the GATB CDN norms for the General Working Population of 900+ Canadian workers tested in 1985.
- No one else ever developed and published any such norms for "the Canadian edition of the GATB" (GATB CDN).
- Table 9-3 (CFS 1049) is taken from the USES GATB Section III published by the US Department of Labor in 1970, approximately 15 years prior to the GATB CDN development and norming (Nelson, 1986).
- The USES GATB Table 9-3 data for teachers are actually not data for teachers but merely for university students tested in early 1950s in USA when only small percentage of teachers had or pursued university degrees. These samples were not representative of any teachers, anywhere, at any time.

466. Dr. Suffield knew that his statements about the "Canadian edition of the GATB" were astonishing lies:

- Dr. Suffield copied Table 9-3 from the USES GATB Section III Manual. The front page of that manual is crystal clear that it is the USES GATB Section III Manual published in 1970 and not from the GATB CDN (Nelson, 1986) Manual.

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- (b) On April 26, 2010, **months before Dr. Suffield reviewed Westcott September 15, 2010 Report**, Dr. Suffield inquired directly with Nelson Canada and wrote:

I also think I need to be careful in phrasing results. For example, **it may not be accurate to state that the GATB permits comparison of client characteristics (i.e., GATB aptitude scores) with those of actual workers in specific occupations, because no one has actually administered the GATB** [emphasis added] to 20 or 30 accounting clerks, librarians, ushers, clinical perfusionists, and other jobs in the NOC to validate that claim.

- (c) On April 29, 2010, Nelson Canada replied to Dr. Suffield that he was “on the right track” and informed him:

In Canada the GATB, continues to be used... **based on the (single set of) Canadian general working population norms** [emphasis added].

We need to keep in mind that the GATB and the NOC/CH [National Occupational Classification/Career Handbook] primarily intended for use in vocational counselling, not to screen applicants for hiring purposes.

- (d) On April 29, 2010, Dr. Suffield acknowledged the receipt of the above email:

Thanks, Rick.

- (e) In February, 2014, Dr. Suffield again inquired about the GATB CDN but this time with the Development Canada. The Development Canada clearly informed Dr. Suffield:

The rated information in the Career Handbook is not based on experimental data collected from representative samples of the employed labour for the occupations of the NOC...

467. Dr. Suffield also knew that his statement about Dr. Uttl being aware “that GATB [Canadian] norms are available for many specific occupation” was also **an astonishing lie**:
- (a) Dr. Suffield sent Dr. Uttl his correspondence with Nelson Canada, including the ones quoted in Ms. [REDACTED] complaint as well as above. The Nelson Canada/Suffield correspondence is crystal clear: there are no such occupation specific norms for the GATB CDN.
- (b) Dr. Uttl was not aware that there were any such occupation specific norms for the GATB CDN. To the contrary, Dr. Uttl was aware that there were no such norms for the GATB CDN from a number of sources including:
- i. the Nelson Canada/Suffield email correspondence,
  - ii. the GATB CDN Manual published by Nelson in 1986,
  - iii. the Career Handbook published by the Government of Canada
468. Notably, the CAP – Dr. Acton, the investigator, and Dr. Janzen – both swallowed these lies hook, line and sinker.

## **Dr. Suffield repeatedly lied about Suffield October 2011 Report being "a draft" report**

469. On October 19, 2011, Dr. Suffield completed his written report ("Suffield October 2011 Report") regarding Mr. [REDACTED] fitness to continue to do her teaching duties and signed it. The same day, Dr. Suffield faxed his signed report to the SD5 (CFS 112-133). Nothing in the fax gave any indication that Dr. Suffield was sending "a draft" report. To the contrary, Suffield October 19, 2011 Report was clearly Dr. Suffield's final report delivered to the SD5 with the invoice for services rendered:
- (a) The fax cover page did not say the signed report was a draft.
  - (b) The cover letter page did not say it was a draft.
  - (c) Nothing in the report itself stated it was a draft.
  - (d) Both the fax cover page and the cover letter stated clearly that the original of the signed report along with Dr. Suffield CV and invoice would arrive by post.
  - (e) In the last sentence of the first paragraph, Dr. Suffield was clear that that was his final report but that he reserved "his right to amend my [his] opinion..."
470. The recipients – Ms. Stuart and the SD5 -- of Suffield October 2011 Report clearly understood this was Dr. Suffield's duly signed report and not a draft. On October 26, 2011 2:16PM, Ms. Stuart wrote an email to Ms. Turner/Union (CFS 191-192) that she
- would appreciate a call from you [Ms. Turner] to share with you the conclusions as outlined in the report [Suffield October 2011 Report].
- After this, I would feel it appropriate to phone [REDACTED] personally to let her know we are prepared to release the report to her...
471. Within two hours, Dr. Suffield emailed Ms. Stuart (CFS 195) that he "re-reviewed his obligations under the College of Alberta psychologists", quoted Standard of Practice 8.2, and stated:
- In June, I indicated I would need to see Ms. [REDACTED] before giving a formal opinion on her employability I would like to exercise that option, now
472. Suffield December 2011 Report does not disclose that it was an "amendment" of Suffield October 2011 Report and does not even disclose that there was a prior Suffield October 2011 Report.
473. In fact, Suffield December 2011 Report states the exact opposite, that is, that Dr. Suffield was not able to form an opinion about Ms. [REDACTED] without having a contact with her.
474. Dr. Suffield now lies about October 2011 Report and refers to it as a "draft":
- (a) "...I simply relayed elements of my preliminary draft." (CFS1040)
  - (b) "I encourage the college to compare... with my draft report of October 19, 2011" (CFS1040)
  - (c) "as documented in my October draft report" (CFS1071)
  - (d) "Blackline between October draft in my report" (CFS1072)

## **Dr. Suffield lied to Dr. Joanna Dabrowski on October 28, 2011**

475. Dr. Suffield admitted that the October 28, 2011 consultation notes (CFS209) were his.  
476. In the consultation notes, Dr. Suffield wrote:

I told her [Dr. Dabrowski] that I was doing a review of other psychologists' data, in the context of a fitness for duty assessment..."

477. Dr. Suffield's statement to Dr. Dabrowski was a lie. Dr. Suffield wasn't "doing a review" as he had already done the review and faxed Suffield October 2011 Report to the SD5 days prior to his contact with Dr. Dabrowski.

## **Dr. Suffield lied to the CAP about August 26, 2011 phone call with Ms. Stuart**

478. **Dr. Suffield denied that he had the phone call on August 26, 2011 with Ms. Stuart** (CFS1019). He wrote that he had "**no recollection or record of a phone call with SD5 in August 2011**". Dr. Suffield also said he would have documented it.  
479. Dr. Suffield stated: "On this basis, it is my position that no call occurred in August 2011." (CFS1019)  
480. **Dr. Suffield's assertion is false and Dr. Suffield knew it:**  
(a) Dr. Suffield's own clinical file – his email to Ms. Stuart on August 25, 2011 – clearly states that Dr. Suffield himself did call to Ms. Stuart and did call to Ms. Munro/SD5 (two calls) but did not get through.

**From:** J.B. Suffield & Associates  
**To:** "Cynthia Stuart"  
**Cc:** Keltie Munro (Keltie.Munro@fc-sd5.bc.ca)  
**Subject:** RE: |  
**Date:** August-25-11 5:10:00 PM

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Ms. Stuart,

I have yet to receive Dr. data. I am concerned about your Sept back-to-school date. Your and Ms. Munro's phones are busy; can one of you give me a call, ASAP?

Thanks!

J. Braxton Suffield, Ph.D., R.Psych.

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- (b) Dr. Suffield's own clinical file – Ms. Stuart's email to him on August 26, 2011 at 8:19AM – confirms that Ms. Stuart advised Dr. Suffield: "I will call you shortly."
- (c) Ms. Stuart's email dated August 26, 2011 @ 1:53PM (CFS189) states:

Dr. Suffield called me this morning....

- 481. Clearly, Dr. Suffield's himself placed at least two phone calls to the SD5 and his statement that "no call occurred in August 2011" is false. At least two phone calls were made by Dr. Suffield himself even if the lines were busy.
- 482. Equally clearly, Ms. Stuart documented the third phone call which occurred on August 26, 2011, and whose content was summarized by Ms. Stuart in the email. Alternative is that Ms. Stuart fabricated the phone call and what Dr. Suffield told her about Ms. [REDACTED]
- 483. Either way, Dr. Suffield did lie about (a) not having any phone calls with the SD5 in August 2011 and (b) not having any "record of a phone call with SD5 in August 2011."

## Dr. Suffield's contravention of the HPA, COE, and SOP

484. Dr. Suffield contravened the HPA 1(pp)(i) by "displaying a lack of knowledge or or lack of skill or judgment in the provision of professional services" and the HPA 1(pp)(xii) by "conduct that harms the integrity of the regulated profession", by
- (a) lying on Suffield December 11 Report about his inability to form an opinion of Ms. [REDACTED]
  - (b) lying to Ms. [REDACTED] on November 29, 2011 and November 30, 2011 about his inability to form an opinion of Ms. [REDACTED] without meeting her
  - (c) concealing/not disclosing to Ms. [REDACTED] on November 29, 2011 and November 30, 2011 that he already formed his opinion of Ms. [REDACTED] and faxed it to the SD5 in form of Suffield October 2011 Report
  - (d) lying to Dr. Joanna Dabrowski on October 28, 2011 that he was "doing a review" when in fact he finished and disseminated his review days prior
  - (e) lying to Ms. [REDACTED] on September 4, 2018 about Dr. I. [REDACTED] being naive to the matters
  - (f) lying to the CAP about the GATB CDN Manual having Table 9-3
  - (g) lying to Ms. [REDACTED] and the CAP about Suffield October 2011 Report being "a draft"
  - (h) lying to the CAP that "no call occurred in August 2011" and that he had no "record of a phone call with SD5 in August 2011"
485. Dr. Suffield's lying also contravened the COE2000 standards:
- (a) Standard III.1 (no participation in dishonesty, fraud, misrepresentation)
  - (b) Standard III.11 (communicating completely and objectively)
486. With respect to Dr. Suffield's conduct from 2017 to present, the corresponding COE2017 standards contravened by Dr. Suffield apply:
- (a) Standard III.1 (no participation in dishonesty, fraud, misrepresentation)
  - (b) Standard III.11 (communicating completely and objectively)
487. For actions prior to 2013, Dr. Suffield's actions detailed above also contravened the SOP2005 Standards:
- (a) Standard 35 "Psychologists shall not make false or misleading statements concerning professional services offered."
  - (b) Standard 45 "Psychologists shall provide an appropriate answer... to any written inquiry received from the Registrar or the Council"
488. For actions in 2018, Dr. Suffield actions detailed above after also contravened the SOP2013 Standards:
- (a) Standard 13.3 "Psychologists shall not provide, or permit others to provide, false or misleading information concerning professional services offered by the psychologist."
  - (b) Standard 17.5 "A psychologist shall abide by the Standards of Practice, Canadian Code of Ethics for Psychologists and applicable legislation."
489. For actions since 2019 to present, Dr. Suffield actions detailed above contravened the SOP2019 Standards:
- (a) Standard 13.3 "Psychologists shall not provide, or permit others to provide, false or misleading information concerning professional services offered by the psychologist."
  - (b) Standard 22.3 "Within thirty (30) calendar days of receiving a written or verbal inquiry or request from the College, or within such other period of time requested by the College, a psychologist shall provide a detailed written or verbal response including all relevant documentation and information. Psychologists must answer all College questions in a **complete and honest fashion.** [emphasis added]"
490. Dr. Suffield lies to Ms. [REDACTED] the CAP and others are disgraceful and dishonorable.