

NOTES FROM THE FIELD

A restorative approach to professional responsibility: lessons from the 2014-2015 Dalhousie Faculty of Dentistry Facebook incident

Mary E. McNally*

In September 2015, a *New York Times* editorial proposed restorative justice as an alternative approach to ‘campus misconduct’ and highlighted a highly publicised gender-based misconduct incident involving dentistry students as an example of how restorative justice can work to meet goals of repairing harms to individuals and community. This article draws directly on student and faculty experiences to provide a first-hand account of the incident cited by the *Times*. It identifies unique considerations for students entering into a self-regulating profession and for the educators who provide stewardship to that end. The restorative approach was able to integrate student remediation within a process that, foremost, attended to those harmed while also addressing a wider set of institutional considerations. The years following this incident have witnessed a growing acceptance of disrespectful public discourse and sexist rhetoric that is certain to negatively influence incoming students and continue to create challenges for educators, administrators and professional regulators. Reflecting on and sharing lessons learned demonstrates that a restorative approach shows great promise for addressing these challenges.

Like all health professions, the dentistry profession is susceptible to erosion of public trust when values and behaviour of its members are called into question. In keeping with their tacit responsibility to professional regulators and society in general, dental educators establish and uphold standards for those entering the profession that include professionalism requirements (Shaw, 2009; Trathen & Gallagher, 2009; Zijlstra-Shaw, Roberts & Robinson, 2013). These norms typically focus on accountability for decisions and actions in carrying out professional work (Zijlstra-Shaw et al., 2013) while the relevance to professionalism of behaviours occurring outside ‘professional work’ is less clear. Sexually-based and gender-based misconduct represents behaviour that is outside the ethos of professional work yet, the ‘Dalhousie University 2014-15 Facebook’ incident (Auld, 2014) highlights the significance of this type of behaviour to professionalism and, by

* Mary E. McNally, MSc, DDS, MA, is a Professor at Dalhousie University Faculty of Dentistry in Halifax Nova Scotia, Canada. Contact author: mary.mcnally@dal.ca. Acknowledgement: The author wishes to acknowledge and thank members of the Dalhousie University Dentistry Class of 2015 whose experiences are providing a foundation from which others may learn and benefit.

extension, to the public's trust. Moreover, it highlights the responsibility of university educators as stewards of that trust. This commentary¹ provides a reflection on the Dalhousie Facebook experience, the relationship of public trust as core to professionalism and the role that a restorative justice approach played in both addressing professional misconduct and supporting student development goals.

In December 2014 offensive sexist and homophobic Facebook posts arising from a private Facebook group comprised of most male members of the Dalhousie Doctor of Dental Surgery (DDS) 2015 class were anonymously released to the media. The story was broadcast widely and repeatedly by regional, national and international news agencies. The Facebook posts targeted and directly harmed specific women in the DDS Class of 2015 and indirectly harmed women in general. Within days, a petition with over 50,000 signatures called upon the University President to expel the offending students (CBC News, January 6, 2015). Within days of the media release of the posts, a number of Canadian professional dental regulatory bodies publically called for the names of the men, establishing assurances that even if the students were granted the right to graduate, they would likely face intense scrutiny when they applied for licensure (Choise, 2015). This incident involved senior health professional students who are seen by the public to be in a position of great privilege and whose actions had a devastating impact on the public trust of all Dalhousie Dentistry students. The impact translated quickly and profoundly to the Faculty of Dentistry, Dalhousie University and the dental profession as a whole.

Managing the response to the Facebook incident was complicated – particularly by the multitude of voices with strong opinions about the right thing to do.² However, in response to their sexual harassment complaint, young women who were directly harmed by the Facebook posts chose restorative justice as the most promising path towards meaningful change. In so choosing, and with the participation of the majority of their classmates who also engaged with the restorative process, these same women set the tone by recognising that 'punitive measures such as expulsion do not change attitudes or positively influence future behaviour, nor do they address the underlying systemic problems' (Llewellyn, MacIsaac & MacKay, 2015: 13) which they believed contributed to the issues.

In addition to direct and indirect harms experienced by women, the broader societal impact and loss of public trust also led to discussion about the extent to which the issue must also be addressed as a professionalism issue within the Faculty of Dentistry. The transgression of values as identified within the Dalhousie University *Faculty of Dentistry student code of professional conduct* (Dalhousie University, 2015) established the incident as a clear breach of professionalism (i.e. based on stated responsibilities to respect difference and refrain from harmful

- 1 Author, M. McNally, was the Chair of the Fourth Year Doctor of Dental Surgery (DDS4) – Academic Standards Class Committee at Dalhousie in 2015.
- 2 An account of the campus debate and tensions over appropriate administrative adjudication of the Dalhousie Facebook incident is detailed in Chapter 2 of MacKinnon, P. (2018) *University commons divided: exploring debate and dissent on campus*. Toronto: University of Toronto Press.

Mary E. McNally

personal behaviour) resulting in the suspension of clinic privileges for the involved men. Administrative adjudication of the incident rested with the Faculty of Dentistry's academic standards class committee³ as an academic issue conveying a clear message about the responsibilities of a faculty that represents a self-regulating profession.

A restorative approach was undertaken that enabled integration of the committee's core responsibility to remediate Facebook member transgressions within a process that also attended to those harmed and to ensuring that a wider set of institutional considerations, including professionalism expectations arising from both within and external to the university, were addressed. Over the course of five months, twelve of thirteen men who were suspended engaged with the restorative approach that was integrated with and largely facilitated through the restorative justice expertise of the university's Office of Human Rights, Equity and Harassment and under the guidance of an international panel of restorative justice experts.

In establishing a process for managing an unprecedented issue of such magnitude – with a quarter of the graduating class suspended from their clinic privileges – the benefits of engaging with a restorative approach became apparent for a variety of reasons. First and foremost, the harms to the women remained the first priority within the trauma-informed and victim-centred process. A significant proportion of time devoted by the twelve suspended men to the restorative process was focused on understanding and atoning for direct and indirect harms to women.

Relationally situated amongst classmates, faculty members, administrators and experienced facilitators, the process also had pedagogical appeal and benefit. For instance, the opportunity for peers to be so directly and actively involved was invaluable for students in a self-regulating profession and was something that was identified as important by women in the class (Llewellyn et al., 2015: 21). The process enabled the academic standards committee to establish and address specific formal ethics and professionalism remediation responsibilities in alliance with the restorative justice goals. In particular, the integrated process provided the space for students to appreciate and internalise how profoundly personal behaviours can be both harmful to individuals and inseparable from one's professional identity. This was a unanimous message conveyed by the men who engaged in the restorative justice process. At the same time, and as difficult as it was, the space to reflect on the educational implications of our broader faculty climate and culture has been critical to understanding how the Facebook incident could have happened on our watch. The many direct and open interactions (i.e. multiple restorative sharing circles and one-on-one discussions) integral to the restorative approach enriched our contextual understandings on many fronts. For example, these students largely represent the first generation exposed to social media from a young (middle school) age. Their dis-inhibition in the use of Internet and social media networks and their admittedly misguided perceptions that interactions are

3 This committee monitored progress and performance of fourth year dental students, determining their clinical and professional competency and, ultimately, their fitness to graduate.

harmless because 'it's only social media' has been informative to both student and faculty professional development programming. Lessons learned through international leaders in restorative justice and experts in sexually-based and gender-based misconduct from within and beyond our campus has helped us to better understand our own culture and climate and to move forward in a positive way.

In addition to these pragmatic outcomes, it is also valuable to consider the extent to which our process adheres to indicators or goals for student development and positive learning outcomes in conduct proceedings. Integrating several student development theories, Karp and Sacks (2014) identify six student development goals including: just community/self-authorship, active accountability, interpersonal competence, social ties to institution, procedural fairness and closure. Personal observations of multiple interactions with the suspended students in restorative circles, in one-on-one meetings, in their reflective writing, in their actions and contributions to understanding culture and climate, and, ultimately, their interactions and relationships with their classmates, faculty, staff, patients and the public at large suggests that the process did achieve the 'twin goals of student development and educational sanctioning' (Karp & Sacks, 2014).

In response to questions that examine 'just community/self-authorship' (i.e. did students have the opportunity to internalise moral norms and recognise the wrongfulness of the misconduct?) and 'active accountability' (i.e. did they understand [not only that they broke the rules] but also the consequences of the behaviour on others? Did this include repairing the harm in a way that fosters trust?), these goals were exemplified by the men's actions and by their enduring commitment to restorative justice over the course of five months – no matter who they faced and what was asked of them. Members of the academic standards class committee observed first-hand the power of their personal expressions of truth and remorse and the ownership and responsibility they took for their actions. As a testament, a public statement from the Dalhousie men expressed the following:

When we realized the hurt and harm our comments caused ... we wanted to convey our overwhelming regret. But we learned that saying sorry is too easy. Being sorry, we have come to see, is much harder. It takes a commitment to hear and learn about the effects of your actions and an ongoing and lasting commitment to act differently in the future. Through the restorative justice process we are doing the work required to be sorry – to confront the harms we have caused, to accept our responsibility, to figure out what is needed of us to make things right, and to gain the knowledge, skills and capacities to be trusted healthcare professionals (Llewellyn et al., 2015: 66).

Regarding 'interpersonal competence', all students who engaged in restorative justice were deeply committed to developing strategies for effective communication and positive interactions with others to meet both their common and individual goals.

As we reflect upon our five-month journey, we recognize how far we have come not only individually but collectively. We have challenged and suppor-

Mary E. McNally

ted one another as we confronted what happened ... These uncomfortable, difficult, and complicated conversations have required us to delve deeper into societal and cultural issues of sexism, homophobia, and discrimination and how they erode the foundations of supportive and healthy communities (Llewellyn et al., 2015: 8).

The men who were suspended returned to clinical practice following months of self-reflection, public humiliation and criticism and under a great deal of scrutiny. While during their suspension they had already begun regaining the trust of those harmed 'circle by circle', now they were earning public trust 'patient by patient' and 'encounter by encounter'.

Increasing 'social ties to institution' as an indicator of student development extended beyond the faculty and university environment. Dentistry students have the broader institution of their profession to consider and their ties extend beyond social to formal. As suggested above, a key and consistent message reflected by the students was a recognition that, as a professional, their personal identity is not separate from their professional identity – and they will always have to live to the higher standard expected of them. Accordingly, they also explicitly committed to honestly conveying their involvement in Facebook to professional bodies (i.e. regulatory, graduate school, employers) when asked.

Regarding 'procedural fairness', we collectively established processes that enabled goals for addressing harms to align with remediation goals for professionalism. Members of the academic standards class committee were invested in the restorative justice process and were therefore also guided by the example set by the facilitators. Every attempt was made to work relationally with the students and with similar care, concern, honour, fairness and dignity. And finally, did the students achieve 'closure' and were they able to learn from their mistakes and move on? Closure has been both informal and formal. Informally, closure is incrementally being achieved with each encounter that is enabling the students who were suspended to gain the trust of those affected by the Facebook posts. It is likely that this will continue for many years. The university process formally closed for the men through written determinations recommending them for graduation and licensure.

Ultimately, students from the Dalhousie Dentistry class of 2015 were all licensed (regionally, nationally and internationally) into a self-regulating profession without limitations to their licenses. This suggests a direct measure of public trust. It is impossible to predict what the outcomes would have been had the process been undertaken through a formal discipline-focused approach. Although public trust and the response of professional regulators are not explicitly considered in the following excerpt, a glimpse at less productive predicted outcomes is provided.

... issues in a disciplinary hearing are different, and narrower, than issues in restorative justice. They are focused on the charges, defences, and range of consequences, not on understanding, recognition, acceptance, and redress. They are focused on the defendants, not on those hurt by them ... what

would the process have done to address the harm caused by the Facebook group members to their female classmates, the Faculty of Dentistry, and to the broader university community? The answer is very little, if anything (MacKinnon, 2018: 27-28).

Since the Facebook incident, there has been a ramping up and even a growing acceptance of disrespectful public discourse, racist rhetoric and porn culture that is certain to continue to negatively influence future students, particularly with the dis-inhibition that comes with social media. It is uncertain where these new norms of discourse and behaviour are going to take us. Indeed, the large wake created by the 2014-2015 Facebook incident continues to influence our faculty, staff and students. Incoming classes are aware that they must continue to earn the public's trust through the example they set in carrying out their activities both in and out of the classroom, the care they provide and the communities they serve. The Dalhousie incident attracted unprecedented international attention. An upside to the publicity is that it gives leave to both reflect on and share the lessons learned.

References

- Auld, A. (2014). Dalhousie university students' Facebook page 'deeply disturbing,' says school president. *HuffPost*, Canadian ed. 16 December 2014. Retrieved from: https://www.huffingtonpost.ca/2014/12/16/dalhousie-university-students-facebook_n_6333200.html (last accessed 29 August 2018).
- Canadian Broadcasting Corporation (CBC). (2015). Dalhousie won't release names of dentistry Facebook scandal participants. *CBC News*. 6 January 2015. Retrieved from: www.cbc.ca/news/canada/nova-scotia/dalhousie-won-t-release-names-of-dentistry-facebook-scandal-participants-1.2890938 (last accessed 29 August 2018).
- Choise, S. (2015). Dalhousie faces deluge of complaints as dental students suspended. *The Globe and Mail*. 5 January 2015. Retrieved from: www.theglobeandmail.com/news/national/education/dalhousie-dentistry-students/article22288704/ (last accessed 1 February 2018).
- Dalhousie University Faculty of Dentistry. (2014). Faculty of dentistry student code of professional conduct. 2014-15. Retrieved from: <https://www.dal.ca/content/dam/dalhousie/pdf/dentistry/CurrentStudentsForms/Academic%20Policy%20Manual%202014-15.pdf> (last accessed 29 August 2018).
- Karp, D.R. & Sacks, C. (2014). Student conduct, restorative justice, and student development: findings from the STARR project: a student accountability and restorative research project. *Contemporary Justice Review*, 17(2), 154-172.
- Llewellyn, J.J., MacIsaac, J. & MacKay, M. (2015). *Report from the restorative justice process at the Dalhousie University Faculty of Dentistry*. Retrieved from: <https://www.dal.ca/cultureofrespect/background/report-from-the-restorative-justice-process.html> (last accessed 29 August 2018).
- MacKinnon, P. (2018). Sexual transgressions at Dalhousie: dentistry students on Facebook. In P. MacKinnon (ed.), *University commons divided: exploring debate and dissent on campus* (pp. 21-36). Toronto: University of Toronto Press, Scholarly Publishing Division.

Mary E. McNally

- Shaw, D. (2009). Ethics, professionalism and fitness to practice: three concepts, not one. *British Dental Journal*, 207, 59-62.
- Trathen, A. & Gallagher, J.E. (2009). Dental professionalism: definitions and debate. *British Dental Journal*, 206, 249-253.
- Zijlstra-Shaw S., Roberts, T.E. & Robinson, P.G. (2013). Perceptions of professionalism in dentistry – a qualitative study. *British Dental Journal*, 215, E18.