

REPORT FROM **THE RESTORATIVE JUSTICE PROCESS**

AT THE DALHOUSIE UNIVERSITY
FACULTY OF DENTISTRY

MAY 2015

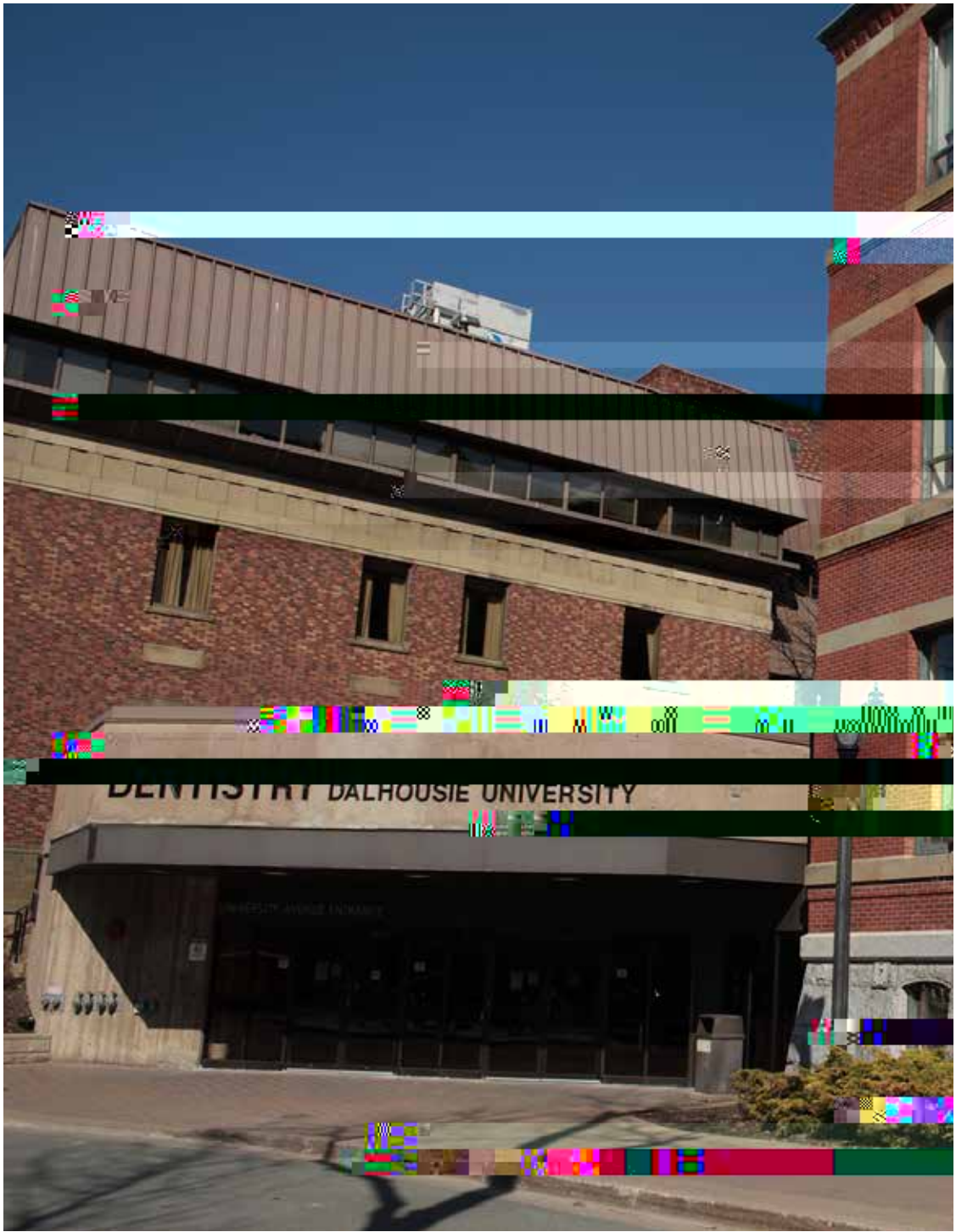
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Executive Summary

In December 2014, female students in Dalhousie University's Faculty of Dentistry filed complaints under the University's Sexual Harassment Policy after they became aware some of their male colleagues had posted offensive material about them in a private Facebook group. The select materials revealed from the Facebook group reflected misogynistic, sexist and homophobic attitudes. At the complainants' request, the University began a restorative justice process to investigate the matter, address the harms it caused and examine the climate and culture within the Faculty that may have influenced the offensive nature of the Facebook group's content. Twenty-nine students from the class of DDS2015 (out of 38 in the core four-year program) participated in the restorative justice process. This included 12 of the 13 men identified as members of the Facebook group when the offensive material was discovered. Fourteen women and three other men from the DDS2015 class also participated in the process over the last five months.

This report gives an account of the restorative justice process, including:

- ◆ **Statements from all participants in the process, including male and female students, the Faculty of Dentistry, the University, the Nova Scotia Dental Association and members of the community.**
- ◆ **A timeline of the restorative process, highlighting actions and outcomes from December 01 to May 01.**
- ◆ **An account of the investigation into the Facebook group and the actions of its members, including the investigation's interaction with the Academic Standards Class Committee with respect to issues of professionalism and patient safety.**
- ◆ **An examination of the climate and culture at the Faculty of Dentistry.**
- ◆ **Ideas and commitments that have emerged from the restorative justice process aimed at creating a safer, healthier and more inclusive environment for all students and faculty.**

The restorative process found that the men's Facebook group began as a bonding activity but became a place to vent frustrations, often in unhealthy and at times extremely offensive ways. Members sought to "one up" each other in ways that were frequently crude in nature and aimed at shock value. While the offensive content in the Facebook group is inexcusable, the restorative process revealed that similar attitudes and behaviours existed within the competitive climate of the Faculty of Dentistry. In extensive interviews, workshops and group sessions with students,

faculty and staff, process participants described a culture in which standards for professionalism were inconsistently applied; rumours of favouritism and inappropriate relationships circulated; sexist, misogynistic, racist and/or homophobic behaviours were at times perceived to be inadequately dealt with; and mechanisms for addressing these issues were poorly communicated and sometimes frustrating to pursue.

This culture and climate in no way excuses the actions of the Facebook group, nor is such behaviour by any means unique to the Faculty of Dentistry or Dalhousie University. The men involved have accepted responsibility for their actions, undergone extensive learning and committed to hold themselves to higher standards in the future, as will be outlined in this report. Through the restorative process they have each met the requirements of the Academic Standards Class Committee with respect to professionalism.

Process participants together have outlined five key areas that have a significant impact on climate and culture and require attention in order to create a healthier culture at the Faculty of Dentistry:

- i. **COMMUNITY BUILDING** finding better and more supportive ways to build connections between and among students, faculty and staff
- ii. **INCLUSION AND EQUALITY** – supporting diversity and confronting accepted divisions along lines of gender, race, culture and religion
- iii. **PROFESSIONALISM AND ETHICS** adapting a more integrated and principle-based approach to both personal and professional integrity with respect to patient care and safety
- iv. **CURRICULUM AND PROGRAM STRUCTURE** addressing factors within the program and clinic structure that contribute to a competitive and stressful environment
- v. **REPORTING PROCESSES AND CONFLICT RESOLUTION** improving communication and transparency in order to create safer spaces to address and resolve issues

The student participants in restorative justice hosted a *Day of Learning* toward the end of the process in order to share their experiences and learning in connection with these five themes. The event actively engaged more than 80 stakeholders from the various parties involved in the restorative process in dialogue about the ways forward to support a more inclusive and respectful culture and climate in the Faculty of Dentistry, the University, and the profession. This report will share the ideas and commitments developed within the process to achieve this goal.

This report also addresses the challenges that participants and facilitators faced in working together in a restorative process. These challenges included significant pressures from individuals and groups both outside and within the university community who advocated for a more punitive approach without an informed understanding of what the restorative process entailed. Both male and female members of the dentistry class reported increased stress due to public debate that was at times aggressive, intrusive and erroneous. Female participants ultimately felt compelled to ask the Dalhousie Student Union, among others, to stop speaking *for* them without ever speaking *to* them, while male participants received threats of harm to them and their families via social media. The overwhelming public scrutiny and attempts to influence the process compounded the harms to those most affected, including the women who filed the original complaint.

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typical situation. The situation was made much more complex by the level and nature of the media and public attention. There were also significant internal debates in the University with respect to how and who should determine the appropriate response. We chronicle the process and how these factors impacted the nature, progress and resource intensity of the restorative justice approach in this case. We do so because it is important to be clear that this process would not have required such a level of expert attention and staff support if it were less complex in terms of the number of students, the various needs of the different parties, the systemic and institutionalized nature of the central issues, and the significant and unusual external and internal hurdles it had to overcome to allow the process to move forward in a safe and supportive way for those involved.

In releasing this report, the participants, first and foremost, hope to contribute to the ongoing initiatives and efforts at the Faculty and the University to learn from what has happened and to move forward toward a healthier and more inclusive community at Dalhousie. In this way, this report will contribute, alongside the recent *Belong Report*, to the University's established strategic priority to "Foster a collegial culture grounded in diversity and inclusiveness" (*Inspiration and Impact: Dalhousie Strategic Direction 2014-18*, priority 5.2). The restorative justice process participants and facilitators have also provided information to the External Task Force on Misogyny, Sexism and Homophobia in the Faculty of Dentistry, which we hope will provide further support to its efforts to offer a wider lens on the culture and climate within the Faculty. The restorative justice process and this report will also inform the work of the Faculty of Dentistry's Next Steps Process that began in February 2015. The restorative process has enabled participants from the Faculty, the University and the profession to investigate, learn and prepare to make the necessary changes in order to take full advantage of the input and recommendations from this report and these other processes.

In March 2015, approximately half-way through the restorative justice process and following the facilitators' progress report to the Academic Standards Class Committee (which assessed whether, based on the investigation and remediation work to date, there were any public safety concerns with respect to a return to a clinical setting), the student participants in restorative justice issued a public statement in order to share their perspectives and information on the process. They felt it was important to do so prior to any decision by the ASCC regarding a return to clinic so that the public would have accurate information directly from the participants. This first statement is appended to this report (Appendix A).

At the end of the restorative justice process, the participants felt it was again important that the public hear directly from them in their own voices about their perspectives and experiences. This report begins after this introduction with a statement from all of the participants, followed by detailed information about the work, findings and outcomes of the process.

The report also contains:

- ◆ **Background and details regarding the restorative justice process (section a)**
- ◆ **Chronology of the development and implementation of the restorative justice process (sections b & c)**
- ◆ **Description of the elements and activities of the restorative process (section d)**

- ◆ Findings from the investigation into the sexual harassment complaint regarding the Facebook group and the climate and culture at the Faculty of Dentistry conducted in conjunction with, and as part of, the restorative justice process (section .)
- ◆ Ideas and commitments for ways forward to address the harms and issues identified through the restorative process (section).

We have engaged in the restorative justice process as individuals and as groups of men and women, Facebook group members and others. As the process developed we have worked through the harms and issues that divided us. At the end of this process, while we have some distinct experiences to share, we write not as separate groups of “the men” and “the women” but as the restorative justice group from DDS2015, united in our commitment to ensure our experience matters for the future.

A FEMALE ARCH A, for us restorative justice was initially a solution to a complicated problem. We are a small class, from a small faculty, and a tight-knit community. Many of us are far from our families, making the need for a strong and supportive community at school that much greater. As a result, we had come to care deeply about each other, as classmates and as friends. It was this caring that made the realization that the Facebook group held content about us so upsetting.

Restorative justice provided us with a different sort of justice than the punitive type most of the loudest public voices seemed to want. We were clear from the beginning, to the people who most needed to hear it, that we were not looking to have our classmates expelled as 13 angry men who understood no more than they did the day the posts were uncovered. Nor did we want simply to forgive and forget. Rather, we were looking for a resolution that would allow us to graduate alongside men who understood the harms they caused, owned these harms, and would carry with them a responsibility and obligation to do better.

We also felt a responsibility as future dental professionals to our profession and to the public. We are women with the ability to stand up for ourselves, but we realized this is not always the case in the traditional dentistry setting where auxiliary staff is predominantly female. The relationships among classmates are different than employee-employer relationships. We are able to raise our concerns with less fear than in workplaces where it could potentially be far more detrimental to one's career. This may discourage employees from bringing forward complaints against their employers involving the sort of unprofessional and sexist material displayed in the Facebook posts. We also became increasingly aware that while women now represent the majority of students entering dental schools, women remain underrepresented in leadership positions within the profession. We wanted to be prepared to begin to fill these roles. While we have always felt safe with our classmates, we felt a need to participate first-hand in a process that would enable the thoughtful reflection required to behave differently

harms against us and our families. We have struggled significantly with whether to share our names more broadly. Based on what we and our families have experienced over the past five months, we have decided not to do this now. We know some feel that broader apologies are owed to “the public”. Just as it is difficult, however, to believe our apologies, when they come without names and faces, it is equally hard to apologize to a general and unknown “public”.

We know our Facebook posts impacted and harmed members of the public that include current and future patients, neighbours, future colleagues and employees. In particular, our patients have the right to honesty from their healthcare providers. We care deeply about our patients and understand some of them may have lost personal and public trust in us because of our actions. Our actions also impacted our profession and contributed to access-to-care issues within dentistry. We deeply regret if this has made even one person more reluctant or afraid to access the oral health care they need and deserve. We owe it to each of these individuals, groups and other members of the public to seek to understand their concerns and try to address them. We cannot do that work with sincerity or success without knowing to whom our efforts are directed. We have made a commitment that we will be honest with our patients, colleagues, the profession and our future employers and employees about our involvement within the Facebook group if asked. We have upheld this commitment since our return to clinic. We know that earning trust back does not happen overnight or even over five months. We commit to continue this work both individually and collectively in future.

We are incredibly thankful for the opportunity to take part in the restorative justice process. We are grateful to the women in our class for their courage to choose this process and believe we could be worthy of their investment by being upstanding professionals in the future. We are also thankful to our restorative justice facilitators who have been there for us, and our classmates, throughout this entire process. The lessons we have learned we will take with us through the rest of our lives.

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equally as proud of the education we received through this restorative process. Combining the two we feel confident to enter the profession with a commitment to lifelong learning for personal and professional development.

Lastly, it is with heartfelt thanks that we recognize our families and friends who have endured undue hardship as a result of this incident. The past five months have been incredibly painful for them, as they had little choice but to sit back and watch as our final year of dental school unfolded in the media. While trying to deal with the harms of the Facebook posts, we were hit with an onslaught of attention by social and mainstream media that was at times more harmful and painful. Our families and friends, who most wanted to support us and protect us, felt helpless. It was largely due to the support of our families and friends that we had the strength to persevere, both independently and collectively. Now, as we approach our graduation, it is a time to celebrate and reflect on all we have learned and accomplished in the past four years. We ask that the media respect our right to privacy, if not for us, then for our families, so they may share in this time with us free from worry. Please respect our time and space to celebrate our success with those who stand beside us and those who stood behind us.

FROM THE FACULTY OF DENTLastlyundue haownook hisyPlease rEnga ealhea ive procesjustto sonavidccompgo

alike to be part of the process. It has given us a better understanding of what it means to have a 'safe' environment in which to have difficult conversations and to proactively identify risks and challenges. However, it has also held up a mirror forcing us to look more deeply at aspects of our own culture and climate. We see clearly and more fully how broader societal norms such as sexism, homophobia, and racism are reflected within our Faculty. These have been difficult issues to face and are deeply troubling. However, we are determined not to continue to operate under the premise of 'business as usual'. We are deeply committed to make significant changes. The restorative justice process has shown us some of the next steps required and provided some of the skills and tools we will need to build a more inclusive and supportive learning and working environment.

We are now moving forward through a "Next Steps" initiative. This initiative builds on the outcomes from restorative justice to identify priorities and to focus on positive cultural changes within our Faculty. We are working with our students to ensure insights gained from the Facebook incident support an evolving and affirmative environment in the Faculty for years to come. Lessons learned will not be forgotten. We will emerge a stronger, more supportive and inclusive community, continuing to build on our proud heritage. We are positioned to be leaders in a restorative approach to addressing problems and building better relationships, and to serve as an example of how education can be used to be positive and transformative.

FROM DALHOUSIE UNIVERSITY

n December, deeply offensive comments on Facebook by male members of our fourth-year Dentistry class caused significant harm to their female classmates, the dental profession, the Dalhousie University community, and beyond.

This incident was particularly discouraging because we had committed, in our Strategic Directions, to creating a diverse and inclusive environment at Dalhousie. These past five months have both tested our aspirations and strengthened our resolve to realize them.

From the beginning, we sought neither to rush to judgment nor to sweep this incident under the rug. Instead, we knew that as a university we had an obligation to learn and to educate.

At the heart of our response was restorative justice. This was the approach chosen by most of the women directly impacted. Restorative justice isn't easy or swift, but we fully supported the women's choice. We believed restorative justice was the best route to a just and meaningful outcome – for the women, for the university, and for society.

Restorative justice enabled us to get at the facts, to understand underlying issues, and to achieve real change both now and in the future. It has led us to those meaningful outcomes that express our core mission: to seek knowledge, to educate individuals and to transform lives. Restorative justice provided an opportunity for broader participation and learning to create real and lasting change across Dalhousie and in our community. The process has been inclusive and collaborative; focused on reflection, understanding and growth; precisely what a university should be. The process has already resulted in positive change at Dalhousie and, although we still have work to do, it has laid the groundwork for continued progress.

Nearly two centuries ago, our founder proposed a new, inclusive university with access for all regardless of class or religious belief. That vision continues to motivate us today, as we strive

PARTICIPANTS' STAT

young women and men to take their professional roles more seriously and to address future issues of personal and professional conflict with resilience and integrity.

Finally, we would be remiss if we did not mention the professionalism of Melissa MacKay, Jacob MacIsaac and Jennifer Llewellyn, which has made this restorative justice process the timely and effective response it has been.

3. The Restorative Justice Process at Dalhousie University

A. BACKGROUND AND ROLE

In December 2014, Dalhousie received four complaints under the Sexual Harassment Policy concerning the content of a private Facebook group created by several male members of the DDS fourth-year class and about the related climate and culture at the Faculty of Dentistry. After reviewing all of the options available under the policy, the four complainants elected to proceed via restorative justice. A preliminary investigation based on the initial posts revealed to the University identified nine male members of the class as participants in the Facebook site at the time the screenshots were taken and five women named in the posts. A further investigation based on more screenshots made available to the University and later to the media revealed a total of thirteen male members of the class as active members of the group at the time the screenshots were taken. With the new posts included, there were ten female dental students individually identifiable (nine from the fourth year class) and general references to all of the women in the fourth year class.

The thirteen men identified were interviewed and invited to take part in a restorative process to address the situation. All thirteen acknowledged their responsibility and verbally agreed to participate voluntarily in the restorative justice process to address the harms caused by the Facebook content. The restorative justice process was initiated December 16, 2014. It began with an investigation to identify other involved and affected parties in order to invite their participation and to discern the nature and scope of the issues involved to design an appropriate restorative justice process for the issues caused by the content of the Facebook site concerning the DDS fourth-year class.

JL took a lead role in securing appropriate internal and external supports and protections for the process to ensure its independence and success.

On **Wednesday, December 1**, MM and JM contacted the four female students who brought complaints under the Sexual Harassment Policy and they affirmed their wish to address their complaints through a restorative justice process. MM and JM met with two of the four complainants in person and the other two women via email and phone as they were en route home for the holidays. President Florizone requested a meeting with the complainants. The two women still on campus agreed to meet with President Florizone during their meeting with JM and MM.

involvement in the restorative process or simply to inform the process. Three versions of these questions were sent, adapted to what was known based on the investigation about the individual's involvement – i.e.: a harmed party, a “neutral” party, or a person who contributed to, or caused, harm.

The facilitators also began to make direct contact with the other women identified from the Facebook content, beyond the five women named in the initial posts, to check in and offer support. The facilitators provided information about the restorative process and invited them to take part if they wished. The facilitators also provided information to the students about other process options available to them should they wish to make their own complaint about the situation.

participation in restorative justice. The morning meeting with the men also included information on health supports and safety planning provided by representatives from Dalhousie Counseling Services, Dalhousie Security Services, and the Community Response Officer for Dalhousie from the Halifax Regional Police. It is important to note that Halifax Regional Police and Dalhousie Security Services communicate and cooperate regularly on matters of campus and public safety. JM indicated to the men that the Community Response Officer was not there in an investigative

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regular classes and to clinic. The students indicated they felt safe and that the suspension and segregation of the Facebook students was negatively impacting their education and their efforts to address the situation within the restorative justice process. One female restorative justice participant (again, acting independently of the restorative process) also contacted the Dalhousie Student Union to request that the union stop criticizing the women's choice of the restorative justice process without any knowledge of, or discussion with, the students involved.

On **Saturday, January 1**, the facilitators submitted a written update, as required, to the ASCC. This included a progress report on the restorative process and recommendations based on the investigation to date. The facilitators recommended the conditional return to clinical activities of the 12 suspended students participating in restorative justice. The facilitators reported that all of the men had demonstrated accountability, authenticity, and a willingness to move forward in a productive and meaningful remediation process. The facilitators recommended that the conditional return to clinic be structured in a way that would ensure ongoing supervision and reflection in order to hold the returning students to the highest standards of professionalism. The facilitators' investigation, however, also led them to flag the importance of ensuring that instructors within the clinic be prepared to support the return by modelling a high standard of professionalism at all times. The facilitators recommended that the return to clinic be conditional upon the Facebook students continuing their work within the restorative process to explore and address the range of issues and harms revealed by the investigation. The facilitators also agreed to make a report to the ASCC at the conclusion of the restorative process to inform the ASCC's final assessment of the students.

From **February 1 to February 7**, the investigation of the climate and culture of the Faculty of Dentistry continued through the restorative process in an effort to discern factors that contributed to the formation and tenor of the Facebook group. In addition, the facilitators continued to work with and offer support to restorative justice participants through a variety of individual and group sessions addressing a number of relevant topics and issues (see Section 4 of this report for examples). The facilitators and JL also again met with the Local Resource Group and the International Advisory Group for advice and consultation.

On **Thursday, February 12**, the 12 men, after receiving word that the ASCC decision regarding their suspension from clinic was imminent, requested that the ASCC delay informing them of its decision until March 2 due to their concern that intense media attention would distract and harm classmates during the only weekend remaining for them to study prior to their Canadian Dental Board examinations. The men did not know the findings of the ASCC at the time they made this request. On **Thursday, February 12** and **Friday, February 13**, the restorative justice students participated in a group drafting process for a public statement. The male and female participants had wanted for some time to explain their choice of a restorative justice process and to share some of their experiences, but they had feared making a statement would only feed the media frenzy. However, when the students learned the University would be publicly announcing the ASCC decision regarding clinic suspensions, they felt they had to make a statement so that the University and the public would not speak about them again without an appreciation of their perspectives and experiences.

On **Saturday, February 14**, the 12 suspended men participating in restorative justice met with President Florizone and some members of the Dalhousie Board of Governors. With permission from all students participating in restorative justice, the men read part of their draft statement to

the members of the Board at the end of the meeting. The following day, on **Sunday, March 1**, the facilitators and JL met with the Board of Governors to provide an update on the restorative justice process. At that meeting, the facilitators and JL gave advance notice to the University of the statement to be released later that evening by the students. All the students in restorative justice insisted that the University have no say in the content or form of their statement. The statement was provided to the University on the evening of March 1 in its final form so that it could be posted on the University website. The students chose to release their statement first to the *Globe and Mail*, which posted the statement on its website on Monday, March 2.

On **Monday, March 2**, the ASCC delivered its decision to allow the 12 men participating in restorative justice to conditionally return to clinic. The following day, **Tuesday, March 3**, the suspended men participating in restorative justice returned to clinic with conditions. These conditions included that they regularly check in with the restorative justice facilitators, report and reflect on any issues arising regarding professionalism (with particular attention to issues of sexism, homophobia, racism and other issues of inclusion and equality) and complete the restorative justice process to address the sexual harassment complaint to the satisfaction of the parties involved and the facilitators. The facilitators worked with the Faculty of Dentistry to develop an institutional mechanism for restorative justice participants and all students to report issues encountered within the clinic, and, more broadly, within the Faculty. To facilitate the return of the male students to clinic, the facilitators and JL met with clinic staff and laboratory staff to update them on the restorative justice process.

On **Saturday, March 4**, the Canadian Dental Board exams were held. This created significant process pressures in the lead up to the exams as the facilitators had to consider the high levels of student stress related to examinations.

On **Saturday, March 13**, the facilitators and JL conducted a circle with all of the DDS2015 students participating in restorative justice. At this meeting, the participants considered a significant number of issues related to Facebook, and how Facebook revealed ways in which the men and women interacted and treated one another on an ongoing basis. The group agreed to work on these issues through daily shorter meetings in the mornings and/or lunch for the next several weeks.

On **Monday, March 15**, the facilitators received the interim report of the ASCC confirming it would defer its final decisions on professionalism until the men had completed remediation work through the restorative justice process. The ASCC conveyed to the facilitators the expectations it had for remediation related to professional requirements and competency to inform the work to be done through the restorative justice process.

From the **middle of March until the end of April**, the facilitators and JL continued to work with and provide support to restorative justice participants. At daily morning and/or lunch meetings, the students dealt with issues related to Facebook and climate and culture at the Faculty of Dentistry identified in their daily personal and professional interactions.

During this period, the male participants began to research issues for presentation at the “Day of Learning” scheduled for April 27. In addition to their previous education and reflection in the process and their research, the students participated in additional educational sessions dealing with inclusion and diversity in educational environments, building supportive communities,

justice participants drew from their work throughout the process and the various lectures, workshops and educational opportunities they had attended to identify and consider five themes to be addressed at the Day of Learning.

On **Tuesday, March 1**, a “Women in Dentistry” circle was held for the women in restorative justice to learn from women in the dental profession about their experiences and the challenges within the profession.

On **Monday, April 13**, the “Day of Learning” was hosted by the student participants in restorative justice in the McInnes Room in the Student Union Building on Dalhousie campus. Approximately 80 people participated, including full and part-time professors of the Faculty of Dentistry, staff of the Faculty of Dentistry, dental students not participating in restorative justice, university officials, members of the profession, and community members. In the morning, the restorative justice students presented their learning on the five themes (discussed in sections 5 and 6 of this report). They related these findings to Facebook and suggested the implications their research and experiences had for the Faculty of Dentistry and the profession. In the afternoon, the restorative justice students co-facilitated discussion circles with other participants about issues related to climate and culture, and considered ways to improve climate and culture in the future.

Following the Day of Learning, on **Wednesday, April 15**, the restorative justice participants gathered to mark the successful conclusion of the restorative resolution process for the complaints lodged under Dalhousie’s Sexual Harassment Policy. The facilitators then prepared assessments for each of the male students involved in restorative justice. They delivered a report, including the individual assessments, to the ASCC on **Saturday, May 2**. In conjunction with the final report from restorative justice to the ASCC, the facilitators held a reporting circle with the 12 men and members of the ASCC on **Monday, May 4**. The ASCC subsequently held individual meetings for each of the 12 former Facebook group members. The ASCC rendered its decisions with respect to professionalism on **Wednesday, May 6**. Each of the men was determined by the ASCC to have successfully remediated and to have met the required standard of professionalism.

From **May 4 until May 11**, the facilitators and JL worked with the parties in the process to reflect on the learning outcomes from the restorative process, and to identify commitments and ways forward emerging from the restorative process. The students, as well as representatives from the Faculty, the University and the profession considered their contributions toward next steps. The facilitators and JL supported the students in reflecting on their experiences in the process in support of the students’ effort to collectively draft their final public statement. Similar processes were held with the Faculty and University leaders most closely involved in the restorative process to support reflection on their experiences.

On **Saturday, May 2**, two of the female participants in restorative justice from the class of DDS2015 spoke for the first time publicly about their experience at the Annual Luncheon for the Dalhousie Alumni Association Women’s Division.

On **Monday, May 11, Wednesday, May 13 and Thursday, May 14**, the restorative justice participants met with the ASCC to discuss their experiences and the process. On **Friday, May 15**, the restorative justice participants met with the ASCC to discuss their experiences and the process. On **Saturday, May 16**, the restorative justice participants met with the ASCC to discuss their experiences and the process. On **Sunday, May 17**, the restorative justice participants met with the ASCC to discuss their experiences and the process. On **Monday, May 18**, the restorative justice participants met with the ASCC to discuss their experiences and the process. On **Tuesday, May 19**, the restorative justice participants met with the ASCC to discuss their experiences and the process.

C. SCOPE AND NATURE OF RESTORATIVE JUSTICE PROCESS

There is a common misperception that restorative justice processes are focused exclusively on bringing those individuals harmed together with those individuals who caused the harm in order to agree upon a 'settlement' to repair or heal the situation. Restorative justice processes and practices, however, are employed in a wide range of ways. While this is how some restorative processes may be used, this is not the case for all restorative justice processes and not true of the restorative process at Dalhousie. The restorative justice process in this case was broader in its

fully to the complaint, the restorative justice process included as parties in the process: the harmed parties (women in the DDS fourth-year class, other named individuals/a fected students, and other DDS fourth-year class members), the members of the DDS2015 Facebook group, representatives from the Faculty of Dentistry (faculty, instructors, staff and other students including those from Dental Hygiene), the University, the profession and the broader community.

◆ THE PROCESS BEGAN WITH, AND INVOLVED THROUGHOUT, A ROBUST AND IN-DEPTH INVESTIGATION OF WHAT HAPPENED LEADING UP TO AND WITHIN THE FACEBOOK GROUP, THE IMPACTS OF THE GROUP, AND THE RELATED CLIMATE AND CULTURE. One of the restorative justice facilitators is a trained and experienced investigator and the process was also supported by an external Local Resource Group including experts in police and professional disciplinary

to understanding and changing culture and climate. The process thus supported a range of gatherings between and among the various parties involved.

- **THE RESTORATIVE PROCESS WAS NOT MANDATED TO DETERMINE PUNISHMENT BUT, RATHER, TO ENGAGE THOSE WHO CAUSED OR CONTRIBUTED TO HARM IN A PROCESS TO UNDERSTAND AND ADDRESS THAT HARM.** Part of this process involved hearing from, and working with, the individuals harmed and affected. No one who experienced harm was required to participate in any part of the restorative process. The process was tailored to accommodate involvement by those harmed to the extent, and in ways, of their choosing. The process was regularly adapted to reflect and meet their needs. Those who experienced harm were given significant voice and role in the process in order to ensure their needs were known and met to the extent possible. Those harmed were never asked to determine, nor made responsible for, the “punishment” or outcomes for

response to Facebook and restorative justice; accommodating differing values/worldviews within institutions with particular attention to culture/race/religion; and stress management (healthy/unhealthy coping mechanisms and self-care).

The following is a representative selection (not a full list) of significant events, processes and activities in which the men engaged (some as a group and some involving other restorative justice participants) from January 2015 to April 2015:

- Session with Halifax fire fighters previously involved in an restorative justice process who shared their experiences with the process to address systemic inequalities
- Interim reporting circle with ASCC regarding potential return to clinic
- Bystander intervention workshop
- Workshop on understanding rape culture and misogyny
- Session on healthy and supportive educational communities
- Session on reporting structure and conflict resolution
- Sessions on inclusion and diversity, including issues of race, culture, gender and sexual orientation and their interplay
- Group process to plan and draft statements
- Circles with restorative justice student participants and President Florizone
- Circle with Facebook members and Board of Governors
-

These projects were organized in five key themes identified within the process:

- i. **COMMUNITY BUILDING**
- ii. **INCLUSION AND EQUALITY**
- iii. **PROFESSIONALISM AND ETHICS**
- iv. **CURRICULUM AND PROGRAM STRUCTURE**
- v. **REPORTING PROCESSES AND CONFLICT RESOLUTION**

These presentations then formed the basis for the remainder of the Day of Learning during which all participants were invited to consider ways forward and next steps based on what was revealed and learned through the restorative justice process. Participants for the day were drawn primarily from those who had been connected to the restorative justice process already, along with some others who were essential for the next steps. Participants included: members of the Faculty of Dentistry (including those from the dentistry and dental hygiene programs, staff and other students), University (including staff, faculty and administration), the dental profession and the wider community.

5. Key Findings from Restorative Justice Process

INTRODUCTION & BACKGROUND FOR THE INVESTIGATION

In order to understand the findings of the investigation conducted into the Facebook matter it is important to understand the investigative process undertaken as a key element in the restorative justice process. All robust investigations examine facts as they are uncovered in order to answer the general question – What happened? An investigation pursued through a restorative lens poses further questions for investigators to ask and answer: What matters about what happened? Who has been impacted? Who is responsible? What factors contributed to what happened?

These general questions shaped the more specific ones posed at the outset of the investigation including:

- When was the DDS2015 Facebook Group created? For what purpose?
- How were the screenshots obtained, for what purpose, and do they accurately / fully reflect the content and conduct on the site?
- Who was involved in this site? At what point?
- Who has been harmed or impacted by this situation?
- What harms and impacts resulted from, or are related to, this situation?
- What are the needs of the affected parties?
- What issues and interests are shaping the response and reaction to the situation?
- Are there other similar groups currently within the Faculty of Dentistry? Have there been such groups in the past?
- What are the standards of the professionalism with respect to such conduct and what would be the appropriate / expected responses?
- What training, if any, is given to students, faculty and staff in the Faculty of Dentistry on the standard of behaviour expected in general and with respect to equality and inclusion specifically?
- Are there any current teachings or clinical practices within the Faculty that tolerate or promote misogynistic, sexist and homophobic views and practices?
- Are there inequities with respect to the academic and clinical opportunities for students within the faculty?

- What mechanisms are available to students to report and address issues including discriminatory practices and policies and to obtain meaningful remedies as a result of such complaints? Do students feel able to access such mechanisms?

The investigation answered these questions and identified other issues worthy of attention as well. The findings from the investigation specifically related to the Facebook group, and more broadly related to the contributing culture and climate at the Faculty of Dentistry, are presented below. These findings are offered here to clarify what did and did not happen with the Facebook group and to provide a knowledge base to inform what more needs to happen to address the harms, impacts and issues identified. The parties within the process have done significant work to understand and respond to the interpersonal harms caused by the Facebook group. In the process, they also identified significant work that remains to be done with respect to the broader issues related to culture and climate and their shared responsibility for this work.

The investigation was led by an experienced lead investigator, trained to make comprehensive determinations regarding risk assessment, develop personal safety plans, and to conduct in-person interviews as the primary process facilitator. An investigative team was created with the addition of the Advisor, Harassment Prevention/Conflict Management from the Human Rights and Equity and Harassment Prevention Office as co-facilitator and investigator. She ensured the investigation was conducted consistent with a trauma-informed approach. The investigation was supported as needed and upon request by internal and external experts in law, policing and public safety, gender violence, and trauma and counseling. The goal was to carry out an investigation that was transparent, truthful, and fair. This could only happen if participants in restorative justice cooperated with the investigation and tackled the issues head-on in order to understand: What happened? How did this happen? What were the harms and impacts, individually and collectively? Who has responsibility for these harms and impacts, individually and collectively? What needs to happen to make things right?

The approach to investigating gave participants, each of whom cooperated fully at the earliest occasion, the opportunity to work collaboratively to uncover the truth about what happened. It started with participants committing to be truthful about their experiences and to accept responsibility for their own actions. The non-adversarial approach to finding truth made possible by the restorative process provided greater access to information and better understanding of the facts found than would otherwise have been possible. It resulted in some participants disclosing more information about their actions and involvement than would otherwise have been known. Such information was often provided against the self-interest of the individual disclosing. The veracity of such information was also tested through the restorative process as it involved sharing transparently with others who had knowledge of what happened. For example, one participant commented: "Based on the information you received, I appear to be less involved than what I actually was. I posted more regularly but the person(s) who selected screenshots focused in on some members more than others. I want to participate in this process not because you have a lot of evidence on me but because I accept that what we did was wrong and I want to make things right."

It is clear that this response was markedly different from the initial reaction of some of the Facebook group members captured in the screenshots on the day they realized a complaint had been made about the group. One member warned the group: "'RED ALERT!!!! RED F—KING ALERT!!!! Apparently one of the ladies has seen or heard something about the recent posts in the

gentleman's. We have to get rid of the evidence." This prompted a defiant response from another: "Boys what are they going to do? Honestly. Kick every guy out of the 4th year? Tell us you guys are mean for saying those things? I think the bigger issue is who the f—k is showing the girls".

This of course was not 'the bigger issue'. It did, however, mirror a theme that was explored rigorously throughout the restorative process: Betrayal. The men, by their sexist online comments about their female classmates, betrayed relationships they claimed to hold in high regard. The public umbrage that resulted in social media campaigns and protests was also about betrayal. How could patients trust the Facebook group members again after learning that the men re-posted movie quotations like: "Does this rag smell like chloroform to you??" and "Can you tell me what this chloroform smells like?" The latter prompted a response from another group member who altered the quotation to make it more applicable to the dentistry audience in the closed group: "Does this mask smell like nitrous oxide to you?"

The Facebook members report that the ultimate betrayal, and that which enabled the environment and behaviour within the group, was how each betrayed their own personal value systems. Some commented how on the Facebook group, they engaged in outrageously offensive behaviour behind a keyboard and screen that seemed to be normalized in a way they would not have condoned in any fashion in their "real lives". For example, from a Facebook group post uploaded May 2013 one of the men shared a definition lifted from the popular website urbandictionary.com "penis – The tool used to wean and convert lesbians and virgins into useful productive members of society." This post prompted the following response: "and by productive I'm assuming you mean it inspires them to become chefs, housekeepers, babysitters, etc."

Investigators set out to incorporate as many first-hand accounts as possible from the DDS2015 class in their investigation in order to develop a complex understanding of not only the facts of the situation but the related intentions and impacts. Investigators also, though, relied heavily on secondary information sources to corroborate or challenge primary source information throughout the course of the investigation.

The investigation rolled out in two phases: preliminary and comprehensive. The preliminary phase of the investigation into the DDS2015 Gentlemen's Facebook group began December 8, 2014. It moved into a full and robust inquiry into the systemic issues influencing the culture and climate in the Faculty of Dentistry by December 17, 2014.

The preliminary investigation began with a focus on safety and an understanding of the relevant risk factors. The initial steps in the process required positively identifying the involved parties and reviewing the materials provided to look for anything of evidentiary value to substantiate a criminal offense.

The comprehensive portion of the investigation, lasting several months, continued with in-depth and detailed interviews with the involved parties resulting in many investigative leads requiring investigators to follow up with secondary source interviews of some faculty and university administrators, faculty members, staff, students from fourth-year and other years, alumni, and members of the profession. There were also multiple site visits to inspect building locations that feature prominently in the investigation. Historical data was reviewed to look for established patterns of behaviour around reporting and conflict resolution within the Faculty of Dentistry in particular, and the University in general. Attention was paid to reviewing cases of reported sexual impropriety within the Faculty of Dentistry, by faculty or students, as there were several references

within the Facebook group related to rumoured breaches of the Sexual Harassment Policy and/or the Conflict of Interest Policy impacting the climate and culture at the Faculty.

Investigators determined the following facts are essential to understand the Facebook posts and to interpret their meaning and significance in context and in connection with the culture and climate within the Faculty of Dentistry.

A. FINDINGS REGARDING THE “DDS2015 GENTLEMAN’S” FACEBOOK GROUP

Approximately 50 pages of carefully selected posts, spanning three and a half years, formed the bulk of documentary evidence available to investigators. The selected screenshots do not provide an accurate or reliable guide to the nature, content and purpose of the Facebook group. While they reveal many of the worst posts, they are taken out of context in terms of the volume and nature of the rest of the content and the time span in which they were posted. There is no evidence to suggest that these posts are merely the “tip of the iceberg” and that the rest of the material posted by the group was similarly offensive or worse.

The investigators were provided with additional communications and evidence related to the Facebook group and the events surrounding the discovery of its content. The investigators also reviewed relevant policies and practices at the Faculty of Dentistry related to the program and clinic operations. Relevant information from previous investigations and/or complaints was also carefully reviewed. Other physical evidence was discovered during the course of the investigation. Additionally, dozens of interviews were conducted to establish a timeline and relevant context for posts. Based on the investigation by the restorative justice facilitators, we have established several pertinent facts/findings related to the DDS2015 men’s Facebook group:

- ◆ The private Facebook group started in September 2011. At or about the same time, two other private Facebook groups (a women’s group and a group for the entire class) were formed. The groups were private, though not secretive in terms of the membership and general nature of the content. Sc 0 0 10e2y3(e of theport us cour)vid walabl-10g ands DDSsh mertion fr, jokeaveh2



- ◆ At the time the screenshot of group membership was obtained, 13 members remained.
- ◆ It was confirmed that membership was as high as 16 at one point during the three-plus years.
- ◆ From the screenshots provided, rarely was the content of the Facebook page original to the poster. Members shared crude quotations from stand-up comedians and popular movies, and decontextualized quotations from instructors or class presentations. Additionally, the men often re-animated content from other online sources, (YouTube, urban dictionary, memes, etc.). As such materials were added to the site, members were challenged to “dentistify” the content with sexual innuendos reflecting dentistry themes. This established a norm of “one upping” each other and pushing boundaries in terms of shock value.
- ◆



assumed that this behaviour is any more prevalent in the 2015 class than in the previous or current DDS classes. Ultimately, the Facebook posts speak to a part of the culture at the Faculty and in the profession. Of course, the Faculty and the dental profession do not operate in isolation from the larger cultural norms in society. It was clear throughout the investigation, through conversations and public and private responses, that this situation is not unique to the Faculty of Dentistry or to the dental profession. It is not different from other reported past and current experiences in other dental schools, at other faculties at Dalhousie University, at other universities, in other professions, and, indeed, in society broadly.

While it is true that these issues arise everywhere in society, it is important to pay particular attention to the ways in which misogyny, sexism, homophobia, racism and other forms of discrimination and exclusion exist and operate within the Faculty of Dentistry in order to have the information needed to support real and lasting change.

During the restorative justice process, participants developed five themes that reflect the factors most relevant to shaping and changing culture and climate. We have used these themes to organize our findings with respect to culture and climate. These themes also structured participants' consideration of ways forward to improve the culture and climate at the Faculty of Dentistry. Their ideas and commitments in this regard are detailed in the final section of this report. Below we offer a discussion of our findings with respect to culture and climate that are relevant to addressing misogyny, sexism, homophobia, racism and discrimination as they present within the Faculty.

It would be wrong, however, to see from this report a picture of a Faculty that is uniquely plagued or marked by these issues. Nor do these issues fully represent the character of the Faculty as a learning community, clinical setting or workplace. The Faculty of Dentistry has a long and prestigious history. All of the students interviewed conveyed their pride at being accepted to the school and their appreciation for the outstanding clinical preparation they have received. Faculty, staff, students and alumni expressed a significant sense of harm from the nature of the coverage of this issue because, while it clearly pointed to difficult issues the Faculty must address, it failed to acknowledge the significant strengths and positive relationships many within the community experience. Admittedly, this sense of belonging and loyalty may risk masking the times and ways in which people are excluded from the community. However, those studying, teaching and working within the Faculty have demonstrated a desire to understand what happened and what is required to make the Faculty a better place. This is a source of considerable hope for the way forward. Indeed, it serves as the basis for the work that has already begun at the Faculty through its Next Steps process to plan and prepare for the work ahead.

The themes through which we consider and discuss the findings on climate and culture are:

- i. **COMMUNITY BUILDING**
- ii. **INCLUSION AND EQUALITY**
- iii. **PROFESSIONALISM AND ETHICS**
- iv. **CURRICULUM AND PROGRAM STRUCTURE**
- v. **REPORTING PROCESSES AND CONFLICT RESOLUTION**

i. COMMUNITY BUILDING

Throughout the restorative process, participants reflected on the ways students connected with each other initially during their first year and how their relationships evolved over time. Class sizes are small and achieving a strong sense of belonging at the earliest opportunity is viewed as a key to success – both socially and academically. It is interesting to note that while the initial tendency in year one of the program is toward belonging and creating a “class family,” by the fourth year investigators found a highly competitive community that was structured around strategic alliances and a currency of favours and networking, for personal gain. When pressed to explain the shift, many participants commented that “dentistry is a business” and they see each other as competitors first, and colleagues second.

The men’s Facebook group serves in many ways as a case in point regarding the nature and evolution of these relationships. It started in September 2011 as a private but not secret group. It was established, on the recommendation of an upper year student shortly after orientation week, as a way to share homework or class information and to get to know each other. However, it evolved into a place to vent, share jokes, and push the boundaries. Members challenged themselves to one up each other with the shock value or crude humour of certain posts. It is notable that the Facebook group was one of at least three private groups. The class divided along gender lines with a men’s group, a women’s group, and a combined class group. In interviews, many of the female students confirmed they knew about the men’s Facebook group and that they had inclinations about the content, but they believed that the men “never posted anything about us.” The existence of such a group on the basis of gender was not perceived, at least initially, as a problem or threat to the supportive nature of the community. On the contrary, it served as a means and mechanism aimed at what the students perceived they needed for support. Absent, or in place of, other means of building community, the Facebook groups served a need to belong and be connected. We consider further in the next section the ways in which the Facebook group reflects gender divisions and norms present within the Faculty more broadly.

Also of significant note is how the participants identified the centrality of alcohol to many events within the Faculty and the profession. Participants recognized that alcohol influenced their relationships with some faculty members, often contributing to superficial and potentially harmful interactions. Alcohol was identified as a cornerstone for orientation activities, for student socializing and bonding opportunities, for addressing and coping with stress, and for its dominant role within the Dalhousie Dentistry Student Society (DDSS).

Several participants identified a long-standing “work hard/play hard” reality in dental school when it comes to alcohol use. We believe that for this 2015 class, as in other years, this started early in the dental school experience, as second-year students planned the orientation activities for the first year students, most of which featured alcohol as a central focus. Some of the students interviewed commented how much pressure they felt to fit in, given the small class sizes, and how that contributed to a dynamic where, in some cases, personal or religious values around alcohol use were transgressed.

These activities are followed by a similar weekly event called “Live @ 5”, at which students operate a small bar (licensed under the Dalhousie University Alcohol Policy) in a student lounge located on campus within the Dentistry building. This event and the bar serve as a primary source of

situation and to support of the restorative process and its exploration of how to improve culture and climate, a number of social events were cancelled or postponed since January 2015 including Live@5, the Roast and the Winter Ball. Participants commented that the loss of these events resulted in greater isolation among different years within the Faculty. While recognizing the damaging aspects of these events, they were equally aware of the importance of social events to students' sense of connection and inclusion within the school community.

ii. INCLUSION AND EQUALITY

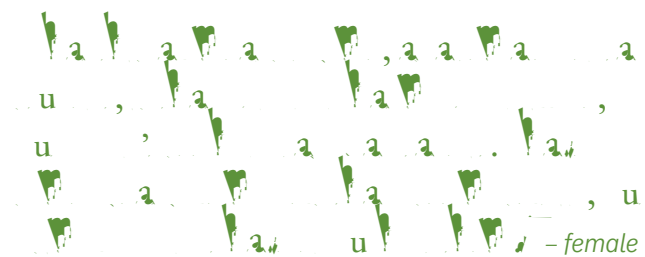
Throughout the course of the investigation, it was clear to the facilitators, based on their own observations, and widely supported through participant interviews, that significant challenges exist in the areas of inclusion and equality within the Faculty of Dentistry. This was, perhaps, most notable in the strained relationship between the Faculty of Dentistry and the School of Dental Hygiene. This tension was illustrative of larger dynamics that participants identified in terms of gender divisions and inequalities within the Faculty. Such divisions and inequalities were often reinforced by some students, faculty, and staff. This cultural norm was broadly identified as contributing to the circumstances surrounding gendered online community building and assumptions about gender roles in the school.

This issue is especially important as participants recognize that, while much diversity exists among dental students, it remains a profession in which much inequality and privilege exists. Analysis of the male members of the DDS2015 class reveals significant racial, ethnic, religious and socio-economic diversity. However, this diversity does not extend proportionally among the women in the class, and there was no evidence of any students openly identifying as LGBTQ. Participants were able to identify that the LGBTQ community was not proportionally represented among dental students, contributing to some students feeling less familiarity with LGBTQ concerns and issues. An intersectional view of the Faculty of Dentistry indicates there is still work to do to create better access to dental education for women who are marginalized because of their race, culture or socio-economic status and for members of the LGBTQ community.

Investigators found that for the current fourth-year class, as in past years, there is a longstanding practice within the Faculty of Dentistry to pay close attention to reflecting gender diversity in program admission. The DDS2015 class is essentially evenly divided between those identifying as men and those as women. But gender came to matter within the class beyond the stage of admissions. The obvious example in the investigation was the fact that gender, back in September 2011, became the basis for setting up two private class of 2015 Facebook groups. Investigators also observed that many students, faculty, and staff alike infantilized the adult learners and referred to

While the DDS2015 class is essentially equally divided among students identifying as male and female, women are still vastly underrepresented among leadership positions in the profession.

For example, there is currently no female dean of a Canadian dental school and the Board of Directors of the Canadian Dental Association is disproportionately male. It was reported that the under-recognized contributions of women in the profession and the lack of female leadership makes it more difficult for female students to identify gender-based inequalities and challenges in the profession, to build coping mechanisms, and to capitalize on strengths and strategize for change. Several staff, faculty and student participants indicated they perceived a culture of complacency existing at the Faculty of Dentistry which dissuades women from bringing forward complaints of sexism and harassment.



DDS2015 student, Day of Learning

The investigators noted significant female leadership within the Faculty of Dentistry. Women occupy crucial roles within the school and shoulder significant responsibilities while often lacking the influence and authority that generally comes with such leadership roles.

Assumptions were also made about how social groups would structure and bond around the shared experience of dental school abstracted from, or without attention to, cultural or religious diversity. Apart from general recruitment aimed at all students, some recruitment efforts are focused on attracting students from the Middle East and certain locations in the United States, resulting in strong representation of students from Kuwait and Utah. Some of these students bring unique cultural perspectives and traditions to the Faculty which are actively reflected in interactions with their classmates and their patients. Participants identified that instances of cultural insensitivity and discrimination occur regularly within the clinic but are rarely reported as those involved do not want to be labelled “trouble makers.” Several students also identified that the Qualifying Program (QP) students routinely experience discrimination from patients and others, often presented under the guise of complaints regarding language proficiency.

Investigators met with QP students early in the process and found they were not generally well integrated into the mainstream experience of the fourth-year class. Some DDS2015 students noted having friendships across the “QP divide” but indicated that the QPs are added to their class journey at some of the most competitive points, and that there are few opportunities to build relationships. This divide is evidenced by the fact there is no indication the QP men were ever invited to join the Facebook group by their peers. It is difficult, though, to describe this as ultimately a disadvantage.

There is clear evidence within the DDS2015 class of the Faculty of Dentistry’s commendable efforts to implement Dalhousie University’s commitment to diversity. However, the Faculty failed to provide the infrastructure required to ensure robust support for inclusion of international students following their successful recruitment. This failure contributed to the fractured class environment in which students grouped themselves around gender, race, religion, and country of origin. These divisions were especially harmful to the class experience. For example, the propensity for American foreign students to build a close-knit network within the class caused some students to perceive

this as indicative of the fact that these students' were more valuable to the school because of the higher tuition rates they pay and thus receive preferential treatment. This perception was perhaps fostered by certain actions and comments by some students over the years and through certain institutional recruitment and retention practices.

iii. PROFESSIONALISM AND ETHICS

The restorative justice process became responsible for the remediation required by the ASCC to address the Facebook conduct of the 12 men suspended from the clinic for "blatant unprofessionalism." Investigators spent significant time examining professionalism generally, including its meaning and expression within the Faculty of Dentistry, when and how students learn about professionalism, the connection between personal and professional integrity, the influence of academic experience on professional development, and the centrality of professionalism to public trust and patient care. In specific response to the Facebook incident, the process undertook a careful review of what practices are in place to promote professionalism in the Faculty of Dentistry as it relates to social media.

The investigators found more of a "rule-based" rather than a "principle-based" appreciation of professionalism held among students in the Faculty. It is clear the Faculty places curricular emphasis on professionalism and ethics. The investigators did not identify a particular gap in the content taught. However, there does seem to be a gap in terms of the application of the materials and ideas in practice within and outside the clinical setting. For example, most restorative justice participants could recite the specific expectations about appropriate conduct on the clinic floor in clear cut unprofessional situations. However, many participants, including professional students and ideas membership material professional situations regarding the application of professionalism to public trust and patient care in the clinical setting, could not articulate the application of the materials and ideas in practice within and outside the clinical setting. For example, most restorative justice participants could recite the specific expectations about appropriate conduct on the clinic floor in clear cut unprofessional situations. However, many participants, including professional students and ideas membership material professional situations regarding the application of professionalism to public trust and patient care in the clinical setting, could not articulate the application of the materials and ideas in practice within and outside the clinical setting.

Much was revealed about professionalism, and culture and climate more broadly, as the suspended men returned to clinic. The Facebook group members returned to clinic conditionally with significant new expectations they were required to meet with respect to professionalism. However, they returned to a largely unchanged culture and climate within the clinic. While they had been undergoing significant learning and reflection to understand and change their assumptions and behaviours, there were those among the faculty, staff and other students in the clinic who had not undergone similar reflection or change. The female restorative justice participants reported the same experience, despite their expectation of substantial change

V. REPORTING PROCESSES AND CONFLICT RESOLUTION

Illustrated by the Faculty of Dentistry response during the Facebook situation, and based on interviews with students, staff and faculty, it appears poor communication practices within the Faculty have been a source of contention for several years. Participants varied widely in their assessments of the communication issues, ranging from: a void of authentic communication from Faculty leadership; a lack of transparent communication within the Faculty at crisis points that creates doubt about just process; and communication strategies that privilege institutional reputation with the profession above caring for people within the institution. These communication issues have created some distrust within the Faculty and suggest a lack of adequate in-house capacity to manage conflict and resolve disputes.

Contributing to the communication challenges, investigators found there appears to be a lack of a clear reporting structure required in order to instill confidence, promote fairness, and balance privacy with transparency. The terminology “formal” and “informal” shapes how information is communicated and is directly associated with what counts as a “complaint” and what is merely viewed as a “concern.” Many participants indicated a desire to address and interrupt offending behaviours but questioned if it would be worth being labeled a “trouble maker” if one complained. Staff and students both reported that *formal complaints* are viewed as the only available avenue to get *action* whereas *concerns* brought forth *informally* are *resolved* by providing *support* to the concerned party, but no action occurs with respect to the presenting issue.



– male DDS2015 student, Day of Learning

Most participants from faculty, staff, and students could not clearly or consistently identify to whom they would report concerns within the Faculty. Some identified the Dean’s Office, noting an open door policy, while others indicated that they felt that some of the doors are only open to certain students or in certain situations. Other students report leveraging the relationships they have with favourite professors to share concerns or to address issues. This was considered “informal” reporting.

Investigators found that students could access, though it appeared underused, a “formal” reporting mechanism through student representatives if they had complaints pertaining to course/class/clinic specifics. Course-specific student representatives are established on a volunteer basis to act as a liaison between course instructors and the students. Investigators could not confirm if any conflict resolution training was provided for such representatives, but it is not a prerequisite for the position. Further fueling the communication challenges, it does not appear to be a standardized best practice, or stated duty, to follow-up on communications between the representative and the instructor. Lack of communication and confidence in the system often results in student complainants taking matters into their own hands to circumvent the system by making contact with the instructor directly. This results in added tensions within the student body by undermining the course representative position and the reporting system.

6. Ways Forward: Ideas and Commitments

This report does not provide a fixed set of recommendations intended to be implemented along a standardized timeline. Rather, throughout the process participants have considered deeply how what they have found and learned should be used to address the harms and impacts and to improve climate and culture moving forward. The ideas regarding the way forward that emerged from the restorative process are not intended as a “to do” or “check” list. Instead they reflect ideas about the ways things might be done differently because addressing climate and culture is about doing the things we do *differently*, not just doing different things.

*... you proving ...
 ... using ...
 ...
 ... – male DDS2015 student*

The restorative process underscored that all participants – the students, Faculty, University, profession and community – have responsibilities to enact change in culture and climate to secure safe and inclusive communities marked by mutual respect, concern and care. For the faculty, this responsibility has been taken up through their Next Steps process. Members of the Next Steps initiative in the Faculty have been engaged in the restorative process, actively meeting with the facilitators to learn from the findings and process. Similarly, the University has committed to do the necessary work ahead through its strategic priority 5.2 on inclusiveness and diversity. This work will be informed by the recent *Belong Report*, and also through the University’s engagement in the restorative process. It is also expected that the ways forward on culture and climate issues within the Faculty and more broadly will also be informed and shaped by the recommendations of the Task Force on Misogyny, Sexism and Homophobia in the Faculty of Dentistry when it reports at the end of June 2015.

The profession, through the Nova Scotia Dental Association, has also committed to reflect on what it has learned through the restorative process that will assist in its ongoing work on ethics and professionalism. Leaders and experts from the local and international community who supported the process also have responsibilities to extend the lessons learned through this process to their work in community.

i. COMMUNITY BUILDING

From the outset, participants in the restorative process came to appreciate that the way we relate and communicate with one another matters deeply. Fissures, disconnection, and feelings of isolation all contributed to the Facebook group events as students identified the group as

◆ Social events are influenced by and reinforce climate and culture. It is important to see how events structure and affect both social and learning communities. A Task Group should immediately evaluate the quality, tenor and the nature of faculty and student social events.

- The Task Group should assess the intentional and unintentional ways in which events at the school such as Orientation and Toothtacular (the annual faculty appreciation event), whether run by students, the Faculty or the profession, contribute to the nature of the climate and culture by structuring or reinforcing certain norms and ways of relating.
- The Task Group should be empowered to act regarding the redesign or discontinuation of events with a view to intentionally creating opportunities for inclusive and meaningful connection between students, faculty, and the profession. This Task Group should be comprised of members of the faculty, staff, alumni from DDS2015, and broader campus representatives.
- The University Alcohol Use Advisory Committee should be asked to provide input and advice related to the responsible use of alcohol at events connected to the Faculty.



Photo by [redacted] - female DDS2015 student, Day of Learning

ii. INCLUSION AND EQUALITY

Throughout the process a significant focus was placed on understanding the impact of gender, race, sexuality, ethnicity, religion, and socioeconomic factors on a student's experience in the Faculty of Dentistry. Participants in the restorative process recognized that inclusivity is relationally rooted and often begins with better understanding difference and the interplaying power structures that create inequality.

◆ The Faculty and profession should endeavour to model a relationship between dentistry and dental hygiene which is based in equality and respect. Together, they should explore what has been a historically challenging relationship across the profession. The Faculty of Dentistry (home to both programs of dentistry and dental hygiene) has a significant opportunity to achieve and model a different set of relational norms on this front. This would start with a series of dialogues within the Faculty involving faculty and staff leaders from both programs. They should work together to consider the issues and create a plan to support more respectful relationships and an inclusive community in the future.

◆ A particular focus should be placed on ensuring entering Qualifying Program (QP) students are introduced and included fully within the Faculty.

- The QP students should join their class cohort as early as possible in their first year of the program.
- QP students should be placed among clinical clusters and not isolated in one cluster so that they are better able to share their unique experience and knowledge gained from practicing elsewhere.
- QP students should be viewed and valued as a learning resource to better understand the profession and norms across cultures. Conversations which seek to explore the nature of

dentistry in other countries, as well as motivations and narratives for becoming a dentist in Canada, should be encouraged and explored respectfully and provided some space within the program.

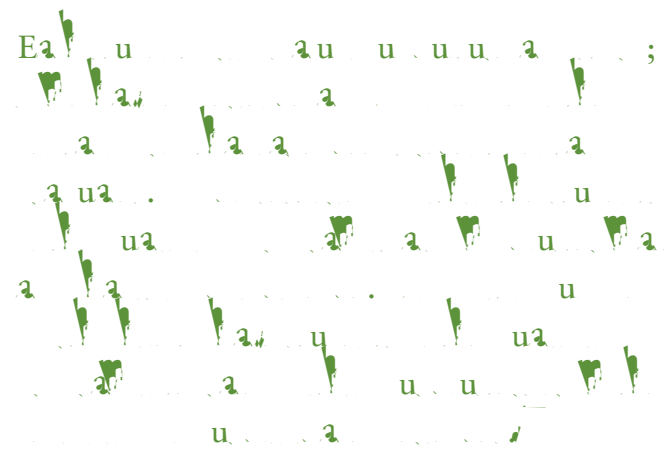
- It is important to ensure Qualifying Program (QP) students are afforded the same opportunities to be welcomed and connected to the local profession as non-QP dental students.

- Effort should be made to match cross-cultural student recruiting strategies with programs and resources designed to provide specific support and orientation for international students entering the Faculty of Dentistry. Support should also be provided for the Faculty to ensure a welcoming and inclusive community for international students. The Faculty should connect with the International Centre and the Human Rights Equity and Harassment Prevention office to draw on expertise and identify necessary supports and considerations for inclusion. The Faculty should consider how to deal with different cultural norms and expectations among students, faculty and staff, as well as how to address inappropriate comments or behaviour students might encounter from patients.

- It is important that the Faculty obtains an accurate picture of the diversity represented in the school and to work to understand the needs of their community. Appreciating the existing needs and defining gaps in diversity also offers the opportunity to understand where underrepresentation exists, shapes ongoing learning priorities, and promotes inclusive and empathetic patient care.

- The Faculty has committed to continue the “Women in Dentistry Circle” held as part of the restorative justice process as an annual event including professional female dentists and female dental students. The mentorship provided supports the specific needs articulated by female students for information and perspective to develop a deeper appreciation for the gender-based challenges and inequality within the profession, to build reliance and coping mechanisms, and capitalize on strengths. It will also support community building and reflective practice for women within the profession.

- The University has committed to host an international conference in 2015/2016 to examine lessons learned from the Dalhousie Dentistry restorative justice process. The conference will explore ways in which restorative approaches can be used to address issues of misogyny, sexism, homophobia and racism, and more broadly, to create a culture of respect and inclusion on campuses. The conference will include students from DDS2015 who participated in restorative justice along with members from the International Expert Advisory Group and the Local Resource Group who supported and advised the process. It will draw together leaders from other universities contemplating or implementing similar approaches to discipline, culture and climate on campus.



— male DDS2015 student, Day of Learning

iii. PROFESSIONALISM AND ETHICS

All participants in the restorative process acknowledged the centrality of professionalism and ethical behaviour to what happened on the Facebook group. Participants experienced the public response and outrage as a consequence of what happened and were able to more readily appreciate the fragility of public trust and the power and related responsibility that comes with their role as health-care professionals. Through the process participants came to learn that while professionalism is a core course component of the curriculum, there are also ways in which it can, and must, be reinforced and lived daily in the classroom, clinic and beyond.

◆ The Faculty should explore how to support and reinforce, through intentional and integrated reflective practice within the program, a principle-based approach to professionalism in place of a rule-based approach. Reflective practice could be associated with the professionalism and ethics course curriculum and attached to clinical experience. In addition to the existing course, this would allow for more integration of professionalism and ethics learning in an explicit way across the four years of the program and into clinic practice. The clinic renewal in 2018 should support reflective practice on professionalism in the new clinic groups as part of the curriculum on professionalism and ethics.

◆ Introduce a common commitment to professional behaviour across faculty, staff and students within the clinic, including creating opportunities for '360 feedback' that is safe and constructive. This should start as soon as possible but will also be important in the new clinic structure. This could be achieved as part of supporting reflective practice for all practitioners within the clinic, perhaps as part of the clinic cluster meetings suggested in the next section on Program Structure. This is not only important for students but also for faculty and staff in order to encourage and model lifelong learning and professional development.

◆ The Faculty should establish a process to address patient care planning that models professional collegiality between instructors and with the students. This system should consider how different approaches to care plans between faculty members could be addressed through the use of "care planning conferences." Currently, instructors can alter the care plans for patients developed between the students and another instructor. This may undermine the relationship between the student and their patient and between and among faculty and students. It would significantly improve these relationships if the authority to make and adjust care plans generally rested with the instructor under whom the initial plan was developed. Other instructors/faculty members with concerns regarding the care plan would contact the responsible instructor together with the student and discuss necessary adjustments. This would model professionalism, provide significant learning opportunities for the students as they are part of the decision-making process and support more positive engagement within the clinic surrounding patient care.



— male DDS2015 student

space.” In fact, it would be helpful to assign a project manager to develop the knowledge, skills, and practices needed within the Faculty to support new ways of working. This work needs to be an integrated part of the Clinic Renewal Project and the project manager should be part of the redesign team. The process of redesigning ways of working and interacting within the Faculty cannot wait for the completion of the clinic renew in 2018. Renewal of culture and climate will take time and the project of building better relationships will be the key to the success of clinic renewal.

- One idea for this relationship renewal project that came through the restorative process relates to the anticipated clinic care teams that will work within the new clinic structure. Faculty should consider using “check-in meetings” with students in these clinic care teams on a daily basis. This model would enhance collective learning opportunities, exercise the use of reflective practice, enhance patient care planning, and allow for solution-focused conflict resolution. Groups should work collaboratively, and hold standing check-in and clinic coordination meeting for 15 minutes every day before clinic opens to review administrative issues and identify issues to bring forward.



– male DDS2015 student, Day of Learning

V. REPORTING PROCESSES AND CONFLICT RESOLUTION

Many of the ideas and recommendations to this point strive proactively to create the conditions to prevent conflict or address it in the early stages when it typically presents as a “concern” rather than as a “complaint.” Yet, even a strongly proactive and preventative approach needs to create safeguards to deal with things when they go wrong. Feedback and communication, transparency and strong resource networks are key when addressing conflict or harm. Support and “buy-in” from all participants is important to building the capacity required to create effective mechanisms to address complaints as they arise.

- The Faculty and the University should explore ways to develop conflict resolution skills among students, faculty and staff across campus. Restorative options should be made more widely available as an approach to address concerns and conflicts.
- The University should create a campus resource network connecting every Assistant or Associate Dean of Students (or person with similar responsibilities). This network could support development of the knowledge and skills needed to navigate common issues across campus. Working closely with established resources on campus, the group should seek to understand issues facing students and take a solution-focused/problem-solving approach.
- The Faculty of Dentistry should equip the Associate Dean of Students with the skills, mandate and authority to support the processes suggested earlier with respect to clinic care teams and the wellness communities. The Associate Dean of Students should be responsible to ensure these processes are functioning well.

- ◆ The Faculty should ensure that students have a clear understanding of the complaint process and the role of the Associate Dean of Students. This should begin in orientation and be reinforced throughout the year, particularly at stressful times. This should include clear communication regarding the way in which the complaint process functions, and clarity and transparency about how reporting back will occur.
- ◆ The Faculty should ensure that the Associate Dean of Students has appropriate administrative support from someone with exceptional communication skills to ensure better communication with students on issues generally within the Faculty and to support the facilitation and navigation work required of the Associate Dean. This communication responsibility should be attached to this office as a means of ensuring consistent and centralized information for students from a source they identify and trust. It is also important to use this communication function as a means of building relationship with the student community.
- ◆ The University should look to the existing restorative approach network in the province in order to build knowledge and greater capacity to support the restorative approach being taken with various units on campus. The participants within the restorative justice process recognized its potential to build supportive and inclusive communities in which people feel they belong and to respond when things go wrong and harm is done.

have done more of this work would we be ready to offer broader apologies to the community and the public.

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. This is difficult and time consuming work - and it should be. We are committed to seeing this through. The process has engaged individuals from the faculty, university, the profession and the public. Involvement from these groups will continue and expand as the process moves to further examine the broader circumstances, causes and consequences of this situation. We have already learned much about ourselves, the consequences of our actions, and our contribution to the culture and climate within the faculty and the university. Our work has included: providing detailed accounts of our participation in the Facebook group and events following its discovery as part of the investigation; regular contact with the restorative facilitators since December (at a minimum weekly, in many cases daily); participation in regular and ongoing meetings with facilitators individually, in small groups and with the entire group to explore harms and impacts, accept responsibility and consider what actions are necessary to make amends. Sessions have included educational workshops and training modules supported by experts in the fields of public safety and security, sexualized and gendered violence and trauma, psychology and counselling, law and human rights, religion, and conflict resolution. In addition, we have taken specific in depth educational workshops to better understand misogyny and rape culture and bystander intervention.

We do not know what the outcomes of the process will be because this work is still underway. We know that we cannot go back and undo what has happened, but we are committed to making this experience matter - to contribute to the change that is needed. The need for change in ourselves became very clear through deep reflection on our failures and harmful actions. We also recognize that we have an opportunity and responsibility to contribute to necessary changes in the climate and culture within our faculty, the university community and in the profession we aspire to be a part of one day. We are committed to giving back and making a positive contribution to our communities. We have been given the opportunity, through this restorative justice process, to confront what we have done, the harm it has caused, and to learn what we need to do to become the trusted professionals we want to be. We are very grateful for the commitment of time, expertise and support that has made this possible. We will endeavour to be worthy of this opportunity and to contribute back to the community in equal measure.

From the Women of the Class of DDS2015 involved in the Restorative Justice Process

As women directly impacted by the Facebook posts released to the media, we decided to participate in this restorative justice process as a result of the opportunity to become a part of the process. We are grateful for the opportunity to be a part of the process and to contribute to the change that is needed. We are committed to giving back and making a positive contribution to our communities. We have been given the opportunity, through this restorative justice process, to confront what we have done, the harm it has caused, and to learn what we need to do to become the trusted professionals we want to be. We are very grateful for the commitment of time, expertise and support that has made this possible. We will endeavour to be worthy of this opportunity and to contribute back to the community in equal measure.

often attempted to speak *for* us in ways that we have experienced as harmful, silencing and re-traumatizing. Our perspective and decision to proceed through this process has often not been honoured or trusted but dismissed or criticized based on the decisions or perspectives of others. We are strong, well-educated professional women with words of our own to explain what we are going through and how we want to proceed. We have chosen individually and collectively to use our words carefully and selectively in public so as not to add fuel to the media fire which has been extremely hurtful to all of us. Some of the political tactics and debates surrounding this situation have made it challenging to proceed with a restorative justice process in the way we wished and these outside factors have caused renewed harms. At times, the volume of public opinion has drowned out our voices on what we need and want in this situation. We feel, for example, that our views were not central to the decision-making process to segregate members of our class known to be involved in the Facebook posts. While this decision may have satisfied others' needs or interests, it has done nothing for us in terms of instilling a sense of safety or respect. Instead, it fragmented and alienated us at a time when we were particularly in need of support from our class community. Many have asserted that all women feel unsafe, but this is not the case for us - we feel safe with the members of the Facebook group involved in this restorative process.

The restorative process has provided a very important space for us to engage safely and respectfully with our colleagues and others to convey our perspectives and needs. The process allows us to be involved in a manner that both respects and values our unique perspectives and the level of commitment and connection we desire. Additionally, it allows us to address underlying systemic and institutional issues influencing the climate and culture in which we live and learn. We want this process to make a significant contribution to bringing about a change in that culture and hope that we will be given the respect, time and space needed to do this work.

From All Participants of the Class of DDS2015 involved in the Restorative Justice Process

We are all committed to working together within the restorative justice process to deal with the specific and broader issues and harms connected to the Facebook group. Through this process we are dealing with the immediate incident at hand while also investigating the contributing factors that got us here as a class, faculty, and university. We hope this letter sheds some light on our process so far, on what we hope to accomplish, and on some of the challenges we have faced. We believe that the education and perspective that we are gaining through our participation in the restorative justice process will allow us to be better healthcare providers, colleagues, and representatives of Dalhousie University. We ask, as a group, that our privacy and our right to pursue this restorative process on the public stage be respected. The constant public attention has been harmful and even sometimes threatening to us, our families and friends. We will engage with the broader communities and issues involved through the restorative process, but first need to continue to work to understand and address the immediate harms involved. We hope that through this process our voices and experiences will make significant contributions to the important public discussions about sexism, misogyny, inclusion, and professionalism.

Appendix B

FACILITATORS & ADVISORS FOR DALHOUSIE DENTISTRY RESTORATIVE JUSTICE PROCESS 2015

Restorative Process Facilitators

Jacob MacIsaac – Community Safety Officer, Security Services Dalhousie University. Previously Casework Coordinator, Community Justice Society and Restorative Facilitator Nova Scotia Human Rights Commission.

Melissa MacKay – Advisor, Harassment Prevention/Conflict Management, Equity and Harassment Prevention Office, Dalhousie University. Previously Student Life Manager and Residence Education Coordinator, Dalhousie University.

Jennifer Llewellyn – Viscount Bennett Professor in Law at the Schulich School of Law, Dalhousie University.

International Advisory Group

Dr. Brenda Morrison – Director of the Centre for Restorative Justice and an Assistant Professor in the School of Criminology at Simon Fraser University.

Senator Vern White – Member of the Canadian Senate, former Chief of Police in Ottawa and former Assistant Commissioner of the RCMP.

Dr. John Braithwaite – Distinguished Professor and Founder of the Regulatory Institutions Network at the Australian National University.

Dr. Dorothy Vaandering – Assistant Professor, Faculty of Education, Memorial University of Newfoundland.

Dr. David Karp – Professor of Sociology and Associate Dean of Student Affairs and Director of Campus Life at Skidmore College in New York.

Eva Marszewski – Founder and Executive Director of Peacebuilders International (Canada) and Adjunct Professor at Osgoode Hall Law School.

Mary Ivec – Research Officer, Regulatory Institutions Network, Australian National University.

Paul Nixon – Chief Social Worker for Child, Youth and Family, in the Ministry of Social Development, New Zealand.

Dr. Joan Pennell – Director of the **Center for Family and Community Engagement** and Professor of Social Work at North Carolina State University.

Dr. Gale Burford – Emeritus Professor of Social Work and Advisor to the Justice Consortium, University of Vermont.

Judge Barry Stuart – Chief Judge, Yukon (retired) and Adjunct Professor in Criminology at Simon Fraser University.

NOTES

- 1 Aly Thomson, "Dalhousie's use of restorative justice in Facebook scandal gets expert praise: Dalhousie commended for level of commitment, courage and compassion" (The Canadian Press, March 11, 2015).
- 2 Bruce Archibald and Jennifer J. Llewellyn, "The Challenges of Institutionalizing Comprehensive Restorative Justice: Theory and Practice in Nova Scotia" (2006) 29 *Dalhousie Law Journal* 297-343. Also see generally: Jennifer J. Llewellyn and Bruce Archibald (guest editors), *Institutionalizing Restorative Justice: Theory and Practice*, Collection of Papers in *Dalhousie Law Journal* 36:2 2013.
- 3 See <http://www.halifax.ca/police/PublicSafety/documents/ViolenceandPublicSafetyinHRMMainReport.pdf>
- 4 Jennifer J. Llewellyn, Bruce Archibald, Diane Crocker and Donald Clairmont, "Imagining Success for a Restorative Approach to Justice" *Dalhousie Law Journal* 36:2 2013; Melanie Randall and Lori Haskell, "Trauma-Informed Approaches to Law: Why Restorative Justice Must Understand Trauma and Psychological Coping" (2013) *Dalhousie Law Journal* 501; Kristina R. Llewellyn and Jennifer J. Llewellyn, "A Restorative Approach to Learning: Relational Theory as Feminist Pedagogy in Universities," forthcoming in T. Penny Light, J. Nicholas & R. Bondy, eds. *Feminist Pedagogy in Higher Education: Critical Theory and Practice* (Wilfrid Laurier University Press, 2015).