



August 6, 2021

Doctors Against Racism and Antisemitism (DARA) is a grass roots organization comprised predominantly of healthcare professionals. DARA's mission is to combat racism and antisemitism within medical, scientific and academic communities. It has done so through educational conferences, authoring of articles, and confronting/challenging editorial boards who publish pseudo-scientific commentaries demonizing and/or delegitimizing Israel. Although its membership is international, the majority is Canadian and predominately includes members of the CPSO. DARA is recognized for making a significant difference by leaders in the medical world and by organizations which address similar challenges.

DARA commends the CPSO for its efforts to draft a policy to address the challenging issue of physicians engaging in social media to ensure these activities maintain an acceptable level of professionalism. DARA's concern with the recent CPSO proposed policy document relates to adjudication and enforceability more so than content. Hard lessons from the last few months have demonstrated that individuals highly placed in medical institutions have been unwilling or unable to differentiate between legitimate commentary and antisemitic utterances that target Jewish physicians. Even worse, Jewish physicians who have tried to explain the antisemitic nature of some of the comments, which have occurred both in person and on social media, have themselves been chastised, sometimes by individuals in positions of medical administrative authority for "unprofessional" or "unbecoming" conduct. In such circumstances a policy that does not contain standards, examples and, ideally, guidance on anti-Jewish racism in social media posts may lead to paradoxical, counterproductive and inconsistent results.

DARA notes the often-cited importance of certainty in administrative and quasi-judicial proceedings and believes that the working document must reflect this principle.

A person subject to professional discipline is entitled to fair warning of what constitutes an offence meriting discipline. Ambiguity and uncertainty lead either to unfairness on the one hand or unenforceability on the other. Without further clarity and specificity, including examples, the draft document provides no assistance either to Ontario physicians, or to those who regulate them, to predict reliably as to what social media content might or might not be found to comply. The result can only be either overzealous enforcement, inconsistent enforcement or no enforcement at all.

DARA looks forward to discussing this important issue with the CPSO and to work collaboratively to ensure a policy that is just and safe.

Kind regards,