

# GOOD CHARACTER OR SUITABILITY STANDARD

(UPDATED APRIL 2022)



The candidate for license to practice and renewal of that license bears the burden of not only proving to the CDSS that they have met all academic and other requirements of the profession, but also of meeting a standard of being of good character, or at least, not of bad character. An otherwise outstanding candidate for licensure may be denied entry for failure to meet the CDSS Standard of Good Character

## What is Good Character Generally?

Good character does not involve a standard of perfection. What it does require is “those qualities which might reasonably be considered in the eyes of reasonable men and women to be relevant to the practice” of the profession, at the time of application and renewal.

The question is whether the applicant whose past conduct raises issues about his or her character is able to demonstrate that, at the time of application and renewal, he or she has been rehabilitated. The College of Dental Surgeons of Saskatchewan believes that the six most common traits that are indicative of good character are:

1. Trustworthiness;
2. Respect;
3. Responsibility;
4. Fairness;
5. Caring; and
6. Citizenship (showing respect for the law and lawful authority).

The CDSS requires the applicant to disclose any prior conduct that could be considered to show bad character and also requires a criminal record check and an applicant interview. Barring disclosure of prior bad conduct or a criminal record, this is the end of the good character inquiry for most applicants. An assessment of the character will only occur where some prior conduct showing possible bad character is revealed.

- **TOOLS FOR ASSESSING THE CHARACTER OF APPLICANTS MAY INCLUDE:**
  - Character references;
  - Character-related questions on the application form;
  - Requiring applications to pass a professional practice examination which includes topics on ethics and the Code of Ethics;
  - Criminal background checks; and
  - Social media presence.
- **THE CDSS LICENSING PROCESS AND APPLICATION FORMS MAY INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING PAST BEHAVIOURS:**
  - Criminal convictions or proceedings;
  - Civil convictions, including fraud, malpractice or other;
  - Outstanding civil judgement and disobeyed court orders;
  - Termination of employment with cause;

- Disqualification, discipline, complaints in any professional organization, including failing to meet good character requirements;
  - Allegations of academic misconduct;
  - Bankruptcy; and
  - Human rights violations.
- **A CDSS ASSESSMENT OF CHARACTER MAY INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING:**
    - To what degree should behavior exhibited solely in private life affect a good character assessment?
    - Is it a singular incident, an aberration?
    - Is it a serious infraction that occurred in the distant past? Is it a very minor infraction that would not raise an eye alone, but is repeated consistently over time, or are exhibited in conjunction with other minor infractions?
    - Is it related to changing social mores?
    - Is it honestly blamed on disability?
    - Is it a behavior that was shaped by factors out of the applicant's control, such as the environment in which he or she was raised and where can the line be drawn?
  - **IN CONSIDERING SUCH SITUATIONS, THE FOLLOWING ARE FACTORS TO CONSIDER:**
    - The applicant's age at the time of the conduct;
    - The recency of the conduct;
    - The seriousness of the conduct;
    - Factors underlying the conduct;
    - The cumulative effect of the conduct;
    - Evidence of rehabilitation;
    - The applicant's positive social contribution since the conduct, if any.
    - The materiality of any omissions or misrepresentations;
    - The nature and extent of the applicant's voluntary treatment or rehabilitation;
    - The applicant's current attitude about the subject of their disclosure;
    - The applicant's subsequent constructive activities and accomplishments;
    - Evidence of character and moral fitness including the reasonably informed opinion of others regarding the applicant's present moral character; and
    - In light of the entire record of the applicant, whether admission of the applicant would adversely affect the confidence of the public in the profession, as an honorable, ethical and competent profession.
  - **WHERE DISCLOSURE RELATES TO A CRIMINAL LAW MATTER OR OFFENCE, THE CDSS MAY ALSO APPLY THE FOLLOWING CRITERIA:**
    - The nature and character of any offences committed;
    - The number and duration of offences;
    - The age and maturity of the applicant when any offences were committed;

- The social and historical context in which any offences were committed;
- The sufficiency of the punishment given for any offences;
- The grant or denial of a pardon or discharge for any offences committed;
- The number of years that have elapsed since the last offence was committed, and the presence or absence of misconduct during that period; and
- The extent to which the applicant has made restitution and to which, if known, the restitution was made voluntarily at the initiative of the applicant, or as a consequence of the order of the Court.

Character is a nuanced concept that requires a unique assessment for each individual seeking admission to the profession. It can be a bar to entry in cases where the applicant has criminal convictions, has committed non-criminal breaches of law, or has merely demonstrated other unacceptable behavior.

The CDSS will consider the nature of any past misconduct, the circumstances which may mitigate it, what the applicant has done to address past conduct by way of reform or rehabilitation, and any other information about the applicant's current moral character. There is no requirement to initially show good character, as there is a presumption of good character in all applicants who have met the general academic, professional and other requirements. Applicants are asked to answer a series of questions in their application for admission and to sign a declaration. Beyond that, the burden is on the regulator to show evidence that past conduct by the applicant displays a lack of good character. Where the CDSS shows such evidence, the burden then shifts to the applicant to show that he or she is currently of good character, notwithstanding past conduct. The standard of proof in all cases is a balance of probabilities.

I, \_\_\_\_\_ have read and understood the above CDSS Good Character Standard.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Document based on The Stamp of Good Repute: Determining "Good Character" for Registration Purposes, Lai-King Hum, McMillan LLP, 2013)*

