



Discipline Case 2008-04

Otto Langer, RPBio 99

Type: Panel Decision

Discipline Panel: Dr. Alton Harestad (Chair), Brian Nyberg, David Ormerod

Summary Decision File 2008-04 – Langer

In early 2008, Mr. Langer, who was at the time a member of the College, wrote an email to another College member (Member X); the “cc” box on the email contained an additional 38 addresses (2 of which were duplicates). Later that year, a newspaper article quoting Member X resulted in Mr. Langer sending this individual a second email which contained a “cc” distribution list of some 20 names, and several very strongly worded statements. The “cc” distribution list included government officials and staff, representatives of several environmental organizations, and particular individuals. The statements in the language referenced, among other things, “reckless use of science”, “scientifically undefendable” statements, and “politically motivated conclusion”, thus calling into question Member X’s scientific abilities, professionalism, motives and ethics.

Member X, filed a complaint with the College alleging that Mr. Langer had attacked the member’s credibility, reputation, professionalism and ethics; and further advised a written apology from Mr. Langer had been requested and not been received.

The complaint was reviewed by the Discipline Committee and a citation was issued alleging that Mr. Langer has contravened Article 3(v) of the Code of Ethics of the College. A Panel was convened and a hearing was held at which submissions from the College and Mr. Langer were considered.

In the written decision, the Panel noted that while the wording contained in the email could damage the member’s reputation, if it had been private, i.e. between only Mr. Langer and the member, it arguably would not have constituted a violation of the Code of Ethics. The Panel considered the principal issue behind the complaint to be the deliberate attempt of public distribution by the way of the “cc” distribution list of the second email which stated the member had no supportable scientific basis for particular actions, and that Member X has acted in an essentially unethical manner. Further, the Panel advised that it found Mr. Langer’s first line of defence (i.e. many of the



Discipline Case Digest

emails bounced, were not delivered, and consequently no harm resulted) disingenuous. The Panel found there was intent to distribute the email, and noted that as evidence was presented that some on the list received the email, it is likely that others did as well. In addition the Panel stated that the choice to include particular recipients in the cc list added weight to the conclusion that intent was demonstrated in the preparation of the email.

The Panel stated:

“...no matter what the level of distress felt, all professional biologists owe each other a duty of care not to let emotion over-ride mutual respect...”

“...and that Mr. Langer has honestly held strong views with respect to (the dispute), cannot condone Mr. Langer’s attempt to publicly distribute his email to (Member X), even if Mr. Langer achieved only partial success in the ultimate distribution. Regardless of whether any harm ensued to (Member X), the deliberate attempt to distribute the email was a serious lapse of good judgement, and amounts, in our view, to a relatively serious violation of Article 3(v) of the Code of Ethics. That violation was further compounded by Mr. Langer’s refusal to apologize and acknowledge any wrongdoing, and his less than forthright evidence at the hearing of this matter. More is expected of members of our profession. For his breach of the Code of Ethics, Mr. Langer has to be held to account.”

Decision:

The Panel found that Mr. Langer violated Article 3(v) of the College Code of Ethics and order the following remedies applied:

- (a) Mr. Langer must provide a letter of apology to Member X, with content and form approved by the Discipline Committee, within a period of 30 days from the date of this decision;
- (b) In the event that Mr. Langer fails to provide this letter, as specified in a) above, he be suspended as an accredited member of the College of Applied Biology until such time that he does;
- (c) A summary of this decision, in a form agreed to between Mr. Langer and the Discipline Committee, will be published in the (local) newspaper, and the costs of this advertisement will be paid in whole by Mr. Langer;



Discipline Case Digest

(d) A summary of this decision will be placed in the Discipline Digest of the College; and

(e) A written reprimand will be placed on Mr. Langer's file for two years.

In the event that the form or content of (a) and (c), above, cannot be agreed to by Mr. Langer and the Discipline Committee, this Panel will retain jurisdiction to adjudicate any such disputes.

To read the entire decision go to [Panel Decision](#).

To read the Review on the Record go to [Review](#).

