

Letter from the Rector 2018-2

Oslo, 10. September 2018

Facts about the Whistle-blowing Cases at the Oslo National Academy of the Arts

We live in challenging times. The Academy's reputation is currently being questioned following the recent whistle-blowing cases concerning unwanted sexual attention and sexual harassment. In such a situation it is not uncommon that rumours, myths, and unsupported claims begin to circulate, not only within the institution itself but also in social and traditional media. All of this intensifies the feeling that the Academy is in stormy waters. As a result, I feel the need to present a few facts that may make it easier to understand the current situation at the Academy, as such facts and common sense are usually the best remedy against misunderstandings and rumours. I will therefore begin by presenting five key facts for the sake of clarification:

1. Since December 2017, the Academy has worked on five whistle-blowing cases. Three of these cases emerged during the winter (when the Ministry of Education was also alerted) and were concluded in June.
2. In June, the Academy was also notified of a further two cases that are currently being investigated. Thus, a total of three cases came to light last winter, and two this June.
3. The five cases concern a total of four employees.
4. Three of these four employees have been accused of unwanted sexual attention/sexual harassment.
5. The cases related to unwanted sexual attention/sexual harassment concern events that chiefly took place some while ago. The cases are new because the information has come to light recently and not because these events have taken place recently.

It has been claimed that the emergence of the two new whistle-blowing cases in June shows that the Academy has not taken care of this issue yet. However, I hope that the very fact that such cases are now being reported to the Academy can be seen as a vote of confidence that they will be investigated in a serious and proper fashion. In other words, these instances of whistle-blowing can be seen as signs that the system is working.

On information:

A particularly challenging aspect in regard to whistle-blowing concerns providing adequate information to employees and students. This is because the need for information and the Academy's interest in providing it are often at odds with what we as an institution are allowed to divulge. Section 13 of the Public Administration Act, regarding confidentiality, is very clear on this point:

It is the duty of any person rendering services to, or working for, an administrative agency to prevent others from gaining access to, or obtaining knowledge of, any matter disclosed to him in the course of his duties [...].

In cases that are sensitive in nature, the Academy is thus not allowed to disseminate information about who is involved or what the case is about. The provisions on confidentiality are even stricter while a case is being investigated, precisely because no conclusion has been reached yet. It is quite simply not legal – or even decent, for that matter – to share tentative information that at worst may prove to be incorrect. To do so would be to spread rumours, and that is not something that we do here. This is why the Public Administration Act is so important: it upholds the rights of both the whistle-blowers and the accused.

Because the Academy is only able to provide limited information, curiosity and the need for information are often sated by misinformation and rumours. This is harmful both for those who are directly involved in such cases and for their surroundings. In such situations it is not uncommon for polarized factions to form, with people “taking sides with” one party or the other and claiming to know things that not everybody knows. I can promise everyone – and this is something I know after having worked on such cases recently – that no one knows the whole picture, not even those who are directly involved in the given cases. And the reason is that such whistle-blowing cases concern employer-employee relationships, meaning that such cases are – fortunately – “exempt from public disclosure”, as stated in section 13 of the Freedom of Information Act. Otherwise, the consequence would be public shaming, something that is neither civilized nor decent.

Thus, although the Academy may seem to be keeping silent in these whistle-blowing cases, there is a reason why. Let me therefore be absolutely clear: at the Oslo National Academy of the Arts, our top priority is the students’ well-being and academic environment. It is entirely unacceptable that anyone, whether student or staff, should experience being harassed. It may be the case that we are not talking about this, for the reasons stated above – but I can assure you that we are acting. These cases are being given priority: silence is by no means the same as passivity.

Sincerely,

Jørn Mortensen, rector