



## University of Toronto – 2020 Annual Freedom of Speech Report

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### Preamble: Institutional culture & policy framework

The commitment to free expression is one of the hallmarks of excellence at the University of Toronto. For over 25 years, the University of Toronto has had a formal policy framework that sets out its commitment to free expression. This framework has helped the University foster free expression and deal effectively and in a principled fashion with issues that naturally arise at an institution unequivocally dedicated to the pursuit of truth and the advancement of knowledge, especially one of U of T's size and scope. We anticipate that this policy framework will continue to serve the University well.

In 1992, the Governing Council of the University of Toronto passed the University's [Statement on Freedom of Speech](#) and [Statement of Institutional Purpose](#). These *Statements* have served as the cornerstones upon which the University of Toronto has built its commitment to free expression. In particular, the *Statement on Freedom of Speech* explicitly confirms that free expression is a core value of the University:

[T]he essential purpose of the University is to engage in the pursuit of truth, the advancement of learning and the dissemination of knowledge. To achieve this purpose, all members of the University must have as a prerequisite freedom of speech and expression, which means the right to examine, question, investigate, speculate, and comment on any issue without reference to prescribed doctrine, as well as the right to criticize the University and society at large.

The policies also highlight two features of free expression that are critically important in the University context. First, the *Statement of Institutional Purpose* makes clear that free speech can be uncomfortable. The right to free speech, it stipulates, is “meaningless unless it entails the right to raise deeply disturbing questions and provocative challenges to the cherished beliefs of society at large and of the university itself.” Every member of the University community should be prepared to confront opinions they find erroneous, unreasonable, or even deeply offensive. Such confrontations are part of the contest of ideas that drives discovery, understanding, and knowledge.

Second, the *Statement on Freedom of Speech* argues that the right to free expression imposes an accompanying responsibility upon its adherents. All speakers must comply with the applicable laws of Canada and Ontario. But more than that, the exercise of free expression “depends upon an environment of tolerance and mutual respect. Every member of the University community should be able to work, live, teach and learn in a University free from discrimination and harassment.” Threats or acts of violence are intolerable – the University will act swiftly and resolutely to protect and support its community. Speech or acts that silence or demean individuals or groups are also gravely concerning.

Indeed, such behaviour stands in direct opposition to free speech and subverts the contest of ideas at the heart of the University's mission.

Over the years, the University's commitment to free expression has been affirmed and expanded, resulting in a policy framework that includes the [Policy on the Disruption of Meetings](#) (1992), the [Statement on Equity, Diversity, and Excellence](#) (2006), the [Policy on the Temporary Use of Space](#) (2010), and the [Policy on Open, Accessible and Democratic Autonomous Student Organizations](#) (2016).

The University has also been working to help educate members of its community and the general public about the importance of free expression to the objectives of post-secondary institutions. This has included the launch and broad promotion of an [institutional website in 2017](#), as well as discussions with internal academic administrator groups of Principals and Deans, department Chairs and Directors, student services staff, University and College governing bodies, and groups of students and student leaders. Senior administrators have also been invited to give presentations to professional organizations such as the Ontario Council of Academic Vice-Presidents (OCAV), highlighting the University of Toronto's longstanding and widely recognized approach to these issues.

## Section A: Institutional Policy

**Has your institution amended its free speech policy (or policy framework) since the time of your 2019 report? If so, please explain the reason for the change and provide the link to its location on your institutional website.**

No.

**Where are members of the institutional community (or guests) directed when there is a free speech related question or complaint about an event on campus? Please provide contact information.**

A number of administrative offices at the University of Toronto support the various policies and statements that make up the University's policy framework pertaining to free speech. Those offices respond to any concerns brought to their attention that might result from events or incidents, or, indeed, from individuals who feel their right to freedom of expression has been infringed, curtailed, or suppressed. Depending on the nature of the concerns raised, different offices may be involved.

Expressions of concern regarding external booking requests are considered by campus.

- Conference and Events Services at the University of Toronto Mississauga;
  - [confserv.utm@utoronto.ca](mailto:confserv.utm@utoronto.ca)
- Conference Services at the University of Toronto Scarborough;
  - [conferences@utsc.utoronto.ca](mailto:conferences@utsc.utoronto.ca)
- Academic + Campus Events at the St. George Campus;
  - [ace.team@utoronto.ca](mailto:ace.team@utoronto.ca)

More generally, expressions of concern at the institutional level are considered as follows:

- the Office of the Vice-Provost, Students for concerns raised about events hosted by autonomous student groups;
  - [vp.students@utoronto.ca](mailto:vp.students@utoronto.ca)

- the Division of the Vice-President & Provost for concerns raised about academic speech or public statements of a faculty member;
  - provost@utoronto.ca
- the Division of University Advancement for concerns from alumni and benefactors;
  - dua.events@utoronto.ca
- the equity offices on campus for incidents involving alleged discrimination and harassment;
  - <https://hrandequity.utoronto.ca/inclusion/equity-offices/>
- the Office of the Governing Council for concerns involving the University's governance bodies or processes;
  - governing.council@utoronto.ca
- the Freedom of Information and Protection of Privacy Office for concerns involving access to information or privacy;
  - <https://governingcouncil.utoronto.ca/fipp> .

In addition, the Office of the President and all of the other senior executive offices receive expressions of concern relating to their areas of responsibility.

This multi-pronged approach allows students, staff, faculty members, and members of the community at large to direct their concerns to the office that holds accountability for their stakeholder group or the particular policy at issue.

**What is your institution's policy on holding events where there are security concerns? To your knowledge, were there any instances where a non-curricular event did not proceed due to security concerns or their related costs?**

The [Policy on the Temporary use of Space at The University of Toronto](#) (October 28, 2010) articulates the principles governing the temporary use of University space by internal and external groups. Among those principles, the Policy sets out the following standard regarding the fairness of costs:

External groups must at least cover the full costs associated with room bookings. Our students, through their fees, should not be subsidizing external bodies. Internal groups, on the other hand, pay only minimal fees – nothing near full costs. We normally do not charge recognized campus groups and student societies at all, except for reasonable cost recovery for additional services beyond making the space available (such as post-event cleaning).

Between August 1, 2019 and July 31, 2020, no events at the University of Toronto were cancelled due to security concerns or their related costs.

Here is an example of how the University handled an event with security concerns last year.

On October 10, 2019, an event called the 'Toronto Turkey Alliance: Trade and Research Workshop' was scheduled to take place at Hart House on the University of Toronto campus. The event included His Excellency Kerim Uras, then Ambassador of Turkey to Canada. With potentially disruptive protests outside the venue, security concerns, and RCMP and Campus Police officers on-site, the decision was taken to move the event nearby to the University of Toronto Centre for Medieval Studies, with

attendance restricted to invited participants. The day's event proceeded as planned, with academic meetings and workshops between Turkish and U of T colleagues.

## Section B: Complaints

**Between August 1, 2019 and July 31, 2020, did any member of the institutional community (or guests) make an official complaint about free speech on campus? If yes, please describe.**

Yes. Please see below.

**If there was an official complaint, what were the issues under consideration? Please identify any points of contention (e.g., security costs, safety, student unions and/or groups, operational requirements, etc.).**

and

**How did the institution manage the free speech complaint(s)? Was the complaint addressed using the procedures set out in the policy? How were issues resolved?**

A student enrolled in a conjoint master's program offered by the University of Toronto and the Toronto School of Theology complained that the default settings in the digital learning management system used in a course violated his freedom of expression as guaranteed by the University's policies on academic freedom and freedom of speech and expression, policies the student expressly invoked. At issue was whether or not the student could use the digital learning management system to distribute materials to other students in the course. The University's Vice-President and Provost found that the *U of T Statement on Freedom of Speech* and other policies related to free expression at the University had no application in the matter, and that, even if they had, any rights under such policies had not been violated.

A student group complained that a number of students obstructed the group's ability to continue with their appropriately permitted and scheduled student activity by physically blocking access to the group's display, in contravention of the University of Toronto *Code of Student Conduct*. After an investigation under the *Code*, the Acting Vice-President & Principal of the University of Toronto Mississauga judged that no action would be taken under the *Code* because: 1) the *Code* does not prohibit dissent or peaceful protest and the University's *Statement on Freedom of Speech* protects the right for campus community members "to examine, question, investigate, speculate, and comment on any issue without reference to prescribed doctrine, as well as the right to criticize the University and society at large." 2) At the same time, the *Code* includes the offence of "disruption," which is intended to protect the legitimate activities and speech of community members from being disrupted or obstructed by others who may find the activity or speech offensive. 3) After successful intervention by the administration, the student group's activity was able to continue without substantial interference or impediment to access, as was the peaceful protest, which had been set back five feet from the group's table. Reasonable steps were taken to avert any disruption while simultaneously protecting the free expression of all involved.

Section C: Summary Data

Please provide the following summary data for free-speech-related official complaints received by the institution:

|  |    |
|--|----|
| Number of official complaints received under the free speech policy relating to curricular and non-curricular events.                              | 2  |
| Number of official complaints reviewed that were dismissed.  | 2  |
| Number of official complaints where the institution determined that the free speech policy was not followed appropriately.                         | 0  |
| Number of official complaints under the free speech policy that resulted in the institution applying disciplinary or other institutional measures. | 0  |
| To your knowledge, were any free speech complaints forwarded to the Ontario Ombudsman?   | No |

To the best of your ability, please provide an estimate of the number of non-curricular events held at the institution between August 1, 2019 and July 31, 2020. Non-curricular events include, for example, invited speakers, sporting events, rallies, conferences, etc., as opposed to regular events held as part of an academic program or course.

For the purposes of this report, the University of Toronto defines a ‘non-curricular event’ to be a sponsored or organized activity that does not lead to, or is not part of, a degree or certificate program at the University of Toronto but is held in a space that has been booked through one of the University’s tri-campus administrative offices.

Non-curricular events of this nature – ranging from symposia and conferences to meetings, lectures, and non-curricular classes sponsored by student organizations and external groups – are part of the rich fabric of experiences offered at Ontario’s universities. Between August 1, 2019 and July 31, 2020, the University of Toronto hosted **more than 13,000** such events across its three campuses.

Institutional Comment

The University of Toronto’s policy framework on freedom of expression, with the University’s [Statement of Institutional Purpose](#) and [Statement on Freedom of Speech](#) at its core, has been in place for over 25 years.

This framework is at the heart of the University of Toronto’s commitment to excellence in higher education and advanced research. Debates, unconstrained by preordained conclusions or threats of exclusion, are fundamental to the pursuit of truth, knowledge, and understanding. The interaction and competition among new, unfamiliar, and often uncomfortable ideas, perspectives, and beliefs stretch

our understanding and knowledge, sparking breakthroughs in fields from art and architecture to physics and philosophy. As our [Statement on Free Speech](#) states:

The existence of an institution where unorthodox ideas, alternative modes of thinking and living, and radical prescriptions for social ills can be debated contributes immensely to social and political change and the advancement of human rights both inside and outside the University.