



## University of Toronto – 2021 Annual Freedom of Speech Report

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### Preamble

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 as core to its research and teaching mission. This framework also allows the institution to deal effectively and in a principled fashion with issues that naturally arise in the pursuit of truth and the advancement of knowledge, especially at an institution of U of T's size and scope. We anticipate that this policy framework will continue to serve the University well for years to come.

### Institutional culture & policy framework

In 1992, the Governing Council of the University of Toronto approved 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 recognizes that the right to free expression imposes an accompanying responsibility upon its adherents. All those exercising their freedom of expression 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. 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 enhanced, 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. This year, senior administrators participated in free speech professional development opportunities, including webinars held by the [Academic Freedom Alliance](#) and the [National Centre for Free Speech and Civic Engagement](#). 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 2020 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 institutional event? 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 the campus where the booking is sought:

- 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](mailto:provost@utoronto.ca)
- the Division of University Advancement for concerns from alumni and benefactors;
  - [dua.events@utoronto.ca](mailto: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](mailto: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](#) (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, 2020 and July 31, 2021, external groups were not permitted to book space for events on our campuses due to COVID, and there were event limitations and strict safety measures in place for internal groups as well. During this time period, no events at the University of Toronto were cancelled due to security concerns or their related costs.

## Section B: Complaints

**Between August 1, 2020 and July 31, 2021, did any member of the institutional community (or guests) make an official complaint about free speech? If yes, please provide a general description that protects the privacy of complainants.**

**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?**

The University received one official free speech complaint between August 1, 2020 and July 31, 2021.

In March, 2021, the University received an official complaint under the terms of the [Statement on Prohibited Discrimination and Discriminatory Harassment](#) (1994). The complaint focussed on promotional material for an event that the complainant claimed constituted a form of harassment. The complainant was invited to meet with the Anti-Racism and Cultural Diversity Office and discuss the complaint, the Statement, and the University's commitment to free speech. As a result of that meeting, the complainant decided not to pursue the complaint further.

In addition, an official free speech complaint that had been included in the [University of Toronto 2020 Annual Freedom of Speech Report](#) was forwarded by a student to the Ontario Ombudsman in October 2020. The complaint was originally submitted to the Dean of Theology at the University of St. Michael's College in April 2019.

At issue in the original complaint was whether or not the student could use the digital learning management system to distribute materials to other students in their course. In October 2019, the Vice-Provost, Innovations in Undergraduate Education 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, no rights under such policies had been violated. There was an appeal process in November-December 2019 and the University's Vice-President and Provost agreed with the Vice-Provost's determination.

Finally, in January 2021, the University received a Group Grievance from several members of the Faculty of Law under the terms of the [Memorandum of Agreement between the University of Toronto and the University of Toronto Faculty Association](#) (amended 2016). Part of the Grievance alleges that the University had ‘eroded’ the Grievors’ rights under the University’s Statement on Freedom of Speech. The University does not consider the Grievance an ‘official free speech complaint’. It is included in this Annual Report because it explicitly invokes the University’s Statement on Freedom of Speech as part of the Grievance. For more information, please visit: <https://hrandequity.utoronto.ca/news/hiring-process-director-ihrp/>.

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.	1
Number of official complaints reviewed that did not proceed.	1
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?	1

**To the best of your ability, please provide an estimate of the number of non-curricular events held at the institution between August 1, 2020 and July 31, 2021. Non-curricular events include, for example, invited speakers, sporting events, rallies, student life/student affairs events, conferences, etc., as opposed to regular events held as part of an academic program or course.**

The University does not track non-curricular online events. Given that most non-curricular activities were moved to an online format due to campus closures caused by the pandemic, we are unable to provide a reliable estimate for 2020-21.

Institutional Comments

The University of Toronto’s policy framework on freedom of expression, with the University’s [Statement on Freedom of Speech](#) and [Statement of Institutional Purpose](#) 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 fear of exclusion, are fundamental to the pursuit of truth, knowledge, and understanding. The interaction and competition among new, unfamiliar, and sometimes 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.