

University of Ottawa
Annual Report on Campus Freedom of Expression

Background

In response to the requirement to put in place a campus-wide policy on freedom of expression, President Frémont convened an expert committee, which produced a draft policy that was widely discussed on campus. The University made this new policy (“[Policy 121 - Statement on Free Expression](#)”) official on December 12, 2018.

Institutional culture and policies

1. In the wake of the Ontario government’s requirement for institutional free speech policies, has there been ongoing debate or dialogue on campus with regard to freedom of speech?

There was some discussion of the issues during the fall of 2018 while the expert committee was studying the topic and drafting the policy, and some discussion at Senate and Board meetings when the policy was presented before its adoption in December 2018. The government’s directive was covered in student and mainstream media.

2. Have institutional practices changed as a result of the free speech policy? For example, has the new free speech policy led to a re-examination or amendment of other institutional policies? If yes, please describe.

Institutional practices have not changed in any substantial way, although a new policy on temporary use of space is in the final stage of development.

3. Now that your free speech policy has been in effect for a period of time, have any issues emerged that would cause you to re-evaluate or amend your existing policy? If so, please describe.

None to date.

Events

4. To the best of your ability, please provide an estimate of the number of non-curriculum events that have been held at the institution since January 1, 2019.

During any given year, thousands of events are organized on the campus of the University of Ottawa by a wide variety of internal and external stakeholders. A good proportion of these events are coordinated by the University’s Conventions and Reservations Service, which is responsible for assisting event organizers on campus. However, many other events are not organized through this service; therefore, it is impossible to accurately calculate the exact number of events being held on campus every year.

Based on statistics available through Conventions and Reservations Service, 4099 non-academic events have been held on campus since the beginning of 2019. Of these, 2312 were student-led events (clubs, associations, faculties, etc.) and the remaining 1,787 were

organized by external clients. Some 33 other events, which were organized by the Office of the President, involved dignitaries, ministers, etc.

5. Is there a designated office at the institution where members of the institutional community (or guests) are directed when there is a free speech related question or complaint about an event on campus?

Our policy statement recommends that complaints be directed to the appropriate University authority. In practice, the University's Human Rights Office and the Office of the President are normally the ones contacted by members of the University community and the public. The University's Communications Directorate receives and deals with media inquiries. When questions arise concerning the public-facing speech of faculty members (i.e., on social media), the Provost and Vice-President Academic Affairs is normally the one to respond.

6. How did your institution navigate free speech related cost and/or safety concerns related to events on campus? To your knowledge, were there any instances where a non-curriculum event did not proceed due to these concerns?

No such cases to report.

Complaints

7. Have any organized campus events or incidents on campus — curricular or non-curricular — caused members of the institutional community (or guests) to make an official complaint about free speech on campus? If there has been a complaint (or more than one), please describe:

The director of the Human Rights Office has provided information on four cases that his office oversaw and one additional case that the Secretary General addressed directly:

1. *The first case involved a complaint against a professor made in 2018, to which the Office of the Provost and Vice-President Academic Affairs responded. The complainant resubmitted her complaint in early 2019 and our offices have only followed up with your office.*
2. *The second complaint involved a student who accused a guest lecturer in a health sciences course of antisemitism. The guest lecturer had made a comment regarding the treatment of colonists by the Israelis. The Human Rights Office explained to the student that this type of comment was protected free speech.*
3. *The third case involved the complaint of a student who was offended by a professor's comment that linked secularism in Quebec with racism. The Human Rights Office responded that this type of comment would be protected free speech and referred the student to the relevant policy.*
4. *The fourth complaint involved a professor from outside the University of Ottawa against a University of Ottawa professor and certain comments the latter made about the former's YouTube videos. Again, although these comments could be considered offensive, they are protected free speech.*
5. *There was also a concern raised in December 2018 regarding an exhibit held at the University by the Institute of National Remembrance – Commission for the*

Prosecution of Crimes Against the Polish Nation. The University responded by reiterating the importance of academic freedom and freedom of expression.

8. What were the issues under consideration? Identify any points of contention (e.g., security costs, safety, student unions and/or groups, operational requirements, etc.).

Cases 1 and 5 were prompted by the concerns of Polish nationalists regarding a perception of bias in discussions of the treatment of Jews in Poland during the Second World War. In other cases, comments were adequately protected by the Ontario and Canadian legal frameworks governing freedom of expression. To date, we have not had any serious issues with additional security or with student unions or other groups. In addition to the foregoing, the Provost engaged in a series of exchanges by email with a small number of citizens who were offended by comments made by a Faculty of Law professor on Twitter regarding the correlation between levels of formal education and voting preferences; in all cases, the professor's comments were protected by the current legal framework and University policy, to which the correspondents were directed (none of those who complained were in a position to lodge a formal complaint).

9. How did the institution manage the free speech incident? Was the complaint addressed using the procedures set out in the policy? Did the policy/institutional process "work"? How were issues in contention resolved?

See comments by director of the Human Rights Office above and additional comments under Q8.

10. Were there instances where members of the institutional community (or guests) sought redress or interpretation regarding the policy and/or requests for assistance with compliance?

No.

11. To your knowledge, were any free speech complaints forwarded to the Ontario Ombudsman?

No.

Please include the following data for any free speech-related official complaints received by the institution:

12. Number of complaints received under the free speech policy relating to non-curricular events and to curricular events.

See above for details of five cases.

13. Number of complaints reviewed that were dismissed.

No complaints were substantiated.

14. Number of complaints or incidents where the institution determined that the free speech policy was not followed appropriately.

None.

15. Number of complaints or incidents under the free speech policy which resulted in the institution applying disciplinary measures.

None.

Report prepared by David Graham, Provost and Vice-President Academic Affairs, August 11, 2019.