



Freedom of Speech Annual Report – August 25, 2020

Section A: Institutional Policy

You may append additional documentation or institution-specific information as you see fit.

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 changes have been made to the free speech policy framework during the reporting period.

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.

Enquiries about particular events are typically directed to the event organizer in the first instance and referred to other offices, as appropriate, where additional information or support is needed. Offices that might be engaged to respond to enquiries include the Equity and Inclusion Office, Student Affairs, and Communications and Public Affairs, with other units and individuals being brought in as needed. In the event that complaints are received, these would typically be referred to the University's Equity and Inclusion Office (equity@mcmaster.ca) for review in the first instance.

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?

Where safety concerns with regard to an event have been identified, McMaster's Security Services is engaged to support safety planning and work with event organizers to ensure that planned events are able to proceed wherever possible. The University is not aware of any events that were unable to proceed due to cost and/or safety concerns.

Section B: Complaints

You may append additional documentation or institution-specific information as you see fit.

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, the University received one complaint under the University's Discrimination and Harassment Policy alleging, among other things, an infringement of the right to free speech. The complaint was made by a group from the University community and relates to actions taken by the Student Representative Assembly of the McMaster Student Union to de-ratify a student group as a result of that group's alleged statements and actions in response to an event held in February 2019.

The University has retained an experienced external investigator to review the matter and this work is ongoing at this time.

If there has been an official complaint (or more than one):

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.).

The complaint centres on whether the right to free speech of the affected community members was compromised by the actions of the McMaster Students Union, including by the de-ratification of the student group. The University's review is currently ongoing.

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?

Initially the University engaged in mediation between the parties. This was not successful and a formal complaint under the University's Discrimination and Harassment policy was then launched. This is currently being reviewed, so has not yet been resolved.

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.	One complaint received under the Discrimination/Harassment policy, which is currently under review.
Number of official complaints reviewed that were dismissed.	None
Number of official complaints where the institution determined that the free speech policy was not followed appropriately.	None
Number of official complaints under the free speech policy that resulted in the institution applying disciplinary or other institutional measures.	None
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.

Prior to the current pandemic, non-curricular events, ranging from panel discussions, seminars, lectures, to art installations, musical performances, information sessions, film screenings, public announcements, recognition events and more, took place on our campus on a daily basis. Since events are organized and promoted by Faculties, Departments, individuals and groups across the campus, there is no accurate way of estimating the number that have taken place during this period. As an illustrative example, our Environmental and Occupational Health Support Services office, which has responsibility for reviewing and approving student events, approved approximately 3,000 events during the period August 1, 2019 to July 31, 2020. Since March 2020, they have approved approximately 300 virtual or online events. These figures do not take account of non-curricular events held by Faculties, Departments or other units, groups or individuals within the University, so is only a fraction of the many hundreds of events that took place physically or virtually over the last year.

Institutional Comments (if any).

The University has a long history of organizing, hosting and supporting a diverse range of events on our campus and this continued during 2019-20. Although there are no immediate plans to amend the current policy framework, McMaster is committed to monitoring the implementation and impact of the policies and processes currently in place and to making appropriate adjustments as needed to address any issues that arise.