

LAW1-L : First year law student listserv <LAW1-L@LISTSERV.UTORONTO.CA>
on behalf of
Deans Office Law <deansoffice.law@UTORONTO.CA>

Wed 2020-10-14 1:40 PM

To: LAW1-L@LISTSERV.UTORONTO.CA <LAW1-L@LISTSERV.UTORONTO.CA>

Dear Faculty of Law Community,

I am writing about the International Human Rights Program (IHRP) search. I am concerned that there have been misconceptions and misunderstandings about the circumstances surrounding the search for the staff director of the IHRP, despite public statements by the University and me. Consequently, I requested weeks ago that the University arrange for an impartial review to assess the facts and the basis for the Faculty's decision to discontinue a particular applicant's candidacy. I made this request in order to correct misconceptions and misunderstandings, and by so doing support the important work of the IHRP and its student participants, and ensure that the new Dean is able to take up their position without ongoing controversy over this search.

Please see the statement from Professor Kelly Hannah-Moffat, Vice-President, Human Resources & Equity, posted today (<https://hrandequity.utoronto.ca/memos/statement-on-the-search-process-for-a-director-of-the-international-human-rights-program-at-the-faculty-of-law/>), which provides details about an external review. Below are the statements that she and I issued on September 18 and 17 respectively.

Sincerely,

Ed

Edward M. Iacobucci

Dean and James M. Tory Professor of Law

Friday September 18

Statement by Kelly Hannah-Moffat, Vice-President of Human Resources and Equity on behalf of the University:

The hiring process for the IHRP Director, which is a managerial staff position - not a faculty one - was confidential, and the University is continuing to do its best to maintain confidentiality, notwithstanding insinuations and the selective disclosure of information, including emails, that have been published out of context.

The University stands behind the Dean's statement yesterday (below) and its position that no offer of employment was made, nor accepted or rescinded. Exploratory discussions occurred with one candidate, and options were evaluated to deal with that candidate's legal ability to work in Canada. In the end, no offer was made because of complications and legal constraints on cross-border hiring. This affected the ability of the candidate to work in Canada in the timeframe required by the Faculty of Law for this staff role.

To assert that external views, from any individual or organization, either for or against the potential hiring of a particular candidate were a factor in the decision not to proceed with an offer of employment, is false.

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Message to law professors at Faculty of Law on Thursday, September 17

Dear Colleagues,

I am writing this letter, which I will share with those in the broader community making inquiries, to offer more details about the search for a non-academic director at the International Human Rights Program. Let me say at the outset that assertions that outside influence affected the outcome of that search are untrue and objectionable. University leadership and I would never allow outside pressure to be a factor in a hiring decision.

Searches at this University are and ought to be confidential, but I will say the following. Even the most basic of the conjectures that are circulating in public, that an offer was made and rescinded, is false. While conversations with a candidate had been ongoing, no offer of employment was made because of legal constraints on cross-border hiring that meant that a candidate could not meet the Faculty's timing needs. Other considerations, including political views for and against any candidate, or their scholarship, were and are irrelevant.

As the Dean's advisory committee leading the search understood -- and as was stressed to me on several occasions by the non-academic administrator to whom the director would report -- the timing needs existed because of the absence of a director at the moment, and the hope that a new director could mount a full clinical and volunteer program for students this academic year. Unfortunately, the opportunity to consider other candidates in a timely way was derailed by this unnecessary controversy, and the search was cancelled. All candidates, including candidates in the recent search, are more than welcome to apply when the search resumes.

In the meantime, it will be necessary for the Faculty to review the IHRP's plans in the short run without a director in place. We will also consider how best to take the program forward over the longer run as well. As one of my colleagues put it, I am confident that we can take advantage of this pause to make the International Human Rights Program even more successful than it has been in the past.

Sincerely,

Edward Iacobucci

Dean and James M. Tory Professor of Law