

Frequently Asked Questions (FAQs): Hiring Process for the Director of the International Human Rights Program in the Faculty of Law

What is the University's reaction to the censure?

We believe the censure is unwarranted. Mr. Cromwell's review found no evidence to support the inference made by some critics who alleged that academic freedom had been breached in the hiring process for this professional manager role. External influence played no role in the decision to discontinue the recruitment of the candidate, he concluded. Mr. Cromwell, a well-respected former Supreme Court of Canada Justice, found that the search for the directorship of the IHRP was terminated because of immigration and timing issues.

What is the University doing?

The University has accepted all of Mr. Cromwell's recommendations. U of T has apologized to the candidate for breaches of confidentiality in the hiring process, conveying its regret that the process did not adhere to the University's high standards, and indicating that the University is sorry for any harm she experienced as a result.

The University is fully committed to academic freedom, to a collegial process to bring about reconciliation at the Faculty of Law, and to ensuring that its merit-based hiring processes are and remain completely insulated from outside pressures.

What are we doing as part of the commitment to adopt all Mr. Cromwell's recommendations?

- We are working to strengthen and improve our hiring processes.
- We are working to ensure that our advancement staff are trained and equipped to withstand any external inquiries or actions that could interfere with internal academic and human resource processes, including with respect to merit-based hiring for any position, whether academic or administrative. We are determined to ensure that what happened in this case never happens again.
- We are also assessing what processes or policies might provide additional protections for staff in professional/managerial roles whose positions may require them to speak out on controversial issues or unpopular causes, and are committed to making the necessary changes. We believe the development of these protections will be an innovation in post-secondary education.

What guidelines are in place around donors and donations?

The University of Toronto has guidelines relating to donations and donors that have been in place since 1998. While it is our practice to adhere strictly to these guidelines and follow them in our relationships with our donors, it is apparent that in this case there was an unacceptable breach of policy. As a consequence, we are reviewing the adequacy of our current policies and protocols and are commencing focused training for our advancement staff.

How will this impact me individually?

The CAUT's censure is a public expression of disapproval. It is not legally binding on the University. It seeks to discourage faculty from elsewhere from accepting appointments at the censured institution, visiting the university for speaking engagements, participating in conferences, or accepting awards and distinctions from the censured institution. It is designed to disrupt normal academic activity and encourage a settlement of the issues that have led to the censure. It can have an impact on some of the normal operations of faculty and academic departments, although the specific impact of censure will vary throughout the institution. The University regrets that this unwarranted act by CAUT regarding a non-academic role is affecting the professional life and activities of academic colleagues.

Given the sensitive and important nature of the issues that typically occasion censure, it is not surprising that faculty members will adopt different positions on the matter and defend their views vigorously. The University understands that and – consistent with its principles – welcomes the collegial debate that ensues.

CAUT has asked you to hire the preferred candidate. What is U of T's response?

The original search was terminated by the former dean. In the light of the controversy, the newly appointed Dean of the Faculty of Law, Jutta Brunnée, has commissioned the IHRP's founder to lead a review of the program, and to provide direction for its future. Dean Brunnée has also engaged in an intensive round of consultations with her faculty colleagues. Once these processes have run their course, it is expected that the Dean of Law will begin a new search process for whatever position is ultimately identified as best suited to the IHRP's future. The preferred candidate from the previous search is welcome to apply.