



# Memorandum

Office of the Principal and Vice-Chancellor  
James Administration Building, room 506  
Tel: 398-4180 | Fax: 398-4768

**TO:** Senate

**FROM:** Professor Heather Munroe-Blum, Principal and Vice-Chancellor

**SUBJECT:** Report of the Open Forum on Free Expression and Peaceful Assembly

**DATE:** October 17, 2012

**DOCUMENT #:** D12-11

**ACTION REQUIRED:**  INFORMATION     APPROVAL/DECISION

**ISSUE:** This Report is provided to Senate as I committed to do and as reflected in the Terms of Reference, which are included as an appendix to the Report. The Report will be addressed at the October 17th Senate agenda.

**BACKGROUND & RATIONALE:** In February 2012, I asked Professor Christopher Manfredi, Dean of the Faculty of Arts, to oversee a process of consultation with the purpose of holding open discussions on the meaning, scope and protection of free expression and peaceful assembly on McGill’s campuses. At that time, I committed to sharing the Report with the University community and McGill’s governing bodies.

I received the Report as scheduled and shared the Report with the community on October 10, 2012. Dean Manfredi concludes his report with three specific recommendations, all of which I have accepted. My colleagues and I are committed to addressing directly the matters identified in the report. In some cases, work is already under way to deal with the issues identified in the Report; in others, I’ve asked those responsible to consider appropriate next steps and report back to me by November 15, 2012. This will allow time for reflection and for any further consideration that may be warranted.

**MOTION OR RESOLUTION FOR APPROVAL:** N/A

**PRIOR CONSULTATION:**

**NEXT STEPS:** Consultation with the Board of Governors on December 13  
Implementation of recommendations

**APPENDICES:** Appendix A: Report of the Open Forum on Free Expression and Peaceful Assembly (<http://blogs.mcgill.ca/openforum-expression>)





**Report of the Open Forum on  
Free Expression and Peaceful Assembly**

**Christopher Manfredi  
Dean, Faculty of Arts**

October 8, 2012

## **EXECUTIVE SUMMARY**

### Mandate

On December 15, 2011, Professor Daniel Jutras, Dean of the Faculty of Law, submitted his Report of the Internal Investigation into the Events of November 10, 2011. The Jutras Report included a recommendation that “University authorities should provide and participate in a forum open to all members of the University community to discuss the meaning and scope of the rights of free expression and peaceful assembly on campus.” As part of the administrative response to the Jutras Report, the Principal mandated me to chair this forum. The terms of reference of the Open Forum on Free Expression and Peaceful Assembly established a nine member Advisory Group consisting of three members appointed by the Board of Governors, three by the Senate, and three by me as Chair.

### Process

The Open Forum consisted of four open discussion sessions for the University community and an academic symposium on free expression and peaceful assembly. These events took place between March 1 and May 2, and included a session at Macdonald Campus. In addition to the public events, on the advice of the Advisory Group I invited individuals and groups to meet with me outside of these events.

The Open Forum process brought together different members of the University community—students, faculty, non-academic staff, and senior administration (including the Principal, Provost, Deputy Provost and Vice-Principals)—to discuss these issues that rest at the core of the University’s mission and identity. My responsibility was to convene, listen, and report the substance of the discussions back to the University community. The report endeavors to provide a faithful account of the range of views articulated through the events of the Open Forum; to establish a comparative context for further discussion and action in these areas; and to offer guidance to the University’s administrative and governance bodies on measures that will promote and protect free expression and peaceful assembly in a manner consistent with the rich and varied intellectual community and traditions of McGill University.

As part of the process, I also examined how McGill and other universities currently protect and regulate expression and assembly, especially by students. At McGill, the right of students to freedom of expression, peaceful assembly and association are provided for in sections 25 and 26 of the *Charter of Student Rights*. The *Code of Student Conduct* prohibits three sets of activities that are relevant to the exercise of free expression and peaceful assembly: disruption; unauthorized entry and/or presence; and unauthorized or fraudulent use of University facilities, equipment or services. These

protections and regulations are not unique: it is common practice for universities to prohibit the disruption of normal university activities such as teaching, research, and administration. It is also common practice to prohibit students or other persons from entering and/or remaining in locations on campus to which they do not normally have access, or to which they have not been granted specific authorization to enter.

### Free Expression

There is unanimity in the University community that its members should be free, subject to generally applicable laws, to express opinions on both internal and external matters. Comments on free expression during the Open Forum focused on perceptions of limited responsiveness by governance bodies and University administrators to dissenting voices. These comments were usually expressed in terms of “root causes” that might have led to incidents in which members of the University community considered it necessary to stretch expressive freedom to its limits.

In sum, the view that students, faculty and non-academic staff have the right to hold and express a broad diversity of opinions, especially on matters of internal governance and administration, is non-controversial. Consensus begins to dissolve, however, when the discussion moves to identifying appropriate limits on the time, manner and form of expressive activity.

### Peaceful Assembly

During the Open Forum discussions, the following opinions received frequent expression:

- The University should be a violence-free zone.
- Absence of violence is a necessary condition for peaceful assembly, but is not sufficient.
- The University cannot be, nor even should be, a disruption-free zone.

Much of the discussion in the Open Forum involved the question of how much, where, and with what consequences disruptive activity can legitimately take place.

Disruptive activity can be categorized according to where it lies along four dimensions: intensity, intentionality, duration, and location. Disruptions can range from inconvenience to obstruction; from incidental to deliberate; and from momentary to sustained. Their location can range from open exterior spaces to open interior spaces to semi-private and private working space, to spaces with restricted access because they contain hazardous, sensitive or rare material that requires special protection. The basic although not unanimous view arising from the Open Forum point is that community

tolerance for disruption should decrease as disruptions become more deliberate, obstructive, lengthy and conducted in restricted spaces.

Regardless of where the regulatory lines are drawn, however, it is important that the circumstances under which disciplinary action will be taken be clearly defined and that University regulations be applied consistently and non-arbitrarily. The Open Forum discussions indicate that the University community accepts the necessity of limits, and that most recognize that the peaceful/non-peaceful line is more complicated than a simple distinction between violent and non-violent. McGill's Code of Student Conduct and Disciplinary Procedures and its Charter of Student Rights currently inadequately define the limits to acceptable protest. In particular, the conduct offenses of "disruption," "unauthorized entry and/or presence," and "unauthorized or fraudulent use of university facilities, equipment or services" need to be better defined.

#### Provisional Protocols on Demonstrations and James Building Security

On February 12, 2012, the Provost issued a provisional protocol to inform the University community about "how the administration will respond to actions that contravene internal regulations and policies...or any federal or provincial laws or municipal bylaws." At about the same time, the University administration issued a provisional security protocol governing access to the James Administration and Annex Buildings. Both protocols were the subject of considerable discussion during the Open Forum.

Many community members criticized both the demonstration protocol's substance and the absence of consultation in establishing it. Other community members praised the demonstration protocol's intention to clarify for potential participants in demonstrations, protests and occupations where precisely the University administration intended to draw the line between acceptable and unacceptable activity. Nevertheless, even these speakers suggested that the provisional demonstration protocol needed further clarity in order not to have a chilling effect on legitimate protest activity.

It also became apparent that the James Security Protocol was an irritant for many who had experienced it. Commentators criticized it for exacerbating a sense of separation between the senior administration and the rest of the university and for treating all visitors to the James Building as potential threats. My survey of practices at other universities indicated that the James protocol is generally more restrictive than what is found at other similar institutions.

#### Conclusion and Recommendations

All members of the McGill community are committed to diversity of opinion and the freedom to express that diversity in multiple ways, including through protests, demonstrations, and the presence on our campuses of controversial speakers. They are

also committed to serving the University's missions of teaching, research, and service to both the internal and external community. These two commitments come into conflict when the time, manner and form of expressive activity disrupt normal University activities.

Participants in the Open Forum expressed frustration that existing regulations do not address how these two commitments should be balanced. Most obviously, the Charter of Student Rights and the Code of Student Conduct and Disciplinary Proceedings simultaneously protect peaceful assembly and prohibit disruptive activity without providing clear guidance on the point at which peaceful assembly becomes disruptive activity that merits disciplinary consequences. I would be pleased to report that the Open Forum provided such clear guidance, but that is not the case except in a very limited sense.

Nevertheless, based on the discussions at the Open Forum, I feel confident making three recommendations:

*Recommendation 1: The Code of Student Conduct should be clarified with regard to sections 5, 6 and 10 of the Code, namely "disruption", "unauthorized entry and/or presence" and "unauthorized or fraudulent use of university facilities, equipment or services."*

*Recommendation 2: The "James Protocol" should be revised or reconsidered with a view towards adopting a less restrictive approach to access and security.*

*Recommendation 3: McGill Security Services should review their training program for both permanent and temporary personnel in order to ensure accuracy and integrity in the case of incident reports and disciplinary proceedings.*

## **RÉSUMÉ**

### Mandat

Le 15 décembre 2011, le professeur Daniel Jutras, doyen de la Faculté de droit, a publié son rapport sur l'enquête menée à l'interne au sujet des événements du 10 novembre 2011. Dans son rapport, il fait la recommandation suivante : « Les autorités de l'Université devraient organiser un forum ouvert à tous les membres de la communauté universitaire et y participer, afin de discuter de la signification et de la portée des droits à la libre expression et aux réunions pacifiques sur le campus. » Pour faire suite à ce rapport, la principale m'a donné le mandat de présider ce forum. Les paramètres de ce forum ouvert sur les droits à la libre expression et aux réunions pacifiques prévoyaient un groupe consultatif composé de neuf membres, dont trois nommés par le Conseil des gouverneurs, trois par le Sénat et trois par moi, le président.

### Processus

Le forum ouvert a compté quatre séances de discussion ouverte réunissant des membres de la communauté universitaire et un symposium académique sur le droit à la libre expression et à des réunions pacifiques. Ces trois événements ont eu lieu entre le 1<sup>er</sup> mars et le 2 mai et comprenaient une séance au campus Macdonald. Outre ces événements publics, j'ai invité, sur avis du groupe consultatif, certaines personnes et certains groupes à se joindre à moi en dehors de ces événements.

Le forum de discussion a réuni différents membres de la communauté universitaire – étudiants, faculté, personnel non enseignant et haute direction (notamment la principale, le vice-principal exécutif, le vice-principal exécutif adjoint et les vice-principaux) – pour discuter de ces enjeux qui demeurent au cœur de la mission et de l'identité de l'Université. J'avais pour rôle de convoquer les rencontres, d'écouter les débats et d'en communiquer le contenu à la communauté universitaire. Dans mon rapport, je m'efforce de présenter un compte rendu fidèle des différents points de vue exprimés pendant les séances du forum ouvert; d'établir un contexte comparatif en vue de discussions et de mesures futures dans ce domaine; et d'orienter l'administration et les organismes dirigeants de l'Université sur les mesures à prendre pour promouvoir et protéger le droit à la libre expression et à des réunions pacifiques, en tenant compte de la richesse et de la diversification de la communauté intellectuelle de l'Université McGill et de ses traditions.

Dans le cadre de ce processus, j'ai également examiné la façon dont McGill et les autres universités s'y prennent pour protéger et réglementer la liberté d'expression et de réunions, spécialement chez les étudiants. À McGill, le droit des étudiants à la libre

expression et à des réunions pacifiques est énoncé aux articles 25 et 26 de la *Charte des droits de l'étudiant*. Le *Code de conduite de l'étudiant* interdit trois catégories d'activités se rapportant à l'exercice du droit à la libre expression et à des réunions pacifiques : Perturbation, Entrée et présence sans autorisation et Utilisation, sans autorisation ou en fraude, des installations, du matériel et des services de l'Université. Ces mesures de protection et réglementations ne sont pas uniques; il est pratique courante qu'une université interdise la perturbation du cours normal de ses activités, notamment le déroulement d'un cours ou d'une recherche ou d'activités administratives. Il est également normal d'interdire aux étudiants ou à d'autres personnes de pénétrer ou de demeurer dans un endroit sur le campus auquel ils n'ont normalement pas accès ou pour lequel ils n'ont pas obtenu d'autorisation particulière.

### Liberté d'expression

La communauté universitaire est unanime. Ses membres devraient être libres d'exprimer leurs opinions sur des sujets se rapportant à l'Université ou non, sous réserve des lois générales applicables. Pendant le forum, les commentaires exprimés à cet égard ont mis en évidence la perception d'une réponse limitée de la part des organismes dirigeants et des administrateurs de l'Université à l'égard des voix dissidentes. Ces commentaires étaient surtout exprimés en lien avec les « causes profondes » à l'origine des incidents en raison desquels les membres de la communauté universitaire ont jugé nécessaire d'élargir au maximum le droit à la libre expression.

En résumé, l'opinion des étudiants, de la faculté et du personnel non enseignant concernant le droit d'avoir un large éventail d'opinions et de les exprimer, surtout en ce qui a trait à l'administration et à la gouvernance interne, ne saurait donner lieu à aucun débat. Le consensus a toutefois commencé à s'effriter lorsque la question sur les limites qui conviennent d'imposer sur le moment, la manière et la forme des activités d'expression a été abordée.

### Réunions pacifiques

Pendant les discussions du forum ouvert, les opinions suivantes ont fréquemment été exprimées :

- L'Université devrait être un milieu exempt de violence.
- L'absence de violence est une condition essentielle à la tenue de réunions pacifiques, mais ce n'est pas le seul aspect.
- L'Université ne peut pas, ni ne devrait, être un milieu où il n'y a aucune perturbation.

Pendant le forum ouvert, le débat a surtout porté sur la question suivante : dans quelle mesure, où et avec quelles conséquences une activité perturbatrice peut-elle survenir de façon légitime.

Une activité perturbatrice peut être classée selon quatre dimensions : son intensité, l'intentionnalité, sa durée et son emplacement. Les perturbations peuvent prendre la forme d'un dérangement ou d'une obstruction, être de nature accidentelle ou délibérée ou être momentanées ou soutenues. Les perturbations peuvent avoir lieu dans un espace public extérieur ou intérieur, dans un espace de travail semi-privé ou privé ou encore dans un espace où l'accès est restreint en raison de la présence de matières dangereuses, de données confidentielles ou de documents rares nécessitant une protection particulière. À la base, le point de vue, quoique non unanime, exprimé pendant le forum ouvert est que la tolérance de la communauté aux perturbations devrait diminuer en fonction de sa nature délibérée et obstructive, sa durée dans le temps et son emplacement (p. ex., dans un espace à accès restreint).

Peu importe où l'on trace la ligne du point de vue réglementaire, il importe que les circonstances dictant la prise de mesures disciplinaires soient clairement définies et que les règlements de l'Université soient appliqués de façon uniforme et non arbitraire. Le débat entendu pendant le forum ouvert indique que la communauté universitaire croit en la nécessité d'imposer des limites et qu'en général elle reconnaît qu'il est plus difficile d'établir une distinction entre « pacifique » et « non pacifique » que « violent » et « non violent ». Ni le *Code de conduite de l'étudiant* et des procédures disciplinaires, ni la *Charte des droits de l'étudiant* de McGill en vigueur ne présentent une définition adéquate de ce qu'on entend par protestation acceptable. Les offenses aux articles Perturbation, Entrée et présence sans autorisation et Utilisation, sans autorisation ou en fraude, des installations, du matériel et des services de l'Université profiteraient plus particulièrement d'une révision de leur définition.

#### Protocoles provisoires sur les manifestations et la sécurité au pavillon James

Le 12 février 2012, les doyens exécutifs ont émis un protocole provisoire pour informer la communauté universitaire de la façon dont l'administration interviendra en cas de violation des règlements et politiques internes ou de toute loi fédérale ou provinciale ou règlement municipal. À peu près au même moment, l'administration de l'Université a émis un protocole de sécurité provisoire pour réglementer l'accès au pavillon James (administration) et à ses annexes. Ces deux protocoles ont fait l'objet de vives discussions pendant le forum ouvert.

De nombreux membres de la communauté ont critiqué le contenu du protocole sur les manifestations et l'absence de consultation avant sa mise en œuvre. D'autres membres de la communauté ont défendu le protocole sur les manifestations, argumentant que son objectif était justement de clarifier, pour les participants aux manifestations et aux

activités de protestation et d'occupations, ce que l'administration de l'Université juge acceptable et inacceptable. Néanmoins, même ces participants ont suggéré que le protocole provisoire sur les manifestations soit clarifié davantage afin d'éviter qu'il ne crée un effet paralysant sur les activités de protestation légitimes.

Il est également évident que le protocole de sécurité au pavillon James a été un irritant pour de nombreuses personnes l'ayant mis à l'essai. Les commentateurs l'ont critiqué, jugeant qu'il exacerbe un sens de séparation entre la direction et le reste de l'Université et traite chaque visiteur du pavillon James comme une menace potentielle. Mon étude sur les pratiques dans les autres universités révèle que le protocole en vigueur au pavillon James est généralement plus sévère que ce que l'on retrouve dans d'autres établissements comparables.

### Conclusion et recommandations

Tous les membres de la communauté McGill ont à cœur la diversité des opinions et la liberté d'exprimer cette diversité de maintes façons, y compris en protestant, en manifestant et en accueillant sur le campus des orateurs controversés. Ils ont également la volonté de servir la mission d'enseignement, de recherche et de services de l'Université tant à l'intérieur de ses murs qu'à l'extérieur de ceux-ci. Ces deux engagements deviennent toutefois une source de conflits lorsque le moment, la manière et la nature des activités d'expression perturbent le cours normal des activités de l'Université.

Les participants du forum ouvert ont exprimé de la frustration à l'égard du fait qu'aucune réglementation en vigueur ne traite de la façon de concilier ces deux engagements. Clairement, la *Charte des droits de l'étudiant* et le *Code de conduite de l'étudiant* et les procédures disciplinaires protègent le droit à des réunions pacifiques tout en interdisant les activités perturbatrices sans donner de lignes directrices claires sur le moment où ces réunions pacifiques deviennent des activités perturbatrices qui méritent des conséquences disciplinaires. J'aurais aimé pouvoir dire que le forum ouvert a permis d'établir de telles lignes directrices, mais ce n'est pas le cas, sauf dans un sens très limité.

Néanmoins, d'après les débats ayant eu lieu pendant le forum ouvert, je peux faire ces trois recommandations, en toute confiance :

*Recommandation 1 : Le Code de conduite de l'étudiant devrait être clarifié en regard des articles 5, 6 et 10 intitulés Perturbation, Entrée et présence sans autorisation et Utilisation, sans autorisation ou en fraude, des installations, du matériel et des services de l'Université.*

*Recommandation 2 : Le protocole James devrait être révisé ou reconsidéré afin d'adopter une approche moins restrictive relativement à l'accès et à la sécurité.*

*Recommandation 3 : Les services de sécurité de McGill devraient revoir leur programme de formation des employés permanents et temporaires afin d'assurer l'exactitude et l'intégrité des rapports en cas d'incident et de mesures disciplinaires.*

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## **1.0 BACKGROUND**

On December 15, 2011, Professor Daniel Jutras, Dean of the Faculty of Law, submitted his Report of the Internal Investigation into the Events of November 10, 2011 (hereafter the Jutras Report). The Jutras Report presented the Principal with six recommendations grouped into three broad categories: (1) free expression and peaceful assembly on campus; (2) security; and (3) the University's external relations and the presence of police forces on campus. The McGill University Senate discussed the report and its recommendations on January 18, 2012, and on January 24 the Principal wrote the McGill community to indicate that the senior administration accepted the Report's recommendations and would implement them. She also indicated that a full administrative response would be issued in early February after a special meeting of the Board of Governors on January 31. Protestors disrupted that open Board meeting, resulting in its adjournment.<sup>1</sup> This delayed the Principal's administrative response until after a second Board meeting could be scheduled.

On February 7, 2012 protestors occupied the Deputy Provost's office on the 6<sup>th</sup> Floor of the James Administration Building, an occupation that lasted until February 12.<sup>2</sup> On February 12, Provost Anthony Masi issued a "Provisional Protocol Regarding Demonstrations, Protests, and Occupations on McGill University Campuses." The Principal issued the administrative response to the Jutras Report on February 13, which included a mandate to me to chair an Open Forum on Free Expression and Peaceful Assembly to which all members of the University Community would be invited. The Open Forum mandate constituted the senior administration's response to Recommendation 1 of the Jutras Report, which stipulated that "University authorities should provide and participate in a forum open to all members of the University community to discuss the meaning and scope of the rights of free expression and peaceful assembly on campus."

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<sup>1</sup> . Esther Lee, "Board of Governors Adjourned Due to Student Protestors," *McGill Daily*, 2 February 2012, <http://www.mcgilldaily.com/2012/02/discussion-of-jutras-report-recommendations-on-agenda/>, accessed 20 August 2012; Carolina Millan Ronchetti, "BoG Adjourned Due to Student Disruptions," *McGill Tribune*, 6 February 2012, <http://www.mcgilltribune.com/news/bog-adjourned-due-to-student-disruptions-1.2768392#.UDKQqER0Sqo>, accessed 20 August 2012.

<sup>2</sup> . Queen Arsem-O'Malley, "Twenty Students Occupy Mendelson's Office," *McGill Daily*, 7 February 2012, <http://www.mcgilldaily.com/2012/02/20-students-occupy-mendelsons-office/>, accessed 20 August 2012; Carolina Millan Ronchetti & Erica Friesen, "Students occupy James admin, call for Mendelson's resignation," *McGill Tribune*, 7 February 2012, <http://www.mcgilltribune.com/news/students-occupy-james-admin-call-for-mendelson-s-resignation-1.2769928#.UDKZYUR0Sqo>, accessed 20 August 2012.

## **2.0 TERMS OF REFERENCE AND PROCESS**

### *2.1 Terms of Reference*

The terms of reference of the Open Forum established a nine member Advisory Group to assist the Open Forum Chair, with three members of the Advisory Group appointed by the Board, three by the Senate, and three by the Chair. The Secretary General informed me of the names of the Board and Senate appointees on February 16, and I informed the Secretary General of my appointees to the Advisory Group on February 21, 2012. I met with the full advisory group for the first time on February 21. I met with the Advisory Group on three additional occasions between February 21 and April 18. The terms of reference and members of the Advisory Group are included in Appendix A. The Advisory Group included two current members of the Board of Governors (one of whom is both a faculty member and a member of Senate), an emeritus member of the Board, two faculty members, a member of the non-academic staff (also a member of Senate), two undergraduate students, and one graduate student.<sup>3</sup>

### *2.2 Process*

The terms of reference specified that I hold four open sessions to hear the views of members of the University community, as well as an academic symposium to secure input from, and foster exchange between, experts on free expression and peaceful assembly. The four open sessions took place on March 1, March 12, March 27 (Macdonald Campus), and April 4, and the academic symposium took place on May 2. There was a live webcast of each event, and recordings of the events and written summaries were posted to the Open Forum blog site (<http://blogs.mcgill.ca/openforum-expression/>). In addition to the public events, on the advice of the Advisory Group I invited individuals and groups to meet with me outside of these events, and five such meetings took place (see Appendix B). The Open Forum process concluded on June 8, 2012.<sup>4</sup>

The Open Forum process brought together different members of the University community—students, faculty, non-academic staff, and senior administration (including the Principal, Provost, Deputy Provost, and Vice-Principals)—to discuss these issues that rest at the core of the University’s mission and identity. The quality and diversity of the views expressed was impressive. It later became apparent that some students had

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<sup>3</sup> . The Advisory Group provided advice on dates, locations, and format of the public meetings, but I take full responsibility for the manner in which the meetings were conducted.

<sup>4</sup> . I wish to acknowledge and thank Emmanuelle Richez and Erin Crandall, doctoral students in the Department of Political Science, for their research and logistical assistance during the Open Forum process.

engaged in an organized boycott of the process. The reasons for the boycott included skepticism about the efficacy of the Open Forum and criticisms of both its style and substance.

### *2.3 Chair's Responsibility*

As Chair of the Open Forum, my responsibilities were to convene, listen, and report the substance of the discussions back to the University community. My report endeavors to provide a faithful account of the range of views articulated through the events of the Open Forum; establish a comparative context for further discussion and action in these areas; and offer guidance to the University's administrative and governance bodies on measures that will promote and protect free expression and peaceful assembly in a manner consistent with the rich and varied intellectual community and traditions of McGill University.

The terms of reference included a mandate to bring forward specific recommendations where appropriate. It certainly became apparent during the Open Forum that the University community wanted more than the opportunity to discuss free expression and peaceful assembly: it wanted ameliorative action to be taken in certain areas. Consequently, I conclude my report with three specific recommendations for action drawn from my reflections on the discussions that took place during the Open Forum's events.

## **3.0 KEY ISSUES**

### *3.1 Overview*

Seven key issues constituted the focus of the Open Forum discussions:

1. Locational limits on peaceful assembly, if any;
2. Legitimacy of concealing identities, especially in the context of pervasive video recording of public events;
3. Time restrictions on peaceful assembly;
4. Other justifiable limits on free expression and peaceful assembly in the context of demonstrations, protests and occupations on campus;
5. Controversial speakers;
6. Provisional Protocol Regarding Demonstrations, Protests, and Occupations on McGill University Campuses; and
7. Provisional Security Protocol for James Administration and Annex Building.

The first four issues were those identified in the Jutras Report as critical questions that the community should address in the context of discussing free expression and peaceful assembly.

### 3.2 *Controversial Speakers*

The fifth issue emerged from my asking the community to consider an issue not directly connected to the events that gave rise to the Jutras Report: the University community's responsibility with respect to controversial speakers on campus. This is an issue that many Canadian universities have had to face, including McGill on at least three occasions in the recent past. The Open Forum provided an excellent opportunity to discuss this collectively.

### 3.3 *Provisional Demonstration Protocol/Provisional James Security Protocol*

Finally, although the Open Forum was not launched as a consultative process to review and recommend revisions to the Provisional Protocol issued on February 12, or the James Security Protocol, it was inevitable that they would be discussed during the open sessions and the academic symposium. Consequently, in addition to communicating what I learned about the community's general views on the questions raised by the Jutras Report, I also report on specific comments concerning these provisional protocols. I do not address the related, but distinct, issue of academic freedom, which will be the subject of additional discussions during the 2012-13 academic year.<sup>5</sup>

## **4.0 PROTECTING AND REGULATING EXPRESSION AND ASSEMBLY AT MCGILL AND SELECTED PEER INSTITUTIONS**

### 4.1 *Protections and Regulations at McGill*

McGill University has several policies and documents that pertain to expression and assembly such as the Charter of Student Rights, the Code of Student Conduct and Disciplinary Procedures; the Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law; and the Policy on the Responsible Use of McGill Information Technology Resources.

#### 4.1.1 *Protections at McGill*

At McGill, the right of students to freedom of expression, peaceful assembly and association are provided for in sections 25 and 26 of the *Charter of Student Rights* (Part IV: Rights of Association and Representation):<sup>6</sup>

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<sup>5</sup> . Indeed, on September 28, 2012, the Provost sponsored a symposium on academic freedom.

<sup>6</sup> . It is interesting to note that students appear to be the only group within the University to have specific protection for such rights. The only similar protection I could find for non-student groups are the statement on academic freedom found in the Preamble to the Regulation on the Conduct of Research and a provision

25 Every student enjoys within the University the freedoms of opinion, of expression and of peaceful assembly.

26 Every group of students has a right to organize and to promote the interests of its members, provided that the purposes of such group are lawful. Every such group shall also have the right to publicize and hold meetings, to debate any matter and to engage in lawful demonstration.

#### *4.1.2 Regulations at McGill*

The rights enumerated in s.26 are internally qualified by the fact that only those associations or demonstrations that are “lawful” enjoy *Charter* protection.<sup>7</sup> In addition, the *Code of Student Conduct* prohibits three sets of activities that are relevant to the exercise of free expression and peaceful assembly: disruption; unauthorized entry and/or presence; unauthorized or fraudulent use of university facilities, equipment or services:

##### 5. Disruption

(a) No student shall, by action, threat, or otherwise, knowingly obstruct University activities. University activities include but are not limited to, teaching, research, studying, administration, public service.

(b) Disruption which occurs during the teaching of a course or the conduct of research may be treated as an academic offence under the provisions of Article 19.

(c) Nothing in this Article or Code shall be construed to prohibit peaceful assemblies and demonstrations, lawful picketing, or to inhibit free speech.

##### 6. Unauthorized Entry and/or Presence

No student shall, contrary to express instructions or with intent to damage, destroy or steal University property or without just cause knowingly enter or remain in any University building, facility, room, or office. Facilities include but are not limited to the following: parking lots, athletic fields and campus areas.

##### 10. Unauthorized or Fraudulent Use of University Facilities, Equipment or Services

(a) No student shall knowingly use any University facility, equipment or service contrary to express instruction or without just cause.

These conduct offences are qualified by s.5(c) and the “just cause” provision in sections 6 and 10(a). There is nothing in the text of the *Charter* or *Code* that clarifies the relationship between s.25 of the *Charter* and s.5 of the *Code*, nor is the concept of “just cause” anywhere defined. This point will be addressed further in the conclusion and recommendations section.

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in the MUNACA collective agreement that protects members from discrimination “as a result of their speaking, writing or taking legal action in serving the interests of the union.”

<sup>7</sup>. In this context, the term “lawful” means consistent with ordinary civil and criminal law.

In addition to these provisions, s.13 of the Code prohibits the use of certain types of language during picketing and demonstrations:

13. Picketing and Demonstrations

No student shall, on University property, individually or with a group and in connection with a demonstration, including a rally or picketing:

- (a) Knowingly use words which threaten violence or bodily harm to any group or individual in a situation where there is clear and imminent danger of such violence or bodily harm, and whether or not the group or individual thus threatened knows of such threatening words; or
- (b) Knowingly use words in a situation of clear and imminent danger which incite others to behavior which violates any article of this Section

Finally, s.19 defines “Disruption of Teaching Activities” as an academic offence:

19. Disruption of Teaching Activities

No student shall, by action, threat or otherwise, knowingly cause a disturbance which obstructs teaching and/or research activities.

Note that s.19 does not contain the qualification found in s.5(c).

#### *4.2 Protections and Regulations at Selected Peer Institutions*

McGill is not unique among post-secondary institutions in seeking to protect freedom of expression and peaceful assembly while regulating them in order to safeguard other core institutional objectives, including their ability to function and the protection of persons and property. In preparation for the Open Forum public meetings, I undertook to compare McGill’s policies to local, Canadian, and US institutions to provide the basis for a contextual understanding of the issues. The comparator group included all other Montreal universities, one CEGEP, three similar Canadian universities in urban settings, and four public US institutions (also in urban settings).<sup>8</sup> The points of comparison included:

- Student codes of conduct
- Freedom of speech
- Peaceful assembly
- Disruption of meetings

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<sup>8</sup> . The institutions included: UQÀM, Concordia, Université de Montréal, Dawson College, University of Toronto, University of Calgary, University of British Columbia, Michigan State University, University of California (Los Angeles), University of Massachusetts (Boston), and Ohio State University. A list of the documents consulted appears in Appendix C.

#### *4.2.1 Protections at Selected Peer Institutions*

Several of the institutions have specific policies with respect to freedom of speech/expression. For example, s.3 of Concordia University's *Code of Rights and Responsibilities* stipulates that:

“All Members have the freedom of conscience and religion; freedom of thought, belief, opinion and expression; freedom of peaceful assembly and freedom of association, the whole subject to the limits recognized by law and University policies and procedures.”

The University of Toronto has a separate *Statement on Freedom of Speech*, passed in 1992. This statement confirms the importance of freedom of speech and expression, and defines it as

“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.”

However, the statement also recognizes that there are limits on the right to free speech, and refers to the University's obligation not to punish or inhibit the “reasonable exercise of free speech.”

The UCLA *Policy on Speech and Advocacy* commits the University to

“assuring that all persons may exercise the constitutionally protected rights of free expression, speech, assembly, and worship.”

Nevertheless, the *Policy* also stipulates that the

“time, place, and manner of exercising the constitutionally protected rights of free expression, speech, assembly, and worship are subject to campus regulations that shall provide for non-interference with University functions and reasonable protection to persons against practices that would make them involuntary audiences or place them in reasonable fear, as determined by the University, for their personal safety.”

The right to assembly or peaceful assembly is usually bundled together with the right to free speech or expression. Three of the US institutions surveyed (Michigan State, UCLA, UMASS-Boston) have elaborate regulations concerning such things as “disorderly assemblages,” riots, or access to university property.

UCLA's *Regulations on Activities, Registered Organizations, and Use of Properties* imposes a midnight to 6:00 am curfew on the use of university property except for "coming and going to a University building or crossing the campus."

Michigan State University regulations stipulate that

"[n]o person shall, without authorization, assemble together anywhere on the campus for the purpose of creating any excessive noise or disturbance, riot, raid, or disruption, or assemble in a manner which obstructs the free movement of persons about the campus or the free and normal use of University buildings and facilities, or prevents or obstructs the normal operations of the University."

It provides definitions of "riot," "acting in concert," and "disorderly conduct at or in connection with a riot." Section 2.05 of MSU's *General Student Regulations* also applies to occupations through its prohibition on

"enter[ing] or remain[ing] in another individual's place of residence or work without permission of that individual or without proper authorization."

The University of Massachusetts system has a set of *Guidelines for Responses to Demonstrations on University Property*. These guidelines provide that "All campuses shall routinely and consistently apply the provisions of their respective codes of conduct and other relevant policy and procedures to on-campus demonstrations."

#### *4.2.2 Regulations at Selected Peer Institutions*

All of the institutions have a code of student conduct that defines prohibited behavior and establishes disciplinary procedures for investigating, determining violations of, and sanctioning behavior contrary to the Code. All of these codes deal with disruptions and unauthorized entry or presence on university property. In some cases, the policies apply generically to any person, whether student or not. To cite five examples:

### **University of British Columbia**

#### **4.2.3 Disruption**

No student shall, by action, threat, or otherwise, disrupt any activity organized by the University or by any of its faculties, schools, or departments, or the right of other persons to carry on their legitimate activities, to speak or to associate with others.

#### **4.2.4 Unauthorized Use of University Facilities, Equipment, or Services:**

(a) No student shall use any facility, equipment, or service of the University, or enter or remain on any premises, to which they do not have legitimate access, or contrary to the

expressed instruction of authorized persons.

(b) No student shall use any University computing equipment, facility, network, or system for any disruptive or unauthorized purpose, or in a manner that violates any law, University regulation, policy or procedure.

(c) No student shall destroy, misplace, misfile, or render inoperable any stored information such as books, film, data files, or programs from a library, computer, or other information storage, processing or retrieval system.

## **University of Toronto**

### 2. Disruption

No person shall cause by action, threat or otherwise, a disturbance that the member knows obstructs any activity organized by the University of Toronto or by any of its divisions, or the right of another member or members to carry on their legitimate activities, to speak or to associate with others.

For example, peaceful picketing or other activity outside a class or meeting that does not substantially interfere with the communication inside, or impede access to the meeting, is an acceptable expression of dissent. And silent or symbolic protest is not to be considered disruption under this *Code*. But noise that obstructs the conduct of a meeting or forcible blocking of access to an activity constitutes disruption.

### 4. Unauthorized Entry or Presence

No person shall, contrary to the expressed instruction of a person or persons authorized to give such instruction, or with intent to damage or destroy the premises of the University of Toronto or damage, destroy or steal any property on the premises of the University of Toronto that is not her or his own, or without just cause knowingly enter or remain in or on any such premises.

## **UCLA**

### Grounds for Discipline

#### 102.13

Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other University activities.

#### 102.14

Disorderly or lewd conduct.

#### 102.15

Participation in a disturbance of the peace or unlawful assembly.

102.16

Failure to identify oneself to, or comply with the directions of, a University official or other public official acting in the performance of his or her duties while on University property or at official University functions; or resisting or obstructing such University or other public officials in the performance of or the attempt to perform their duties.

## UQÀM

Règlement 10 sur La protection des personnes et des biens :

Section 2.1 Perturbation des activités:

Aucune personne ne peut entraver ou contribuer à entraver l'accès aux locaux, la libre circulation des personnes sur le campus ou les activités de l'Université, notamment en occupant ou en tentant d'occuper des locaux de l'Université.

## UMASS-Boston

A. Conduct Violations:

The University defines student conduct violations to include, but not be limited to, the following:

3. Disruptive conduct, including any attempt to impair, interfere with, or obstruct the orderly operations of the University community.
4. Obstruction or disruption of teaching, research, or other academic or administrative activities.
7. Trespass or unauthorized entry.
8. Unlawful assembly on University property or at a University sponsored or supervised function.

### *4.3 Summary*

As these examples demonstrate, it is common practice for universities to prohibit the disruption of normal university activities such as teaching, research, and administration. It is also common practice to prohibit students or other persons from entering and/or remaining in locations on campus to which they do not normally have access, or to which they have not been granted specific authorization to enter.

In sum, universities place limits on the rights to assembly and expression. In the first instance, assemblies and demonstrations must be “peaceful” or “lawful” to enjoy any protection at all. Beyond this, even assemblies or demonstrations that fall within

ordinary definitions of these qualifying terms are usually prohibited if they otherwise disrupt normal institutional activities.<sup>9</sup>

## **5.0 FREE EXPRESSION**

### *5.1 Right to Express Opinions*

The Open Forum generated remarkably little discussion about free expression *per se*, but expressive activities like protests, demonstrations, and occupations produced substantial exchanges. There is unanimity in the University community that its members should be free, subject to generally applicable laws, to express opinions on both internal and external matters without fear of formal discipline or other negative consequences. Overall I did not sense any substantial concern that members of the University community risk negative consequences merely for criticizing senior University administrators or for holding unorthodox views, although some students suggested that University officials had singled out certain activists for disciplinary action. Participants in the Open Forum supported the right of members of the University community to invite controversial speakers to campus and to have events featuring such speakers take place without interruption.<sup>10</sup>

### *5.2 Expression and Governance*

To the extent that free expression itself was a topic of discussion, comments focused on the limited responsiveness of governance bodies and University administrators to dissenting voices. These comments were usually expressed in terms of “root causes” that

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<sup>9</sup> . There is nothing surprising in the fact that such limits exist. Indeed, as participants in the Open Forum Academic Symposium panel on peaceful assembly noted, even constitutional and quasi-constitutional documents recognize the reasonableness of limiting rights under certain circumstances. In the Canadian and Quebec context, this fact is evident in s.1 of the *Canadian Charter of Rights and Freedoms* and s.9.1 of the *Quebec Charter of Human Rights and Freedoms*.

Section 1 of the Canadian Charter provides that rights and freedoms are subject “to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.” Section 9.1 of the Quebec Charter is similar. It provides that persons exercising their fundamental freedoms and rights “shall maintain a proper regard for democratic values, public order and the general well-being of the citizens of Quebec.” Consequently, s.9.1 stipulates that, “the scope of the freedoms and rights, and limits to their exercise, may be fixed by law.” In order to survive judicial scrutiny under either s. 1 of the Canadian Charter or s.9.1 of the Quebec Charter, limitations on rights must be proportionately related to pressing and substantial legislative objectives. Proportionality is demonstrated by establishing a rational connection between the limit and the objective, minimal impairment of the right or freedom, and collective benefits to the limit that outweigh its cost to the individual. In essence, the challenge is to balance the protection of fundamental rights and freedoms with the pursuit of critical social objectives.

<sup>10</sup> . The only condition attached to this right concerned speakers who engage in “hate speech” as defined by the Criminal Code. This is, of course, very different from speakers whose views some members of the community find objectionable or obnoxious.

might have led to incidents in which members of the university community considered it necessary to stretch expressive freedom to its limits. These comments encompassed three basic types of criticisms: representation, effectiveness and accountability. More specifically, these criticisms concerned the: (1) inadequate representation of students on the Board of Governors; (2) declining effectiveness of the University Senate; and (3) lack of accountability mechanisms for ensuring that decision-makers/administrators take external input into consideration.<sup>11</sup> In addition, many participants suggested that senior University administrators and governance bodies like the Board are isolated from the broader University community. Conversely, other participants emphasized that disagreement with administrative decisions does not in itself constitute evidence of ineffective consultation. Much of this discussion raises a fundamental questions: Are university governance structures developed approximately four decades ago consistent with the 21<sup>st</sup> century university? Do those structures generate expectations of consultation and participation (in both directions—there is often very low participation in governance bodies by the broader university community) that are not met?

### 5.3 *Summary*

In sum, the view that students, faculty and non-academic staff have the right to hold and express a broad diversity of opinions, especially on matters of internal governance and administration, is non-controversial. Consensus begins to dissolve, however, when the discussion moves to identifying appropriate limits on the time, manner and place of expressive activity. For McGill, like all universities, the challenge is to facilitate individual and collective expressions of opinion—especially dissenting opinion—while minimizing disruptions to fundamental institutional activities and ensuring respect for the right of other community members to pursue their ordinary activities without undue hindrance. This challenge is particularly difficult in a context where some members of the community consider the collective expression of dissenting opinion to be as much a fundamental institutional activity as teaching, research and service. Moreover, as suggested in the Jutras Report, striking this balance is especially difficult in the context of protests, demonstrations or occupations. Consequently, the discussion of “peaceful assembly” and the activities that are included and excluded by it attracted most of the commentary during the Open Forum.

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<sup>11</sup> . Determining the validity of these criticisms, and how best to address them if accurate, was beyond the scope of the Open Forum’s mandate and capacity. I note them here to signal that this may be an area for separate consultation with the University community.

## 6.0 PEACEFUL ASSEMBLY

### 6.1 Overview

As Abby Deshman of the Canadian Civil Liberties Association pointed out during the Open Forum Academic Symposium, peaceful assembly is an inherently group activity in which expression takes the form of action. Such action is often intentionally disruptive and occupies space that is normally used for other purposes. During the Open Forum discussions, the following opinions received frequent expression:

- *The University should be a violence-free zone.* There was no tolerance among participants in the Open Forum for activities that involve threats or use of physical force, intimidation, harassment or other forms of verbal assault.<sup>12</sup> This is the point at which everyone agreed an activity ceases to be peaceful and loses protection under University or other regulations.
- *While the absence of violence is a necessary condition for a peaceful assembly, it may not be sufficient.* Some participants in the Open Forum argued that there are levels of disruption short of violence that are not acceptable in the University context.
- *The University cannot be, or even should not be, a disruption-free zone.* Some participants in the Open Forum rejected the view that an assembly ceases to be peaceful *as soon as* it becomes disruptive. For these participants, universities must be more accepting of disruptive activity than other large and complex institutions, even while recognizing that such acceptance has limits.

Much of the discussion in the Open Forum involved the question of how much, where, and with what consequences disruptive activity can legitimately take place. Speaking at the Open Forum Academic Symposium, David Mead of the University of East Anglia characterized acceptable disruption as short-lived and incidental. Mead's characterization provides a way of thinking about the problem that might assist further deliberations within the University. Disruptive activity can be categorized according to where it lies along three dimensions: *intensity*, *intentionality*, and *duration*. With respect to intensity, disruptions can range from inconvenience to obstruction; with respect to intentionality, from incidental to deliberate. Duration contributes to the intensity of a disruption in the sense that inconveniences can become obstructions if they persist long enough. In general, the University community should be least tolerant of deliberately obstructive

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<sup>12</sup> . One questioner at the Open Forum Academic Symposium asked whether violence might be justified under certain circumstances. All three participants on the peaceful assembly panel unequivocally rejected this idea. As one said: "there is no right to engage in violent protest."

disruptions, and most tolerant of incidental inconveniences. The basic point is that tolerance should decrease as disruptions become more deliberate and obstructive.

## *6.2 Locational Considerations*

One strategy that might be adopted to minimize the inconveniences and even obstructions attached to protests or demonstrations is to designate exclusive or preferred locations where large assemblies can take place with minimal regulation by University authorities. Although some participants in the Open Forum expressed support for this idea—with James Square an obvious site—others worried that this could undermine the power of protest by marginalizing it. The obverse of this strategy is to designate certain locations where protests, demonstrations or other large gatherings are not tolerated.<sup>13</sup> Researchers, for example, expressed considerable concern about unauthorized access to laboratories or other facilities as a form of protest activity.<sup>14</sup>

### *6.2.1 The Nature of University Space*

Discussions about acceptable locations for protests or demonstrations revealed some confusion about the legal status of McGill's campuses, as well as different perceptions of the nature of space at the University. In strictly legal terms, McGill University's campuses are private property, held by the Royal Institution for the Advancement of Learning, and open to the public by invitation. This means that there is no unlimited right to enter the campuses and circulate freely on them or within their buildings. However, as a publicly funded institution whose mission includes service to society, there is a reasonable assumption of greater accessibility than might otherwise be the case. Representatives of McGill's Legal Information Clinic submitted that the concept of an inclusive university requires, as a starting point, that all space on campus be considered public. Similarly, one participant in an Open Forum meeting questioned the use of the

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<sup>13</sup> . One participant in a discussion with the Faculty of Science suggested that protests and demonstrations should be governed by the same rules that govern smoking. In other words, "no smoking allowed, no demonstrating allowed." This would effectively ban protests and demonstrations from interior spaces, as well as from exterior locations within 9 metres of a building entrance.

<sup>14</sup> . A researcher at Macdonald Campus, for example, expressed security concerns regarding greenhouses that contain Genetically Modified Organisms (GMOs). Beyond the fact that unauthorized entry into greenhouses could jeopardize ongoing experiments, there are environmental risks if GMOs are taken outside the secure facilities. I should note here that the Open Forum session held at Macdonald Campus differed markedly from the sessions held at the downtown campus. For Macdonald Campus participants, these questions seemed to constitute a "downtown campus" problem. Participants attributed the relative absence of friction at the Macdonald Campus to its smaller size and the closer relationship that exists among faculty, administrators and students. Some Macdonald Campus participants also expressed concern about a *lack* of security given the campus's physical configuration and events during the past year on both that campus and the adjacent John Abbot campus. Some Macdonald Campus participants did echo some of the views expressed at the downtown campus about general university governance and administration, including criticism of the University's communication practices during the MUNACA strike.

term “private” when referring to office spaces. In this participant’s view, these offices serve a public function quite different from spaces in, for example, private homes. Staff who experienced the occupations in November 2011 or February 2012 viewed the matter differently. To them, the entry of uninvited persons into their working space was highly disruptive and, in many cases, was experienced as threatening and dangerous.

### *6.2.2 Differentiating Space*

Notwithstanding the view expressed by some that the University should not differentiate among campus spaces with respect to assemblies, protests, demonstrations and occupations, the general tenor of discussions at the Open Forum, as well as practices at peer institutions, indicates that such differentiation is reasonable. Participants in the Open Forum recognized that the University consists of many different types of spaces, including open exterior spaces, open interior spaces, semi-private and private working space, and spaces with restricted access because they contain hazardous, sensitive or rare material that requires special protection. In this sense, location represents a fourth element in determining the degree of disruption. Activities that might be acceptable in open exterior spaces may be less acceptable in open interior spaces and perhaps not tolerated at all in semi-private or private working spaces and restricted access spaces.

## *6.3 Identity and Surveillance*

### *6.3.1 Concealing Identity*

It became apparent during the Open Forum that the level of disruption and sense of threat attached to protests, demonstrations and occupations is exacerbated for many members of the University community when protestors fail to identify themselves effectively and clearly as fellow members of the community (e.g. as students) or physically conceal their identities. There was considerable—although not unanimous—criticism by participants in the Open Forum of the use of face coverings to conceal identity. Critics suggested that the only motivation for concealing one’s identity during a protest, demonstration or occupation was to avoid detection and the consequences of engaging in activity clearly understood to be contrary to University regulations.<sup>15</sup> By contrast, some Open Forum participants suggested that protestors conceal their identity out of fear that their dissent makes them targets for prejudicial treatment. There was little consensus on how to respond to the practice of identity concealment, although sentiment toward the practice was more negative than positive. However, participants in the final Open Forum session pointed out the significant difficulties in framing regulations on the use of face coverings that are sensitive to various issues such as religious practice.

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<sup>15</sup> . As reported in the Jutras Report, some participants in the November 10 occupation, “worried about being recognized or about the potential consequences of their actions covered their faces with bandanas, and hoods or hats.” *Jutras Report*, p. 21.

### 6.3.2 *Surveillance*

As noted in the Jutras Report, there is a close connection between the phenomenon of demonstrators' concealing their identity and enhanced surveillance of public events, including protests and demonstrations.<sup>16</sup> Although informal surveillance of such events by curious observers with handheld video and still cameras is part of this equation, of more interest is the increase in both passive and active formal surveillance. Passive surveillance refers to the use of devices like closed circuit cameras to monitor exterior and interior spaces; active surveillance, refers to the recording of ongoing events by security personnel or other University officials. Open Forum participants expressed less concern about passive surveillance, which is seen as an indispensable instrument for protecting persons and property on university campuses.<sup>17</sup> There was more criticism of active surveillance out of concern that its purpose is as much intimidation (which can have a chilling effect on legitimate protest and demonstration) as it is protection of persons and property. However, for both active and passive surveillance the key issues are access to recordings, how long they are preserved, and the purposes for which they are used. The University community needs to be confident that surveillance recordings are made, kept, and used only for legitimate purposes such as documenting violations of University regulations and harmful actions against persons and property.

### 6.3.3 *Securitization*

Surveillance by electronic or mechanical means is not the only means of documenting activity in breach of University or civil regulations: there is an important role to be played by human observation, including by security personnel. McGill Security Services came under intense scrutiny and pressure during the 2011-12 academic year. "Securitization of campus" was a commonly heard phrase during the Open Forum meetings. While no participant precisely defined this phrase, it appears to mean some combination of: (1) an increase in the number of security personnel; (2) the presence of security in previously unsecured areas of the campuses; and (3) more aggressive enforcement activities such as enhanced surveillance and reporting. It is likely that all three phenomena occurred as a result of the Fall 2011 labour dispute, increased construction on the campuses, and demonstration activities associated with tuition fee protests.

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<sup>16</sup> . According to the testimony of one of the November 10 occupiers, three occupiers entered the James Building with their faces concealed precisely to avoid security cameras and remain anonymous. However, according to this testimony, only one occupier remained masked throughout the entire incident: <http://independentstudentinquiry.blogspot.ca/2011/11/interview-7-matthew-crawford.html> at 1:24-1:46. (Accessed 13 August, 2012).

<sup>17</sup> . Professor Bruce Ryder also articulated this view during the academic symposium.

If Security Services is going to play a role in enforcing the Code of Student Conduct, its personnel, including both those employed directly by the University and those provided by external contractors, must be well trained in the substance of the Code. They must also have a good understanding of the nature of disciplinary proceedings, including the role played by incident reports. Indeed, the entire University community has a vested interest in ensuring that security personnel have the ability to prepare accurate incident reports that clearly document events and accurately identify participants. Ensuring this enhances the integrity of the disciplinary process, protects individuals from being incorrectly identified as contravening the Code, and reduces the need to rely exclusively on electronic or mechanical means of surveillance.

#### *6.4 Disciplinary Procedures*

##### *6.4.1 Support for Consequences*

The importance of a procedurally sound disciplinary process stems from the widespread understanding that individuals should expect consequences when they obstruct University activities. Participants in the Open Forum recognized that students and others will occasionally take direct action—including highly disruptive action—against decisions with which they disagree, but most were also clear that such actions should result in disciplinary action under appropriate University regulations. To be sure, the possibility of discipline may deter some individuals from participating in disruptive direct action, but the basic theory of civil disobedience anticipates that individuals who believe that their cause is just are willing to accept the consequences of advocacy activities that exceed permissible limits.

##### *6.4.2 Civil Disobedience*

In this context, it seems worthwhile to reflect on the time-honoured concept of civil disobedience. Civil disobedience is the intentional infringement of existing norms, laws or regulations to elicit an enforcement or disciplinary response that illustrates the allegedly unjust nature of those norms, laws, regulations or other actions of authority. Declaring an act to be civil disobedience does not exempt its participants from disciplinary action; indeed, this would negate the very point of engaging in civil disobedience.

Under normal circumstances protests and demonstrations are not themselves acts of civil disobedience: they are legitimate forms of expressive activity. It is only when a protest or demonstration takes a disruptive form previously defined as unacceptable by authorities that it becomes civil disobedience, and participants in such actions should not be surprised if there are legal or disciplinary consequences. Indeed, commitment to the rule of law requires that this be the case.

### *6.4.3 Clarifying Disciplinary Circumstances*

It is important that the circumstances under which disciplinary action will be taken be clearly defined and that University regulations be applied consistently and non-arbitrarily. The Open Forum discussions indicate that the University community accepts the necessity of limits, and that most recognize that the peaceful/non-peaceful line is more complicated than a simple distinction between violent and non-violent. In fact, as reported above, the distinction is based on a complex calculation involving intentionality, intensity, duration and location. Although this makes it difficult to define limits precisely, it is apparent that McGill's Code of Student Conduct and Disciplinary Procedures and its Charter of Student Rights are inadequate in this respect. In particular, the conduct offenses of "disruption," "unauthorized entry and/or presence," and "unauthorized or fraudulent use of university facilities, equipment or services" need to be better defined. In this respect, the "Provisional Protocol Regarding Demonstrations, Protests and Occupations on McGill University Campuses" was intended to provide clearer notice of the types of activities that University authorities will consider appropriate for disciplinary action.

## **7.0 PROVISIONAL PROTOCOL REGARDING DEMONSTRATIONS, PROTESTS, AND OCCUPATIONS ON MCGILL UNIVERSITY CAMPUSES**

### *7.1 Origins and Content*

On February 12, 2012 the administration issued a provisional protocol to inform the University community about it "will respond to actions that contravene internal regulations and policies...or any federal or provincial laws or municipal bylaws" (Appendix D; hereafter referred to as the Demonstration Protocol). The Demonstration Protocol affirmed that "demonstrations and protests may occur and will not be interfered with unless they" exhibit any of seven specified characteristics. The Demonstration Protocol articulated a zero tolerance policy for occupations of "private offices or spaces, classrooms, laboratories or libraries, or other restricted areas." The Demonstration Protocol also made it clear that civil authorities would be called if circumstances warranted.<sup>18</sup>

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<sup>18</sup> . It is important for the University community to know that University authorities will, if necessary, rely on external authorities, such as the police, to respond to highly disruptive events. Although some members of the community expressed the view that the police should never enter McGill's campuses, this position is unrealistic and, in my view, wrong in principle. However, clear protocols and lines of authority for calling upon external authorities should be developed. Indeed, s.14(b) of the Code of Student Conduct anticipates reliance on civil authorities in certain circumstances.

## *7.2 General Discussion*

The Demonstration Protocol was the subject of considerable discussion during the Open Forum sessions, including the academic symposium. Many community members criticized both the protocol's substance and the absence of consultation in establishing it. Other community members praised the protocol's intention to clarify for potential participants in demonstrations, protests and occupations where precisely the University administration intended to draw the line between acceptable and unacceptable activity. Nevertheless, even these speakers suggested that the provisional protocol needed further clarity in order not to have a chilling effect on legitimate protest activity.

## *7.3 Consistency with Views Expressed*

Certain elements of the Demonstration Protocol are broadly consistent with views articulated during the Open Forum. For example, most participants in the Open Forum considered occupations to be beyond the limits of acceptable disruption by virtue of their intentionality, intensity, duration, and location. Indeed, some Open Forum participants suggested that occupations are inherently aggressive, and that the concept of a "peaceful occupation" is an oxymoron. Similarly, "explicit or implicit threats to persons" is clearly considered outside the bounds of acceptable protest behavior by members of the University community. Such threats increase the likelihood of violence, and are completely inconsistent with the concept of "peaceful assembly." Finally, there is little tolerance for protest activities that interrupt teaching activities or prevent students and faculty from accessing classrooms.

## *7.4 Mitigating Chilling Effects*

At the Open Forum academic symposium, Professor Bruce Ryder of Osgoode Hall Law School characterized the Demonstration Protocol as a "good start," but criticized its somewhat lukewarm affirmation of ordinary protest and demonstration activity. One approach to remedying this aspect of the Protocol might be to follow the University of Toronto example and clarify those activities that are clearly exempt from disciplinary action. This removes some level of uncertainty around protests and demonstrations, thereby lessening the potentially chilling effect of the Demonstration Protocol. In any event there is a good argument for clarifying the acceptable limits of protest and demonstration activities in the Code of Student Conduct and Disciplinary Proceedings through the University's ordinary consultation and governance processes. This should become a priority of the review of the Code now underway, even if it means extending the timeframe of that review.

## **8.0 PROVISIONAL SECURITY PROTOCOL FOR JAMES ADMINISTRATION AND ANNEX BUILDING**

### *8.1 Origins and Content*

Following the occupation of the 6<sup>th</sup> floor of the James Building in February, 2012 the University administration issued a provisional security protocol governing access to the James Administration and Annex Buildings (Appendix E; hereafter referred to as the James Protocol). In essence, access to the James Building went from being entirely open to highly controlled. The James Protocol placed the building on permanent card access, stationed a security officer at the main entrance to the James Building, and stationed an information officer in the lobby of the building. The information officer's task is "to receive and assist visitors and ensure that only individuals who have [pre-arranged] business in the building are given access." For "unexpected (drop in) visitors," the provisional protocol requires "clearance by the unit before being allowed to proceed to the unit or office they are visiting."

### *8.2 General Discussion*

It became apparent during the Open Forum sessions that the James Protocol was an irritant for many who had experienced it. There were two principal criticisms of the James Protocol: (1) that it exacerbates the sense of separation between the senior administration and the rest of the University, especially students (a "fortress mentality"), and (2) that it treats all visitors to the James Building as potential threats. Participants in the Open Forum expressed the view that, while such restricted access to administrative offices might be appropriate in other contexts, it is inconsistent with the norms of a university community.

### *8.3 Practices at Other Institutions*

In order to compare the James Protocol with practices at other institutions, I requested information from other universities about access regulations and practices for their main executive administrative buildings.<sup>19</sup> Only one of those institutions reported access policies similar to McGill's James Protocol, policies that this institution also implemented as a temporary measure in response to specific events. In fact, that institution's regulations go even further than McGill's by prohibiting students or members of its student association from entering the area where its senior administrative offices are located; all meetings between senior administration and students are held

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<sup>19</sup> . I contacted six institutions, all North American research universities in urban settings. Only one institution declined to respond to my inquiry. I do not identify these institutions to preserve the confidentiality of their responses.

outside of those offices.<sup>20</sup> However, none of the other universities contacted reported the regular presence of security personnel at the entry to these buildings, nor a requirement that visitors register or provide evidence of an invitation for general access to the buildings during regular business hours. All of the universities, however, reported that entry to the private offices or office suites of senior administrators is by card access only. Three institutions indicated the presence of systems to lock down the entire building and separate areas within it in the event of emergency situations. At another institution, there is a reception area equipped with a “panic button” that can lock the building’s access doors. All of the institutions report that enhanced security measures are in place around their central administrative buildings during specific protest or demonstration events.

#### *8.4 Recommendation*

Based on the information available to me, the provisional security protocol for access to the James Building appears in some respects more restrictive than one finds at other similar institutions. My recommendation is that the senior administration reconsider the James Protocol.<sup>21</sup> Some measures it might consider include:

- Continuing the practice of having a single point of public access to the building, but removing its card access only status.
- Removing the security officer from the public access point.
- Retaining an information/reception desk to welcome visitors, provide information, and monitor entry and exit.
- Conducting a review to determine whether the ability to secure access to the building or areas within it needs to be revised.

However, given the criticism heard during the Open Forum of deliberate actions to obstruct the University’s normal functioning heard during the Open Forum, it would be reasonable in the future for the James Protocol measures to be reintroduced temporarily in response to highly disruptive events.

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<sup>20</sup> . This institution’s registrar’s office also has a quick lock down mechanism that employees can activate if they perceive a threat.

<sup>21</sup> . Some elements of the James Protocol were adjusted in September, 2012. While these adjustments move in the direction of the recommendations here, they may not go as far as some members of the community would like, based on comments made during the Open Forum.

## **9.0 CONCLUSION AND SUMMARY OF RECOMMENDATIONS**

### *9.1 Commitment to Free Expression, Peaceful Assembly and the University's Mission*

Members of the McGill community, including faculty, students, academic administrators, and non-academic staff, are committed to diversity of opinion and the freedom to express that diversity in multiple ways, including through protests, demonstrations, and the presence on our campuses of controversial speakers. They are also committed to serving the University's missions of teaching, research, and service to both the internal and external community. These two commitments come into conflict when the time, manner and place of expressive activity disrupt normal University activities. Although some participants in the Open Forum reconciled these two commitments by equating protest and demonstration activity with a civic teaching function, other participants expressed frustration that existing regulations do not address how these two commitments should be balanced. Most obviously, the Charter of Student Rights and the Code of Student Conduct and Disciplinary Proceedings simultaneously protect peaceful assembly and prohibit disruptive activity without providing clear guidance on the point at which peaceful assembly becomes disruptive activity that merits disciplinary consequences.

### *9.2 Absence of Clear Guidance*

I would be pleased to report that the Open Forum provided such clear guidance, but that is not the case except in a very limited sense. It is clear that violent activity—broadly defined as threat or use of physical force, intimidation, harassment or verbal assault—lies outside the University community's understanding of peaceful assembly. Beyond this, the views expressed during the Open Forum suggest that the tipping point from peaceful assembly to unacceptable disruption depends on a complex combination of the intentionality, intensity, duration, and location of a protest activity. Unacceptable disruption certainly occurs when these factors combine to render impossible the normal operation of a core University function, as is usually the case during occupations.<sup>22</sup> At the same time, there is a clear sense within the community that protests and demonstrations are legitimate forms of expressive activity, and that they will from time to time involve disruptions to normal operations. Not every instance of such disruption should entail disciplinary proceedings.

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<sup>22</sup> . The use of the term "occupation" rather than "sit-in" is an interesting contemporary development. "Sit-ins" have a relatively long history as a method of campus protest that has often been tolerated in practice. It is unclear whether "occupation" is simply a new term for an old practice, or whether it represents a new form of protest. In any event, it remains the case that intentionality, intensity, duration and location are the key factors in determining the acceptability of disruptive activity.

### 9.3 *Recommendations*

There does not exist, either in society generally or in North American universities, an unlimited right to protest or to demonstrate. In the University context, vagueness about the line separating acceptable from unacceptable action should be avoided, for two reasons. First, the uncertainty that this generates within the community can have a chilling effect on legitimate forms of expressive activity; second, it can have tragic consequences when disciplinary action is taken in circumstances where it is not expected.

#### 9.3.1 *Clarifying the Code of Student Conduct*

My first recommendation is that the process currently underway to revise the Code of Student Conduct should be extended to add a “For the purposes of greater clarity” section that would clarify the meaning of sections 5, 6 and 10. This clarification should both identify activity that is clearly exempt from disciplinary proceedings and activity that is by definition included within those sections. The process should pay particular attention to the elements of intentionality, intensity, duration, and location.

*Recommendation 1: The Code of Student Conduct should be clarified with regard to sections 5, 6 and 10 of the Code, namely “disruption”, “unauthorized entry and/or presence” and “unauthorized or fraudulent use of University facilities, equipment or services”*

#### 9.3.2 *Revising the James Protocol*

Some members of the University community clearly feel isolated from the senior administration, a perception that the James Protocol exacerbates. I therefore recommend that it continue to be reconsidered and further revised where necessary. Senior administrators should also undertake actions to engage in more informal dialogue with members of the University community. Many participants in the Open Forum spoke about regular office hours or drop-in sessions, where issues could be raised outside of highly formalized governance bodies. However, University administrators have both the responsibility and prerogative to make decisions in the University’s interests in relation both to internal and external matters, and no matter how much formal or informal consultation takes place, members of the community will disagree with some of those decisions. Their disagreement may reach the point where demonstrations and protests take place. The University community should not be surprised by such activity, nor by efforts to minimize its disruptive impact on core University functions such as teaching, research, and the provision of services.

*Recommendation 2: The James Protocol should be revised or reconsidered with a view towards adopting a less restrictive approach to access and security.*

### *9.3.3 Enhancing Security Training*

My final recommendation emerging from the Open Forum concerns McGill Security. McGill Security personnel exercise important responsibilities, sometimes under very difficult circumstances. They are usually at the forefront during protest and demonstration situations, charged with protecting individual members of the community (including protestors and demonstrators) and University assets. They are often the first to witness behavior that potentially violates University regulations. In order to ensure the accuracy and integrity of any subsequent disciplinary proceedings, security personnel must be well trained in the substance of University regulations and the preparation of incident reports. I recommend that McGill Security Services review its training program for both permanent and temporary personnel to ensure that this is the case. McGill Security services, along with the senior administration, should also review any standing protocols on the use of electronic surveillance.

*Recommendation 3: McGill Security Services should review their training program for both permanent and temporary personnel in order to ensure accuracy and integrity in the case of incident reports and disciplinary proceedings.*

### *9.4 Concluding Remarks*

Ultimately, there is no substitute for transparency and mutual respect, especially when the University community finds itself divided—often seriously—over either internal or external matters. In these instances, there must be respectful recognition of the rights to free expression and peaceful assembly, including protests and demonstrations. At the same time, protestors and demonstrators must respect the fact that other members of the community simply prefer to teach, learn, research, and serve with minimal disruption. If this attitude of transparency and mutual respect exists, then reliance on disciplinary intervention to manage conflict becomes less necessary.

## APPENDIX A

### Open Forum Terms of Reference

#### Members of Open Forum Advisory Group

##### **Mandate**

Consistent with Recommendation 1 of the Jutras Report, to the effect that “University authorities should provide and participate in a forum open to all members of the University community to discuss the meaning and scope of the rights of free expression and peaceful assembly on campus,” the Principal has given Professor Christopher Manfredi, Dean of the Faculty of Arts, the mandate to chair an Open Forum series on “Free Expression and Peaceful Assembly.” Members of the senior administration will participate in the Open Forum to hear from the community on these matters.

The purpose of the Forum will be to hold open discussions on the meaning, scope and protection of free expression and peaceful assembly on McGill’s campuses. The Open Forum itself is intended to be an opportunity for ethical and engaged participation in discussing and understanding free expression and peaceful assembly at McGill University. To this end, the Open Forum will be open to the participation of the entire University community in order to capture a diversity of participants and voices across the broad spectrum of our community.

##### **Process**

The Open Forum will consist of three components:

1. A half-day formal academic conference on free expression and peaceful assembly, open to all members of the University community, involving participants from within and outside McGill University;
2. Four open meetings, one of which will be held at the Macdonald Campus, to hear University community members’ views on free expression and peaceful assembly at McGill.
3. A conspicuous web and social media presence.

The Chair will be responsible for ensuring the effective operation of the Open Forum and for reporting on its proceedings to the University’s administrative and governance bodies.

The Chair will benefit from the assistance of an Advisory Group of nine (9) members, selected as follows

- Three (3) members appointed by Senate;
- Three (3) members appointed by the Board of Governors;
- Three (3) members appointed on the recommendation of the Chair.

At least two members of the Advisory Group will be students, one of whom will be appointed by Senate. At least one member of the Advisory Group will be a member of the administrative and support staff.

The Advisory Group will be responsible for:

- Advising on the nature of the academic conference and invited participants;
- Advising on the timing, location, and general themes of each of the open meetings;
- Encouraging broad participation from all members of the University community;
- Providing comments to the Chair after each open meeting;
- Providing comments on any written reports prepared by the Chair.

The Chair will be provided appropriate support, including:

- Logistical and administrative support to assist in planning, organizing and reporting for the academic conference and open meetings;
- Research support to assist in providing background material, especially with respect to policies and practices at peer universities;
- Technical support, to create and maintain a dedicated web site, blog and other social media for communicating with and receiving input from the University community.

### **Reporting**

Consultations with the community will begin in February 2012, and be concluded no later than June 8th, 2012. The Chair will provide periodic updates on the Open Forum to the University community and McGill's governing bodies.

The Chair will provide a written report to the Principal no later than October 8th, 2012. The report will provide a summary of the views heard, together with any recommendations that the Chair, in consultation with the Advisory Group, considers warranted by the input received. The Principal will share the report with the University community and McGill's governing bodies.

### **Advisory Group Members**

- Mr. Gerald Butts (Board of Governors)
- Dr. Gary Pekeles (Board of Governors)
- Ms. Sally McDougall (Board of Governors)
- Mr. Josh Redel (Senate)
- Ms. Mary Jo McCulloch (Senate)
- Dr. Elaine Davis (Senate)
- Ms. Haley Pinel (Chair Selection)
- Ms. Dia Dabby (Chair Selection)
- Prof. Michel Biron (Chair Selection)

Appendix B

Open Forum

List of Supplementary Meetings

Date	Group
March 16	Desautels Faculty of Management Council
April 11	MAUT Council
April 13	Faculty of Science Chairs' Meeting
April 26	Authors, Independent Student Inquiry into Events of Nov. 10
June 5	Directors, McGill Legal Information Clinic

Appendix C  
Institutional Documents Consulted

McGill University

Code of Student Conduct and Disciplinary Procedures  
Charter of Student Rights  
Provisional Protocol regarding Demonstrations, Protests, and Occupations on McGill University's Campuses  
Provisional Security Protocol for James Administration and Annex Building  
Regulation on the Conduct of Research  
MUNACA Collective Agreement

Université du Québec à Montréal (UQÀM)

Charte des droits et des responsabilités des étudiantes et des étudiants  
Règlement 10 sur La protection des personnes et des biens

Concordia University

Code of Rights and Responsibilities  
Security Policy

Université de Montréal

Politique sur les droits des étudiantes et des étudiants de l'Université de Montréal

Dawson College

Code of Conduct

University of Toronto

Code of Student Conduct  
Statement on Freedom of Speech  
Policy on the Disruption of Meetings

University of Calgary

Academic Regulations  
Statement on Principles of Conduct  
Non-Academic Misconduct Policy

University of British Columbia

Student Code of Conduct  
Policy on Academic Freedom  
UBC Statement on Respectful Environment for Students, Faculty, and Staff

Michigan State University

General Student Regulations  
Student Disorderly Conduct Policy  
Academic Freedom for Students at Michigan State University  
Ordinances, section 15 on Disorderly Assemblages and Conduct

University of California (Los Angeles)

Student Conduct Code  
Policy on Student Conduct and Discipline  
Policy on Speech and Advocacy  
UCLA Regulations on Activities, Registered Organizations, and Use of Properties

University of Massachusetts (Boston)

Code of Student Conduct  
University Policy Against Intolerance  
Guidelines for Response to Demonstrations on University Property

Ohio State University

Code of Student Conduct

## APPENDIX D

### Provisional Protocol Regarding Demonstrations, Protests and Occupations on McGill University Campuses

McGill University strives to be a place for open and frank dialogue, both inside and outside the classroom, with opportunity for the respectful and civil expression of a variety of opinions. As recommended by the Jutras Report, the University is currently embarking on a comprehensive consultation process and dialogue into the ways in which freedom of speech, freedom of expression, and peaceful assembly can be protected as appropriate means of protest and dissent on our campuses.

As we await the results of this important process, the community needs to know how the administration will respond to actions that contravene internal regulations and policies, such as those contained in the Administrative Handbook and the Handbook on Student Rights and Responsibilities, or any federal or provincial laws or municipal by-laws.

To meet this obligation, the following provisional protocol regarding demonstrations, protests, and occupations has been developed.

**Demonstrations and protests** may occur and will not be interfered with unless they:

- compromise the University's ability to maintain a safe and secure environment for all members of the McGill community and for visitors to our campuses;
- impede the conduct of University activities, such as teaching, research, support services, administration, or other meetings and events duly authorized by the University;
- involve explicit or implied threats to persons;
- pose a risk to University property or assets;
- occur in private offices or spaces, classrooms, laboratories or libraries, or restricted areas;
- obstruct access to, or egress from, buildings or spaces inside them that are generally open to members of the University community;
- continue beyond the normal operating hours of the University facilities in which they occur.

If a demonstration or protest takes place, McGill Security Services will monitor the situation. If demonstrators or protesters refuse to comply with instructions from Security Services personnel, appropriate actions will be taken, including calling civil authorities, if necessary.

**Occupations** of private offices or spaces, classrooms, laboratories or libraries, or other restricted areas will not be tolerated. If any type of occupation occurs and the occupiers refuse to leave when requested to do so, civil authorities will be called.

**Demonstrators, protesters, and occupiers** are responsible for their actions. Depending on the circumstances, behaviours that contravene this protocol may lead to disciplinary measures under McGill regulations and policies covering students, faculty, and administrative and support staff or under civil or criminal law.

12 February 2012

## APPENDIX E

### Provisional Security Protocol for James Administration and Annex Building

#### **Accessing the James Administration and James Annex**

The building will be on permanent card access with security officers stationed at all perimeter doors.

- The front doors of the James Administration and James Annex will be the only points of entrance and exit for all staff and visitors. Should access to the front doors be blocked or impeded, please go to the nearest security agent who will assist you to access the buildings.
- Building staff should make arrangements for non-building residents who have regular business in the building to be given card access. *Note: The Building Director, Rosemary Cooke, should be contacted to make these arrangements.*

#### **Scheduled Visitors or Deliveries**

- Deliveries must check in at the front entrance of the James Administration building before proceeding to the loading dock.
- Visitors with disabilities or who require facilitated access should also come to the front door of the James Administration building and will be assisted from there.
- An information Officer will be stationed in the lobby of the James Administration building at the Information Desk between 8:30 a.m. and 4:30 p.m. Monday to Friday. The Information Officer will receive and assist visitors and ensure that only individuals who have business in the building are given access.
- If visitors are expected outside of the core business hours of 8:30 a.m. to 4:30 p.m. then arrangements should be made by the units to meet their visitors in the front lobby and escort them to the meeting location.
- Building units are asked to provide a list of visitors for the following day to the Information Officer by 3:00 p.m. daily. The list should be sent to the [jamesinfodesk.vpf@mcgill.ca](mailto:jamesinfodesk.vpf@mcgill.ca) with the name of the unit and the date of the meeting clearly displayed.
- In the event that meetings are scheduled at the last minute then please notify the Information Officer either by phone at 514.398.1774 or by email at [jamesinfodesk.vpf@mcgill.ca](mailto:jamesinfodesk.vpf@mcgill.ca) as soon as possible to advise them of the names of your expected visitors.

#### **Contact Information for the Information Desk**

- The Information Desk phone number is 514.398.1774.
- The email address is [jamesinfodesk.vpf@mcgill.ca](mailto:jamesinfodesk.vpf@mcgill.ca) and will be displayed as James Info Desk in the Address Book.

### **Unexpected Visitors**

Please note that unexpected (drop-in) visitors will require clearance by the unit before being allowed to proceed to the unit or office they are visiting. The Information Officer will call the unit or office to obtain the clearance.

We request therefore that Units / Offices provide to the Information Officer the name and number of a contact that can be reached at all times as well as a list of staff members within the unit, their phone numbers and room numbers. We request that you please send this information to [jamesinfodesk.vpf@mcgill.ca](mailto:jamesinfodesk.vpf@mcgill.ca) immediately