



April 23, 2021

Dear Colleague,

I am following up on the letter I wrote to you on April 20, 2021, to let you know that the Council of the Canadian Association of University Teachers voted yesterday to impose censure on the University of Toronto. This action pertains to their concerns about academic freedom in the search for the Director of the International Human Rights Program (IHRP), a PM4 administrative position in the Faculty of Law.

I am extremely disappointed by CAUT's decision. As I stated to you – and to the leadership of CAUT when we met [last week](#) – the University had responded to the controversy by appointing the Honourable Thomas A. Cromwell, CC, a former justice of the Supreme Court of Canada and an individual of unimpeachable integrity, to undertake an impartial, independent review. His brief: to assemble the facts and determine the basis for the former Dean's decision not to appoint the search committee's preferred candidate; to determine whether there was a failure to uphold any University policies, including our commitment to academic freedom; and to provide advice to me on how to improve our own search processes and address any other matters identified in the review.

This he did, finding that no formal offer of appointment had been made, accepted or rescinded. He also found that the inference made by some observers that the candidate's academic freedom had been breached was not supported by the evidence, and that external influence had not played a determining role in the decision to discontinue the recruitment process. Mr. Cromwell did, however, identify several significant shortcomings in the hiring process, and highlighted important concerns about the behaviour of some university officials involved in fundraising.

Mr. Cromwell is the only person who has had full access to all relevant materials in this case and the only person who was in contact with all the relevant participants in the process. I have accepted all the findings and recommendations of his review – including the need to reaffirm and ensure that inappropriate external interference into hiring processes will not be tolerated – and the University is committed to addressing all the areas for improvement he identified.

Given Mr. Cromwell's findings, and the fact that the University has accepted and is implementing all his recommendations, I am dismayed and disappointed that the CAUT Council would nevertheless impose censure on this University.

The University will continue on the course it has set for itself, basing its actions on the authoritative evidence that has been placed before it, working conscientiously to improve its practices where they have been found wanting, and defending the principles of academic freedom and merit-based hiring that are so central to the life and values of our community.

Sincerely,

Meric S. Gertler  
President