

February 26, 2015

Indira Samarasekera
President
University of Alberta
2-24 South Academic Building
Edmonton, Alberta, T6G 2G7

Dear Dr. Samarasekera,

Re: Upholding the Rule of Law against the Destruction of Property

We write on behalf of Go-Life, a University of Alberta campus club that has been repeatedly victimized by property damage, theft and vandalism during this 2014-15 academic year.

In respect of an authorized campus event on September 25, 2014, members of Go-Life put up 900 small posters (8.5 x 11 sheets of paper) to advertise their event in all major buildings on campus. Within roughly eight hours of having been posted, almost all of these posters were torn down and removed. Go-Life spent \$80 for these posters, and Go-Life's members spent, collectively, a total of 20 hours to put up these 900 posters.

To promote a second authorized event held on January 15, 2015, members of Go-Life once again put up posters, 1,200 this time, all around the U of A campus. They spent \$90 dollars and, collectively, 27 hours, acquiring and putting up these posters. Yet again, within hours of being posted, nearly all of the posters had been torn down.

Go-Life members planned a third authorized event on February 11, 2015, and again invested substantial time (27 hours) and money (\$110) to place 1,300 poster around the U of A campus to promote their event. But again, within approximately eight hours of having been posted, hardly a poster remained.

In total, Go-Life has suffered a financial loss of approximately \$280 and the loss of approximately 75 hours of time in putting up the posters. Virtually all of this money and time was wasted, insofar as the posters had very little impact in serving their intended purpose, that of notifying members of the University Community about the authorized events of a University of Alberta campus club.

On February 10, 2015, Go-Life learned that Claire Edwards was one of the persons who had been tearing down Go-Life's posters, by virtue of a Facebook post in which she admitted tearing down the posters.

Go-Life provided this evidence to Protective Services on February 10, 2015. Sixteen days have elapsed since this evidence was presented to Protective Services, yet it appears that Protective Services has not taken any substantive action in respect of the destruction, theft and vandalism of Go-Life's property.

On Tuesday, February 24, four members of Go-Life met with a representative of Protective Services, Stephanie Hartwig. Ms. Hartwig advised Go-Life that Protective Services was seriously contemplating the option of not proceeding with any disciplinary measures against Claire Edwards, in spite of evidence that Claire Edwards, by her own admission, has destroyed, vandalized or stolen property on campus that did not belong to her.

All students at the University of Alberta have a right to feel safe and secure on campus, regardless of the beliefs or opinions those students may adhere to. The theft, destruction, vandalism, or unauthorized removal of a student's property, whether for political or ideological reasons or for any other reason, should not be condoned by Protective Services.

Apart from the *Criminal Code* provisions regarding theft and property damage, which expressly prohibit Ms. Edwards' conduct, the University of Alberta's own *Code of Student Behaviour* also prohibits the behaviour engaged in by Ms. Edwards:

30.3.5(1) a No Student shall possess, misappropriate, convert, destroy or otherwise damage University property or the property of any other member of the University Community.

...

30.3.6(2) a No Student shall engage in conduct that violates any municipal by-law, Provincial or Federal statute or regulation, or University regulation (Rules External to the Code). Conduct that breaches Rules External to the Code shall be deemed to be an offence under this Code and shall be subject to the disciplinary and appeal processes set out in this Code, if the conduct has a real and substantial link to the University, University Activities, the University Community, or University-related Functions, whether or not the conduct occurred on or in relation to University property.

Members of Go-Life have the same right as all other students on campus to be safe from theft, vandalism, and property damage. Criminal behaviour, and violations of the *Code of Student Behaviour*, are not justified by virtue of a political or ideological motivation.

For Protective Services to condone the behaviour of Claire Edwards out of sympathy for her motivation (namely, her disagreement with Go-Life's beliefs) sends a message to all students that it is acceptable to misappropriate, convert, destroy or otherwise damage the property of other members of the University Community that you disagree with. I trust that this is not a message

that you, as President of the University of Alberta, wish to see promoted or accepted on campus. Hopefully, Protective Services will also realize that condoning non-academic misconduct and criminal conduct for ideological reasons is destructive to the rule of law, on which all students rely for their protection and security.

I write to request that you and the administration of the University of Alberta, including Protective Services, uphold the rule of law on campus, and apply the *Code of Student Behaviour* fairly and equally to all students.

In cases like this one, where there is compelling evidence that a student has engaged in conduct which violates both the *Criminal Code* and the *Code of Student Behaviour*, a person's beliefs or ideological motivation should not be accepted as a justification for such conduct.

At the very least, the University of Alberta can and should require that Ms. Edwards provide fair and just compensation to Go-Life in respect of its \$280 in property damage, and the 75 hours of labour that club members expended in vain.

I look forward to receiving your response.

Yours truly,

John Carpay, B.A., LL.B.
President
Justice Centre for Constitutional Freedoms

cc. Go-Life
Ms. Grace Berry, Acting Director of University of Alberta Protective Services,
Mr. Brad Hamdon, General Counsel, University of Alberta