

*Court file no.*

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

KEVIN ARRIOLA AND ALEXANDRA GODLEWSKI

Applicants

and

RYERSON STUDENTS' UNION

Respondent

APPLICATION UNDER section 97 of the *Court of Justice Act* and rule 14.05 of the *Rules of Civil Procedure*.

**AFFIDAVIT OF KEVIN ARRIOLA**

I, Kevin Arriola, of the City of Toronto, MAKE OATH AND SAY:

1. I have personal knowledge of the matters and facts hereinafter deposed to by me, except where same are stated to be based upon information and belief, in which cases I believe them to be true.

The Applicants

2. I am a full-time student at Ryerson University currently in my fourth year of Politics and Governance (BA). I serve as the President of The Men's Issues Awareness Society at Ryerson ("MIAS").
3. Alexandra Godlewski is a full-time student at Ryerson University, currently in her fourth year of Journalism (BA). Ms. Godlewski serves as the Social Media Executive of MIAS.
4. MIAS is a student group established in 2015 by students at Ryerson University to host discussions and bring social awareness to issues that disproportionately affect men and boys, such as higher rates of suicide, homelessness, workplace injuries and failure in school.

## The Respondent

5. The Ryerson Students' Union ("RSU") is a corporation pursuant to the *Corporations Act*, R.S.O. 1990, c. C.38. RSU is a student government organization representing all full-time undergraduate and graduates students enrolled in Ryerson University. RSU is funded by mandatory fees collected from students by Ryerson University and then transferred to RSU.
6. In its *Policy Manual* (attached as **Exhibit "A"** to this affidavit), RSU recognizes freedom of speech and peaceful assembly as fundamental human rights and states that "the university campus should be a place where students can access these rights..."; see *Policy Manual* at page 11. The *Policy Manual* also states that RSU supports and recognizes students' fundamental rights of freedom of conscience and religion, freedom of thought, belief, opinion and expression, freedom of assembly, and freedom of association; see *Policy Manual* at page 87.
7. RSU recognizes over 80 student groups which promote a broad range of diverse religions, cultures, activities, ideologies and views; see list of currently recognized RSU student groups, copied from <http://rsuonline.ca/Student-Group> on March 3, 2016, attached as **Exhibit "B"** to this affidavit. In its *Student Group Policy*, RSU requires that a student group's "actions must not be contrary to the *Ontario Human Rights Code*, RSU or the University's policies." Neither RSU nor Ryerson University policies place any ideological requirements on recognized student groups; see *Policy Manual* at page 102; see also *RSU Student Groups Policies* from <http://files.cfsadmin.org/file/rsu/b1402d9ab39697f264ab594f9273f8480c9ffa11.pdf>, attached as **Exhibit "C"** to this affidavit. In fact, the Ryerson University specifically promotes and defends students' freedom of expression; see excerpt from Ryerson University's *Student Code of Non-Academic Conduct* attached as **Exhibit "D"** to this affidavit; see also Ryerson University's *Statement on Freedom of Speech* attached as **Exhibit "E"** to this affidavit.

8. RSU provides recognized student groups with funding, along with numerous other the benefits including advertising, facility booking and event approval, as listed at <http://rsuonline.ca/Campus-Life/RSU-Student-Groups/Policies-Risk-Management> (a copy of this webpage is attached as **Exhibit “F”** to this affidavit). These benefits are described in the listed policies: *Facilities Booking and Events Policy*, attached as **Exhibit “G”** to this affidavit; *Funding Policy*, attached as **Exhibit “H”** to this affidavit; and *Advertising Policy*, attached as **Exhibit “I”** to this affidavit.

The Decision to Reject MIAS’ Application for Student Group Recognition

9. I worked with the RSU Campus Groups Administrator, Leatrice O’Neill, to create a constitution for MIAS that met RSU requirements; see email exchange with Ms. O’Neill attached **Exhibit “J”** to this affidavit.

10. On October 19, 2015, I submitted MIAS’ application to RSU for recognition as a student group, which, in my recollection, consisted of MIAS’ constitution, a members list and a list of proposed events. I do not have a copy of this application.

11. RSU scheduled a meeting with MIAS on October 26, 2015, and specifically requested “an explanation of the nature of your group what plans you have for events/activities during the year ahead”; see email from Ms. O’Neill attached as **Exhibit “K”** to this affidavit. Ms. Godlewski and I attended the meeting with the RSU Student Group Committee (the “Committee”) on October 26. I provided the Committee with information about the nature of MIAS and the activities and events we planned to conduct. When I raised as an example of the issues MIAS would discuss a study dealing with incidences of domestic abuse against men ([http://pubpages.unh.edu/~mas2/V71-Straus\\_Thirty-Years-Denying-Evidence-PV\\_10.pdf](http://pubpages.unh.edu/~mas2/V71-Straus_Thirty-Years-Denying-Evidence-PV_10.pdf)), the Committee members simply dismissed the study as likely inaccurate.

12. The Committee denied that there was any need for a men’s issues group, stating that other groups like the Women and Trans Collective were already addressing many of the issues MIAS sought to focus

on. Further, they questioned a need for such a group since men already had “systemic privilege”. The Committee questioned Ms. Godlewski and myself for over an hour.

13. The Committee’s focus was primarily on MIAS being associated with Canadian Association for Equality (“CAFE”) and A Voice for Men (“AVFM”). I clarified that MIAS was not controlled by CAFE but utilized CAFE as a resource. I further informed the Committee that MIAS had no association with AVFM. The Committee voiced its disapproval of CAFE and AVFM, claiming that these groups made women feel unsafe, undermined victims of sexual assault by questioning the validity of rape statistics, and “harassed” women.

14. The Committee essentially argued that since MIAS was a group focused on men’s issues, it would harass women and make them feel unsafe. The Committee ignored MIAS’ commitment to equality for all, and the fact that almost half of MIAS’ members are women. Without evidence, the Committee claimed that MIAS could become “a breeding ground for misogyny and anti-feminism”.

15. The Committee claimed that people on campus had contacted them, alleging that our group was making them feel unsafe. Prior to this meeting, RSU had never raised any of the alleged complaints with us. I have no knowledge of any instance whatsoever of a member of MIAS engaging in any inappropriate behaviour. Further, the Committee presented no evidence that any of our members had engaged in inappropriate behaviour.

16. On October 27, 2015, I received an email from RSU informing us that MIAS’ application had been rejected; see emails from Leatrice O’Neill attached as **Exhibit “L”** to this affidavit.

17. On October 30, 2015, I met with RSU president Andrea Bartlett, RSU Vice-President Equity Rabia Idrees and another RSU representative. At this meeting, they gave me a document listing five “Committee Concerns”: 1) that MIAS wasn’t taking “all the proper safety measures” to keep it from “spinning out of control”; 2) that MIAS was associated with the CAFE; 3) that MIAS did not properly “acknowledge the systemic privilege that men have”; 4) that MIAS’ constitution did not sufficiently

address safety concerns, limit associations with external groups, or commit it to equality; and 5) that MIAS violated RSU requirements that students groups' actions not violate RSU policies, on account of MIAS' association with CAFE, which they alleged violated RSU's *Women's Issues* policy (located at 29 of the *Policy Manual*). See "Committee Concerns" document attached as **Exhibit "M"** to this affidavit.

18. At the October 30 meeting, RSU directed me to contact the Equity Service Centres at RSU to receive help in making changes to MIAS' constitution. We pursued this possibility of receiving student group recognition and contacted various groups; see e.g. emails from Kevin Arriola to RSU Equity Service Centres, attached as **Exhibit "N"** to this affidavit. However, the only group which responded was the Centre for Women and Trans People, which informed MIAS that it would not be able to help MIAS.
19. On November 3, 2015, I wrote to the RSU Vice-President Student Life & Events, Harman Singh, to formally request an appeal of the Committee's decision to reject the application of MIAS. On November 16, 2015, I was informed by RSU President Andrea Bartlett that the RSU Executive Committee would hear my appeal the next day, and that I was to send over a presentation and any information we wanted to present to the Executive Committee. I had a doctor's appointment the next day and informed Ms. Bartlett that I could not attend the meeting, so the presentation was postponed until the next meeting of the Executive Committee on December 1, 2015. However, Ms. Bartlett requested that I send over an appeal presentation and other documentation as soon as possible. See email correspondence between Mr. Arriola and RSU attached as **Exhibit "O"** to this affidavit.
20. On November 17, 2015, I submitted an appeal presentation and a revised constitution for MIAS. See MIAS appeal presentation, attached as **Exhibit "P"** to this affidavit.
21. Despite not receiving assistance from any of the Equity Service Centres at RSU, MIAS had made amendments to its constitution so as to address the "Committee Concerns". These amendments expressly stated MIAS' pre-existing commitments to remain independent of any external control, to

reject all forms of violence and hate speech, to take all precautions for safety at any group functions, and to provide a safe place for discussions free of fear for personal safety. See revised MIAS constitution, attached as **Exhibit “Q”** to this affidavit.

22. Despite these changes, on November 19, 2015, RSU expressed its disapproval of MIAS’ revised constitution. Specifically, RSU Campus Groups Administrator Ms. O’Neill stated in emails that RSU was not satisfied because MIAS’ constitution did not prohibit persons associated with CAFE or AVFM from potentially becoming involved with MIAS activities. She requested that MIAS further change its constitution to state that it would not program activities involving members of CAFE or AVFM. In response, I sought to clarify the nature of the association RSU wanted to prohibit. However, Ms. O’Neill indicated that since an appeal of RSU’s decision was underway, she could not comment further, thereby ending the discussion. See emails between Mr. Arroila and Ms. O’Neill, November 19-20, 2015, attached as **Exhibit “R”** to this affidavit.

23. On December 1, 2015, I met with the RSU Executive Committee. I explained the changes MIAS had made to its constitution and addressed the “Committee Concerns” that had been previously raised, attempting to clear up the misunderstandings and errors on which the concerns were based. For example, I explained that MIAS did not take a formal position on issues such as “systemic privilege” but rather sought to welcome the participation of various perspectives in the discussion of issues facing men and boys. However, the Executive Committee continued to reiterate the same unfounded concerns expressed by the Student Group Committee. The Executive Committee disregarded MIAS’ commitment to equality, which is expressly set out in our constitution, arguing that if we were truly for “equality” we could not also be for “equity”, and that our commitment to equality and intersectionality were contradictory. I affirmed MIAS’ commitment to equity, which I believe is clearly implied in our express commitment to equality and intersectionality. Despite this, the Executive Committee appeared set on not recognizing MIAS as a student group.

24. Shortly after the December 1 meeting, RSU Vice-President Equity Rabia Idrees gave an interview to *the Eyeopener*, which quoted her as praising a Ryerson Feminist Collective rally, by impliedly contrasting it with her view of MIAS. Ms. Rabia also alleged that my presence for a brief time at the rally caused an unsafe space for some students. See article in *the Eyeopener*, dated December 3, 2015, attached as **Exhibit “S”** to this affidavit.

25. The Executive Committee sent MIAS’ appeal to the RSU Board of Directors (the “Board”). On January 25, 2016, I gave a presentation to the Board and was questioned by the Board. The Board repeated many of the concerns previously raised, ignoring my responses and clarifications about the nature of MIAS. The Board voted against a motion to grant MIAS student group status, with 12 votes against, 0 votes in favour, 7 votes abstaining, and 1 vote spoiled.

26. On February 29, 2016, RSU provided a written summary of its decision to reject MIAS’ application for student group status, attached as **Exhibit “T”**. In describing the decision to deny MIAS’ application, the written summary, signed by RSU President Andrea Bartlett, stated:

The committee felt is [sic] was a violation of the Student Group Policy #6 which reads, “Social, political issue, or non-academic special interest groups may be formed and subsequently recognized by RSU if the group can prove its viability and can act in accordance with RSU and University criteria, policies, and procedures”.

I have reviewed RSU’s policies published on its website, including the *Policy Manual* and the *Student Group Policies*, and to my knowledge, RSU has no such written policy or requirement for student group recognition.

27. As a result of RSU refusing to recognize MIAS as a student group, we are excluded from RSU funding, advertising, facility booking and event approval, as described above. Without student group recognition, we are severely limited and restricted in our ability to access the opportunities to engage our fellow students in discussion by means such as booking info tables or advertising. We have been forced to hold events off campus, because we cannot afford to book event rooms on campus (which

are provided free to recognized student groups). Consequently, our events have had significantly diminished awareness and turnout.

28. As members and executives of MIAS and students of Ryerson University, we feel excluded from the Ryerson community. The allegations levelled against us by RSU have caused us to be ostracized by fellow students and have sabotaged our confidence and desire to engage with our fellow students. We feel marginalized and discriminated against by RSU simply because we want to host discussions about issues affecting men and boys.

Sworn before me at the City of Toronto  
in the Province of Ontario, on April \_\_, 2016.

.....

.....