



January 8, 2020

Marty Moore  
Justice Centre for Constitutional Freedoms  
#253, 7620 Elbow Drive SW  
Calgary, AB, T2V 1K2  
VIA EMAIL: MMoore@jccf.ca

**Re: Cancellation of the Andy Ngo Talk at UBC – Request to Reinstate Event**

Dear Mr. Moore:

This is further to your letter to Professor Ono dated December 31, 2019. As your letter threatens further legal recourse, Professor Ono has referred your correspondence to our office for a response.

As an institution of higher learning, UBC is committed to freedom of expression and academic freedom. However UBC also has an obligation to maintain a safe environment for members of its community, and visitors to its premises. The Space Rental Policy of UBC's Board of Governors, which governs space rental at UBC, explicitly addresses this in section 2.1 of the Policy:

*2.1 Balancing Commitments. UBC respects the right to freedom of expression and will not discriminate in a manner prohibited by the British Columbia Human Rights Code. UBC reserves the right to ensure that any use of Bookable Space does not compromise UBC's or the UBC community's activities, as well as the safety and security of persons and facilities.*

In recent months the level of protest and disruption at events held at UBC have increased. This includes reports of persons:

- physically blocking entrances to events and physically pushing people;
- attempting to intimidate people attending events by wearing masks, yelling at them and directing profanities at them;
- vandalizing UBC facilities prior to events;
- pulling fire alarms during events;
- releasing noxious substances that create an offensive smell at events;
- attempting to disrupt speakers during events;

As you are aware, Mr. Ngo has been the target of violence in the past.

After assessing the proposed event UBC determined that the risk to persons and property was too high and accordingly cancelled the event.



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As the owner of the lands that comprise its campuses, UBC is legally entitled to manage access to its property in the same way as any other property owner.

Given the above, UBC will not be reinstating this event.

While we appreciate your client disagrees with this approach, it is an approach that UBC's Board of Governors is entitled at law to take.

If you wish to serve any legal documentation on UBC our office will be able to accept service of the same.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Hubert Lai'.

Hubert Lai, Q.C.  
University Counsel

c.c. Santa J. Ono, President and Vice-Chancellor  
Andrew Szeri, Provost and VP Academic  
Ali Mojdehi, Acting Director of Campus Security  
UBC Board of Governors Secretariat