



## STAFF REPORT INFORMATION ONLY

### E-Book Advocacy Update

<b>Date:</b>	April 20, 2015
<b>To:</b>	Toronto Public Library Board
<b>From:</b>	City Librarian

### SUMMARY

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The purpose of this report is to provide the Toronto Public Library Board with information about the challenges faced by public libraries to make e-books available, and to update the Board on Toronto Public Library's e-book advocacy efforts.

### FINANCIAL IMPACT

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TPL's advocacy plans are funded through the Library's 2015 operating budget.

The Director, Finance and Treasurer has reviewed this financial impact statement and is in agreement with it.

### DECISION HISTORY

At its meeting on November 29, 2012, the Board considered the *E-Books in Public Libraries* report and endorsed an advocacy strategy that encourages Canadian and multinational publishers to sell e-content to public libraries under reasonable terms, and informs the public about the restrictions public libraries face in making e-content available for borrowing. It directed staff to implement this strategy and established the Library Board's E-Book Working Group to make further recommendations. The following reports were approved and received by the Board:

- On February 25, 2013, the Board approved the *E-Book Working Group: Advocacy for Public Library Access to E-Books* report:  
<http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2013/feb25/13.pdf>.
- On April 29, 2013, the Board received the *E-Book Advocacy Outreach Strategy and Pricing Models*:  
<http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2013/apr29/12b.pdf>;  
<http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2013/apr29/12b.pdf>

[library/pdfs/board/meetings/2013/apr29/12b\\_1.pdf](http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2013/apr29/12b_1.pdf)) and requested “staff to revise the proposed e-book outreach strategy to one phase, to be implemented if the ongoing pilot project does not achieve the desired changes to e-book access and price.”

- On March 24, 2014, the Board approved the recommendations in the *E-Book Working Group: Update on Public Access to E-Books and E-Magazines*:  
(<http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2014/mar24/16c.pdf>;  
[http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2014/mar24/16c\\_1.pdf](http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2014/mar24/16c_1.pdf))
- On September 8, 2014, the Board approved the *E-Book Working Group: E-Content Update and Advocacy Strategies* report:  
([http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2014/sep08/13\\_2.pdf](http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2014/sep08/13_2.pdf);  
[http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2014/sep08/13\\_3.pdf](http://www.torontopubliclibrary.ca/content/about-the-library/pdfs/board/meetings/2014/sep08/13_3.pdf))

## ISSUE BACKGROUND

Like other public libraries, Toronto Public Library (TPL) has experienced significant increased use and demand for e-books and other e-content. These were introduced in 2004, but use did not take off until OverDrive was launched in 2008 – up 4,200% from 80,500 to 3.5 million by the end of 2014. However, throughout this period, public libraries have faced challenges in accessing content and negotiating reasonable terms and conditions. While there has been tremendous progress in access to content, publishers’ terms and conditions remain an obstacle and continue to put pressure on library collections budgets. These terms and conditions also raise issues having to do with ongoing access, preservation and research because e-content is licensed and not owned by libraries.

The focus of all these advocacy efforts is on the “Big Five” multinational publishers, namely Penguin Random House (recently merged), HarperCollins, Macmillan, Hachette and Simon & Schuster, represented in Canada by subsidiaries or distributors. They use different pricing models with some requiring re-purchasing annually or after a number of uses. Others charge prices four to five times higher than those charged to consumers. It is important to note Canadian independent publishers make their content available for reasonable prices and, except for Quebec publishers, do not require repurchasing.

While the discussions and negotiations continue, progress has been made as now all “Big Five” publishers sell to public libraries, with Simon & Schuster coming to Canada in December 2014.

## COMMENTS

The reports listed above describe the various strategies employed by TPL to advocate for more reasonable pricing models up to September 8, 2014. The following provides an update on more recent activities.

### Advocacy Update

Advocacy efforts have been currently underway in Canada and internationally since 2010. TPL is providing leadership in this area through its participation in the Canadian Urban Library Council's E-Book Task Group, the Readers' First initiative in the United States and the Canadian Library Association's E-Book Task Group.

The CLA Executive Council recently endorsed the work of its task group, which included leading a national campaign, identifying a strategy for working with other library stakeholders, and the adoption of the *Key Library Priorities for E-Content* for use by CLA and others in their advocacy efforts (see Attachment 1).

TPL has also worked on its own to effect change. Meetings were arranged in 2014 with the Deputy Minister of Culture and staff from the Ontario Ministry, Tourism, Culture and Sport regarding public library access to e-content, with representatives from the federal Ministry of Canadian Heritage and Official Languages, and the Competition Bureau. While these meetings have resulted in a better understanding of the challenges faced by public libraries, they have not led to any change in terms of publishers' terms and conditions. Ottawa Public Library has arranged similar meetings, and has contacted all library boards in Ontario requesting they participate in advocating for reasonable terms from publishers.

Collaboration efforts between Ottawa and Toronto public libraries have been positive. The Ottawa Public Library outlined their support for e-content advocacy in a 2014 letter to the TPL Board, which led to both library board chairs and staff discussing opportunities to collaborate on advocacy strategies, including engaging the public. A joint advocacy plan was developed that is currently underway with Ottawa and Toronto leading an Ontario campaign. Phase 1 focuses on outreach to other library boards, providing a toolkit for e-book promotion. Also included in this phase is a plan to engage stakeholders such as OLA, CLA, and ALA to coordinate advocacy efforts in the various jurisdictions, as well as launch a campaign that engages key policy decision-makers and political representatives at the provincial and federal levels. Phase 2 includes engaging the public, which is almost ready to launch with a website message and poll. A public relations firm was hired last year by Ottawa and Toronto public libraries for advice on strategies and tactics.

### Public Engagement Update

In October 2014, TPL ran a campaign to increase public awareness and use of e-books, e-audiobooks, e-magazines and downloadable and streamed music and videos. The campaign featured subway posters, community outreach, and in-branch and online promotional materials. These materials were made available to other Ontario libraries through the Ontario Library Association.

In January 2015, letters from the Chairs of the Toronto and Ottawa public library boards were sent to the “Big Five” publishers (Simon and Schuster, Macmillan, Hachette, Penguin Random House and HarperCollins) informing them of the campaign by Ontario public libraries to raise awareness of the challenges libraries face in obtaining fair pricing for e-books. No response has been received to date.

Final planning is currently underway for Toronto and Ottawa public libraries’ joint online campaign to inform the public of the challenges libraries face in purchasing e-books and to provide reasons they may not find the e-books they want. The CLA and OLA have agreed to allow their logos to be used on the webpage and on the one-pager that will be used in meetings with key stakeholders going forward (see Attachment 2).

## **CONCLUSION**

There has been a lot of progress in recent years to improve public library access to e-content. However, the “Big Five” publishers’ terms and conditions remain an obstacle and continue to put pressure on library collections budgets. TPL will continue to work collaboratively with other stakeholders and on its own to advocate for reasonable terms and conditions for e-content.

## **CONTACT**

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## **SIGNATURE**

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City Librarian

## **ATTACHMENTS**

Attachment 1: CLA – Key Library Priorities e- Content  
Attachment 2: Digital Content – Awareness-Raising Flyer