
**COMMUNICATIONS
GENERAL CORRESPONDENCE**

**TORONTO PUBLIC LIBRARY BOARD MEETING – October 22,
2019**

It is recommended that the Toronto Public Library Board:

1. receives Communication (a) to Vickery Bowles, City Librarian, Toronto Public Library from Brendan Haley, President, Toronto Public Library Workers Union, Local 4948 dated October 16, 2019 requesting that the Toronto Public Library reconsider its decision to allow an upcoming meeting room booking at the Palmerston branch with Meghan Murphy.
2. receives Communication (b) to Vickery Bowles from Adam Chaleff, dated October 16, 2019 requesting that the Toronto Public Library reconsider its decision to allow an upcoming meeting room booking at the Palmerston branch with Meghan Murphy.
3. receives Communication (c) to Sue Graham-Nutter, Chair, Toronto Public Library Board from David Morris, Board Chair, The 519, dated October 16, 2019 expressing concern that the Toronto Public Library has agreed to host an upcoming event on October 29, 2019 involving Meghan Murphy.
4. receives Communication (d) to TPL Board Members from Malgosia Starszyk dated October 17, 2019 expressing support for the Toronto Public Library's position on freedom of speech and providing access and welcoming spaces to every Canadian, regardless of their views.

5. receives Communication (e) to TPL Board members from Claire Forsyth dated October 17, 2019 requesting the Toronto Public Library cancel an upcoming event at the Palmerston branch with Meghan Murphy.
6. receives Communication (f) to Sue Graham-Nutter and Board members from Dr. Toni Samek, Professor and Chair, School of Library and Information Studies, University of Alberta dated October 17, 2019 expressing support for Toronto Public Library's decision to allow a third-party to rent a theatre for an event at Toronto Public Library.
7. receives Communication (g) to Vickery Bowles, copying the Toronto Public Library Board from Chris Winsor dated October 17, 2019 expressing support for allowing the upcoming event at the Palmerston branch with Meghan Murphy to proceed.
8. receives Communication (h) to Members of the TPL Board from Caitlin Belle dated October 20, 2019 expressing discomfort with the upcoming room rental to Meghan Murphy.
9. receives Communication (i) to Toronto Public Library Board members from Susan Benton, President and CEO, Urban Libraries Council dated October 21, 2019 expressing support for the Library's refusal to compromise its values or diminish its role as a leader for race and social equity.
10. receives Communication (j) to the Toronto Public Library Board from Cara Faith Zwibel, Director, Fundamental Freedoms Program, Canadian Civil Liberties Association dated October 21, 2019 expressing support for the Library's decision to honour the third-party room rental booking to a group hosting Meghan Murphy.
11. receives Communication (k) to the Toronto Public Library Board from Pilar Martinez, Chair, Canadian Urban Libraries Council and CEO, Edmonton Public Library, on behalf of: Alvin M. Schrader, Professor Emeritus School of Library and Information Studies, University of Alberta and members of the Canadian Urban Libraries Council dated October 18, 2019 expressing support for the Library's decision to allow a third-party to rent a theatre for an event at Toronto Public Library.
12. receives Communication (l) to Vickery Bowles, c/o the Library Board from Ed Gibbard dated October 18, 2019 expressing support for her decision to allow the upcoming event at the Palmerston branch with Meghan Murphy to proceed.

13. receives Communication (m) to Sue Graham-Nutter from James L. Turk, Director, Centre for Free Expression, Ryerson University dated October 18, 2019 expressing support for allowing the upcoming event at the Palmerston branch with Meghan Murphy to proceed.
14. receives Communication (n) to the Toronto Public Library Board from Melissa Hudson, Advocate, Trans Women's Association dated October 20, 2019 requesting that an upcoming event at the Library with Meghan Murphy be cancelled and ensuring no such event is booked in the future.
15. receives Communication (o) to Members of the Toronto Public Library Board from Greg Gatenby in defence of free speech.
16. receives Communication (p) to the Toronto Public Library Board from Dawn Miklaski dated October 20, 2019 expressing appreciation for supporting freedom of speech in Canadian libraries.
17. receives Communication (q) to the Toronto Public Library Board from a group of librarians and library workers dated October 21, 2019 requesting that an upcoming event at the Library with Meghan Murphy be cancelled.
18. receives Communication (r) to Members of the Toronto Public Library Board from Dr. Anne Wilson, Professor, Fellow, Canadian Institute for Advanced Research, Successful Societies program, Psychology Department, Wilfrid Laurier University dated October 21, 2019 expressing support for allowing the upcoming event at the Palmerston branch with Meghan Murphy to proceed.
19. receives Communication (s) to the Board of the TPL from Catherine Barley dated October 19, 2019 expressing support for allowing the upcoming event at the Palmerston branch with Meghan Murphy to proceed.
20. receives Communication (t) to Sue Graham-Nutter from Canadian Parents of Trans and Gender Diverse Kids, Admin Team Members dated October 22, 2019 requesting that an upcoming event at the Library with Meghan Murphy be cancelled.
21. receives Communication (u) to the Toronto Public Library Board from Alix-Rae Stefanko, Chair, Canadian Federation of Library Associations dated October 22, 2019 expressing support for the Toronto Public Library's decision to uphold Intellectual Freedom.



**Toronto Public Library
Workers Union**

Local 4948

Affiliated with
CUPE and the
Toronto & York Region
Labour Council

Brendan Haley
President

Viveca Gretton
Recording Secretary

Carmela Corrado
Secretary-Treasurer

Mary Bissell
Toronto Reference Library

Brandon Haynes
North York Central Library

Jenna Liu
North Region

Lilian Corsin
South Region

Gobi Sooriyakumar
East Region

Karen DeSimone
West Region

Fitzgerald Steele
Facilities

Steven Burdick
Support Services

20 Eglinton Avenue West
Suite 1109, Box 2053
Toronto, ON M4R 1K8
Telephone: (416) 440-7981
FAX: (416) 440-7984
Email: info@local4948.org

www.local4948.org



a.

Toronto Public Library Workers Union
Local 4948
20 Eglinton Ave West
Suite 1109, Box 2053
Toronto, ON M4R1K8

Wednesday, October 16, 2019

Vickery Bowles
City Librarian
c/o Toronto Public Library
789 Yonge Street
Toronto, ON M4W 2G8

Dear Vickery:

Re: Room Booking at Palmerston Library

We are in receipt of your October 12 and your October 15 emails to all staff concerning the upcoming room rental by Meghan Murphy for the presentation "Gender Identity: What does It Mean for Society, the Law and Women?"

It is our opinion that the stated purpose of this room booking, "to have an educational and open discussion on the concept of gender identity and its legislation ramifications on women in Canada" is disingenuous, to say the least. Meghan Murphy has made her negative views towards the trans community and other non-binary equity-seeking groups very public.

Your October 15, 2019 email asks that attention be turned away from the room booking issue and redirected to civil debate with the speaker's 'ideas.' However, while Murphy may not have been officially charged with hate speech under Canadian law, her views do, in fact, target highly vulnerable and marginalized communities not only in our workplace, but among library users in Toronto and beyond.

Recent TPL public consultations with equity-seeking groups on how to make the library more "welcoming," inclusive, and relevant ring hollow if the very people they seek to validate are ultimately alienated by the real decisions and actions that run counter to purported values of equity and respect.

The work that staff have done to reach out to community members, and to build trust and partnerships, has now been compromised to some extent by this decision. For many, the library might no longer represent a safe and inclusive space.



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FAX: (416) 440-7984
Email: info@local4948.org

www.local4948.org



We do ask that the Toronto Public Library reconsider its decision to allow this room booking to proceed.

Sincerely,

Brendan Haley
President,
Toronto Public Library Workers Union, Local 4948

Cc: Local 4948 Executive Board
Toronto Public Library Board

b.

Nancy Marshall

From: Adam Chaleff <adamcf@gmail.com>
Sent: Wednesday, October 16, 2019 9:42 AM
To: Vickery Bowles
Cc: Nancy Marshall; merickson@gladdaybookshop.com; Gord Perks; Paul Ainslie
Subject: Meghan Murphay

Dear Vickery,

The Toronto Public Library's decision to host an event featuring Meghan Murphy has come to my attention. After reading your October 15 public statement, I feel that as a past Vice Chair of the Toronto Public Library Board I must convey my deep disappointment that TPL is platforming contemptible and hateful anti-trans speech. I have copied Nancy Marshall as I hope this will be shared with the Library Board, as well as board members Councillors Perks and Ainslie, and Glad Day Books co-owner Michael Erickson, who is a community leader on this issue.

What follows is a lightly edited version of a public comment I posted on Twitter earlier today.

As a former vice-chair of TPL's board, the statement from the City Librarian is disappointing and a poor interpretation of the Community and Event Space Rental Policy that will harm trans people. The policy is clear that even promoting "contempt" based on one of several grounds, including gender identity, can be cause for canceling a room booking. The City Librarian contends that to cancel a room booking discrimination, contempt or hatred would need to be the express purpose of the booking or a listed speaker would need to be charged with or convicted of hate speech under the Criminal Code.

This allows hateful people to use thinly-veiled euphemisms to platform hate in our libraries. That's exactly what is happening when Meghan Murphy is given space for what the group's room booking application says is "To have an educational and open discussion on the concept of gender identity and its legislation ramifications on women in Canada." This description is merely a flowery way of saying that a group of cis-gender people will discuss the existence and legal rights of trans people as though trans people's human rights are up for debate. At minimum this showing contempt for trans people and I would say is hate speech. Meghan Murphy is well-known for these views and there is every reason to believe she will incite hate against trans people when she speaks at TPL.

Censorship is a real concern that librarians are trained to fight, and for that I am grateful. But even TPL's room booking policy recognizes that there are limits to what libraries should platform. Our public libraries are for everyone, and must be safe for all members of our community, especially those, like trans people, who frequently face discrimination. Simply put, TPL cannot platform Meghan Murphy and continue to call yourselves "supporters" and "champions" of LGBTQ2S+ communities.

For the reasons above, I stand with trans people and everyone calling on TPL to uphold trans human rights, follow your Community and Event Space Rental Policy, and in so doing cancel Meghan Murphy.

Sincerely,

Adam Chaleff

519 Church Street
Toronto, Ontario M4Y 2C9

Tel: 416 355-6771
Fax: 416 392-6874
MLawless@The519.org

October 16, 2019

Sue Graham-Nutter, Board Chair
Toronto Public Library
C/O Library Board Officer Nancy Marshall
nmarshall@tpl.ca

Dear Sue:

On behalf of the Board of The 519, I wanted to reach out to you to express our concern that the Toronto Public Library has agreed to host and upcoming event on October 29, 2019 involving Meaghan Murphy.

This individual seeks to promote essentialist understandings of sex as purely biological, that not only denies the experiences and existence of trans women but ignores the disproportionate rates of violence they experience precisely because of their identity as women. We fundamentally believe that this event contravenes Bill 33 Toby's Law under the Ontario Human Rights Code, as well as the spirit and intent of the City of Toronto's Anti-harassment and discrimination policies.

We respectfully request that you review the information related to this event in a much broader context, including reviewing a similar event at the Vancouver Public Library and the background of the speaker. We appreciate that being in service to the public, including the provision of accessible space comes with great responsibility and complexity. As public institutions and leaders on equity and human rights issues, creating a space for discussion that will further harm and advance hatred against an already marginalized community is unacceptable.

Below is a copy of our statement that our Executive Director, Maura Lawless shared with Vickery Bowles yesterday before we shared it publically today:

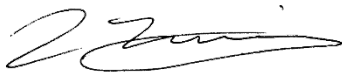
Essentialist understandings of sex, including the assertion that trans women are not women, does absolutely nothing to combat violence against women.

Intersectional feminism requires us to respond to misogyny in ways that demonstrate an analysis of our different experiences as women, including an appreciation that we are all impacted differently. Misogyny and patriarchy will continue to find new ways to divide us – a reality that we must reject through efforts that show genuine solidarity and movement building that is expansive rather than exclusionary.

The 519 calls on the [Toronto Public Library](#) to recognize the harm that is caused by allowing an event to take place that promotes discrimination and hate through an ideology that erases and further marginalizes trans women, and remedy this harm by cancelling this event immediately.

As a sister City Agency, we truly value our relationship with the Toronto Public Library and the work you are doing with our Education and Training Department is doing with library staff to make spaces more inclusive for LGBTQ2S+ communities. We ask that the Toronto Public Library bravely stands against this event and any event that promotes discrimination, hate and violence toward marginalized women and cancels this event immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Morris', with a stylized, flowing script.

David Morris

CC: Mayor, John Tory
Councillor, Paul Ainslie
Councillor, Gord Perks
Councillor, Kristyn Wong-Tam, ex-officio Board Member of The 519
City Librarian, Vickery Bowles

Nancy Marshall

From: Malgosia Starszyk [REDACTED]
Sent: Thursday, October 17, 2019 9:09 AM
To: Nancy Marshall
Subject: Room Rentals & speaker M. Murphy

Dear TPL Board Members,

I truly admire perseverance of the Toronto Public Library to keep the library's premises open to all, regardless of their views. As the Board Members of the largest library system in Canada your position on the freedom of speech and freedom of expression is vital. I wish you all the strength to face the negativity and persistent attacks of those, who would like the library to back off from its principle of equality and freedoms.

I am an immigrant and I came to Canada from the communist country as a refugee 38 years ago. I came to Canada because I believed then in what you are trying to save at this moment. It is such a shame that nowadays so many Canadians don't even understand that by attacking freedom of expression and freedom of access to public spaces of others, they attack future freedoms of themselves.

Keep up the fight and provide access and welcoming spaces to every Canadian, regardless of their views. All the best.

Malgorzata Starszyk
Mississauga, Ontario
[REDACTED]

e.

Nancy Marshall

From: Claire Forsyth [REDACTED]
Sent: Thursday, October 17, 2019 12:04 PM
To: City Librarian
Cc: Elizabeth Sutter; Nancy Marshall; councillor_perks@toronto.ca;
councillor_ainslie@toronto.ca
Subject: Meghan Murphy Event

To the City Librarian, Board Members, and Branch Manager,

I was deeply saddened to see a picture of my childhood library branch in an article about the boycotts to TPL. This is a building where I spent so much time, was so inspired and held safe - things that likely made it possible for me to find queerness and eventually pursue work as a librarian and archivist. The event you are hosting tells trans people and the broader LGBTQ2S community that they are not safe at the Toronto Public Library.

In giving a platform to Meghan Murphy, someone who continually attacks the existence and rights of trans people, you are telling the LGBTQ2S community that their humanity is up for debate. Choosing to provide this space is not just about "equity" - TPL is knowingly entering into a contract with someone who promotes hateful rhetoric against a marginalized community.

TPL claims to be upholding free speech, but there is no room for "civil discourse" with someone who denies your right to exist. Trans people's humanity is not a question for debate. If you do not cancel this event, you will lose the trust of the LGBTQ2S community who you claim to support.

I urge you to listen to the Library Workers Union and the 3000+ people who have now spoken out against this dangerous decision and please cancel the event.

Sincerely,

Claire Forsyth, MLIS
Media Archivist

f.

Vickery Bowles

From: Toni Samek <asamek@ualberta.ca>
Sent: Thursday, October 17, 2019 10:18 PM
To: Vickery Bowles
Subject: Toni Samek Statement of Support for the TPL Board

Hello Vickery,

When time permits, please forward this supportive missive on my behalf to the parties below with sincere thanks! toni

—
Dear Ms Graham-Nutter, Board Chair, and Board Members,

My sustained academic work in information ethics prompts me to vigorously support the Toronto Public Library's (TPL) principled statement, professional stand, and courageous leadership in the face of adversity with respect to its decision to allow a third-party to rent a theatre for an event at TPL in accordance with TPL Board policy.

In Canada, the CFLA-FCAB Statement on *Intellectual Freedom and Libraries* affirms the "right to safe and welcoming places and conditions. To this end, libraries make available their public spaces and services to individuals and groups without discrimination." This is reinforced in the CFLA's "Position on Third Party Use of Publicly Funded Library Meetings Rooms and Facilities: An Interpretation of the Canadian Federation of Library Associations' Statement on Intellectual Freedom and Libraries" (approved March 2019).

Meanwhile in its *Code of Ethics for Librarians and Other Information Workers*, the International Federation of Library Associations and Institutions (IFLA) sets the international standard at recognizing "the human necessity of sharing information and ideas implies the recognition of information rights. The idea of human rights, particularly as expressed in the United Nations Universal Declaration of Human Rights (1948), requires us all to recognise and acknowledge the humanity of others and to respect their rights. In particular, Article 19 sets out rights of freedom of opinion, expression and access to information for all human beings."

Without the active protection of intellectual freedom, such as yours, our other library core values could and would not be realized. We need the one to have the others!

Sincerely,
Dr. Toni Samek
Professor and Chair

— Dr. Toni Samek is a Professor and Chair at the School of Library and Information Studies, University of Alberta. Toni's books include: *Intellectual Freedom and Social Responsibility in American Librarianship 1967 to 1974*; *Librarianship and Human Rights: A twenty-first century guide*; *She Was a Booklegger: Remembering Celeste West*; and, *Information Ethics, Globalization and Citizenship: Essays on Ideas to Praxis*. Her scholarship has appeared in translation in such countries as Bosnia and Herzegovina, Brazil, Japan, Spain, Sweden and Turkey. Toni twice convened the Canadian Library Association's Advisory Committee on Intellectual Freedom and served two consecutive terms on the Canadian Association of University Teachers' Academic Freedom and Tenure Committee. She currently serves on the Canadian Federation of Library Associations' Intellectual Freedom Committee, the Advisory Board of Canada's Centre for Free Expression, and the Advisory Board of the International Centre for Information Ethics. Toni received the debut *Library Journal* Teaching Award in 2007, a Faculty of Education Graduate Teaching Award in 2009, and the 3M National Teaching Fellowship from the Society for Teaching and Learning in Higher Education in 2012. In 2013, Toni was honoured with the University of Wisconsin-Madison School of Library and Information Studies Distinguished Alumna Award. She is the recipient of the 2017 Library Association of Alberta President's Award, which recognizes the efforts of an individual who has made a major impact on a province-wide basis in the library field in Alberta. And in 2018, Toni was awarded Honorary Membership into the Golden Key International Honour Society University of Alberta Chapter in recognition of her academic and career achievements, as well as ability to build strong connections between the School of Library and Information Studies, the University of Alberta and students.

Toni Samek, PhD
Professor and Chair
School of Library and Information Studies
Faculty of Education
7-167J Education Centre North
University of Alberta
Edmonton, Alberta, CANADA T6G 2G5
toni.samek@ualberta.ca
Phone: 780-492-3932

9.

Nancy Marshall

From: chris.winsor chris.winsor <chris.winsor@sympatico.ca>
Sent: Thursday, October 17, 2019 6:59 PM
To: City Librarian
Cc: Linda Hazzan; Nancy Marshall
Subject: Meghan Murphy Appearance - thank you for your stance

I am writing to heartily endorse the Toronto Public Library's position with regard to the appearance by author/blogger Meghan Murphy.

For the record, I am a supporter of the aspirations and rights of transgender persons. However, I am an equally passionate supporter of free speech.

I am proud that my library system, in part supported by my taxes, stands as a beacon of sanity, integrity and moral rectitude with this stance.

It is a dangerous world when discussion and ideas are policed in advance of their airing, and a climate of fear and reprisal dominates much needed social discourse.

Sincerely,

Chris Winsor

446 O'Connor Drive, Toronto Ontario M4J2W6

416-970-8739

h.

Nancy Marshall

From: Caitlin Belle [REDACTED]
Sent: Sunday, October 20, 2019 9:03 PM
To: Nancy Marshall
Subject: Meghan Murphy Concerns

Dear Secretary, and Members of the TPL Board,

Please withhold my name and contact information from public records, if a record is made for the general public.

I am writing to express my discomfort with the upcoming room rental to Meghan Murphy. Based on the speaker's documented history, I believe the rental allowance to this individual will create an unwelcome environment for marginalized library users.

I acknowledge the argument of free speech, and note that the speaker's intention for the room has been presented as, "...an educational and open discussion on the concept of gender identity ...", however, I think it is purposely naive to believe this to be the true intention of the event. Her curated website presents these gender discussions frequently, and there is a common theme of trans exclusion. As examples, discussions of gender related to safe spaces and breastfeeding, (<https://www.feministcurrent.com/2018/08/22/im-coming-support-women/> , <https://www.feministcurrent.com/2019/08/21/why-are-women-are-being-erased-from-breastfeeding-advocacy/>). Although published a year apart, the argument stays consistent: that trans women present a threat to women, or at least, present a limitation to woman as a whole if they are included. I find this disparaging to the trans population by the implication that they are a separate group, and a danger.

With cultural progression comes changing standards for what is discussed freely in public environments. A person's free speech is limited when their words represent a degradation to a marginalized group. I believe Ms. Murphy has a history of confrontational and hurtful rhetoric towards trans individuals, and I believe she will bring these to the TPL event. When a library finds their defense consisting of, "they haven't been charged for hate speech", I think it is important to think about the standards expected of speakers. Is discrimination conviction really where TPL draws the line?

Caitlin Belle



October 21, 2019

Toronto Public Library Board
789 Yonge Street
Toronto, Ontario M4W 2G8

Dear Ms. Graham-Nutter, Board Chair and Board Members:

The Urban Libraries Council maintains a core commitment to the essential role of libraries as community leaders for race and social equity, democracy, empathy and inclusion. ULC and our member libraries stand firmly as leaders for protecting and empowering vulnerable populations, including members of the LGBTQIA+ community. It is because of — not despite — that fundamental dedication to equity that ULC supports Toronto Public Library's decision to rent space for the discussion on "Gender Identity: What Does It Mean for Society, the Law and Women?"

Numerous parties have asked the library to refuse space for this event due to the presenter's publicly expressed belief in limiting the rights of trans-identified women, including their ability to use women's restrooms. The library has listened to the serious concerns about this event's potential for promoting hate speech or fostering discriminatory behavior, which would not only violate the library's Community and Event Space Rental policies, but also undermine its trusted reputation as a safe and welcoming community hub. TPL performed extensive research on the event's intended discussion points and the speaker's previous presentations to determine that the "Gender Identity" session will not promote hate speech or discriminatory actions.

Since this event will not violate the library's policies — TPL must remain firm in its decision to provide space for the presentation, even if it is likely to include conversations that are uncomfortable, or in opposition, to many city residents. Above all, the decision about whether or not to deny space for this event is a decision about whether or not to protect freedom of speech. As champions of democracy, equity and the free exchange of ideas, libraries must sometimes take a stand so that unpopular or controversial opinions can be heard. It is only by providing a forum for all voices and engaging in difficult conversations that libraries can ensure marginalized communities are able to state their beliefs and be assured equal treatment.

In communities across North America, residents regularly pressure libraries to exclude or remove LGBTQIA+ programming and content — and, many of those systems cave in to that pressure. More than half of libraries' banned books feature LGBTQIA+ themes. Along with vulnerable, underrepresented individuals such as those in the LGBTQIA+ community, we all stand to lose when libraries fail to preserve freedom of speech. By refusing to cancel the "Gender Identity" panel, TPL is demonstrating a vital message that everyone is welcome at the library and varying opinions and voices are valid in a democratic society.

That message is directly in line with TPL's core values of equity, diversity, intellectual freedom, inclusion and integrity. It is vital that the TPL board supports the library's refusal to compromise its values or diminish its role as a leader for race and social equity. As one of the world's largest public library systems, TPL has a special responsibility to ensure it is modeling ethical, progressive library practices and demonstrating an unwavering commitment to upholding democracy.

Sincerely,



Susan Benton
President and CEO, Urban Libraries Council



The Secretary
Toronto Public Library Board
789 Yonge Street
Toronto, ON
M4W 2G8

Delivered via email

October 21, 2019

To the Toronto Public Library Board of Directors,

I am writing on behalf of the Canadian Civil Liberties Association (CCLA) to express our support for the Toronto Public Library's decision to honour the third-party room rental booking to a group hosting controversial speaker Meghan Murphy.

Since 1964, CCLA has been Canada's leading voice on civil liberties. We have appeared before the Supreme Court of Canada more than any other domestic human rights NGO. We're an independent, non-partisan, non-profit/charity, which also teaches over 10,000 students every year about rights and freedoms.

As a public institution that makes rental space available to the general public, your library has long upheld its duty to do so equitably and in a manner that is respectful of free speech and equality. Not an arbiter of the truth, libraries are a platform for its pursuit. It should not be put in the position of assessing which views are acceptable and which are not. If the content to be communicated at an event does not tread into the territory of illegal hate speech, a speaker should be allowed to use the space in the same fashion as anyone else. Adopting a different approach would countenance the de-platforming of speakers because we don't like, or disagree with, what they have to say. Freedom of expression is vital in a free and democratic society, and public libraries have long been champions of that principle. In our view, the decision to honour the third-party room rental is in keeping with this long-standing role of public libraries and with the TPL's Community and Event Space Rental policy. It is also relevant, in our view, that Ms. Murphy is not being hosted by the library at a library-sponsored event. She is speaking at an event hosted by an organization that has rented library space, for a fee, as any member of the public may do.

That said, as a champion of both free speech and equality, we have to take very seriously views to the contrary, particularly by defenders and members of the transgender community, about the anticipated content of Ms. Murphy's talk. We agree that government discrimination on the basis of sexual orientation or gender identity is unconstitutional and wrong. CCLA strongly supports the rights of the trans community to live free from discriminatory laws. We do not share the views of Ms. Murphy, but we defend her right to express them. In particular, although Ms. Murphy opposed Bill C-16 (which added gender identity and expression to the prohibited grounds of discrimination in the *Canadian Human Rights Act*), CCLA was a strong supporter of that Bill. We have fought fiercely for the rights of trans and non-binary people and will continue to do so. But our views about the wisdom of Ms. Murphy's position cannot dictate whether she is allowed to speak in a public venue. Nor can the views of the library's staff, Board, or members of the community.

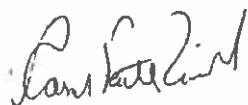
The suggestion by some that what Ms. Murphy says amounts to hate speech is a misinterpretation of the law, which defines hate speech in strict terms in light of Canada's constitutional protection of free

expression. In its most recent articulation on the subject, the Supreme Court explicitly stated that hate speech laws do not "prohibit expression which debates the merits of reducing the rights of vulnerable groups in society." (*Whatcott v. Saskatchewan*, 2013 SCC 11, para. 51) In our view, the position that Ms. Murphy is engaged in illegal hate speech simply has no merit.

While robust protection for freedom of expression can allow for the expression of discriminatory and unsavoury views, it is important to appreciate that it has also been vital to advancing the rights of marginalized groups. At a different historical moment, a policy that allowed the library to turn away unpopular or controversial speakers would have almost certainly been used to prevent members of the trans community from renting library space for events. Freedom of expression is entrenched in the *Canadian Charter of Rights and Freedoms* precisely for the purpose of protecting unpopular views, whether they be for or against minorities.

Once again, we support the TPL's decision and its courage to stand up for freedom of expression in the face of pressure to cancel the booking.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cara Faith Zwibel', written in a cursive style.

Cara Faith Zwibel, LL.B., LL.M.
Director, Fundamental Freedoms Program
(416) 646-1409
czwibel@ccla.org



October 18, 2019

Toronto Public Library Board
789 Yonge Street
Toronto, Ontario M4W 2G8

Dear Ms Graham-Nutter, Board Chair, and Board Members,

The Canadian Urban Library Council / Conseil des Bibliothèques Urbaines du Canada members support Toronto Public Library's decision to allow a third-party to rent a theatre for an event at Toronto Public Library (TPL) in accordance with TPL Board policy. This Community and Event Space Rental policy states explicitly that: "Permission to use these facilities does not imply any endorsement of the aims, policies or activities of any group or individual." Additionally, the policy states: "The Library requires potential users of Community Space Rentals to confirm that they will not be conducting any business or activities that are in violation of 4.4(a)(i) of the policy, the Criminal Code of Canada (including hate propaganda laws) or the Ontario Human Rights Code."

Intellectual freedom and freedom of speech are essential to a democratic society, and public libraries must continue to protect these rights for all, even when views are contrary or offensive to many in the community.

Every individual, no matter what their background, opinions, and/or beliefs, has the right to freedom of expression and the right to access library services and spaces, providing their conduct complies with all applicable laws and library policies. These concepts are articulated in the Statement on Intellectual Freedom and Libraries approved by the Canadian Federation of Library Associations / La Fédération canadienne des associations de bibliothèques, and in TPL's values as endorsed by the TPL Board.

While it is recognized that some ideas expressed through library collections, programs, events and organizations that rent meeting rooms may, on occasion, be offensive to some or even many, it is imperative that public libraries continue to uphold the rights and values of intellectual freedom and freedom of expression which are fundamental to a democratic society.

Sincerely,

Pilar Martinez

Chair, Canadian Urban Libraries Council / Conseil des Bibliothèques Urbaines du Canada (CULC/CBUC)
CEO, Edmonton Public Library, on behalf of:

Alvin M. Schrader, Professor Emeritus, School of Library and Information Studies, University of Alberta

And the following members of CULC/CBUC:



Alberta

Mark Asberg, Chief Executive Officer, Calgary Public Library
Shelley Ross, Chief Executive Officer, Red Deer Public Library
Melissa Flett, Director, Wood Buffalo Regional Library

British Columbia

Beth Davies, Chief Librarian, Burnaby Public Library
Todd Gnissos, Executive Director, Coquitlam Public Library
Scott Hargrove, Chief Executive Officer, Fraser Valley Regional Library
Maureen Sawa, Chief Executive Officer, Greater Victoria Public Library
Don Nettleton, Chief Executive Officer, Okanagan Regional Library
Susan Walters, Chief Librarian, Richmond Public Library
Surinder Bhogal, Chief Librarian, Surrey Libraries
Rosemary Bonanno, Executive Director, Vancouver Island Regional Library
Christina de Castell, Chief Librarian, Vancouver Public Library

Manitoba

Ed Cuddy, Manager of Library Services, Winnipeg Public Library

New Brunswick

Sylvie Nadeau, Executive Director, New Brunswick Public Library Service

Nova Scotia

Ása Kachan, Chief Librarian & Chief Executive Officer, Halifax Public Libraries

Ontario

Lauren Jessop, Chief Executive Officer, Barrie Public Library
Rebecca Raven, Chief Executive Officer, Brampton Library
Lita Barrie, Chief Executive Officer, Burlington Public Library
Steve Kraft, Chief Executive Officer, Guelph Public Library
Paul Takala, Chief Librarian, Hamilton Public Library
Helen Kelly, Chief Executive Officer, Idea Exchange – Cambridge
Lester Webb, Interim Chief Librarian & Chief Executive Officer, Kingston Frontenac Public Library
Mary Chevreau, Chief Executive Officer, Kitchener Public Library
Michael Ciccone, Chief Executive Officer, London Public Library
Catherine Biss, Chief Executive Officer, Markham Public Libraries
Mark Williams, Chief Librarian, Milton Public Library
Lori Kelly, Director, Mississauga Library System
Tara Wong, Chief Executive Officer, Oakville Public Library
Frances Newman, Chief Executive Officer, Oshawa Public Library
Danielle McDonald, Chief Executive Officer, Ottawa Public Library
Louise Procter Maio, Chief Executive Officer, Richmond Hill Public Library
Ken Su, Chief Executive Officer, St. Catharines Public Library
John Pateman, Chief Executive Officer, Thunder Bay Public Library
Margie Singleton, Chief Executive Officer, Vaughan Public Libraries
Laurie Clarke, Chief Executive Officer, Waterloo Public Library
Kitty Pope, Chief Executive Officer, Windsor Public Library

Quebec

Jean-François Roulier, Chef de division Planification et expertise, Bibliothèques de Laval
Ivan Filion, Directeur, Bibliothèque de Montréal
Martin Dubois, Directeur générale de la Grande Bibliothèque, Bibliothèque et Archives nationales du Québec
Carol Laguë, Chef de division, Bibliothèque municipale de Gatineau

Saskatchewan

Jeff Barber, Chief Executive Officer, Regina Public Library
Carol Cooley, Director of Libraries & Chief Executive Officer, Saskatoon Public Library

cc Jefferson Gilbert, Executive Director, Canadian Urban Libraries Council / Conseil des Bibliothèques Urbaines du Canada (CULC/CBUC)
Vickery Bowles, City Librarian, Toronto Public Library

Nancy Marshall

From: Edward Gibbard <edward.gibbard@gmail.com>
Sent: Monday, October 21, 2019 1:10 PM
To: Nancy Marshall
Subject: Thank You

To Veckery Bowles
c/o Nancy Marshall and the Toronto Public Library Board

I'd like to thanks Vickery Bowles and the Toronto Public Library for having the courage of their convictions by allowing the Meghan Murphy event to proceed. I'm sorry to say that I expect the event will end up being a debacle given the fervour of her opponents. Mayor Tory should have taken a stand and invited her to speak at city hall rather than exacerbate the situation by condemning what was clearly the right decision. Whatever your views on this subject, having rational conversations about difficult topics can't be considered hate speech and I applaud the library for supporting such a basic principle.

I would attend in quiet support if the venue allowed but it is sold out and I have no interest in trying to counterbalance the crowd that I'm sure will be there in opposition. Please remember that, much like on twitter, the fringe extremes will be grossly overrepresented on the day of the event. The silent majority will be at home safe in the knowledge the at least one Toronto institution stands firm in support of free thought.

King Regards,
Ed Gibbard

Edward Gibbard
edward.gibbard@gmail.com

m.

CENTRE FOR
FREE EXPRESSION

By email: nmarshall@tpl.ca

October 18, 2019

Ms. Sue Graham-Nutter
Chair
Toronto Public Library Board
789 Yonge Street
Toronto, ON M4W 2G8

Dear Ms. Graham-Nutter,

I am writing in relation to the controversy arising from the Toronto Public Library renting space at a branch for a talk by Meghan Murphy. Like many of those calling on the TPL to cancel the room booking, I find Ms. Murphy's views offensive. But in a democracy, offensive views are neither illegal nor a basis for censorship by public bodies.

Our public libraries play an especially important role as public places, open to all, and committed, as articulated in the TPL mission statement, to provide free and equitable access to services which meet the changing needs of Torontonians and to preserve and promote universal access to a broad range of human knowledge, experience, information and ideas in a welcoming and supportive environment. "Welcoming and supportive" does not mean the absence of possible exposure to challenging or offensive ideas whether written, visual, or spoken. In fact, it means the opposite -- an environment where diversity of views is welcomed, and people are not excluded because they hold minority viewpoints or perspectives disdained by the majority.

For democracy to survive, it must be an unending public discourse over what is legitimate and what is illegitimate, without the state and public bodies being able to shut down that discourse in the name of the majority at any one point in time.

As I wrote for our Centre for Free Expression blog yesterday, critics of Murphy make several arguments, but they all rest on the claim that free expression rights conflict with equality, and, in such situations, equality should prevail. Murphy's critics are right that we live in a transphobic society in which transgendered people are marginalized. But censoring offensive expression, attractive as it may seem, is not a road to equality or an end to marginalization, nor does censorship ever lead to equality.

Public libraries have long been democratic society's bulwark against censorship -- even when it may be deeply unpopular to do so. In championing intellectual freedom, public libraries make real their commitment that all persons in Canada have a fundamental right, subject only to the Constitution and the law, to have access to the full range of knowledge, imagination, ideas, and opinion, and to express their thoughts publicly. An important part of this is making their facilities available to all

members of the public provided only that the events are conducted in a manner consistent with the library's code of conduct and that no illegal behaviour takes place.

If Meghan Murphy engages in illegal hate speech on October 29th, she can be charged. But it is not the role of a public library to abandon its principled commitment to intellectual freedom in favour of prior restraint – arguably the most serious restriction on the right to freedom of expression -- by cancelling her talk in *anticipation* of illegal expression.

Canadian jurisprudence on expressive freedom registers strong concerns about prior restraint which, by its very nature, prohibits expressive activity pre-emptively, without knowing whether there are justifiable grounds for its limitation.

At a time like this, it is worthwhile to remember the words of then Chief Justice of the Supreme Court of Canada Beverley McLachlin in a case called *R v. Sharpe*. She wrote:

"Among the most fundamental rights possessed by Canadians is freedom of expression. It makes possible our liberty, our creativity and our democracy. It does this by protecting not only 'good' and popular expression, but also unpopular or even offensive expression. The right to freedom of expression rests on the conviction that the best route to truth, individual flourishing and peaceful coexistence in a heterogeneous society in which people hold divergent and conflicting beliefs lies in the free flow of ideas and images. If we do not like an idea or an image, we are free to argue against it or simply turn away. But, absent some constitutionally adequate justification, we cannot forbid a person from expressing it... Because of the importance of the guarantee of free expression...any attempt to restrict the right must be subjected to the most careful scrutiny."

This is precisely the kind of time when principled commitments are most important. The TPL and other public libraries in Canada have played a vital role in protecting and promoting our intellectual freedom. I hope you continue that tradition on the 29th.

Yours sincerely,



James L. Turk
Director
Centre for Free Expression
Ryerson University
www.cfe.ryerson.ca



Trans Women's Association
Advocacy, Charity & Hope

Trans Women's Association (TWA)
c/o PO Box 9990 HK 398 165
RPO Dupont
Toronto, ON M5R 0A7

October 20th, 2019

Without Prejudice

Toronto Public Library Board

c/o Nancy Marshall, Library Board Officer (via email: nmarshall@tpl.ca)
Sue Graham-Nutter (Chair)
Paul Ainslie (CoT Council)
Jonathan Hoss
Fenton Jagdeo
Jennifer Liu
Gord Perks (CoT Council)
Alim Remtulla

Toronto Public Library Foundation Board

Sarah Fulford c/o Jennifer Jones, President (via email: jjones@tpl.ca)

Canadian Union of Public Employees

Michael Hancock, President (via email: adesjardins@cupe.ca)

RE: Meghan Murphy / Palmerston Branch TPL Oct. 29, 2019

Ontario Human Rights Code

TPL Vision, Mission & Values

CoT Equity, Diversity and Inclusion

It has come to my attention that Toronto Public Library is allowing Meghan Murphy to use TPL space to speak at a hosted event. Meghan Murphy has a reputation as a Trans Exclusive Radical and has engaged in speech which if used in Ontario may violate Ontario Human Rights Code (OHRC), TPL policy, City of Toronto policy, CUPE policy and/or hate speech laws. We have yet to test Canadian Human Rights protections in this area and are fully prepared to do so, given her national program.

Specifically, it has come to my attention that TPL may have been given advice which may have been based upon an imprecise question to legal counsel. In Ontario the Ontario Human Rights Code is quite clear regarding accommodation, which is different than criminal hate speech. Equity policies adopted by all three organizations also provide clear guidance to the board in the form of a much lower bar than criminality. So while your legal council may be correct that is likely no criminality will occur at the event, a violation of OHRC and/or specific involved organization policy is likely to occur, not limited to what the speaker, organizer or participants promote and/or derived TPL financial benefit from hosting such event.

Further, TPL Board has been notified by other organizations that the reason(s) stated for hosting Meghan Murphy are disingenuous. The union representing library staff has asked for this event to be cancelled and disregarding such a request may be seen a reckless, if not obviously callous. It would be beyond disappointing to discover that any member of CUPE had any part in supporting this event. Given the number and credibility of such notifications from authoritative sources makes ignorance as a defense laughable.

Continued ...

Megan Murphy's unpleasant derisions target one specific group of the LGBT community, and it would require Olympic level legal gymnastics to persuade anyone she did not choose her words without prior thought and full intent. Knowing all of this and still hosting this event is harmful to members of the LGBT community.

This letter serves as formal notice that a violation of at least one of the above stated laws and/or policies is likely and further, a reasonable person would not facilitate, promote or profit from any such event. Each member must weigh their options in the light of joint and several actions to compel upon members of the board, for which directors and officers liability insurance likely would not provide coverage. Each member should consider both their position on this matter and their reputation carefully, as next steps may become public record.

Reasonableness is found in two possible actions;

- A) Cancelling the event outright
- B) Ensuring no such event is booked in the future

If the event is permitted to proceed, resolutions after the fact may include sizable financial settlements to offset harm done, to cover the cost of educating every member of TPL staff, each of the boards involved and to fund awareness programs.

I look to the Board of Toronto Public Library to provide direction to the management and staff in this regard. And, to remind all that the library is a charitable organization and a public dispute is not in the interest of board members nor the customers of the library system.

As time is short, I also look to the board to provide minutes fully supporting the solution presented and thus avoid actions to compel compliance with the above stated code and policy. Failure to act in a reasonable manner may result in vigorous pursuit of this matter by every legal means.

In the year 2019 this letter should be unnecessary, and one would expect better from an otherwise rock-solid community organization that does an otherwise adequate job in promoting equality.

Melissa Hudson
Advocate
Trans Women's Association

CC. His Worship John Tory Mayor, City of Toronto (via email: mayor_tory@toronto.ca)
Susan E. Opler, Ombudsman City of Toronto (via email: susan.opler@toronto.ca)

MH/pc

O.

Nancy Marshall

From: Ana-Maria Critchley
Sent: Monday, October 21, 2019 1:39 PM
To: Nancy Marshall; Vickery Bowles; Pam Ryan
Subject: Communication to the Board

Dear Members of the Toronto Public Library Board.

I write in defence of the brave stand taken by Vickery Bowles in defence of free speech. Sadly, it seems that more and more groups in Toronto, under the guise of being defenders of the oppressed, are behaving like Stalinist-era soviets, ferociously dictating to others what is suitable to be heard or read. Far too often these groups are allowed to utter their nonsense without others making reasonable counterarguments. Fortunately for the City of Toronto—indeed, for all of Canada--Ms Bowles has taken a principled stand. Moreover, she has been vocal in explaining her reasons for her position, and has made eminent sense in doing so. There will be many censorious, silly people, posing as white knights, who will disparage her arguments--and probably the woman herself. Regardless, I hope the Library Board sees the wisdom of her stance. Furthermore, I exhort the Board to be public, clear, and unequivocal in its defence of free speech and of Ms Bowles' remarks. Who better than the Chief Librarian to stand up for free speech?

For your information, I am an internationally-published author, a Member of the Order of Canada, and am the founding Artistic Director of the International Festival of Authors. You may also wish to know that I have made many scouting trips to several nations where writers are not allowed to speak their minds—and such countries are intellectually woeful places indeed. Only by vigorously defending the right of citizens to speak unpopular truths or to communicate viewpoints with which we disagree can we be sure we do not become one of those lamentable lands where writers self-censor and are never seen to question dogma.

Yours cordially,
Greg Gatenby

Nancy Marshall

P.

From: Dawn Miklaski [REDACTED]
Sent: Sunday, October 20, 2019 11:52 PM
To: Nancy Marshall
Subject: Thank-you for Supporting Freedom of Speech

Nancy,

Thank-you for supporting freedom of speech in Canadian libraries. This is what makes Canada special. An opportunity for many ideas to be expressed and ideas discussed. Well done Ms. Bowles on defending freedom of speech even when she does not necessarily agree with that point-of-view.

Sincerely,

Dawn Miklaski

Sent from my iPhone

9.

October 21, 2019

To: Toronto Public Library Board and Administration

Re: Toronto Public Library Transphobic Room Booking

We are librarians and library workers who have come together to discuss issues around intellectual freedom and the problem of transphobia in our communities and our libraries. We are extremely concerned by the emerging pattern of public libraries and universities allowing transphobic speakers to use their space to spread hate and undermine trans rights. We write this letter in solidarity with Toronto Public Library users, members of the literary community, Toronto Public Library Workers Union members, and transgender people in Toronto and beyond.

Toronto Public Library's room rental for the event "Gender Identity: What Does It Mean for Society, the Law, and Women?" is the latest example of this pattern. The event features Meghan Murphy, a well-known transphobic speaker. Earlier this year, Vancouver Public Library allowed Murphy to book their space for an event, during which "five speakers asserted that trans women are not women and should not be treated as women" (Vancouver Pride Society). Murphy has repeatedly called trans women men and opposed Bill C-16, which added gender identity and expression as protected grounds under the *Canadian Human Rights Act*.

Section 4.4a of TPL's Community and Event Space Rental policy makes clear that TPL can deny or cancel the bookings of groups that are "likely to promote, or would have the effect of promoting discrimination, contempt or hatred for any group or person on the basis of...gender identity [or] gender expression." These provisions were developed in response to prior room bookings by hate groups, and intended to prevent these types of bookings in future ("Toronto library bars hate groups from renting space," Samantha Beattie, Dec. 11 2017). TPL is clearly choosing not to exercise these provisions.

Therefore, we believe that **policy is not the problem**. The core issue is one of institutional will. Toronto Public Library has a responsibility to reject transphobic rhetoric and not allow the value of intellectual freedom to be co-opted by those who spread hate and inflict harm on those who are vulnerable, under-represented, and historically excluded. Their decision not to do so makes TPL complicit in the spread of trans-antagonistic hatred.

TPL's statements about the event heavily imply that a compromise must be struck between upholding intellectual freedom and equity and diversity. Although we believe that intellectual freedom is central to libraries' mission and existence, we do not believe these values are in opposition to one another. A commitment to intellectual freedom does not require public libraries to provide a platform for hate. Intellectual freedom has often meant freedom for those who already have the loudest voices, the biggest platforms, and access to the seats of power, and libraries must begin to reevaluate this value through an anti-oppressive lens in order to find

ways for the values of intellectual freedom, equity, diversity, and community connection to be realized in mutually-reinforcing ways.

We believe that in the current situation, TPL must demonstrate its professed commitment to LGBTQ2SIA+ community through action. As such, we call on Toronto Public Library to cancel this room booking and its leadership to critically assess why, despite a policy and articulated values that support the rejection of this room booking, providing a platform for transphobia was even considered.

Moreover, if TPL City Librarian Vickery Bowles and Board members do not cancel this room booking, it will be a strong demonstration of failed leadership. We then would question how the current City Librarian and Board members could continue to hold authority and their positions when they have ignored their stated values and provided a platform for hate.

Sincerely,

Hazel Plante
Allison Jones
Baharak Yousefi
Leanna Jantzi
Faith Jones
Anne Olsen
Shirley Lew
Shelby Miller
Wanda Power
Daniel Carkner
Indri Pasaribu
Lara Maestro
Claire Williams
Emma Lawson
Jane Schmidt

Reece Steinberg
Alison Skyrme
Ean Henninger
Cristina Freire
Nick Ubels
Kathleen Reed
Luke McLeod
Trina Grover
Jenna Grose
Leila Meshgini
Andrea Lukic
Karen Ng
Lara Wright
Sheila Hammond-Todd

To the members of the Toronto Public Library Board,

Oct 21, 2019

I am writing with a statement of support for Ms. Vickery Bowles' decision to uphold the principles of intellectual freedom in the midst of the controversy regarding Meghan Murphy's room booking. As Ms. Bowles indicates in her public statement, the library is a public institution with the obligation to uphold the fundamental freedoms of freedom of thought, belief, opinion and expression as enshrined in the *Canadian Charter of Rights and Freedoms*. Libraries are an essential space for ideas to be stored, accessed, shared, evaluated, and challenged. Its shelves contain countless words that could hurt and offend, and many ideas that are surely wrong-headed. Encountering, engaging with, and learning how to critique wrong-headed ideas is one of the ways we – as individuals and as a society – can advance knowledge. The same is true of the ideas communicated in the library's public meeting spaces. Bookings, like all library activities, must be guided by principles of intellectual freedom. It cannot be the library's role to sort every idea into categories of right and wrong, allowable and censored.

I am a professor of social psychology at Wilfrid Laurier University, with expertise in the dynamics of social inequality, social progress, and political polarization. I served on Wilfrid Laurier's Freedom of Expression Task Force and have engaged deeply with these issues and the times they are in tension with goals of equity, inclusion, and diversity. Note, however, that this statement is my own, not on behalf of the university. I am a progressive, and a firm supporter of LGBTQ2S+ rights. I do not agree with the position taken by Meghan Murphy on many contemporary issues, and I acknowledge that words can hurt and that freedom of expression often places a special burden on marginalized groups. However, in grappling with these difficult issues, I come to the inescapable conclusion that the protection of freedom of expression is essential in the pursuit of social justice, not at odds with it. Historically, free speech protection has been pivotal to movements seeking to dismantle systems of oppression and injustice in society. Free speech is a fundamental tool in the fight for equal rights and social justice. By upholding this principle, however, we must accept that we also uphold it for voices expressing ideas we find objectionable, hurtful, and wrong. As stated by Harvard President Drew Gilpin Faust in her inspiring 2017 commencement address, "...we must remember that limiting some speech opens the dangerous possibility that the speech that is ultimately censored may be our own." (<https://www.harvard.edu/president/speech/2017/2017-commencement-speech>) The power to censor may seem appealing when in the hands of those we agree with, but all too often that power can be used against the very marginalized voices that we seek to protect.

In my estimation, Ms. Bowles and the Toronto Public Library are right to uphold the principle of intellectual freedom. It is clear from Ms. Bowles' public statement that they have carefully considered these issues in light of the library's policy reserving the right to deny booking to groups whose purpose is to promote "discrimination, contempt or hatred for any group or person." Ms. Bowles, in consultation with colleagues and legal experts, concluded that the purpose of the booking request does not cross that line, nor does Ms. Murphy's prior appearance at the Vancouver Public Library give reason to believe she will cross that line in her presentation. Banning a speaker for who they are or based on speculation of what they might say is too loose a standard, and could be used as a cudgel against any number of groups. Some community members may evaluate Ms. Murphy's words as hurtful, but others might seek to

censor speakers (on the same grounds, from their perspective) from Black Lives Matter, proponents of reproductive rights, critics of colonialism or trans rights activists.

I also appreciate Ms. Bowles' contention that the principle of intellectual freedom also protects the right to vigorously dispute Ms. Murphy's ideas: "While TPL encourages public debate and discussion about differing ideas, we also encourage those with opposing or conflicting viewpoints to respectfully challenge each other's ideas and not the library's democratic mandate to provide space for both." One of the best ways to move public understanding forward on controversial issues is to fully engage with and provide considered arguments against the views one finds objectionable. Many of those who oppose Ms. Murphy's presentation are also well-equipped with the best arguments against Ms. Murphy's claims. Respectful civil discourse, including strong disagreement, benefits people acting in good faith on both sides of any debate.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne Wilson".

Dr. Anne Wilson, Professor

Fellow, Canadian Institute for Advanced Research, Successful Societies program

Psychology Department

Wilfrid Laurier University

awilson@wlu.ca

S.

Nancy Marshall

From: thebarleys [REDACTED]
Sent: Saturday, October 19, 2019 9:57 AM
To: Vickery Bowles
Cc: mayor_tory@toronto.ca; Nancy Marshall
Subject: Support for the Toronto Public Library

Dear Ms. Bowles,

Thank you for your courage in upholding the right of freedom of speech. It does credit to the Toronto Public Library. Your interview with Carol Off on CBC's As It Happens clearly defined the role of public institutions whose role in part, is to provide a forum for the discussion and debate of topics that are controversial and are seen to be offensive by many people. A democracy needs to hear, debate and make decisions on whether to uphold or condemn unpopular views. As you rightly said, the limit is hate speech as defined by the criminal code.

You have come under the strongest condemnation and I applaud you.

I have copied Nancy Marshall the Secretary of the Board of the TPL and ask that she forward my message to all members of the Board. I have also copied the Mayor, whose views I normally support, but not in this case.

Sincerely,
Catherine Barley

t.



October 22, 2019

Dear Sue Graham-Nutter, Chair Toronto Public Library Board,

As a national group of over 1,000 parents and caregivers of transgender and gender non-conforming children, we appeal to the TPL Board to apply its policy and cancel the Meghan Murphy booking on the grounds that this talk is likely to promote discrimination against transgender people.

Parents from all over the political spectrum and various walks of life, join our group simply because we each have a child who let us know that we were mistaken about their gender. Many of us consulted specialists and looked into the latest research in order to determine the best approach to take. Currently experts agree that gender identity is deeply held by all children, including those that are transgender. Research shows that, like all children, our children fare best when their sense of their gender identity is accepted by family, school and community.

We have listened to City Librarian Vickery Bowles and are deeply disappointed to see the TPL failing our children and our community. Anti-discrimination laws and policies have been extended now to include gender identity. We applaud transgender adults for their persistent work in bringing about the changes from which our children benefit. As parents we find that while we still have to do some educating, our publicly funded institutions (schools, recreation programs, and health care services) largely understand and strive to meet their obligations under current human rights policies.

It is very concerning that the TPL seems to be determined to rent space to an individual who routinely promotes discrimination against transgender people. The TPL has policy that clearly allows for cancellation in these circumstances (4.4.1.a). We know very well that there are people who vehemently fight against the rights of our children and families and wish us harm. We know that some people gain prominence by seeking publicly-funded platforms for their divisive opinions and that they exploit the concept of free speech. We urge the TPL to become more informed about recognizing these disturbing trends.

Additionally, in the past few weeks we have witnessed the TPL's dismissiveness toward the transgender community. Given that trans women face alarmingly high risk of harassment and violence, it is disingenuous of the TPL to say that we can all engage in civil debate about trans rights at an event that draws together Murphy's supporters. Further, TPL is sending the hurtful message to our children and youth that they do not deserve safety in

the library's public spaces, while it is simultaneously sending an encouraging signal to those who wish to further marginalize and harm transgender people.

Murphy claims to represent women and specifically feminists. She is leveraging the view that women need protection in order to push the TPL into upholding her application to speak. In fact, a large number of feminists working in women's shelters and rape crisis centres have expressed clear public support for federal human rights protections for trans women. Many women have disavowed Murphy's anti- trans rights opinions.

Is the TPL aware of how its handling of these events has contributed to a transphobic climate and that this has serious impacts? As parents, we witness the toll that direct and indirect discrimination, harassment, and violence has on children. Sadly, research shows that 47% of trans youth in Ontario thought about suicide and 19% made attempts in the previous year. Acceptance has been identified as the greatest protective factor yet 68% of trans youth report incidents of verbal harassment targeting their gender identity. These are our children and they deserve better from the TPL.

As community members we are calling for the TPL to do the following: show greater respect toward transgender people bringing forward concerns, apply the TPL cancellation policies to this booking, fulfill TPL's obligation to the City of Toronto to not use public funds for the promotion of discrimination, and become better informed about transphobia.

Sincerely,

Canadian Parents of Trans and Gender Diverse Kids/ Parents canadiens d'enfants trans,
Admin Team Members
(names withheld due to concern for the safety of our children and families)

CC

Mayor of Toronto, John Tory
City Librarian, Vickery Bowles
City Councillor, Gord Perks
City Councillor, Paul Ainslie
Director of Branch Operations, Moe Hosseini-Ara
Palmerston Branch Library Service Manager, Elizabeth Sutter



Canadian Federation of Library Associations
Fédération canadienne des associations de bibliothèques

u.

October 22, 2019

Toronto Public Library Board
789 Yonge Street
Toronto, Ontario M4W 2G8

Dear Ms Graham-Nutter, Board Chair, and Board Members,

The Canadian Federation of Library Associations – Fédération canadienne des associations de bibliothèques (CFLA-FCAB) supports the Toronto Public Library's decision to uphold Intellectual Freedom, in acknowledgement of libraries' core responsibility to support, defend, and promote the universal principles of intellectual freedom, while safeguarding and fostering free expression.ⁱ

On Tuesday, October 29, 2019 a lecture entitled "Gender Identity: What does it mean for Society, the Law, and Women?" is scheduled to be held at Toronto Public Library's Palmerston Branch.

CFLA-FCAB supports and promotes the universal principles of intellectual freedom as defined in the Universal Declaration of Human Rightsⁱⁱ, which include the interlocking freedoms to hold opinions and to seek, receive and impart information and ideas through any media and regardless of frontiers.

CFLA-FCAB "affirms that all persons in Canada have a fundamental right, subject only to the Constitution and the law, to have access to the full range of knowledge, imagination, ideas, and opinion, and to express their thoughts publicly. Only the courts may abridge free expression rights in Canada." Further, library "employees, volunteers and employers as well as library governing entities have a core responsibility to uphold the principles of intellectual freedom in the performance of their respective library roles."ⁱ

The articles of the CFLA-FCAB Statement on Intellectual Freedom and Libraries are explicit declarations of fundamental principles that should govern the service of all publicly funded Canadian libraries, nonetheless, questions do arise regarding application of these principles to specific library practices. CFLA-FCAB acknowledges the significant public discourse regarding the challenge inherent in the right for free

speech and the desire to foster inclusive environments, particularly for marginalized communities.

Libraries also encounter pervasive confusion that renting space to a third party equates to support for the third party and CFLA-FCAB recommends that libraries assure that Room Booking Policies be in place to ensure that this principle is, as much as is possible, clarified.

CFLA-FCAB's Position on Third Party Use of Publicly Funded Library Meetings Rooms and Facilities: An Interpretation of the Canadian Federation of Library Associations' Statement on Intellectual Freedom and Librariesⁱⁱⁱ provides an interpretation with regards to third party use of publicly funded library meetings rooms and facilities, noting the following points:

- Publicly funded libraries that make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
- CFLA-FCAB affirms that allowing use of its meeting rooms or facilities in no way correlates to the library endorsing the nature of the free expression of any individual or group using a meeting room or facility.
- CFLA-FCAB affirms controversial expression is supported in the library. Equally so, challenge to controversial expression is supported. CFLA-FCAB does not, however, endorse the exercise of prior restraint as a means to avoiding controversy in the library.
- CFLA-FCAB unequivocally directs libraries to work within the Canadian law and human rights codes.
- CFLA-FCAB recognizes Canadian public libraries are subject to the Charter of Rights and Freedoms, which identifies freedom of expression as one of the four fundamental freedoms in Canada, subject only to reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.
- CFLA-FCAB recognizes there is a wide range of measures available to libraries to minimize and correct violations of the law, expecting libraries to exercise due diligence and avoid being willfully blind to illegal behaviour while ensuring their fundamental commitment to intellectual freedom.
- CFLA-FCAB is mutually committed to intellectual freedom and to zero tolerance for discrimination, believing the two principles are mutually reinforcing.

CFLA-FCAB acknowledges that the issues you are faced with at this time are challenging. CFLA-FCAB is currently planning its next National Forum, to be held in Winnipeg, Manitoba in April 2020, to continue the national discussion and engage in

critical discussion on this topic. We encourage you to join us to share your experience and learning with others who are facing the need for the courageous acts that your Board and City Librarian are undertaking in defence of Intellectual Freedom.

In closing, as previously noted, CFLA-FCAB supports the Toronto Public Library's decision to allow the event as well as the City Librarian's Statement^{iv} on the upcoming third-party room rental. Toronto Public Library is upholding the principles of intellectual freedom in their decision to rent public space to a third-party group for an event with a controversial speaker at the end of October.

Sincerely,



Alix-Rae Stefanko

Chair, CFLA-FCAB

cc. Katherine McColgan, Executive Director

ⁱ CFLA-FCAB Statement on Intellectual Freedom and Libraries

<http://cfla-fcab.ca/en/guidelines-and-position-papers/statement-on-intellectual-freedom-and-libraries/>

ⁱⁱ UN Universal Declaration of Human Rights <http://www.un.org/en/universal-declaration-humanrights/>

ⁱⁱⁱ Position on Third Party Use of Publicly Funded Library Meetings Rooms and Facilities:
http://cfla-fcab.ca/wp-content/uploads/2019/03/CFLA-FCAB_statement_meeting_rooms.pdf

^{iv} City Librarian Statement on Upcoming Third-Party Room Rental Event
https://torontopubliclibrary.typepad.com/news_releases/2019/10/city-librarian-statement-on-upcoming-third-party-room-rental-event-.html