



STAFF REPORT INFORMATION ONLY

Intellectual Freedom Challenges – 2022 Annual Report

Date: March 27, 2023

To: Toronto Public Library Board

From: City Librarian

SUMMARY

The purpose of this report is to provide an overview of the processes for dealing with challenges to intellectual freedom and to provide a summary of the 13 complaints Toronto Public Library (TPL) received in 2022 – nine regarding library materials, one regarding digital archives, one regarding library spaces and two regarding library programming. There were no challenges regarding website content or library technology received in 2022.

While the volume of complaints received relative to the population served is very low, this report is before the Board at a time when there are significant increases in the number of challenges received in other jurisdictions, particularly the United States. In response, TPL is taking action to promote intellectual freedom by participating in international and national initiatives, establishing Equity and Intellectual Freedom position statements, and organizing programs on intellectual freedom and related topics, as well as participating in a Canada-wide public library staff training program. All of this is part of an effort to improve general understanding of the importance of intellectual freedom, free speech and free expression in a democratic society and as a core public library value.

FINANCIAL IMPACT

There is no financial impact arising from the information in this report.

The Director, Finance and Treasurer has reviewed this financial impact statement and agrees with it.

ALIGNMENT WITH STRATEGIC PLAN

The report on Intellectual Freedom Challenges for 2022 reflects the Library's Mission and Values, specifically that of Intellectual Freedom – guaranteeing and facilitating the free exchange of information and ideas in a democratic society, protecting intellectual freedom and respecting individuals' rights to privacy and choice. The report is also aligned with the Strategic Plan priority of providing the vital ingredients for a democratic society.

EQUITY IMPACT STATEMENT

Equity, diversity, and inclusion are central to the promotion and practice of intellectual freedom. TPL supports this principle by, as stated in its Mission Statement, providing “universal access to a broad range of human knowledge, experience, information and ideas...” through its collections, programs and services. Further, TPL's commitment to equity and intellectual freedom as mutually reinforcing principles is reiterated in the Board-approved Position Statements on Equity and Intellectual Freedom.

DECISION HISTORY

At its May 8, 2018 meeting, the Library Board received for information the [Intellectual Freedom Challenges – 2017 Annual Report](#) which, for the first time, was broadened to include not only challenges to library materials but also challenges relating to library programming, technology and library space, in order to provide a more comprehensive view of challenges relating to intellectual freedom.

At its December 5, 2022 meeting, the Library Board approved the report, [Trends in Intellectual Freedom Challenges](#), and reaffirmed its commitment to the Canadian Federation of Library Association's Statement on Intellectual Freedom and endorsed the Urban Library Council's Declaration of Democracy.

At its December 5, 2022 meeting, the Library Board approved the report, [Intellectual Freedom and Equity Statements](#), as two mutually reinforcing statements that recognize TPL's role in supporting these foundational principles.

BACKGROUND

The Library believes that a vital society encourages members of its community to actively participate in an open exchange of ideas and opinions and it offers materials, technology, programs and services to support this goal. The Library seeks to offer a welcoming, inclusive environment while upholding the principles of freedom of speech and expression.

At present, intellectual freedom challenges are dealt with in the context of the applicable policy governing that area of service. The current process for handling requests for reconsideration of library materials is highly developed and well understood by staff, and will provide a model for development of processes relating to other types of intellectual freedom challenges.

COMMENTS

Challenges to the Use of Collections

The Library provides a process for members of the public to identify concerns about books and other material in the Library's collection. These customer complaints are dealt with in the context of the [Materials Selection Policy](#) and the principles of intellectual freedom, both of which were approved by the Board at its meeting on June 26, 2000. The Board approved a revision of the policy in December 2007. In June 2012, the Board endorsed two Ontario Library Association statements on intellectual rights, which are now appended to the policy. Subsequently, the Board approved a revision of the policy in June 2016 and in January 2023. The relevant section of the policy is restated here:

The library believes that a vital society encourages members of its community to actively participate in an open exchange of ideas and opinions. Material selectors consequently strive to provide the widest possible range of resources within Toronto Public Library collections.

The content or manner of expressing ideas in material that is purposely selected to fill the needs of some Library customers, may, on occasion, be considered to be offensive by other Library customers. The Library recognizes the right of any individual or group to reject library material for personal use, but does not accord to any individual or group the right to restrict the freedom of others to make use of that same material.

Library customers who object to materials located in the collection are asked to complete a written request for the reconsideration of the materials. Request forms are available for this purpose at all Library branches.

The procedures for the reconsideration of library materials are intended to ensure that the concerns of the customer are dealt with in a timely manner and with sensitivity. Typically, complaints are received at the branch level. Staff then have the opportunity to discuss the customer's concerns with them and to provide them with a copy of the *Materials Selection Policy*. This discussion often satisfies the customer and no further action is required. Customers wishing to pursue their complaint fill out a form detailing their concerns, which is sent to the Collection Development Manager, who forwards it to the Materials Review Committee. A letter of acknowledgement is sent to the customer explaining the process.

The Materials Review Committee is chaired by the Manager, Collection Development and is drawn from a group of experienced public service librarians based on the subject of the complaint. These librarians have a mixture of expertise in adult, children's and teen materials in a variety of formats and the Manager may also call in other experts, for example language specialists, as needed. The Committee researches the disputed title by considering reviews, the author's reputation, coverage of the subject in the collection, its popularity, historical importance, etc., all within the context of the *Materials Selection Policy*. The decision on the disposition of the item is communicated in writing by the Director, Collections & Membership Services. If the customer wishes to dispute the decision, they may do so to the City Librarian where the final decision will be made.

In 2022, there were nine challenges to titles in the collection. Of the nine titles, eight were retained, while one was withdrawn from the collection. Of the retained items, two were transferred to another collection. Details about the complaints and the actions taken by the Library are listed in Attachment 1.

In 2022, there was one challenge to materials available in TPL's Digital Archives, containing information that was personally identifiable to the individual making the challenge. The request was reviewed confidentially through TPL's reconsideration of materials lens, and the digital copies were removed from online presentation. The original images were retained in TPL's physical collections. A formal process for requests of this nature is in development as part of the intellectual freedom framework. Details about the challenge and actions taken by the Library are listed in Attachment 2.

Challenges to the Programming offered

Challenges requesting the cancellation of programs are dealt with in the context of the [Programming Policy](#). The relevant sections of the policy are as follows:

TPL provides public programming to fulfil its mission to provide equitable access to services which meet the changing needs of Torontonians and to preserve and promote universal access to a broad range of knowledge, experience, information and ideas in a welcoming and supportive environment. Programming is provided in keeping with the Canadian Federation of Library Association's Statement on Intellectual Freedom and Libraries and TPL's vision and values.

Programs will be delivered by qualified staff or subject matter experts, as appropriate.

TPL programs may cover a range of topics and ideas, which are of current interest and possible future significance, including topics and ideas that reflect current conditions, trends and controversies.

In 2022, TPL received two formal challenges to programs. In addition, staff were also contacted with complaints about some Drag Queen Story Time programs, including threats to disrupt the programs. In those cases, staff were notified and additional security at those programs was arranged. The programs proceeded with no disruption.

Challenges to Room Bookings

Challenges requesting the cancellation of room bookings are dealt with in the context of the [Community and Event Space Rental Policy](#). The relevant sections of the policy are as follows:

Permission to use these facilities does not imply any endorsement of the aims, policies or activities of any group or individual;

All meetings must be conducted in a manner consistent with the Library's Rules of Conduct, and according to the Terms and Conditions, as they may be amended from time-to-time.

When making the Library's Community Space Rentals available for use, the Library is committed to ensuring the dignity and safety of the public and staff without disruption to Library services, and to maintaining the security of Library property.

In 2022, TPL received one formal challenge to a room booking. Details about the complaints and the actions taken by the Library are listed in Attachment 2.

CONCLUSION

In general, the volume of complaints received relative to the population served is very low, reflecting the public's appreciation of the breadth of TPL's collection, the importance of public libraries in providing access to public space, programming and technology, and its understanding of the application of intellectual freedom in a library setting. However, with the increased number of challenges received in other jurisdictions, particularly the United States, TPL is taking action to promote intellectual freedom. TPL is participating in international and national initiatives, has established Equity and Intellectual Freedom position statements, and is organizing programs on intellectual freedom and related topics, and participating in a Canada-wide public library staff training program on intellectual freedom. All of this is part of an effort to improve general understanding of the importance of intellectual freedom, free speech and free expression in a democratic society and as a core public library value.

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SIGNATURE

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ATTACHMENTS

1. Challenges to Intellectual Freedom 2022 – Library Materials
2. Challenges to Intellectual Freedom 2022 – Library Programming, Special Collections

Attachment 1

Challenges to Intellectual Freedom 2022 – Library Materials

Date	Item Description	Summary of Customer Comments	Findings and Action Taken
Feb 2022	Le chien qui sauva Montréal [2021]	<ul style="list-style-type: none"> Book negatively portrays and falsely accuses the Haudenosaunee of mindless violence and provides support for systemic racism Asked for removal from collection 	<ul style="list-style-type: none"> Book was written from a French colonial perspective and the absence of multiple viewpoints could be considered a weakness in the book, but does not merit its withdrawal from the collection Book is classified as fiction and not non-fiction where a broader perspective is more imperative Item was retained in the collection Item was moved to the Advanced Picture Book collection which is intended for children ages 7-12
Mar 2022	Wanted: un crime insoutenable [2019]	<ul style="list-style-type: none"> Refers to Indigenous characters as 'les Peaux Roux' (Red Skins). It perpetuates negative and outdated stereotypes of Indigenous peoples Asked that the book be removed from the collection 	<ul style="list-style-type: none"> A children's picture book published in France with multiple instances of depicting Indigenous characters in an offensive way and uses the derogatory term 'Red Skins' Book does not serve any educational purpose and does not contain any historical context Item was withdrawn from the collection

Date	Item Description	Summary of Customer Comments	Findings and Action Taken
May 2022	Tasting the Sky: A Palestinian Childhood [2007]	<ul style="list-style-type: none"> • Book depicts a distorted depiction of Israel during the Six-Day War and its aftermath and could condition young readers into antipathy to Israel. • Asked that the book be available on request only 	<ul style="list-style-type: none"> • Book is an autobiography where the author shares an account of her life and experiences from her perspective • Not an academic or historical work and TPL owns other books that address Six-Day war from an Israeli perspective • Item was retained in the circulating collection
May 2022	The Shepherd's Granddaughter [2008]	<ul style="list-style-type: none"> • Book is replete with factual errors and anti-Semitic tropes making it inappropriate for children • Asked that the book be available on request only 	<ul style="list-style-type: none"> • Catalogued as a teen title and was not in children's collection • It is a work of fiction, not opinion, and is classified appropriately • Book received the 2009 CLA Book of the Year for Children Award • Item was retained in the circulating collection
May 2022	Amazing Women of the Middle East: 25 Stories from Ancient Times to Present Day [2020]	<ul style="list-style-type: none"> • Children's book does not provide an accurate portrayal of the Middle East as it omits Israel on the included map. • Asked that the book be removed from the collection 	<ul style="list-style-type: none"> • It contains a non-contextualized, stylized map of the Middle East without Israel, the only Jewish state in the Middle East - is misleading as part of the children's collection • Item was retained in the circulating collection • Item was moved from the children's collection to adult graphic books

Date	Item Description	Summary of Customer Comments	Findings and Action Taken
July 2022	Asterix at the Olympic Games [1974]	<ul style="list-style-type: none"> • Book's images of Africans are problematic and racist • Asked that the book be removed from the collection 	<ul style="list-style-type: none"> • Book was first published in 1968 and had a live action movie released in 2008 • Part of a very popular graphic novel series • The comic series is rooted in the use of archetypes, stereotypes, exaggerations and caricatures throughout • The practice of depicting Black characters in such a stereotypical way is problematic, but of its time • Item was retained in the circulating collection
Oct 2022	Songs from the Soul: Stories from Around the World [2011]	<ul style="list-style-type: none"> • Book leaves the impression that India and Nigeria accept cruelty and superstition compared to its portrayal of western countries that leaves a positive image • Asked that the book not be circulated or include a content warning 	<ul style="list-style-type: none"> • Contains 8 short stories selected from winners of the 2005 and 2006 Commonwealth Short Story Competition • It is a work of fiction where we respect the right of the authors to share these stories with others • Item was retained in the collection
Dec 2022	Born in Jerusalem, Born Palestinian (2012)	<ul style="list-style-type: none"> • One sided view of the Palestinian war against Jews and the establishment of Israel, and that it will lead to anti-Semitism • Asked that the book be removed from the library's collection 	<ul style="list-style-type: none"> • Book is a memoir and shares the author's memories of growing up in Jerusalem • With any experience retold from a certain perspective, there is the possibility that it could be perceived as unbalanced • Item was retained in the collection

Date	Item Description	Summary of Customer Comments	Findings and Action Taken
Dec 2022	Apt Pupil (1982)	<ul style="list-style-type: none"> References to the Holocaust, radicalization of a teenage boy, sensationalism of Jewish prisoners of war for entertainment purposes and derogatory treatment of female Jewish prisoners. Asked that the book be removed from the collection 	<ul style="list-style-type: none"> A novella by Stephen King that follows the relationship between a student and wanted Nazi war criminal Well reviewed and held at several libraries. A film was created based on the novella Plot references historical events in an effort to provide context into the main characters' inner lives and minds, but book is not about the holocaust Item was retained in the collection

Attachment 2

Challenges to Intellectual Freedom 2022 – Digital Archives, Library Programming, Room Bookings

Date	Incident	Summary of Public Response	Findings and Action Taken
June 2022	Room Booking – National Self Determination of Oppressed Nations in Pakistan	<ul style="list-style-type: none"> Received 2 challenges Main agenda is to spread false propaganda, fake narrative and hate against Pakistan Asked that the library cancel the room booking 	<ul style="list-style-type: none"> Third party rental booking Rental contract confirms that organizers will not conduct any business or activities that are in violation of the Community and Event Space Rental Policy Room booking was retained.
June 2022	Program – Drag Queen Storytime	<ul style="list-style-type: none"> Drag queen promoted anti-Semitic slurs on their website and that drag itself is an example of men mocking women. Commented that neither of these things is OK in the context of public library service. 	<ul style="list-style-type: none"> The library is an inclusive space, and no one is required to attend the program The drag performer in question was vetted by TPL and meets TPL’s standard for performers. The drag performer is Jewish and TPL respects their right to self-identify and re-claim terms in empowering ways. The term in question was not included in any TPL communications or the program description TPL has a process for vetting and evaluating program presenters, including the requirement of a Police Vulnerable Sector Check. If use of an anti-Jewish slur were to be used in a program, the situation would be addressed immediately.

Date	Incident	Summary of Public Response	Findings and Action Taken
			<ul style="list-style-type: none"> • The program took place as scheduled.
Oct 2022	Program - "Breast Cancer: Integrative and Alternative Paths to Recovery, and Prevention"	<ul style="list-style-type: none"> • Program promotes dangerous health misinformation • Asked that the program be reconsidered. 	<ul style="list-style-type: none"> • TPL staff gathered information on why the presenter was approved to be included in the presenter and performer database and about the presenter's book. • It was determined that the references submitted to support the presenter's inclusion in the database recognized the presenter's personal experience with cancer, but not their medical credentials to speak about treatment. Presenter confirmed their book is self-published and did not go through a peer-reviewed or fact-checking process. • The concerns about the topic of the program were raised with the presenter, and they were asked to limit their remarks to personal experience. Presenter declined to revise the scope of the presentation. • The program was cancelled.

Date	Incident	Summary of Public Response	Findings and Action Taken
Oct 2022	Materials presented in TPL's Digital Archives	<ul style="list-style-type: none"> • The material contains information that was personally identifiable to the individual making the challenge. • The Request was reviewed confidentially through TPL's reconsideration of materials lens 	<ul style="list-style-type: none"> • The original images were retained. • The digital copies were removed from online presentation.