



STAFF REPORT ACTION REQUIRED

E-Content Update and Advocacy Strategies

Date:	June 26, 2014
To:	E-Book Working Group
From:	City Librarian

SUMMARY

The purpose of this report is to provide the E-Book Working Group with an update on advocacy efforts and recommendations to consider for e-content advocacy and public engagement strategies.

RECOMMENDATIONS

The City Librarian recommends that the E-Book Working Group recommends that the Toronto Public Library Board:

1. approves e-content advocacy and public engagement strategies that include:
 - a. continued conversations with publishers as part of an effort to establish fair and reasonable prices and obtain more e-content;
 - b. collaborating with other large Canadian public library boards and associations on this issue;
 - c. a Fall 2014 campaign to raise awareness about the availability of e-content at Toronto Public Library and to encourage its use;
 - d. utilizing strategic communication opportunities to provide information about the challenges surrounding e-content access and pricing.

FINANCIAL IMPACT

There is no financial impact to the 2014 operating budget resulting from this report.

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

DECISION HISTORY

At its meeting on March 11, 2014, the E-Book Working Group recommended the following motions that were approved at the Library Board's March 24, 2014 meeting:

That the Toronto Public Library Board:

1. *requests a meeting with the Minister of Culture, Tourism and Sport and the Minister of Canadian Heritage and Official Languages to discuss the issue of public library access to e-content;*
2. *requests that the Canadian Library Association provide their support in improving public library access to e-content; and*
3. *requests staff to bring the issues faced by libraries in securing access to e-content to the attention of the Competition Bureau staff, and report back on the response.*

At its meeting on March 11, 2014, the E-Book Working Group approved the following motions:

1. *requests staff to outline the e-content advocacy strategy for 2014 and 2015, including goals and objectives and report back to the working group;*
2. *requests staff to consider a public engagement strategy with respect to e-content, and report back to the working group with respect to potential objectives, activities and recommendations.*

ISSUE BACKGROUND

Advocacy efforts for improved public library access to e-books are underway in Canada and internationally. Toronto Public Library is providing leadership in this area with the establishment of the Library Board's E-Book Working Group and with staff working individually and as part of the Canadian Urban Libraries Council's E-Book Task Group.

There has been significant progress in the past year with much improved access to e-books for public library customers. Many Canadian independent publishers make their content available as do five of the six major publishers. However, some multinational publishers continue to impose terms such as unreasonably high prices.

COMMENTS

Advocacy Update

Letters were sent on behalf of the Library Board to the federal Minister of Canadian Heritage and Official Languages, the Ontario Minister of Tourism, Culture and Sport, the Canadian Library Association and the Competition Bureau Canada. An overview of the issues regarding pricing of e-content for public libraries, as well as other restrictive

practices were outlined along with details about the terms and conditions for each publisher.

Officers from the Competition Bureau's Civil Matters Branch contacted staff to follow up and discuss the situation with e-books and public libraries. They indicated that it is unlikely that the Competition Bureau staff will conclude there are grounds to pursue an investigation at this time. A letter is being sent to the Library Board to confirm the Competition Bureau's position.

Responses from the other letters have not yet been received, although the Canadian Library Association may be establishing an advocacy task group. Staff are following up on the letters sent.

In response to letters sent to publishers in the Fall 2013, meetings have taken place about public library access to Canadian e-magazines with representatives of the Rogers Publishing Group. These meetings have been very positive with the prospect there may be a solution with a new platform for e-magazines launched this Fall 2014.

In early June 2014, Penguin Canada content became available on OverDrive. This leaves Simon & Schuster as the only major publisher whose content is not available to public libraries. Discussions are underway to initiate a pilot project for Simon & Schuster e-content.

Staff has been in discussion with other large public libraries in Canada about the Library Board's advocacy efforts. At its May 12, 2014 meeting, the Ottawa Public Library Board resolved to:

1. *request that the Department of Canadian Heritage and the Ontario Ministry of Tourism, Culture and Sport investigate publishers' restrictive practices in making eBooks and eMagazines available to public libraries, including the higher prices charged to public libraries; and*
2. *request staff bring the issues faced by libraries in obtaining access to eBooks and eMagazines to the attention of the Competition Bureau of Canada.*

E-Content Advocacy and Public Engagement Strategy

The recommended strategy for advocacy is intended to build on the progress that has so far been made with publishers in making e-content available to public libraries, and leveraging opportunities where appropriate, to raise awareness of publishers' restrictive practices.

The strategy consists of:

- sending letters from the Library Board to publishers at year-end in 2014 and 2015 to target particular issues and continue to advocate for fair prices and other terms and conditions;
- collaborating with other large Canadian public library boards and associations to share and coordinate advocacy efforts;
- a public awareness campaign about the availability of e-content at the library;
- utilizing strategic communication opportunities to provide information about the challenges surrounding e-content access and pricing, such as in media interviews and statements.

The recommended public awareness campaign is designed to focus on the most important public strategy, which is to raise awareness about the availability of e-content at TPL and to encourage its use, building on the very successful campaign launched in Fall 2013.

There is concern that messaging to the public with a focus on high prices and other restrictive terms and conditions could be counter-productive to this adoption strategy, as this messaging could be misinterpreted to suggest that the library does not have a lot of content.

Attachment 1 outlines Toronto Public Library's proposed e-content advocacy and public engagement strategy for 2014 and 2015, including goals, objectives, strategies and activities for each key audience.

CONTACT

Linda Hazzan; Director, Communications, Programming & Customer Engagement;
Tel: 416-393-7214; E-mail: lhazzan@torontopubliclibrary.ca

Vickery Bowles; Director Collections Management and City-Wide Services;
Tel: 416-395-5506; E-mail: vbowles@torontopubliclibrary.ca

SIGNATURE

Jane Pyper
City Librarian

ATTACHMENTS

Attachment 1: E-Content Update and Advocacy Strategies

SITUATION

- Public libraries across Canada successfully provide e-books and e-magazines from willing publishers
- Demand continues to grow. Torontonians borrowed more than 2 million e-titles in 2013, a 100 percent increase over 2012.
- Public libraries in Canada, including Toronto Public Library, experienced an explosion of interest in e-books in recent years and responded by reallocating budgets and opening conversations with publishers to resolve issues with supply and discoverability.
- We are pleased publishers and public libraries in Canada have been working together to find mutually beneficial solutions, and that progress has been made with so many more publishers making their content available to public libraries.
- However, some restrictions to content remain and some publishers continue to impose special conditions such as unreasonably high prices, creating a barrier for libraries to offer universal access to digital content.

GOAL

- Universal access to digital content, on fair and reasonable terms, for Toronto Public Library customers, in keeping with core public library values.

OBJECTIVES

- Continue conversation with publishers to establish fair prices and obtain more content
- Collaborate with other large Canadian public libraries on this issue
- Raise awareness of challenges facing public libraries among identified stakeholders in an effort to develop a national strategy
- Inform Toronto residents about the availability of e-content, encouraging more borrowing and at the same time contributing to a vibrant book industry and reading culture.

CONSIDERATIONS

There has been significant progress in the past year with much improved access to e-books for public library customers. Many Canadian independent publishers make their content available as do five of the six major publishers (we are in discussions about conducting a pilot with the sixth publisher, Simon & Schuster). Some multinational publishers continue to impose terms such as unreasonably high prices.

Both Simon & Schuster and the Rogers Publishing Group have indicated that there will be progress in access to e-titles this fall of 2014, with a pilot program and new platform for e-magazines respectively. It is recommended that we continue conversations with both parties and determine what progress has been made this fall. As things stand in June 2014, the timing is not right for a stronger advocacy campaign and could be counter-productive as conversations with Simon & Schuster and Rogers Publishing Group have been very positive.

AUDIENCES

- Publishers
- Ontario Ministry of Tourism, Culture and Sport
- Department of Canadian Heritage
- Competition Bureau
- Canadian Library Association
- Toronto Public Library customers
- Toronto residents
- The media, as a means to reach the above audiences

RECOMMENDED STRATEGIES AND ACTIVITIES

Stakeholder	Strategy	Activity	Desired Outcome	Timing
Publishers	Build awareness of the business value of public libraries	<p>Continue ongoing conversations with publishers to establish fair prices and obtain more content</p> <p>Send year-end letter from Toronto Public Library Board that covers points including:</p> <ul style="list-style-type: none"> - E-content circulation stats and trends - Outline of any challenges with pricing and access - Libraries' role in creating and promoting a culture of reading and readers (including mention of changing landscape of bookselling industry) 	Fewer restrictions on e-content	Q4 2014 and Q4 2015
Library Sector				
Canadian Library Association and Canadian Urban Libraries Council	Partner as appropriate to raise awareness of e-content issue	<p>Send letter to Canadian Library Association outlining issues of public library access to e-content</p> <p>Participate on CLA task group to develop a presentation that outlines e-content issues facing Canadian public libraries</p> <p>Make presentation available to Canadian Urban Libraries Council as well</p>	Consistent information to stakeholders about challenges that public libraries face	Complete Q3 and Q4 2014 Q3 and Q4 2014

Boards of other large Canadian public libraries		<p>Connect with other library boards to collaborate and share resources, including:</p> <ul style="list-style-type: none"> - Presentation about public library access to e-books in Canada - Letters to stakeholders that can be customized and shared 	Consistent information to stakeholders about challenges that public libraries face	Q3 2014 and Ongoing 2015
Government				
Ontario Ministry of Tourism Culture and Sport		Send letter outlining issues of public library access to e-content and requesting a meeting.	Heightened awareness and advocacy for fair access to e-content	Complete TBD
Department of Canadian Heritage		If meeting request is granted, make presentation that outlines e-content issues facing Toronto Public Library.		
Other Stakeholders				
Competition Bureau		Send letter outlining the issue of public library access to e-content and requesting a meeting.	Consistent messages to publishing industry, resulting in fewer restrictions to e-content	Complete
Library Customers and Toronto Residents				
Toronto Public Library customers and Toronto residents		<p>Conduct a campaign to raise awareness of e-content at the library, and to encourage its use.</p> <p>Maintain information on library's website that explains why customers may not find the e-content they want.</p> <p>Include messages about e-content access and pricing in media interviews and statements, as appropriate.</p>	<p>Encourage more people to discover and use e-content at the library</p> <p>Inform about issues public library faces with respect to e-content</p>	Q4 2014 Q4 2014 Ongoing 2015