

Intellectual Freedom Challenges – 2020 Annual Report

Date:	May 25, 2021
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 one complaint received in 2020 regarding library materials. There were no challenges regarding library programming, library space, website content or library technology received in 2020.

FINANCIAL IMPACT

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

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

ALIGNMENT WITH STRATEGIC PLAN

The report on Intellectual Freedom Challenges for 2020 reflects Toronto Public Library's (TPL'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. As such, it is in alignment with the values expressed in the Strategic Plan.

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.

DECISION HISTORY

In 2018, this report, which formerly dealt with challenges to library materials only, was broadened to include challenges relating to library programming, technology and library space, in order to provide a more comprehensive view of challenges relating to intellectual freedom. In 2020, website content was added in response to a complaint about the placement of a booklist on the children’s website.

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. To promote a more comprehensive approach, the Library is developing an overarching intellectual freedom framework and examining relevant administrative policies and procedures which will support this framework. 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. Subsequently, the Board approved a revision of the policy in December 2007 and, in June 2012, endorsed two Ontario Library Association statements on intellectual rights, which are now appended to the policy. 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 users, may, on occasion, be considered to be offensive by other library users. 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 users who object to materials located in a library collection are asked to complete a written request for reconsideration of the materials. Request forms are available for this purpose at local 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.

In 2020, there was one challenge to a title in the collection, an Adult DVD. It was retained in the collection. Details about the complaint and the action taken by the Library are listed in Attachment 1.

In general, the volume of complaints received relative to the population served is very low, reflecting the Toronto 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.

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SIGNATURE

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ATTACHMENTS

1. Challenges to Intellectual Freedom 2020 – Library Materials

Attachment 1
Challenges to Intellectual Freedom 2020 – Library Materials

Date Resolved	Item Description	Summary of Customer Comments	Findings and Action Taken
December 2020	<p>Salò: or the 120 days of Sodom</p> <p>Directed by Pier Paolo Pasolini. The Criterion Collection, 2008.</p> <p>[Originally released as a motion picture in 1976]</p> <p>Adult Feature DVD</p>	<ul style="list-style-type: none"> • Film is pornographic and contains scenes of sadism and torture • Remove from the Library's collection 	<ul style="list-style-type: none"> • The film contains scenes of extreme violence and depravity, but has been critically hailed as an uncompromising and unflinching criticism of Fascism and neo-capitalism. • The director of <i>Salò</i> is recognized as one of Italy's most important artists and intellectuals of the 20th century. • <i>Salò</i> is part of the esteemed Criterion Collection, a series of important classic and contemporary films released on DVD for the home viewing market. • <i>Salò</i> is housed in the Library's adult DVD collection and labelled with a Restricted rating. • The description of the film on the back of the DVD case serves to warn borrowers about its contents. • Retained in the adult collection