



## STAFF REPORT INFORMATION ONLY

### Intellectual Freedom Challenges – 2023 Annual Report

**Date:** March 25, 2024  
**To:** Toronto Public Library Board  
**From:** City Librarian

#### SUMMARY

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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 seven challenges received in 2023 – three regarding library materials, one regarding digital archives, two regarding external space rentals and one regarding a program.

While the volume of challenges received relative to the population served is low, this report is before the Board at a time when many libraries in North America are experiencing increased challenges, not just to books and movies, but also to programs, room bookings and exhibits. In particular, a number of library systems have experienced increased challenges targeting collections, programs and other resources for 2SLGBTQ+ and racialized communities.

Consistent with this trend, TPL has experienced objections to 2SLGBTQ+ content outside of the formal request for reconsideration process, with opposition to Drag Queen Story Time programs at five branches and protests at three of them; damage to Progress Pride decals at eight branches; vandalized

Pride Celebration displays at two branches; and vandalized 2SLGBTQ+ books at one branch.

In response to these disturbing trends, TPL has raised awareness and increased education efforts through advocacy, policy development, promotion and programming to reaffirm the vital role public libraries play in protecting intellectual freedom for all. This includes establishing Intellectual Freedom and Equity position statements, joining the Book Sanctuary movement and declaring the Library a space that actively protects the freedom to read. Programs that highlight intellectual freedom are also presented through the *On Civil Society* and *What's at Stake* program series, and promoted broadly through citywide marketing campaigns. There is also continued development of intellectual freedom training for staff and educational materials for the public that will be launched late 2024. 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**

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There is no financial impact associated with this report.

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

## **ALIGNMENT WITH STRATEGIC PLAN**

The 2023 annual report on intellectual freedom challenges reflects the Library's Vision, Mission and Values, specifically that of intellectual freedom, by 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 June 25, 2001 meeting, the Library Board received its first annual report on intellectual freedom challenges to library materials: [Materials Selection Policy – Reconsideration of Materials 2000](#). Since then, annual reports on intellectual freedom challenges have been provided to the Board.

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, to provide a more comprehensive view of challenges relating to intellectual freedom. Subsequent reports continue to reflect this broader view of intellectual freedom challenges.

At its December 5, 2022 meeting, the Library Board approved the report, [Trends in Intellectual Freedom Challenges](#), 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.

At its January 23, 2023, meeting, the Library Board approved the updated [Materials Selection Policy](#), which includes the Intellectual Freedom Statement,

and an updated version of the Ontario Library Association's Statement on Intellectual Rights of the Individual.

At its June 19, 2023, meeting, the Library Board approved the [Request for Reconsideration and Administrative Updates](#) for the Programming and Library Space for Art Exhibits policies, which includes the Intellectual Freedom Statement and incorporates the request for reconsideration process.

At its September 18, 2023 meeting, the Library Board approved the revised [Community and Event Space Rental Policy](#), which includes the Intellectual Freedom Statement and incorporates the request for reconsideration process.

## ISSUE BACKGROUND

Intellectual freedom is a core public library value that is reflected in the Library's Vision, Mission, Values and policies. These policies are based on the following principles:

*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.*

*The content or manner of expressing ideas in material, programs or other activities that are purposely selected to fill the needs of some Library customers may, on occasion, be considered offensive by other Library customers. The Library recognizes the right of any individual or group to reject library material, programs and other activities 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, programs or activities.*

Intellectual freedom challenges are dealt with in the context of the applicable policy governing the service area. TPL's current processes for handling requests for reconsideration are a public library best practice.

## COMMENTS

Many libraries in North America are experiencing increased challenges, not just to books and movies, but also to programs, room bookings and exhibits. In particular, a number of library systems have experienced increased challenges targeting collections, programs and other resources for 2SLGBTQ+ and racialized communities. Consistent with this trend, TPL has experienced objections to 2SLGBTQ+ content outside of the formal request for reconsideration process, with opposition to Drag Queen Story Time programs at five branches and protests at three of them; damage to Progress Pride decals at eight branches; vandalized Pride Celebration displays at two branches; and vandalized 2SLGBTQ+ books at one of TPL's branches.

In response to these disturbing trends, TPL has raised awareness and increased education efforts through advocacy, policy development, promotion and programming to reaffirm the vital role public libraries play in protecting intellectual freedom for all. This includes establishing Intellectual Freedom and Equity position statements, joining the Book Sanctuary movement and declaring the Library a space that actively protects the freedom to read. Programs that highlight intellectual freedom are also presented through the *On Civil Society* and *What's at Stake* program series and promoted broadly through citywide marketing campaigns. There is also continued development of intellectual freedom training for staff and educational materials for the public that will be launched late 2024. 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.

### **Challenges to Library Material**

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 objections are dealt with in the context of the [Materials Selection Policy](#) and the principles of intellectual freedom.

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 procedure for the reconsideration of library materials is intended to ensure that the concerns of the customer are dealt with in a timely manner and with sensitivity. Typically, objections are received at the branch level. Staff then have the opportunity to discuss the customer's concerns with 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 challenge 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 challenge. 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 such elements as reviews, the author's reputation, coverage of the subject in the collection, its popularity, and its historical importance, 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 customers wish to dispute the decision, they may appeal to the City Librarian where the final decision is made.

In 2023, there were three challenges to titles in the collection. All three titles were retained. Details about the challenges and the actions taken by the Library are listed in Attachment 1.

There was one challenge to material available in TPL's Digital Archives, containing information that was personally identifiable to the individual making the challenge. The request was reviewed through TPL's reconsideration of materials lens, and the digital copies were removed from the Digital Archives. The original images were retained in TPL's physical collections. A formal process for requests of this nature is being finalized. Details about the challenge and actions taken are provided in Attachment 1.

## **Challenges to Programs**

Requests to cancel 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.*

*The Programming Policy is driven by principles defined in TPL's Vision, Mission and Values and TPL's Equity Statement, TPL's Intellectual Freedom Statement, and is in keeping with the Canadian Federation of Library Association's Statement on Intellectual Freedom and Libraries.*

*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, which reflect current conditions, trends and controversies.*

The procedure for the reconsideration of a program is intended to ensure that the concerns of the customer are responded to in a timely manner with sensitivity. Customers can complete the Request for Reconsideration of Program forms and submit it in person or online.

In 2023, TPL received multiple requests to cancel one program. The program proceeded as planned. Details about the challenge and the actions taken are provided in Attachment 2.

## **Challenges to Space Rental Bookings**

Challenges requesting the cancellation of space rental 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 the Library's 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 rental spaces 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.*

The procedure for the reconsideration of a space rental booking is intended to ensure that the concerns of the customer are responded to in a timely manner and with sensitivity. Customers can complete the Request for Reconsideration of a Space Rental form and submit it in person or online.

In 2023, TPL received multiple requests to cancel two space rental bookings. In both cases, the room bookings proceeded as planned. Details about the challenges and the actions taken by the Library are provided in Attachment 2.

## CONCLUSION

In general, the volume of challenges 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. Nevertheless, disturbing trends continue as many libraries in North America continue to face increased challenges to intellectual freedom.

## CONTACT

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## SIGNATURE

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City Librarian

## ATTACHMENTS

- Attachment 1: Challenges to Intellectual Freedom 2023 – Library Materials, Digital Archives
- Attachment 2: Challenges to Intellectual Freedom 2023 – Branch Art Exhibit, Programming, Space Rental Bookings

## Challenges to Intellectual Freedom 2023 – Library Materials, Digital Archives

Date	Item Description	Summary of Customer Comments	Findings and Action Taken
April 2023	Golden Girl / Reem Faruqi	<ul style="list-style-type: none"> <li>• The children's book will teach the wrong concept of Islam, is discriminatory and could lead to Islamophobia and bullying</li> <li>• Requested that the book be removed from the collection</li> </ul>	<ul style="list-style-type: none"> <li>• A story of human nature and poor judgement, which also provides opportunity for forgiveness and redemption when supported by family, friends, and faith</li> <li>• Received positive reviews from several journals and magazines including a starred review from Bookpage</li> <li>• <b>Item was retained in the collection</b></li> </ul>
July 2023	It Feels Good to Be Yourself / Theresa Thorn	<ul style="list-style-type: none"> <li>• Children's book contains misinformation and is confusing when it explains that it is possible to be wrong about a baby's gender or sex at birth.</li> <li>• Requested that the book be removed from the collection</li> </ul>	<ul style="list-style-type: none"> <li>• The book is an exploration of gender identity written for children</li> <li>• Received starred review from Publisher's Weekly, School Library Journal and Kirkus</li> <li>• Book is widely available at over 800 public libraries in North America</li> <li>• Canadian Institute of Health Research concedes "sex and gender are often used interchangeably, despite having different meanings". The book focuses on gender identity and not sex, and provides an accurate overview of the topic for parents and children</li> <li>• <b>Item was retained in the collection</b></li> </ul>

Date	Item Description	Summary of Customer Comments	Findings and Action Taken
Sept. 2023	Mysterious Misadventures of Foy Rin Jin / Jim Friedman	<ul style="list-style-type: none"> <li>• Author uses made up Chinese or East Asian style names for people and places</li> <li>• Chinese fable style of writing is culturally insensitive and racist</li> <li>• Requested that the book be removed from the collection</li> </ul>	<ul style="list-style-type: none"> <li>• The book does not specify where the story takes place, but the illustrations depict Asian characters</li> <li>• Received mixed reviews from several journals and magazines</li> <li>• The book is widely available at over 200 public libraries and is also part of TPL's Canadiana Reference Collection, housed in the Osborne Collection of Early Children's Books</li> <li>• Author attempts to use an Asian sounding name as a play on an English word (Foy Rin Jin - fire engine). This was not sufficient cause for removing the title</li> <li>• <b>Item was retained in the collection</b></li> </ul>
Oct. 2023	Materials presented in TPL's Digital Archives	<ul style="list-style-type: none"> <li>• The material contains information that is personally identifiable to the individual making the challenge</li> </ul>	<ul style="list-style-type: none"> <li>• The digital copies were removed from the Digital Archives. <b>The original material was retained</b></li> </ul>

## Challenges to Intellectual Freedom 2023 – Branch Art Exhibit, Programming, Space Rental Booking

Date	Incident	Summary of Public Response	Findings and Action Taken
June 2023	<ul style="list-style-type: none"> <li>• Space rental booking in the Auditorium at Lillian H. Smith branch called: War in Ukraine and How to Stop It</li> <li>• An event organized by individuals who claim that the Russian invasion of Ukraine was instigated by the US and NATO</li> </ul>	<ul style="list-style-type: none"> <li>• Multiple requests that the Library cancel the space rental booking, describing the event as attempts to spread Russian propaganda and misinformation about the war in Ukraine</li> </ul>	<ul style="list-style-type: none"> <li>• Reviewed the stated purpose of the space rental booking and confirmed that it complied with the Community &amp; Event Space Rental policy</li> <li>• Confirmed with the organizing group that their stated purpose is correct and accurately reflects the purpose of their space rental booking and that they are aware of all sections of the rental contract, including but not limited to Section 2, 7, 9 and 10 b), and that by signing the contract they understand that they are obligated to comply with all terms &amp; conditions of the contract, library policies including the Rules of Conduct and the Community &amp; Event Space Rental policy and all federal, provincial and municipal laws and by-laws</li> <li>• Library staff attended the space rental event to ensure compliance with the terms &amp; conditions of the rental contract and library policies</li> <li>• <b>Space rental event proceeded as a planned</b></li> </ul>

Date	Incident	Summary of Public Response	Findings and Action Taken
July 2023	<ul style="list-style-type: none"> <li>Space rental booking in the Gwen Liu Meeting Room 200 at Northern District branch called: Making Peace with Russia One Handshake at a Time</li> <li>An event with speaker Dimitri Lascaris speaking about the war in Ukraine.</li> </ul>	<ul style="list-style-type: none"> <li>Multiple requests that the Library cancel the space rental booking because the speaker is a pro-Russian propagandist who is spreading misinformation about the war in Ukraine</li> </ul>	<ul style="list-style-type: none"> <li>Reviewed the stated purpose of the space rental booking and confirmed that it complied with the Community &amp; Event Space Rental policy</li> <li>Confirmed with the organizing group that their stated purpose on their rental application form is correct and accurately reflects the purpose of their space rental booking and that they are aware of all sections of the rental contract, including but not limited to Section 2, 7, 9 and 10 b), and that by signing the contract they understand that they are obligated to comply with all terms &amp; conditions of the contract, library policies including the Rules of Conduct and the Community &amp; Event Space Rental policy and all federal, provincial and municipal laws and by-laws</li> <li>Library staff attended the space rental event to ensure compliance with the terms &amp; conditions of the rental contract and library policies</li> <li><b>Space rental event proceeded as a planned</b></li> </ul>
Dec 2023	Program - I'll Burn that Bridge When I Get to It (on Dec 5, 2023) with Norm Finkelstein, Christian Parenti, Jeanne	<ul style="list-style-type: none"> <li>Approximately 56 emails before and after the event requesting the event be cancelled or criticizing the library for hosting</li> </ul>	<ul style="list-style-type: none"> <li>The topic of the program was academic freedom and speakers were invited to discuss their experience of receiving institutional backlash to their personal views and academic work</li> </ul>

Date	Incident	Summary of Public Response	Findings and Action Taken
	McGuire at Toronto Reference Library	<ul style="list-style-type: none"> <li>• At the January 2024 Board meeting a public deputation was made asking for the program recording to be removed</li> <li>• Criticisms specifically accused speaker Norm Finkelstein of hate speech against the state of Israel, anti-Semitism and homophobia</li> </ul>	<ul style="list-style-type: none"> <li>• Program was part of the What's At Stake? Series which includes multiple programs addressing the question of "What's at stake when voices are silenced, civil discourse erodes and access to information is narrowed?"</li> <li>• Speaker Norman Finkelstein (PhD) is a political scientist who was invited to speak about his experience of institutional backlash against his academic work. He was not invited to speak about his position on the conflict in Israel and Palestine or other topics of concern by critics.</li> <li>• Staff reviewed and determined that hosting this speaker was consistent with TPL's Programming Policy.</li> <li>• Approximately 100 emails received before and after the event requesting that the event not be cancelled and praising TPL for hosting Norman Finkelstein.</li> <li>• <b>Program proceeded as planned.</b></li> </ul>