



POLICY

Policy Type: Library Services **Policy Number:** 03-18
Policy Title: Intellectual Freedom Policy

Purpose and Scope:

St. Thomas Public Library's commitment to intellectual freedom is essential to providing collections, digital and technology services, programming, and outreach that allow the St. Thomas community access to all expressions of intellectual activity.

St. Thomas Public Library's policy on Intellectual Freedom does not apply to the expression or dissemination of views that promote and/or incite hatred as defined by the *Criminal Code of Canada*. Such communications are prohibited on library premises and may result in a person's immediate expulsion from the premises and referral of the matter to the St. Thomas Police Services.

The application of this policy to particular services, e.g. collections, room rentals, etc. is described within the specific policies related to those services.

Statement of Intellectual Freedom:

St. Thomas Public Library (STPL) endorses the Statement on Intellectual Freedom as set out by the Canadian Library Association and echoed by the Canadian Federation of Library Associations. STPL also endorses the Ontario Library Association's Statement on Intellectual Freedom and the Intellectual Rights of the Individual.

Statement on Intellectual Freedom and Libraries – Canadian Library Association:

The Canadian Library Association recognizes and values the Canadian Charter of Rights and Freedoms <http://laws-lois.justice.gc.ca/eng/Const/page-15.html> as the guarantor of the fundamental freedoms in Canada of conscience and religion; of thought, belief, opinion, and expression; of peaceful assembly; and of association.

The Canadian Library Association supports and promotes the universal principles of intellectual freedom as defined in the Universal Declaration of Human Rights <http://www.un.org/en/documents/udhr/index.shtml>, which include the interlocking freedoms to hold opinions and to seek, receive and impart information and ideas through any media and regardless of frontiers.

In accordance with these principles, the Canadian Library Association 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.

The Canadian Library Association affirms further that libraries have a core responsibility to support, defend and promote the universal principles of intellectual freedom and privacy.

The Canadian Library Association holds that libraries are a key institution in Canada for rendering expressive content accessible and affordable to all. Libraries are essential gateways for all persons living in Canada to advance themselves through literacy, lifelong learning, social engagement, and cultural enrichment.

Libraries have a core responsibility to safeguard and facilitate access to constitutionally protected expressions of knowledge, imagination, ideas, and opinion, including those which some individuals and groups consider unconventional, unpopular, or unacceptable. To this end, in accordance with their mandates and professional values and standards, libraries provide, defend and promote equitable access to the widest possible variety of expressive content and resist calls for censorship and the adoption of systems that deny or restrict access to resources.

Libraries have a core responsibility to safeguard and foster free expression and 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.

Libraries have a core responsibility to safeguard and defend privacy in the individual's pursuit of expressive content. To this end, libraries protect the identities and activities of library users except when required by the courts to cede them.

Furthermore, in accordance with established library policies, procedures and due process, libraries resist efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups

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.

Approved by Executive Council ~ June 27, 1974

Amended November 17, 1983; November 18, 1985; and September 27, 2015

Statement on Intellectual Freedom and the Intellectual Rights of the Individual – Ontario Library Association:

Introduction

The Ontario Library Association and its divisions are committed to the fundamental rights of intellectual freedom, the freedom to read and freedom of the press, as embodied in the Canadian Charter of Rights and Freedoms.

Ontario Libraries have the important responsibility to facilitate expressions of knowledge, creativity, ideas, and opinion, even when viewed as unconventional or unpopular.

The Ontario Library Association declares its acceptance of the following principles for libraries:

1. Equitable access to library service to the public is based upon the right of the citizen, under the protection of the law, to judge individually on questions of politics, religion, and morality.
2. Intellectual freedom requires freedom to critically examine and create other ideas, opinions, views, and philosophy of life, other than those currently approved by the local community or by society in general and including those ideas and interpretations which may be unconventional, uncommon or unpopular.
3. The free traffic in ideas and opinions is essential to the health and growth of a free society and that the freedom to read, listen, view, and create is fundamental to such free traffic.
4. Library governance ensures that the principles of intellectual freedom and expression of thought are upheld.

Library Service, Collections and Resources:

5. It is the responsibility of libraries to maintain the right of intellectual freedom and to implement it consistently in the selection of books, periodicals, films, recordings, and other materials including the provision of access to electronic sources of information and access to the internet. Materials are not excluded from library collections based on race, place of birth, origin, ethnic origin, ethnicity, citizenship, age, creed, disability, family structure, sex, and sexual orientation.

6. It is part of the library's service to its public to resist any attempt by any individual or group within the community it serves to abrogate, censor or curtail access to information, the freedom to read, view, listen or participate by demanding the removal of, or restrictions to library information sources in any format.

Library Programming, Events, and Space Bookings:

7. It is the responsibility of libraries to maintain the right of intellectual freedom and expression by implementing it consistently when hosting programs and events within the public space of the library including rented public space by individuals and community organizations.

8. Libraries create welcoming community spaces where community members are free from discrimination and may engage in peaceful assembly. Libraries may cancel or deny permits to individuals or organizations when speech or displays are used in a way that is unlawful.

Applicable legislation:

Canadian Charter of Rights and Freedoms: Section 2(b) of the Charter of Rights and Freedoms protects “freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication”.

Criminal Code: Section 63 pertains to Unlawful Assemblies and Riots. Section 297 pertains to defamatory libel. Section 318 pertains to hate propaganda.

Ontario Human Rights Code: Sub-section 13 pertains to infringing on freedom from discrimination

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