



# Intellectual & Expressive Freedom POLICY

- Operational** (Approved by SPL Board)
- Administrative** (Approved by SPL CEO)

Date Effective: 2023-06-21

Date Last Reviewed or Revised: 2023-06-21

Review Cycle: Every five years by the Director, Public Services

## Purpose

Saskatoon Public Library's *Intellectual & Expressive Freedom Policy* supports open and unrestricted access to information and protects a Patron's right to choice and privacy without fear of censorship or discrimination.

SPL:

- 1) Endorses the Canadian Federation of Library Association's *Statement on Intellectual Freedom & Libraries* (**Appendix A**) and *Position Statement on Diversity & Inclusion* (**Appendix B**).
- 2) Affirms the Statement's stance 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." These rights are entrenched in the *Canadian Charter of Rights and Freedoms* (the Charter).
- 3) Supports the Statement's call to all libraries to:
  - a) "...facilitate access to constitutionally protected expressions of knowledge, imagination, ideas, and opinion, including those which some individuals and groups consider unconventional, unpopular or unacceptable.
  - b) "...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.
  - c) "...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."

# Policy Statement

## In General

SPL:

- 1) Recognizes that Saskatoon is a diverse community with citizens of varied economic, social, educational and cultural backgrounds, and of differing religious beliefs and political affiliations.
- 2) Strives to meet the interests and needs of all of its Patrons by offering a diverse and balanced collection of materials, programs and services representing many points of view.
- 3) Believes that Intellectual and Expressive Freedom is the foundation of an informed, democratic society.
- 4) Encourages Patrons to suggest materials, programs and services that would contribute to the Library's goal of presenting as many viewpoints as possible.
- 5) Recognizes that some Patrons may find some materials, programs and services offensive or unsuitable.
- 6) Resists demands to restrict or remove materials, programs and services that some people may find controversial.
- 7) Resists censorship, but recognizes that Patrons have the right to provide feedback on materials, programs and services.
- 8) Provides Library employees with the tools required to uphold the principles of Intellectual and Expressive Freedom, including a transparent and accessible process for the inclusion and challenging of library collections and services.
- 9) Explores and responds to all challenges and appeals.
- 10) Protects a Patron's right to privacy when accessing information, subject only to the law.
- 11) Promotes events that celebrate Intellectual and Expressive Freedom.

## Computers & the Internet

The Library:

- 1) Provides open and unfiltered internet access.
- 2) Does not block websites, but requires Patrons to comply with SPL's *Safe Use & Conduct Bylaw* as it applies to acceptable internet and computer use, as well as the *Information Technology Acceptable Use Policy* and *Information Technology Acceptable Use Regulations*.

## Children Library Use

SPL:

- 1) Supports the principle that Library programs and services are available to everyone, regardless of age or beliefs.

- 2) Supports the principle that Library materials are available to everyone, regardless of age. With the exception of age-restricted films, children can borrow any items they wish. This age restriction is bound by *The Film and Video Classification Act, 2016* (Saskatchewan) and the *Saskatchewan Information & Library Services Consortium (SILS) Circulation Policy*.
- 3) Believes that parents and guardians are the best judges of what their children ought to read, listen to, view and play.

## **Programs, Partnerships & Room Rentals**

The Library:

- 1) Supports the principle that the content of Library programs and services provide universal access to knowledge, ideas and opinions that represent and amplify the voices of Saskatoon's diverse community.
- 2) Takes a community-inspired approach to providing programs and service that includes work with a wide variety of community partners.
- 3) Acknowledges that its community partners will represent a diversity of knowledge, ideas and opinions.
- 4) Recognizes that the service of renting rooms for community use increases access to a wide variety of knowledge, ideas and opinions.
- 5) Maintains that the content of programs or events held by groups or individuals renting or using Library rooms or spaces do not reflect or represent the views of the Library.
- 6) Expects that all groups or individuals renting or using Library rooms or spaces follow the SPL *Safe Use & Conduct Bylaw*.

## **Hate Speech & Propaganda**

The Library:

- 1) Recognizes that Intellectual Freedom does not apply to the expression or dissemination of views that promote or incite hatred, as defined by the *Criminal Code of Canada*.
- 2) Acknowledges that only Canadian courts can determine what constitutes hate speech and propaganda.

## **Roles & Responsibilities**

### **SPL Board**

- 1) Approves the Policy.

### **Director, Public Services**

- 1) Stays abreast of current Legislation and recommends Policy revisions as required.
- 2) Administers the Policy and the *Challenged Material, Program & Service Guidelines*.

## Personnel

- 1) Uphold the principles of Intellectual and Expressive Freedom in the performance of their duties.

## Definitions

- 1) **"Intellectual and Expressive Freedom"**: An individual's right to freely access information and openly express beliefs, ideas and opinions.
- 2) **"Legislation"**: *Canadian Charter of Rights and Freedoms, Criminal Code of Canada, and The Film and Video Classification Act, 2016* (Saskatchewan).
- 3) **"Library"**: SPL and its branches, permanent and temporary buildings, grounds and other spaces, including online spaces.
- 4) **"Patron"**: Anyone who uses the Library and its services.
- 5) **"Personnel"**: All permanent and temporary employees, Circulation Associates, Casuals, security guards, contractors, consultants and volunteers employed by or working at SPL.
- 6) **"Policy"**: *Intellectual & Expressive Freedom Policy*.
- 7) **"SPL"**: Saskatoon Public Library.

## Appendices

*Appendix A: Canadian Federation of Library Association's Statement on Intellectual Freedom & Libraries*

*Appendix B: Canadian Federation of Library Association's Position Statement on Diversity & Inclusion*

## References

- *Canadian Charter of Rights and Freedoms*
- *Canadian Federation of Library Association's Statement on Intellectual Freedom and Libraries*
- *Criminal Code of Canada*
- *Saskatchewan Information & Library Services Consortium (SILS) Circulation Policy*
- *The Film and Video Classification Act, 2016* (Saskatchewan)

## Appendix A: Canadian Federation of Library Association's

# Statement on Intellectual Freedom & Libraries

The Canadian Federation of Library Associations recognizes and values the Canadian Charter of Rights and Freedoms 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 Federation of Library Associations supports and promotes the universal principles of intellectual freedom as defined in the Universal Declaration of Human Rights, 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 Federation of Library Associations 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 Federation of Library Associations affirms further that libraries have a core responsibility to support, defend and promote the universal principles of intellectual freedom and privacy.

The Canadian Federation of Library Associations 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.

*Approval History: CLA: June 27, 1974. Amended November 17, 1983; November 18, 1985; September 27, 2015. CFLA-FCAB: Adopted August 26, 2016; Reviewed April 12, 2019.*

## **Appendix B: Canadian Federation of Library Association's Position Statement on Diversity & Inclusion**

The Canadian Federation of Library Associations (CFLA-FCAB) believes that a diverse and pluralistic society is central to our country's identity. Libraries have a responsibility to contribute to a culture that recognizes diversity and fosters social inclusion.

Libraries strive to deliver inclusive service. Canada's libraries recognize and energetically affirm the dignity of those they serve, regardless of heritage, education, beliefs, race, religion, gender, age, sexual orientation, gender identity, physical or mental capabilities, or income.

Libraries understand that an acceptance of differences can place individual and collective values in conflict. Libraries are committed to tolerance and understanding. Libraries act to ensure that people can enjoy services free from any attempt by others to impose values, customs or beliefs.

*Acknowledgment – Canadian Library Association (CLA), Approved May 25, 2008.*