



Canadian Federation of Library Associations
Fédération canadienne des associations de bibliothèques

October 22, 2019

Toronto Public Library Board
789 Yonge Street
Toronto, Ontario M4W 2G8

Dear Ms Graham-Nutter, Board Chair, and Board Members,

The Canadian Federation of Library Associations – Fédération canadienne des associations de bibliothèques (CFLA-FCAB) supports the Toronto Public Library's decision to uphold Intellectual Freedom, in acknowledgement of libraries' core responsibility to support, defend, and promote the universal principles of intellectual freedom, while safeguarding and fostering free expression.ⁱ

On Tuesday, October 29, 2019 a lecture entitled "Gender Identity: What does it mean for Society, the Law, and Women?" is scheduled to be held at Toronto Public Library's Palmerston Branch.

CFLA-FCAB supports and promotes the universal principles of intellectual freedom as defined in the Universal Declaration of Human Rightsⁱⁱ, which include the interlocking freedoms to hold opinions and to seek, receive and impart information and ideas through any media and regardless of frontiers.

CFLA-FCAB "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." Further, 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."ⁱ

The articles of the CFLA-FCAB Statement on Intellectual Freedom and Libraries are explicit declarations of fundamental principles that should govern the service of all publicly funded Canadian libraries, nonetheless, questions do arise regarding application of these principles to specific library practices. CFLA-FCAB acknowledges the significant public discourse regarding the challenge inherent in the right for free

speech and the desire to foster inclusive environments, particularly for marginalized communities.

Libraries also encounter pervasive confusion that renting space to a third party equates to support for the third party and CFLA-FCAB recommends that libraries assure that Room Booking Policies be in place to ensure that this principle is, as much as is possible, clarified.

CFLA-FCAB's Position on Third Party Use of Publicly Funded Library Meetings Rooms and Facilities: An Interpretation of the Canadian Federation of Library Associations' Statement on Intellectual Freedom and Librariesⁱⁱⁱ provides an interpretation with regards to third party use of publicly funded library meetings rooms and facilities, noting the following points:

- Publicly funded libraries that make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
- CFLA-FCAB affirms that allowing use of its meeting rooms or facilities in no way correlates to the library endorsing the nature of the free expression of any individual or group using a meeting room or facility.
- CFLA-FCAB affirms controversial expression is supported in the library. Equally so, challenge to controversial expression is supported. CFLA-FCAB does not, however, endorse the exercise of prior restraint as a means to avoiding controversy in the library.
- CFLA-FCAB unequivocally directs libraries to work within the Canadian law and human rights codes.
- CFLA-FCAB recognizes Canadian public libraries are subject to the Charter of Rights and Freedoms, which identifies freedom of expression as one of the four fundamental freedoms in Canada, subject only to reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.
- CFLA-FCAB recognizes there is a wide range of measures available to libraries to minimize and correct violations of the law, expecting libraries to exercise due diligence and avoid being willfully blind to illegal behaviour while ensuring their fundamental commitment to intellectual freedom.
- CFLA-FCAB is mutually committed to intellectual freedom and to zero tolerance for discrimination, believing the two principles are mutually reinforcing.

CFLA-FCAB acknowledges that the issues you are faced with at this time are challenging. CFLA-FCAB is currently planning its next National Forum, to be held in Winnipeg, Manitoba in April 2020, to continue the national discussion and engage in

critical discussion on this topic. We encourage you to join us to share your experience and learning with others who are facing the need for the courageous acts that your Board and City Librarian are undertaking in defence of Intellectual Freedom.

In closing, as previously noted, CFLA-FCAB supports the Toronto Public Library's decision to allow the event as well as the City Librarian's Statement^{iv} on the upcoming third-party room rental. Toronto Public Library is upholding the principles of intellectual freedom in their decision to rent public space to a third-party group for an event with a controversial speaker at the end of October.

Sincerely,



Alix-Rae Stefanko
Chair, CFLA-FCAB
cc. Katherine McColgan, Executive Director

ⁱ CFLA-FCAB Statement on Intellectual Freedom and Libraries
<http://cfla-fcab.ca/en/guidelines-and-position-papers/statement-on-intellectual-freedom-and-libraries/>

ⁱⁱ UN Universal Declaration of Human Rights <http://www.un.org/en/universal-declaration-humanrights/>

ⁱⁱⁱ Position on Third Party Use of Publicly Funded Library Meetings Rooms and Facilities:
http://cfla-fcab.ca/wp-content/uploads/2019/03/CFLA-FCAB_statement_meeting_rooms.pdf

^{iv} City Librarian Statement on Upcoming Third-Party Room Rental Event
https://torontopubliclibrary.typepad.com/news_releases/2019/10/city-librarian-statement-on-upcoming-third-party-room-rental-event-.html