

# **Chatham-Kent Public Library**

## **Board Governance Policy**

### **Intellectual Freedom**

#### **Purpose**

Chatham-Kent Public Library's collections, services, displays and programming must serve all parts of its community and respect the diversity of its citizens.

#### **Scope**

Chatham-Kent Public Library (CKPL) recognizes its obligations under the Canadian Charter of Rights and Freedoms which guarantees Canadians "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication".

The Chatham-Kent Public Library Board has a fundamental responsibility to uphold the principles of, as well as advocate for, intellectual freedom. This policy ensures the rights of individuals to access information.

The Library Board and staff endorse the statements of the Canadian Federation of Library Associations and of the Ontario Library Association Statement on Intellectual Freedom and the Individual.

The Library supports the Canadian Copyright Act and other laws governing intellectual property and the Criminal Code of Canada and other legislation governing access to and communication of information, knowledge, opinion, creative thought and intellectual activity.

CKPL also recognizes the right to privacy of the individual user. This is defined in the Library's Privacy Policy.

#### **Definition**

CKPL uses the definition of intellectual freedom stated in the United Nations Universal Declaration of Human Rights:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

## **Ontario Library Association**

The Library Board endorses the Ontario Library Association (OLA) Statement on Intellectual Freedom and the Intellectual Rights of the Individual.

### **OLA Statement on Intellectual Freedom and the Intellectual Rights of the Individual**

The Ontario Library Association and its divisions are committed to the fundamental rights of intellectual freedom, the freedom to read and the 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 their 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 an 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.

Approved, OLA Board of Directors, November 7, 1998, December 2003,  
December 2005, December 2015  
Reaffirmed, OLA Board of Directors, January 2020

#### **Canadian Federation of Library Associations**

The Library Board endorses the Canadian Federation of Library Associations (CFLA) Statement on Intellectual Freedom and Libraries

##### **CFLA Statement on Intellectual Freedom and 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.

Approved June 27, 1974,

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

Adopted August 26, 2016; Reviewed April 12, 2019.

## Library Board Duties

The Library Board will:

- a) commit to equity, diversity, inclusion and accessibility and the pursuit of Truth and Reconciliation and the creation of welcoming and inclusive environments
- b) uphold the principles of freedom of expression and human rights
- c) ensure that all library users have the fundamental right to have access to all expressions of knowledge, creativity and intellectual activity, and to express their thoughts publicly
- d) offer services that welcome and encourage individuals to exchange diverse thoughts and perspectives, without judgement, provided they do not violate the Library's Code of Conduct, the Canadian Copyright Act, Canada's Criminal Code or the Ontario Human Rights Code.
- e) guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular or unacceptable
- f) make available all the library's public facilities and services to all individuals and groups who need them
- g) resist all efforts to limit the exercise of these responsibilities, while recognizing the right of criticism by individuals and groups.
- h) provide staff with the training and tools required to uphold the principles of intellectual freedom. This includes providing a transparent process for the inclusion and challenging of library collections and accessible options for providing feedback on library services.

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Author: T. Sharpe, H. Wyma

Background Documents:

American Library Association Statement on Intellectual Freedom

Canada's Criminal Code

Canadian Charter of Rights and Freedoms

Canadian Federation of Library Associations Statement on Intellectual Freedom

Canadian Human Rights Act

International Federation of Library Associations and Institutions Statement on Libraries and Intellectual Freedom

Ontario Human Rights Code

Ontario Library Association Statement on Intellectual Rights

Public Libraries Act, R.S.O. 1990

United Nations Universal Declaration of Human Rights

CKPL Policies:

Children's Services Policy  
Code of Conduct Policy  
Collection Development Policy  
Internet Access Policy  
Privacy Policy

For more information or alternative formats of this document, please email  
[cklibrary@chatham-kent.ca](mailto:cklibrary@chatham-kent.ca)