



BY EMAIL - [nmarshall@torontopubliclibrary.ca](mailto:nmarshall@torontopubliclibrary.ca)

January 5, 2018

Toronto Public Library  
789 Yonge Street  
Toronto, ON M4W 2G8

Attn: Toronto Public Library Board

Dear Board members,

**RE: Community and Event Space Rental policy**

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I am writing on behalf of the BC Civil Liberties Association (“BCCLA”) to respond to the decision made last month by the Toronto Public Library (“TPL”) Board to revise the Community and Event Space Rental policy, which takes effect this week.

While we can understand the good intentions for the revisions to the TPL’s Community and Event Space Rental policy, we strongly oppose these changes and believe that they will distort the critically important mission of the library.

Applicants wishing to rent out TPL space should not be denied access based on a determination by a staff member that it is reasonable to believe that the space will be used for a purpose likely to promote discrimination based on the many grounds listed in your policy. In our view, this significantly departs from the central mission of the library to promote the free exchange of ideas and will inevitably lead to the TPL acting as a censor by limiting access to facilities by groups with unpopular ideas.

Our concerns pertain not only to citizens' right to free expression, but also to the imperative of protecting and promoting the very unique mission and purpose of a public library. As your mission states "[t]he Library preserves and promotes universal access to a broad range of human knowledge, experience, and information and ideas," and one of the core values of the Toronto Public Library is intellectual freedom:

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.<sup>1</sup>

This mission appropriately reflects the important purpose of a library, which is to facilitate access to the broadest possible range of ideas. In following a policy of impartiality regarding the content of ideas, the TPL holdings include books and materials which may offend and disgust many people. Such holdings are a necessary component of fulfilling the mandate of the library, as the alternative would be to have library staff take it upon themselves to sort "good" ideas from "bad" ones. Such adjudication is simply antithetical to the mission and purpose of the library.

Similarly, a policy of sorting out which groups have "good" ideas from those that are "bad" in order to apply your space rental policy will run counter to the same fundamental mission and values and will place the library in an equally untenable position. In fact, this policy will likely aggravate rather than abate public concern, because the TPL will now be seen as actively endorsing the rhetoric of the groups who are permitted to rent space, and in the process providing them an air of credibility. Inevitably, it will rent to groups who have unpopular ideas and the public will (this time *rightly*) perceive that the TPL has decided not to bar that particular group, and so in effect said that their ideas are worthy of dissemination. With a content-neutral policy, the TPL may answer complainants in a manner consistent to the way it addresses similar complaints about

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<sup>1</sup> Toronto Public Library, "Vision, Mission & Values", online at <http://www.torontopubliclibrary.ca/about-the-library/mission-vision-values>.

books and materials that individuals make complaints about; that it is the nature and purpose of the library to hold space for the broadest possible array of views.

Given the wording of the policy, it seems that the TPL could use it to prevent a very wide range of user groups from booking space. Will gender-critical feminist speakers be denied access to room rentals on the grounds that their views could promote contempt for transgendered persons? Would a group supporting the Boycott, Divestment and Sanctions movement with respect to Israel be permitted to use a space, or will a staff member of TPL think that the discussion will be necessarily discriminatory? Will politically conservative groups be permitted to hold public forums on immigration policy or will that be deemed impermissible?

There are some obvious parallels with the “no-platforming” that is becoming notorious on some North American campuses and there is no reason to believe that the contests between groups that are polarized on contentious issues will not be brought home to the TPL as groups seek to use and enforce the prior restraint of the no-rental policy to silence their opponents.

Inviting the spirit of “no-platforming” into the very policy of the TPL is particularly undermining of its mission given that public libraries are one of the few accessible spaces left for the public to meet. In this context of rapidly declining public spaces, it is very concerning to see a library system as large and influential as the TPL decide to limit the use of public space.

For all of the reasons set out above, we strongly urge you to rescind last month’s adjustments to the policy. We understand that last summer’s memorial held at the Richview branch probably caused great political discomfort for the Board, especially given the public comments by the Mayor of Toronto. We would like to lend our support to you in returning to the appropriately content-neutral room booking stance and

responding to public criticism by educating the public about the unique and critically important role of libraries in a free and democratic society.

We would welcome the opportunity to discuss this matter with you further.

Yours truly,

A handwritten signature in black ink, appearing to read "M. Vonn", with a horizontal line extending to the right from the end of the signature.

Micheal Vonn  
Policy Director