



## REPORT TO THE LIBRARY BOARD

MEETING DATE: DECEMBER 15, 2011

Session:	Public Session
Subject:	Internet Service Policy: Statement of User Responsibility
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Presented By:	Susanna Hubbard Krimmer
Purpose of Report:	For Approval <input checked="" type="checkbox"/>

### Recommendation:

It is recommended that the Library Board approve the proposed language revisions for the LPL *Internet Service Policy* provided in this report.

### Issue/Opportunity

The *Internet Service Policy Review Report* was received at the Library Board meeting of November 24 2011. Following discussion of user responsibilities in terms of viewing content in public space that may be age inappropriate and/or offensive, objectionable and/or intimidating to others, the Library Board directed that:

*Administration examine alternate ways to provide a stronger statement of user responsibility in the Internet Services Policy, Section #3 User Responsibilities for the December 15<sup>th</sup>, 2011 Board meeting. (L89.1/11)*

### Background & Review

At its meeting of November 24, 2011, the Library Board discussed the need for a stronger statement regarding user responsibilities, in general, and the viewing of "pornography", specifically, in the LPL *Internet Service Policy*. Key considerations in addressing the request to provide a stronger statement of user responsibility for this specific example include the following:

- Due to a range of sensibilities and viewpoints, there are multiple understandings of the word "pornography"; and
- Policy language needs to be as clear and specific as possible in order that users and staff can clearly understand and act according to Library expectations.

The Library Board also debated whether or not the clarification of expectations should include multiple examples of content that may be age inappropriate and/or offensive, objectionable and/or intimidating to others. No proposed wording for other examples has been provided in this report given that all reported public complaints have been about exposure to sexually explicit images.

### Respecting the Rights of Others

Based on the Board's directive, proposed language for *LPL Internet Service Policy* is as follows, with changes and additions shown in bold text:

Users **are required to respect** the rights of others when accessing Internet sites in library space. Users must be aware that computers and other devices are being used in public areas shared by people of all ages and sensibilities. Some content is age inappropriate for children. Some content may be offensive, objectionable and/or intimidating to other Library patrons and/or staff. **Content that is not appropriate for viewing on computers and other devices being used in public areas of the library includes, for example, the depiction of sexual activity and/or the depiction, for a sexual purpose, of a sexual organ.**

### Prohibited Illegal Activity

In seeking alternate ways to strengthen the language about user responsibilities, Administration also reviewed language in the policy regarding illegal activity. The recent public response and media coverage on the *LPL Internet Service Policy*, demonstrates that it is not generally understood that the Library policy prohibits access to obscenity and child pornography.

In order to clarify and reinforce the responsibilities of users, within the legal context, an additional change in language to Section 3 is proposed as follows, with changes and additions shown in bold text:

Users are responsible for determining the legality of any sites they access. Users are subject to federal, provincial and municipal legislation regulating Internet use and must not use the Internet for illegal purposes including copyright violation, obscenity, child pornography, sedition and the incitement of hate. For example, the ***Criminal Code of Canada* prohibits possession, public exhibition and the exposure to public view of child pornography and obscenity (which is defined as the undue exploitation of sex, or of sex and any one or more of the following subjects, namely crime, horror, cruelty and violence).** The use of the Library's Internet services for **these and any other** illegal purposes is prohibited.

The policy already includes consequences for unlawful activity or a complaint that a user is accessing illegal materials so no language change is proposed.