

Intellectual Freedom Policy



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Purpose

Libraries contribute to the development and maintenance of intellectual freedom and help to safeguard democratic values and universal civil rights¹. Libraries also support the free flow of information and ideas and have a responsibility to oppose the infringement of intellectual freedom. This responsibility includes safeguarding against infringement by omission (neglecting the needs of individuals and communities) and by commission (exclusion, the violation of privacy and censorship).

Scope

Intellectual freedom is the freedom to seek, receive and impart information and ideas. It is a fundamental human right, enshrined in enduring international statements and instruments, and is vital to a thriving democratic society and culture.

This policy outlines how the State Library of South Australia and the LibrariesSA Network address their responsibilities to intellectual freedom.

Context

Feedback from customers is an opportunity to work with the community in delivering library services which meet their needs. Due to differing views on what is perceived as appropriate material to access, customers may choose to submit a complaint about the presence of certain materials and content in library collections.

As such, this policy is supported by the State Library's [Takedown Policy](#) and a Book Challenge Procedure to assist library staff to work with their customers to address any concerns about items in the library collection.

It is recognised that School Community Libraries (SCL) have a duty of care to their students during school time and may need to implement local practices to take account for a different level of expectation. This is guided by the Department for Education.

¹ [Statement on Libraries and Intellectual Freedom](#), International Federation of Library Associations, 2003.

Policy Detail

Equitable access and freedom of expression

The right to know and freedom of expression are two aspects of the same principle. The right to know is a requirement for freedom of thought and conscience; freedom of thought and freedom of expression are necessary conditions for freedom of access to information².

The Libraries Board of South Australia, empowered by the Libraries Act 1982³ works to achieve and maintain a co-ordinated system of libraries and library services that adequately meets the needs of the whole community and ensure that the community has available to it adequate research and information services providing access to library materials and information stored in libraries and other institutions both within and outside the State. This guarantees that all South Australians have access to library services that empower, stimulate and enrich.

Priorities integral to this objective are:

- overcoming the impacts of remoteness, disability, poverty and other forms of disadvantage
- developing inclusive library services, which effectively address diverse needs, affirm and strengthen individual identities, and foster tolerance and appreciation of difference
- providing welcoming places for everyone, free access to a wide range of information and opportunities for the free expression of ideas and exposure to different perspectives
- amplifying First Nations' perspectives, stories and cultures to enable truth-telling

Privacy

The right to seek, receive and impart information and ideas free from surveillance is fundamental to intellectual freedom. Library customers have the right to personal privacy and anonymity.

Notwithstanding exceptional requirements under law:

- surveillance of customers is strictly limited to the requirements of maintaining a safe and welcoming library environment, and only conducted in a lawful way
- personal information is collected, used and disclosed strictly subjected to the South Australian Information Privacy Principles⁴

Censorship

The State Library and LibrariesSA have a responsibility both to guarantee and to facilitate access to expressions of knowledge and intellectual activity. To this end, libraries acquire, preserve and make available the widest variety of ideas and knowledge, reflecting the plurality and diversity of society.

Libraries in South Australia acquire and provide access to material to ensure the range of needs and interests within the community are equitably addressed, and to ensure representation of a diversity of

² [Statement on Libraries and Intellectual Freedom](#), International Federation of Library Associations, 2003.

³ [Libraries Act 1982](#), Part 2, Objective 7(a); 7(b)

⁴ [Information Privacy Principles \(IPPS\) Instruction](#)

perspectives on any particular subject.⁵ This principle is subject only to exceptional requirements under law.

The selection and availability of library materials and services is governed by professional considerations (ie: selection criteria, reviews and information available about the item) and not by political, moral and religious views. Personal views or values, or any perception of the potential of material to offend or cause controversy, do not limit the materials that libraries acquire and make accessible.

However, libraries take measures to exclude content that is illegal, and block malicious sites intended to have negative impacts on ICT infrastructure.

Without resorting to censorship, the State Library and LibrariesSA protect their customers from risk of offence by:

- empowering customers to search for information effectively
- requiring all customers to be mindful of the possible sensitivities of others

Speakers and use of facilities

SLSA has conditions of use for venue hire which can be found at [Venue hire, conditions of use | State Library of South Australia \(slsa.sa.gov.au\)](#), and has the right to refuse a booking when it does not align with these conditions.

Public libraries within the LibrariesSA Network are governed by their respective Council's terms and conditions for speakers and events, and the use of facilities.

Human Rights

The main objectives of the International Bill of Rights⁶

- protect and promote human rights
- help promote a dialogue about the nature, meaning and scope of human rights.

The Bill of Rights protects 38 fundamental human rights drawn from international human rights law, including the following rights applicable to public library services:

- freedom of thought, conscience, religion and belief
- freedom of expression
- peaceful assembly and freedom of association
- taking part in public life
- privacy and reputation
- participate in their community's cultural life
- right to education

⁵ State Library Collections Policy and the Public Library Network Collection Management Framework (DRAFT)

⁶ [Australian Human Rights Commission](#)

The Libraries Board of South Australia acknowledges that Aboriginal and Torres Strait Islander self-determination is a human right as enshrined in the *United Nations Declaration on the Rights of Indigenous Peoples*⁷.

When applying this policy, the State and public libraries will act and make decisions in a way that is compatible with human rights and give proper consideration to all human rights relevant to a decision as required by the International Bill of Rights.

Roles and responsibilities

Actions and positions responsible for ensuring the policy is aligned with relevant legislation and government policy, is implemented and managed, and reviewed to assess its effectiveness.

Position title or unit/team	Listed Responsibilities
Director State Library	Accountable for the effective implementation of the policy within the State Library and SA Public Library Network
Associate Directors, and Managers of the State Library	Responsible for ensuring <ul style="list-style-type: none"> • the policy is implemented and observed by staff • staff are fully informed of their obligations and responsibilities under the policy, and trained where required • contracts and agreements with service providers require adherence to DPC policies whilst conducting DPC business • any reporting requirements are met
Team leaders and Supervisors of the State Library	Responsible for ensuring that the policy is observed by staff and that business processes support the policy requirements.
All staff of the State Library, including all staff of the SA Public Library Network	Required to comply with the policy and any related procedures, and to play an active role in ensuring the compliance of others.

⁷ United Nations Declaration on the Rights of Indigenous Peoples, Assembly of the UN, 2007

References

This policy is supported by:

1. The Libraries Board of SA's Book Challenge Procedure
2. Intellectual Freedom Policy, State Library of Queensland 2022 (policy licensed under a Creative Commons Attribution 4.0 International (CC BY 4.0))
3. State Library of SA [Takedown Policy](#)

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<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

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<https://repository.ifla.org/handle/123456789/2006>

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<https://www.lyondeclaration.org/>

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<https://sustainabledevelopment.un.org/post2015/transformingourworld>

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<https://read.alia.org.au/alia-free-access-information-statement>

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<https://read.alia.org.au/libraries-and-privacyguidelines>

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<https://www.alia.org.au/Web/Web/Research-and-Publications/Policies/ALIA-on-online-contentregulation.aspx>

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<https://www.ifla.org/resources/?oPubId=224>

National Principles for Child Safe Organisations, Australian Human Rights Commission

<https://childsafe.humanrights.gov.au/national-principles>

Review

The Manager, Collections and Content, Public Library Services, State Library of South Australia will review this policy every two years.

DOCUMENT CONTROL

Approved by:



Title: Acting Director

Date of approval: 14/05/2024

Endorsed by the Libraries Board: October 2023

Review Cycle: Every Two Years

Next Review Due: May 2026