



# Intellectual Freedom Policy

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## 1 Document control

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Version	Approved by	Approval date	Revisions
01	Library Board	6 Feb 2006	Original version
02	Library Board	16 Feb 2012	Links and references, addition of policy's scope
03	Director Corp. Services	12 Dec 2013	Administrative review: updated links and references
04	Director Corp. Services	14 Jan 2016	Administrative review: updated links and references
05	Library Board	7 Dec 2017	Strengthened the links to the IFLA <i>Statement on Libraries and Intellectual Freedom</i>
06	Library Board	5 Dec 2019	Amendments to include information about the <i>Human Rights Act 2019</i> (Qld) and speakers and use of facilities
07	Library Board	29 Nov 2022	Prioritisation of First Nations' perspectives, stories and cultures to enable truth-telling added to Principles

## 2 Authority

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The Library Board of Queensland.

## 3 Responsibilities

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All people working with State Library of Queensland, whether in a paid or unpaid capacity are required to follow this policy.

## 4 Policy statement

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Libraries contribute to the development and maintenance of intellectual freedom and help to safeguard democratic values and universal civil rights.<sup>1</sup> Libraries also support the free flow of information and ideas, 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).

## 5 Purpose

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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 addresses its responsibilities to intellectual freedom.

## 6 Scope

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Public policy.

## 7 Principles

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### 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 information.<sup>2</sup>

Through its own services and as a partner to, and advocate for, Queensland public libraries and Indigenous Knowledge Centres, State Library works to ensure that all Queenslanders 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 clients have the right to personal privacy and anonymity. Notwithstanding exceptional requirements under law:

- surveillance of clients is strictly limited to the requirements of maintaining a safe and welcoming environment at State Library and only conducted in a lawful way

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

<sup>2</sup> [Statement on Libraries and Intellectual Freedom](#), International Federation of Library Associations, 2003

- personal information is collected, used and disclosed strictly subject to the consent of the person that the information is about<sup>3</sup>.

## Censorship

Libraries 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.<sup>4</sup>

State Library acquires and provides access to material in order to ensure that the range of needs and interests within the community are equitably addressed, and to ensure representation of a diversity of perspectives on any particular subject. This principle is subject only to exceptional requirements under law.

The selection and availability of library materials and services is governed by professional considerations and not by political, moral and religious views.<sup>5</sup> Personal views or values, or any perception of the potential of material to offend or cause controversy, do not limit the materials State Library acquires and makes accessible.

State Library limits the filtering of content retrieved through its internet connections, recognising that automatic content filtering is a form of censorship.<sup>6</sup> State Library takes measures to exclude content that is illegal as well as malicious sites intended to have negative impacts on ICT infrastructure.

Without resorting to censorship State Library protects its clients from risk of offence by:

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

## Speakers and use of facilities

State Library has the right and responsibility to determine the terms and conditions for speakers at events and the use of facilities and may:

- require an event organiser to comply with State Library's booking procedures and provide information relevant to the conduct of the event, including information about any public safety and security issues
- require an event organiser to distinguish between speakers who have been invited by State Library and those invited by the event organiser
- refuse permission to any speakers or facilities hire requests at State Library where the content of the speech or event is or is likely to:
  - be unlawful
  - prejudice the fulfilment by State Library of its duty to foster the wellbeing of staff and clients
  - involve the advancement of theories or propositions which may be detrimental to the State Library's character as a cultural institution
- in the case of a speaker or event where State Library's facilities have been hired, require the organiser to pay all or part of the cost of providing security and other measures to ensure public safety and order at the event.

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<sup>3</sup> [As per the Information Privacy Act 2009](#)

<sup>4</sup> [Statement on Libraries and Intellectual Freedom](#), International Federation of Library Associations, 2003

<sup>5</sup> [Statement on Libraries and Intellectual Freedom](#), International Federation of Library Associations, 2003

<sup>6</sup> The scope of this policy provision is public access internet in State Library. Internet filtering by a local government, library or Indigenous Knowledge Centre does not preclude or limit State Library cooperating with the local government, library service or other third party.

## Human Rights

The main objectives of the *Human Rights Act 2019 (Qld)* (the Act) are to:

- protect and promote human rights
- help build a culture in the Queensland public sector that respects and promotes human rights
- help promote a dialogue about the nature, meaning and scope of human rights.

The Act protects 23 fundamental human rights drawn from international human rights law, including the following rights:

- freedom of thought, conscience, religion and belief
- freedom of expression
- peaceful assembly and freedom of association
- taking part in public life
- privacy and reputation
- cultural rights – generally
- cultural rights – Aboriginal peoples and Torres Strait Islander peoples
- right to education.

State Library 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*. The Act also recognises the particular significance of the right to self-determination of Aboriginal and Torres Strait Islander peoples.

When applying this policy, the State Library 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 Act.

## 8 References

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The Policy is supported by:

*Universal Declaration of Human Rights*, General Assembly of the United Nations (UN), 1948, viewed 15/08/22, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

*United Nations Declaration on the Rights of Indigenous Peoples*, Assembly of the UN, 2007, viewed 15/08/22, <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

*United Nations Convention on the Rights of the Child*, 1989, viewed 19/08/2022, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

*International Covenant on Civil and Political Rights*, Assembly of the UN, 1966, viewed 15/08/22, [www.ohchr.org/en/professionalinterest/pages/ccpr.aspx](https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx)

*IFLA/UNESCO Public Library Manifesto 2022*, viewed 17/10/2022, <https://repository.ifla.org/handle/123456789/2006>

*Sustainable Development Goals*, Assembly of the UN, 2015, viewed 15/08/22, [www.un.org/sustainabledevelopment/sustainable-development-goals/](https://www.un.org/sustainabledevelopment/sustainable-development-goals/)

*Lyon Declaration on Access and Development*, United Nations, 2014, viewed 15/08/22, <https://www.lyondeclaration.org/>

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*The IFLA Internet Manifesto*, IFLA, 2014, viewed 15/08/22, <https://www.ifla.org/resources/?oPubId=224>

*Information Privacy Act 2009*, Queensland Government, viewed 15/08/22 [www.legislation.qld.gov.au/view/html/asmade/act-2009-014](http://www.legislation.qld.gov.au/view/html/asmade/act-2009-014)

*Human Rights Act 2019*, Queensland Government, viewed 15/08/22, [www.legislation.qld.gov.au/view/html/asmade/act-2019-005](http://www.legislation.qld.gov.au/view/html/asmade/act-2019-005)

*National Principles for Child Safe Organisations*, Australian Human Rights Commission, 2018 viewed 19/09/22, <https://childdsafe.humanrights.gov.au/national-principles>

*Content Strategy*, <https://www.slq.qld.gov.au/sites/default/files/Content%20Strategy.pdf>

*Responsible Conduct Policy*, <https://www.slq.qld.gov.au/sites/default/files/Responsible%20Conduct%20Policy.pdf>

*Public Access Information and Communication Technology (ICT) Policy*, <https://www.slq.qld.gov.au/sites/default/files/2022-08-30%20Public%20Access%20ICT%20Services%20Policy.pdf>

*Code of Conduct for the Queensland Public Service* (for State Library employees), <https://www.forgov.qld.gov.au/about-code-conduct>

*Comments Policy*, <https://www.slq.qld.gov.au/sites/default/files/Comments%20Policy%202021%20-%20SL%26CEO%20approved.pdf>

## **9 Approval**

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Approved by resolution of the Library Board on 29 November 2022. **RES/2022/115**

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