TORONTO PUBLIC LIBRARY

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b.

July 7, 2014

The Honourable Michael Coteau
Minister, Tourism, Culture and Sport/
Minister Responsible for the 2015 Pan/Parapan American Games
9th Floor, Hearst Block
900 Bay Street
Toronto, Ontario M7A 2E1

Dear Minister Coteau:

On behalf of the staff and Board of the Toronto Public Library, please accept our congratulations on your appointment as Minister, Tourism, Culture and Sport/Minister Responsible for the 2014 Pan/Parapan American Games. We look forward to working with you on advancing public libraries in the future.

By way of introduction, Toronto Public Library is the world's largest urban public library system. The important role of public libraries cannot be underestimated. The Toronto Public Library:

- fosters literacy and a love of reading as a first priority;
- supports lifelong learning as fundamental to economic prosperity, social cohesion and civic engagement;
- positions Torontonians to succeed in a global knowledge economy; and
- provides responsive services and promotes a shared sense of ownership and responsibility for the efficient use of public funds and resources with staff, service partners and the public through effective stewardship and a culture of continuous improvement.

In 2013, the third busiest of our last ten years, more than 18 million people visited the Toronto Public Library, circulating over 32 million items. Virtual visits of more than 26 million included visits to the Toronto Public Library main website and specialized sites such as the TD Summer Reading Club, Keep Toronto Reading, and e-content sites, including e-books and e-magazines.

In the area of e-content, I am attaching a copy of a letter written to your predecessor, the Honourable Michael Chan, on April 15, 2014 regarding some publishers' restrictive practices in making e-content available to public libraries. At that time, I requested a meeting with Minister Chan to discuss the availability of e-content and the costs of e-books for Ontario public libraries. Unfortunately, we were unable to meet with Minister Chan before the provincial election in June. I would welcome an opportunity to meet with you to discuss the issues outlined in my April 15th letter.

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789 Yonge Street, Toronto, Ontario, Canada M4W 2G8 Tel: 416-393-7215 Fax: 416-393-7083

The Toronto Public Library Board is pleased to count the Ministry of Tourism, Culture and Sport as one of our partners. The Government of Ontario's demonstrated recognition of the value of libraries is appreciated, and your continued financial support is crucial in ensuring that the vital role of libraries grows and strengthens.

Sincerely,

Michael Foderick
Chair, Toronto Public Library Board

/nrm

Attachment: Letter to The Honourable Michael Chan dated April 15, 2014

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April 15, 2014

The Honourable Michael Chan
Minister, Tourism, Culture and Sport
9th Floor, Hearst Block
900 Bay Street
Toronto, Ontario M7A 2E1

Dear Minister Chan:

I am writing to you on behalf of the Toronto Public Library Board regarding some publishers' restrictive practices in making e-content available to public libraries. These restrictive practices vary according to publisher and are described in greater detail in the attached chart, including unreasonably high e-book prices and other practices such as caps on use, time limits and the refusal of some publishers to make their e-content available at all.

The Toronto Public Library Board is committed to equitable and accessible public library service that provides universal access to a broad range of human knowledge, information and ideas in all its forms. This is the cornerstone of the Library's mission and mandate. Despite the proliferation of new enabling technologies and the rapidly growing popularity of digital content – and of e-books and e-magazines in particular – the ability for libraries to provide this universal access has been challenged by those publishers engaging in restrictive practices.

Toronto Public Library is willing to pay appropriate institutional rates for e-content on reasonable terms. However, the situation with some publishers charging unreasonably high prices places pressures on public library collections budgets and restricts Canadians' access to content from their public library.

Public libraries across Ontario successfully provide e-books and e-magazines from willing publishers. Demand continues to grow. Torontonians borrowed more than 2 million e-titles in 2013, a 100% increase over 2012. While there is progress with many more publishers making their content available to public libraries, other restrictive practices remain as barriers to public libraries being able to provide access to e-content in the digital age.

This is not just about access to the popular books, current bestsellers and e-magazines that customers want. It is about bridging the digital divide so all children have access to cultural and educational materials so they can succeed in a global knowledge-based economy. It is about meeting accessibility standards for people with disabilities by making alternative formats easily and freely available – a necessity in a free and democratic society. It is about allowing libraries to

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not just license but also own books and materials, to ensure the preservation of our written cultures. And it is about supporting a literate, engaged, well-informed and educated electorate to maintain an effective democracy.

Stated simply, limiting access to e-content by imposing special restrictions on public libraries blocks universal access.

The Library Board recognizes publishing in Canada and around the world is undergoing great change, and that the publishing industry plays an important role in the development and expression of the Canadian identity and literary culture. It must also be recognized and acknowledged that public libraries are integral to this ecosystem of reading. Imposing unreasonably high prices, other special conditions or not making e-content available for lending at public libraries are not the answer to a healthy publishing industry.

Toronto City Council has endorsed the important role of public libraries in making content available to all Ontarians and encourages publishers to make e-books and e-magazines available to public libraries on fair and reasonable terms. At its December 16, 17, 18, 2013 meeting, Toronto City Council adopted the following motion, that:

> *City Council request the Department of Canadian Heritage and the Ontario Ministry of Tourism, Culture and Sport to investigate publishers' restrictive practices in making e-books and e-magazines available to public libraries, including the higher prices charged to public libraries.*

At its March 24, 2014 meeting, the Library Board adopted the following motion, that:

> *The Library Board's E-Book Working Group requests a meeting with the Minister of Culture, Tourism and Sport and the Minister of Canadian Heritage and Official Languages to discuss the issue of public library access to e-content.*

We have provided background material on this important issue in the form of a chart, and have included it as attachment to this letter. The Toronto Public Library Board would welcome the Minister's support for ensuring Ontario public libraries have access to Canadian content in the digital age with appropriate action from your government.

I am requesting an in-person meeting to discuss the availability of e-content and cost of e-books for Ontario public libraries.

Sincerely,

Michael Foderick
Chair, Toronto Public Library Board
Chair, Toronto Public Library Board E-Book Working Group

cc: K. Finnerty, Assistant Deputy Minister, Culture Division
J. Pyper, City Librarian

Attachment: Overview of Canadian Public Library Access to E-Content

Attachment

Overview of Canadian Public Library Access to E-Content

Publisher	Terms	Prices	Notes
Random House Canada	One copy per use; no cap or time limit on use	$85 for new hard covers $30-$60 for paperbacks	In February 2011, it is announced that Random House Canada and a number of independent Canadian publishers are making their content available. In March 2012, Random House (U.S.) announced 300% price increase for e-books available to public libraries.
HarperCollins Canada	One copy per use; 26-use cap per copy	$25 for new hard covers $4-$16 for paperbacks	HarperCollins (U.S.) announced in March 2011 the introduction of a 26-use cap per copy. In December 2012, HarperCollins Canada content became available to public libraries.
Hachette Group	One copy per use; no cap or time limit on use	$80-$90 for new hard covers $10-$40 for paperbacks	In October 2012, Hachette announced 100-200% price increase for its backlist e-books available to public libraries. Hachette made over 5,000 current and back-list titles available to libraries in May 2013.
Macmillan	One copy per use; 52-use cap per copy or 24 months, whichever comes first One year embargo on making current content available	$40 for most content – hard cover, paperbacks & e-book original shorts	Macmillan announced in January 2013 it is starting to make its backlist e-books available; more content became available as the year progressed.
Penguin Canada	One copy per use; re-purchase copies after one year	$23 for new hard covers $8-$16 for paperbacks	In December 2013, U.S. content from Penguin became available; waiting for access to Penguin Canada content.
Simon & Schuster Canada	Pilot projects with a few libraries are underway; not widely available to public libraries.	Prices are not confirmed at this time.	TPL is in discussion regarding a pilot project that provides access to Simon & Schuster content.

Independent Canadian Publishers	One copy per use; no cap or time limit on use	$16-$25 for new hard covers $8-$15 for paperbacks	These publishers have willingly worked with libraries to make content available and to find mutually beneficial solutions.
Rogers Publishing Group	Withdrew access to Rogers' e-magazines for public libraries via Zinio (a platform for loaning e-magazines) in Fall 2013 when Rogers launched its own digital subscription service *Next Issue Canada.*	Subscriptions comparable to consumer prices	Zinio offers libraries unlimited simultaneous access to e-magazines just as it does in its consumer model. With Rogers' withdrawal from Zinio, many Canadian e-magazines are no longer available while access continues for e-magazines from the U.S. and the U.K.

April 2014