The Management of controversial and restricted texts in the digital collections of New Zealand public libraries: An exploratory study.

by

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Structured Abstract:

**Research Problem:**
Digital collections are now a core offering in the collections of most New Zealand public libraries and the management of these collections presents libraries with new and unique challenges. One specific problem is how e-books can be managed when they carry an age restriction or their content contains material of a controversial nature. Traditionally such texts when purchased in hardcopy could be managed by restricting physical access to the items, labelling the items, and/or placing the items within the perceived age-appropriate collection. Indeed, the Office of Film & Literature Classification states that “If your library has restricted books or magazines, you will need to manage those items to ensure underage people cannot access them, for example, by holding them behind the counter or placing them in a restricted access collection.” (Office of Film & Literature Classification, n.d.) The wording of this advice makes it evident that the current laws were made with the intention of applying to hardcopy items only.

This study examines the legal, ethical, and technical issues New Zealand public libraries face when offering controversial and age-restricted texts in e-book format and how they have responded to these issues.

**Methodology:**
The study has used a mixed-method approach in two separate components. The first is a qualitative series of semi-structured interviews with seven public library staff from the North Island of New Zealand. All interviewees are responsible for the management and/or selection of the e-book collections in their organisation. The second component is a focussed analysis of the public catalogues of these seven libraries, checking for the presence or absence of a list of age-restricted and controversial texts and any notable treatments of these texts.

**Results:**
Libraries are restricted by the available technical functionality of their e-book platforms and by the requirements of New Zealand censorship law, which was perceived by interviewees to be out-dated, confusing, and not suited to digital lending. Currently there is no e-book vendor offering the ability to verify the age of the reader or modify access to specific titles, although one local vendor may be developing a technical solution to this dilemma.

The catalogue analysis and interviews revealed that controversial e-book texts are not managed in any exceptional way that differentiates them from other texts but most libraries do not have a significant number of controversial or age-restricted texts in their e-book collections. Only the two largest libraries surveyed had direct experience with managing age-restricted material in e-book format and both had been forced to remove these texts to comply with New Zealand law.

**Implications:**
The lack of a technical solution to offer age-restricted e-books in a way that satisfies the requirements of New Zealand law means that New Zealand public libraries cannot offer age-restricted texts in an e-book format. This has impacts for the digital collections of New Zealand public libraries. Any solution to this problem can only come about as a result of technical developments by e-book vendors and/or changes to the requirements of New Zealand censorship legislation.

**Keywords:**
Restricted materials, controversial materials, censorship, intellectual freedom, self-censorship.
Contents:

1. Introduction...........................................................................................................................................p.5
2. Significance of study.................................................................................................................................p.5
3. Study Objectives......................................................................................................................................p.5
4. Research Questions..................................................................................................................................p.6
5. Definition of Key Terms............................................................................................................................p.6
7. Research Design........................................................................................................................................p.11
8. Sample...................................................................................................................................................p.11
9. Methodology............................................................................................................................................p.11
10. Data Collection......................................................................................................................................p.12
11. Data Analysis.........................................................................................................................................p.13
12. Theory...................................................................................................................................................p.13
13. Limitations and Assumptions..................................................................................................................p.13
14. Results...................................................................................................................................................p.14
15. Catalogue Analysis.................................................................................................................................p.14
16. Interviews ................................................................. p.18
17. Conclusions ................................................................. p.25
18. Recommendations .............................................................. p.26
19. Areas for future study .............................................................. p.26
20. References ................................................................. p.27
21. Bibliography ................................................................. p.29
22. Appendices ................................................................. p.32
23. Appendix 1. Interview Questions .............................................................. p.32
24. Appendix 2. Participant Information Sheet .............................................................. p.34
25. Appendix 3. Participant Consent Form .............................................................. p.36
Introduction

Digital collections including databases, digital magazines, digital newspapers, and e-books are now a core offering of many New Zealand public libraries. The Library and Information Association New Zealand (LIANZA) Aotearoa’s E-book Issues Paper reported that 92% of New Zealand public libraries were offering e-books as part of their collection in 2012 (2012, p.3) and 93% of libraries involved in a study by Percy (2013, P.13) were offering e-books. 93% of librarians surveyed in Percy’s study also “strongly agreed” that it was important for libraries to offer e-books (2013, p.29).

The provision of digital collections may become problematic for libraries when any of their content is considered controversial or carries an age restriction. Traditionally such texts when purchased in hardcopy could be managed by restricting physical access to the items, labelling the items, and/or placing the items within the perceived age-appropriate collection. Indeed, the Office of Film & Literature Classification states that “If your library has restricted books or magazines, you will need to manage those items to ensure underage people cannot access them, for example, by holding them behind the counter or placing them in a restricted access collection.” (Office of Film & Literature Classification, n.d.) However, the wording of this statement makes it evident that the current laws were made with the intention of applying to hardcopy items only. At the time of writing, the current government has launched the Exploring Digital Convergence initiative which may result in the development of new guidelines or legislation to address such issues. It is referred to indirectly in the discussion document when it states, “Neither the standards provisions of the Broadcasting Act nor the labelling provisions of the Classification Act directly address content delivered through online transmission methods.” (Ministry for Culture and Heritage, 2015, p.18).

However, for the time being, controversial and restricted materials offered in digital format remains problematic for New Zealand public libraries. Organisations offering these materials are restricted in their ability to manage these texts by factors such as the technical limitations of their chosen digital platforms and publisher-imposed restrictions.

Significance of study

The issues explored in this study are of significance to New Zealand public libraries and the development of digital collections, the development of future library collection policies, and for ensuring that current practice does not leave libraries either legally vulnerable or in breach of the values of intellectual freedom. As this is the first study to specifically address the management of controversial and restricted texts in digital format, it will fill an important gap in our current knowledge of this topic. Furthermore, as library collections continue their shift towards digital borrowing, the issue of managing controversial and restricted materials in digital format will become more pertinent and relevant.

Study Objectives

The objectives of this exploratory study are:

- To understand the strategies used by New Zealand public libraries to manage digital resources that are restricted or considered controversial.
• To understand the current legal, ethical, and technical factors that make the provision of controversial and restricted texts in digital format problematic.
• To examine whether existing library policies adequately provide guidance on the provision and management of controversial and restricted texts in digital format.

Research Questions
Based on these objectives, this study will answer the following research questions:

1. What are the current legal, ethical, and technical issues facing New Zealand public libraries when offering controversial and restricted texts in digital format?

2. How does existing library/organisational policy assist in the management of controversial and restricted texts in electronic format?

Question one seeks firstly to understand the influence of the legal obligations that libraries hold when providing access to restricted material and controversial material in digital formats. This refers to the official censorship laws of New Zealand and the repercussions and impacts of these laws with regard to library lending policies and procedures. Secondly this question asks what ethical issues, if any, librarians perceive are attached to the provision of controversial and restricted materials in digital format. The final aspect of this question asks what technological issues assist or hinder libraries in their ability to manage restricted and controversial texts in digital format.

Question two addresses the effectiveness and role of existing library policy in the current management approach to restricted and controversial materials in digital format.

Definition of key terms
Restricted materials are texts that have been submitted to the Office of Film & Literature Classification and had a classification applied which restricts their consumption to viewers over a specified age. It is illegal to provide access of any kind to persons under the age specified. (Office of Film & Literature Classification, n.d.)

Controversial materials are texts containing content that may provoke protest, or cause offense to some individuals. Typically content such as sexuality, violence, crime, racism, and certain ideological positions on religion and politics are most likely to be considered controversial. Unlike restricted materials, there is no legal requirement to restrict access to controversial materials to persons above a certain age.

Censorship: Censorship is the prohibition of the production, distribution, or display of an item on the grounds that it contains dangerous or objectionable material. (Reitz, 2014). Official censorship is the result of law, legislation, policy, or administrative processes. (Jones, 1983).

Intellectual Freedom: Intellectual freedom is the right to seek and receive information from all points of view without restriction. (American Library Association, 2014).

Self-Censorship: Self-censorship is the voluntary application of censorship. Libraries use self-censorship to avoid anticipated censorship challenges with the general public or with groups that seek to control what material is available to the public. (Sloan, 2012, p.184).
Literature Review

E-books in New Zealand public libraries
Much of the existing literature regarding New Zealand public libraries and e-lending has focused on issues surrounding the implementation of e-lending services and librarian and customer perceptions of e-lending. In one such study, Ross (2013) examined how library customers were using e-books in New Zealand public libraries, using Christchurch City Libraries as a case study. The study combined qualitative interviews with library staff and a quantitative survey of library customers regarding Christchurch City Libraries’ e-book collection. Both components of the study validate the Library and Information Association of New Zealand/Aotearoa’s (LIANZA) concerns that the uptake of e-lending is hampered by publisher-imposed restrictions regarding licensing, circulation, and content (LIANZA, 2013, p.4). Although 30% of surveyed library customers had used the e-book collection (Ross, 2013, p.22), 57% of participants who had used the e-book collection felt the collection did not meet their needs (p.23). Among the reasons given for this perception were frustration at having to wait for an item to be available to borrow, the lack of New Zealand and Australian content, and a small number of participants also found the borrowing process too difficult. (p.23-24). A central theme identified in the qualitative component of the study was how the library’s e-book offer to its customers was severely limited by the particulars of each platform and the publisher’s restrictions around content, or to quote, “the collection can only be built with what is available to the library through the publishers” (p.26).

Percy’s (2013) quantitative study of New Zealand public librarian’s attitudes toward e-books also identified e-book licensing terms as a source of frustration for librarians. Most respondents either agreed or strongly agreed that “e-book licensing terms restricts the stock of e-books available in my library” (Percy, 2013, p.24). Her survey also allowed participants to make additional comments and publisher restrictions and licensing issues were strong themes that emerged among these comments. A quantitative survey of public library managers by Joseph (2013) investigated this issue in greater detail. Her study sought to identify what type of e-book licensing arrangement would best suit New Zealand public libraries and found that the most popular models were those that gave libraries the greatest amount of control over content and predictability over costs such as the perpetual access license model. (Joseph, 2013 p.36). The lack of New Zealand content available was again highlighted in this study.

It is evident in these studies that libraries felt some frustration at the e-book service at the time. As compared with print collections, libraries held significantly less power over their e-collections and their ability to manage these collections was dictated by the platform and publisher. This is significant because it implies that libraries will also be limited in their ability to manage controversial and restricted texts offered in digital format.

Controversial material in e-book format
The issue of restricted or controversial items in digital format is one that has been given little attention. Mills (2015) study of censorship challenges in New Zealand public libraries noted that one large urban organisation had received a complaint regarding the number of erotic novels in both e-book and print. (Mills, 2015, p.34) The outcome and/or any actions taken as a result of the complaint were not mentioned. The qualitative component of Ross’s (2013) study referred to controversial material in the digital library when her interviewee mentioned that “bodice rippers” (erotic romance novels) are particularly popular items in the digital library. The interviewee speculated that this is because e-lending provides greater privacy to the customer who can borrow these items discreetly online. (Ross, 2013, p.26). The popularity of bodice rippers in e-book format meant that the library purchased a comparatively large number of items belonging to this genre for the digital library. The
latter point is noteworthy because it implies that there is a high level of customer demand for material with adult themes in digital format and the library responds by purchasing more of this content in digital format. This suggests that this type of material might be overrepresented in the collections of digital libraries. If this is the case then there may be a particular need for libraries to have the ability to manage these items.

Management of controversial materials in hardcopy
While there have been no studies on the management of restricted and controversial texts in digital format, there have been a significant number of similar studies focussed on the management of such texts in hardcopy.

A common approach for managing a potentially controversial item and for responding to a censorship challenge toward such an item is to reclassify the item and relocate it to a collection where it is deemed more age-appropriate or simply less likely to be viewed by vulnerable library users. This strategy was found to be used by libraries in studies by Mills (2015) and Taylor & McMenemy (2012) and was given as a hypothetical course of action in studies by Greenland (2009) and Nieuwoudt (2012). A similar approach is to place the text within a specialised collection. Greenland’s (2009) examination of the classification of controversial picture books in New Zealand public libraries used an interview-based qualitative approach to understand why a set group of texts were given particular classifications. Where the content of a text was deemed to be controversial there was a tendency for it to be placed outside of the general children’s lending collection and within a specialised collection instead. In one example a text was placed within a “sophisticated picture book” collection (Greenland, 2009 p.45) and in another, the text was placed in a “Parent & Child resource” collection (Greenland, 2009, p.45-49). By applying such a classification the texts were removed from the general children’s browsing collection where a child could easily find them. Their placement within a specialised collection signals to the reader that the text differs from that of a ‘normal’ children’s picture book and/or should be treated with caution. Nieuwoudt’s (2012) study also found that librarians used this approach heavily and that keeping a controversial item within its intended collection was considered an important way to avoid offending library users and avoid pressure to remove the item (Nieuwoudt, 2012, p.49).

Another heavily used strategy is the use of warnings regarding content. Most frequently this takes the form of labelling attached to the physical item as discussed in studies by Greenland (2009), Taylor & McMenemy (2012), Nieuwoudt (2012), and Mills (2015). Mills (2015) also mentioned warnings being attached to the library catalogue and Taylor & McMenemy (2012) state how verbal warnings might be given by staff as they issue an item to a library user.

The most drastic approach to managing controversial texts is to remove the text from the library collection. Because this removes access to the information completely it could be viewed as an overt form of censorship and a direct contravention of the principles of intellectual freedom. Perhaps it is for this reason that this approach is not used often. In Mills (2015) study only 2 out of 13 texts were removed as a result of a censorship challenge however the total may be higher as not all libraries provided details of the actions they took as a result of the complaint. It is also unknown if the complaint was the sole reason for the items being withdrawn. Age and condition of the material may have also been a factor. (Mills, 2015, p.57).

Non-selection of controversial and restricted texts is another strategy that libraries can use to manage potential censorship challenges albeit one that amounts to self-censorship. However, identifying that such a strategy has been used is difficult. Downey (2013, p.104) described self-censorship as “usually invisible”, and Mollendick (2009, p.72) identifies that there are a range of
reasons that an item may not be selected for the library collection and as a result, it is difficult to determine what is censorship and what is selection.

Lastly, when a text is considered controversial due to its ideological content, libraries may make a concerted effort to purchase a second document containing the opposing ideological position so as to represent both sides of the argument. This strategy was used by one library in Mills study of censorship challenges in New Zealand public libraries (Mills, 2015, p.57).

When we consider each of the strategies used by libraries to manage challenged, controversial and restricted materials it is evident that in nearly every case, the strategy can only be applied to texts in hardcopy format. How these approaches can apply to texts in digital format depends on the functionality and technical limitations of each digital platform to a large extent. The compromise to purchase another text with opposing facts is one exception that could apply to items in the digital library but even then, if the library intends to purchase this second item in digital format they may be limited by what content is available in digital format. Non-selection and withdrawal of the item are the remaining two strategies that could be applied to digital items, but both options are arguably unsatisfactory since they remove access to the item completely.

Censorship challenges and self-censorship
The management of restricted and controversial texts in public libraries is closely related to the issue of censorship. It is assumed that one of the motivating factors behind the desire to manage controversial library texts is the wish to avoid censorship challenges and many of the strategies for managing controversial texts have also been implemented as the result of censorship challenges.

Studies on censorship challenges in public libraries show that censorship challenges do take place at some time for most public libraries, though perhaps not with great frequency. Taylor & McMenemy’s (2012) survey of censorship challenges in Scottish public libraries revealed that between 2005 and 2009 eight of the twenty-nine local authorities surveyed had received censorship-related complaints of some kind. (Taylor et al. 2012, p.160). Anderson (2014) stated that between 2000 and 2009 nearly 6000 censorship challenges were reported to the American Library Association’s Office of Intellectual Freedom but this number accounts for as little as 15% of all such challenges due to the fact that most challenges go unreported. (Anderson, 2014, p.2). Ball’s (1998, p.26) survey of censorship challenges in New Zealand public libraries found that 72% of respondents had received some kind of censorship challenge. Mills (2015) survey of challenged materials in New Zealand public libraries between 2010 and 2014 found that 10 of the 28 public library systems surveyed had received a total of 20 censorship challenges, though it was noted that instances of such challenges were not officially recorded by many of the organisations so this number could in fact be higher. (Mills, 2015, p.3).

Across the literature, the same topics and types of material are consistently the target of censorship challenges in libraries. Mills (2015) found that items intended for children attracted slightly more censorship challenges than items aimed at other age groups. Best’s (2010) study examining American academic library holdings of the top 10 most challenged books of 2007 reveals that more than half of the top ten challenged items were for a children or young adult audience (Best, 2010, p.18). Anderson’s (2014) study of censorship challenges in America found that the most challenged items were young adult fiction but in total, items aimed at young adults and children far outnumbered the complaints regarding adult texts (Anderson, 2014, p.11). The reason for this trend is the tendency for parents to challenge library texts that contain values (religious, political, moral etc.) which differ from their own (Moellendick, 2009, p.70).
In terms of subject matter, sex and sexuality are clearly the most challenged topics. Anderson (2014, p.15) agreed and found that texts on the topic of sexuality were even more likely to be challenged when the intended audience were young adults and specifically, teenage girls. (Anderson, 2014, p.15). The majority of the top ten most challenged books in Best’s (2010) study were also texts containing significant sexual content or sexuality as a theme. Nieuwoudt’s (2012) examination of self-censorship practices in New Zealand public libraries used a qualitative interview approach to investigate how a selected list of controversial items would be managed in each library system. The study found that gay erotica, books containing profanity, high profile cases of child abuse in New Zealand, and Satanism were all topics that the interviewees would deliberately prevent free and open access to in their library. (p.44).

The fact that the same subjects are consistently targeted for censorship means that these topics are at risk of being underrepresented in library collections. This can mean that the library underserves particular groups and individuals. An excellent example is the tendency for LGBT-themed (lesbian, gay, bisexual, and transgender) material to be targeted for censorship challenges. Garry’s (2015) study of U.S. school libraries found that, in general, the majority possessed few LGBT resources. (p.84). Downey (2013) also stated that many libraries lack quality LGBT resources and satisfaction among LGBT library users is low. (p.105). This demonstrates how the use of self-censorship in libraries can be harmful and discriminates against already marginalised groups.

The fact that the same subjects and types of material are consistently challenged across studies both nationally and internationally and across time tells us that they are likely to also be challenged in future and in the context of e-book collections in New Zealand public libraries.

**Librarian attitudes to censorship and intellectual freedom**

Moody (2004) conducted a quantitative survey of Queensland public librarians and their attitudes toward censorship and intellectual freedom with a view to uncovering any discrepancy between their stated beliefs and the actions they would take in hypothetical situations. Though it found that librarians would adhere to the principles of intellectual freedom in most scenarios, it did reveal that some texts were more likely to be censored than others, particularly if the information was perceived as being incorrect, legally questionable, or controversial. Hill’s (2015) study followed a similar line of enquiry and produced similar results. Her quantitative survey of New Zealand public librarians investigated their understanding of the principles of intellectual freedom and whether these beliefs were consistent with the actions they took in their roles as librarians.

Moody and Hill’s research tells us that in general, librarians are aware of their obligations to uphold the values of intellectual freedom and most of the time this philosophy is also reflected in their actions. However, this is not true in all cases, and there is a strong conflict between wishing to avoid offense to library users and stakeholders (Hill, 2015, p.1) and wishing to uphold the values of intellectual freedom. In the context of controversial and restricted material in hardcopy, librarians can usually strike a balance between the two competing pressures by using one or more of the aforementioned strategies such as labelling, restricted access etc. However, when these texts are in digital format and these strategies are no longer viable, how this tension is resolved is unknown.
Research Design

Sample

The study interviewed seven public library organisations from the North Island of New Zealand. The sample was chosen to include a wide range of public library organisations ranging in size and including a mix of urban and rural organisations so as to be representative of the wide range of public library organisations within New Zealand.

Methodology

The study used a mixed-method approach comprised of a qualitative series of interviews with public library staff and an analysis of the public catalogues of these libraries. Interview subjects were staff members of public libraries in New Zealand and represented the organisation they work in and also offered personal insights where relevant. All interviewees were responsible for the selection and management of e-book collections in the libraries they work for. The identity of the interviewees and the organisations they work for have been kept confidential.

A semi-structured interview was chosen for its flexibility and the ability to be altered in response to the interviewee’s responses. This allowed the researcher to follow a similar line of questioning in each interview yet expand on particularly relevant or interesting points that may arise in the course of each interview.

A qualitative approach was chosen because the central research questions of this study are exploratory and seek to understand the many factors and processes that contribute to the research problem. The research problem may be experienced and understood in differing ways by each of the interview subjects based upon a number of known and unknown factors and a qualitative approach is the most appropriate way of capturing and examining this. Leedy and Ormrod state that a qualitative approach focusses on capturing and studying the complexity and multiple layers of “real world” phenomena and portraying them in their multifaceted form (Leedy & Ormrod, 2013, p.139).

Therefore, a qualitative approach is the most appropriate way of examining this research problem.

The qualitative interviews are supplemented by a focussed analysis of the public catalogues of each library organisation selected to interview. The catalogues were examined looking for the presence of specific restricted or controversial texts. Their presence or absence, accessibility, description, and the use of any techniques that attempt to minimise potential harm to the reader such as warnings and age verification were examined as evidence of how these libraries have managed these texts. Specifically, the analysis sought to identify if these texts were treated in any way that would identify the text as containing controversial content or evidence that these texts had been “managed” or given exceptional treatment by the library because of their content. The chosen texts and the rationale for their selection are as follows:


   This text is part of a popular trilogy of erotic romance novels also adapted into a film and is known for its explicit sexual content. The literature review identified that sexuality is a subject that is often the focus of censorship complaints and as a recent, popular text, there is high chance that the surveyed libraries will hold this text. It is therefore a useful text for showing differences in treatment by each library. This text does not carry an age restriction in New Zealand.
2. *Delta of Venus – Anais Nin (1978)*
This text sits within the erotic romance genre and contains explicit sexual content. It possesses a further point of interest because it has an R16 rating in New Zealand. A restricted text is of particular interest to this study because libraries are legally obliged to restrict access to the item to persons over a specified age. If available in e-book format, the technicalities of how to restrict access to this item may be problematic for libraries.

3. *Into the River – Ted Dawe (2012)*
This text was selected because it contains controversial content such as sex, drug use, crime, and profanity, yet is aimed at a teenaged/young adult audience. These factors all increase the likelihood for it to face censorship challenges. Although it now carries no age restriction in New Zealand, Into the River was the subject of well-publicised censorship challenge where it was given an R14 age restriction and temporarily banned from sale or supply.

This novel is known for its sexual content and extreme violence. It has also been adapted into a film and musical, meaning it is well known in popular culture and might therefore be a likely inclusion in the library’s collections. The text carries an R18 rating in New Zealand so how access to this item might be managed was of particular interest.

5. *Last Exit to Brooklyn – Hubert Selby, Jr. (1964)*
This is a classic text also known for violent and sexual content. It carries an age restriction (R16) in New Zealand.

This text is a graphic novel, a format traditionally popular with teenagers and young adults. It is rated R13 rating in New Zealand, so the catalogue treatment and access restrictions are of interest.

**Data Collection**

Data was gathered using two different methods as appropriate for the two components of the study. The first component, live interviews with library staff, involved the use of scripted questions supplemented by unscripted follow-up questioning for the purposes of clarification and deeper analysis of responses. In this case, the data collected was the verbal responses of the interviewee, recorded using a sound recording device and sound recording software. Additional notes were gathered manually using pen and paper.

In the second component of the study, the examination of library catalogues, the data collected was the presence or absence of restricted and/or controversial texts in e-book format and the treatment of these texts. If these texts were present in the library collection, their cataloguing treatment and any access restrictions were recorded along with any other noticeable attempts to minimise potential harm such as content warnings. This data was recorded digitally using Microsoft Excel and Microsoft Word.
Data Analysis

For the qualitative interview component of the research, data analysis began with transcription of each interview using transcription software. This software allows the researcher to slow down the recorded audio for the purposes of transcribing to word processing software such as Microsoft Word.

Upon completion of transcription, coding was then applied to analyse the data. This involved dividing the data into categories or themes then examining these themes for properties or relationships that describe the phenomena being examined (Leedy & Ormrod, 2013, p.147). The use of word processing software added efficiency to this process by allowing the researcher to easily scan for and locate specific terms.

The use of scripted questions grouped thematically also assisted in the analysis process because it allowed the researcher to compare responses to the same question and regarding the same general theme. However, the nature of interviews meant that relevant data could appear anywhere throughout the interview.

For the second component of the research, the examination of library catalogues, the presence or absence of each text was recorded in a table in order to compare the holdings of each library against the other libraries. Any other notable observations were recorded then grouped by theme.

Theory

The findings of the literature review provided a context to the research problem and identified what some of its contributing factors may be but did not provide a singular theoretical framework that could adequately encompass all aspects of the research question. This study has therefore adopted a grounded theory approach that is informed by the findings of the literature review but essentially is not based on a particular theoretical framework and instead, seeks to develop a theory through the collection and review of data in the research process.

Leedy and Ormrod (2013, p.146, 2013) state that grounded theory studies are particularly suited to areas of research where current theories are inadequate or non-existent. The application of a grounded theory approach is particularly appropriate because, despite the existence of numerous studies on the topic of censorship, collection management, and e-books in New Zealand public libraries, this is the first study to focus specifically on the management of restricted and controversial materials in e-book format in New Zealand public libraries.

Limitation and Assumptions:

The analysis of library catalogues was limited to the public catalogues of each library and did not extend to an analysis of the catalogue records of each text as they appear on the e-book platform/apps. This is because library membership is required to gain access to the platform. However, libraries do not have any influence over how the records on the e-book platform/app appear or the information they contain, therefore the records on the local library catalogue are of most interest anyway.
The ability to locate willing and available interview subjects and restrictions on resources such as time and money also placed limits on the sample size. Limited resources also dictated that the interview subjects could only be from New Zealand’s North Island. Collectively the interviewees in this study used all the available e-book platforms in New Zealand so it is assumed that their experiences with these platforms in terms of technical functionality reflects the experience of other public libraries in New Zealand including the South Island.

The qualitative interview aspect of the project relied on interviewees to self-report on their organisational processes and policies and their personal behaviours and beliefs. It is assumed that these responses have been provided honestly and without bias or ulterior motives. The identity of both the organisations and the individuals in the study have been kept confidential to encourage honest responses.

Some of the questions asked in the interview component of the project were of a specific technical nature and there was a possibility that not all interviewees would immediately know the answers, especially in regard to the potential technical functionalities of their e-book platform(s). In an effort to get accurate responses, interviewees were provided with a core set interview questions prior to the interview so that they could gather information to answer these questions if necessary.

**Results**

**Catalogue analysis**

**Fifty Shades of Grey:**

<table>
<thead>
<tr>
<th>Title</th>
<th>Library</th>
<th>Present in catalogue?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fifty Shades of Grey – E.L. James.</td>
<td>A</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>C</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>D</td>
<td>No</td>
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<td></td>
<td>E</td>
<td>Yes</td>
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<tr>
<td></td>
<td>F</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>G</td>
<td>No</td>
</tr>
</tbody>
</table>

**Subject headings.**
All libraries applied the subject heading “Erotic fiction”. Library E also applied the heading “Romance fiction” and Library F added the heading “Romances”.

**Item Description/Summary:**
Library E’s item description summarises the texts’ plot and hints at the sexual nature of the text but does not refer directly to the sexual content in an overt way.

Library B has two records from two different suppliers. One record has a description that alludes to the sexual content slightly more overtly than some of the other records. It refers to a characters “erotic tastes” and “dark desires”. The final sentence of the plot summary states “This book is intended for mature audiences”. The second record is less overt in its description of the sexual
elements of the story and contains no content warning or indication of the intended age of the reader.

Library F has a description that would give the reader a strong indication of the type of content it would contain. For example, it mentions “dark sexual desires”.

**Other catalogue features:**
Library G applied tags (keywords) to their record but these did not allude to the sexual content of the text. The most relevant tag in this regard was “romance”.

### Into The River

<table>
<thead>
<tr>
<th>Title</th>
<th>Library</th>
<th>Present in catalogue?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Into the River – Ted Dawe.</td>
<td>A</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>B</td>
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<td>G</td>
<td>No</td>
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</tbody>
</table>

**Subject headings.**  
Library A did not apply any subject headings while Library B applied ten different subject headings, none of which allude to the controversial content of the book except perhaps the heading “Bullying – Teen fiction”. Seven of the ten headings include the term “Teen fiction” which may be an attempt to indicate the intended age of the text.

**Description/Summary:**  
Library A and Library B use an identical item description that describes the plot and the censorship rulings and controversy surrounding the text. In doing so, it identifies what aspects of the content made it controversial (sexual relationships between teenagers, sexual exploitation, drug use, criminal activities, violence, and use of profanity). It also states that the book would appeal to teen and young adult readers (indicating that the content is not suited to a younger audience)

**Other catalogue features:**  
Library B’s record has several book reviews attached to the catalogue record which all mention the censorship controversy surrounding the text. One review includes the lines “This is not a book for sensitive readers, because of its content and challenging scenes”, and, “the novel contains very strong language, underage sex, sexual relations between a student and a teacher, drug use, and violence”.

**American Psycho**  
Not present in all catalogues.
**Last Exit to Brooklyn**

<table>
<thead>
<tr>
<th>Title</th>
<th>Library</th>
<th>Present in catalogue?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Last Exit to Brooklyn (R16) - Hubert Selby, Jr.</td>
<td>A</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>Yes</td>
</tr>
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</tbody>
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**Subject headings.**
Both Library B and Library F do not apply any subject heading that would indicate that the text contains controversial material.

**Description/Summary:**
Both Library B and Library F use similar item descriptions that vary slightly. Both descriptions refer to the characters in the text as “prostitutes, drunks, addicts” and Library B’s description describes the book as “a vision of hell”, while Library F’s description states that the text “created shockwaves” when it was first published. In both cases the controversial nature of the text is evident.

**Other catalogue features:**
Library F has attached an extensive list of tags (keywords) which clearly identify the potentially controversial content in the text. Examples include “violence, banned books, prostitutes, romance, sexuality, homosexuality, grim, hate, illegal drugs, depression, abuse” etc.

**The League of Extraordinary Gentlemen Volume II**
Not present in all library catalogues.

**Delta of Venus**

<table>
<thead>
<tr>
<th>Title</th>
<th>Library</th>
<th>Present in catalogue?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delta of Venus – (R16) Anais Nin.</td>
<td>A</td>
<td>No</td>
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<td></td>
<td>B</td>
<td>Yes</td>
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</table>

**Subject headings.**
Library B, the only library to hold this item, applied the subject heading “Erotic stories, American”.

16
Description/Summary:
The item description clearly identifies that the content is sexual in nature, describing the text as “a glittering cascade of sexual encounters”.

Discussion
Although the absence of particular type of text in a library collection might be held up as evidence of self-censorship, the same conclusion can not necessarily be drawn in this case because these texts are in e-book format, a collection that is still developing in many of the surveyed libraries. Four of the six texts also carried age-restrictions in New Zealand and if there is no functionality to verify the age of the reader when issuing these texts then libraries have little option but to avoid purchasing such texts. Their absence could also be the result of budget restrictions, unavailability in digital format and/or on the chosen e-book platform, and real or perceived lack of customer interest.

The two largest libraries in this study, Library B and Library F both held the largest number of selected texts. As bigger libraries, we could expect them to have larger e-book collections that may encompass a wider range of material, therefore statistically increasing the chances of them holding these texts. Interestingly, both these organisations also held texts that carry an age restriction in New Zealand, Last Exit to Brooklyn and Delta of Venus. The catalogue records for both titles did not refer to the age restriction in any form, did not have an official rating sticker attached, and carried no access restrictions or evidence of attempts to verify the age of the reader. It is possible that both libraries are unaware of the ratings that apply to these texts. It may also be possible that these libraries have interpreted the age restriction as being applicable only to the print edition of the title.

The catalogue records for all texts in this survey contained information that would imply that the text contains controversial material. However, some records carried more detail than others and were more overt in their attempt to draw attention to the controversial nature of the text. Two of the most recently published texts, Into the River and Fifty Shades of Grey, contained the most full and detailed catalogue descriptions and were notable for drawing most attention to the controversial nature of their content. One of Library B’s records for Fifty Shades of Grey included the line, “This book is intended for mature audiences”, which is the closest example of a content warning and overt statement that the text should not be viewed by young readers. Although the reader could infer that an item was not suitable for children based on the subject headings and descriptions given, in most cases the records did not attempt to state an intended age group for the text. The only other exception was Into the River, which clearly identified the text as being aimed at a teenaged audience. Into the River was also notable for directly addressing the censorship controversy surrounding the item and highlighting what aspects of the content caused the controversy.

In general, although the records for these texts do communicate to the reader that they contain “adult” or controversial material, in most cases they do this in a subtle manner. They are generally not given any exceptional form of cataloguing treatment.
Interviews

E-book acquisition and the impact of e-book vendors
The findings of the literature review indicated that New Zealand public libraries were not entirely satisfied with the e-book service available to them and that vendor and publisher-imposed restrictions might have impacts on the ability to manage controversial e-book texts. These findings all relate to research that is now over several years old. Interviews with library staff in this study found that librarian attitudes toward the available e-book offer have improved considerably, the available e-book service has generally improved, but e-book vendors and publishers still maintain a large influence over how e-book collections are managed and over the collection in general. Two interviewees in this study stated that publisher restrictions still negatively impact what e-book content libraries can purchase and the cost at which they can purchase it. One of those interviewees mentioned that regional licensing models traditionally applied in print publishing are still being applied to digital publishing. This prevented some regions from accessing the full catalogue of U.S.-based vendors such as OverDrive. The interviewee also commented on publishers-imposed ‘friction’ whereby the publisher attempts to recover the perceived loss of profits created when libraries make their product available to the public free of charge. This is achieved by placing limits on the number of times an item can be used before it must be repurchased or by increasing the cost of purchasing an item for libraries. This added a layer of complication to the management of e-books, particularly when managing multiple platforms with differing purchasing and circulation models. The second interviewee expressed some frustration that libraries do not have the same freedom to purchase digital items that they do when purchasing in print. They also stated that even after acquiring a title, the publisher can withdraw the right to offer that title, meaning that there is no certainty about how long they can offer any e-book title.

All interviewees commented that the amount of New Zealand content available in e-format had steadily improved and they felt this was a trend that would continue in future. Local e-book vendor, Wheelers, was often mentioned as offering the largest collection of New Zealand material but U.S. vendor OverDrive was also mentioned as now offering a significant and growing collection of New Zealand titles.

Despite these issues, most interviewees reported feeling generally satisfied with their e-book vendor(s) and felt that the service from all vendors had improved considerably in recent years. Those libraries using local vendor Wheelers reported being especially satisfied at having a vendor based in New Zealand. That was considered an important factor in terms of making local content available and in lobbying for changes to the platform or service in any way. Most interviewees stated that if they were to approach a vendor with a request such as implementation of age-verification functionality, the international vendors would be the least likely to respond positively, and local vendor Wheelers would be the easiest to approach and most likely to deliver a solution.

Local vendors were also regarded as being the most likely to understand and cater to New Zealand’s censorship environment. One interviewee stated that they would feel comfortable outsourcing selection of e-books to a local vendor because they understood New Zealand censorship laws and would therefore not select restricted materials. A number of other interviewees also commented or agreed that large international vendors could not be expected to understand the censorship laws of each country they operated in and therefore would not provide a solution to the censorship restrictions that apply to specific titles in New Zealand only.

Controversial material in e-book format
The literature review of e-book management in New Zealand public libraries contained very little relating to age-restricted and controversial materials, but research by Ross (2013, p.26) and Mills
(2015, p.34) indicated that erotic romance novels were particularly popular in digital format because of the anonymity that e-lending allows. This implied that there could be a particular customer demand for this kind of material in digital format and that libraries may be interested in managing this material to avoid censorship complaints. Half the interviewees surveyed stated that they were aware of a particular demand for erotic romance novels in e-book format in their library. Although this genre could be considered controversial due to its sexual content, none of the interviewees viewed the popularity of these texts or their inclusion within the collection as being problematic or as requiring proactive management due to their content. Some of the same interviewees that had erotic romance fiction in their e-book collections also stated that their e-book collections did not currently contain texts they believed would provoke a censorship complaint, implying that they do not view erotic romance as the type of text that would provoke censorship complaints. In relation to erotic romance and on the topic of controversial texts in general, several interviewees stressed that although they may have no personal interest in such content, it was important that the library was not seen to be passing judgement on the reading tastes of others and that ultimately it was important to enable and promote reading of any kind. Another interviewee noted that customer expectations of the type of material a public library would hold had changed and therefore customers would expect the collection to reflect a wide range of tastes and interests. These attitudes toward erotic romance texts in e-book format are reflected in the findings of the catalogue analysis, which found that these texts were not given any exceptional treatment in terms of cataloguing.

**Technical Challenges**

The issue of how to manage controversial and age-restricted texts in digital format was one that many libraries had not considered in any detail. The majority of interviewees believed that their e-book collections did not contain any texts that carried age restrictions or that contained content considered controversial enough to warrant exceptional treatment in any way. For these libraries, they had not considered the issue because it currently does not exist. In contrast, the two largest libraries surveyed had both spent time considering how to manage age-restricted e-books. These libraries had both discovered age-restricted texts in their collections and after considering how to offer these in a way that satisfied all legal obligations, opted to remove them from the e-book collection.

All interviewees commented or agreed that managing digital collections is significantly different to the way that print/hardcopy collections are managed and that e-lending posed some unique and new challenges. The main barrier to libraries exerting control over their e-book collections and managing controversial texts in e-book format is that their e-books were offered via a third-party app which, in most cases, is created by an international vendor that does not understand or reflect the censorship laws of New Zealand in the way they offer their products. Although these apps offer libraries some customisable features, the vendors dictate which technical functionalities are available and determine what information about their titles is presented to the customer. As one interviewee stated, “You’ve get less influence on how you display and manage your collection when it’s on somebody else’s platform…. quite a lot of what was libraries power doesn’t exist in this context”. While libraries can create their own catalogue records for their local catalogue, the records that customers view when browsing the app are created by the vendor and cannot be altered by the library. This means that any attempt to use cataloguing techniques to signal that a text contains potentially controversial material can only apply in the local library catalogue. The majority of e-book vendors are based internationally and offer their products to many countries beyond New Zealand. Therefore, the censorship laws of New Zealand are not reflected in the title records on these apps. For example, a title with a rating of R18 in New Zealand will not display the legally required rating label, and will not state that the text is rated R18 in New Zealand. Three interviewees stated that the ability to attach a digital replication of an Office of Film & Literature Classification
rating label to the records for their e-books was a technical feature they would like their e-book vendor to offer and one of these interviewees had unsuccessfully asked their e-book vendors for this functionality.

The single biggest technical issue that prevented libraries managing their age-restricted and controversial e-book texts in a satisfactory manner was the current lack of age-verification technology on all platforms and the inability to modify or restrict access to individual e-book titles. Essentially this means that if a library purchased an e-book with an age-restriction in New Zealand (e.g. rated R18), they would have no technical ability to ensure that those under the specified age did not access the text. Several interviewees who used the Wheelers e-book platform understood that there was some mechanism they could invoke to manage or restrict access to age-restricted e-books but this feature was not currently available for use. This technology had never been implemented, the interviewees knew little about how it would work, and two other interviewees who also used the Wheelers platform believed it could not be applied effectively. One stated that it might be applied effectively to a title rated R18 because the age of 18 correlated with the “Adult” patron type in their library management system. Therefore, if the e-book platform could connect with the library management system and verify that a customer had the patron type of “Adult”, it could restrict access to just its customers with an “Adult” patron type. However, the current lack of connectivity between the e-book platforms and library management systems was seen as an inhibiting factor. It was also unknown if this technology would work for titles that had age restrictions other than R18 such as R13, R16 etc. because these ages did not correlate to a patron type in the library management system. One interviewee described their understanding of the technology as being a “blunt instrument” and another believed that the access restriction could not be applied at a title level.

The inability to restrict access to specific titles or verify the age of the library customers reading e-books has had some impact on the e-book collections of the surveyed libraries and is one factor in the general lack of age-restricted texts in their catalogues. Two of these libraries reported that they had been forced to remove age-restricted e-book titles from their collection because they were unable to offer them in a way that satisfied all the legal requirements of offering an age-restricted text. In both instances the titles were offered on the U.S. platform OverDrive, so at the point of purchasing the texts there was no indication of the age restricted rating that applies in New Zealand and once the age restriction was discovered, there was no possibility of testing Wheeler’s access restriction functionality. When discussing the removal of the R18 e-book *American Psycho* from their collection, one interviewee stated that the technical inability to restrict access to the text was the primary reason the text was removed, but they also considered how “important” the text was. After considering the effort involved in finding a technical solution and the perceived importance of the text (described as being not “high value” or in “high demand”), it was decided that it was easiest to offer the title in a hardcopy format only. The strategy of offering age-restricted texts in hardcopy instead of e-book format was also mentioned by two other interviewees as a way of maintaining customer access to a title that negates the technical complications involved in offering the title digitally. All interviewees mentioned or agreed that the management of age-restricted texts in a hardcopy format was significantly easier than managing the same texts in digital formats.

The inability to restrict access to age-restricted texts essentially leaves libraries in an “all or nothing” scenario whereby they can offer these texts only if they have the technology to do so or not at all. However, one of the largest libraries surveyed had also adopted two unique strategies that in some cases did allow them to offer e-book titles that previously or currently carry an age restriction in New Zealand. Firstly, the library resubmitted their age-restricted texts to the OFLC to see if the restrictions could be reduced or removed completely. In some cases the ratings attached to these texts had been applied many years ago and it was felt that in the current environment they would
not attract such a rating. This was successful for a number of titles. Secondly, the library was able to sidestep the age-restrictions in some cases because the original rating technically applied to a specific edition of the text. Because the e-book edition was technically a different edition, it was not subject to the same restrictions as the original. Both these strategies involved a significant investment of time and they also highlight weaknesses in the current legislation.

Technical issues also inhibited the ability to manage e-book collections to the same extent that traditional hardcopy collections could be managed. In the absence of the well-defined collections they could create for hardcopy collections, libraries had to utilise the available technical features of their platform to curate their digital collections and guide their customers toward appropriate digital texts. Most platforms presented their content separated into age-appropriate collections (“Child”, “Teen”, “Adult” etc.) which could be customised by the library. Furthermore, some platforms offered the ability to highlight/promote certain texts and the functionality to create curated collections. This gave libraries the chance to create digital collections grouped by genre, subject, reading level, or any other category they wished to create. The perceived importance of this functionality varied significantly among the libraries surveyed. At least two interviewees considered this a very important tool for managing their e-book collection and used the functionality heavily, while opinions among the remaining interviewees ranged from not actively using the functionality at all to using it to some degree but not regarding it as an important part of the way they manage their e-book collections.

Cataloguing techniques were identified as one of the few technical tools available to libraries wishing to minimise potential offense to library customers when offering controversial material in e-book format. Standard cataloguing techniques such as the application of subject headings and a general item description or plot summary of the text were mentioned as ways that customers could be warned about the content of an item without using an overt content warning. More explicit content warnings were generally considered to be an option that would be used in exceptional circumstances but not as standard practice. This is consistent with the analysis of library catalogues which revealed that catalogue records for controversial texts were generally not treated exceptionally but did contain information to indicate the nature of the content of those texts. One reason given for not using overt content warnings was that libraries did not wish to discourage their customers from reading any material regardless of its content or to feel that the library was placing a value judgement on their choice of reading material. However, all interviewees pointed out that there are limitations to how effective the use of cataloguing techniques can be because they are limited to the library’s local catalogue only.

Although technical issues dominated the discussions of managing age-restricted and controversial texts, the use of policy and in-house processes also had an influential role. The perceived importance of and use of policy and process to manage e-book collections varied significantly among the surveyed libraries. One interviewee described their management process as firstly being proactive about knowing what is currently in their collection. They stated, “The library has to be intentional about checking whether they have any restricted material and this applies both in the print and digital format”. This interviewee worked in the only library that had documented processes and guidelines for staff when assessing contentious material and responding to censorship complaints. All other surveyed libraries did not have a documented process for managing controversial texts or responding to censorship complaints and instead used a range of unofficial strategies including drawing on personal experience, personal intuition, seeking advice from fellow staff members, and referring to how other libraries have treated the same text. Libraries of a smaller size and belonging to an e-book consortium appeared to proactively manage their e-book collections the least. Two interviewees implied that their membership to the consortium and the shared responsibility that involved somewhat negated the need to proactively manage their e-book collection.
Censorship challenges and self-censorship
The number of censorship challenges experienced by each surveyed library was not quantified or compared statistically but all interviewees had some experience of dealing with a censorship complaint of some kind. Notably, only one library had received a censorship complaint about an item held in digital format and generally speaking, smaller libraries received the least censorship complaints while larger libraries received the most. There may be a number of reasons for these trends but the relatively small size of e-book collections in New Zealand public libraries is one factor. Most interviewees noted in some way that e-books are currently just a small fraction of their overall collection. In smaller libraries, especially those where e-book collections are still developing, purchasing is focussed on popular, mainstream texts that are perceived as being popular with library customers. Because budgets are limited, there may be a desire to get the most value for money by purchasing items that will attract high circulation statistics. One interviewee from a smaller library stated “..We’re still building so you tend to go for the core collection. Customers love their romance and mysteries and you plug away at that then you build your collection up around that to get the spread”. However, the tendency to gravitate toward purchasing popular fiction in e-book format was not limited to smaller libraries. An interviewee from one of the largest libraries surveyed also stated that the majority of their e-book collection was “popular fiction type stuff basically because they’ll issue well”. Perhaps this focus on purchasing mainstream, popular items means that texts containing minority viewpoints or obvious controversial material tend to be overlooked.

Although most interviewees stated that the management of age-restricted and controversial texts in digital formats was not currently a problem in their organisation, all agreed that there was a potential for the issue to become a problem in the future, especially as their collections grew in size and scope. All interviewees referred to the censorship controversy surrounding the New Zealand young adult novel, Into the River, which was given a temporary age restriction of R14. The temporary ruling was generally unexpected and that demonstrated how there is potential for similar situations to occur again without warning.

All interviewees felt that a censorship complaint about a digital item would not be handled any differently to a complaint regarding a hardcopy item but several acknowledged that their options to then manage that item in some way (if they chose to) would be significantly different to that of a hardcopy item.

Intellectual Freedom:
All interviewees felt it was inappropriate for the library to censor materials and exclude potentially controversial texts from their collection simply because they could cause offense to some individuals. Interviewees stated their responsibility to cater to all library users and referred to the wide range of opinions on any given subject as reasons to avoid self-censoring particular texts. When asked how they would respond to a customer request for an item that had contained controversial material but was not age-restricted, all stated they would most likely purchase the item. Most interviewees cited the censors ruling (i.e. a lack of age restriction or outright ban) as the main reason supporting their decision. However, several interviewees noted that there were a number of other factors that would also be considered when assessing such a request, and the controversial nature of the text would not always be the most important consideration. The core assessment considerations would be how that item fitted with the existing collection and if it would appeal to a wide number of customers. The same interviewee also stated that they considered controversial texts to be generally more acceptable if the overall texts were of a high quality (“well written”, “entertaining” etc.) rather than “just salacious details for the sake of creating sales”.

Although there was an overall feeling of strong resistance to censorship among all the interviewees, there was also some evidence that self-censorship occurred, albeit on a small scale. The aforementioned technical inability to offer age-restricted texts in a legally satisfying way meant that in some cases the library was forced to self-censor age-restricted texts. Also of note is that the majority of smaller libraries surveyed stated that their e-book collections did not contain texts that might be considered controversial at all. One of these libraries consciously chose not to purchase erotic romance fiction in e-book format despite being aware there would probably be customer demand for the genre. This was not official library policy but rather, a cautious decision made by the selector who felt unsure about how to offer those items in a way that would not breach any censorship laws. Another library also chose not to include erotic romance fiction in their print and digital collections but stated that this was prescribed in the library collection development policy.

Legislation

When discussing censorship legislation in the New Zealand public library context, all interviewees commented that the current legislation is inadequate in some way. Interviewees collectively described the legislation as outdated, confusing, and not suited to digital formats. Several interviewees referred to the fact that current legislation requires the application of rating labels to any age-restricted texts including e-books, but such requirements are unsuited to digital items and implementing this is not technically possible. Interviewees also described how it was not easy to determine whether a text carried an age restriction by referring to the Office of Film Literature Classification (OFLC) website and that the alternative, referring to a list of restricted texts, was an inefficient use of time. Even if a title was identified as carrying a restriction by using these resources, in some cases it was still unclear which edition of the text the rating applied to.

There was also some evidence of general confusion regarding the legislation. For example, one interviewee at a library which did not currently offer erotic fiction texts in e-book format stated that they would like to do so but was unsure about the legal obligations involved.

When discussing censorship legislation, all interviewees identified the inconsistency between the strict legislative restrictions that apply to the texts they offer in the library with the information that is available with little or no restriction on the internet. Although the availability of this information online was not always legal in a New Zealand context, it was nevertheless, available and not subject to the same level of restriction or scrutiny as a text in a library collection. This was described with a general sense of frustration but several interviewees also viewed the internet as an alternative information source for their customers to access materials that libraries may feel uncomfortable about offering or be uncertain about how to manage. This opinion particularly applied to content of a sexual nature.

The impact of acquisition methods: Outsourcing vs. In-house

The use of outsourcing for the selection and cataloguing of e-books also had some impacts on the management of age-restricted and controversial content. The majority of libraries surveyed in the study outsourced the cataloguing of their e-books and retained selection in-house although two libraries kept both cataloguing and selection in-house and one library outsourced both cataloguing and selection. There were a range of views on the benefits of keeping these activities in-house or outsourcing. The outsourcing of cataloguing was viewed in generally positive terms, particularly by the smaller libraries, because it reduced the workload of library staff. This may be more noticeable in smaller libraries where there are lower levels of staff resourcing. Given that the cataloguing of an item was mentioned by all interviewees as a strategy for managing controversial texts, it was noteworthy that no interviewees expressed concern at the thought of relinquishing control of how their records appear and what information they contain. However, some libraries negated this potential concern by regularly checking these records for quality and accuracy.
The outsourcing of e-book selection was not common and, as compared with outsourced cataloguing, was viewed in generally more negative terms. Some interviewees felt strongly that selection of any collection including e-books should not be outsourced, citing negative impacts on their collection in terms of quality, suitability, and relevance of the items selected. One interviewee did not view the outsourcing of e-book selection as generally problematic as long as the selector was New Zealand-based. They assumed that a locally-based selector would not make selections that breach New Zealand censorship laws i.e. they would not select age-restricted texts if there was no way offering those in a way that satisfies all aspects of the current legislation. One interviewee from a library that outsourced selection for both hardcopy and e-book collections noted how the intangible, digital nature of e-books meant that outsourcing selection for these items was more problematic than it was for hardcopy items. They described how hardcopy items were still subject to a level of scrutiny and quality control by library staff when they arrived in the library but digital texts, by contrast, are “out of sight, out of mind”, and largely escape any kind of scrutiny or appraisal by library staff.

Policy
The level of experience with censorship issues and challenges in each surveyed library appeared to have some correlation to how rigorously these issues were dealt with at a policy level. The two largest libraries in this study reported the greatest number of censorship challenges and as a result, had spent the most time creating and/or reviewing relevant policies and procedures and generally clarifying their position on censorship matters in preparation for future challenges. For example, one library had received a Local Government Official Information and Meetings Act (LGOIMA) request asking what types of items had access restrictions (i.e. were held behind the desk) in their library and why those restrictions were applied to those items. This provided the impetus for paying greater attention to the issues of censorship and library policy in general.

An examination of documented process regarding controversial and age-restricted e-books revealed that most libraries have no documentation to assist their staff on these matters. The only comparable type of documentation was the high-level principles in their collection management policy. The largest library surveyed was the only organisation with documentation to guide staff when assessing controversial material or responding to censorship challenges. This library also had a generally high level of engagement with the OFLC and censorship issues in general (including receiving censorship challenges) and it can be assumed that there is a correlation between these two observations.

The perceived usefulness of policy when responding to censorship issues and in the management of age-restricted and controversial content varied significantly among the libraries surveyed. Most libraries stated that they would not often have to refer to policy when addressing a censorship complaint or considering a censorship-related issue, but those libraries where challenges had arose with the greatest frequency placed a high level of importance on their policies and their role in countering such challenges. One of these libraries had their collection policy signed-off by their governing Council and the interviewee stated that having this sign-off from Council enables them to state that “this is council policy” which is a “very strong tool”. Among the other interviewees there was a general perception that the context and nature of issue or complaint determined how useful collection management policy would be. In some circumstances the policy could be very helpful e.g. if it challenged the inclusion or exclusion of an item, but referring directly to the policy in the first instance when responding to a customer was viewed by some interviewees as being unnecessary, too formal or unfriendly. It was viewed as more appropriate only if the matter escalated further.

Just one library did not have a collection management policy, and two were in the process of updating their policy at the time of the interview. These three libraries reported having very few
censorship complaints and self-reported not having any controversial or restricted texts in their e-book collection. Although all three interviewees indicated that having a current collection management policy was important, they did not have a pressing need for one that could support their position in the event of a censorship challenge. All libraries with a collection management policy had included mention of the concept of intellectual freedom. This was frequently in the context of a statement from LIANZA, the International Federation of Library Associations and Institutions (IFLA), or both.

Among the interviewees there was also a range of opinions on the extent to which digital and e-lending required its own consideration at a policy level. The larger organisations in particular preferred to keep their policies high level so as to avoid the pitfalls of describing and considering each and every format they collect in policy and had other forms of documentation to address the particulars of digital lending. Other libraries felt that digital collections should have either their own consideration at policy level or a greater discussion than it currently had in their collection management policies. Two interviewees held a “wait and see” approach to e-lending and the extent to which it should be considered in policy. They acknowledged the increasing popularity of e-lending but could not be certain that it would be a trend that continued and therefore, reserved judgement on how it should be treated in library policy.

Conclusions

When attempting to manage controversial and age-restricted e-book texts, New Zealand public libraries are significantly restricted by the technical functionality available on the platform(s) they use. These platforms are predominantly based internationally and do not reflect the censorship laws of New Zealand in the functionality they offer or the way they display their products. This means that libraries cannot currently offer age-restricted texts in e-book format. Libraries are further hampered by the current censorship laws of New Zealand which are unsuited to digital formats and are perceived as needing urgent revision.

Despite these factors, for many libraries, the issue of how to manage controversial and age-restricted texts in a digital format existed as a potential issue only. Most libraries had not experienced censorship challenges or censorship issues regarding their e-book collections and felt that their e-book collections did not currently contain texts that were age-restricted or that were likely to be viewed as controversial. However, the interviewees acknowledged that there is potential for these issues to appear in future in the event that a text receives an age restriction (as in the case of Into the River) or as their e-collections grow and include a wider range of texts.

Although all interviewees acknowledged the potential for some texts to cause offense and the wide range of opinions their customers might hold on any given topic, all stated that it was not the duty of their library to censor any text due to its perceived controversial nature. This position was reflected in the policy documents of nearly all libraries surveyed.

Although library policy was a useful tool in some situations such as responding to a serious censorship complaint, in most libraries it offered little practical assistance in the management of restricted and controversial e-book texts and only a small role in supporting staff when faced with censorship issues. Most interviewees placed higher value on other strategies such as consulting other staff, drawing on personal experience, and referring to the decisions other libraries had made.
Recommendations

This study identified that New Zealand public libraries currently do not hold a great deal of control over their e-book content and lack the technical tools to manage their age-restricted and controversial materials if they wish to do so. Therefore, libraries need to work collaboratively with e-book vendors and adopt a proactive approach in lobbying vendors for technical developments that would provide them with greater control. One option for achieving this, as suggested by a participant in the study, is the formation of a New Zealand-wide e-book consortium which would give New Zealand public libraries increased buying power and greater influence when negotiating with vendors.

In the meantime, libraries should utilise whatever technical functionality is currently on offer and take a proactive approach toward knowing what age-restricted materials are in their e-book collections and what legal requirements apply when offering these to their customers. Investing in staff training on the subject of censorship, having a collection management policy that supports the principles of intellectual freedom, and creating or utilising guidelines that provide meaningful guidance on the subject of controversial materials and censorship issues is also recommended.

Areas for future study

Improvements in the e-book service since the studies referenced in the literature review indicates that the e-book service available to New Zealand public libraries is still developing and that a future study on this topic and that of e-books in general may have some significantly different results.

General discussion regarding e-books during the interview process revealed a number of interesting points about e-books in New Zealand public libraries that could warrant further study. The use of consortiums/shared purchasing models was common and generally perceived in positive terms. The use and impacts of e-book consortiums by New Zealand public libraries in general and specifically on collection management is one recommended area of further study. The differences between print and digital collection management in regard to general collection management processes were also mentioned frequently and could also warrant further study.
References


Library and Information Association of New Zealand Aotearoa Standing Committee on Digital Content and e-lending. (2012). *E-BOOK ISSUES PAPER*. Retrieved from

Mills, T. (2015). *An investigation into the library materials that were the subject of censorship challenges at New Zealand public libraries in the years 2010-2014*. Unpublished MIS research project, Victoria University of Wellington, Wellington, New Zealand.


Bibliography


Appendices

Appendix 1. Interview Questions

E-books:

- Which e-book platform does your library use (e.g. Wheelers, Overdrive etc.) and what were your reasons for choosing this/these platforms?

- How do you select and catalogue your e-books? (E.g. in-house vs. out-sourced)


When the library owns a hardcopy item that contains restricted or controversial material, they have a number of options to minimise offense to potential readers and to ensure that minors don’t see the material. For example, the library can restrict access to the item, put the item in a special collection, and use labels to warn readers about the item’s content. What options are available to you when offering a digital item with restricted or controversial content?

- Can you restrict access based on the age of the library user? (If so, do you use this functionality? If not, how useful would this functionality be for your library?)

- In the absence of physical collections, how do you indicate the intended age or audience of the text?

- Can you place content warnings on the item? (If so, do you use this functionality? If not, how useful would this functionality be for your library?)

- How satisfied are you with the current options you have? (What works well? What could be improved?)

- Are there any features you would like your e-book provider to offer so that you could better manage this type of material?

What do you feel are the ethical concerns around offering controversial and restricted texts in digital format?
Censorship challenges and Policy:

- Do you have a formal process for responding to censorship complaints?
- Would a censorship complaint about an item in digital format be handled any differently from a censorship complaint about an item in hardcopy?
- Do you or would you refer to your collection policy when responding to a censorship complaint? Why/why not?
- Does your policy refer to intellectual freedom?
- Does your policy adequately cover the management of digital items? Does digital lending present unique challenges that require specialised considerations at a policy level?

- Have any of the items in your digital collection been the subject of a censorship challenge or complaint?
- Have you ever had to remove an item from your digital collection because of its content, rating, or a censorship complaint? If so, why did you opt to remove it from the collection?
- How would you respond to a customer that suggested that you buy an e-book that contained controversial material (assuming the item was available through your current platform, and you had budget available to purchase the item)? How would your response be different if the request was for a hardcopy format?
  - How would you respond if the item had been rated and carried an age restriction in New Zealand?
  - Do you have a formal response or process to follow?
- Can you think of any items in your digital collection that your customers would consider controversial? Are they treated any differently to other items in the digital collection?
- Do you have any other general thoughts about the management of restricted and controversial texts in digital format? Or any other comments related to this topic?
- Do you have any questions (for me) about this study?
Appendix 2. Participant Information Sheet

Participant Information Sheet

Research Project Title: The management of controversial and restricted texts in the digital collections of New Zealand public libraries: an exploratory study.

Researcher: Dean Osborne, School of Information Management, Victoria University of Wellington

As part of the completion of my Master of Information Studies, this study is designed to explore the issues surrounding the provision of controversial and restricted materials in digital format in New Zealand public libraries. Specifically, the study seeks to understand the current legal, ethical, and technical issues facing New Zealand public libraries when offering controversial and restricted texts in digital formats such as e-books.

The study will focus on the current strategies used by New Zealand public libraries to manage digital resources that are restricted or considered controversial and will also consider the role of existing library policy with regard to these issues.

Victoria University requires, and has granted, approval from the School’s Human Ethics Committee.

I am inviting New Zealand public library collection management staff and managers to participate in this research. Participants will be asked to take part in a 30 – 40 minute interview. Permission will be asked to record the interview, and a transcript of the interview will be sent to participants for checking.
Participation is voluntary, and you and the organisation you work for will not be identified personally in any written report produced as a result of this research, including possible publication in academic conferences and journals. All material collected will be kept confidential, and will be viewed only by myself and my supervisor Dr Dan Dorner. The research report will be submitted for marking to the School of Information Management, and subsequently deposited in the University Library. Should any participant wish to withdraw from the project, they may do so until 1st October 2016, and the data collected up to that point will be destroyed. A summary of the results of the research project will be provided if requested and all data collected from participants will be destroyed within two years after the completion of the project.

If you have any questions or would like to receive further information about the project, please contact me at osborndean@myvuw.ac.nz or telephone 0212804325, or you may contact my supervisor Dr Dan Dorner, Senior Lecturer by email dan.dorner@vuw.ac.nz or telephone +64-4-463-5781.

Dean Osborne
Appendix 3. Participant Consent Form

Participant Consent Form

Research Project Title: The management of controversial and restricted texts in the digital collections of New Zealand public libraries: an exploratory study.

Researcher: Dean Osborne, School of Information Management, Victoria University of Wellington

I have been given and have understood an explanation of this research project. I have had an opportunity to ask questions and have them answered to my satisfaction.

I understand that I may withdraw myself (or any information I have provided) from this project, without having to give reasons, by e-mailing osbornedean@myvuw.ac.nz by 1st October 2016.

I understand that any information I provide will be kept confidential to the researcher and their supervisor, the published results will not use my name or the name of the organisation I work for, and that no opinions will be attributed to me in any way that will identify me or the organisation I work for.

I understand that the data I provide will not be used for any other purpose or released to others.

I understand that, if this interview is audio recorded, the recording and transcripts of the interviews will be erased within two years after the conclusion of the project. Furthermore, I will have an opportunity to check the transcripts of the interview.

Please indicate (by ticking the boxes below) which of the following apply:

☐ I would like to receive a summary of the results of this research when it is completed.

☐ I agree to this interview being audio recorded.

Signed:

Name of participant:

Date: