

Joint HLABC/IPC Session on Copyright

By Ursula Ellis.

On March 3, 2011, members of HLABC (Health Libraries Association of British Columbia) and BCLA's IPC (Information Policy Committee) gathered at Burnaby Public Library's Metrotown branch for an update on Bill C-32. The speakers were copyright advocates Paul Whitney, recently retired City Librarian for VPL, and Meera Nair of SFU's Communications department. Whitney consults on copyright issues with organizations including IFLA and the Public Lending Right Commission. Nair blogs at <http://fairduty.wordpress.com>, and has authored a chapter in Michael Geist's book *From "Radical Extremism" to "Balanced Copyright": Canadian Copyright and the Digital Agenda* (available full text at <http://bit.ly/9OdYl2>).

Background on Bill C-32

Whitney explained that Bill C-32, the *Copyright Modernization Act*, is the third copyright bill to be tabled since 2006. As of early March 2011, the bill is in an ad hoc committee, and debate over it has been rancorous. A Spring election could cause Bill C-32 to be killed like its predecessors. If it passes, the bill would change the definition of fair dealing, with increased access for educational uses, parody and satire. Content freely available online could be shown in a classroom setting. Individuals would have more freedom to use content creatively, to make backup copies and to time shift – so long as these uses are non-commercial. There would be caps on monetary damages for copyright infringement, and more protections for Internet service providers.

Whitney said that the Bill is overall quite positive, but it has one major flaw: an outdated stance on digital locks. Victoria Owen of CLA wrote an article in the January 31, 2011 *Hill Times* about this issue. Bill C-32's language places very tight restrictions on breaking digital locks, even for uses such as making alternate formats for the print disabled. Nair said that even if digital lock-breaking was legal, requiring users to break locks discourages fair dealing uses of material. Locks have been found to do little to deter piracy.

Misconceptions about Bill C-32

Nair discussed the campaign by opponents of Bill C-32 which portrays the Bill as hurting creators and Canada's culture and economy. Access Copyright and dozens of other organizations have taken out ads in the *Globe and Mail* and the *Hill Times*, and the Writer's Union has recently created a video: <http://bit.ly/fEmKE8>. The opponents' assumption is that any free use of material allowed under the new bill would take money away from writers and lead to a chilling effect on creativity. But not every free access equals a lost sale, and many are skeptical that Bill C-32 would lead to the "wholesale expropriation" of content. In fact, free use can often benefit artists; Whitney noted author Cory Doctorow's idea that writers should fear obscurity, not piracy.

Nair and Whitney's presentations were followed by lively discussion. Topics included concerns about items on library reserves; use of YouTube in classrooms; what percentage of authors' incomes come from copyright licensing agreements; and the ethics of struggling schools paying more in copyright fees for use of taxpayer-funded works.

About IPC and HLABC

The BCLA Information Policy Committee (IPC), a standing committee of the British Columbia Library Association, aims to advance and preserve access to information, and to advocate for the public interest in government decisions relating to information policy. Any BCLA member is welcome to join the IPC's activities. For more information, please see <http://www.bcla.bc.ca/ipc/default.aspx>.

Health Libraries Association of British Columbia (HLABC) is the BC chapter of the Canadian Health Libraries Association (CHLA/ABSC). HLABC meets 4 times per year. BCLA members can attend meetings at member rates, and many meetings are free. HLABC cosponsors the British Columbia Library Conference, and its members will present several sessions at the 2011 Conference. For more information, please contact uellis@sfu.ca.

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