

ARTISTS' LEGAL OUTREACH

100 - 938 Howe Street
Vancouver, BC V6Z 1N9

T 604 681-3535
F 604 681-7846
legal@allianceforarts.com

WHERE ART MEETS LAW. www.artistslegaloutreach.ca

Michael D. Chong
House of Commons
Ottawa, Ontario
K1A 0A6
Telephone: (613) 992-4179
Fax: (613) 996-4907
Email: Chong.M@parl.gc.ca

October 28, 2010

Dear Mr. Chong,

I am writing to you on behalf of the Artists Legal Outreach and Education Society in Vancouver, BC and on behalf of the thousands of artists, creators and innovators who have sought our advice on copyright issues over the past 4 years. As Bill C-32 heads to second reading, I am writing to ask that we be given the opportunity to present our comments on Bill C-32 to the Committee at its hearings in the coming weeks.

I have attached a copy of the letter we sent to Ministers Moore and Clement on Bill C-32 last month.

Yours Truly,

Martha Rans ☐

cc.:

Carole Lavallée
Pablo Rodriguez
Charlie Angus
Scott Armstrong
Patrick Brown
Bonnie Crombie
Dean Del Mastro
Royal Galipeau
Roger Pomerleau
Blake Richards
Scott Simms



ARTISTS' LEGAL OUTREACH

100 - 938 Howe Street
Vancouver, BC V6Z 1N9

T 604 681-3535
F 604 681-7846
legal@allianceforarts.com

WHERE ART MEETS LAW. www.artislegaloutreach.ca

The Honourable Tony Clement
Minister of Industry
C.D. Howe Building
235 Queen Street
Ottawa, Ontario
K1A 0H5
minister.industry@ic.gc.ca

The Honourable James Moore
Minister of Canadian Heritage and
Official Languages
House of Commons
Ottawa, Ontario
K1A 0A6
moorej@parl.gc.ca

September 5th, 2010

Dear Ministers,

My name is Martha Rans and I am the Legal Director of the Artists' Legal Outreach (ALO) in Vancouver, British Columbia. The ALO provides summary legal advice to artists and art organizations. We offer workshops, resources and clinics where artists can meet confidentially with an experienced lawyer. Over the past 3 years we have met with at least 100 individual artists and provided information and education to over 1000 people, organizations, and creators on copyright and related material.

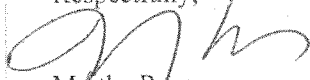
Last year, I appeared at the Toronto Town Hall and invited you to come and hold an event in Vancouver and hear from individual creators in all disciplines. As you know, BC is home to a significant creative community particularly when you include entertainment software, film, and multimedia digital art. The West has a significant role to play in the creative sector and it is unfortunate, that we didn't see you here.

I hear from many young emerging artists. Their actual knowledge of copyright is limited. It is to these limits that I would direct the Minister's attention no matter what happens to Bill C-32. There is it seems to me a significant need for copyright education. Most people don't know beyond FBI warnings on their DVD's or small print of click-through terms and conditions what copyright is, what it means and its value to creators. They also don't appear to know what they are presently paying for whether we are talking about blanket licenses, royalties or levies. This needs to change if we are to nurture a truly creative and arguably innovative economy. In Australia a country with some important similarities to our own they have two organizations that provide education and outreach on copyright: a Copyright Agency and Art Law Australia. The practical reality is that artists as creators, and innovators as those who create value from creativity, benefit from experienced advice and information. Access to information in this most digital age supports creation and innovation and avoids litigation. The more an artist knows the better able they are to negotiate terms with a potential content distributor, publisher or advertising agency. Daily, I am impressed with the new ideas for innovation and entrepreneurship across the digital media world – they too need access to informed advice and information about copyright. The more they know, the better able they will be to access the many tools available

including Creative Commons licenses and new forms of digital media distribution. At the same time we can and should be looking at new business models to support creators rather than relying on locking content down in a manner that creates if nothing else self-censorship and false economies. This is one of the outcomes of the anti-circumvention language of the present Bill.

As someone who works on a daily basis with working artists I urge you to consider carefully the practical realities of a grossly under supported arts and culture sector and the application of a new regime that does little to address the ongoing imbalance between creators and the industry and digital community. I would welcome the opportunity to address these issues with committee in a further detail.

Respectfully,



Martha Rans
Legal Director, Artists Legal Outreach
Lecturer, Emily Carr University of Art & Design

Cc: The Right Honourable Stephen Harper
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON
Canada
K1A 0A2
pm@pm.gc.ca

A. Colette Downie
Director General, Marketplace Framework Policy Branch
Industry Canada
Colette.Downie@ic.gc.ca

Brendan Marshall
Executive Assistant
Office of the Minister of Canadian Heritage and Official Languages
Brendan.Marshall@pch.gc.ca

Barbara Motzney
Director General, Copyright Policy
Canadian Heritage
Barbara.Motzney@pch.gc.ca

Drew Olsen
Director, Legislative and Negotiation
Canadian Heritage
Drew.Olsen@pch.gc.ca

Gerard Peets
Director, Copyright and International Intellectual Property
Industry Canada
Gerard.Peets@ic.gc.ca

Anthony Dalton
President
Canadian Authors Association

Joe Blades
President
League of Canadian Poets

Jo-Anne Elder
President
Literary Translators' Association of Canada

Shirley Barrie
President
Playwrights Guild of Canada

Tanya Gulliver
President
Professional Writers Association of Canada

Alan Cumyn
Chair
The Writers' Union of Canada