

**From:** Clark-Beattie, Rosemary

**Sent:** March 7, 2012 5:31 PM

**To:** Oliver, Joe - M.P.

**Cc:** Paradis, Christian - Député; Moore, James - M.P.; ~Legislative Committee Bill C-11/Comité législatif loi C-11

**Subject:** Bill C-11

I am resident of your riding. I am writing to you because I am concerned about the changes to the *Copyright Act* contemplated by Bill C-11.

As I understand it, Bill C-11, an Act to Amend the *Copyright Act*, proposes to extend the exception of "fair dealing" to "education," in effect withdrawing copyright protection for authors publishers of texts used in the education system. I don't see the logic of this. We already have in place systems to support educators in their use of instructional texts, and publishers and authors have been happy to consent to those arrangements (Cancopy licences, custom course paks for post-secondary teachers, etc.). It might make sense to use changes to copyright law to improve and enhance such access to meet new needs, but no one will benefit from withdrawing copyright protection for educational and scholarly texts.

Canadian students, especially in fields like history and social studies, need Canadian materials, and educational materials are costly to produce. I know that many people are under the illusion that works that are published electronically can be produced at a nominal cost. That simply isn't true, as I think you will find if you check into the costs associated with maintaining and updating government materials on the Web. Texts for use in universities and colleges need to be reviewed by scholars in the relevant field to make sure that they are cognizant of the latest research and meet appropriate standards of scholarly quality. Texts for primary and secondary students need to be vetted even more carefully: expert readers need to check for biases and offensive language; "focus groups" of educators need to be organized to give feedback on format and useability; conformity with Ministry of Education curriculum guidelines needs to be checked and rechecked. Authors need to be compensated. And then, in the case of both post-secondary and school materials, there are the usual costs of copy-editing, proof-reading, marketing, etc.

At present, these costs are covered by the publisher's or author's copyright. Revenue (sometimes supplemented by government grants) comes from the fact that end-users -- whether libraries, schools, or individual students -- have to pay for the materials they use (a normal approach, you would think). If publishers and authors lose all their sources of revenue (and textbooks have no market except educators), then clearly Canadian educational materials can neither be created nor distributed. To put it another way, if publishers and authors of educational texts can no longer sell their work because it can be downloaded, without penalty, for free, then government grants will have to bear the full cost of any educational materials that are produced. Failing that, little will get written at all.

Please work to amend Bill C-11 so that it takes into account the simple truth that nothing can be created for nothing and no one works for free.

I look forward to your reply.

Respectfully,

Rosemary Clark-Beattie

