



#DigiCanCon Submission from The Writers' Union of Canada

Introduction:

The Writers' Union of Canada (TWUC) is this country's national professional association for authors of books. TWUC's mandate is to unite writers for the advancement of their common interests; to foster writing in Canada; to maintain relations with publishers; to exchange information among members; to safeguard the freedom to write and publish; to advocate social justice and equity for all writers and, in so doing, to embrace and foster diversity and inclusiveness and to oppose discrimination; and to advance good relations with other writers and their organizations in Canada and all parts of the world.

TWUC is the only organization in Canada's whose membership is composed solely of professionally published book authors, making it the industry-leading voice for Canada's authors.

Authors innovate every time they sit down at their desks. An author takes a blank screen or a blank piece of paper and turns it into any one of a dozen different things, all of which have tangible value to the creative economy. Whether the innovation from the blank page becomes a physical book, an ebook, an audiobook, a magazine or newspaper article, a stage play, a screenplay, a television script, an opera libretto, a dance performance, a radio report, a podcast script, or – as happens most often – any combination of all of those things, Canada's authors are engaged in creating valuable cultural and commercial products for the domestic and global marketplace.

Building a cultural system that supports creators and respects citizen choice:

We know from industry research that Canadians are interested in and choose Canadian-authored works when given the tools to discover and obtain them. With the help of strategic public funding, TWUC administers two programs that see Canadian authors engage directly with Canadian readers through public readings and classroom visits. Both of these programs are regularly oversubscribed.

Canada's authors have been enthusiastic early adopters of digital tools, platforms, and delivery systems. Professional authors know the value of building and maintaining their online presence to strengthen their personal brand.

Writers led the development of blog culture and transformed uncompensated online work into marketable products for the publishing industry. Early on, writers grasped the border-crossing advantages of digital distribution and have broken down national barriers to international audiences – and often they have done so on their own, without the intermediary role of traditional publisher and agent partners (selling rights into foreign markets, engaging translations, etc.). The rewards of digital have been exciting, and authors have embraced this evolution.

But enthusiastic adoption and experimentation with emerging technology has also meant writers stand on the front lines of both genuine economic disruption and the regulatory breakdown that is often claimed as an inevitable feature of such disruption.

The demand for work and appearances from Canadian authors is strong, and the supply of Canadian-authored works both print and digital is also strong, for now.

There are, however, troubling aspects of the digital shift that need serious policy discussion and consideration. The downward pressure on compensation models for authors, including deep discounting at retail, falling royalty percentages, inflexible ebook royalties, the collapse of collective copyright licensing in the educational sphere, and ongoing pressure for expansion of limitations and exceptions to traditional copyrights have all contributed to a distressed income picture for Canadian authors. TWUC's recent income survey revealed that writer incomes in Canada have fallen 27% (adjusted for inflation) since the early days of the digital shift and that right now over 80% of Canada's writers depend on writing income that is below the poverty line.

Meeting the challenges of promoting Canadian creativity in the digital world and using Canadian content to promote a strong democracy:

Canada's strong democracy depends on a vigilant defence of free expression. For its entire history, TWUC has been a leader in free-expression advocacy in Canada. As a member of the Book and Periodical Council and a collaborative partner with many other writing and publishing-focussed groups, TWUC takes part annually in Freedom to Read Week, and confers the annual Freedom to Read Award on a Canadian champion of free expression. TWUC was also an early consultant organization for Ryerson University's Centre for Free Expression (CFE), and TWUC maintains a presence on the CFE's website as a contributing blogger on free-expression issues.

TWUC believes the digital shift has brought with it new and unique opportunities for free expression and also unanticipated challenges to that universal right. We are most concerned that genuine censorship and lack-of-access concerns not be conflated with the universally recognized economic and moral rights of an author to her own expressive works. There is a difference between protecting one's own rights under copyright and the wholesale denying of access to information. Any public policy discussion around free expression, access to information, and author and consumer rights must recognize and handle with care these important distinctions.

Supporting Canada's writing, reading and publishing industry to create an ecosystem that thrives:

Authors create the stories, books, and other cultural media so eagerly sought by Canadian consumers through our bookstores, broadcasters, libraries, and schools. Authors also help to employ and enrich publishers, editors, agents, publishing and promotions staff, booksellers, stage and screen crew, performers, broadcast professionals, and the owners and employees of the many digital platforms and networks on which our work generates both audience and advertising value. In other words, authors are the primary source in a complex ecosystem of cultural work, and much of the rest of this cultural economy is dependent on our innovation and creativity.

As with any ecosystem, a threat to the primary source is a threat to the entire construct. If we are to maintain and indeed grow a truly sustainable creative economy for the digital age in Canada, if we want the supply side of Canadian writing to continue to meet demand, we must first and foremost be concerned about the well-being of our primary source – Canadian writers.

Canadian writing cannot thrive in the digital age unless our markets are secure. TWUC urges the government to be thorough and responsive in its mandated 2017 review of the *Copyright Modernization Act*. Copyright is the legal, economic, and moral ground upon which all writing in Canada is built, and that ground was deeply fractured and disturbed by ill-advised changes to the *Copyright Act* in 2012. The educational royalty market built and sustained over decades by the collective licensing of Canadian content has all but collapsed in the last five years. Canada's authors have seen their collective licensing royalty cheques – cheques that represent the industrial-scale use of hundreds of millions of pages' worth of copying in Canadian schools – shrink almost to non-existence. Without a serious legislative and regulatory change delineating the responsibility of educational institutions to pay for the copyrighted work they use, Canada will have undermined the foundations of its cultural economy. We are already seeing the devastating effects of this undermining, as students and front-line teachers have less access to Canadian content for their classrooms.

TWUC congratulates and thanks the government for its early commitments to increased funding for the cultural sector through both the Canada Council for the Arts and sustained attention to specialized cultural funds such as the Canada Book Fund, the Canada Periodical Fund, and the Canada Media Fund. We encourage greater infrastructure spending as well, especially for libraries and archives, which struggle to meet the challenges of both adapting to the digital shift and maintaining their primary responsibility as stewards of Canada's analog information resources.

Conclusion:

TWUC is excited and encouraged by the Department of Canadian Heritage's wide-ranging review of cultural policies and programs, and we are optimistic about the future for Canadian writing in the digital age. No one can deny the explosion of access brought by digital. It is time now to challenge digital platforms and users to properly value the creative work behind that access. The digital shift has brought a wealth of opportunity to Canada's writers and

readers, but that opportunity is accompanied by serious economic challenges that must be addressed with sensitive, nuanced policy in order to maintain a distinct Canadian cultural identity and to ensure that Canadians continue to have access to Canadian stories.