

Ministers Clement & Moore, Honorable Members of Parliament, Members of the Bill C-32 Committee,

A French Translation is below. My pardon - I had to use Google as my own French is too limited to be trustworthy.

As an artist (I'm both a recording engineer and a writer) I've been participating in the Canadian discussion on copyright requirements. I've also been watching some of the antics that have been going on with horror, which is why I am writing to you today.

We have a situation which is becoming truly worrisome. There is a huge conflict with many sides. There is us, the artists, whom everyone claims to bow down and worship, but then promptly attempts to rip off. Those who most often attempt to rip us off are the other two sides in the conflict, the Collection Societies, and the Distribution Corporations, both of which exist like blood sucking leeches for the sole purpose of making money from artists, while providing little or no value to them.

Let's consider the Collection Societies for a moment. Not one of the Collection Societies is run solely by the artists, for the artists. Take SOCAN for example, where the board is [controlled by the publishers](#). This has no benefit to the artists. And then there's The Canadian Musical Reproduction Rights Agency, which is run by the [publishers, not the songwriters](#). Pardon me, but the publishers are an afterthought. Without songwriters, the publishers have nothing to publish. Which is why I used the word leeches in my description of them above. Like leeches, they are unable to exist without something to drain sustenance from, in this case the creative artist.

Then we have the distributors, like HB Fenn and Universal Music. They make money off the artists by providing distribution, but provide no creativity themselves. In some cases they may provide some minor financial support, however the costs of that support (quite often it involves handing over control of the copyrights of the work in question) often outweighs the support itself. Again, they are draining the lifeblood from the artist.

A recent occurrence brought this into clearer focus. I've taken part in the discussions on a Facebook Group called [Balanced Copyright for Canada](#). The group supposedly is a grass roots gathering of artists who want stronger copyright laws. Curiously none of them had recognizable names. There is a [Twitter Account using the same logo and name](#), and a website, with a [truly interesting advisory board](#).

I'm a writer. I write a lot of non-fiction technical articles about things like why Microsoft will be bankrupt in 3.5 years (and yes, I have the numbers to prove it under one set of assumptions). I'm good at research. So I decided to do some on the people posting in the Facebook Group. Some of the people were obvious fakes. Some of the people were hard to pin down. Most weren't. Out of 81 people I investigated (I didn't investigate myself - didn't feel the need) who post in the group, I was able to prove that 43 work in or for the recording industry in one capacity or another, including two lawyers who represent recording industry clients, employees of EMI, Sony, Warner, and Universal, employees of Audio-Visual Licensing Agency, Canadian Music Rights Reproduction Agency, and SOCAN. Oh, and last but not least, employees of the Canadian Recording Industry Association, including it's president, Graham Henderson.

I'm not sure what proportion of the posts in the Facebook group were made by industry representatives. Someone with a decent knowledge of the Facebook Application Programming Interface could pull that information fairly quickly. It's not something I've worked with, and not something I would want to take on right now. I'm still working on getting [Web Literature Canada](#) fully up and running (and no, I don't have a French language version of the site - yet).

Possibly the next time that you have representatives of these organizations giving testimony before your committee you should question them about the curious posting patterns in the Facebook group. I've attached a spreadsheet with my findings. I have a more detailed one, which is too large to email. If you would like a copy, I can arrange for you to download it through one of my websites.

Regards

Wayne Borean