

This is my story, and my viewpoint about copyright.

I have an arts degree, with 10-15 years varied experience in social work, Canada Post, and in emergency first aid. I have 25 years experience as a journalist, with some overlapping in my 22 years experience as a (self-employed) freelance author. I have published nine books, countless numbers of magazine and other articles. I held a Berton House residency in Dawson City and a library residency, and a few small awards are on my walls. I have mentored many writers and led scores of writing workshops.

Some years back I had to register for a business number as my income reached a few cents below \$30,000. My best year. My only best year.

My net income in 2017 was less than \$10,000, including \$371.87 in copyright payment – for a total of **nine** books and more articles.

In 2009, before so-called “fair dealing” was initiated, my net income was \$20,137, including \$612 in copyright fees. At that point, my amassed work – which determines copyright payback – was just **three** books. Today, with six more books, including some best-sellers, my copyright payback is less – because the education sector has unilaterally deemed it fair to withhold copyright licence fees.

My work is non-fiction, aimed for a general audience, but because of the subject matter it tends to be used in schools. Thus, my books tend to be copied. My books and articles are not specifically written as text books.

(If they were actually designed as student text books, in response to a stated need from the education sector, I would be even more angry that schools and universities would stoop to copying my work without recompense. You order the tune, you pay the piper...)

Despite these circumstances, I enjoy visiting schools and meeting students. In good years, I do two or three such presentations - \$750 max/ annually. However, I hesitate to encourage young people to become writers. I do encourage them to learn to write well because whatever their future careers, solid communication skills are important. The people who cannot bear NOT to write, will write anyway. They will also be among the working poor, like me.

I live with my retired husband, on his pension and whatever I can earn. At 60, I became eligible for a small Canada Pension. I have no private pension, and I can't foresee that I will ever be able to stop working. We rarely eat out, entertain or go to a movie. So far, we haven't been reduced to attending funerals just to eat the lunches. That is not a joke.

Thankfully, our children are grown and independent. We grow our own vegetables, cut our own firewood, do our own home repairs, and shovel our own snow.

Applying for social assistance seems a counter-productive solution to the education institutions' concerns about paying authors for their work, and various governments' inability to fund education or oversee its spending.

In my work, I am expected to travel, appear professional, and lend my name, my community profile and my energy to many kinds of non-profit programs and campaigns. I can't afford it – either the time or the expense. The expectations are enormous, and the public willingness to pay me for my work is abysmal.

I am a writer. It's not just what I do – it's who I am.

Insult was added to injury when, in February, school boards in Ontario and the ministries of education for all Canadian provinces except British Columbia and Québec launched a lawsuit against Access Copyright. This is to recover the funds they paid before 2012, when fair dealing was extended to the educational sector. This situation may not be your committee's bailiwick, but I believe it should be considered in the big picture.

1. The claimants are using legislation to reach back into history;
2. The action speaks of the education sector's surprising disregard for writing, even though most education depends on it;
3. If successful, the lawsuit will set back Canada's literary and creative industries by some 45 years – remember “Canadian Content?”

Proponents of the lawsuit say the publishing industry isn't hurting, which is like saying Loblaws isn't hurting so it's legitimate to steal groceries. And I don't know what publishing industry they are looking at.

As I understand it – and I am a writer, not a lawyer, the Access Copyright v. York University decision said that the licence fees are mandatory, and the education sector is not exempt. That is, fair dealing does not equate a free ride. The claimant provinces refuse to respect the decision.

The legal action is funded by the money the claimants have saved by NOT paying for copying, and they don't ever want to pay for copying again.

I want you folks to fix that before Canada's literary industry moves south of the border or to Asia.

You may know this, but it bears repeating:

Canada's most basic standard of living is \$18,000 per year per single person.

The average Canadian's 2015 income was \$49,000.

The average Canadian writer's 2015 income was \$12,879. The median was less than \$5,000.

A 2015 study commissioned by The Writers Union of Canada found that Canadian writers made 27% less from their writing than they did in 1998, while 45% of writers worked more in 2015 to earn a living.

Most Canadian writers have at least one university degree. Half also have post-graduate degrees.

Writers' work fuels a Canadian book publishing industry worth almost \$2 billion. Jobs include printing, administration, building, editing, book-binding, trucking, marketing and more. Those jobs depend on writers.

Other workers in the information and cultural sector earn an average of \$60,000.

Women earn 55% of the income earned by male counterparts. Most writers are female. More than half of Canadian writers are aged 50-69. Age and gender bias, anyone?

Monica Graham

Most Canadian writers are self-employed, often in communities where there is little other industry to fuel the economy. Writing leaves a small environmental footprint, and a large cultural impact.

Canadian writers are typically NOT teachers. Writing is their main source of income; it's hard work.

It's wrong to wrong to pass off another's work as one's own creation, as educational institutions infer when they provide sets of work copied from various writers. The practice teaches young people that certain forms of intellectual theft are acceptable.

Remember Napster? If not, look it up.

I have no problem with my work being quoted and correctly attributed. If bits are copied to use as examples or teasers, that's fine. After that, I have trouble with it.

It doesn't matter if the product is in digital or print form – someone has to do the work of research, composing, writing, editing, packaging and marketing. Refusing to pay that person means the consumers of that work will have to do it themselves. At teacher pay scales, that represents no saving to the education sector or to funding agencies.

If access to educational material IS truly essential, pay for it. Or lose it.

I decry the practice of teachers digging into their wallets to supply classrooms with books, but they are in better financial positions to do so than are writers. (In Nova Scotia, P-12 teacher salaries run from \$47,390 to \$93,000)

Teachers and education department employees are no more educated or deserving of their incomes than are writers.

The bottom line is this: If you are unwilling to do a pile of work for your whole working life, and not be paid a living wage for it, then don't expect others to do it.

One last point: the annual copyright license fee is about the cost of a two-four of beer, here in NS. Students can afford beer. They can even add a pizza or two. I cannot.

My suggestions: 1. Buying classroom supplies – and paying licensing fees - should be tax write-offs.

2. define fair dealing, or fair use as it's called in other countries, in consultation with stakeholders.

3. ensure enough study material for students.

4. begin a campaign that increases the value, in the eyes of the public, of the creative economy – soon, before the people employed in that economy start spreading the sad truth and then turn out the lights.

Thank you for reading my submission. Please contact me if you have questions.

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