

Introduction of Copyright Bill Delayed?

Tuesday, 11 December 2007

Today was the day that the government's new Copyright Bill was supposed to have been tabled. But despite the fact that it appeared on the Notice Paper, it appears as if the bill has been delayed, at least for now.

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Just what does this delay mean?

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At first glance it is tempting to surmise that the bill has been thwarted by the groundswell of opposition that has emerged over the past few days. Press accounts are rightly pointing to this opposition, as for example the CBC report *Copyright Reform Bill Critics Eye Victory*, the Canadian Press' *Copyright amendments cause Internet stir for government*, the *Globe & Mail's* *New Copyright law starts web storm* and the *Ottawa Citizen's* *Tories blink on copyright law change*.

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There is no doubt that the intensity of this opposition has been greater than expected, and that the government was taken by surprise. One only need look at some of the video clips from the action at Minister Prentice's Calgary office on Saturday or the Minister's exchange with Charlie Angus during question period on Monday to see this. The level of the opposition as well as its focus and clarity may even come as a surprise for those of us who have been working on the issue from what might roughly be characterized a user-rights, or balanced perspective. Who would have expected well over ten thousand people to join *Fair Copyright for Canada*, a Facebook group dedicated to "help ensure that the government hears from concerned Canadians."

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The government failed to comprehend how important copyright issues have become to more and more average Canadians from different walks of life, and how any government that listens only to the entertainment industry lobbyists on such a popular issue does so at its peril. It's likely they failed to understand this because they have not been listening to average Canadians. They have been listening to the United States government and lobbyist for the largely U.S.-based entertainment industries that desperately want Canada to mirror some of the worst aspects of U.S. Copyright law. And while the text of the bill has been closely guarded and not made available to the public, it is generally thought that the bill was going to satisfy most of these demands coming from south of the border.

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Despite these developments, it would be premature to declare the bill dead, or for the advocates of fair or balanced copyright to claim any sort of victory. The bill may be delayed for a few weeks, or for only a few days. It might be going back to the drawing board for a major overhaul, or it might just be getting a few tweaks around the edges to make it a bit more presentable to a public that has become increasingly concerned with copyright issues. But regardless of the government's intent, the level of grass-roots engagement needs to continue. Over the next few weeks it's important for MPs across Canada to hear from their constituents on this issue.

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Now that the government understands how important this issue is to so many Canadians, they have an excellent opportunity to open up the process to broader public consultation. But according to a CTV Report, Minister Prentice said, "To be speculating on what the bill says, when no one has seen it, is not really a constructive exercise."

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So I would ask the Minister, just how can the public engage the government on the issue in a "constructive" manner? Perhaps it is time for the government to release their latest draft version of the bill so we can all be on an even playing field in discussing it.

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