

## **Participation on CFLA's Indigenous Matters Committee**

2020 was a quieter year for my participation on CFLA's Indigenous Matters Committee. I was not able to attend a number of meetings, and re-engaged substantially only late in the year.

My position with the Committee is still as Lead for the Black Team. According to the IMC's original plan, the work of this team encompasses gathering and making accessible "best practices"-types information re. Indigenous-focused LIS and library practices/services of all kinds, in all types of libraries, with additional focus on legal and health information provision.

IMC Team memberships continue to evolve and this has been the case with the Black Team. Membership has recently (i.e., in the last month) been re-set and we had a first meeting with the new group in mid-February. Our first task is to get the go-ahead from IMC to re-scope the work of this Team with an eye to having it produce a repository of information about Indigenous-focused LIS and libraries' practices. This is medium to long-term work.

Submitted:

Monique Woroniak, February, 2021

## **CFLA Copyright Committee Report**

The CFLA Copyright Committee remains highly active, meeting once a month, with additional Working Group meetings in between.

### **CFLA Responses to COVID**

#### **Highlight of issues:**

Covid-19 highlighted the need for digital access to resources. CFLA with the work of the Copyright Committee has provided guidance and advocacy for the use of copyrighted materials in the digital realm.

**For example:** Publishers “granted” some permissions for digital storytimes, but CFLA provided guidance showing such permissions were not necessary and storytimes need not be limited to particular publishers see: Online Storytimes: Copyright Guidelines for Canadian Public Libraries During Covid-19 .

- Open Letter to WIPO - access during pandemic
- CARL-CAUL-CFLA Webinar: Emergency Access and the Prospect of Controlled
- Digital Lending in Canada: Perspectives
- Fair Dealing Guidance for Canadian Libraries During the Time of COVID-19  
(May 2020 - MLA Rep Ebony Novakowski - main lead)
- Online Storytimes: Copyright Guidelines for Canadian Public Libraries  
During Covid-19 (May 2020)
- Canadian Guide to Marrakesh Treaty (June 2020)

Copyright Committee activity summary by active working group:

#### **CUSMA Term Extension** (MLA Rep. Brianne Selman is a member of the Working Group)

#### **Highlight of issues:**

The term of copyright has been extended under the CUSMA trade deal to 70 years after death for most copyrighted works. This means that once ratified, there will be a 20 year period where no new works will enter the public domain in Canada. It will also compound the issues of orphan works. The Government has recently announced consultations for mitigation strategies.

- Since summer of 2020, consultations with ISED (Innovation, Science and Economic Development), preparation of briefing note and background for ISED on issues raised during the Copyright Review
- Gathering anonymous data and stories from libraries and archives on term extension

- Preparing detailed response to current ISED consultation on Copyright Term Extension
- ### **Crown Copyright**

#### **Highlight of issues:**

Unlike US Government documents, which are in the public domain, Canadian government documents have an intricate web of Crown copyrights depending on the time, department, etc. This is a barrier to the reuse and digitization of gov docs in Canada. CFLA has advocated for many years for changes to Crown Copyright to make gov documents more usable for the public.

- CARL-CFLA letter sent to government: Canadians Need Unfettered Access to Government Publications in the Face of COVID-19 (2020)
- Meetings with Heritage, ISED, and Treasury Board (ongoing)
- Identification of Provincial and Territorial Liaisons on Open Government (2021)

### **Controlled Digital Lending**

#### **Highlight of issues:**

Controlled Digital Lending (CDL) is an emerging method that allows libraries to loan print books in digital formats to patrons. Libraries use technical controls to ensure a consistent “owned-to-loaned” ratio, meaning the library circulates the exact number of copies of a specific title it owns, regardless of format, putting controls in place to prevent users from redistributing or copying the digitized version. When CDL is appropriately tailored to reflect print book market conditions and controls are properly implemented, CDL may be permissible under existing copyright law. CDL is not intended to act as a substitute for existing electronic licensing services offered by publishers. <https://controldigitalending.org/faq>

- CARL-CAUL-CFLA Webinar: Emergency Access and the Prospect of Controlled Digital Lending in Canada: Perspectives (June 2020)
- Adapted the US White Paper on Controlled Digital Lending of Library Books on CDL for the Canadian context
- Risk assessment framework for selecting collections (under development)

### **AI and Copyright**

#### **Highlight of issues:**

The proliferation of AI authored works upsets the traditional understanding of authorship and copyright.

- A plan to provide guidance and policy recommendations on AI and copyright (under development)