

August 9, 2006

Linda Cook, President
Canadian Library Association
328 Frank Street
Ottawa, ON K2P 0X8

Dear Ms. Cook,

We are writing on behalf of Access Copyright in response to your recent letter regarding the Captain Copyright website. We have received a great deal of feedback, both positive and negative, regarding the site and its contents and we take all of it seriously.

The Captain Copyright site was created for educators because they told us through surveys and focus groups conducted by an independent consultant that they needed tools to help them teach their students about copyright. Educators felt it was an increasingly important topic for their students to understand, but there were no materials available to them to build this understanding. The educational tools that were subsequently developed were created to address this gap, and the response from educators to date has been very positive.

The site was launched as a pilot project in February and not widely promoted so that we could assess the feedback we received and add to or refine the materials. Access Copyright's intention has always been to present a neutral and balanced view of copyright with these materials and it is unfortunate that some feel we have not met this goal. We have given very careful consideration to the criticisms we've received and we have learned a great deal from this experience, including what we can do to improve this tool for educators. We are taking action to make these improvements, and one of the first things we have done is to invite organizations with differing perspectives on copyright issues to participate in the process.

We have already secured a number of subject matter experts and educators to serve on an advisory panel to review and revise the existing Captain Copyright materials, as well as assist with the creation of new materials focusing on topics such as the Creative Commons, fair dealing, and the public domain. Access Copyright has nothing but respect for the Canadian Library Association and its members, so we are saddened that the CLA has chosen to decline our invitation to work with us on making these improvements.

We are also saddened by the misconceptions that have been perpetuated regarding our web linking policy. We want to be absolutely clear that it was never the purpose of the policy to limit debate regarding copyright or criticism of Access Copyright. The purpose of the policy was to protect children from inappropriate content by restricting the types of sites that could link to the Captain Copyright materials. While we have seen similar language in, for example, the policies of school boards, we acknowledge that it was not clear in this case, so we have hired a law firm with expertise in this area to review and revise the policy.

A great deal of work has gone into acting on the feedback we have received and there is still more to be done before we re-launch the site and distribute the revised lesson plan kits that have been requested by educators from across the country. We would like to once again invite the Canadian Library Association to be a part of this work and to help us ensure a balanced perspective on copyright is presented.

Sincerely,

Greg Pilon
Bruno Beauregard
Co-chairs, Access Copyright

cc The Honourable Bev Oda, Minister of Canadian Heritage
The Honourable Maxime Bernier, Minister of Industry