

**SUPPORTING CANADIAN WRITERS,
RESPECTING OUR WORK**

**The Impact of Public Lending Right Changes
On Writers and Payment for Their Work**

Report of The Writers' Union of Canada
Task Force on Public Lending Right

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BACKGROUND

Public Lending Right, or PLR, is a system that pays authors for the use of their books in libraries. The fundamental principle is that writers should be paid for the use of their work by the public and that they should be compensated for the impact of library lending, which is free to all, on the sales of their books. PLR is the result of years of work by Canada's writers. The MacSkimming report¹ describes the early history and purpose of the program as follows:

The program was approved by the government... after an intensive lobbying effort by writers' groups. As stated by the Treasury Board, the objective was "to compensate authors for the use of their works through Canadian libraries." This might be termed the program's core purpose. The program rationale was supported by a combination of policy principles and practical needs:

- *the principles of fairness, equity, and recognition of a public service provided by authors, for which a public benefit should be paid;*
- *the needs to improve authors' financial return from their creative work, recognize their contribution to Canadian culture, and to reinforce their creativity.*

Public Lending Right is administered by the Public Lending Right Commission (PLRC). The PLRC is an arms-length body established by the Canada Council for the Arts. Writers and translators comprise the majority of voting members. The Commission was established in 1986. Andreas Schroeder was appointed as the first Chair and the first cheques were issued to writers in 1987. Payments to authors under PLR are based on the number of their book titles held in the sampling libraries. Canada became the 13th country with a PLR system when it was created; there are now over 30 countries with this type of program.

As PLR has continued to evolve, the greatest challenge has been that funding has not kept pace with the increase in titles and the growth in the Canadian writing and publishing community. This history has been well-documented in the three MacSkimming reports commissioned by PLRC and published between 2011 and 2013. More recently, there have been changes to the funding and administration of PLR that have impacted the 2018/19 program and are critical to its future direction. The Federal Government increased PLR funding by \$2.5 million for 2018/19. Another \$2.5 million increase has been approved for 2019/20. Writers have benefitted from the increase. Other changes are designed to capture holdings in the regions more accurately, and to respond to changes in publishing—e-Books and other technologies.

One of the most controversial changes is the decision to exclude titles more than 25 years old from eligibility. This affects writers in all categories and thousands of titles. At its June 2018 meeting in Toronto, TWUC members voted to establish a Task Force to examine the impact of changes to PLR, their implications for PLR's founding principles, and implications for the future. This report has been prepared by the TWUC PLR Task Force in response to members' request.

¹ MacSkimming, Roy. *Public Lending Right in Canada: Policy Foundations*. Canada Council for the Arts, 2011, p. 5

EXECUTIVE SUMMARY

Members of The Writers' Union of Canada have directed that a Task Force be established to prepare a response to newly implemented changes to the Public Lending Right (PLR) program. This report responds to the members' request. PLR is a program of the Canada Council for the Arts that provides payment to authors for use of their works in public libraries. In this context "use" means that the library has a "holding," that is, the author is paid for each of their book titles in a sampled library's system. The Union strongly supports the holdings method as technically efficient and fair to all eligible book categories.

The Task Force examined the original intent and foundational principles of PLR, the impact of the changes, and implications. Some of the changes, such as the \$5 million increase in the budget in 2018/19 and 2019/20, and the increase in the number of libraries sampled, are unquestionably positive. Other changes, like removal of titles over 25 years-old from the program have a negative effect on many writers. Other important trends were noted as well.

Main Findings

- 1. A sustainable approach is needed; we must get away from the boom-and-bust funding cycles of the past.** The Commission's past reports and the Task Force's analysis show that funding for PLR has fallen behind the growth in Canadian writing, and inflation. The new investment of \$5 million has been a major improvement. When inflation is taken into account, the total 2019/20 budget will be 2.7 times the 1986/87 budget, the year program began. The number of authors and titles has increased by four times over the same period, however. Efforts to close this gap have only been partially successful and are what led to the decision to bring in the 25-year rule. Future funding must grow incrementally to accommodate the growth and increasing diversity in Canada's writing and publishing industry. It must also address inflation, which accounts for about one-third of the cumulative funding gap noted above. Failure to make these adjustments will erode even the recent, much-welcomed investment.
- 2. The foundational principle of PLR is that authors should be compensated for the use of their work in public libraries.** This principle provides the key lens for evaluating the impact of changes to the program. Other principles inherent in the history and operation of the program include: equity in the benefits provided to different book categories (fiction, nonfiction, etc.); a fair distribution of benefits among writers across the country; and administrative efficiency so that payments to writers are maximized.
- 3. Writers have already compromised by supporting a sliding-scale "hit rate" that reduces payments for older books in the system.** The budget was not growing at the same rate as the increase in the number of titles, and this measure was introduced in 2011/2012 to fill the gap and to provide higher payments for new books.

- 4. The elimination of titles over 25 years-old contradicts the key principle of payment to authors for the public use of their work.** The change systematically targets well-published, seasoned writers. Work is work, and should be compensated. Payments for authors have already been compromised through the sliding scale system that reduces the hit rates for older titles after 6, 11, and 16 years. Authors should not be penalized further for their success and years of dedication to the craft. Nor should they be penalized if their books are relevant and are still being read years after publication.
- 5. Hit rates were increased by the change.** The 2018/19 rate for books up to five years-old was \$58.90 per title, up from \$50.75 in the previous year. The increase was smaller for books 16 years and older. The new rate for this lowest payment category was \$29.45 compared with \$25.38 in the previous year. This modest increase of \$4.07 is more than offset by the 25-year rule that eliminated many titles.
- 6. There was a notable reduction in the number of registered authors and eligible titles in the system in 2018/19. This was matched by a drop in the number of titles and authors receiving payment.** Under the new program 17,255 authors received a payment, or 298 fewer than the previous year. The number of eligible titles was also reduced from 101,477 in 2017-18 to 83,120 in 2018-19. Of these eligible titles, 75,981 received payment in 2018-19, down from 87,083 the previous year. The ratio of paid titles per author declined from 5.0 to 4.4 as a result of the policy change.
- 7. Average author payment amounts increased.** The average payment under the new policy was \$712, an increase of \$156 over the previous year. The maximum payment increased by \$571 to \$4,123. The maximum payment in the previous year was \$3,553.
- 8. There are also substantial negative policy impacts.** The result of the new policy was compared with what would have happened if the previous policy were continued. It was estimated that over 500 authors and 13,000 titles have been excluded, compared with what would have happened had the previous policy been in place. Even if only the actual change and normal attrition is considered, the most conservative estimate is that 10,000 books previously receiving payment have been excluded.
- 9. There are challenges with respect to equity among the provinces and regions.** It is clear that writers in certain provinces have been very successful in accessing PLR, relative to their populations. These provinces are Prince Edward, Island, Nova Scotia, New Brunswick, Quebec, and British Columbia. While Newfoundland and Labrador and Ontario were close to the median, Ontario was below both the median and the national average. More research is needed to determine is whether this is due to the large population, or factors like access outside larger centres or for those on the margins of the traditional writing and publishing community. One significant “flag” is that uptake in all three Prairie Provinces is substantially lower than one might expect, and this may not be simply due to normal province-to province differences. Yukon writers were very successful in accessing the program, NWT was slightly below the middle range, and only two individuals in Nunavut received a PLR payment

according to the last PLRC annual report. This does not reflect the number of books produced by Nunavut authors, and is a second area that needs action.

10. There is a need for better access by Indigenous authors and those who may not be part of traditional writing and publishing networks. As one of the Task Force members notes, Indigenous writers still encounter barriers around access to programs like PLR. There is also the question of who is responsible for communicating to those outside traditional networks and new writers about these supports. While PLRC has a role in reaching out to these groups, those on the front lines like the Union, our sister organizations, and publishers could be more proactive in promoting PLR, Access Copyright, and similar supports for these writers.

Recommendations

It is recommended:

1. That a sustainable funding model for PLR must include an adjustment for the year-to-year increase in the number of eligible titles and registered authors, *and* inflation. This adjustment must be made on an annual basis to prevent the boom-and-bust cycles and to address the cumulative funding gap described in PLRC's and this report.
2. That Public Lending Right must be based on the foundational principle that writers must be compensated for public use of their work in libraries. This is the lens that must be applied to current and future decisions. This principle should be applied to all eligible titles in the system. The date a book is published should not be a relevant factor: work is work.
3. That while the Union does not support the exemption of titles over 25 years old, it does support the principle of a sliding-scale hit rate system for older titles for sustainability reasons and to support new work.
4. That the other principles reflected in the history of and operations of the Public Lending Right Commission must also be maintained: equity among the eligible book categories; fair distribution of the benefits across the country; and administrative efficiency to maximize payments to authors.
5. That the Public Lending Right Commission investigate and address what appears to be a lower than expected uptake in the Prairie Provinces and the Territories. Nunavut may be an area of particular concern. This should be done in consultation with TWUC and other writers' organizations, and with writers in these areas. It is also recommended that somewhat lower than expected numbers in Ontario be investigated as well.

6. That the Public Lending Right Commission promote the changes that are expected to improve regional coverage, Indigenous and other writers that may have been under-represented in the past, and authors of e-Books.
7. That writers' organizations and publishers promote these positive PLR changes to writers in their regions. Collaboration with publishers is seen as an effective way of reaching new authors and those outside traditional systems.
8. That The Writers' Union of Canada commend the Government of Canada for the recent investment that has put the Public Lending Right program on a positive track and increased payments to writers.
9. That the Union commend the Public Lending Right Commission for increasing the number of sampled libraries, which will improve coverage and access across the country, for the recent increase in hit rates, and for the priority given to efficient administration of the program and maximizing payments to authors.

SUPPORTING CANADIAN WRITERS, RESPECTING OUR WORK

1. PUBLIC LENDING RIGHT TASK FORCE PURPOSE AND MANDATE

When change to Canada's Public Lending Right program were discussed at the 2018 AGM of The Writer's Union of Canada, several of the changes were well-received, particularly the \$2.5 million increase in funding for each of the years 2018/19 and 2019/20, which has helped to close the funding gap that has built up over the years. The most controversial change was the Public Lending Right Commission's decision to exclude titles older than 25 years from eligibility for payment for their use in public libraries. The discussion, however, also turned to the broader question of how these changes relate to the principles on which the program was founded, and the implications for the program going forward. The TWUC members' motion to establish a Task Force to examine the impact of PLR changes follows. The Task Force Mandate subsequently approved by National Council, and that guided the work on this report is provided in the Appendix.

MOVED:

That the National Council establish a Task Force immediately following the AGM to review the changes to the PLR Program, keeping in mind the original intent of the PLR program. The review process will include surveying the membership about the impact of the changes to the PLR program and potential solutions. That the National Council inform the Public Lending Right Commission of the creation and mandate of the Task Force.

—Member Motion, TWUC AGM, June 14, 2018

2. RESEARCH APPROACH

There is a substantial amount of information on the evolution of Public Lending Right, which was extensively analyzed in three reports by Roy MacSkimming, published from 2011 to 2013. The Commission has also shared data on program trends from 2012 to 2018-19 with the Union. On reviewing this information, the Task Force believes that the main consideration underlying PLR in Canada must be the preservation of the principles on which the program was founded. The impact of the recent changes on writers and creators was examined based on available data. This was limited, but does indicate several of the main positive and negative effects.

3. PLR PRINCIPLES

First Principle: Compensation of Writers for Public Use of their Work

Public Lending Right is based on the foundational principle that authors must be compensated for the public use of their work in libraries. This was a clear from the inception of the program. Naim Kattan, former head of Writing and Publishing at the Canada Council for the Arts said:

“The real reason for PLR is that writers get little benefit from the presence of their books in libraries. They receive a one-copy royalty in return for potentially hundreds of loans. This is unfair to writers because each reader benefits from the works they have written. The author needs some financial recognition for those benefits: recognition that writers have to be paid as professionals, just as lawyers or engineers are paid.”²

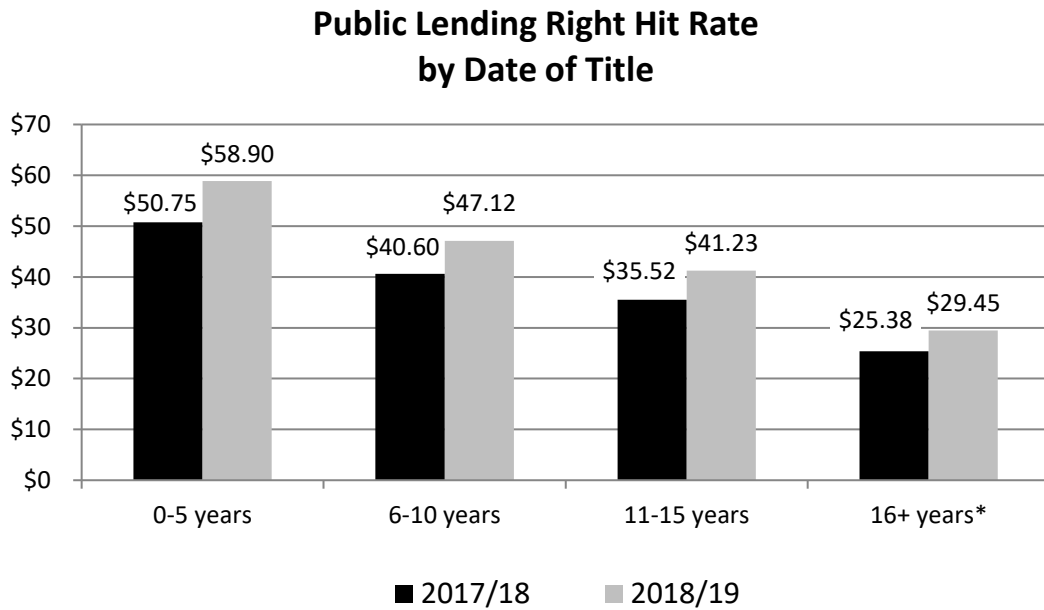
Other Principles: Equity, Regional Fairness, Administrative Efficiency

The PLR system was designed to provide payment for literary books. The eligibility criteria mirror writing programs of the Canada Council for the Arts. Some of the key principles that evolved over the PLR’s history and through its operations include:

- ***Equity of benefits provided to the eligible categories of books.*** This is one of the advantages of the “holdings” method that compensates authors for the number of their titles in the sampled libraries, rather than other measures like the number of copies or borrowing. This method is strongly supported by the Union.
- ***A fair distribution of benefits to writers in all regions.*** This is a standard for any national program like the Canada Council or PRL, and is reflected in the evolution of the design and operation of the program. The single most important measure is to ensure that every eligible title possible within a given province or territory is captured by the system.
- ***Administrative efficiency to maximize payments to writers.***

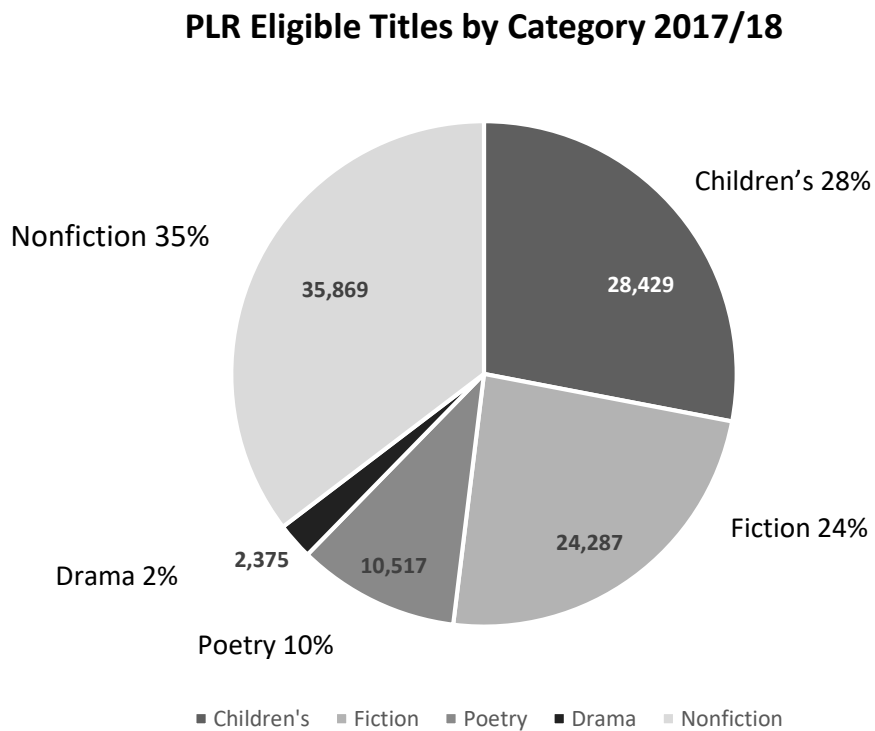
² MacSkimming, Roy. *Public Lending Right in Canada Policy Foundations*. Public Lending Right Commission, 2011, p. 19.

Figure 1



Titles over 25 years old were eliminated from eligibility in 2018/19.

Figure 2



The way in which these principles are applied has evolved over the years, but the underlying principle of compensating writers for public use of their work has been and must continue to be the overriding principle.

There has been one significant compromise on payments to accommodate the cost of growth in the program. In 2011/12, the Commission adopted a sliding scale for the “hit rate” paid to authors for each title in a sampled library. The current rates are provided in Figure 1. Payments increased in all categories in the past year. The 2018/19 hit rate for a new title is approximately double the rate for a 16-25 year-old title (\$58.90 vs. \$29.45). As the pie chart in Figure 2 illustrates, 35% of eligible titles are in the Nonfiction category, followed by Children’s (28%), Fiction (24%), Poetry (10%), and Drama (2%).

4. 25-YEAR CUT-OFF OF ELIGIBLE TITLES

One of the major concerns of Union members was PLRC’s decision to remove titles over 25 years-old from eligibility. As far as can be determined, the rationale seems to be that this would be the most palatable method of accommodating the recent average of 2,400 new titles receiving payments per year and the addition of eBooks. The Commission’s decision to sample libraries in all provinces may have moderate but manageable effect as titles that were previously missed are identified through the expanded process.

There is no doubt that the new 25-year limit for a published title, which is applied unless the book has been re-issued, affects older writers more than others. There are two rationales for using this limit. The first is that, given the need to accommodate new titles and new authors, there is a need to shift funds from those who have already benefitted from the program to new writers and more recent works. The second reason is that it is easier to implement than other options and keeps the other eligibility criteria for the different genres intact. Presumably, the impacts will be spread across the genres and will be in proportion to their numbers.

TWUC opposes this rationale on the following grounds:

- Writers have already compromised in accepting the sliding scale that sees lower payments for older books. The principle of payment for public use of our works should not be compromised further.
- It undermines the first principle: authors should always be paid for use of their works. The publication date of the book should not be a relevant factor. Work is work. The works of more published and seasoned writers should not be penalized. Nor should authors be penalized if their books are relevant and are still being read years after publication.
- The new policy evokes certain assumptions about the practice of older writers, who are asked to bear the brunt of the changes. Writers continue in their art for most of their lives. In fact, many go into early or partial retirement in order to write more. For such persons, PLR is not a pension or a social benefit. It is income that is earned.
- In addition to the annual amount, the cumulative effect of PLR on writers’ long-term earnings is significant and a major benefit of the program.

5. HISTORY AND IMPACT OF THE 2018/19 PLR CHANGES

The Task Force examined the impact of the exclusion of titles over 25 years old in 2018/19. The changes this year also reflect the \$2.5 million increase in funding to the program. For heuristic purposes, actual data for 2018/19 were compared with what would have happened if growth rates and other trends from the previous four years under the former policy were simply carried forward. The table also shows the impact of the sliding scale to reduce payments for older titles that was introduced in 2011/12 and the \$50 minimum payment policy introduced in 2014/15.

Trends

The numbers in Table 1 clearly reflect the Commission's report that the budget has not kept up with the growth in the number of titles nor inflation. Between 1992/93 and 2017/18, the average payment to writers fell from \$821 to \$556. Annual payments to authors have actually fallen by an average of \$681 over this 25-year period when inflation is accounted for.

In 2017/18, last year of the previous policy, there were 21,565 registered authors, 17,553 of whom received PLR payments. There were 101,477 eligible titles, of which 87,083 received payments. In the four years before the change (2014/15 to 2017/18), number of authors receiving payments increased by 688. The number of new titles receiving payment increased by 7,049. This is an average annual increase of 354 authors and 2,350 books per year. Looking back further, the number of titles receiving payment had increased by 15,000 since 2011/12. The long-term pattern is one of a modest but steady increase in the number authors and a faster rate of increase in the number of books. The ratio of paid authors to paid books increased from 3.5 in 1992/93, at the start of PLR, to 5.0 in 2017/18. It fell to 4.4 under the new policy. The increase in this ratio is an indicator of the maturing of the system and the growing body of these authors' work. It is also one of the sources of the demand on the PLR system.

Table 1: Impact of PLR P Policy Change and Budget Increase in 2018/19

	Registered Authors	Authors Receiving Payments	Average Payment	Eligible titles	Tiles Receiving Payments	Maximum Payment	Total Paid to Authors (in millions)
1986/87	4,553	4,377	\$628	14,138			2.7
1992/93	8,801	8,393	\$821	32,744	29,461		6.8
1996/97	11,262	10,730	\$559	41,909	38,877		6
2001/02	13,546	13,269	\$727	55,443	50,878		9.6
2006/07	16,414	15,471	\$588	70,090	59,979		9
2011/12	19,265	17,885	\$555	85,196	72,870		9.9
2013/14	20,218	18,668	\$523	91,738	77,479	\$3,680	9.7
2014/15*	20,504	16,865	\$577	94,975	80,034	\$3,563	9.7
2015/16	20,749	17,169	\$568	94,776	82,734	\$3,556	9.7
2016/17	21,163	17,344	\$563	98,413	85,419	\$3,521	9.7
2017/18	21,565	17,553	\$556	101,477	87,083	\$3,553	9.7
2018/19**	19,769	17,255	\$712	83,120	75,981	\$4,123	12.2
2018/19 Change	-1,796	-298	\$156	-18,357	-11,102	\$571	2.5
Expected change***	354	229		2,167	2,350		
Net policy change impact	-2,150	-527	\$156	-20,524	-13,452	\$571	2.5
% Change impact	-10%	-3%	28%	-20%	-15%	16%	26%

*2014: \$50 minimum introduced. **2018: Books over 25 years old excluded from eligibility. ***Expected change: based applying previous 3-year previous average annual increase.

Policy Impact

A key question for the Union is: How many authors and creators are left behind under the new rule eliminating titles over 25-years old from PLR? While it is not possible to develop a true number, it is possible to provide a “ball park” estimate of the size of the impact. The key impacts of the 2018/19 policy and funding change are shown in Table 1.³ Two types of changes are shown:

Actual First-Year Changes, 2018/19

The reported changes to the PLR Program based on data provided by the Commission are:

- 19,761 registered authors, a decrease of 1,796 over the previous year;
- 17,255 authors receiving payments, a decrease of 229 authors.
- 83,120 registered titles, a decline of 2,167 titles.
- 75,981 titles receiving payment, a decline of 11,102 compared with the previous year.
- A \$712 average payment, or a \$156 (28%) increase over the previous year.
- A \$4,123 maximum payment, a \$571 (16%) increase over the previous year.

Net Policy Change Impact

The first year impact of new policy was compared with what would be expected were the old policy simply continued based on trends of the previous three years. It was found that:

- There were about 2,150 fewer registered authors in and 527 fewer authors receiving payment 2018/19 compared with what would be expected under the old program.
- There were 20,524 fewer eligible titles than expected, and 13,452 fewer titles receiving payment than expected.
- Even if only the actual change and normal attrition is taken into account, about 10,000 books previously receiving payment were excluded under the new policy.⁴
- As has been noted, the average number of titles per author receiving payment has gone from 5.0 to 4.4, reversing a thirty-year trend.

³ In Table 1, the differences between (a) the number of Registered Authors vs. those receiving payment, and (b) Eligible Titles and those receiving payment, are due to factors such as the recent exclusion of titles over 25 years old, the exclusion of titles that have not been located in the past five years (formerly 10 years), because payments to the author did not exceed the \$50 threshold, or due to the passing of the author.

⁴The actual drop in titles receiving payment between 2017/18 and 2018/19 was 11,102 titles, some of which would have been excluded from PLR for the reasons in footnote 2.

6. DOING BETTER: EQUITY AND ACCESS TO PLR

Access in the Provinces and Territories

A fundamental question for a national program like Public Lending Right is the extent to which it reaches creators in all provinces and territories. A second factor is the extent to which differences are due to differences in the writing and publishing communities across the country, or whether these differences are due to access to information, belonging to national networks and regional networks that provide a pathway to PLR, local mentoring, and knowledge of others involved in the program. The number of authors receiving PLR payments by province and territory is shown in Table 2.

Table 2

Authors Receiving PLR Payments by Province and Territory, 2017/18			
Province/Territory	Population	Authors Receiving PLR	
		Number	Per 100,000 pop.
Newfoundland and Labrador	519,716	285	55
Nova Scotia	923,598	756	82
Prince Edward Island	142,907	97	68
New Brunswick	747,101	486	65
Quebec	8,164,361	7,771	95
Ontario	13,448,494	6,521	48
Manitoba	1,278,365	506	40
Saskatchewan	1,098,352	389	35
Alberta	4,067,175	1,032	25
British Columbia	4,648,055	3,023	65
Northwest Territories	41,786	18	43
Yukon	35,874	31	86
Nunavut	35,944	2	6
Canada Total	33,476,688	20,917	62
Outside Canada		648	
Total - Canada, International		21,565	

Source: 2016 Census of Canada and Public Lending Right Commission 2017/2018 Annual Report. The median, or "mid-point," for those receiving PLR in the provinces and territories is 55 authors per 100,000 population.

There is no good single way to measure PLR's ability to reach authors across the country on an equal basis, despite the local differences. One admittedly limited indicator is the number of authors per population that are receiving payments in the individual provinces and territories. According to the PLRC Annual Report, 62 Canadian writers per 100,000 population received payment for titles in the sampled libraries in 2017/18. The information in Table 2 shows strength in some parts of the country, but there are also "red flags."

- The Atlantic Provinces are close to or above the Canadian average, and range from 55 writers per 100,000 population in Newfoundland and Labrador to 82 in Nova Scotia.
- The high of 95 writers in Quebec may not be a surprise given the strength of the cultural sector and the number of creators, but it is also likely that PLRC marketing, and networks like Union des Écrivaines et des Écrivains Québécois have played an important role in Quebec writers' success in accessing the program.
- The Ontario number (48/100,000) is lower than the national rate, and slightly below the 55 author median for the 10 provinces and three territories. This could be due to the size and diversity of Ontario and the fact that a few additional authors can have a substantial impact on rates in smaller provinces. Still, it raises the question of access outside a few major centers or in certain population groups that may be on the margins of the larger writing community.
- British Columbia has a robust and diverse writing community and is just slightly above the Canadian rate at 65/100,000 BC writer receiving PLR payments.
- There are two "flags" that suggest issues in accessing PLR that go deeper than the number of writers or differences between local writing communities and the rest of Canada. First, the numbers in all three Prairie Provinces are substantially below the national rate of authors receiving PLR payments. The numbers are 40, 35, and 25 writers per 100,000 provincial population for Manitoba, Saskatchewan, and Alberta, respectively. The Alberta numbers are particularly low: Alberta authors were receiving payments at less than half the rate for Canada, and less than half of the more conservative median (55/100,000) as well. Even with such a rough measure, there is clearly a significant gap between what one would expect and the actual uptake for the program on the Prairies. There may be an impact of the number of writers in smaller cities, and rural, northern, and First Nation/Métis communities, and people in the Inuit community.
- The second "flag" is the very low rate in Nunavut where only two authors received a PLR payment in 2017/18. A search of writers from Nunavut shows that more writers and creators in the territory should be reached by the program. The Yukon and NWT had 31 and 18 authors receiving payment, respectively. More work is clearly needed to reach authors in NWT and Nunavut. There are likely other factors including the importance of the oral tradition, rather than the book, which is the form that PLR is based on. Even so, there is a gap if one only considers book authors. One question is: which libraries in the territories will be included in the expanded approach to sampling and will this will improve the number of

hits by authors? The new opportunity for writers should be promoted and the impact in the territories should be monitored.

The kind of data in Table 2, which is essentially a per capita measure, is only an indicator of the general trends with respect to issues like equity of the PLR program across the country. The numbers don't measure fairness in any absolute terms. They do indicate, however, that writers in certain provinces have been very good at accessing payment under the program while challenges remain on the Prairies and in the territories. The numbers in Ontario are difficult to interpret, but there is an unanswered question as to how well authors are accessing the program, or whether the numbers simply reflect the size and make-up of the population.

Promotion of PLR, Access by Indigenous Writers and Others

The following statement by Task Force member, Norma Dunning, reflects some of the barriers encountered by Indigenous writers, despite the explosion in Indigenous writing and publishing in mainstream publishing, and its impact on the literature of Canada. It reflects a combination of the institutional barriers still encountered despite the profile and demand for books by these authors. It can't be assumed that information about PLR and other programs will happen naturally. The Commission needs to consider how the program is promoted in Indigenous writing and arts communities. The responsibility does not end there, however. Organizations like the Union and its sister national and provincial organizations need to consider what they can do through the information they provide to members, and through writers' personal relationships with members. Some of the issues raised by Dunning apply to many other writers.

There is no better time to reach out to authors not currently registered for PLR or Access Copyright than the publication of a book. Both Indigenous and general publishers could be effective at promoting these kinds of programs—especially to new writers or those outside the traditional writing communities. The same could be said for authors of e-Books, who may not be aware of their eligibility as a result of the recent changes. It is recommended that PLR work with publishers and their organizations to refresh efforts to promote PLR among their new and current authors.

On Public Lending Right and Indigenous Writers

Norma Dunning, Task Force Member

I was not registered in the PLR program until I was first made aware that such a program existed on the first conference call. I was completely uninformed that the program existed at all.

I am not sure where the responsibility of informing an author lies. Is this something that a publisher should be telling the author? I did fill out the forms via the CCA website after the first call.

I felt that if I was unaware, how many other recently published authors are also not aware? I have a young writer friend who published this year. I contacted him and told him to fill out the PLR forms ASAP and to also get himself registered with Access Copyright. He was also unaware of PLR or Access. Again, who is responsible for informing us as writers?

I have learned that the life of our published works is what we create for them as their guardians and it is very much up to the author to make sure that we give our work their best lives. No one is going to do that for us.

I will also say that as an Aboriginal author my work is even less visible in many bookstores and Aboriginal content overall in the big box stores is very limited. Usually one shelf.

I do have an understanding of how giving a book only 25 years of life is not at all fair, regardless of projected numbers or possible outcomes. I do not think that older, more published and established writers should be expected to take a back seat to the younger generation of writers who are coming up. I believe we earn our way and regardless of our age our books and hard work deserve to live on long after we do.

I will say that as an Aboriginal writer that I believe my work is needed by mainstream audiences in hopes of informing them on topics that remain very hushed within our country. It is amazing that Aboriginal truth can be couched as fiction, but readers will take that 'fiction' in and give it thought and I believe that is all we ever want as writers regardless of race or ethnicity.

We have to consider the good that our words do. The work that they are for us and the passion that drives each of us to continue writing. Writing is a sickness that can't be stopped. We simply can't help ourselves.

And yes, money is needed even if that money buys some food one week and no, artists should not be people in the state of starvation. Nor should we be a population of artists who are pitted one against the other based on our longevity and the limited longevity of our books.

7. SUSTAINABILITY

When the first cheques went out to authors in 1987, the Public Lending Right budget was \$2.7 million, or \$5.4 million in today's dollars. The budget was increased to \$12.2 million in 2018/19. The increase scheduled for 2019/20 is another \$2.5 million, which will raise the total budget next year to \$14.7 million. In 2019/20 the budget will have increased by 2.7 times since the program started, when inflation is taken into account. In the meantime, the number of registered writers is now four times what it was when PLR started. The funding gap that developed as a result of the increase in the number of writers and their books has been partly, though not completely addressed. In 2020 most writers will benefit from the second part of the \$5 million increase to PLR funding. This is a significant improvement, but it does not fully address the losses described, nor the elimination of the estimated 10,000 older titles this past year. Inflation accounts for about one-third of the cumulative PLR funding gap.

Future funding must grow incrementally to reflect the future demand on the PLR program. The clear reality is that the number of authors and books in the system will grow by about 2%, or 1,700 new titles receiving payment each year. There is no question that the new investment in PLR is substantial. In order to be sustainable, however, the program must be allowed to grow incrementally at a rate that fully accounts for the increase in titles and the effect of inflation, which has eroded program budgets over time. We must do better than the boom-and-bust cycles PLR has been subject to in the past.

APPENDIX

TWUC Public Lending Right Task Force Mandate

This (TWUC-based) Public Lending Rights Task Force will review the impact most recent changes to the PLR Program will have on writers, including, but not limited to the elimination of payments to books more than 25 years old. These changes will be reviewed in the context of the original intent of the PLR program. The review process may include surveying the membership about the impact of the changes to the PLR program on them as writers, as well as its impact on the sustainability of the program. The Task Force will attempt to identify alternative solutions to the challenges facing the PLR Program. The Task Force will provide a report to the National Council in the spring of 2019. The Task Force will provide a report on its findings to date (and possible recommendations) to the membership at the 2019 AGM. Further, an attempt will be made to share the Union’s findings and conclusions with the PLR Commission.”

— *Approved, TWUC National Council, November 2018*

TWUC Public Lending Right Task Force Members

- Chuck Bowie
- Norma Dunning
- Mia Herrera
- Bruce Rice
- Harry Thurston