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PROFESSIONAL WRITERS WELCOME SUPREME COURT DECISION

The Professional Writers Association of Canada (PWAC) is very pleased with today's Supreme Court of Canada decision in the class-action suit ***Heather Robertson, et al. v. Thomson Corporation, et al.*** The judgment states:

"The central issue on this appeal is whether newspaper publishers are entitled as a matter of law to republish in electronic databases freelance articles they have acquired for publication in their newspapers — without compensation to the authors and without their consent. In our view, they are not."

Today's ruling in favour of freelance writer and longtime PWAC member Heather Robertson has upheld freelance writers' ownership control of the work they produce (a fundamental tenet of copyright law), and helped to clarify the legal position of independent media workers in their contractual relationships with clients. Ms. Robertson's class-action suit sprung from a dispute with *The Globe & Mail* newspaper over the reuse of her freelance work in certain online databases, a use Robertson insisted she had not contractually permitted and for which she was not compensated.

"It is never pleasant to take a respected business partner to court," commented PWAC President Suzanne Boles, "and Heather Robertson put her career on the line for this class action. She has done heroic service to the business of writing in Canada."

"In the last decade, Canadian media have increased their reliance on freelancers to produce the content they use," added PWAC Executive Director John Degen. "The Supreme Court has now clarified the position of creators under copyright law, and the position of an important and growing media sector – the independent contractor."

Full details of the decision can be found at the Supreme Court website (at <http://scc.lexum.umontreal.ca/en/2006/2006scc43/2006scc43.html>)

"Freelance writers have always seen themselves as equal partners in the business of media in Canada," said Boles, "and this ruling will allow the entire industry to move forward with a positive understanding of writers' rights. We've reached a new starting point today."

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