

WRITE

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Writing Rights

Competing Appeals, and the Will of Parliament

By John Degen



By the time you're reading this, the Supreme Court of Canada (SCC) will — hopefully — have decided to hear the appeal of Access Copyright in their longstanding copyright case against York University. In fact, the highest court may very well have decided to hear arguments from both Access Copyright and York University because, as the case stands right now, neither party is happy with the results of the latest lower court decision. We are fully in the weeds of copyright law and Canada's regulatory structures, struggling to find a way forward.

Access Copyright vs. York University has been before the courts since 2013. It now represents hundreds of millions of dollars in lost revenue for the writing and publishing sector in Canada. Our side of this case has been starved of that earned-income for all this time, while the education sector recklessly gambles on a growing copyright bill they could easily have afforded had they paid it when it first came due. The stakes are extremely high.

Should the SCC decide to hear one or both appeals, we're all looking at another two years of legal wrangling before we get a final decision. That puts us at a full decade waiting for our legal system to tell Canada's writers that the work you create is your

property, and you have the right to set a price for it. The delay has been interminable and unconscionable. It has also been completely unnecessary.

The first principle of Canada's Copyright Act is this: "*copyright*, in relation to a work, means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatever..."

The law literally exists to say you own the creative work you produce. Parliament long ago passed this Act because Parliament wanted you to own your creative work. It is in the broader interest of society that you own your work and that you can earn from it. That's what Parliament wants. And yet, here we are, waiting on the courts to sift through technical arguments by folks who don't want to pay you when they use your work.

The Union has been deeply engaged in this court case from the very beginning, and we will see out the SCC appeal process as well. But another part of our work on this file is to remind the folks in Parliament that they are, in fact, law MAKERS. They can, and should, clarify the Act so that its first and essential principle cannot be stalled in the courts for decades at a time.

Editor's Note

By Rhonda Kronyk



In the last issue, I wrote about looking for good things in 2020. As I put this issue together, I noticed that it is full of good things that made me contemplate how we can focus on positives even in the midst of upheaval.

Two features show us how to creatively incorporate physical distancing into our work. Conferences and book launches, two mainstays of our industry, have been cancelled or turned into online events. Yet, as contributors Bill Arnott and Sharon Berg point out, that can make events more accessible and help us reach wider audiences. It may not be the same for those who love the collegiality of face-to-face gatherings, but digital formats are a welcome change for those who cannot attend in person.

The Dispatches section shows us that we can rethink how we publish books, how finding your writing wings can be challenging but possible, and that we all translate our writing — even when

we write in or speak one language. Imagine the possibilities for your own work as you read these articles and let your brilliant creativity soar.

Both our Industry and Member News columns demonstrate that, while our industry has taken a hit this year, it is by no means in danger of disappearing. Book launches continue, new in-residence positions and awards are being created, bookstores are opening, and segments of book sales and library use are rising. These should give us all a boost of confidence about our future as writers.

There is no denying that the publishing industry is facing uncertain times. Yet, as you read this issue, I hope you are encouraged to persevere and look for your own good things. After all, we haven't stopped writing, reading, or expanding our conceptions about this vital industry.



Virtual Festival: Literature's New Normal

BY BILL ARNOTT

It was morning where I was, overlooking Canada's west coast, evening for pals in Europe, and teatime for another few dozen author buddies around the U.K. Together we were recreating, virtually, a literature festival held in Britain each spring.

This partial iteration took place via Zoom, a collection of writers and poets and one librettist, the man we love who began this festival years ago — the in-person version.

Imagine if you will, a group of writers and our inspiration, the librettist, gazing into monitors from living rooms, kitchens, and in my case, tucked in a Harry Potter-like closet off our entryway, clothing pushed out of frame. We live, you see, in a space the size of a hotel room — a queen-sized bed, bath, and my closet-cum-conference-room/performance space. I had earbuds with mic on, my feet wedged amidst out-of-season footwear, ready for a lit fest like no other. Most of my festival friends — who were eight hours ahead of me — had their G&Ts, while I, at 11 a.m., not wanting to feel excluded, clutched a juice glass of morning Malbec. Prior to this, I didn't know such a thing existed. Turns out it does and may, I suspect, catch on.

THE PAST

Normally these events occur annually in St. Ives, Cornwall — England's southwest corner, near Land's End and Penzance — the end of the line for rail and bus and, obviously, where pirates come from. Each day for the week-long festival, this eclectic group converge for paid evening readings and free public events in a tiny park called Norway Square, a pocket of windswept greenery with peekaboo views of the Celtic Sea. I'm one of a number of "regulars" who hail from everywhere, descending on this destination to share, perform, and socialize with fellow writers. The energy's relaxed and inclusive. Something hard to find, at times, elsewhere.

The locale that traditionally holds this festival is a venerable wood structure leaning slightly over the ocean. The building is the St. Ives Arts Club. The water, St. Ives Bay. The first time I entered the venue, it was a miserable, late winter night — dark, cold, wet. I'd made some perversely discomfiting commitment to myself that I'd read my

poetry in this special place, the way some might vow to one day grace a stage at Carnegie Hall. My wife, Deb, accompanied me because she's kind and supportive. So rather than spending a cozy evening in front of the purr of BBC TV — country getaways or titillating murders — we instead braved the elements to see who-knows-what, plus me, reading newborn writing, ink still damp on paper.

There were six of us: Deb and me, librettist Bob, a European actress, a songwriter from across the peninsula, and a man named Shanty who delivered 15 exceptional minutes of *Beowulf*, which he did not read. The man *knew* his *Beowulf*. Still does, I'm sure. And could, no doubt, do the entire thing given the chance. But all I knew was that an artistic bar had been set. The people — strangers at the time — welcomed us wholeheartedly. Yet I felt if I were to *truly* fit in, I too needed to *learn* my work.

Perhaps what I love most — above and beyond the kind-hearted people and their significance to my growth as a writer — is the venue itself. This unassuming structure was where the very first motion picture was played. Before Edison was ripping off copyrights across the pond, here in remote England some guy in the late 1800s played a film of a galloping horse on the wall of this building. History in real time, albeit jumpy black-and-white vignettes.

Bob addressed the room, explaining that given the architectural limitations of this ancient structure of resin-soaked timber with a lone stairwell and emergency-exit ladder dropping to seaside rocks, in the unlikely event of a fire, to please ensure we made the most of the evening! And with an uncomfortable laugh and glances at each other (*surely I can reach the ladder before the septuagenarian with a bum hip*) we got on with the show.

THE PRESENT

The setting may have changed this year, but even in the virtual version, there's a host or moderator. And, of course, in a group of any size someone invariably overrides their mute and we find ourselves listening to a poem or passage overdubbed by the unending crinkle of a packet of crisps. To which I hastily type my thoughts into the chat stream (*Hey pork rind, shut the hell up!*) before deleting it all with a heavy sigh and instead say nothing.

With a touch of the familiar, this year's festival kicked off with our spoken word master, a mentor to most of us, akin to an endless dock where eager boats berth then launch into surf without a compass, just intuition and trust in a guiding north star. In this case, our polar sensei's name is Bob. Bob, you see, *knows* his work. He's learned it, but it's not just memorization. We can rattle off a national anthem or perhaps recite a prayer without inherently knowing them, lacking the ability to breathe fresh nuance into each performance based on room, audience, accompaniment. *That's* knowing your work. With Bob's guidance, encouragement, and a few hundred hours of effort, I now have a few compositions of my own — prose, poetry, and spoken word — under my belt. Work I'm proud of that's fun to share. One of these was my contribution to our first virtual gathering. Our collaborative showcase — the equivalent of a small portion of the usual festivities — played out in a lively if somewhat displaced manner, that fascinatingly weird way online get-togethers simultaneously connect and dislocate.

This time around, however, collectively Zooming in from kitchen nooks and drawing rooms, like all of us, I wondered what the future has in store. How normal will define itself in a week, a month, a year. And when, or if, we can do this again, in person. This digital version was ad hoc — grassroots and organic — and for that reason typically unsponsored, without ticket sales.

Yes, we promote books and albums, create recordings for promotion and online sales, and apply for grants, but still we wait to return to what festivals like this have traditionally been — performances with ticket sales and artist pay along with a blend of free, voluntary events to promote the arts and foster accessibility. Meanwhile, conference organizers continue to explore future funding options for digital events. [The Writers' Union of Canada and the U.K. Society of Authors are determined to see no loss of remuneration for authors in the official shift to digital.]

THE FUTURE

This left me considering not only the challenges but the positives, opportunities revealed through this trying time, identifying ways in which we as writers not only benefit but can, in fact, thrive.

- *Connectivity*. Although online events may lack elements of the interpersonal, we are embracing healthy, safe, and cheap alternatives to gather with minimal environmental impact while reaching wider audiences.
- *Education*. The same sense of lack that drives ingenuity has fostered adaptability, incorporating tech throughout the arts. Public and private financial incentives for digital interpretations of analog work have been created. Even reclusive writers now broadcast their work through social media in lieu of live launches and tours.
- *Creativity*. Writers are innovatively sharing their work by partnering with traditional sponsors, venues, residencies, and reading series, blending pre-recorded work with live, interactive events and presentations that utilize multimedia production and promotion.

Following our virtual festival, I asked novelist Gray Lightfoot to share his perspective of the current environment. He relayed a conversation he had with a fellow writer who explained, "For particularly vulnerable individuals, virtual events are our only outlet, especially for those of us with mobility issues or who are uneasy in crowded places but who still want to share and be heard." Previously they wouldn't or couldn't participate. Now they can. And do.

I posed the same query to resident participant George Dow, who explained that there's a kind of beauty to Zoom events that "create a welcoming destination where writers, poets, and musicians are pilgrims, able to gather with ease — our virtual destination a place of creativity certainly, but also of kindness, encouragement, and inclusivity."

Now, for each of us, once more a bar's been set, this time embracing technology. In spite of challenges, artisans have leapt in to flatten not only viral curves but learning curves. Utilizing hardware and software with open-mindedness guarantees events like this will continue, ensuring we as artists can not only share our work but earn money while overcoming uncertainty and unfamiliarity, bad mics, unfocused cameras, and dodgy Wi-Fi. Despite all this, perhaps because of it, we persevere with the same tenacity with which we pursue and hone our craft, a safety net of courage and community, in our small way making the world a better place.

Author, poet, songwriter Bill Arnott is the bestselling author of Gone Viking: A Travel Saga, Dromomania, and Wonderful Magical Words. His poetry, articles, and column-series, Bill Arnott's Beat, are published in Canada, the U.S., U.K., Europe, Asia, and Australia, and he's the producer of Bill's Artist Showcase. billarnottaps.wordpress.com

Dispatches

NOTES ON THE WRITING LIFE

PLATFORMS /

How Wattpad Transformed Storytelling for Me

BY BRANDON WONG



Netflix. Google. Wikipedia.

Other than their enormous net worth, what do these platforms have in common? The answer: their ability to change the way people find and absorb content.

In the mid-2000s, a Canadian company called Wattpad was founded with the same revolutionary vision “to change the way we share stories.” For fourteen years and counting, that was exactly what they have done.

I joined the Wattpad community in the summer of 2015 as a fresh-faced teenager several months removed from high-school graduation. At that time, writing was neither an interest nor a skill — the C+ earned in my first university class several months later could attest to that — but summer boredom made me look for new reading material; I had always enjoyed reading in my spare time. A quick online search brought me to Wattpad, and I was immediately hooked by the first story I found. The narrative was light, entertaining, and belonged to a voice unlike any author I had read. The author profile indicated that the mastermind behind the story was a seventeen-year-old girl from Malaysia. My competitive side set in and my first thought was, “If she could do it, why couldn’t I?”

So, I started writing.

My first chapter’s original draft was crude, but it was still better than anything I had ever penned in high school. Writing on Wattpad was easy as I could type on my laptop or my phone so I could jot down every bit of inspiration. The real magic didn’t happen when I saved my draft, but rather when I posted it on Wattpad. The community came forward and helped me maximize

the potential in those first three thousand words. Fuelled by the advice of ten readers, I set out to refine the chapter as a starting point for a full novel.

One of the greatest things about the digital platform is its reach, and, in turn, the quantity of feedback. Wattpad boasts over eighty million monthly users worldwide, and that translates into a wealth of information for writers to tap into. Add in the accessibility factor where users can read stories from the convenience of their phone, and exposure levels can soar. Those ten reads on my novel became one hundred, then one thousand before eclipsing the nine million mark by the time of this writing. Continuous feedback led to continuous improvements, and the story earned me several opportunities: an award on the platform; a chance to create content for partners such as Warner Bros, AT&T, and National Geographic; and features in local media such as CBC Radio and Citytv. Ask my 18-year-old self if my five-year plan included writing as a permanent fixture — or even temporary for that matter — and the answer would have been a resounding no. Yet here I am, and this journey is in no small part thanks to Wattpad and its community.

Every platform has its limitations, and that is no different for Wattpad. With millions upon millions of stories in its catalogue, it can be difficult to break out of the clutter. As readers lean towards proven stories with a high read-count, the initial climb to prominence can be slow and often discouraging. Furthermore, a predominantly younger audience skews data in favour of certain genres. Teen fiction, romance, and fan fiction perform exceptionally well on the platform, while horror, nonfiction, and short stories represent a few genres that typically experience lower levels of traction. One problem that writers on Wattpad, or any other digital platform for that matter, could experience is plagiarism. Some writers find their works on mirror sites, or even replicated and sold on Amazon. Such occurrences are uncommon but do exist and require diligence on the writer’s part to prevent losses.

Having been on the platform for almost five years now, I would argue that the pros of Wattpad far outweigh the cons. A platform that allows all to share their voices, connect with like-minded individuals, and aim for traditional publishing opportunities à la Anna Todd and Beth Reekles is certainly living up to its mantra.

Wattpad continues to change the way we share stories.

Brandon Wong is an Edmonton-based writer on the online platform Wattpad. His works have been read over nine million times in more than a hundred countries. He has appeared at various events including Youth Write and Edmonton Expo to promote online writing and social storytelling. The Bachelor of Commerce graduate is looking to shift his unorthodox writing path to traditional publishing. Connect with Brandon on Twitter or Instagram at @brandonwongo48.

On Publishing in Accessible Formats

BY AMANDA LEDUC



On February 11, 2020, my second book, Disfigured: On Fairy Tales, Disability, and Making Space, was published by Coach House Books.

Disfigured is an accounting of my own journey as a disabled woman with cerebral palsy as well as a deep dive into the history of fairy tales and their ongoing hold on the cultural imagination. It was also, thanks to a partnership between Coach House, the Centre for Equitable Library Access (CELA), and the National Network for Equitable Library Service (NNELS), the first book in Canada to be published simultaneously in print and a number of accessible formats.

Traditionally, we think of *publication* as being synonymous with the production of a physical book — and, in recent decades, with the production of audio and ebook formats. But these formats are often inaccessible to the approximately three million people in Canada who live with print disabilities. (Print disabilities covers a wide range of conditions and can refer to those who are blind or visually impaired, those with physical disabilities that make holding a book difficult, those with dyslexia, or those with impairments relating to information comprehension.) When a book is published, it can take six months or longer for it to be made available in accessible formats, if at all, which means that readers with print disabilities are at a real disadvantage when it comes to book conversations and culture. CELA and NNELS work to rectify this inequity by ensuring that books in Canadian libraries are produced in accessible formats. Users with print disabilities can log on to the CELA and NNELS websites and enjoy a library of over 850 thousand books and other reading materials.

I was first introduced to CELA's work through my work with the Festival of Literary Diversity (FOLD). Several years ago, CELA came on board as a FOLD partner, ensuring that the books by festival authors in any given year were made available in accessible formats. In the months before *Disfigured* was published, I reached out to CELA to inquire about the possibility of making my book accessible right from publication. Since it was, at its core, a book about how disability is shaped by social perception and lack of access, it seemed only right to ensure that the book be *born accessible*: a testament to the ways in which we as a society can work together to ensure accessibility for all — not as an afterthought, but as an intrinsic feature from the very beginning. In a first-of-its-kind partnership between CELA and NNELS, and with the enthusiastic support of Coach House Books, *Disfigured* was released simultaneously in print, accessible EPUB, Braille, ebook Braille, Digital Accessible Information System (DAISY, which allows additional accessibility features to be included in an audio recording), accessible PDF, and audiobook.

As a writer, this was a valuable lesson for me as it showed that accessibility truly is possible when there are dedicated individuals advocating for this kind of publishing equality. In the weeks after *Disfigured's* publication, CELA was inundated with requests from other authors to make their own books accessible — an advocacy that I am proud to have been a part of and dearly hope continues. As a reader, I am encouraged to see developments like *Disfigured's* publication existing alongside funding streams specifically created for accessibility, such as the \$22.5 million set aside in 2019 by the Department of Canadian Heritage specifically for digital accessibility initiatives in publishing. Set to be distributed through the Department's Canada Book Fund over five years, the fund will provide money to publishers looking to produce accessible titles. Similar funding initiatives are also available through the Canada Council, and the availability of sites and collectives like Accessible Publishing Canada are a testament to the ways in which the Canadian publishing industry is looking toward this kind of change.

It's a change we all should welcome. Books for all, in whatever way readers want to access them — the dream of every writer and reader alike.

Amanda Leduc is the author of Disfigured: On Fairy Tales, Disability, and Making Space (Coach House Books, 2020) and The Miracles of Ordinary Men (ECW Press, 2013). Her next novel, The Centaur's Wife, will be published by Random House Canada in February 2021. She has cerebral palsy and lives in Hamilton, Ontario, where she serves as the Communications and Development Coordinator for the Festival of Literary Diversity (FOLD), Canada's first festival for diverse authors and stories.



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