

**Subject:** Hazel Edwards' Personal Submission for Copyright and the Digital Economy

Copyright and Statutory Licences.

I'm aware this is not in the legal format of a submission, but frankly many creators are too busy trying to make a living, to tackle filling in any more forms, unless it is a matter of survival. Longterm, creators need to be able to buy the time to create even more significant work which will solve problems for others in our society. Today they need to eat and pay the mortgage. And they deserve recompense for their work.

Re: The issues which concern me as a practising creator ( and ex teacher) who needs to make a living and who has a big backlist with some rights reverted titles and an online bookstore of my own re-published e-version books :

My recently published print and e-book 'Authorpreneurship;the Business of Creativity' (Keesing Press/ ASA) covers many of these issues from the creator /business perspective. There's a need to clarify who owns which rights. Increasingly difficult to sort out with multi-media works and e-books never being out of print. Who should be paid for use of those works is frequently based on out of date listings, giving only the name of the original print publisher and ISBN. Difficult to update some sites like Amazon who will not accept an author website as a (re-) publisher, even with a new ISBN and new formatting. GALE recently sent me a list of my bibliographical works being used by schools in the USA and many linked to old publishers who no longer held those rights, I predict that more mid-list and well published authors will centralise their works for sale from their own sites, in varied formats, some free and some requiring payment.

Currently statutory licences appear to be an interim way in which creators can gain income from their efforts. Maybe some form of 'tag' counter which goes directly to the creator on each use will be invented in the future, but meanwhile...

1. The speed with which technology can copy, means royalties are an out-moded form of recompense to creators for their original works. Moral rights are another issue.
2. The 'legalese' of the ways in which terms are defined concerns me. Education depts seem to be able to redefine what are 'exceptions' and so it's easy for an author to agree to something and then find it has been reclassified and there are adverse implications for creators. e.g. 'free' use for remote students of 'copied' webchats or literary festival content for which a single speaking fee was paid. Often these are extracted out of context and widely copied on new digital devices.

e.g. a contract for festival speaking issued after the event which specifies that the content can be used widely within other educational campuses.

3. The philosophical dilemma of supporting literacy for students which is a 'feel good' area and then finding that well funded govt depts are widely using material created by individual authors at the author's expense. So a system of checking via licences could help, but the process needs to be publicised because this generation of students assumes that any content used freely within the school or university( who have paid a licence) is also free to download elsewhere. The concept of paying for ideas is being lost. So don't just license, tell people in NON LEGAL language what you are doing and why.

4. Librarians and educators are not the enemy of authors but often they do not understand the implications of the precarious financial state of creators who will NOT be able to continue producing 'quality content' without a fee and so the statutory licences are one form of a general /group payment. The issue of Overdrive monopolising sale of e-books ( little Australian content) into public libraries via their licensing , also reduces possible sales for small Australian creators of content.

5. Importance of the author website as a shop front window and a centre for teaching resources, discussion notes and 'extras' which are so valuable for teachers. Often an author has been print published and then consolidates these resources on the one site. Need for recompense, hence predict more e-book stores on author sites in future. This is NOT vanity publishing. But issues of distribution are vital for Australian content.

6. My website [www.hazeledwards.com](http://www.hazeledwards.com) is an example of trying to provide a mixture of educational resources ( how this book was researched and written as well as curriculum links), a regular newsletter with a feature article available for copying and offering e-books for sale as well as mentoring hints and links for new creators. All contribute to Australian culture and to the educational sector. Even after two years of an online bookstore, this website is not self supporting from book sales from this site. ( Maintained by my marketing manager daughter who e-mentors me ) So the fees from statutory licences and PLR and ELR are significant. I hope that digital lending rights will eventually be paid, in order to encourage creators to keep producing the imaginative content which is used elsewhere in Australian industries, many of whom rely on authors as primary producers.

7. I have written a few other articles or been interviewed on similar issues and many are linked on my website:

[http://www.hazeledwards.com/page/interviews\\_with\\_hazel.html](http://www.hazeledwards.com/page/interviews_with_hazel.html)

[http://www.hazeledwards.com/page/teacher\\_resources.html](http://www.hazeledwards.com/page/teacher_resources.html) and you may find the archived newsletters relevant for the feature articles, especially on e-books.

<http://www.hazeledwards.com/page/newsletters.html>

Hazel Edwards

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Professor Fred Hollows(Aussie Heroes)

f2m:the boy within