309. A and E Horsfield

**From:** Alan **Subject:** Submission: Response to changes in Copyright Act

Attention: The Australian Law Reform Commission

 We are very concerned about the suggested Copyright reforms especially the intention to repeal of statutory licences that currently allow educational and government use of copyright content in return for fair payment to writers, artists, publishers and others.

We are almost wholly writers of educational material, including children's fiction and educational resource material for students and teachers. Much of it is in hard copy but some is available on the net. We are retirees (both in our seventies) with insufficient income from from our Super funds (thanks to the GFC) to maintain a reasonable standard of living. We resorted to writing in an attempt to make up the shortfall. As ex-teachers educational writing became the obvious path to follow. Our workloads vary throughout the year but many hours each week are put into finding material and creating material often for very little direct or immediate pay. Work experience with the UNSW Educational Testing Centre developed skills that have contributed to some of our success in the educational writing field.

Income is derived through various channels including creating education books, writing resource material for school assessment companies and workshops with adults and students. At least one-third of our present income comes from copyright sources. This varies from year to year. Since the time when educational institutions could not use published work without payment our copyright payments have been an important component of our income.

The introduction of a new ‘exception’ (known as ‘fair use’) that would allow uses of copyright content without permission, including for business purposes does not seem, in any way, fair to creators of material. It is all a bit one sided. Should the interests of commercial and technology companies and their advocates override the interests (and income) of creators?

The present situation appears, to us to, be fair and equitable. Replacing the system with a 'voluntary' licensing proviso would open up the whole copyright issue to misuse, mismanagement and direct flouting of the individual's and the institution's moral obligation to respect the creator's intellectual property.

Alan and Elaine Horsfield