Paul Kiem

Teacher, Author, Publisher (History Teachers’ Association of NSW)

**SUBMISSION TO THE ALRC INQUIRY ON COPYRIGHT**

I would like to offer a number of comments in support of the current arrangements we have in Australia for administering copyright law. I do this with the insights and interests of someone who sits on both sides of the fence. As a history teacher, at both secondary and university level, I ‘copy’ extensively. Teachers are on a never ending quest for ‘content’ and absolutely reliant upon the ability to access and use it freely. On the other hand, I am also an author and publisher and very conscious of the expense and effort involved in producing the quality content that the education sector uses.

My experience of the current arrangement is that it works:

* Teachers have easy access to content and can engage in widespread copying for legitimate purposes. Importantly, they can do this without having to satisfy any onerous administrative procedures. And they can do this with an easy conscience, safe in the knowledge that Copyright Agency surveys will eventually ensure that creators receive fair recompense.
* As a long term author and publisher for a professional association I have been very satisfied with the way Copyright Agency monitors copying and distributes the resulting income.

While the digital economy may have created more challenges for the administration of copyright law, I would suggest that the current arrangement is particularly appropriate for print material. Any proposal to implement change would need to take account of the following significant concerns:

* Busy teachers have a limited understanding of copyright law and any attempt to impose greater administration on copying is likely to be met with very uneven compliance. The result is likely to be no decrease in the amount of copying but a significant decrease in acknowledgement of that copying.
* If copying is not acknowledged then authors and publishers will lose income. This will be contrary to the principle of respect for authorship and creation and ultimately must result in a shrinking of the Australian creative economy, where much publishing is financially marginal and only made sustainable by the current Copyright Agency payments.
* I have a particular concern with my own situation as publisher for a professional association. We have a unique role in producing quality material at low cost to resource courses and topics that are not viable for commercial publishers. Our publications are produced at or below cost. The only profit we can rely upon is from the Copyright Agency payments. It is this income that allows us to fund a wide range of other activity that supports teachers. Losing this income would have significant implications at the very time that there is increasing focus on the value of the collegial work our association does. I imagine that there are many small organisations in a similar situation. (Incidentally, one of the things that the Copyright Agency surveys do is to provide us with feedback about the value placed on our publications.)