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**From:** ALRC

**Subject:** Online submission to DP79

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Proposal 4-1:

Proposal 4-2:

Proposal 4-3:

Proposal 4-4:

Question 4-1:

Question 4-2:

Proposal 6-1:

As an author, I create content - mostly in education - and receive some reward for the use of my time and sharing of my expertise.

I develop something from nothing using my time, creative skills and knowledge and my material is my intellectual property. I own the copyright in my material and I expect people who use it pay for the time and effort I have expended on my creation.

The education sector is suggesting voluntary licensing. This will have a significant effect on education publishing in Australia.

Currently, the market for education books in Australia is very small.  Consequently, royalties provide the author with payment of perhaps $2 per hour! While I have an altruistic motive for sharing my considerable experience in education, it is the licensing payments received over time which give any financial reward, albeit still well below the rate for which I would work in any other role. There are many world class educators in Australia who will withdraw from writing if licensing is withdrawn.

In addition, staff in schools (in which I have worked for over 40 years) tend to purchase books for the school to own and teachers to share, rather than each opurchasing their own copy. That attitude severely contracts the size of the education market.

Similarly, primary schools tend to buy shared resources rather than insist on texts for every student. This is because many parents will not buy the books, so the school will need to fill to void. It is one reason why the 'black line master' book has been so popular with schools. However, it means that a school owns one copy of the book, rather than each teacher or each student owning a copy.

The statutory licences that the ALRC is recommending be repealed are very important to me. Currently, if my work is copied and shared by teachers in the classroom, I receive a copyright payment from the Copyright Agency.

These payments are recognition of the value of the material I have created, using my time, skill and experience. Just as a supplier sells paper to a school for use in a photocopier, or a retailer sells laptops to a school, my work facilitates education. However, my 'product' is very difficult to protect from theft, by various forms of copying, and minimal puchasing through formal and informal leanding arrangements. In practice, that means that, perhaps, 1000 of my books are probably read by 5000 people.

The current system works very efficiently and quietly with very little administrative requirement from me. However, should the change proposed be made, how will I develop licensing arrangements myself? How will I track down copyright breaches? How will I prosecute breaches? How will I afford to mount a legal case? What compensation will I get for loss of income; to mount legal challenges or for the time it takes me to administer licensing arrangements?

I am a specialist in my field, I have little expertise in the intricacies of copyright law, nor the time to pursue breaches – no matter how concerned I am.

I completely reject the repeal of the very effective and fair Australian educational statutory licence system. Such a recommendation is a personal attack on my rights.

Question 6-1:

Proposal 7-1:

Proposal 7-2:

Proposal 7-3:

Proposal 7-4:

Proposal 8-1:

Proposal 8-2:

Proposal 8-3:

Proposal 9-1:

Proposal 9-2:

Proposal 9-3:

Proposal 9-4:

Proposal 9-5:

Proposal 10-1:

Proposal 10-2:

Proposal 10-3:

Proposal 11-1:

Proposal 11-2:

Proposal 11-3:

Question 11-1:

Proposal 11-4:

Proposal 11-5:

Proposal 11-6:

Proposal 11-7:

Proposal 12-1:

Proposal 12-2:

Proposal 12-3:

Proposal 13-1:

Proposal 13-2:

Proposal 13-3:

Proposal 14-1:

Proposal 14-2:

Proposal 14-3:

Proposal 15-1:

Proposal 15-2:

Question 15-1:

Proposal 15-3:

Question 15-2:

Proposal 16-1:

Question 16-1:

Proposal 16-2:

Question 16-2:

Question 16-3:

Proposal 17-1:

Additional comments?:

File 1:

File 2: