659. P Barker

From: **Priscilla Barker**

Dear Australian Law Reform Commission

I am a CAL member writing regarding your review of copyright, as its proposals are alarming to dedicated creators who have invested much time in developing quality learning materials. While there may be a perception amongst users that distribution of digital content should be free, quality materials certainly cannot be produced free of charge. Educators who are creative and passionate are prepared to work very hard to produce excellent resources, however the emphasis Universities are placing on research (over teaching & learning materials) combined with the potential demise of any copyright income threatens to force us out of the education sector. There seems to be a misconception that because we are so passionate about education that we should be prepared to work for free... but unfortunately our families cannot live on no income.

I am part of a team who have been developing a benchmark tertiary multimedia resource (initially CD-ROM based) for 15 years. The project has so far taken 70,000 hours and yet cost far less than it should have due to the creators' contribution has being undertaken *in addition* to normal teaching and research loads and *at the expense* *of* generating research grant income and thus promotion. There appears to be a common misconception in universities that royalty income (from multimedia products) should suffice instead of promotion.

Our team have recently incurred substantial programming costs to keep pace with the changing face of providing digital resources, so that last year, income from CAL monitoring use of materials via the Statutory Licence system was vital for ongoing development. This income stream was a real saviour to our project, is very minor compared with the cost of producing it and the threat of it ceasing in the upcoming year would be extremely detrimental to the completion of the project.

Please DO NOT GIVE IN to PRESSURE to match FREE SUBSTANDARD MATERIALS- we have an OPPORTUNITY to set a WORLD BENCHMARK in DEVELOPING EDUCATIONAL MATERIALS, and CONTINUE PIONEERING A BEST-PRACTICE COPYRIGHT MANAGEMENT SYSTEM to SUSTAIN IT!

The current Statutory License system is a fair and worthwhile system for both the user and the creator... and currently one of the *few incentives for dedicated creators to produce learning materials*. We value our work and deserve the same professional rights as others. If the ALRC wish to recognise and support good practice and innovation in teaching and raise the status of teaching and learning materials (as compared with research), they should retain the current system. Hopefully universities will be encouraged to follow suit.

I join the request of Copyright Agency Limited to maintain the current system. My colleagues and I hope for a speedy resolution and a bright future in education.

Sincerely, Dr. Priscilla Barker (PhD, BAppSci(Physio))

Co-author, An@tomedia: [www.anatomedia.com](http://www.anatomedia.com)

-----------------------------------------------------------

 I am an author /illustrator with more than 20 years’ experience. My intellectual property rights are vitally important to me.

 I strongly object to the ALRC’s recommendation to repeal the statutory licences, particularly for education and government, because it is an attack on my intellectual property rights; it will inevitably erode my income and will create uncertainty regarding the use of my content.

 My content is my property and I should be able to say how and when it is used. The statutory licence offers a benefit to me and to large users, such as teachers, as it removes the administrative burden of seeking individual permissions and negotiating licences as well as the issue of monitoring for infringements and enforcement costs.

 I do not work for free and therefore do not give permission for my work to be copied and shared for free.

 A reduction in income for myself and my creative colleagues, including publishers, will lead to a significant long-term downgrade in the quality of Australian cultural, educational and information content for students and the broader community. At the same time, the ‘winners’ in this equation will be the legal profession, who will be called on to prosecute breaches of copyright.

 In 2011, Australian copyright-based industries generated almost $100 billion in economic activity (7% of GDP), accounted for more than $7 billion in exports (3% of all exports) and employed almost one million people (8% of the nation’s workforce).

 The current statutory licensing system fairly remunerates content creators for the copying and sharing of their copyright material. If others, including schools, want to use my material, they need to pay for it. Do not repeal the statutory licences.

Dr. Priscilla Barker

29 July 2013

[www.anatomedia.com](http://www.anatomedia.com/)