

Statutory licences

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Respected Senators considering this matter:

I am a poet, librettist, and essayist - an artist who creates content for a living. I am a worker. I write unique original works using my time, creative skills and knowledge. My material is my intellectual property. I own the copyright in my material and I expect people who use it to pay for the time and effort I have expended on my creation. Not only do I expect to be paid but I rely on that payment for income.

The statutory licences that the ALRC is recommending be repealed are very important to me. 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. A supplier sells paper to a school for use in a photocopier – or a retailer sells laptops to a school. I sell my word-creations, and this is content that facilitates education.

The system works efficiently with 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. I would hardly be able spend time pursuing breaches – no matter how concerned I am.

I personally spent time in visiting schools, as a representative of the Australian Society of Authors, to gather information about the educational use of works by Australian writers. It was evident that huge use was made of photocopies of writing by novelists, playwrights, poets and educational writers in every field.

There was apprehension among teachers about the complexity of the labours they would have to undertake to keep records of copying, and by schools about the cost. These fears have proved groundless: the sampling system that was developed has largely removed labour from the individual teacher, and schools and universities, commercial firms and government departments, etc. have found it possible to work with statutory licences.

The creation of the educational statutory licence system was a notable reform. I cannot believe that this government will backtrack to a state of affairs that is not a workable system. Are artists and writers to be the only Australian workers to find themselves almost unable to gain proper payment for the use of their work?

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.

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