



AUSTRALIAN LITERACY EDUCATORS' ASSOCIATION

3 June 2016

Intellectual Property Arrangements
Productivity Commission
GPO Box 1428
CANBERRA CITY ACT 2601

Intellectual.property@pc.gov.au

Submission: Productivity Commission's Inquiry into Australia's intellectual property system

The Australian Literacy Educators' Association (ALEA) is an independent not-for-profit professional teacher association dedicated to literacy and English language learning and teaching from early childhood through all stages of schooling and tertiary education contexts. ALEA recognises the critical role literacy plays in learning and communicating in all curriculum areas, and for effective participation in society. The Association represents 5,000 teachers and academics through our 2,400 direct individual and institutional members.

ALEA provides leadership, advocacy for teachers, supports teacher professional learning and standards, and publishes and disseminates publications and resources specifically designed for Australian literacy educators.

ALEA achieves its objectives by showcasing effective and sustainable Australian and international practice in literacy education at our annual national conference and through a program of professional learning events that are held throughout Australia at a regional level.

ALEA publishes three journals, three times a year: the *Australian Journal of Language and Literacy* which is a highly regarded, peer reviewed research journal; *Literacy Learning: the Middle Years* and *Practical Literacy: the Early and Primary Years*. These latter two journals provide shorter reflections and examples of teachers' plans and students' assessment. The journals share current research, highlight trends in teaching and bring effective and sustainable international and national practice to the fore as well as showcasing classroom practice by Australian teachers and educators.

ALEA publishes occasional titles that are specific to the Australian curriculum and are created by ALEA members who are classroom practitioners or working with classroom practitioners. The Association has also produced resources in collaboration with the Australian Institute of Teaching and School Leadership, Education Services Australia, the Asia Education Foundation and Copyright Australia.

Income received from the Copyright Agency for copying and sharing of ALEA material is directed back into the production of professional learning resources.

The current Educational Statutory Licence system supports ALEA's commitment to providing high quality professional learning and resources. Currently, for a minimal cost and within existing copyright laws, delegates and presenters at conferences and professional learning events, and teachers in classrooms at a school and tertiary level, are able to share resources in ways that enhance professional educational practice. This means Australian teachers and students have unparalleled access to high quality educational resources - and at the same time creators earn income which helps to drive further creation of innovative, quality educational content and professional resources.



AUSTRALIAN LITERACY EDUCATORS' ASSOCIATION LTD

ABN 16 007 410 004 An Incorporated Non-Profit Professional Organisation

ALEA, 416 Magill Road, Kensington Gardens, South Australia 5068 PO Box 3203, Norwood, South Australia 5067

Phone: (08) 8332 2845 Fax: (08) 8333 0394 Free Phone: 1800 248 379 Email: office@alea.edu.au

ALEA opposes the introduction of a ‘Fair Use’ scheme and believes that Australia’s current statutory licence system is efficient and fair for educators and fair for content creators.

Uncertainty for educators

The proposed changes will increase the compliance burden for teachers and will create uncertainty about what resources teachers can and cannot share with colleagues and their students.

Educational institutions currently do not have to check whether the resources they are copying and sharing require copyright permission and payments if the copied work is being used for educational purposes.

There is significant potential for the misinterpretation and mis-application of the ‘fair use’ rules. The proposed changes would create a system that is open to copyright breaches and could potentially (as has been shown overseas) dramatically increase litigation.

No remuneration, no content

As a creator of resources by teachers for teachers, ALEA strongly opposes any change to the current system that affects the remuneration for the people who create high-quality and highly valued Australian educational resources.

Changes in the remuneration arrangements will seriously reduce our association’s ability to continue to produce high quality professional resources for literacy educators.

It will also have a negative impact on many of our members who are also content creators, potentially eliminating any incentive for them to share their experience and expertise with others in the educational community. This peer-to-peer sharing has proven to be a very powerful tool for enhancing the professional capacity of our teachers and literacy educators in Australian schools and tertiary institutions, giving students in Australia the best possible learning experience.

Regarding the proposal to reduce the period of protection from the existing ‘life plus 70 years’, it is not unusual for educational resources to have a very long life span, being referenced or licensed many years after they were first created.

Loss of Australian identity

While ALEA understands and is connected with an increasingly globalised world, we believe that educators should have the opportunity to select Australian content for use in schools as well as for their own professional development.

This is not only significant in terms of understanding and maintaining our national identity, but is also important because overseas content does not always fit the Australian teaching and cultural experience.

ALEA reiterates its confidence in and support for the current system which allows teachers to get on with the job of teaching and provides fair compensation for authors, illustrators and publishers in the creation of new works. As a consequence, the current system drives the production of new Australian educational content which is crucial for our education system.

Sincerely

**Grant Webb
ALEA President**



AUSTRALIAN LITERACY EDUCATORS' ASSOCIATION LTD

ABN 16 007 410 004 An Incorporated Non-Profit Professional Organisation

ALEA, 416 Magill Road, Kensington Gardens, South Australia 5068 PO Box 3203, Norwood, South Australia 5067

Phone: (08) 8332 2845 Fax: (08) 8333 0394 Free Phone: 1800 248 379 Email: office@alea.edu.au