

## Outdated copyright rules costing our education system dearly

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Governments of all persuasions have identified that modern education must move beyond mere imparting of knowledge in order to equip students for tomorrow's workforce.

When I went to school, lessons were confined to "chalk and talk". Today's students experience interactive whiteboards, apps on ipads and computers, coding, 3D printing and virtual reality.

However, as our schools attempt to equip students with the skills of the future, Australia's copyright laws are stuck in the "chalk and talk" era. Designed to address the challenges of photocopying in schools, they bear little relevance to education in the internet age.

Australia's copyright laws put roadblocks in the way of educational use of technologies such as "big data" or machine learning, cloud-based software and 3D printing. That's because many existing copyright exceptions apply only to "in-class" uses, and do not allow uses beyond the four walls of the classroom. These technologies are transforming the way we live, learn and work on a scale similar to the industrial revolution, yet our copyright laws greatly limit their use in Australia.

Another problem with existing copyright law is that schools pay many millions each year to use free internet content, such as online teaching resources and fact sheets.

These are just a few examples of content that has been paid for in Australian schools:

- Taking a screenshot of a website that compares times in different cities around the world
- Displaying a web page picture of a cat on a classroom screen
- Students printing an entry form for a thinking challenge, an RSPCA web page about animal foster care, or a Royal Commonwealth Society fact sheet on malaria.

Schools paying for freely available internet content is clearly not an effective use of scarce schooling resources, which could be better used for teaching and learning.

The entire Australian education sector has called on the Government to adopt recommendations from the Australian Law Reform Commission and the Productivity Commission to introduce a fair use provision into Australia's Copyright Act. This would replace some of Australia's outdated copyright rules with a simple provision allowing teachers to use digital technologies for the benefits of students - but only where doing so would not harm copyright owners.

It is important that copyright reforms do not become an "us versus them" debate, where the interests of the education sector are said by some to be at odds with the interests of Australian creators. This could not be further from the truth.

In reality, Australian schools are one of the biggest supporters of Australian creative industries. Australian schools purchase over \$700M of creative content each year. Parents also pay millions in licence subscriptions to services like Mathletics and Reading Eggs to supplement school learning. None of this spending would be impacted by fair use.

Schools also pay almost \$100M each year in licence fees to collecting organisations for the use of content in schools - from photocopying materials for students, to playing music in a school concert. Despite advice to the contrary, fair use would not mean licensing payments would end for their Australian author members.

Schools would continue to pay for photocopying a chapter of a Peter Carey novel to hand to students, photocopying sheet music for the school band, playing a film in the library on a rainy day, performing a Jimmy Barnes song in the school play, or playing Sia's latest hit over the PA system.

Introducing fair use would not be the death of the Australian creative sector. With copyright fees continuing to Australian creators, it would simply ensure that Australian schools are not held back from using the most up-to-date technologies in the interests of Australian students, and that education budgets are no longer wasted on free internet materials that creators never expected to be paid for anyway.

The Australian Government has acknowledged that Australia's current exceptions arguably restrict some reasonable fair uses of copyright material. In its response to the Productivity Commission's report into Australia's Intellectual Property Arrangements, the Government states their commitment to creating "a modernised copyright exceptions framework that keeps pace with technological advances and is flexible to adapt to future changes," and will conduct further consultations on how to best achieve this.

We need to ensure we do everything we can to prepare today's students for tomorrow's world. That's why ISCA supports copyright reform: getting copyright policy right is critical to ensuring our educators can use technology most effectively as they prepare our students for the workplaces of the future.