I am going to talk to you a little bit about our experience with Australian Creative Resources Online, or ACRO as we call it. As I go along I will mention a few reflections that I can make about our experience in trying to get this project going. ACRO is essentially a database, accessible through the Internet, which is full of multi-media objects, mostly music and video, which have either been digitised or was born digital in the first place. Our basic philosophy when we began was that we wanted to create what Neeru Paharia called the digital junkyard. The observation by my colleague, Phil Graham, whose brainchild this is, was that in the production process a lot of stuff gets edited out and gets left on the floor. While some of that stuff is edited out and left on the cutting-room floor for very good reasons, some of that stuff is still actually quite usable and is also of broadcast quality. We thought that it would be a good idea to create some sort of infrastructure in which that kind of resource could be made more widely available. And, of course, as soon as we thought about doing that there were a whole set of questions that arose in our minds about copyright. Then we discovered Brian Fitzgerald just down the river and we began talking about Creative Commons and eventually we met Carol Fripp from AEShareNet and we began to talk about free-for-education software.

That is the background to this project and in my talk I just want to talk a little bit in general terms about copyright in the creative industries, then the creative industries in the knowledge economy, or perhaps knowledge society. I also want to talk about this project in relation to cost barriers or barriers to entry for grass-roots producers into the creative industries. The use of the word ‘industries’ is slightly problematic here because in my own thinking I do not see that necessarily our purpose is only to provide resources to grass-roots producers who want to make money. We certainly are quite happy for people to use our resources to make a living out of being creative, but also to people who want to work in a completely non-economic context – people like me who just do it for fun, for personal fulfilment.

I was up at five o’clock this morning mixing some music on my computer while the rest of my family was asleep and I do that for the sheer enjoyment of it. I never expect, because of my lack of talent, to make any
money out of it and as someone pointed out this morning, academics already get paid anyway, so I have quite a comfortable life.

I want to finish by adding on a little bit about education and legally safe environments within which students at primary school, secondary school, TAFE colleges and universities, can work in terms of multi-media of film, television production, music and all of that kind of stuff.

It is unproblematic to say that copyright is a foundation stone of the creative industries, and that the large media corporations absolutely depend on copyright for their revenues and their existence. As Peter Drahos points out so clearly in his book *Information Feudalism: who owns the knowledge economy?*, one of the problems with copyright for grass-roots producers is that copyright protects the rights of financiers rather than the rights of creators. And, of course, alternative copyright regimes, like Creative Commons and FFE (Free for Education) licences come into play when you start thinking about not protecting the rights of the people who finance the production or the distribution of both, but the producers or the creators themselves. Those are the sorts of issues that ACRO is seeking to address.

A book I read recently while I was in Taiwan was arguing that all the literature on intercultural management in the management literature was wrong because it’s not intercultural management; it is cross-cultural management, and it is fundamentally a knowledge management issue. It reinforces my idea that the real fundamental base to the knowledge economy is not biotechnology, it is not information technology but it is really the media or communications generally. As a person who is something of an expert in the sociology of knowledge and the political economy of knowledge, it is fairly clear to me that one of the best sources of knowledge – and we also include culture in this – is testimonial knowledge.

Most of the knowledge that we all have of the world is not something that we have discovered empirically ourselves; it is something that we have discovered because someone has told us. We have read about it or we have seen it on TV or in the movies or whatever. We all know, for example, that viewed from space, the earth is a greeny-blue ball in the universe and it is quite pretty and it induces profound thoughts about the nature of being and existence and everything in people who see. We all know that but none of

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us in this room have actually been out there and seen it ourselves, so we know that from testimony.

A lot of that testimonial knowledge that we all have these days we get from the media and the media is a very large part of the creative industries. Therefore we can say that the knowledge economy, if that is where we are going or indeed if that is where we already are it is a creative economy. It is an attention economy, or an economy in which people are competing to get our attention, and a communication economy. I have written extensively about this in any number of publications, including *Public Policy in Knowledge-Based Economies*, which Greg Hearn is a co-author on, if you want to chase that up.

The media or the creative industries play a fundamental role in the distribution of this particular kind of knowledge, testimonial knowledge. And cultural and creative producers therefore are going to be fundamental to that. I began to think about this, to talk of the news media, but it is not just the news media. Our fundamental understandings of the world are also communicated to us culturally and artistically through drama, through novels, through music and poetry and so on, and we need to begin to take all of these things more seriously in the context of becoming a knowledge society, a knowledge economy. This is why creating ease of access to cultural producers or grass-roots cultural producers, or grass-roots testimonial knowledge producers, is very important and why having access to these kinds of resources through the Internet is also very important.

One of the things we did when we were initially trying to ground ourselves was talk to some advertising agencies. One of the things they told us time and time again was that one of the toughest bits for the ad agencies, assuming that they are doing television ads, is the actual shooting of footage just to do a pitch, which can cost up to $50,000 a go. And then you may not get the business. They have their own archives, of course, but most of that material is largely inaccessible. What that made us think about was that it is really the cost of production, rather than the cost of post-production, which is expensive in this digital age.

You can get software to edit music or video or whatever for free if you want from places like SourceForge. I certainly have some of that technology at home. But the same set of issues arise again when you start

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talking about grass-roots producers. These are just the ordinary producers who are struggling to make a living, people who are averaging $14,000 annual income, or less, or people who are just doing it for the sake of enjoyment, or people who are doing it as part of a learning process at school or college or university. And, of course, having a set of IP licensing arrangements that actually enable people to do this is very, very important. This again is where Creative Commons comes in, because copyright, or intellectual property protection practices, are another barrier to successful entry into this kind of work.

My final point here really is the way we are going now and where we will end up in the future, is to be focused more on education than anything else. One of the things we are acutely aware of in universities is that various copyright agencies and multi-national media corporations are systematically looking at university students and seeing what they keep on their university server accounts in terms of music and video and that kind of stuff and then trying to take them to court and sue them.

I also had the opportunity to have a look at some work done in a high school here in Brisbane, where students were making either 90 second or 3 minute documentaries or dramas or ads or whatever. On nearly every single work that I looked at, I would say at least 80 percent of the time that you spent looking at that video material, you were looking at a copyright breach. Mostly it was because the students had taken bits of music from their CD collection or whatever, but also because they were raiding their home DVD collection, or they were going down to Blockbuster on the weekend and ripping bits of scenes out of that. It also became apparent that what happens is when those students leave that school they take the video with them. There is absolutely nothing to guarantee that once those students go away from that school, that they will not somehow manage to get that broadcast and publicly shown and expose themselves, and probably the school and the Education Department to some kind of liability under copyright law.

It also became fairly obvious to me that the teachers and the students knew very, very little about copyright law and the potential trouble that they could get into. I think one of the projects that we need to get involved in, with ACRO, is not just providing the multi-media resources for these students to use, but to actually get into the schools and put some knowledge in place in those schools among the teachers and the students about what is really going on here. Also to explain to them the virtues of Creative Commons.
Commons and Free-for-Education style licensing, in order to create a legally safe environment for students to work in.

Reflecting on the comments made in the last panel about the different sorts of attitudes that different people in different sectors of the creative industries have about copyright, I do not think we actually know very much at a sociological or cultural level about what those attitudes are. In terms of having these particular licences, just because we have written them up in three different forms and we have made them available on the Internet, does not mean that they are accessible to people in real terms. I do not think we really understand the attitudes that the kinds of people that we are trying to sell this idea to have about copyright in general. Some of those ideas that they have, which form a barrier to them taking up these kinds of licences, are legitimate. They are fair enough. I agree with some of them. But some of them are not. Some of them are quite destructive attitudes that these cultural producers hold and hold very dearly and do not necessarily want to give up.