

# Copyright, Digitisation and Cultural Institutions Conference, 26 August 2005

How does your organisation cope with copyright? If statements like 'We're all a bit spooked by it', or '[We're] a bunch of amateurs trying to work this out' sound familiar, you are not alone. The Copyright, Digitisation and Cultural Institutions Conference, held at the State Library of Victoria on 26 August, addressed these concerns, and more.

Managing copyright within the digital environment is acknowledged to be both complex and confusing—and for good reason. Navigating through the 500 or so pages of legalese of the Commonwealth *Copyright Act 1968* is undoubtedly difficult, to say nothing of the range of inconsistencies within the Act, and the obvious incongruities related to the private time and format-shifting copying practices of large sections of the public.

When considering the use of digital technologies to facilitate public access, preservation, research and education, many cultural institutions find that the current copyright regime is just too hard to work with. Consequently, institutions embarking on digitisation activities will often choose to concentrate on public-domain works. Such an overly conservative approach goes against both the spirit of the Copyright Act and the public-interest missions of Australia's cultural institutions. This conservative practice is just

one of the findings from a two-year research project reviewing the management of copyright and digitisation within cultural institutions undertaken by the University of Melbourne's Centre for Media and Communications Law (CMCL) and the Intellectual Property Institute of Australia (IPRIA). Concluding at the end of 2005, it is funded by the Australian Research Council, Museums Australia and six industry partners: the Art Gallery of New South Wales; the Australian Centre for the Moving Image; the Australian War Memorial; Museum Victoria; the National Museum of Australia; and the State Library of Victoria.

This conference, hosted by the State Library of Victoria, provided an opportunity to discuss the research findings of CMCL and IPRIA, and the issues confronting cultural institutions, copyright owners and the legal profession together, rather than in isolation. Judging by delegate numbers at the conference — more than 170 delegates, representing a range of public and private organisations from around Australia and New Zealand — there is clearly an interest in copyright, often considered a somewhat dry topic and beyond the comfort zone of many.

Key topics discussed included the problems associated with unpublished materials, orphan works and multiple ownership; the importance of repur-

posing digital assets and maintaining digital-heritage networks such as AMOL and PictureAustralia; and the particular problems of moral and communal rights faced by indigenous communities. Also examined were the implications of recent changes to the Australian copyright regime (including moral rights and the Australia — United States Free Trade Agreement); current copyright law reviews (fair dealing and fair use debate and technological protection methods); contracts and licensing arrangements; risk management and litigation; and options for copyright law reform.

During the conference CMCL and IPRIA also released plain-English copyright guidelines to help cultural institutions understand and manage copyright and digitisation. The guidelines are available in short and long forms, as .pdf files or hard copy, from the Centre for Media and Communications Law, at <http://www.law.unimelb.edu.au/cmcl/>.

For further information on the ARC Linkage project, called 'Copyright and Cultural Institutions: digitising collections in public museums, galleries and libraries 2003–2005', see: <http://www.law.unimelb.edu.au/cmcl/projects/copyright.html/>.

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## Sharing resources with our region

An initiative this year to allow regional senior school students and staff to borrow from Charles Sturt University libraries has proved extremely popular. To date, 16 schools in the Albury, Wagga and Bathurst regions have signed agree-

ments with the Division of Library Services. Senior students and staff of these schools have courtesy borrowing rights and the use of most CSU Library services.

Jack Barnett, Lewis Day, and Phoebe Norton-Knight are Year 11 students at All Saints College, Bathurst, whose Modern History class recently visited CSU Library with their teacher. Jack and Lewis have been to CSU before — Jack to take part in research for the Human Movement Studies Unit — but the advantages of being able to use the library facilities have become apparent to them as they undertake HSC studies. As Lewis commented, the university library can provide resources of greater

depth and detail, for all the class, to supplement the resources available at their College library, which has to cater to a wide range of ages and topics.

Phoebe, Jack and Lewis have joined the library as school borrowers, and intend to use the library for assignment resources in all their subjects. They were encouraged by library staff to also make use of services, such as information assistance, periodicals and photocopying. ■



CSU Library and Kildare Catholic College sign a School Borrowing Agreement



Phoebe Norton-Knight, Lewis Day and Jack Barnett