

# Impacts of CAL's Distributions On Australian Authors



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## 1 Executive Summary

Copyright Agency Limited (CAL) commissioned **AMR Interactive** to undertake a research study which examined the impacts of photocopying on Australian authors, their concerns with and preparations for online publishing, and the impacts, equitability and workability of CAL distributions for authors.

### Approach

A two phased approach was used - an initial qualitative phase followed by a survey of author members. The qualitative phase mirrored the approach used in the previous publishers' study allowing for in-depth discussions with authors about a range of issues concerning their attitudes towards copying of their works and their experiences of CAL and other collecting societies.

A total of thirty depth interviews were conducted. The sample consisted of authors from several author groups determined from a random sample of CAL's database.

**AMR Interactive** also designed and implemented a postal survey, sampling 132 CAL author members who were included in the 2002 distribution. The content of the questionnaire included issues similar to those investigated in the qualitative stage of the project but this survey, with a wider base of respondents, allowed for a broader representation of authors working across different areas whose experiences and views were likely to be quite different.

### Overview

Overall, regardless of their size, specialty, or level of distribution, authors were outspoken in acknowledging the importance of CAL. Though authors had their own concerns and issues relating to specific aspects of CAL's operations, they were able to distinguish these issues from their overall valuing of CAL's continuing importance and relevance in protecting their intellectual property through promoting awareness of copying limits and collection for payments for the copying of their works throughout Australia.

Many felt that CAL's policy work, as well as distributions had mitigated the worst effects of photocopying.

## 1.1 Conclusions

The following section provides summary findings and conclusions. AMR Interactive will provide recommendations separately for assessment and further discussion

### 1.1.1 Impacts of Copying on Australian Authors

There is a differential impact of copying reported by Australian authors. Some feel critically disadvantaged. Others see some benefits. Depending upon the type of work they produce and their commercial standing some may not be too concerned for themselves but are more concerned about the impacts on others - particularly those less established authors whom they feel will need CAL's protection and support.

As the volume and comprehensiveness of CAL's data collection has increased, together with page rates, the relative contribution of CAL payments has become more significant, more so for some authors than royalty payments, although only a quarter of recipients find them 'substantial'. For some, the CAL distribution is critical.

Many feel that photocopying is more, or as much of an issue as ever before.

Most feel that CAL's broader policy work, as well as distributions, has mitigated the worst effects of copying.

For Australian authors, even if distribution levels are modest, they represent a more or less significant payment for the copying of their work but, almost as importantly, recognition of their copyright. That payment levels may not have a significant impact on most authors' overall financial position in no way diminishes their importance. In their own right they are critical for some but for all they provide a very tangible reassurance that there is a copyright protection scheme in place.

Author members are not insensitive to the dilemma they face - frequent copying means their work has currency and value which is to their benefit if not to their credit. Authors trust in CAL to represent their interests in ways which optimise access to readers but preserve their equity.

### 1.1.2 Impacts on the Type of Work Australian Authors Publish

There is substantial impact on the type of work some author groups produce as a direct result of copying of their work, particularly for authors of secondary education material and self published authors.

Many authors are minimising the potential negative effects or manoeuvring to maximise potential benefits of copying.

. An unintended outcome of the scheme could see certain types of evaluation material no longer being produced.

### **1.1.3 Digital Publishing**

One half of CAL's author members are exposed to digital publishing and there is considerable confusion about contracts, remuneration and digital rights across all author groups. Educational authors are particularly concerned with the digital licensing of course materials.

### **1.1.4 Distribution Awareness**

Authors are aware of the CAL payments they receive but are also very interested in the distribution notifications themselves not only for practical purposes in managing secondary distributions but because they find specific mention of copied works to be edifying in its own right. Journalists also have a practical interest in notification of specific pieces being copied to better target their work.

### **1.1.5 Communications with CAL**

Almost half of authors had contacted CAL within the past year. CAL's communications with authors were very effective with almost all satisfied.

It appears however, that while CAL's responses may be effective in placating authors concerns they are somewhat less successful in assisting authors to understand the fundamentals of agreements, collections and distribution. Authors remain confused about many issues, for example, with regard to variations in payments over time.

### **1.1.6 Understanding of CAL's Collection Methods and Distributions**

Around half of CAL's author members don't understand CAL's data collection or distribution methods. The information they currently receive is dismissed as being too complex.

It will remain an ongoing task to find ways for CAL to inform (especially new) members of collection and distribution matters. Some will, no doubt, be more or less interesting to certain members but the task is an important one. If effectively done it may help reduce the number and frequency of ad hoc enquiries and their cost.

### **1.1.7 Fairness**

Most authors thought CAL's system was fair. Fiction authors, whose work was least likely to be copied, were more likely to think CAL's distributions unfair.

Much of this would be alleviated with a better understanding of the comprehensiveness of CAL's collections. The limitations of CAL's coverage also need to be better explained.

### **1.1.8 Comparisons with other Organisations**

Most CAL members also receive some PLR and/or ELR distribution. One third rated CAL as being as equitable as the others. More than a third did not know and equally small numbers thought CAL was either more or less equitable. There was some appreciation of the greater complexity of CAL's system.

Authors were also generally unaware of the scope of collection of all three organisations; data collection methods in general; payment rates and running costs.

### **1.1.9 Secondary Distribution**

Authors generally appear to have neither sufficient awareness of their secondary distribution responsibilities nor reasonable methods in place to equitably or efficiently redistribute CAL payments. However authors want payments paid directly to them to continue and not be diverted via publishers.

### **1.1.10 Contractual Splits**

Standard splits would reduce the error and burden of secondary distributions however only a third of members receiving payments report having contractual splits contracted. Where they are, most are 50/50 although the variation is wide.

While both authors and publishers enjoy the flexibility of negotiating splits as part of a contract the implications for CAL payments are only an after thought.

This issue is a broad industry one and needs to be considered again by all parties. There are other ways authors and publishers can construct contracts without the need for flexibility in setting split ratios.

### **1.1.11 Balancing Author and Publisher Interests**

Almost all authors either thought CAL reasonably balanced interests of author/publisher members or did not know. An insignificant (3%) found a bias toward either authors or publishers.

CAL has managed, through its Board and other structures and processes, to promote an image of and operate in a manner conducive to balancing members' interests. These are self-evidently important to maintain. There would appear to be many benefits for members in maintaining this joint approach.

Overall, author members are aware and appreciative of CAL's efforts to better manage the whole issue of copying on their behalf. They now feel the worst of the impacts of photocopying are being contained. Although now caught up in digital publishing they are confused and trust that CAL will be at the forefront of advice to them and advocacy for their interests in this next, complex phase. CAL has established itself, for most authors, as the focus for information and action.

Most authors are frequently only vaguely aware of policy debates and current issues affecting copyright and their entitlements although most self-published authors, embroiled in the everyday economics of publishing, are only too well aware of both the current impacts and future threats of copying of their work as well as the benefits of a comprehensive and efficient collection and distribution system. It will therefore largely be the task of CAL to lead the debate for policy reform as well implement good management practices on behalf of their members.

## 2 Background

Copyright Agency Limited (CAL) describes itself as

A copyright management company, which was established in 1974 by authors and publishers to represent their reprographic rights and to receive fair remuneration for the use of their works.

CAL has since been declared by the Commonwealth Attorney General's Department to administer the statutory license for educational institutions and for government copying under the Copyright Act.

To date, CAL has distributed more than \$180 million, of which approximately 80% is paid directly to Australian authors and publishers. While CAL's primary objective is to ensure legitimate returns to copyright owners, there are secondary aims to provide an effective service to members, and to be an advocate of the copyright industry.

CAL wished to examine the direct impact of copying on authors in Australia. Specifically examining concerns with and preparations for online publishing, and the impacts, equitability and workability of CAL distributions for authors.

### 3 Research Objectives

The overall objective of the study is to examine the effects of copying on Australian authors, and the direct impact of CAL's activities on authors in Australia.

Key areas of focus are:

- |                              |   |
|------------------------------|---|
| <b>membership</b>            | <ul style="list-style-type: none"><li>• reasons for and expectations of CAL membership</li><li>• perceptions/experience of membership benefits</li></ul>  |
| <b>distribution impacts</b>  | <ul style="list-style-type: none"><li>• significance of CAL payments</li><li>• methods of payment - timeliness</li><li>• secondary distribution responsibilities</li><li>• impacts of relationship with publishers</li></ul>                              |
| <b>digital environment</b>   | <ul style="list-style-type: none"><li>• authors' attitudes towards and preparation for digital publishing over the next 5 - 10 years</li><li>• knowledge of legislative provisions and expectations of impacts on income and working conditions</li></ul> |
| <b>other organisations</b>   | <ul style="list-style-type: none"><li>• understanding and perceptions of PLR/ELR</li><li>• experiences of membership and/or perceptions of other organisations protecting author rights.</li></ul>  |
| <b>equity and efficiency</b> | <ul style="list-style-type: none"><li>• understanding and perceptions of the fairness of allocation methods and administrative arrangements</li></ul>   |

## 4 Research Methodology

A two phased approach was used - an initial qualitative phase followed by a survey of author members.

### 4.1 Qualitative Research Methodology

A total of thirty depth interviews were conducted. The sample consisted of authors from several author groups selected from a random sample of CAL's database of recipients in the 2002 distribution. The distribution of each author type is presented in Table 1 below.

The response rate was 83% (30 from 36 author members who were contactable).

Face-to-face interviews were conducted in both the Sydney and Melbourne metropolitan areas. Telephone interviews surveyed those authors in other locations.

The sample from each author group was based upon distribution level received in 2001/2--ranges of less than \$100; \$101-\$500; \$501-\$1000; \$1001-\$5000; greater than \$5000.

**Table 1:** Number of each author type interviewed. Note that some authors work spanned more than one category.

Author Type	Number Interviewed
Playwrights	4
Poets	3
Journalists	6
Novelists	3
Tertiary education (University and TAFE)	5
Primary & Secondary Education	5
Academics	4

Location:

- 8 interviews were conducted in Sydney, New South Wales.
- 12 interviews were conducted in Melbourne, Victoria.
- 10 interviews were conducted by telephone to interstate/regional areas.

Interviewing took place over the period 30th November - 23rd December 2002.

Most interviews were audio taped, with permission from the participants, and fully transcribed. Participants were assured of

the confidentiality of their comments. Transcripts were given an identification code to ensure the anonymity of all records.

Results from both approaches have been integrated - the quantitative to provide a measure of the impact of issues and the qualitative to provide context and more detailed explanation. Throughout the report, specific quotes from authors are indented and in *italics*.

## 4.2 Quantitative Research Methodology

**AMR Interactive** developed a quantitative survey, which was distributed to 332 authors Australia wide. The content of the questionnaire included issues similar to those investigated in the qualitative stage of the project. The sample used was drawn from CAL's database of author members who had received some payment in the 2002 distribution. Participants were assured of the confidentiality of the survey.

The questionnaire was posted to each respondent accompanied by an explanatory letter and reply paid envelope. The data was collected over the period 13th December 2002 - 10<sup>th</sup> January 2003.

A total of 132 completed surveys were returned giving a response rate of 40% - quite robust for a study of this type. This level of response to the mailout survey ensures that all author groups are represented and the results are a reliable basis for assessing the views of CAL's author members.

Of the 132 respondents in the quantitative study, 106 have been writing for 10 years or more, with 68 having been members of CAL for more than 6 years.

While overall the sample size is sufficient to draw valid conclusions individual results for some sub-groups of authors should be regarded with caution due to the small cell sizes.

## 5 CAL's Author Clients

### 5.1 Authors' Work

As Figure 1 shows, the most frequently cited type of work that CAL's author members produced was for School Education (36%), followed by Non-Fiction (35%) and Uni/TAFE Education (31%). Other classifications included Freelance Journalist (17%), Fiction author (16%), Employed Journalist (9%), Poet (6%) and Playwright (4%). Thirteen percent of authors cited 'Other' when asked what type of work they did. This included editors, those who were retired, those working in film and television, a cartoonist, a psychologist and some working in early childhood resources.

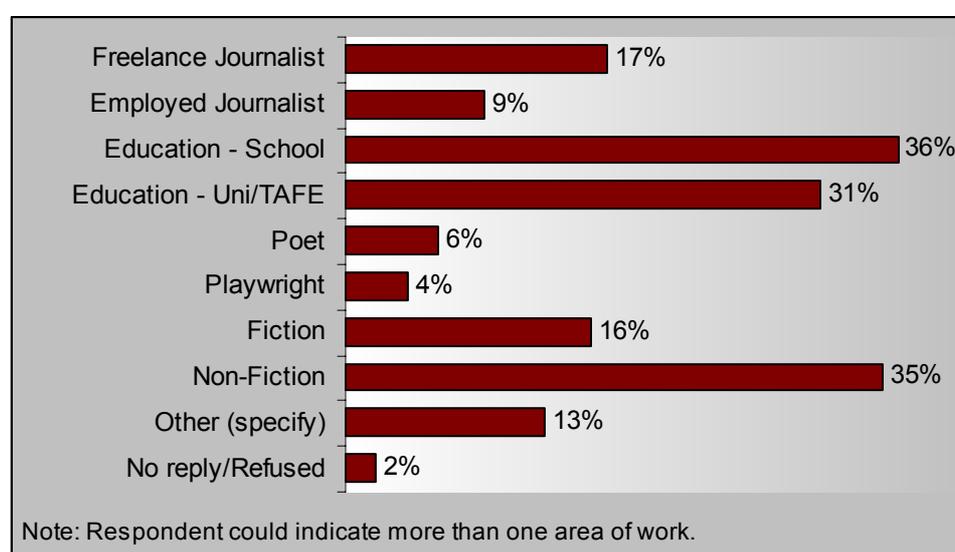


Figure 1. What type of work do you do?

## 5.2 CAL Membership

The average length of CAL membership was approximately five years, with just over half of authors (52%) indicating that they had been members for six or more years (see Figure 2). Of the remaining respondents, 31% had been a CAL member for 3-5 years and 16% for 1-2 years. Given their overall length of CAL membership, authors in this sample can be regarded as sufficiently aware of issues to provide reliable comment.

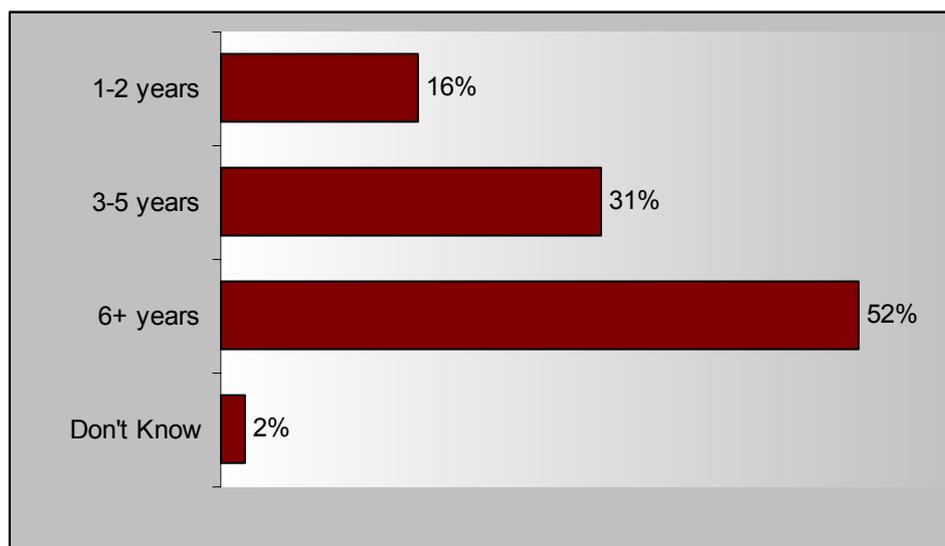


Figure 2. How long have you been a member of CAL?

## 5.3 Reasons for Membership

The most commonly cited reasons for authors becoming members of CAL were:

- to facilitate the receipt of copyright payments (17%);

*I heard that there was a copyright distribution on the basis of the photocopying of authors' material held in libraries and I was writing a number of educational texts especially in the journalism area so I thought I ought to be registered for it. I think it was fairly well advertised in the outset.*

- to avoid missing money owed to them (20%);

*The prospect of some return on the undoubted photocopying of my work.*

*I decided to belong to CAL to protect my copyright of all my work*

*Financial reasons and the principle of owning your own work. I have copyright over my work and I don't think that people should profit from it without asking for my permission or paying for it and asking for my permission. So I think it is a moral issue as well as a financial issue.*

- because they were advised by CAL, their publisher or another third party (35%);

*I got a lovely letter from them saying we have reason to believe we have some money that we could pass onto you. So they sent me \$6000+ dollars!*

*Almost certainly the ASA. Fairly regularly the ASA draws it to its members' attention*

*I think it was CAL publicity, and I thought CAL was a good idea, similar to PLR and ELR.*

There were also a small number of responses related to the lateness of publishers in making secondary payments (2%) and authors feeling like they belonged to a community (2%).

#### 5.4 Publishing

Almost nine out of every ten of CAL's members were published by an Australian publisher, with 27% being published by an International publisher and 26% publishing themselves.

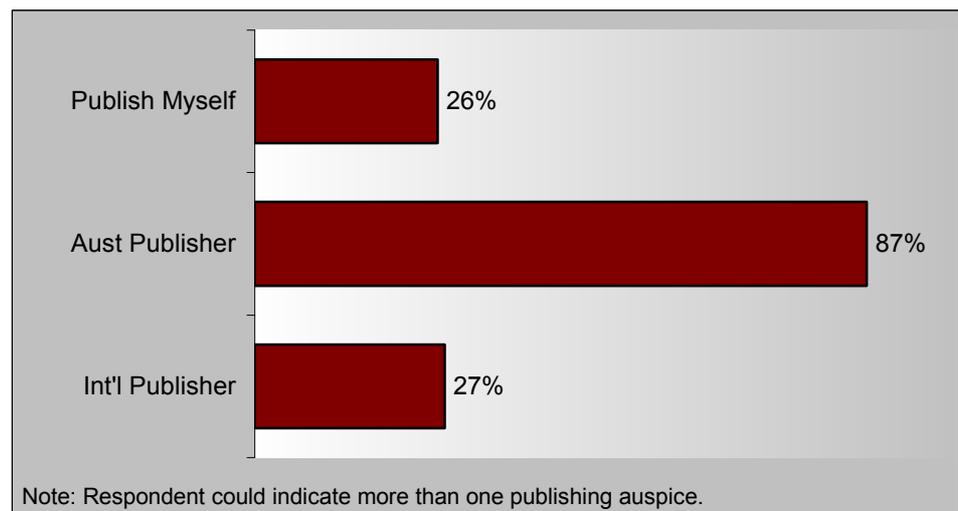
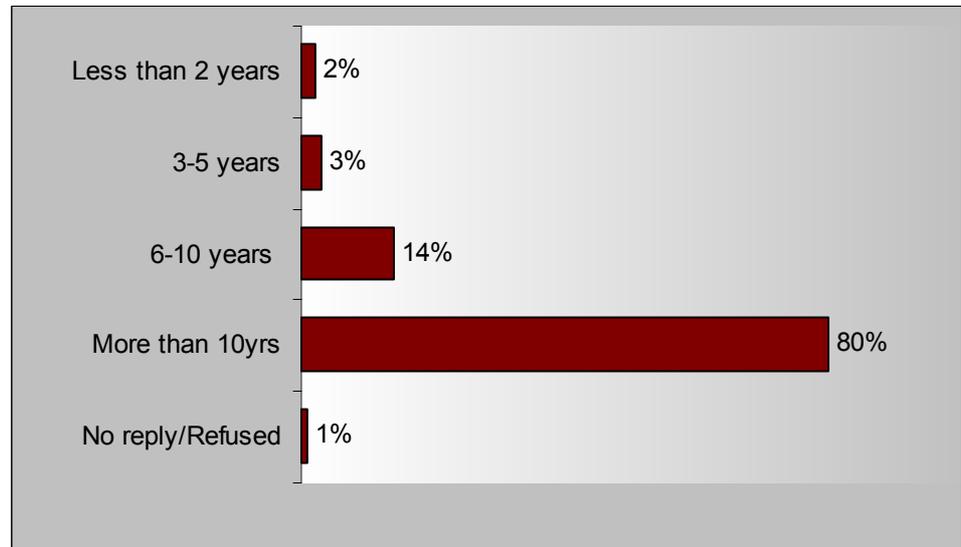


Figure 3. How is your work published?

## 5.5 Length of Career

On average, CAL's member authors had been writing for approximately 11 years, with over 80% having been writing for more than ten years (see Figure 4). Of the rest, 14% had been writing for 6-10 years, 3% had been writing for 3-5 years and 2% had been writing for less than 2 years.

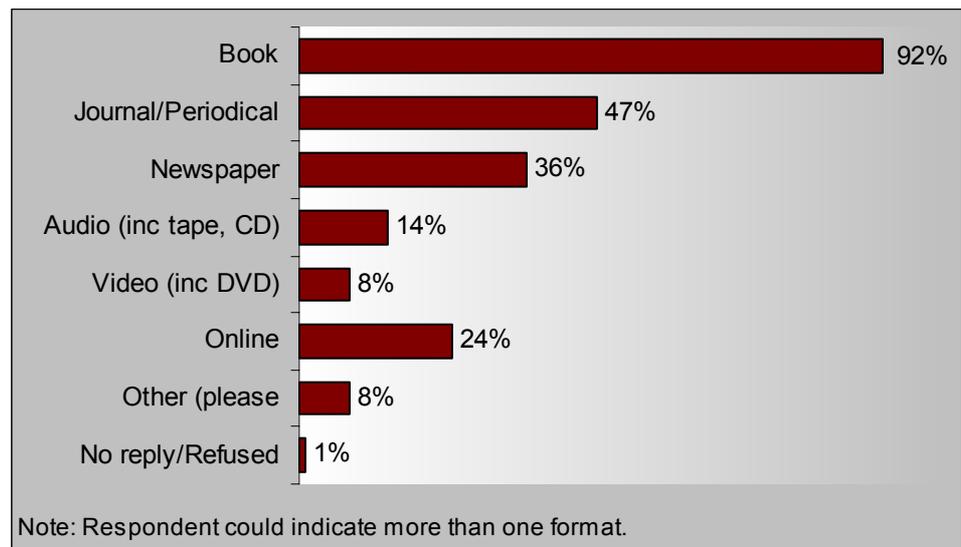


*Figure 4. How long have you been writing professionally?*

While this may not be representative of CAL's author membership overall in that it only includes authors who have received a payment in the last 12 months, it does provide a basis for examining the views of both established and more recently joined members.

## Publishing Format

The vast majority of CAL's members (92%) have their work published in book format. Almost half of respondents had their work published in either journals or periodicals (47%), just over a third in newspapers (36%) and almost a quarter online (24%). Other publishing formats cited included audio (14%) and video (8%). Eight percent of respondents indicated their work was produced in 'other' formats including film, theatre, training manuals and black line masters.



*Figure 5. In what format is your work published?*

## 5.6 Income Source

One third (33%) of CAL author members indicated that writing was the primary source of their income. Of those, two thirds (67%) indicated that it was not the primary source, the average proportion of income that writing represented was approximately 20%.

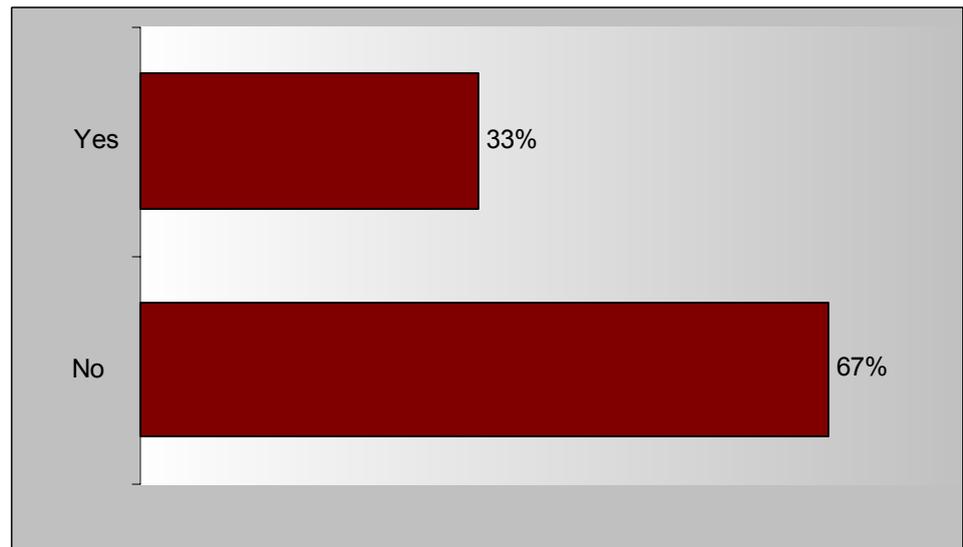


Figure 6. Is writing your primary source of income?

## 6. Impacts of Copying on Authors

### 6.1 Impact of Photocopying on Authors' Work

Perhaps surprisingly, a third (34%) of CAL's author members felt that the impact of photocopying on their work was either *positive* or *very positive*. A smaller proportion (22%) felt that the impact was either *negative* or *very negative*. A large proportion of respondents (almost 50% however) indicated that they either did not know what the impact was (29%) or thought that the impact was neither negative nor positive (16%).

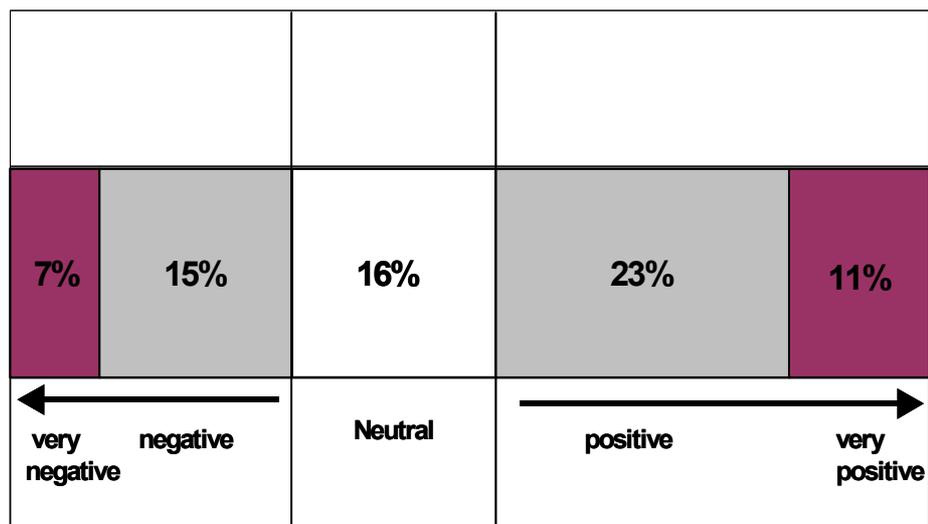


Figure 7. Overall, what impact has photocopying had on your work?  
 Note: Those who did not know= 29%

Of those CAL author members who published themselves, 38% felt that the impact photocopying had had on their work was either *negative* or *very negative*, whilst almost half (47%) of those who had been CAL members for 3-5yrs felt that the impact was positive to some degree.

30% of tertiary education authors said photocopying had a *negative* or *very negative* impact on their work. 39% said it had a positive impact, with 17% neutral.

While copying can be seen to have different impacts for different authors, three of five tertiary authors in the qualitative discussions said the impact was *significant* or *critical*.

There was no discernible pattern as to whether photocopying was perceived as having any effect when authors were segmented by distribution level.

*For the most part it is disastrous. I have estimated that I have lost probably about \$100K if (not more). I am grateful for what CAL has done, but I know especially in my area ... it would be absolutely massive, and I have only got a patch of that.*

*It has had a very large effect, in fact larger than I think CAL or any other organization has been able to register so far because there is a limit to the extent to which you can monitor what's going on.*

All **academics** interviewed in the qualitative discussions, saw photocopying as having a *moderate* or *substantial* impact, but note that CAL can offset some negative impacts.

*I do believe in the principle that authors should be paid and I think that's more of an issue for non academics, we're paid a salary which in part is meant to cover writing.*

*I imagine that it's had a huge impact. Since I became a member of CAL I've had a reasonable amount.*

Just over a quarter of authors producing work for **secondary education** believed photocopying had a *negative* or *very negative* impact on their work. In the qualitative discussions, all secondary education authors saw the impact as moderate to critical. Loss of revenue was raised, though authors often said they couldn't be sure by how much. Teachers' notoriety for photocopying was also raised, as was an awareness that the level of photocopying in schools often occurs because of lack of funds or resources. Two authors said that CAL had significantly altered the impact of photocopying for them, for the better. Both of these authors have been writers for over 25 years.

*Before CAL, photocopying was a dead loss. It's altered now and it's fine. With CAL, my income is an extra 30%.*

*Now it's a bit different. Previously when you published books ... the impact of photocopying caused more concern. Many of the titles we now produce are freely available for schools to photocopy. This is part of what we do—we are quite keen to get the programmes out there.*

*Teachers are notorious for photocopying and not recording it as schools don't have enough money. In small curriculum areas often only one text will be bought and photocopied thereafter...*

*The curriculum area that I write for is a relatively small curriculum one anyway so they will buy one book and then they will just copy for the class, so they don't buy the text.*

In the qualitative discussions, **journalists'** opinions of the impact of photocopying ranged from *insignificant* to *substantial* (no one saying critical). Specific issues regarding textbooks were mentioned by some journalists.

*When I get consent forms from publishers for school textbooks, they often want me to waive my rights for any subsequent usage. That is, if they put out a new edition of the textbook, or if they use the article in another way in a different textbook, they want me to waive my rights to copyright fees. It's annoying, as you feel pressured to accept the \$200 copyright fee to include your work in the textbook. You know that they are making a lot of money using your articles because the textbooks are often \$35 and they are distributed to a lot of schools.*

*I am quite happy to have things photocopied, particularly in relation to students. My market is students and I know they can't afford a huge amount. If material is photocopied and put into a course, at least the information is getting out to them. You are only writing because you think it is going to be useful. My feeling is that we get quite good CAL payments for it.*

*So long as there's compensation it's OK*

*Photocopying is not really a big issue for me. I'd prefer if people didn't plagiarise. But I don't have a problem with people photocopying with some form of citation.*

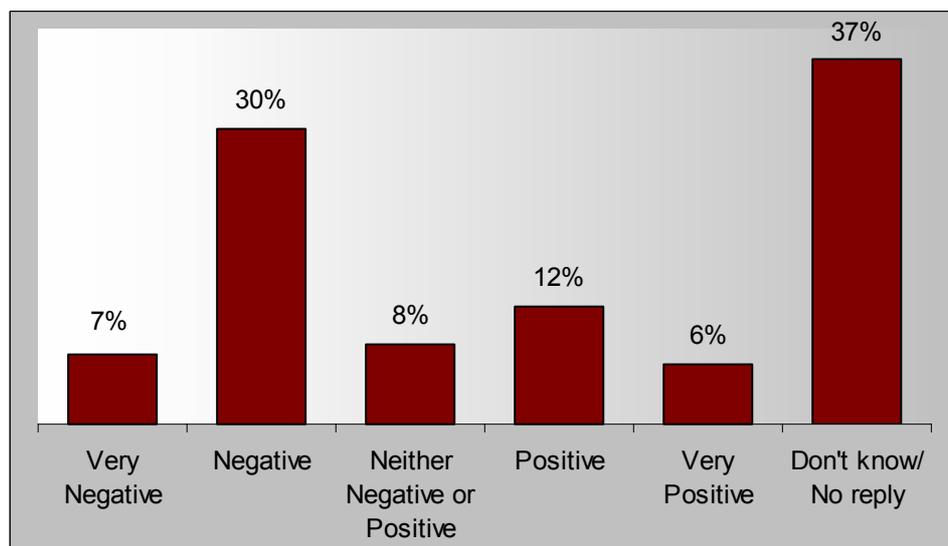
In the qualitative discussions the **poets, playwrights and novelists** had mixed views on the impacts of photocopying. Two poets noted the impact as *substantial*, saying people were more inclined to photocopy than buy books.

*I have a feeling that it has a fairly strong impact on my ability to be paid for publications... I don't have facts to back that up but it seems like quite an important effect on my income.*

*I think photocopying is choking publications. Poetry will be affected first and it will become increasingly harder and harder to get books published—as much as we like to get our work out there.*

## 6.2 Impacts on Australian authors

Thirty-seven percent of CAL author members felt that photocopying had either had a *negative* or *very negative* effect on Australian authors in general. However, 20% of respondents indicated that they thought the effect was either *positive* or *very positive* (see Figure 8). A large proportion of respondents did not know what the effect of photocopying was (37%), or thought that the effect was *neither positive nor negative* (8%).



**Figure 8.** What kind of impact, if any, do you think photocopying has had on Australian authors in general?

Authors who had their work published in newspapers (27%) or online (34%) were more likely to indicate that they thought this effect was either *positive* or *very positive*, whereas those who published themselves were more likely to think that this impact was *negative* to some degree (50%).

A number of authors made the point that they felt photocopying impacts different authors in different ways, particularly noting for “fiction” or “trade” authors, the impact of photocopying would be less. Authors writing outside the academic area, were

likely to list academic authors as being hardest hit by photocopying.

*Photocopying has very little impact on some author groups, for example fiction, whereas for academics it has a great impact.*

Overall, authors tend to think the effect of photocopying is more significant on Australian authors in general than just to themselves - this is reflected in qualitative and quantitative data. 46% of tertiary authors believed the impact of photocopying on Australian authors was negative or very negative. Only 9% thought the impact was *positive* or very *positive*, with 32% saying they did not know.

*In some groups of authors I would say very little. For instance I wouldn't think there was a lot of impact on fiction authors but obviously in the academic area, whether they're primary, secondary or tertiary, it has a great impact.*

Two **academics** interviewed in the qualitative discussions, acknowledged the differences in being salaried compared with other authors.

*On academic authors it has a huge impact, I'm delighted the Copyright Agency exists. As a teacher we photocopied things all the time to give to students, as it was unreasonable to buy whole books and heaps of them just to get one chapter out or a few pages. Until there was a CAL there wasn't much you could do about it. There wasn't any way to see that justice was done. I mean I can see that for academic authors it is very important. But having said that I am happy to go on with the idea if you are paid as a writer that you should not get paid anymore.*

*I wouldn't be unhappy about going along with the proposition that you shouldn't be double paid. Having said that, I don't know whether that is a terribly popular position!*

*I think it depends on whether they are academic authors or other authors. For academic authors it would often be substantial because it's really very common. The real core of writing is the novelists, the poets and I wouldn't know how much. I suppose it must affect them as if your text is being used as a teaching text (being copied).*

40% of **secondary education authors** thought photocopying had a *negative* or very *negative* impact on Australian authors. Only 18% saw the impact as *positive* or very *positive* while 32% said they

did not know. This was again reflected in the qualitative discussions.

*I would say it has a significant impact. Differing among groups. For example, if you wrote a novel of 500 pages you are unlikely to be copied. However, if you wrote a study guide of 50 pages with discreet sections, it is just made to be copied.*

*It remains a threat to authors' income in general but CAL is fantastic for coming to terms with those sorts of problems.*

*Teachers are notorious for photocopying and they tend not to record. A lot of them don't record it because they don't want people to know how much they are photocopying. They don't recognise that they are actually not helping the authors either way. I mean, again, it is to do with budgets, they don't have the money so they just photocopy.*

One author who works as both a **children's fiction writer** and an educational author comments:

*There could be quite a lot of copying going on in the primary school system. Probably done correctly. Most of it probably comes from that a teacher wants a particular short story or poem to be available for each child in the class. Maybe there is only one copy available in the library? I very much doubt that anyone is copying complete novels--it takes too much time. But I'd say photocopying has a fairly big impact. School libraries also have a big impact on children's writers particularly. I sometimes get 30-40 kids who've all read my book. But they've all read the same copy. So what's that done to my sales?*

The **poets** interviewed in the qualitative study had mixed feelings about the impact of photocopying:

*I think it reduces their income. It does make their work more widely available but they don't get paid for that. So you win and lose.*

*I suspect it has had an impact on Australian authors overall. We like the fact that it is getting our work around but if we think a bit more carefully about it we realise that it is drying up the possibilities of publishing works.*

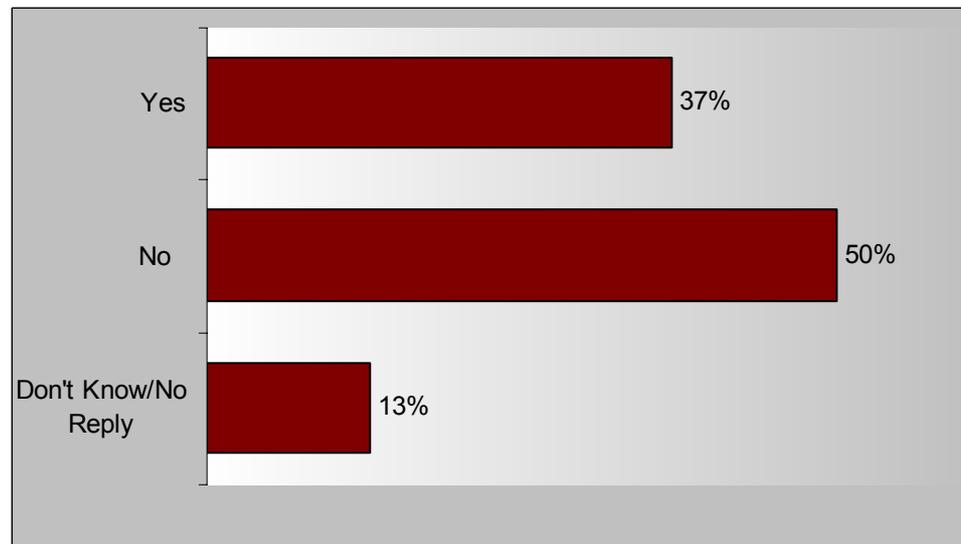
**Journalists** interviewed in the qualitative study had mixed feelings about the impact of photocopying:

*Substantial in that I used to work as a teacher myself so I know that teachers often will photocopy articles out of the paper and distribute it to a classroom and discuss... and of course there is nothing wrong with that but once again there is that issue of whether or not schools should pay for that... and I suspect that they obviously can't afford it.*

*I think people have learned to live with it.*

### 6.3 Impact on the type of work produced

Half of CAL's author members felt that photocopying had not had any specific impact on the type of work produced (see Figure 9). Of the 37% of respondents who indicated that they thought photocopying had had impact on the type of work produced, the main impact cited was that they were producing work in a more user friendly manner to facilitate photocopying.



**Figure 9.** *Has photocopying had any specific impact on the type of work you have produced?*

Three quarters of those author members who published using video, those who published themselves (65%) and those who received payment from CAL over \$5,000 (56%) were more likely to feel that photocopying had had an impact on the type of work they produced.

**Secondary education** authors felt more strongly compared with other author groups that photocopying had influenced them to produce different types of work (60%). This was the only author group where more than 50% said they were producing different types of work.

A small number of authors in the qualitative study said it affected the type of work they produced. **Poets, playwrights and novelists** said there was mostly no impact. None of the

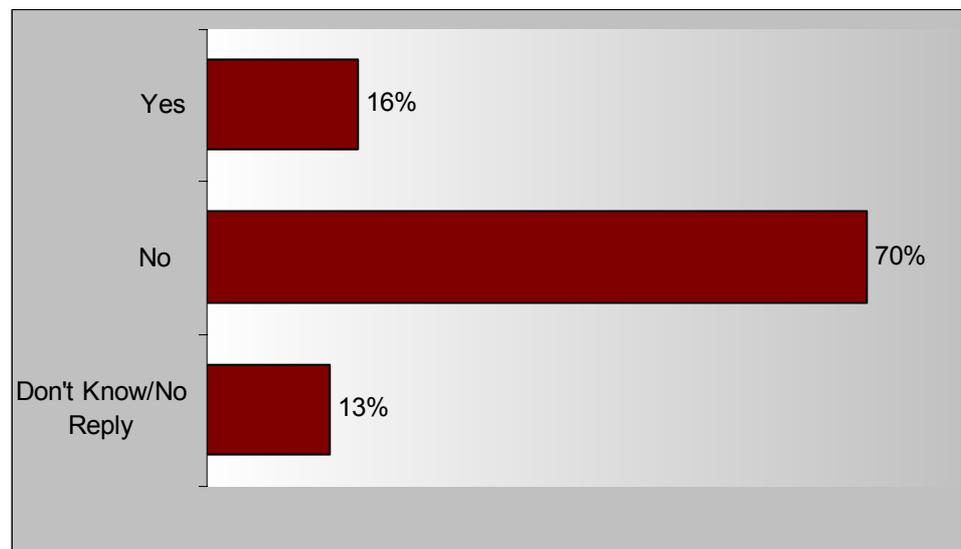
**journalists** nor **academics** in the qualitative study mentioned any effect.

*I don't think the fact that it is being copied would influence whether I am going to write nor would it really influence the type of thing that I am going to write.*

Specific impacts of photocopying on authors' work varied in about 50 verbatim responses given by authors. Around a third of authors changed to certain formats to **maximise** copying (eg by producing blackline masters or making work **more easy** to copy for schools). Six percent mentioned that they produced **less** detailed work so as to be copied less.

#### 6.4 Impact on the amount of work produced.

As Figure 10 shows, seven out of every ten CAL author members felt that photocopying had had no specific impact on the amount of work they produced. Of those who indicated that it had had an impact, there was a polarisation of whether this impact was positive or negative with some indicating that they now worked more, though in some case were paid less, and others saying that photocopying had reduced the amount of work they produced as it was less financially rewarding.

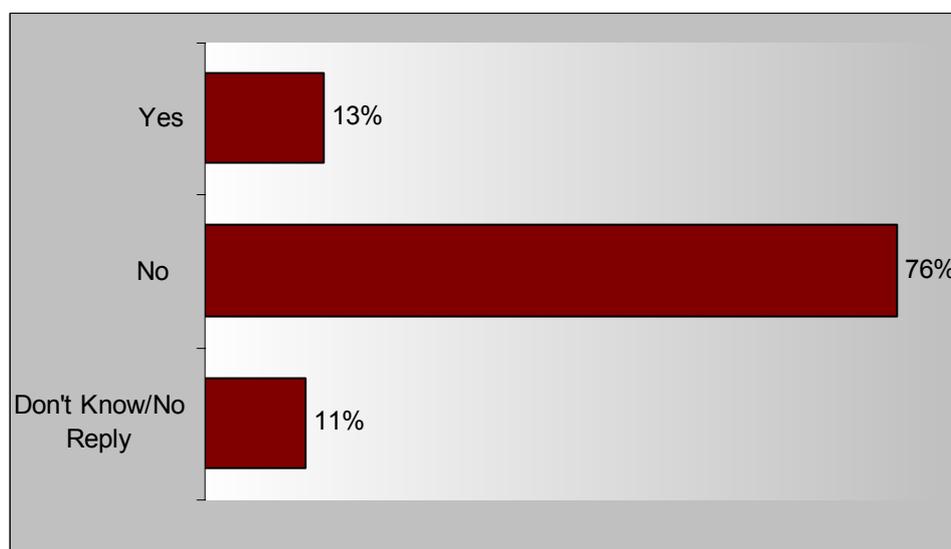


**Figure 10.** *Has photocopying had any specific impact on the amount of work you have produced?*

Those who received more than \$5,000 a year from CAL (39%) and those who published themselves (42%) were more likely to have the amount of work they produced affected by photocopying.

## 6.5 Impact on the way work is published.

Over three quarters (76%) of CAL author members felt that photocopying had not influenced the way their work was published (see Figure 11). Of those that felt that it had (13%), the main area of impact was in designing materials, where work was specifically produced to be photocopied or, to the contrary, to make it more difficult to photocopy (eg using colour).



**Figure 11.** Has photocopying influenced the way your work is published?

Those whose work was published via **video** (36%), **audio** (32%) and **online** (22%) were more likely to indicate that copying had had an impact on the way their work was published. By comparison with those who published in newspapers (85%), journals (81%) and books (76%) were more likely to indicate that it had had **no** influence.

About a quarter of authors working in **secondary education** said photocopying influenced the way their work was published, and only 17% working in **tertiary education** noted an impact. No **journalists** employed by a newspaper noted an influence of photocopying on the way their work was published, and only 9% of **freelance journalists** noted an impact.

The group that noted most impact in the qualitative discussions was the **secondary education** authors.

*I am sure that there are more limited runs and I am sure that is a direct result of photocopying.*

*We've consciously done things to try and reduce the photocopying of key parts or too much photocopying.*

*No, it's quite often colouring backgrounds and things, so its actually harder to copy, you just don't get a particularly good copy of that.*

*I know that we have done where there are strategic parts of the books that you would add colour so they are more difficult to photocopy.*

*Occasionally that's happened, and I know within a book and other material as well, but we deliberately do that sometimes to try and put people off photocopying too much.*

*There are some things I know that we have done where there are strategic parts of the books that you would add colour to so they are more difficult to photocopy. We deliberately do that sometimes to try and put people off photocopying too much. That is, we consciously do something to try and reduce the photocopying of key parts or too much photocopying.*

In the qualitative discussions some authors in **secondary education** noted that their work is published with photocopying specifically in mind. One author who has been working in the industry for 30 years noted that educational publishers sometimes used to use devices such as colour to try to prevent photocopying. Whereas "now publishers want photocopying".

*And we don't let that determine how we design the resources. Having said that, we will on occasion. What we are doing is to make sure that when we use a second colour that it is photocopyable. We will get teachers phoning up being concerned, when we are evaluating our studies magazine, that it can be photocopied.*

There were some examples in the **tertiary education** group detailing how work was published differently because of photocopying. In the qualitative discussions one author publishing in tertiary education has, with his publishers, moved significantly towards custom publishing.

*Say for example you have a 27 chapter [book] which would be about 700 pages and mine would retail at \$70-75 but if we custom bind something about 200 pages it would go down to about \$25-30 which would be a more effective profit or a more attractive profit we hope on the market.*

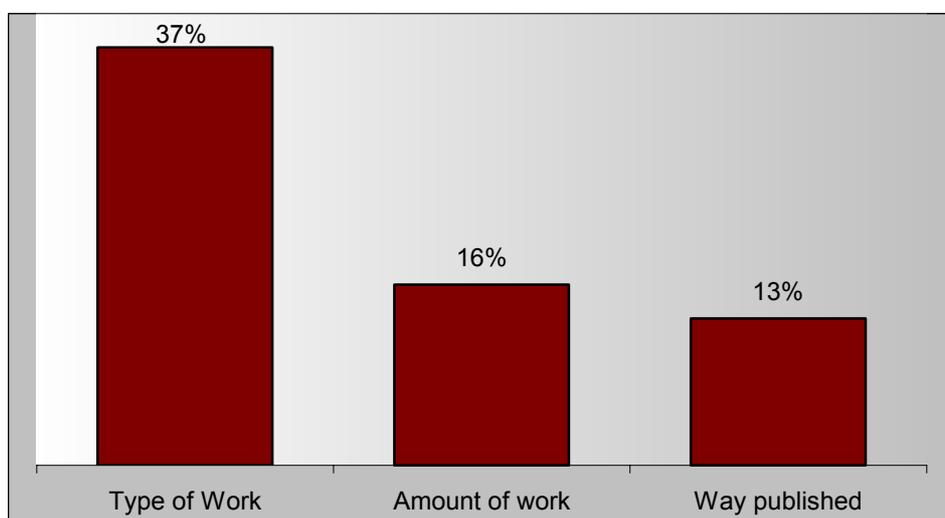
*I have a number of books and I know they are photocopied heavily. Unless I can get some sort of protection I think I will stick to textbooks, rather than publish in the market. I think this would work better. Academics won't bother with the photocopying if they can get a six-chapter book for about \$25.*

All **poets** in the qualitative discussion thought that photocopying influenced the way they or other poets were published.

*Yes, I have a feeling that publishers would print a greater number of copies of my books if photocopying were policed more effectively. It's a difficult question because you can't produce a book as cheaply as you can run off a few pages that you might want.*

*Not mine but possibly it has meant the difference whether people get published or not in some other cases.*

### 6.6 Summary of Photocopying Impacts.

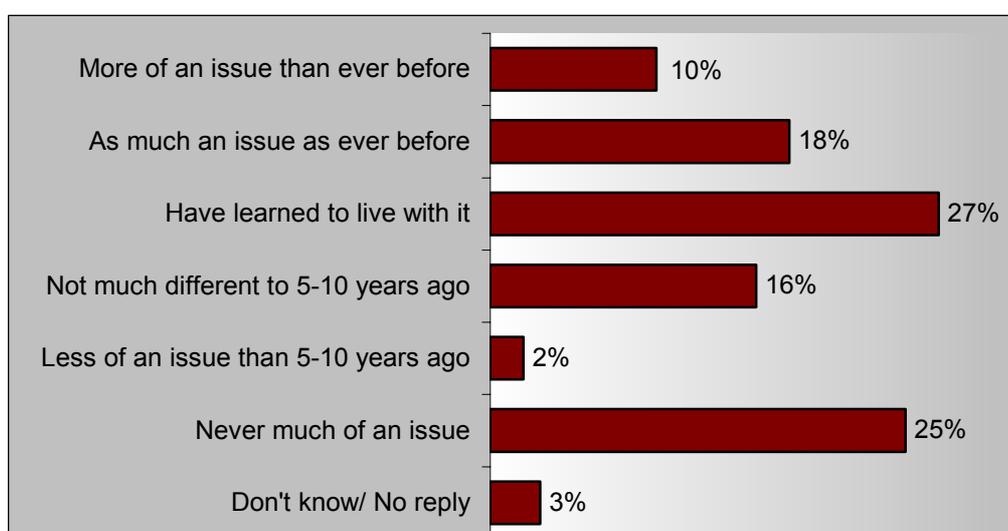


**Figure 11.1. Overview of impacts of photocopying across all author groups.**

The overall impact of photocopying across all author groups was noticeable. 37% found that it influenced the type of work they produced. A smaller influence was also noted on the amount of work authors published and the way it was published.

## 6.7 Impact of photocopying over time

One out of every ten CAL author members (10%) felt that the impact of photocopying on their work was *more of an issue than ever before*, with a further 18% indicating that they thought it was *as much of an issue as ever before* (see Figure 12). This tended to increase in particular author groups eg the **self-publishers**. Of the other respondents, 27% had *learned to live with it*, 16% felt that it was *not much different* from 5-10 years ago and 2% felt that it was *less of an issue* than 5-10 years ago. One quarter (25%) felt that it was *never much of an issue*. Those authors who found photocopying never much of an issue tended to be low CAL payment recipients or journalists.



**Figure 12.** Over time, how would you describe the impact of photocopying on your work?

45% of **secondary education authors** think photocopying is *as much an issue now or more of an issue than ever*. Only 11% think it has *never been much of an issue*. Around a quarter say they have learned to live with it.

*There is more awareness now of the impact it can have on authors and people are much more aware that there needs to be fair practice.*

*There might be a bit of a shift in awareness now on the part of teachers that it is good to acknowledge photocopying. Initially it was photocopy whatever you can and don't let anyone know because they will find out that I am doing more than I should be.*

*Increased, as standing of my work has increased and the sales of my work have increased. If people can get it for free or more cheaply, they'll copy it. It's in libraries all this stuff.*

Around a third of **journalists** (both employed & freelance) think photocopying is *more of an issue or as much of an issue as ever*. About a third think it has never been much of an issue.

*It's more of an issue than ever. I get more money now from CAL than ever before.*

*If people are out there photocopying the articles then great as far as I am concerned it means they are talking about them and reading them and reacting to them and getting value from them. If they are putting them in the education kits for the schools or universities-- fantastic.*

*I think people have learned to live with it.*

About a quarter of **tertiary authors** think photocopying is *as much an issue now or more of an issue than ever*. Only 17% think it has *never been much of an issue*. Just over a third (37%) say they have *learned to live with it*.

*Now days there is a great tendency to try and avoid paying for books by photocopying everything you can lay your hands on. That's why I feel there needs to be greater protection for authors against the growth in the amount of copying that is being done and the volume of copying at the start of each publication. It is very hard for us individuals to monitor what is happening so we rely heavily on organisations like CAL and the tertiary institutions themselves to be honest.*

*Much more....I would never have started writing if I had felt it was going to be this bad.*

*Increased, as standing of my work has increased and the sales of my work have increased. If people can get it for free or more cheaply, they'll copy it.*

*I think it was a big issue when it first came out. I think they feel that no one is ever going to take you to court. My feeling is that people have gotten pretty lax about it.*

*It has a positive impact as material is circulated. I've received a greater distribution this year than ever*

*before. I've received more this year for photocopying than for royalties. The 3.5% royalty from my publisher is nothing.*

Around a quarter of **novelists** think photocopying is *as much an issue now or more of an issue than ever*. Around a third (38%) think it has *never been much of an issue*. About a quarter say they have *learned to live with it*.

*I think with increasingly sophisticated technology it has [increased] particularly now that you can reproduce graphics in colour. An academic or technical writer would have a lot more stuff reproduced than before.*

Comments from **poets** and **playwrights** include:

*It was never an issue for me but recently it has been damaging book publications. For example, when a poet is placed on the final year syllabus in a given state they probably wouldn't mind if a small cheap book of their work was produced for around \$5 as opposed to them currently receiving little or no money for the photocopying. In effect it (the \$5 book) would be doing their photocopying for them and the author would be paid decently for it as opposed to receiving nothing.*

*You can't control it 100% It's really nice to know CAL is there and a percentage of the photocopying is being documented*

## 6.8 Digital Publishing

Figure 13 shows 41% of CAL author members had either some, or all of their work, published on-line. Those who had been members of CAL for only 1-2yrs were more likely to have work published online (81%). Almost half of those surveyed did not have their work published on-line (48%).

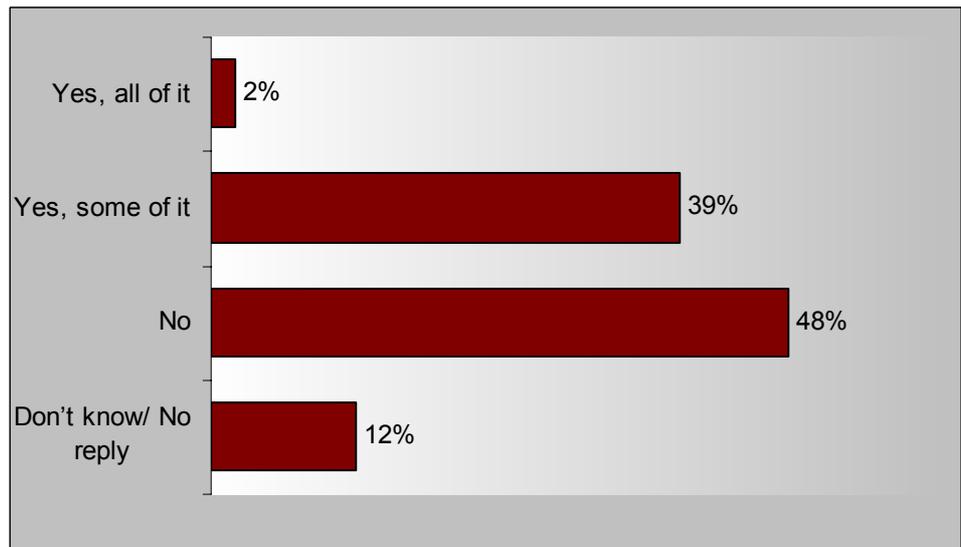
70% of **freelance journalists** and 75% of **employed journalists** have their work published online.

64% of authors in **secondary education** have not published work online.

Half of authors in **tertiary education** have not published work online.

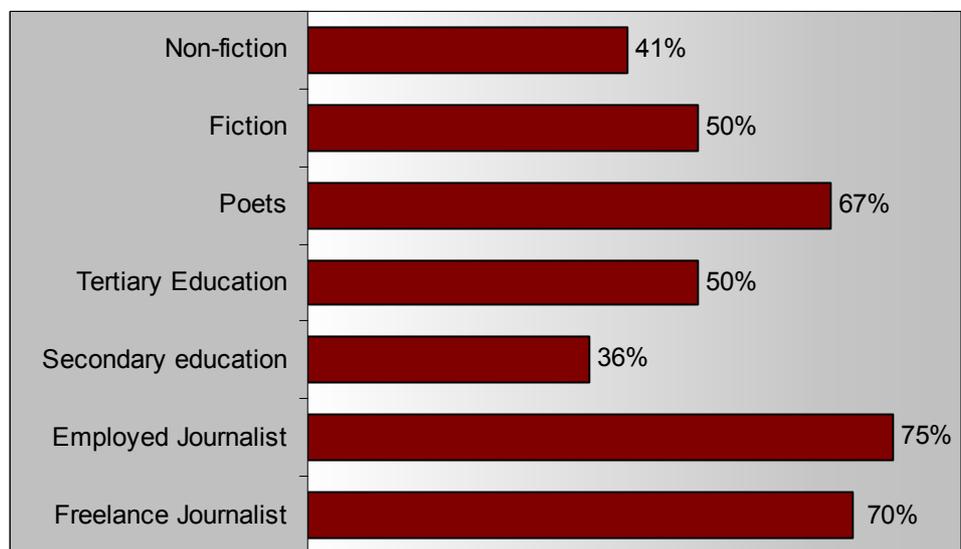
Though the quantitative sample size for **poets** was small, almost two thirds of those surveyed had published work online.

About half of **fiction authors** have published work online, and 41% of non-fiction authors have published work online.



**Figure 13. In relation to digital publishing, is your work currently published on-line?**

Of those who did not publish their work on-line, only 7% were planning to do so in the future. Those who published their work in journals (16%) and newspapers (17%) were more likely to be planning to publish on line than others.



**Figure 13.1 Percentage of authors from different categories publishing online.**

Five of the six journalists interviewed in the qualitative study did not know about publishers' rights in relation to digital copyright. Some employed journalists, unaware that an arrangement had been entered into with publishers for a one-off payment in lieu of continuing payments, commented that they simply trusted

their publisher to take care of their (authors') digital rights. Three had no idea about the digital provisions of their contract with publishers.

Only one journalist seemed to have some awareness of the digital arrangement:

*I think we may have waived our rights to electronic copying and only kept our rights to hard copy but I am not sure.*

*I don't have a problem with individuals copying for their own use but if someone is copying and making money out of it, I think that is a bit naughty. (journalist)*

*I only hope you guys can find a way of incorporating that into your system. (journalist)*

*I've reluctantly signed away some sort of rights because they said 'that' or we won't have it. So I did it (playwright)*

The digital environment seems to be more of a concern for educational authors. Authors mentioned the digital licensing of course packs, textbooks and study notes.

*I'd be more concerned about misrepresentation, which can happen. Once it's out anyone can mess around with your text and change it. That would worry me more (than loss of royalties).*

*It's less of a concern for government work as they want that freely available for schools and things and I see that as part and parcel of how we come to terms with the electronic age anyway... (Author/multimedia producer specialising in digital reproduction)*

*I licensed online once and it was a complete flop - no money - how do you collect revenue?*

*I'm frightened to death of digital copying. Photocopying is not too much of a threat. There's been a lot of interest in putting my books online.*

*Published course packs online in PDF format...*

*It is something that can be spread far and wide (internationally) and it exposes authors to more pirating of material than simple copying of works done in hard print form and I am not to know whether or not my material from my text has already been used online somewhere without my knowledge.*

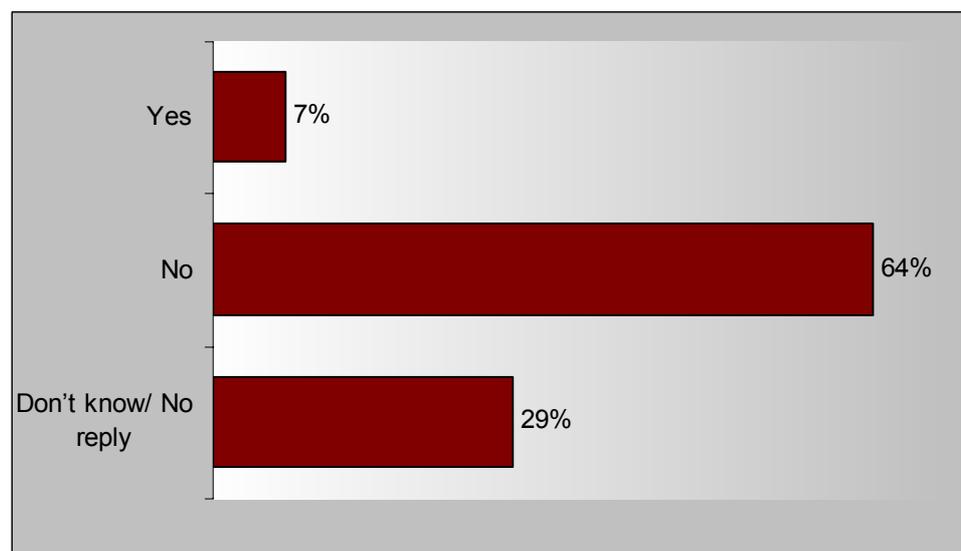
One novelist has 7-10 e-books in pipeline already licensed, but says

*The money's not good from digital. It's chickenfeed.*

The **poets** in the qualitative study have all had some contact with digital publishing. According to poets digital publishing of poetry appears to be on the increase and the authors interviewed appear to be moving towards it as another publishing option. One poet interviewed publishes a successful poetry web journal and is very positive about the digital environment for poetry.

An older well-established poet comments: "It's a whole great world and it is going to be tremendously important for all poets and all writers and none of us understand it very well and this one sure doesn't!

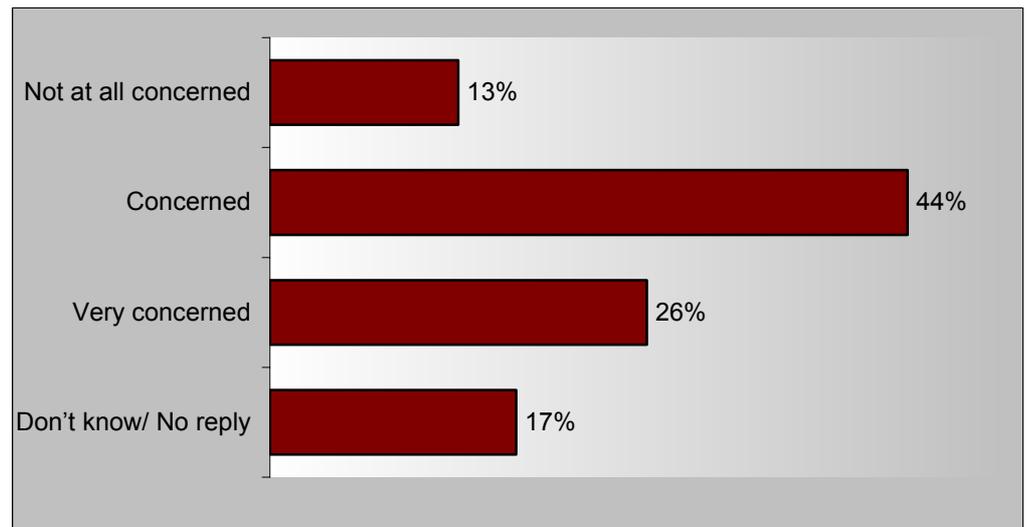
There does seem to be confusion over contracts, rights, and remuneration on this issue across author groups. One playwright asked "what do electronic rights mean?".



**Figure 14.** Are you or your publisher planning to publish your work on-line?

## 6.9 Unlicensed Digital Publishing

Overall, a total 71% of author members surveyed were either *concerned* or *very concerned* about the effects of unlicensed digital reproduction (see Figure 14) and thirteen percent were *not at all* concerned. Those who had been CAL members for 1-2 years or received a payment of less than \$100 were more likely to be concerned than other groups.



**Figure 14. How concerned are you about the effects of unlicensed digital reproduction?**

43% of **fiction** authors said they were *very concerned* and a further 33% said they were *concerned* about unlicensed digital publishing.

*Lack of income and control are two issues I am really concerned about and I'm pleased that organisations like CAL are considering tracking down that sort of thing and monitoring. I don't think our contracts cover any longer adequately the tracing of copyright infringement once it gets to digital. It will be hard to track down.*

26% of **secondary education** authors said they were *very concerned* and a further 38% said they were *concerned* about unlicensed digital publishing.

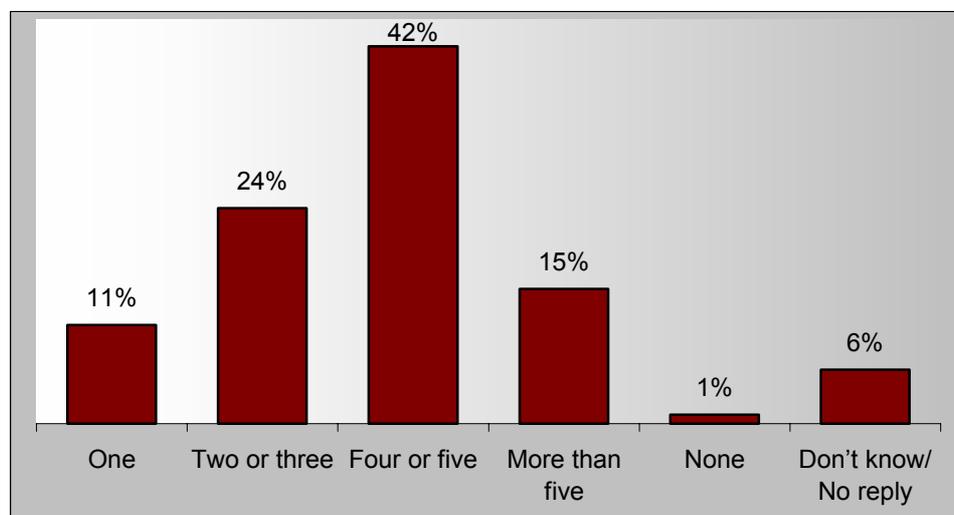
61% of **freelance** journalists were concerned about unlicensed digital publishing with a further 26% saying they *very concerned*.

In discussions, authors often said they were *concerned* about unlicensed digital copying when probed, but only a small number raised it unprompted as a *critical* issue. 41% of **tertiary** authors expressed *concern* about the effects of unlicensed digital reproduction while 22% were *very concerned*.

## 7 DISTRIBUTION IMPACTS

### 7.1 CAL Payments

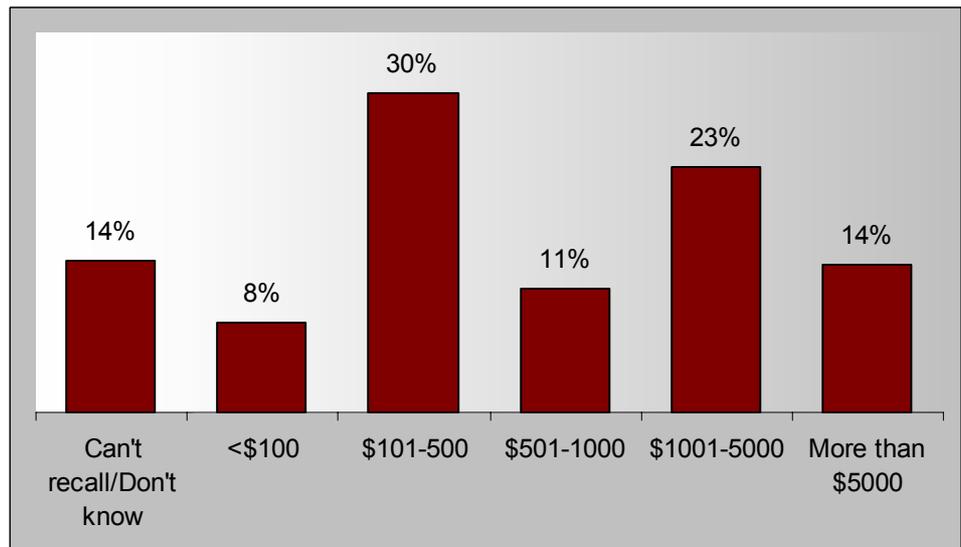
On average, author members received 4 payments from CAL over the last 5 years. As Figure 15 shows, 15% of respondents received more than 5 payments, 42% of respondents received four or five payments over this period, with 24% receiving two or three payments and 11% receiving one payment from CAL. Those CAL members who produced school education publications were more likely than others to receive more CAL payments over the last five years (57% receiving four or five payments and 15% receiving more than five repayments).



*Figure 15. Approximately how many payments have you received from CAL over the last 5 years?*

### 7.2 Payment levels

As Figure 16 shows, only 14% of CAL author members could not recall or did not know the level of payment that they had received most recent from CAL. Around half of CAL members in the sample received payments less than \$1,000, with 23% receiving payments between \$1,000 and \$5,000 and 14% receiving payments of more than \$5,000. Those authors who produced school education publications were more likely than others to receive higher levels of CAL payments (35% receiving between \$1,000 and \$5,000 and 33% receiving payments of more than \$5,000) as well as receiving them more often.

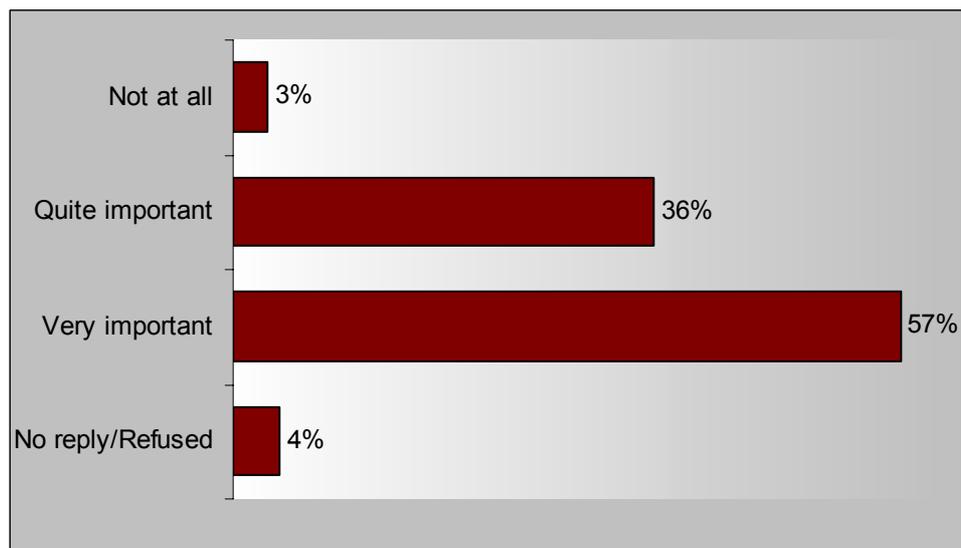


**Figure 16.** Do you recall the level of payment you received from CAL most recently?

In the qualitative study, across all author groups, there was a good to very good awareness of the amount of CAL distribution received.

### 7.3 Importance of notification

A total of 93% of CAL author members felt that it was either quite important or very important to know which specific works have been copied when they receive payment notification from CAL (see Figure 17), with only 3% indicating that notification wasn't important to them.



**Figure 17.** When you receive payment notification from CAL, how important is it for you to know which specific works have been copied?

Most authors in the qualitative study said it was important to check CAL's notification of which of their works were copied. Authors across all groups would like more information included in their payment notification from CAL. The main areas of information sought include sampling, regions, and sampling time frames. There is a great deal of confusion as to which sampling period the distribution relates.

All **secondary education** authors in the qualitative study said they paid close attention to CAL's notification of payment.

*I check what titles have been included, author entitlement and those sorts of things*

*Yes - so I can see whom I need to send money to.*

*Yes I assume it's reflecting the use of books.*

Most **academics** and **tertiary education** authors said it was important to check the CAL notification of which works were copied.

*I think it's really important as it gives you a lot of information why one (work) is being copied over the other. Because some of it is out of date but some of it is still relevant... I can use this as an argument to get a second edition up...*

*What is not clear to me from the statement is the places where it (copying) has been done.... There is no clue given as to how the figure on the statement is reached.*

*I'm interested to know what has been copied. I have the same attitude to ELR and PLR and I like to know what's been borrowed. And I am interested in the content. Partly because I'm interested in what I've written. I don't agree with it all but I'm fond of it. I like the thought that someone is copying it and almost certainly dishing it out to their students at another university. It's gratifying.*

*No not at all. I don't bother. It's not worth it for me and there is no way of checking, you know.*

*Also I have to look carefully at the breakdown as I've done a lot of joint publishing and I've got to send it [co-author's payment] off in most cases.*

*Well it is just noting which book is being photocopied. I know it is a farce because I know that there is more. The sampling suggests this is going to be typical and I know that it is not. We look at the figures and we just laugh*

*and think, you know, how many more millions have they taken out of that book. Because of the nature of the books, because they are generic, they are covered by all courses and we know that the true figures have to be higher than that.*

Comments from **novelists** and **playwrights** included:

*The important thing is to find out which one of my titles somebody has found of sufficient use/interest to copy. Unless you're one of the top 5% of writers, you get very little reaction or feedback on your work.*

*Yes, I look at what's been copied. I take it that someone likes the story and that makes me feel good (apart from the money!).*

One **poet** commented:

*It lets me know that if I do a work like that again in the future, it's likely to make more money through CAL so it might incline me to do this kind of book rather than that kind of book.*

All the **journalists** in the qualitative discussions felt that it was very important to look at their CAL notifications. The journalists seem to want to make sense of the use of their works and the patterns of their CAL payments. Notification played an important part in this.

*It would tell me what people are interested in I guess. It doesn't have any bearing on what I write. It just gauges what people are finding interesting or useful.*

*I think it is terribly important, because it does give you a lot of information on why is this one being copied more than the other one...some of it is out date but some of it is still relevant therefore it's not relevant for them to get the whole book therefore can I use this as an argument to get a second edition up. All of those things are really quite important.*

*I like to know where my work appears and who's copying it - I note that its mostly government.*

*I was interested to see what articles were being picked up and in what regions and try and gauge why this copying was happening.*

One **journalist** who licenses her articles for textbook usage comments:

*I have a quick glance to see which articles are being used - but CAL doesn't distinguish textbook usage.*

## 7.4 Payment Patterns

Most authors in the qualitative study were aware of their levels of distribution but were sometimes confused about variations in payments over time.

*I have to be very careful as I have PLR and ELR and CAL confused. I was disappointed by the last cheque as it was for \$80 and the one before that was for \$3000. I was so taken a back I rang CAL and asked whether there was a mistake. They explained that payments would wax and wane from year to year. In other years there were less extreme variations. I sell thousands of copies of my books....*

*If you were to take this year alone I would have to say 'yes' because that was quite a nice little sum and even when it was divided down the middle with my co author I got about \$7,000, but in other years, no it hasn't been a significant part of my income-- the most I have received is \$58.*

*The first year was quite low. One book had bought in 80 cents. I rang up the other party to ask them whether they wanted me to spend 45c to send them 40c! [The next year]it was a small amount \$60-70. The next was \$400 when I was going to get \$160 and the latest would be around \$1200 all together. I think I'm up for about half of that when I get around the logistics of getting the other parts to the other parties. A large amount of that is from those black line master books.*

*The payments are inconsistent and fluctuate over time— this is probably due to the random samples CAL takes.*

*I received about 3 payments for some plays, and that's years ago now. I told CAL I didn't want to divide payments up anymore and that was the end of the payments.*

Some could see a reasonable degree of continuity in their payments:

*Every now and again we get one particular resource that is varied but over the last 5 years they have been very similar. But there was one that was very popular with primary schools and there was a much larger payment attached to that. That was a very unusual occurrence, normally its about \$5000 or \$6000 a year.*

*I had a chapter in a new edition of a book. I received \$6K entirely from a book chapter. The other figures were what I expect normally. My income is very variable—just regard it as a bonus. You'd have to rewrite things regularly if you wanted to even out your payments.*

*They've gone up. Logically in academic publishing you'd expect all your payments to increase as you get better known. You get more senior as you publish more books and as you're better known you're more likely to get copied and borrowed. And more people are likely to put you on course lists.*

*They've been similar. At this point it's nothing like what's actually being copied. It's just a small percentage of a massive amount of material I've written in 40 years.*

*They have doubled in the last 5 years I would say from ~ \$200 to ~ \$400/yr. Partly because there is more photocopying going on and partly because CAL is reaching more of that I think.*

**Journalists** in the qualitative discussions seem very likely to check payment notifications closely - to seek further knowledge about their own work, audiences and copying markets, and to be able to see patterns in their CAL distributions according to genres they've written, in what parts of country been published and amount of work done.

*They tend to fluctuate sometimes they are quite low like \$100 but when I was working full time they were relative high I would get regular payments of between \$300 and \$600 but that was because I was producing more articles so more were being photocopied.*

*I would say certainly my CAL payments have gone up in the last three years and most of that is coming from a joint work which is out of date.*

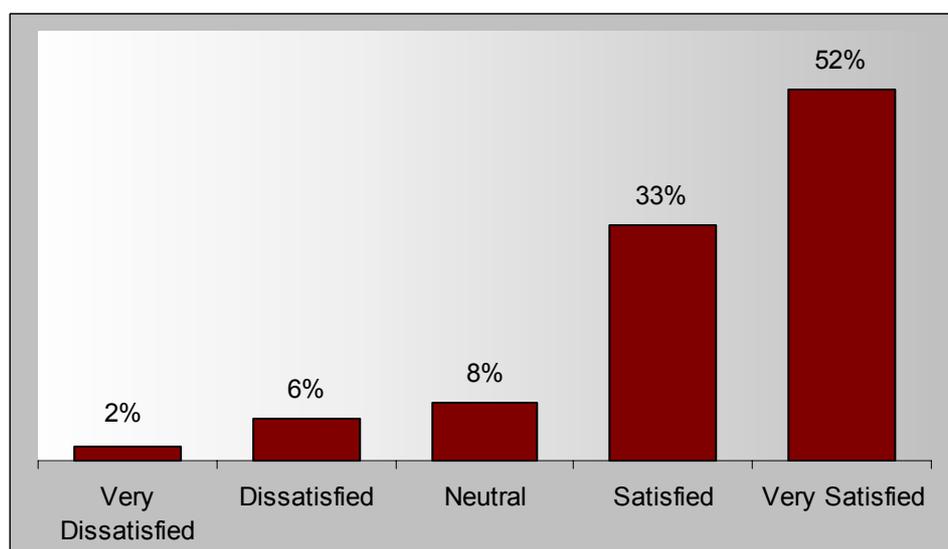
*No idea about pattern! Depends on CAL's sampling I assume.*

*The first one was large as I had never claimed before and it had been collected on my behalf over a number of years. That was about \$1,500 to \$2000 and then it went down quite markedly because I was writing for an area which didn't attract attention. When I started writing in a different area the payments went back up and were stable up until the most recent which was big. I think there had been one article that had been copied by the government.*

## 7.5 Communication with CAL

Overall, 48% of CAL author members had communicated with CAL about a matter regarding payment. Those whose works were published by an international publisher (61%), those who published in video format (73%), freelance journalists (57%) and playwrights (60%) were more likely to contact CAL regarding payment issues than others. Poets were the least likely group in both the qualitative and quantitative research to communicate with CAL. There was also a positive correlation between the level of payment received and contacting CAL about payments.

As Figure 18 shows, the overall satisfaction levels with CAL's response to enquiries regarding payments was very high with 52% of those who had contacted CAL being *very satisfied* with CAL's response and a further 33% being *satisfied*. Only a total of 8% of those who had contacted CAL displayed any degree of dissatisfaction.



**Figure 18.** How satisfied were you with CAL's response to your enquiry?

Of those authors in the qualitative study who had contacted CAL, most were satisfied with the response.

The most common reasons for contacting CAL were to clarify or query a payment or to gain assistance with secondary distribution.

*Fight this out with them every year. I don't want to send my lot to someone else. I just try and claim my half. I'm certain that when I did this last year, they said just claim your half. A spokesman said that. But when I tried to do it this year I got a rather grumpy phone call saying I couldn't. I couldn't remember who it was. Whatever the claim number is on the claim form is where I rang. I know this is their policy and I shouldn't do this to them. But*

*it's just something that really annoys me. I've rung up 3-4 times--they're probably sick of me!*

*I queried a payment this year. They said exactly what I expected. I was completely satisfied. They were very pleasant.*

*This year I wrote a letter and rang about the shortfall, but I had no response. [CAL records indicate a letter having been sent].*

*One author illustrator: I've been sitting on some amount that I got 2 months ago wondering what do with it and I've rung CAL and no-one really got back to me. Mine involved two other authors one of whom does not belong to CAL, that's why it was sent to me. But I don't really understand if all three parties belong to CAL who gets it? And why they get it? That's what I rang about: to see whether the other people had received money also or whether I was expected to pay them. I didn't get an answer but they were looking into it. [This situation was reported to CAL with authors name, with her permission].*

*I guess even now though they were painstaking in replying to my query. I am still a little bit hazy sometimes about the method of calculation I don't think I am alone in that.*

Some authors identified the reason they had contacted CAL as being through their own error. One lost her copy of the claim and called to get another one. She was satisfied with the contact "they were a nice lot".

*I've had a lot of communication with CAL but all due to my own incompetence! They were very sweet.*

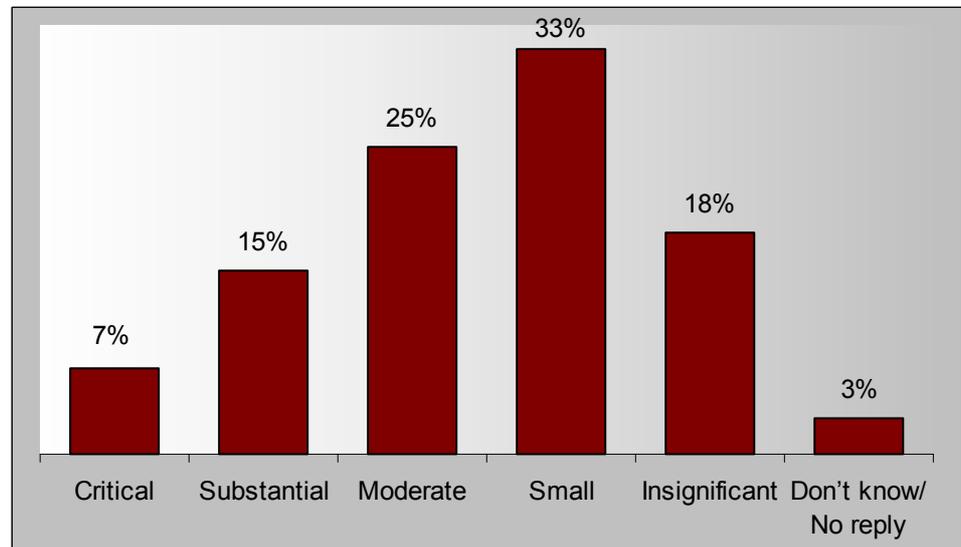
A small number of authors in the qualitative study had communicated with CAL about administrative errors and delays in their payments:

*I have called them on the odd occasion because I have signed the consent form and then the payments have been quite late in getting to me. They have been delayed but I have only had to call them on a few occasions.*

## **7.6 Impact of CAL's distributions**

A total of 22% of CAL's author members indicated that if they no longer received CAL's distributions, that the impact would be *significant* (*critical* for 7% and *substantial* 15%). A quarter indicated that this impact would be *moderate* (25%), a third indicated that the impact would be *small* (33%) and 18% indicated that the impact would be *insignificant*.

Those who published themselves (19%); and whose payments were greater than \$5,000 (28%), as well as those working in the area of secondary education (19%), were more likely than others to indicate that the impact of not receiving CAL's distributions would be *critical*.



**Figure 18.1.** *If you were no longer to receive CAL's distributions, what impact would this have on your work?*

49% of **secondary education** authors said that if they no longer received CAL's distributions it would have a *critical* or *substantial* impact.

*CAL makes up a third of my total income. It is substantial.*

This is in contrast to only 20% of **tertiary** authors rating the impact as *critical* or *substantial*. From qualitative discussions, it seems likely that some academics' salaries offset concern about income. In fact, 22% of tertiary authors described CAL's distributions as *insignificant*. However, for unsalaried authors working in tertiary education, CAL can still have an important impact.

*If not for CAL's distributions, I would probably have to give up writing. By the very nature of what I write it is absolutely vital.*

*I actually did one time add up all the hours that I worked on a book and then divided the royalties and it worked out at about \$1.52 an hour and I thought you wouldn't make a lot of money out of this...CAL has, over time, increased that hourly rate quite well. If you were to do the figures I am sure it would increase the hourly rate quite well because it goes over time.*

*It is just nice to get it. Don't underestimate that I think it is lovely, that work I have been doing and spent so much time and money on, is getting a little reward. Don't underestimate the effect that a little bit of payment for what you do is very good and very satisfying and I appreciate it tremendously for what they were doing. I thought this is marvellous because people have been photocopying peoples' work because when I was junior I know the kids used to photocopy and it cost them nothing and I always felt it wasn't fair to the author and CAL came along and redressed those wrongs-the way it should be.*

The **journalists** in the qualitative study said the money was welcome but did not have much overall impact. Only 4% of freelance journalists and no employed journalists rated CAL's distributions as *substantial*. 48% of freelance journalists and 58% of employed journalists rated the impact of distributions as *small*.

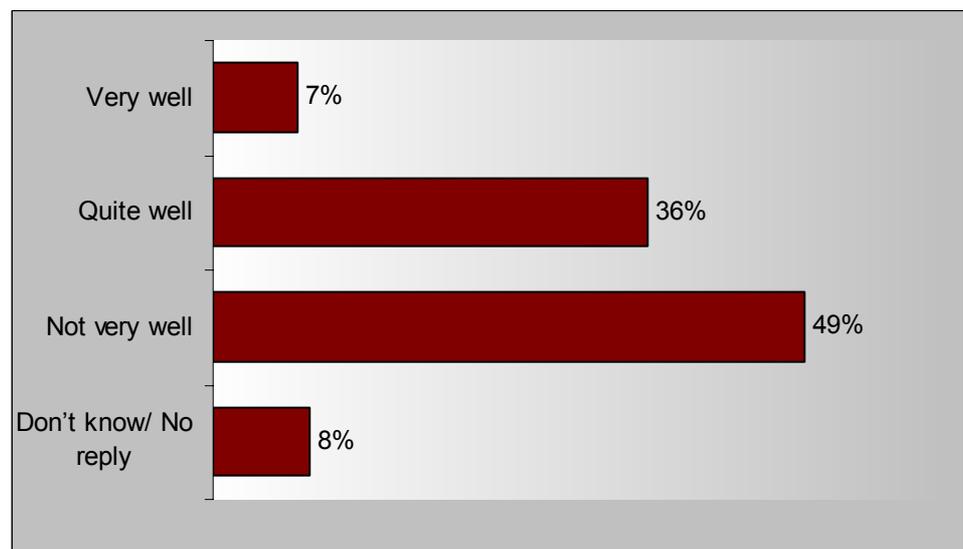
*Some impact. It's unexpected but useful.*

*Little impact, but it's handy.*

*It has some impact at tax time.*

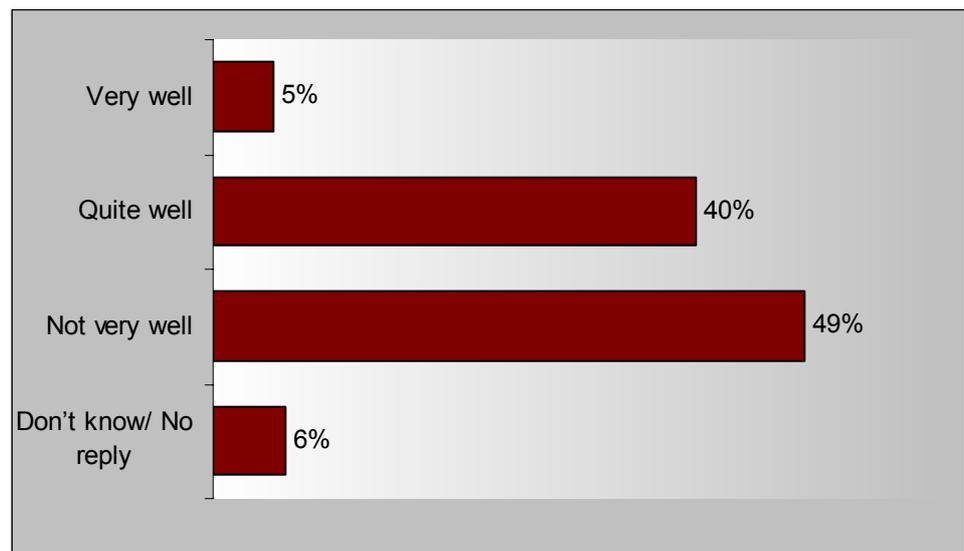
### 7.7 Understanding of CAL's collection and distribution methods

Almost half (49%) of CAL author members did not understand data collection (see Figure 19), with 36% indicating that they knew the methods *quite well* and 7% indicating that they knew them *very well*. Respondents who were more likely to not understand the methods CAL uses were those who had been CAL members for only 1-2yrs (71%), those who received payment of between \$100 and \$500 (62%), freelance journalists (57%), employed journalists (67%) and poets (63%).



**Figure 19. How well do you understand the methods CAL uses to collect monies for photocopying?**

Similarly, around half (49%) of all author members did not understand *very well* the methods CAL uses to distribute the monies it collects for photocopying with 40% indicating that they knew the methods *quite well* and 5% indicating that they knew them *very well* (see Figure 20). Again, those who had been CAL members for only 1-2yrs (62%), employed journalists (75%) and poets (63%) were less likely to understand CAL’s methods of distribution.



**Figure 20. How well do you understand the methods CAL uses to distribute the monies it collects for photocopying?**

49% of authors in **secondary education** said they understood CAL’s collection methods *quite well* (34%) or *very well* (15%).

From qualitative discussions, many authors working in secondary education currently work or have previously worked as teachers or have had work experience in schools. This seems to increase their awareness of CAL’s sampling methods as they are more likely to have been at a school whilst sampling was taking place. Two of the secondary authors interviewed in the qualitative study demonstrated a very good awareness of the CAL collection methods.

*I think they work out the median amounts of what they find in each school. They can't be totally accurate but they try to do it as fairly as they can.*

*I am not clear of the details, but I think they go into various educational institutes in all states and*

*territories, they get a sample, of the records that are kept there and then they do a variation. I know that it goes into a pool.*

39% of tertiary authors said they understood CAL's methods *quite well* or *very well*. Two of the academics interviewed understood the system but other tertiary authors seemed rather confused about the process.

*Schools write everything down. Records are stringently kept. It's an honour system to some extent. I have great faith in the work CAL does.*

*I have a feeling that they do some sort of survey, I think because PLR and ELR are just some sort of random survey. My feeling is that you have to actually fill in the form, but that doesn't cover students, I don't know how that is covered.*

*I am not very au fait with the detail of it. I confess I am still a bit hazy about the way the whole system is supposed to operate. I just have these general impressions that it is not comprehensive enough but I also don't feel there is any kind of inefficiency going on. It is just a matter of whether or not the resources are available to make the system comprehensive.*

From discussions there seems to be a correlation between people's actual and reported knowledge of CAL's collection and distribution methods. Authors who said they had a good understanding of the process then went on to demonstrate their knowledge.

Some authors in the discussions thought that CAL's monies were collected through an honour system with the institutions.

*It's an honour system I think.*

58% of fiction authors said they understood CAL's collection methods *quite well* (48%) or *very well* (10%). A novelist commented:

*A librarian I spoke with said it was difficult to keep proper records. Everybody hated giving her their records. Apparently the schools feel very hard done by - not because they begrudge the money - not because they think it's not fair. They just don't want more paperwork. I know that in this particular's school's case the librarian had to find out what teachers had copied what in the year. What percentage they'd copied and also track down who was the primary creator. There was great confusion about who was the primary creator of the book as some were putting the author's name, some the publisher, some the illustrator.*

A number of authors in the discussions mentioned the fact that they receive information on collection and distribution methods from CAL but that they often do not read it. Some say they intend to read it and then file it away. Others say CAL sends too much material, which is too dense and complicated to understand. About three long-term members of CAL said they thoroughly read the documentation.

## 7.8 Fairness of payment

As Figure 21 shows, the vast majority of author members feel that CAL distribution provides fair payment for the copying of published work (*fair* 42%, *very fair* 23%). A total of 8% indicated that the payment was unfair to some degree and 8% felt that it was neither fair nor unfair. Freelance journalists (total *unfair* 13%), those who published themselves (total *unfair* 22%) and those for whom writing was the primary source of income (total *unfair* 19%) were more likely to feel that the payment was unfair than others.

Across author groups the highest percentage of strong dissatisfaction was fiction authors at 14%. Less than 15% of authors in each group thought the CAL distribution to be unfair or very unfair.

*I question CAL, thank god for CAL - there is no question of that, but I question the methodology. I think it's absolutely fraught because I know what the real figures have to be.*

In the qualitative discussions, no author rated CAL's system as very unfair. The overwhelming majority rated the system as fair, with a handful expressing glowing praise for CAL.

*I am sure they would be honest and I can't imagine them not because I see them as a very good organization. I do think they have integrity.*

Some expressed concern that though they felt the system was fair, it was uneven or erratic.

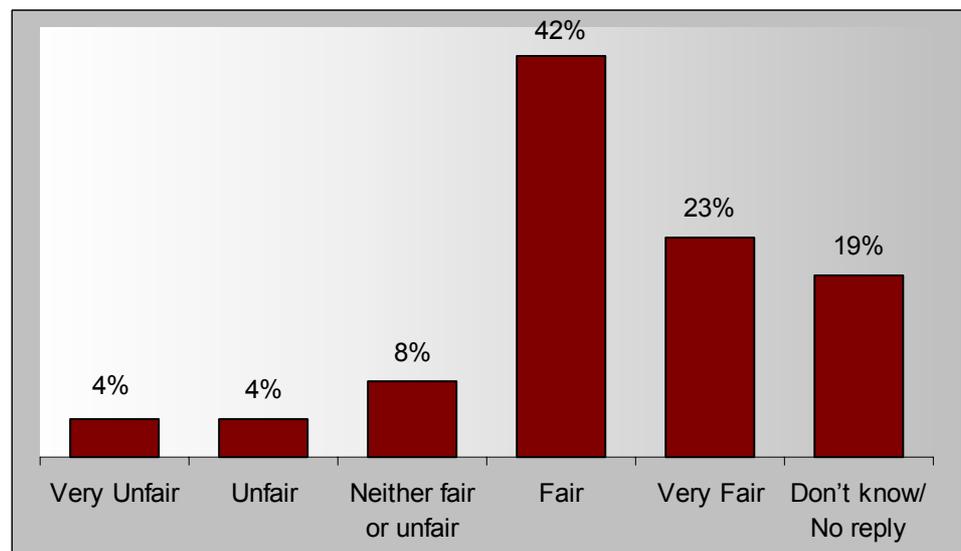
*I think it's fair although it probably misses a lot of photocopying in the unregulated marketplace....*

*It is a fair system as far as it goes, it is just inadequate.*

*Is it a comprehensive enough system? It's random luck. A random sample can work for or against authors. Friends say the same—it should be possible to have recording done at all institutions.*

A small number of authors were not sure whether the system was fair.

*Waxes and wanes -hard to say. I've got no idea about what photocopying is going on.*



**Figure 21.** Do you think the CAL distribution provides fair payment to you for the copying of your work?

Similarly, the majority of CAL author members felt that in general the distribution system provided fair payment to authors for copying with 40% indicating that it was fair and 18% indicating it was very fair. A total of 9% indicated that the payment was unfair to some degree and 9% felt that it was neither fair nor unfair. Again, those who published themselves (total unfair 20%) and those for whom writing was the primary source of income (total unfair 18%) were more likely to feel that the payment was unfair than others.

Discussions produced similar results but authors showed a tendency to think that CAL distributions were more fair to them than to authors overall. Similarly to section 6.2, a number of authors made the point that they felt photocopying impacts different authors in different ways, particularly noting for “fiction” or “trade” authors, the impact of photocopying would be less.

Two **academics** in the discussions felt that academics should be entitled to less CAL remuneration as academics were not depending on writing income for a living.

*I don't know enough about how it's done. As I said before I [would] probably feel happier if you could only claim it if it was your only source of income. I can see that is problematic for anyone who wants to work into making it their only source of income.*

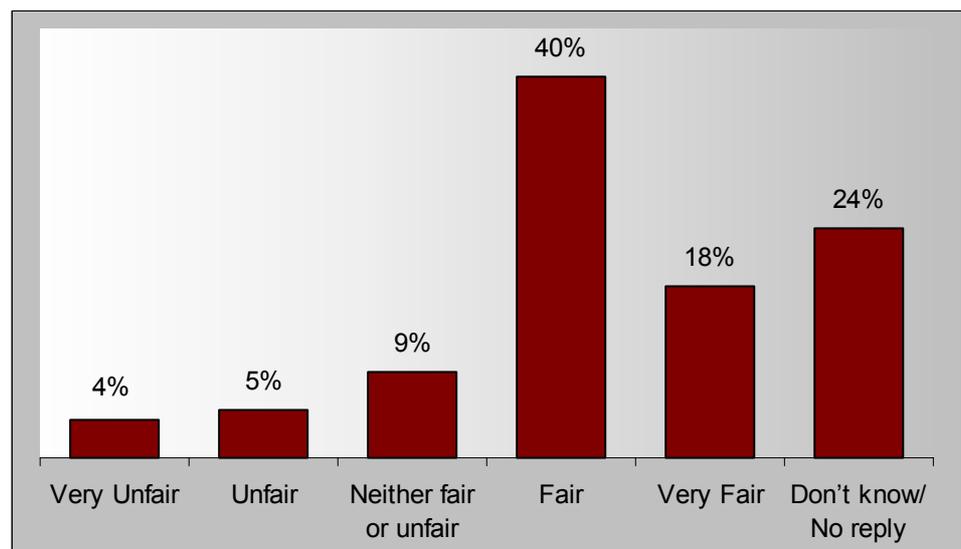
*Unless you're talking about creative writers not academics. I think PLR/ELR and copyright should be differentially weighted for creative writers who are trying to earn a living from it. They're the core. Academics are a secondary concern who are relatively well paid for writing... I think there'd be a case for paying them a differential rate.*

In contrast to the comments above by tertiary authors who work as academics, the following quote shows concern by a tertiary author who does depend upon writing for a living.

*I think it is worse for people like me who are non-fiction writers in the academic field. I can't imagine people taking a great slab of a novel for example. It is just too much hassle to take a photocopy of a novel. But my area I think you get very much hit.*

One novelist who also works in secondary education comments:

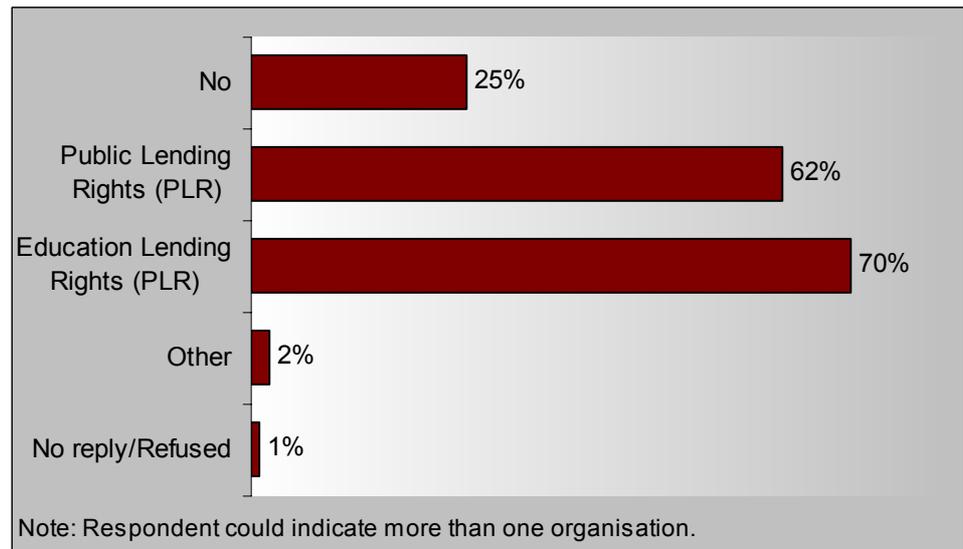
*Since I'm not quite sure how the payments are made (eg how many cents per page) I assume it's fair. And it's something we otherwise wouldn't receive as no author is going to be chasing schools for what's been copied. And schools are the major people who copy, I think. People who write ordinary adult fiction probably receive very little from CAL, if anything, cause their books are simply not copied.*



**Figure 22. Generally speaking, do you feel the CAL distribution provides fair payment to authors for copying?**

## 7.9 Payment from other organisations

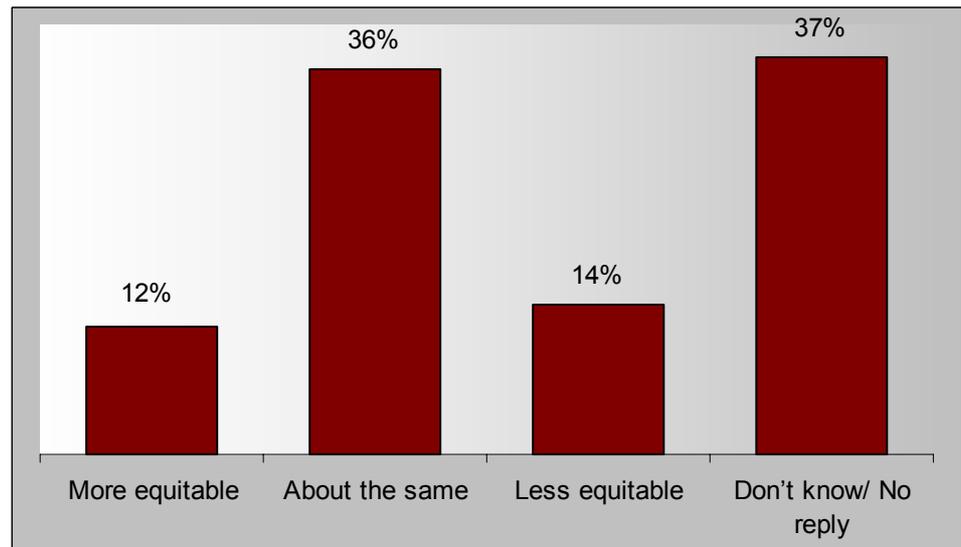
A quarter of CAL author members receive no payments from other organisations (see Figure 23). This is especially common for journalists, newer members (1-2 years) and self publishers. Seven out of ten authors received payment from Education Lending Rights (70%) and a further 62% received payment from Public Lending Rights distribution. There was a positive correlation between years as a member of CAL and payment from other organisations.



**Figure 23. Do you receive monies for your works from any of these organisations?**

Of those who had received other payments for their works, 36% of respondents thought that in terms of equity, CAL was about the same as these organisations (see Figure 24). Fourteen percent (14%) of respondents felt that CAL was less equitable (especially new members) than these other organisations, with 12% indicating that they thought CAL was more equitable (tended to be high payment recipients). A large proportion of respondents either did not know or gave no reply (37%).

**Freelance Journalists (29%), Employed Journalists (33%) and Fiction Writers (30%)** were more likely to indicate that they thought that CAL's system was less equitable than others.



**Figure 24.** *In comparison with these other systems, would you say that CAL's system is more or less equitable?*

In the discussions, some authors raised the issue of CAL's administration being problematic (ie complicated and costly to authors). Many of those who saw CAL's administration as a problem felt that the PLR/ELR systems were more administratively simple, without the extra costs or worries about arranging secondary distributions. It was less likely that educational authors found CAL's system to be cumbersome. 47% of secondary authors thought that CAL's system was more equitable or about the same with only 13% finding CAL's system less equitable. In the tertiary sector, 50% found CAL's system more equitable or about the same whilst only 7% found the system to be less equitable. There is a correlation between the level of CAL payment received and perceptions of CAL's fairness compared with PLR/ELR. 33% of those who received less than \$100 thought CAL's system was less equitable whilst no authors receiving over \$5000 thought CAL's system was less equitable.

*PLR is a lot less money, just a little bonus.*

*I think PLR and ELR are fairly simple systems. Once you have a publication on the shelf, it is not overlooked. The question is whether or not it is still on the shelf and stays on the shelf and the number of copies that are there - you always get something—which is not the same for CAL.*

*Certainly, take PLR and ELR now that's dead easy, you just count the books. This is far more difficult, and I appreciate it is far more difficult. I receive money from PLR and ELR, not very much though. [receives much more from CAL]*

*CAL is slightly more efficient in a way as you don't have to notify when you publish a book. PLR and ELR you do have to draw it to their attention*

*The copying is a much more important part of the beast than where the actual volume sits, whether it is in somebody's home library or in an education institution, because if it is an education institution they still have a copy. Obviously PLR is much more important to the fiction people.*

Poets in the qualitative discussions were satisfied with CAL's system in comparison to PLR/ELR.

*CAL seems very efficient. PLR is totally efficient too—they write to you and give you a breakdown of all the books that are held in libraries and they send you your cheque...*

*I think there is something a bit funny about the PLR sampling system I got an idea that there could be improvements...*

*CAL has good publicity campaigns about their services and encourages people to register. CAL has a higher profile than PLR or ELR.*

*I would think they are fairly similar systems.. I wouldn't know.*

A small number of authors in the discussions were confused about registration issues with CAL. Some thought that CAL requires a registration process for titles like PLR/ELR and were not sure how to go about this.

*I think PLR is more efficient.... but it could be partly that I'm not clear about registering books with CAL. At some point I must have registered books but I don't receive like I do with PLR/ELR prompts from my publisher to register my books with CAL every year.*

*The other thing that happens with PLR/ELR is that if you forget to register they ring you up and remind you.*

*They're very thorough in that they really want it to work. I really feel very confident that I'm getting all that I'm due.*

Playwrights and novelists who write children's fiction were the most critical of CAL group in the discussions in comparison to PLR/ELR. 30% of the fiction authors in the survey say CAL is less fair. This is very likely as their work may be photocopied less but gain more substantial payment from PLR/ELR. There was more frustration linked with the secondary distribution of small

amounts of money. PLR/ELR were seen to provide an administrative solution to secondary distribution.

*I get a lot more from other sources. Maybe people don't like to copy my work, I can understand plays being copied but who would want to copy a children's book.*

*CAL is more of a lottery and not as good*

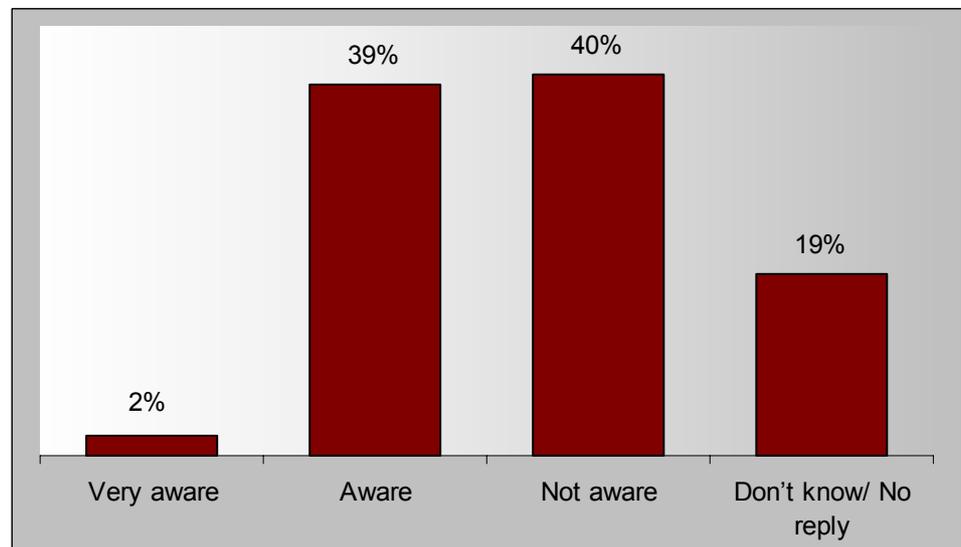
*ELR is better, easier - they accurately report lending patterns. Photocopying is not as easy to monitor.*

*The money is more significant than CAL*

*CAL has too much administration. I have done well from ELR for the last two years and it's doubled my income at a sweep.*

### 7.10 Awareness of licensing arrangements

Forty percent (40%) of CAL author members were not aware of the organisations and institutions CAL has licenses to collect fees from, with a total of 41% indicating a degree of awareness. Employed journalists and poets (both 50%) were less likely to be aware of the organisations and institutions CAL has licenses to collect fees from and there was a positive correlation between years as a member of CAL and awareness.



**Figure 25. How aware are you of the organisations and institutions CAL has licenses to collect fees from?**

In the discussions many authors identified without prompting, schools, TAFEs and public universities as institutions from which CAL collects fees. When prompted, 65% added private universities, 50% government, 46% private colleges, 27% media

monitors and very low numbers identified the private sector and religious organisations. A number of authors were interested to know which organisations CAL did collect from, after tackling the question. A number expressed pleasant surprise at the breadth and variety of institutions included-- particularly the private sector.

### 7.11 Right Amount Spent on Data Collection?

Almost a third of the authors in the qualitative study did not know whether CAL spends about the right amount on data collection.

*I know they have an enormous amount of money so presumably they could spend more considering I am reasonably dissatisfied with certain aspects.*

Three authors in the **tertiary** sector said CAL spends too little on data collection. They all felt more could be done.

*I think they spend too little but they are circumscribed by their position. They are partly successful.*

*I think they could spend more and they don't have a huge income. I have to argue that they do need a more comprehensive data collection system and that might mean not that they need to go to more institutions-- but within those institutions more people need to be doing the monitoring. That is not necessarily on CAL it might be a part of responsibility to be shared by those institutions to make sure that they are providing proper feedback to CAL for the data to be properly processed.*

One **playwright** comments:

*CAL spends too little on data collection and too much on long letters.*

Only one **journalist** in the qualitative discussion thought CAL spent too little on data collection, whilst 3 believed that CAL spends the right amount.

*I think more could be done on the digital copyright area.*

*It seems like it is pretty comprehensive. I am surprised that they do the private sector so that is great. I am pretty impressed with the way you do it.*

One **poet** commented:

*I think it could spend more. I say that because CAL seems to have a lot left over at the end of the year. They could*

*think about how to spend the surplus. There are lots of ways you could do that, but one way is to spend it on better collecting, make sure that you get more in the net.*

### 7.12 Payment Rates

None of the authors interviewed in the qualitative study knew what the page rates were for different types of work.

### 7.13 Payment Threshold

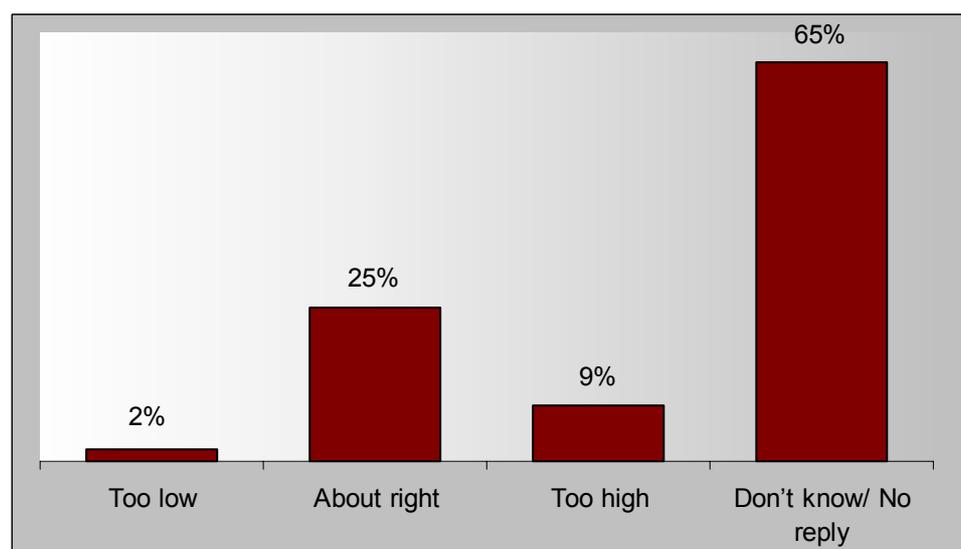
Almost all the authors interviewed in the qualitative study thought that a \$50 threshold was fair and reasonable. However, a number felt that the threshold was appropriate only if there was a rollover period in place.

There is little awareness of the costs of data collection and distribution and therefore no sensitivity to cost-efficiency issues.

Any changes to the current threshold will need to be carefully explained to authors who have generally not considered the longer term impacts of inefficient practices.

### 7.14 CAL's running costs

Almost two-thirds (65%) of CAL author members either did not know if the organisation's running costs were reasonable, too high or too low (see Figure 26). One quarter (25%) of respondents thought that running costs were about right, with 9% indicating that they thought they were too high and 2% indicating that they were too low. Freelance Journalists (22%) and Employed Journalists (17%) were more likely to feel that running costs were too high when compared with other groups.



**Figure 26.** Generally do you think CAL's running costs are reasonable, too high, or too low for the services it provides?

Depth interviews reflected the quantitative results with more than half simply stating they did not know whether CAL's running costs were reasonable or not.

Two authors in tertiary education who are longer term members of CAL had both read annual reports within the last year and thought that CAL's running costs were about right.

*I think they've got it right... I think they're lean and mean!*

However, one high earning author in tertiary education said:

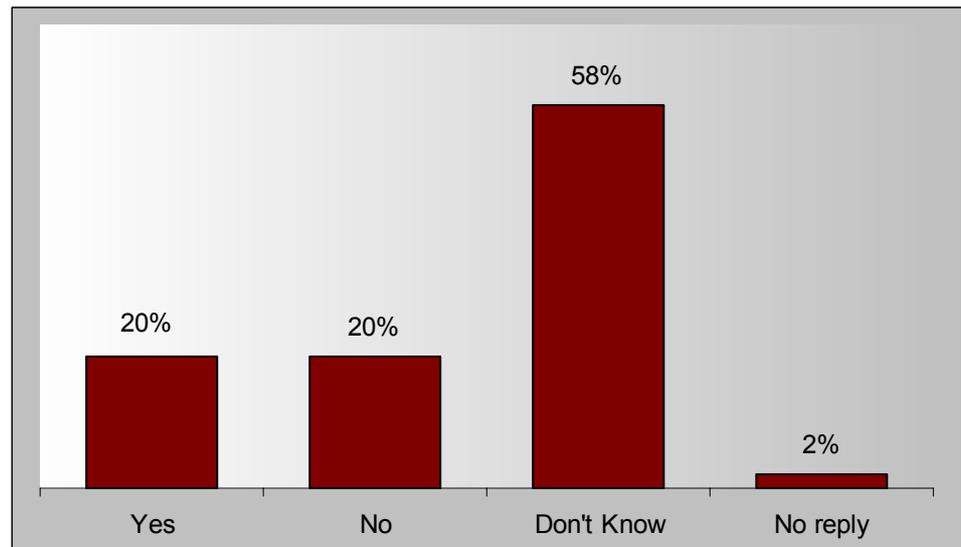
*I think CAL should spend more on technology and development.*

One academic commented that while she thinks CAL's running costs are about right "...the glossies and masses of information cost money and I don't read them."

One author working mostly in children's fiction made the comment that CAL's running costs are too high ... "I think they're inefficient" but without any reasons for the assessment.

### **7.15 CAL's impact on publishers**

The majority of CAL author members did not know whether or not CAL's distributions to publishers had any impact on what they decided to publish (see Figure 27). The rest were split evenly over whether or not CAL had an impact on publishing (both 20%), with a further 2% not replying to the question. Those authors who received higher levels of payment from CAL were more likely to indicate that CAL's distributions did have an impact on publications (27% of those who received \$500-\$5,000 and 50% of those who received more than \$5,000).



**Figure 27. Do you think CAL's distributions to publishers have any impact on what they decide to publish?**

Two **tertiary education** authors identified issues they felt publishers would take into account when considering CAL's distribution.

*I think publishers think hard about what books are going to earn. They have got two things in mind—what is the target audience which is going to do a lot of photocopying. They know that when they produce an educational text there will be much photocopying so that the rewards paid by CAL may sometimes favour the publisher.*

All **academics** interviewed in the qualitative discussions felt publishers would take CAL payments into account when deciding what to publish.

*There's pressure on academics inside the universities to head toward scholarly monographs. What the publishers want, increasingly,....is to publish less scholarly monographs. My guess is that part of that is to do with CAL and ELR. I'm not sure but I would guess that they would clearly expect to get more CAL money from a textbook.*

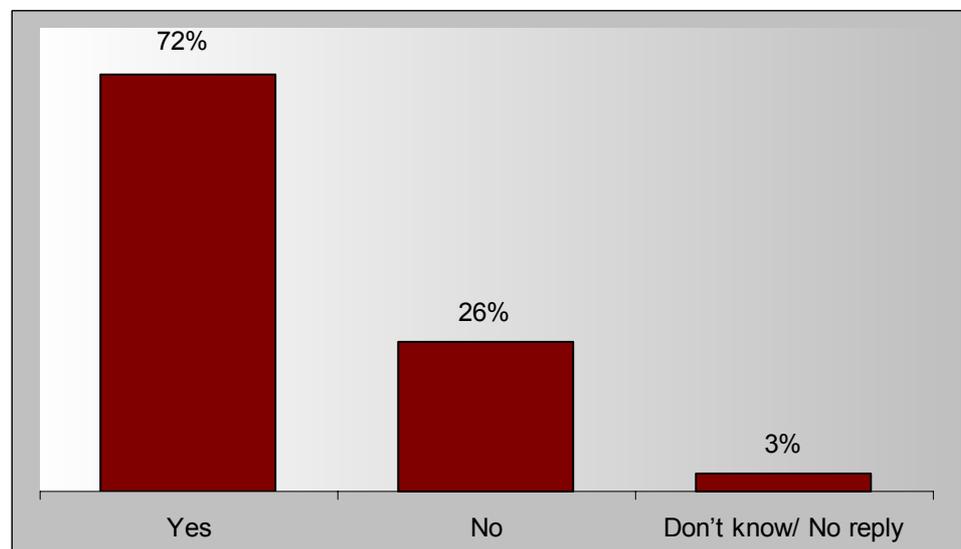
*Publishers are so meticulous about doing their calculations about whether they think something likely to make some money. If it's a source of income for them in relation to particular types of publication they've got a slightly better guarantee than if you take pot luck...*

A **novelist** who has been writing for over 20 years and published with a variety of publishers said:

*Yes I think so. I think publishers are always interested in money and they would bless their writers who were copied provided it was done properly and legally as some of that money goes to the publisher.*

### 7.16 Commissioning of works by other organisations

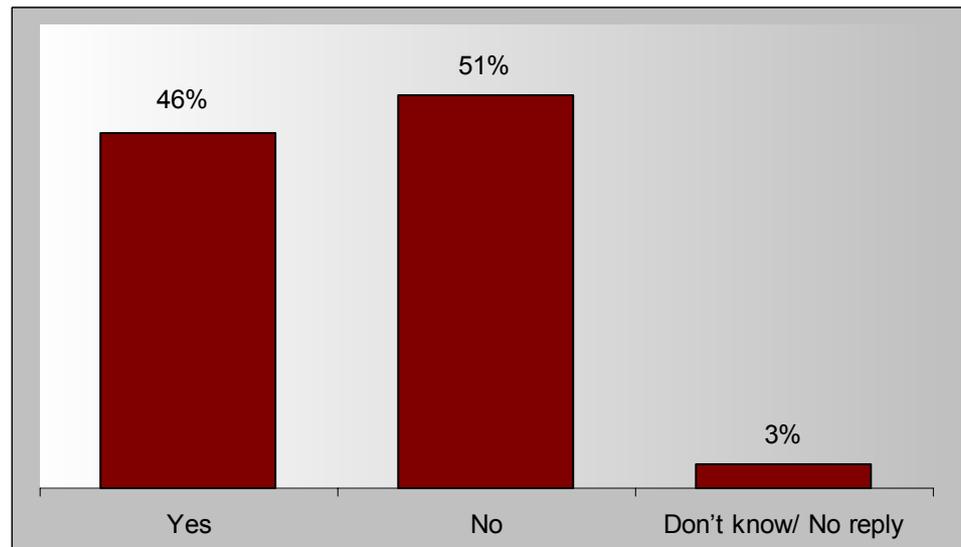
As Figure 28 shows almost three quarters of CAL author members (72%) had been commissioned to produce works for publishers or organisations while about a quarter had not (26%). Those who published themselves (46%) and Employed Journalists (50%) were less likely to be published by other organisations.



**Figure 28.** *Have publishers or other organisations commissioned works from you?*

### 7.17 Upfront fees

Around half of CAL author members (51%) did not receive an upfront fee in lieu of royalties and photocopying payments, with 46% indicating that did receive such a payment (see Figure 29).



**Figure 29. Did you receive an upfront fee in lieu of royalties and photocopying payments?**

71% of **tertiary education** authors in the quantitative study say they have had work commissioned. These authors gave the most feedback in the qualitative study.

*Constantly for chapters in books. Paid once or every time it is republished.*

*It's happened in the past. I now keep copyright for everything I do. It was in the past that that happened. But I wouldn't do it anymore.*

*No, I would never do that. I have done some type of work for this mob here and they pay an up front fee but the money is so miserable that I am not doing any more of that stuff again.*

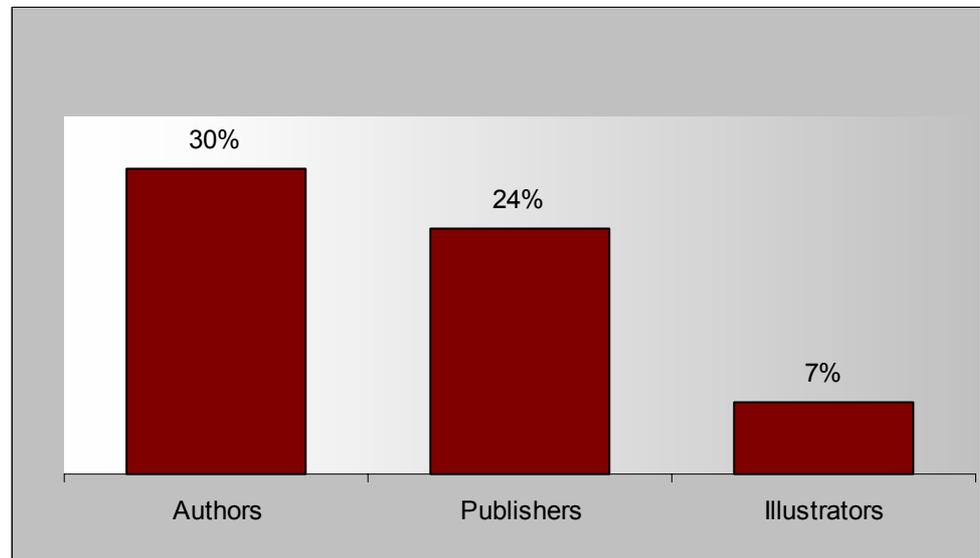
*Yes, but I don't get copyright for that. I have had universities which have commissioned study texts from me and I remember there were always arguments among the academics as to whether or not we ought to get a share of the royalties. I produced five study texts but they are seen as being part of my job. We are well aware of the controversy that there has been with universities getting people to write material during their work in time which could potentially generate a lot of royalties and perhaps copyright.*

68% of **secondary education** authors have done commissioned work:

*Only with work that doesn't have my name on it so you don't get any royalties for it.*

### 7.18 Payments to other rights holders

The majority of CAL author members do not make payments from their CAL distribution to other rights holders, with only 30% making payments to authors, 24% making payments to publishers and 7% making payments to illustrators.



**Figure 30. Do you make payments from your CAL distribution to other rights holders? (% YES)**

Only 13% of freelance journalists and 17% of employed journalists make payments to other rights holders. However, it would be expected that journalists would be one of the least likely groups to be required to share payments.

*I had to distribute to a photographer and I am not certain why their name appeared on the distribution. I just bought them some beers out! I wouldn't know I would do if it was someone who worked in another state or something. That would be quite difficult.*

Almost half (47%) of **secondary education** authors distribute to other rights holders.

*When they send me the claim form I look at it and see whether it is worthwhile sending anything at all. And generally speaking it isn't. I haven't claimed some money owed over the last few years as I could see that I was going to spend more money and time and frustration trying. Then I have to persuade the income tax people that the cheque I got was not all mine.*

*If I do get the cheque, I make an effort to find the other parties. Last year I gave up and didn't cash a cheque where I couldn't locate the other party. I made several attempts to get in touch with the publisher which had been sold to an American company. The editors I dealt with didn't know anything about it and had never heard of CAL. And they had no idea about how I was supposed to distribute it and they didn't know what the situation with the illustrator was and they didn't know if they or their parent company were supposed to be the ones getting the funds. So I just put the whole thing in the too hard basket. Pushing around a thousand dollars I haven't claimed.*

Only 29% of tertiary authors make payments to other rights holders.

*With other authors yes—based on the amount of the royalty. I only send to authors, not illustrators*

*I get half the fee less the cheque fee. I think that's fair enough he shouldn't have to wear that... that's another reason why I think it should be distributed to all the authors....*

One poet commented:

*I haven't distributed money back to the publisher but he specifically told me I don't need to but it's because I sell well and we get along. It's between me and him.*

Authors who earn smaller amounts from CAL tend to either not know their responsibilities about secondary distribution, or feel frustrated about splitting small amounts between different parties, particularly with the bank charges.

*I find it tricky to know how so I need advice! But I presume that it's a 50/50 thing between publisher and creator. But when there are two creators then I presume that I look at the contract and look at what the royalty basis was there and that's usually 50/50 also. I think that would look like we each get a third.*

*....and I really don't think it should be my responsibility. I think it should be that the publisher and I and everybody else should be paid from CAL in a fair way - whatever it is we've agreed on. And I don't understand what we've agreed on!*

*50% back to the publishers. Question: if a book has been "remaindered" and the rights revert to the author is the author still required to send CAL payments to the*

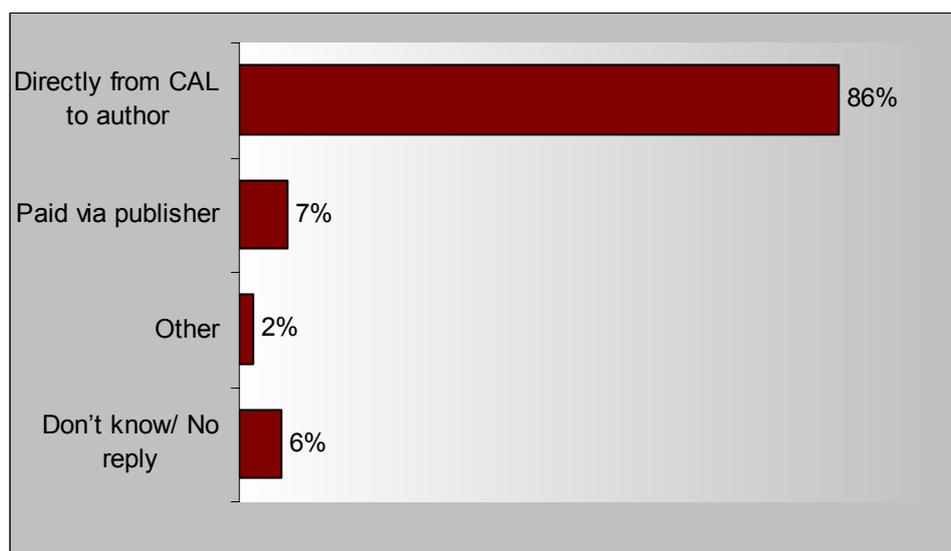
*publisher who is no longer the publisher? That's what I've decided to do now.*

### 7.19 CAL Payments from Publishers

Only a small number of authors in the qualitative study received CAL payments from publishers prior to becoming CAL members. A very small number report having received additional payments from their publishers whilst still a member of CAL.

### 7.20 Preferred payment arrangements

The overwhelming majority of CAL author members felt that the best arrangement for photocopying monies to be paid was directly to authors (86%). Seven percent of respondents thought that payment should be made via publishers, with poets (25%), fiction writers (14%) and freelance journalists being more likely to prefer publisher payments than others.



*Figure 31. Do you think the best arrangement is that monies for copying are paid directly by CAL to authors or would you be as satisfied with receiving these monies via your publisher with royalty payments?*

Authors across all categories, CAL distribution level and length of membership overwhelmingly prefer payments directly from CAL. Authors wanted a sense of independence from their publishers in relation to the CAL distribution. Many authors stated a general distrust of publishers. Even where authors have a good relationship with their current publisher, many are dealing with multiple publishers, publishers of differing sizes and reputations. They saw CAL as being the more neutral and trustworthy entity.

Timeliness of payments was another point raised by many authors across groups who report that many publishers do not distribute CAL payments within the 60 day period. This can be a significant issue for some authors, especially those primarily dependent on income from writing.

*Logically it makes no difference as long as you trust your publisher. Depends on the publisher. A publisher owes me money and I suspect I shall never get it from them. I think I would rather receive it myself. Apart from that it arrives at different times of the year which helps me deal with my inability to manage my funds.*

*Rather it comes to the author. Like the feeling that it's coming directly to me. I don't know if publishers are listening in but they do everything to thin them (the payments) down.*

*I'd feel more secure with the payments coming from CAL as opposed to a third person where they could disappear into the ether. But I wouldn't have any reason to suggest that publishers wouldn't do it meticulously. But I'm sure they wouldn't want to do it. They may want to as if they had that role they'd have more teeth about making sure the rules and regulations under which copyright can be done so they might actually quite like it.*

*I would rather have it directly. CAL might find it easier to channel it all through one way but I think authors would rather have control over their own money rather than it being channelled—it makes one more dependent on a publisher. You are dependent on the flow from the publisher and you are entitled to the money whether or not it comes from a publisher or directly.*

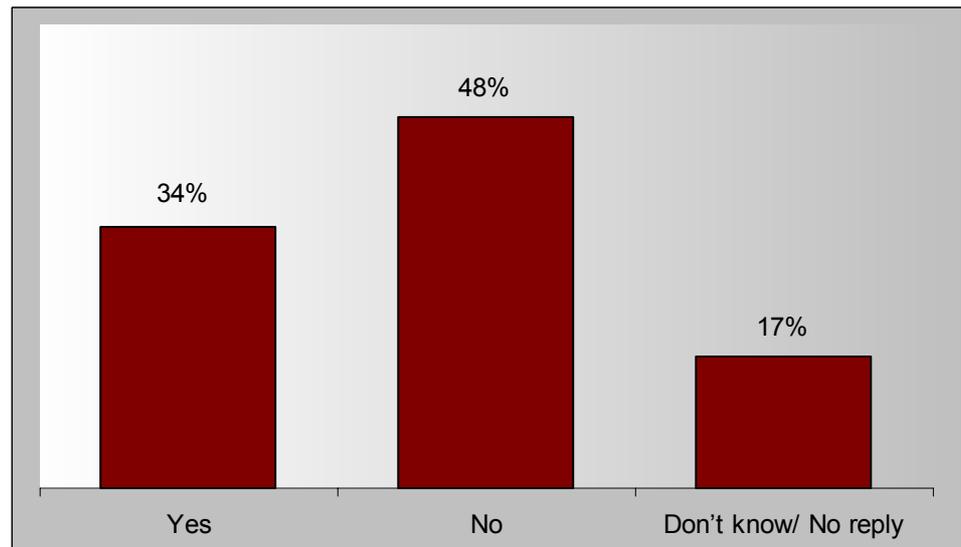
*My old publisher, I wouldn't have trusted them as far as I could have kicked them.*

*Publishers often hang onto the money for a few months.*

*Yes, just that a sneaking suspicion that you'd never see it otherwise.*

## **7.21 Contractual splits**

Just over a third of CAL author members (34%) had a contractual split with a publisher and of these, the most frequently cited proportional split was one of 50/50 between authors and publishers. Those writers who work in School Education (49%) were more likely to have a contractual split with a publisher and Employed Journalist (8%) were less likely to have such a split.



**Figure 32. Do you have a standard contractual split with a publisher?**

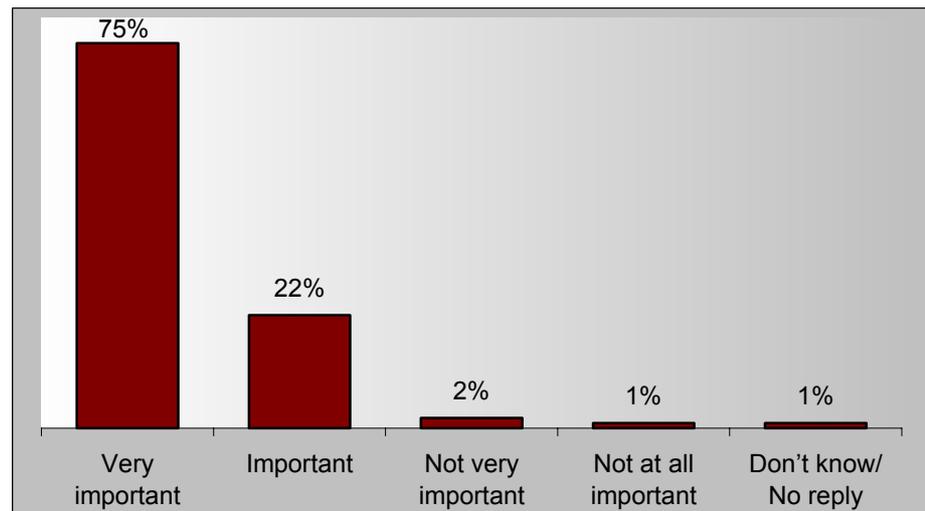
Of those who have a fixed contractual split with their publisher, 60% say the split is 50/50 but there was a wide variation from 10% - 90%. Some authors think that CAL should have a role in the level of CAL distribution split.

*I think they should I think CAL in fact should be well aware that authors' rights are not necessarily going to equate with publishers' rights and they need to be sure that the authors are getting a fair deal and I don't think they would want to see publishers having even more power over their livelihood than they already do. Even when I produced a book one time which sold a lot of copies I don't think I have ever got more than five percent. I think the best selling authors who have produced a couple of major fiction books have done well and they can demand I don't think I have ever had more than five percent royalty.*

Three of the playwrights thought CAL should have an active role in setting splits with 50% being the preferred amount.

## 7.22 CAL's Lobbying Role

Almost all of CAL's author member authors believe that CAL's lobbying role is a significant part of its charter with 75% indicating that they thought it was very important and 22% indicating that they thought it was important.



**Figure 33. Importance of CAL's lobbying role.**

Across all author groups, CAL distributions and length of membership authors overwhelmingly see CAL's lobbying role as vital. Employed journalists thought CAL's role as a lobbyist to be less important than other groups. This is consistent with their feeling that photocopying does not impact them as heavily as other author groups.

*I think their lobbying role is important to try and protect authors' rights. I think they have done a lot for the authors' rights of ownership, copyright. I have been to CAL meetings and they were pretty on the ball with what they were doing to protect authors and I think they have got a good reputation and some good people involved with them and I think they are an organisation of integrity because so much is stolen it used to be taken for granted that people would take somebody's book and do photocopying and quite often they would put them into their essays without even changing a word, publish them as their own work and I thought it wouldn't help them because they are really cheating themselves but it also stealing. Stealing intellectual property is worse than stealing money.*

*I think they have an important lobbying role and I think the philosophy of protecting the rights of authors and producers in a way encourages them, it's important to encourage the artistic pursuit and creative pursuit, so anything they can do to further that in that area is good. I think CAL has an important role in protecting the rights of authors in the digital environment.*

*Protecting rights is very important. Who else is going to do it?*

*They're experts in this field and protecting my interests.*

*CAL has a strong political representation that is independent. It's money well spent. They have an important role in moral rights and in educating schools.*

*I think their lobbying role is important because if they don't do it, where is a body of expertise and commitment and copyright memory to do it? You are not going to have vigorous copyright lobbyists through out the country because a lot of authors aren't interested in copyright only if they can make money. In itself and the issue of whether there is going to be a change in the law there are only going to be a small number who are going to be interested in that.*

*It is such a specialised role, it is essential to have CAL.*

*I think their lobbying role could be most important, as the union (MEAA/AJA) is not doing a fantastic job.*

*I don't see why they shouldn't lobby publishers, government. I see them as an agent fighting for the rights of authors.*

*Very much, so obviously the copyright law has the potential to be changed a lot more and they have to watch what governments might be doing. They have to sometimes hurry the government at the time to make changes which are necessary which governments may be unaware of especially at a time when on-line publishing is growing so much and it is very much harder to keep track of what is being published without permission. I think CAL needs to be there to protect what is happening internationally now that is an expanding role. I don't know that you can expect very much assistance from the publisher on your behalf. The publisher will look after his or her interest. Basically there has to be a central organisation representing authors generally and Australian writers do a little bit but I think they have got the kind of resources that are available to CAL.*

*I think it has a lobbying role, yes, with government. And with institutions, particularly educational institutions. I think that is quite important because individually you don't have any place to negotiate and CAL can do that.*

### **7.23 Interests of authors and publishers**

As Figure 34 shows, forty-five percent (45%) of CAL's author members felt that the organisation reasonably balances the interests of both authors and publishers, with three percent (3%)

of respondents indicating that CAL favour authors and a similar amount indicating that CAL favours publishers (3%). A large proportion of author members (50%) indicated that they did not know if CAL balanced the interests of authors and publishers.

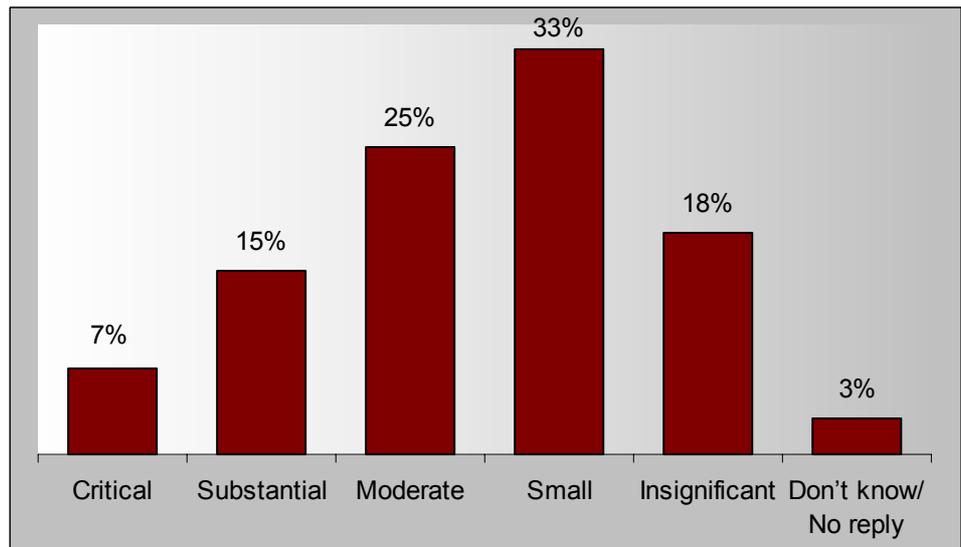


**Figure 34.** Do you think CAL reasonably balances the interests of members - both authors and publishers?

#### 7.24 Impact of CAL's distributions

A total of 22% of CAL's author members indicated that if they no longer received CAL's distributions, that the impact would be significant (*critical 7%, substantial 15%*). A quarter indicated that this impact would be moderate (25%), a third indicated that the impact would be small and 18% indicated that the impact would be *insignificant*.

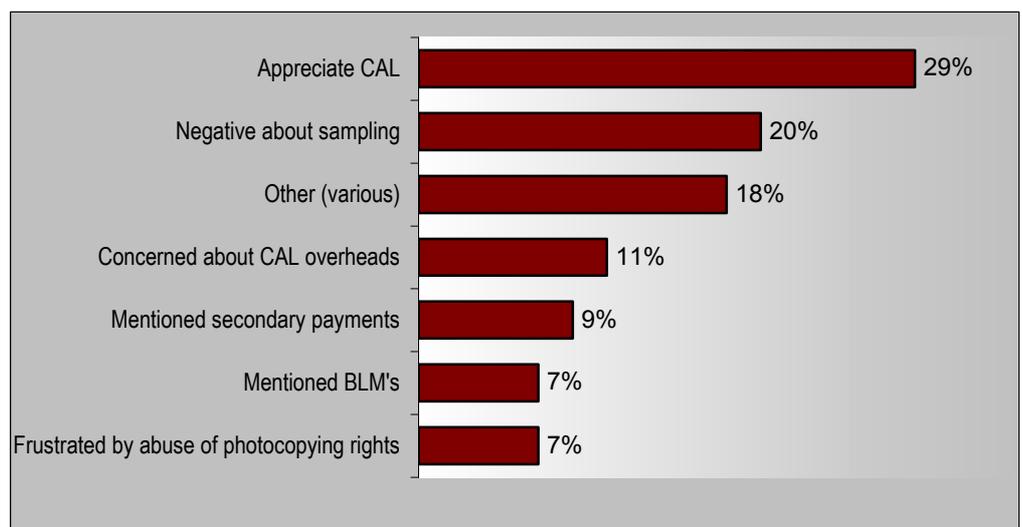
Those who published themselves (19%), had been writing professionally for 3-5 years (25%) and whose payments were greater than \$5,000 (28%), as well as those working in the area of School Education (19%), were more likely than others to indicate that the impact of not receiving CAL's distributions would be critical.



**Figure 35.** *If you were no longer to receive CAL's distributions, what impact would this have on your work?*

### 7.25 Author Comments

At the conclusion of the questionnaire, CAL's author members were asked if there were any further comments that they would like to make regarding any other areas of CAL's policies or activities. A total of 42% of respondents made a comment. Figure 36 shows the most frequently mentioned being an appreciation of CAL (29%), negativity about sampling procedures (20%), a concern about CAL's overheads (11%), secondary payment issues (9%), Black Line Masters issues (7%) and frustration at the abuse of photocopying rights (7%).



**Figure 36.** *Are there any other areas of CAL's policies or activities you would like to comment on?*