

Maureen Duffy Presentation to the WIPO SCCR July 2012

I am an author. An author of 31 published works of fiction, poetry and non-fiction, as well as plays for the stage – 10 performed – television and radio. Today I am speaking to you on behalf of the International Authors Forum. The IAF aims to give all authors world-wide a voice, but particularly to give a voice to visual artists and writers.

I want to speak to you this afternoon specifically about the position of writers as an example of what authors in general are facing. The ALCS, and we hope eventually the IAF, covers every kind of writing and its workers in every field: academics, scientists, novelists, screen and audio writers and poets. Some are employees of for example, academic institutions, schools, colleges, others are self employed; trying to support and continue their work in an increasingly hostile environment where the very concept of the professional artist, able to earn enough to go on producing creative work because they are protected by an enforceable *droit d'auteur*, is under attack from multi-national companies that want to be able to make our work, 'content' as it is degradingly called, free to a public which increasingly does not want to pay for it, while they make their profits from advertising.

The old structures which supported creativity are breaking down. Where once a writer would receive an advance against projected sales, enabling the work to be written, and then to earn royalties from the further exercise of their rights, now writers must produce the work and then attempt to sell it, unless of course it is the memoir of a celebrity footballer, television personality or politician, when a large commission will be paid to secure this desirable 'product'.

In this situation secondary rights assume a new importance. It is the struggle to protect and enforce those rights which provide supplementary but essential income. It is this which underpins the emergence of the IAF as a global answer to authors' now global problems because of the ubiquity of the internet and the growing hostility to the concept of *droit d'auteur* without any compensating proposals on how creators are to be supported. Now these rights are under attack as barriers to open access. And this is not just a problem for supposedly richer countries with a copyright system developed over centuries.

The internet which can give our work such worldwide exposure, can be made to serve creativity, not only with an audience, but with an income supported by a system of national and global licensing and interchange between authors' organisations. ALCS, for example, already pays writers in over 100

countries monies earned by their secondary rights in the UK.

Increasingly this valuable support income is under threat - by the proposal for example to broaden the education exception. Such an exception in the UK would diminish ALCS' income by one third, and abolish its payments to those 100 countries since that is largely for educational use. The cost to education of a license which allows them to make multiple copies of a huge repertoire of material in the UK is in the region of a few pence per pupil while in return some 42,000 authors benefit annually. Many author respondents to the PricewaterhouseCoopers recent research into the impact of such an education exception replied that they would not continue writing educational material. Even at the lower end of the impact analysis it was estimated that a drop of 20% in the licence income would lead to a 29% reduction in the production of such works or 2,870 titles per year in the UK alone.

But the fundamental question is: why should the author be the only one expected to give free 'for the public good'? Teachers, librarians, dinner ladies, caretakers are paid. Equipment must such as computers must be paid for. It seems only writing or illustrating must be made available for free. It is believed that authors will go on because we love it, because we must, because we are driven. This attitude hides a basic mixture of envy and contempt for the creator. How else can we understand what would deny us our universal human right enshrined in the 1946 Declaration and embodied in the Berne Convention? That is why we are promoting the IAF, and that is why it is needed now, even more than in the last two hundred years since the first UK Copyright Act.

Maureen Duffy