



## Submission in response to a new National Cultural Policy

Submission by Screenrights

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Screenrights is the trading name of Audio-Visual Copyright Society Limited ABN 76 003 912 310  
ADDRESS: Level 1, 140 Myrtle Street, Chippendale NSW 2008, Australia  
WEBSITE: [www.screenrights.org](http://www.screenrights.org)  
POSTAL: PO Box 853, Broadway NSW 2007 Australia  
PHONE: (02) 8038 1300

**For further information:**

James Dickinson  
Chief Executive Officer  
[james@screenrights.org](mailto:james@screenrights.org)

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## About Us

Screenrights is a non-profit copyright management organisation representing the screen production sector. We have 4,925 members in 69 countries worldwide. Our members are writers, visual artists, producers, directors, sales agents, broadcasters and distributors.

Screenrights is appointed by the Commonwealth and the Copyright Tribunal to administer several licensing schemes on behalf of filmmakers. The licences include educational use of broadcasts, retransmission of free-to-air broadcasts and government use of broadcasts. Screenrights collects the fees for the use and distributes them to the copyright owners of the programs used.

In 2020-21, we made available a record \$47.6 million in royalties, payable to our members under all our statutory licences. We successfully distributed a total of \$45.3 million to 1,437 members.

## Intro

Screenrights welcomes the opportunity to help shape Australia's National Cultural Policy.

A central tenet of our work is to support growth and diversity in the screen production sector.

We achieve this by:

1. Providing copyright licensing solutions for secondary use of screen content - most critically to the Australian education sector so students and educators can access curriculum-relevant broadcast material to download, store, copy and share, for use in face-to-face and remote learning; and
2. Collecting the royalties owed from the use of this content and distributing the funds to the rightsholders, which supports content creators to build sustainable screen businesses and bring new Australian stories to the screen.

Our unique place in Australia's screen sector means we can offer valuable insights into the range of local and international funding streams leveraged by the screen producers. In particular, we can show how secondary royalties are vital in supporting new content development.

We support a strong copyright framework so creators and their collaborators receive fair remuneration for their work, and new local content can continue to be developed.

## First Nations

**Screenrights endorses a National Cultural Policy which recognises that First Nations' stories are essential to how we reflect ourselves on screen. We support innovative funding and policy measures that remove barriers for new Indigenous voices.**

Screenrights prides itself on supporting diverse, distinctive voices in the Australian screen sector.

In 2018, we established the Screenrights Cultural Fund (the **Fund**), to support innovative screen content in Australia and New Zealand (where we also operate). Now in its fifth year, the Fund has awarded more than \$1 million in grant funding.

In 2022, we sought to break down the barriers which prevent some aspiring creators - including those from First Nations communities - from accessing funding. We introduced an expression of interest (EOI) phase, then supported prospective applicants through the application process.

As a result, we attracted a very strong pool of First Nations applications and funded three First Nations' projects in Australia. They are:

- a craft training and job placement program for aspiring First Nations and culturally and linguistically diverse (CALD) creators in western Sydney;
- a masterclass series for emerging Indigenous performance writers in the Kimberley region of Western Australia; and
- a mentoring program to help First Nations filmmakers in Adelaide develop pilots for long-form TV series.

## Strong Institutions

**Screenrights' experience in administering the educational licences for broadcasts confirms the importance of the ABC and SBS as vital cultural institutions providing unique content to Australian audiences. ABC and SBS content is used extensively by teachers and students under the Screenrights licence.**

In an era of globalised content and fierce competition from international streaming services, bringing Australian stories to the screen matters more than ever.

Each year, Australian drama series, documentaries, films, and news and current affairs programs rank in the top most-watched program titles in Australian schools. Our reporting shows that many of these programs were first broadcast on the ABC or SBS, and that the public broadcasters' free-to-air channels and digital platforms are a rich source of trusted educational content for students and educators.

Over the last three years, the most popular Australian programs shown in schools included ABCTV's *War on Waste* (2017 – 2018), *Back in Time For Dinner* (2018) and *You Can't Ask*

*That* (2016 –); ABC Me’s *My Place* (2009 – 2011); and SBS’s *Insight* (1995 –), *Go Back to Where You Came From* (2011 – 2015), and *First Australians* (2008).

The Screenrights’ education licence ensures schools can access these programs easily, affordably and legally. We ensure the royalties we collect from schools and universities flow directly back to the broadcasters, who provide essential industry support and new opportunities for local writers, artists, producers and directors.

### Reaching the Audience

**Screenrights endorses a National Cultural Policy which preserves Australia’s strong copyright framework for the benefit of students, teachers and the screen content sector.**

The Screenrights’ educational licence provides schools and universities with an easy and affordable licensing solution to access drama, films, documentaries, and news and current affairs programs for educational purposes. Around 97 percent of Australian schools are covered under the Screenrights’ licence. We license all 39 Australian universities and a number of TAFEs and other tertiary institutions.

The COVID-19 pandemic shone a light on the importance and flexibility of the Screenrights’ educational licence. Between 2020 and 2021, we saw a massive spike in the use of screen content in classrooms, as teachers set up remote learning modules. In 2019-20, screen content usage in schools jumped 143 per cent. In 2020-21, that usage was up a further 48 per cent. It continues to grow strongly.

We know from our members that telling Australian stories is important to them. They value the opportunity to have their content taught, studied and shared in classrooms. But it’s vital that filmmakers receive a fair fee in return for use, as they reinvest royalties directly back into new screen content.

*Impactful Australian stories can generate significant Screenrights revenue that can support the development phase of a future project.*

**– Virginia Whitwell, Head of Production, GoodThing Productions**

*Screenrights has formed an essential cornerstone of Blackfella Films’ enterprise and sustainability, and development of new content for Australian audiences.*

**– Darren Dale, Managing Director/Producer, Blackfella Films**

### Other opportunities for Australia’s National Cultural Policy

Screenrights advocates for the continuation of a strong copyright framework which pays a fair fee to the people who bring Australian stories to the screen. A strong copyright framework is a critical pillar in ensuring a vibrant, sustainable cultural sector. It supports Australian

storytelling, builds new audiences, and ensures the people who bring Australian stories to the screen receive fair payment for the work they do.

We do not support proposed legislative changes to copyright put forward by the previous Government, which if enacted as drafted, would place Australia in breach of its international treaty obligations and cause irreparable harm to the creative industries. In our view, these proposed changes would dramatically reduce royalty payments to content creators, by undermining the Screenrights' licences via which these royalties are generated.

Screenrights looks forward to continuing to work with the Office for the Arts to ensure a National Cultural Policy that positively reflects the arts, entertainment and cultural sectors, and safeguards a sustainable creative economy, now and into the future.