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SCREEN PRODUCERS AUSTRALIA OUTRAGED AT THE PRODUCTIVITY COMMISSION'S FINAL REPORT ON IP ARRANGEMENTS

Today our CEO, Matthew Deaner expressed outrage at the Productivity Commission's Final Report of its inquiry into Australia's Intellectual Property Arrangements.

"The Productivity Commission's final report, tabled in Parliament today by the Government, maintains the Commission's ideological attack on content. The Commission gave little consideration to content owner's views in its issues paper and draft report. With a tin ear to the creative community's concerns, the Commission rehashed its reckless recommendations with little revision.

"Ultimately, the Commission idolised ideological arguments, sacrificing content at the altar of an economic orthodoxy. This report is an insult to the Australian creative communities."

On copyright issues, the Productivity Commission's recommendations include fair use, expanding safe harbours, circumventing geo-blocking, limiting capacity for content owners to contract freely in the marketplace and expedited copyright enforcement in the courts.

"An expedited court process to recover damages for copyright infringement is useless if there's no copyright left to protect. Copyright provides the framework for our industry's investment in content. These reckless recommendations will unravel copyright's carefully balanced incentives to invest in content, to secure international financing, to tell and sell Australian stories on screen. Without these incentives, there will be less Australian content made. We will all suffer." Mr Deaner said.

Mr Deaner then considered who actually benefits from the Productivity Commission's recommendations:

"Taken as a whole, if the Productivity Commission's recommendations are accepted by the Government I ask: who benefits? It is certainly not the producers of film and television content, who generate \$1.7 billion in economic activity, employ thousands of Australians, pay Australian taxes, contribute to Australian creative communities and help define Australia's sense of self on our screens.

"If it's not Australian producers and Australian businesses who benefit, then I ask: who does benefit? The Productivity Commission's beneficiaries are multinational corporations that extract super-profits in Australia, employ very few Australians, pay very little tax in Australia and contribute next to nothing to our national narrative. The Productivity Commission is mandated to make recommendations to improve the overall wellbeing of Australian society, not Silicon Valley billionaires."

Mr Deaner then turned to the cultural value of the film and television sector. Mr Deaner continued:

“Outside the remit of the Productivity Commission’s narrow economic orthodoxy is the concept that film and television content has social impact and a cultural, as well as economic, value. The recently released Screen Currency report shows that the screen industry generates option value of \$511 million and existence value of \$415 million annually. Within the confines of the Commission’s extreme ideology, this social impact and cultural value is ignored, to our national detriment.”

Noting the Australian Law Reform Commission took 18 months to enquire into exceptions in the Copyright Act 1968, the Productivity Commission took just 12 months to enquire into all species of intellectual property – patents, designs, trade marks, copyright and plant breeder’s rights.

Mr Deaner continued:

“That the Productivity Commission cherry picked discredited recommendations from the past decade is unsurprising considering the rush to deliver this report. Just twelve months to develop sensible recommendations on all the species of intellectual property is a herculean task; one that the Productivity Commission was unable to meet.

“Screen Producers Australia will strongly oppose any Government decision to adopt these reckless recommendations.”

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About Screen Producers Australia:

Screen Producers Australia was formed by the screen industry to represent large and small enterprises across a diverse production slate of feature film, television and interactive content. Our members employ hundreds of producers, thousands of related practitioners and drive more than \$1.7 billion worth of annual production activity from the independent sector.

On behalf of these businesses we are focused on delivering a healthy commercial environment through ongoing engagement with elements of the labour force, including directors, writers, actors and crew, as well as with broadcasters, distributors and government in all its various forms. This coordinated dialogue ensures that our industry is successful, employment levels are strong and the community’s expectations of access to high quality Australian content have been met.