

**Unlocking IP 2009 Conference
"National and Global Dimensions of the Public Domain"**

Abstract

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Making the most of what we've got – why we need an Australian Creative Archive

The internet, digital recording devices and the ready availability of content production software have together drastically changed the creative landscape, making it easy for anyone, from every-day bedroom experimenters to professionals, to find and reuse content. As a result, linear models of knowledge and cultural production and commercialisation are rapidly being supplanted by more distributed, collaborative, user-generated and open networking models. In this context the ability to create, access and reuse digital content is paramount. Remixing, recycling and online distribution are integral to the digital environment's creative capacity, and to the economic, educational and cultural benefits that it brings.

Yet Australians have great difficulty gaining access to quality online content about their own culture and history. Unlike countries such as the US and UK, which have led the digital revolution and dominate online content, it is very difficult to locate Australian-specific content online that can be legally and safely viewed and re-used. Cultural institutions such as the ABC, SBS, Screen Australia, the National Film and Sound Archive (NFSA) and the National Library of Australia (NLA) create and preserve large quantities of Australian creative content which could be used to fill this gap. Much of this material is owned by the government, or has fallen into the public domain, and so would be appropriate for public release.

Over the last decade, several of these institutions have undertaken small initiatives aimed at testing the viability of releasing archival material for reuse online. The ABC remix site, Pool,¹ the Powerhouse Museum² and the NFSA's Australian Screen Online³ have all experimented with providing increased access to works from their collections, as have Film Australia⁴ and the NLA⁵ through their Zero-Fee Licensing and Picture Australia initiatives. The Powerhouse Museum's collaboration with the Flickr Commons project has been particularly successful, with nearly 40,000 views and a 'tonne' of tags added to the released photos in the first month alone.⁶

However, despite these tentative steps, to date strict copyright laws, lack of funding and little policy support from above has led to a culture of static archiving practices for Australia's national collection, with a focus on preservation but not access or reuse. As a result, the vast majority of Australia's 'public domain' remains locked in

¹ <http://www.pool.org.au>

² <http://www.powerhousemuseum.com/commons>

³ <http://australianscreen.com.au/>

⁴ <http://www.filmaust.com.au/library/>

⁵ <http://www.pictureaustralia.gov.au/contribute/individual.html>

⁶ <http://www.powerhousemuseum.com/dmsblog/index.php/2008/05/06/commons-on-flickr-one-month-later/>

warehouses, searchable and retrievable only by staff librarians, making little or no contribution to Australia's cultural and economic growth.

It is this situation which led the recent *Venturous Australia* report of the Review of the National Innovation System to make the following recommendations regarding Australia's national collection:

National collections are essential resources for researchers in all fields, from basic scientific research to the social sciences, humanities and creative arts. They play a vital role for educators (from pre-school to postgraduate) and for the broader community in building scientific, historical and artistic knowledge and literacy and in fostering cultural knowledge, identity and cohesion. Importantly, Australia has a number of unique and valuable assets, including marine, flora and fauna resources and indigenous collections that allow us to draw on the distinctive features of the Aboriginal and Torres Strait Islander traditional knowledge systems.⁷

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To the maximum extent practicable, information, research and content funded by Australian governments – including national collections – should be made freely available over the internet as part of the global public commons. This should be done whilst the Australian Government encourages other countries to reciprocate by making their own contributions to the global digital public commons.⁸

This paper will follow the *Venturous Australia* recommendations to put forward an argument for increasing user rights to access and, most importantly, reuse government owned and public domain content held within Australia's creative archives. Drawing on national and international examples, it will examine the limitations of the current mechanisms for accessing Australian content online and the benefits that could be gained in the fields of education, the creative industries and business innovation from allowing sharing, repurposing, remixing and reinterpretation of our national collections.

⁷ *Venturous Australia: building strength in innovation* (Cutler and Co, August 2008) pp 97-98 http://www.innovation.gov.au/innovationreview/Documents/NIS_review_Web3.pdf.

⁸ *Venturous Australia: building strength in innovation* (Cutler and Co, August 2008) Recommendation 7.14 http://www.innovation.gov.au/innovationreview/Documents/NIS_review_Web3.pdf