



Resolution Pathways

FAIR. INDEPENDENT. TRANSPARENT

2023 ANNUAL REPORT





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INTRODUCTION TO APRA AND RESOLUTION PATHWAYS

APRA is a music rights organisation representing over 100,000 members who are songwriters, composers and music publishers (**'Music Creators'**). Music Creators can register their rights with APRA. APRA licenses organisations (**'Music Users'**) to play, perform, copy, record or make available their members' music, and distributes the royalties to their members.

Resolution Pathways was established in 2015 in compliance with the 2014 ACCC conditions of authorisation which required APRA to implement an Alternative Dispute Resolution (**'ADR'**) scheme managed by an independent facilitator.

The report has maintained a format responsive to the ACCC Authorisation which came into effect on 4 August 2020 (the **'2020 Authorisation'**). Resolution pathways operates under the 2020 Authorisation.

OneMusic Australia was established in 2019 and is a joint initiative between APRA and the Phonographic Performance Company of Australia Limited (**'PPCA'**) to provide a consolidated licence for music to businesses and organisations. Resolution Pathways is available to Music Users who have an APRA licence or a OneMusic Australia licence.

Resolution Pathways is operated by a Resolution Facilitator and her team. She manages the administration of the system and triages all issues referred for support, resolution, or a problem-solving pathway. There is an oversight committee, chaired by an Independent Chair who was approved by the ACCC (the **'Governance Committee'**).

This report is prepared and authorised by the Governance Committee as required under Condition C6.18 and Schedule B (viii) of the 2020 Authorisation.

ACKNOWLEDGEMENTS

Resolution Pathways would like to acknowledge the Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of Country across Australia. We pay respect to Elders, past and present. We acknowledge and honour the continuation of cultural, spiritual, and educational practices of Aboriginal and Torres Strait Islander peoples.



OVERVIEW OF THE REPORT

This report covers the activities of Resolution Pathways for the period of 1 January 2023 to 31 December 2023 (the 'Reporting Period'). During the Reporting Period the music industry resumed full activity following difficult COVID years. Resolution Pathways' activities increased to match the momentum in the industry.

In the 2023 Report, additional material has been included which is useful background for the more extended stakeholder group that Resolution Pathways now liaises with. The Report also benefits from the findings of an Independent Review of Resolution Pathways that was submitted to the ACCC in February 2024 by Dr Alysoun Boyle (the 'Independent Review'). Extracts from Dr Boyle's Independent Review have been referenced where relevant.

The report includes (noting differences from the 2022 Report):

Part 1

Governance roles and responsibilities, financials and feedback

An overview of the governance of Resolution Pathways and an update on projects for the Reporting Period. It provides a response to criteria set out in C6.21 (iv-viii) of the Authorisation (previously in Part 2 of the 2022 Report).

Part 2

Matters Considered

An overview of the matters received and/or managed within the Reporting Period in response to the criteria set out in C6.21 (i-iii) of the Authorisation (previously in part 1 of the 2022 Report).

PART 1

GOVERNANCE ROLES AND RESPONSIBILITIES, FINANCIALS AND FEEDBACK





1.1 Governance Overview - the operation of the scheme by reference to the matters set out in condition C.21 (vi-viii) of the 2020 Authorisation

This section provides further details on the governance framework and the roles, responsibilities and feedback framework that support it.

The Resolution Facilitator is engaged by APRA with the approval of the ACCC. Resolution Pathways is majority funded by APRA (there are some matters where the participants contribute/pay the cost of their resolution).

One of the goals of the dispute framework set out under the 2020 Authorisation is the independence of Resolution Pathways. The role of the committees is to ensure that the services are offered in a way that provides and demonstrates independence from APRA within the existing the funding and contracting arrangements.

The Scheme now operates under a strong and transparent governance framework' and this 'framework supports the operation of the Scheme and seeks to safeguard its independence'

** Page 7 of the Independent Report*



1.2 Summary of Key Achievements for the Reporting Period

This summary sets out the key achievements in setting up and supporting all components of the framework.

The key aim of this Reporting Period was to complete tasks that had been suspended due to the pandemic. Many of these changes were in response to changes recommended by the Independent Review prior to the pandemic. The summary demonstrates a very productive and busy year of implementation and consolidation. This list of key achievements references headings from the Resolution Pathways 2022 Annual Report for those who want to review progress.



Key Achievements

- *Roles and responsibilities refined*
- *Accountability framework agreed and documented*
- *Strategic planning for the scheme*
- *Secure reporting implemented*
- *Digital transformation commenced*
- *Key priorities for the next 18 months agreed*



1.2.1 Resources finalised (Roles and Responsibilities)

- The **Resolution Facilitator recruited** 2 permanent team members. This allowed a separation of roles to include resolution, stakeholder management and administration. The team had utilised temporary placements during the COVID period to allow for flexibility in an uncertain time.
- The **Governance Committee** finalised recruitment to ensure a full representation of the categories under C6.7 and a succession timeline for long standing members. The recruitment was mindful to consider diversity. (See page 11).
- An **industry stakeholder group** was reinvigorated, and additional members were added to broaden the representation of that group. (See page 12).

1.2.2 Accountability framework (Governance)

- The Governance Committee, together with the Resolution Pathways team and a senior representative of APRA, conducted a strategic planning session.
- An accountability framework was agreed and a compliance checklist established, refer to page 14.
- A project plan was agreed on and included the key deliverables of Resolution Pathways for the next 18 months.
- A succession protocol was agreed for the Independent Chair, the Resolution Facilitator team and the Governance Committee. This plan will be finalised after the ACCC authorisation process in 2024.

1.2.3 Reporting and security (Governance and accountability)

- A software system has been implemented to:
 - allow participants to raise issues and disputes directly through a secure online interface which ensures confidentiality;
 - enable automated case management; and
 - streamline data analytics and deidentified reporting to stakeholders.
- A digital transformation has been commenced to increase security for emails and general business processes within the Resolution Pathways ecosystem.



1.2.4 Compliance (Governance)

Policies and process were identified, and a task planned for compliance with Respect@Work and loophole legislation due to take effect in December 2023 and early 2024.

1.2.5 Feedback (Governance)

- The Resolution Facilitator team ensured regular reviews were operationalised and effectively elicited feedback both on-line and through debrief sessions. The outputs from this feedback are included on page 26 to 30.
- The Independent Review was commenced pursuant to Condition C6.13 of the 2020 Authorisation with Dr Alysoun Boyle as the reviewer. Assistance was provided to Dr Boyle as required.

A full copy of the review can be accessed [here](#).

1.2.6 Financials

- The Governance Committee facilitated a revised contract between APRA and Resolve Advisors for services of the Resolution Facilitator. This included an operational budget and block funding with regular payment to ensure cashflow and viability of the service.

In considering the meeting of the recommendations from the Independent Review that took place prior to the 2020 authorisation and Pandemic the Independent Reviewer notes:





2 Roles and Responsibilities

2.1 Corporate Structure

The contract for the management of Resolution Pathways is held by Resolve Advisors Pty Ltd which is responsible for digital interface, IP compliance, engagement and management of the Resolution Facilitator and her team.

2.2 Overview of committees

Committees - Conditions C6.7 and C6.8

The Resolution Facilitator has three (3) committees and a pool of consultants to assist with the operation of Resolution Pathways. These are:

- **A Governance Committee** made up of the representatives as specified in C6.7 and an Independent Chair. This is the committee responsible for monitoring performance and independence of the service and the Resolution Facilitator. It also has oversight responsibility for the budget and reporting. (See 2.2.1, page 11).
- **A Stakeholder Group** representing the industry players which is convened to provide consultation and input. (See 2.2.2, page 12).
- **A working committee with representatives from APRA** to discuss and agree work that requires collaboration with APRA. This is an operational facility and, as such, attendance varies depending upon the nature and topic of the work. Given that it is an operational role not a governance one it is not outlined in this report.
- **A pool of consultants** available to assist with mediations, coaching, peer review and expert processes required for dispute resolution. This is also an operational group not included in this report. A full list is available on the website [here](#).

What are our committees?

- *Governance with an Independent Chair*
- *Stakeholder Group*
- *Working committee with APRA*
- *Plus a pool of consultants*



2.2.1 The Governance Committee

The Governance Committee operates as the key oversight committee working with the Resolution Facilitator and team. Committee members are volunteers are not remunerated except for the reimbursement of expenses.

The committee has a meeting once a quarter by digital interface with additional meetings for specific deliverables like the annual report and special projects. It also has an annual planning meeting face-to-face. Their role is set out in the authorisation and Appendix 1 of this Report provides the authorisation criteria as a checklist. See Schedule B of Condition C6 of the 2020 Authorisation.

The Independent Chair role (see C6.8 of the 2020 Authorisation) has continued to be held by Peta Irvine who was appointed in the role by the ACCC on 17 December 2020. The Independent Chair is a paid position.

There are currently 4 members in addition to the chair who have been selected to reflect a cross section from the industry and various geographic locations. Their profiles and photos are available on the Resolution Pathways website [here](#). The positions are held as follows:



**Peta Irvine,
Independent Chair**

Peta is an experienced chair, board member and not-for-profit CEO with a background in both the public and private sectors, covering a range of industries including local government, tourism, hospitality, and transport.

Name	Organisation	State or Territory	Year Appointed	Category of Representation
Anthony Brierley	The Duxton Hotel	ACT	2022	Music User - Annual licence fee greater than \$3,000
Brian Daly	N/A	NSW (Newcastle)	2023	Music Creator - Annual royalties less than \$3,000
Cloudia Elder	Bangarra Dance Theatre	NSW (Sydney)	2023	Music User - Annual licence fee less than \$3,000
Jake Mason	N/A	VIC (Melbourne)	2019	Music Creator - Annual royalties greater than \$3,000



2.2.2 Stakeholder Group

The Stakeholder Group operates as a valuable resource for industry input and to assist in increasing the visibility of the scheme through industry focus and outreach. This group met once in 2023 and the plan is for twice a year meetings in 2024. A summary of the current members appears below. Full details are available on the website [here](#).

Name	Organisation and representative group	Position	State
Andree Greenwell	Music Creator	N/A	NSW
Ben Cornel	Australian Retailers Association	ARA Policy Advisor	Vic
Chris Holliday	Music Creator and Music User (with expertise in fitness industry licensing)	N/A	QLD
Evelyn Richardson	Live Performance Australia (Peak Body and Music User)	Chief Executive	VIC
Harley Sedman	POS Music (Music User)	Founder and CEO	VIC
Hugo Race	Music Creator	N/A	VIC
Kylie Auld	Music Creator	N/A	VIC
Paul Greene	Music Creator	N/A	NSW
Paul Ritchie	AUSactive (Peak Body and Music User)	General Manager of Corporate Services & Commercial and Company Secretary	NSW
Stephen Ferguson	Australian Hotels Association (Peak Body and Music User)	National CEO	QLD



2.2.3 Resolution Pathways Team

The Resolution Pathways team operates the project; managing the framework, reporting and resolving disputes. This team operates to cover the service during business hours.

The Resolution Facilitator has created a team based on the suggestion of the 2018 Independent Review in Part B – Executive Summary:

“That two roles be established to manage the Scheme. One role would administer the Scheme, including the administrative side of referrals to the panel of third-party neutrals (a Scheme Co-ordinator role); and one role would be a first point of contact for the Scheme, including responsibility for attempting early and quick resolution of matters, as well as assessment of referral to other processes within the Scheme (a Case Manager).”

The team is featured on the website and a link can be accessed [here](#).

In the Reporting Period, the team was assisted by Robbie Klein (social media), Bill Power (website) and Vanessa McCoy (visuals) all engaged through Resolve Advisors.

The Independent Review states on page 7:

“ *There is also a high level of satisfaction with the performance of the Facilitator and her team.* ”



Shirli Kirschner,
Resolution Pathways
Facilitator

Shirli Kirschner was appointed as the Resolution Pathways Facilitator and approved by the ACCC under the 2014 authorisation.



Sarah Nicholson,
Chief Projects
Officer

In February 2023, Sarah Nicholson was engaged as the Chief Projects Officer. Sarah’s role included the implementation of the reporting and case management software. Sarah has deep experience with the system having been a representative of Music Users at the inception of Resolution Pathways and the manager of the stakeholder interface from 2018 to 2021.



Alexandra Farr,
Project Assistant

In August 2023, Alexandra Farr became a project assistant and responsible for project administration and the planning and documentation of the 2023 strategic planning session.



3 Goals and performance indicators

The performance of the scheme is measured by setting performance indicators which are to be met by the Resolution Facilitator and her team and monitored by the Governance Committee.

Conditions C6.21(vi) and (vii) of the 2020 Authorisation separate metrics for the scheme and the facilitator respectively.

The Governance Committee has worked to ensure that the strategic obligations are translated into a measurable list of performance goals. This list is incorporated into the contract for the Resolution Facilitator and forms a part of the regular meeting agendas of that group. The performance goals for each of the Scheme and the Resolution Facilitator appear below for the Reporting period.

✓ *Performance Goals for the Scheme and Resolution Facilitator*

✓ *Measurements agreed and met*

3.1 Scheme Goals Checklist for the Reporting Period

Conditions C6.21(vi) and (vii) of the 2020 Authorisation separate metrics for the scheme and the facilitator respectively.

SCHEME GOALS (C6.21(VI))	STATUS	NOTES
1.1 Prepare and update a website for information dissemination	✓ Achieved	The website was updated and all links checked.
1.2 Maintain and update contracts for use in resolving disputes	✓ Achieved	All contracts updated.
1.3 Establish and maintain the Governance Committee	✓ Achieved	2 new team members were recruited in 2023 taking into account the need to ensure diversity where possible. Regular meetings scheduled and minuted. A strategic planning meeting occurred.
1.4 Scheme reporting	✓ Achieved	Reporting to APRA and the Governance Committee quarterly. Prepare an annual report in compliance with the ACCC requirements.
1.5 Implementing recommendations from any independent review and subsequent ACCC Authorisations of APRA	✓ Achieved	Most of the recommendations of the 2018 Independent Review have been implemented. See page 8 of the Independent review.



3.2 Resolution Facilitator Goals Checklist for the Reporting Period

RESOLUTION FACILITATOR GOALS (C6.21(VII))	STATUS	NOTES
2.1 Ensure that all disputes that arise are resolved in a timely manner NB: This includes matters being completed and also tracked and within the budget defined	✓ Achieved	
2.2 Maintain a panel of dispute resolvers	✓ Achieved	The facilitator and her team ran and attended all meetings with the Governance Committee, Stakeholder Group and APRA interface committees.
2.3 Participate in meetings for governance and information	✓ Achieved	Achieved and a budget sent to APRA for the coming year. Regular reporting to, and monitoring by, the Governance Committee.
2.4 Maintain financials and accounts	✓ Achieved	
2.5 Maintain insurance	✓ Achieved	
2.6 Participate in an effective manner for any review	✓ Achieved	Participated in the Independent Review and assisted with the sending out of correspondence to ensure privacy for reporters.
2.7 Assist with the dispute resolution aspect of any ACCC Authorisation	✓ Achieved	
2.8 Ensure the service has properly trained staff to operate it	✓ Achieved	2023 saw 3 members on the team between August and December.
2.9 Engage any contractors as may be required to assist with services such as social media and website	✓ Achieved	Bill Power assisted with website, Vanessa McCoy assisted with visuals, and Robbie Klein assisted with social media.
2.10 Manage any resources	✓ Achieved	Resources were finalised – see Key Achievements at page 13 above.



4 Financials

An evaluation of funding arrangements for the Scheme (C6.21(viii))

The Scheme relies predominantly on funding from APRA. The Governance Committee is accountable for creating and supervising the Scheme’s yearly budget; a system which protects the Scheme’s independence of APRA. APRA provides funding based on the budget created by the Governance Committee. There are 2 components to this;

- A fee which covers fixed overheads.
- Supplementary funding for dispute resolution professionals where they are engaged by Resolution Pathways for specific disputes. This funding can also include additional amounts for the resolution facilitator team where a project is not part of business as usual.

Having fixed overheads and a supplementary fee provides flexibility and responsiveness to matters that arise within the jurisdiction of the Scheme and projects such as independent reviews.

The fixed overhead for the Reporting Period covers:

- Resolution Facilitator team staffing for business as usual (matters covered by C6.1 where the fees are to be covered by APRA (15 matters in the Reporting period) and triage of reports for member to member (8 matters were triaged in the Reporting period an average of 3 hours per matter.))
- IT and overhead costs
- Insurance
- The disbursements for Committee meeting costs including the strategic planning

Funding to ensure independence includes:

- *A fixed component*
- *A variable component to meet the needs of individual matters*

ITEM	FEE
Fixed overhead fees as outlined above	\$194,139.09 (ex GST)
Independent Chair Honorarium	\$12,000 (GST does not apply)
Funding for consultants paid by APRA in addition to the fixed overhead fees*.	\$20,705 (ex GST)
TOTAL FEES PAID BY APRA	\$226,844.09 (ex GST)

* Under the authorisation, participants may contribute to the cost of the dispute resolver. That is not reflected in the fees and neither are APRA’s legal costs.

PART 2

MATTERS CONSIDERED

This section covers the matters referred to Resolution Pathways and the details of the resolution of the matters as set out in C6.21(i-v)





1 About this section

The purpose of this section is to provide data on the type of matters resolved and a comparison to previous years as well as the metrics established for resolution.

Overall, there was 64% increase in the number of matters considered compared to the previous year (23 matters as against 14 matters). This is consistent with the expectation of an industry re-emerging from the slow down of COVID.

This includes 8 Matters defined as out of scope of the 2020 Authorisation. These are predominantly matters where there is a dispute over the registration of a work between 2 or more creators (or a creator and a publisher). These are not deemed to be disputes with APRA. (2 carried over from 2022 and 6 were new in 2023). These matters are eligible for triage by the Resolution Facilitator and can use the pathways at their own cost. (See section 4, page 20).

64% increase in matters received overall for the Reporting Period versus the total matters received overall in 2022.

2 Comparison with Previous Years

Year	Total matters considered	Music users	Music creators v APRA	Music creators v Music Creators or publishers	Other	Complaints
2023	23	9 (2 carried over)	3	8 (2 carried over)	3	0
2022	14	8	3	1	2	0
2021	16	3	5	5	2	1
2020	15	5	4	4	2	0
2019	18	9	Combined	9	0	0
2018	24	9	Combined	15	0	0
2017	10	3	Combined	7	0	0
2016	19	3	Combined	16	0	0



3 Matters considered and resolved or decided during the reporting period

CATEGORY	Matters Considered	Matters Closed	Matters active at the end of the 2023 reporting period
Music Creators & APRA	3	2	1
Music Users & APRA/OneMusic	9 (2 carried over)	9	0
Music Creators & Music Creators and/or publishers	8 (2 carried over)	7	1
Other (Preliminary Enquiry Only)	3	3	0
Complaint	0	N/A	N/A
TOTAL	23	21	2



4 Matter Summary

The matter summary includes only the 15 matters where APRA or One Music Australia is a party. The remaining 8 matters are disputes between Music Creators and Music Creators or Publishers classified as out of scope.

Additional data from those matters can be made available on request to anyone who has a specific need for the data.

The summary includes:

- The type of dispute
- Subject matter
- Time taken to resolve the dispute
- Fees
- Any outcome
- Evaluations

This is a tabular summary for each of the matters including:

What, how, timing, cost, and result.

FILE NO.	AZ014651 (Carried over from 2022)
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none"> • As at the end of the 2022 reporting period, this matter had been open for just under 4 months and had been referred to a mediation pathway by consent on 28 November 2022 and was resolved at mediation with Tim McFarlane on 17 January 2023. • Time taken: 4 months from opening. 1 day mediation
Fees	<ul style="list-style-type: none"> • Resolution Facilitator paid by Resolution Pathways funding • Mediation fees of \$3,600 (incl GST) paid by APRA
Outcome	Resolved through a pathway - mediation



FILE NO.	AZ014656 (Carried over from 2022)
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none">• As at the end of the 2022 reporting period, this matter has been open for 3.5 months (since 14 September 2022).• On 1 December 2022 this matter was referred to mediation pathway by consent and was resolved at mediation with Tim McFarlane on 16 January 2023• Time taken: 4 months from opening. 1 day mediation
Fees	<ul style="list-style-type: none">• Resolution Facilitator paid by Resolution Pathways funding• Mediation fees of \$3,600 (incl GST) paid by APRA
Outcome	Resolved through a pathway - mediation

FILE NO.	AZ014923
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none">• This was a dispute over the calculation of licence fees for a venue.• The participants were unable to reach agreement in the mediation.• This matter was with Resolution Facilitator Team for around 5 months before being managed by the mediator, however, there was an extended period during which the participants had agreed to a mediation pathway and the appointment of a mediator but logistics were not confirmed.• The mediation was on foot for around 5 further months at which time it was referred back to Resolution Pathways as there was a disagreement between the participants to the mediation as to what they agreed on the day.• The matter was then closed without Resolution after a further 3.5 weeks.
Fees	<ul style="list-style-type: none">• Resolution Facilitator paid by Resolution Pathways Funding• \$3,272 (Ex GST) paid jointly by the participants
Outcome	Closed without a resolution



FILE NO.	AZ014922
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none">• Resolution Facilitator assisted negotiation for 7 weeks + 4 days before referral for direct negotiation over licencing following the transfer of ownership of a venue. Confirmation of resolution received after a further 2 days.
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	Resolved through direct negotiation between the participants

FILE NO.	AZ015062 (Associated matter with AZ015484)
STATUS	Closed
Type of Matter	Music Creator
Process and Timeline	<ul style="list-style-type: none">• Discussions with the Resolution Facilitator over 2 days where the participant was unhappy with the arrangement for licencing of music by APRA as a collection society.
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	No further action required

FILE NO.	AZ015181
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none">• A dance organisation challenged the licence structure for a multi venue dance business. Triage with the Resolution Facilitator Team for 4 weeks and then referral to a mediation pathway.• Confirmation of resolution after a further 11 weeks following the referral to mediation with Dr Rosemary Howell.
Fees	<ul style="list-style-type: none">• Resolution Facilitator paid by Resolution Pathways funding• \$8,025 (ex GST) Paid by APRA to the mediator
Outcome	Resolved through a pathway - Mediation



FILE NO.	AZ015218
STATUS	Closed
Type of Matter	Unknown
Process and Timeline	N/A Preliminary enquiry only
Fees	N/A Preliminary enquiry only
Outcome	No further action required

FILE NO.	AZ015265
STATUS	Closed
Type of Matter	Music Creator
Process and Timeline	<ul style="list-style-type: none">• The music creator had allegations against a number of parties regarding playing of music for which a license had been withdrawn.• Triage with the Resolution Facilitator for 6 weeks + 5 days.
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	No further action required To continue through direct negotiation

FILE NO.	AZ015296
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none">• Triage and discussions with the Resolution Facilitator Team for 6 weeks regarding whether a fitness venue was licenced through its parent company. This was an extended time while awaiting information and consents from the participant.• Once information was received, it was resolved through Resolution Facilitator assisted negotiation after 2 weeks + 1 day.
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	Resolved through a pathway - Resolution Facilitator assisted negotiation



FILE NO.	AZ015326
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none">• Enquiry from an unlicensed venue that did not consider that it needed a licence.• Triage by the Resolution Facilitator Team and referred for direct negotiations after 2 days.• Confirmation of resolution 2 weeks + 6 days following referral.
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	Resolved through direct negotiation by the participants

FILE NO.	AZ015327
STATUS	Closed
Type of Matter	Unknown
Process and Timeline	N/A Preliminary enquiry only
Fees	N/A Preliminary enquiry only
Outcome	No further action required

FILE NO.	AZ015359
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none">• A Dance organisation had enforcement proceedings against it due to unpaid licence fees.• The dance organisation challenged the calculation of the licence after enforcement proceedings were on foot.• Resolution Facilitator assisted negotiation for 6 weeks + 5 days.
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	Resolved through a pathway - Resolution Facilitator assisted negotiation



FILE NO.	AZ015395
STATUS	Closed
Type of Matter	Music Creator
Process and Timeline	N/A Preliminary enquiry only
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	No further action required

FILE NO.	AZ015446
STATUS	Closed
Type of Matter	Music User
Process and Timeline	<ul style="list-style-type: none">An issue was raised about consultation process and timing over the Christmas Break. Resolution Facilitator assisted negotiation over 4 weeks.
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	Resolved through a pathway – Resolution Facilitator assisted negotiation

FILE NO.	AZ015484 (Associated matter with AZ015062)
STATUS	Closed
Type of Matter	Music Creator
Process and Timeline	<ul style="list-style-type: none">6 weeks + 1 day with assistance from the Resolution Facilitator (finalised after the Christmas break in early 2024).
Fees	Resolution Facilitator paid by Resolution Pathways funding
Outcome	No further action required Carried over to 2024 and closed in January with no further action required



5 Feedback by the Facilitator in relation to the operation of the Scheme, including the feedback and recommendations provided by the Committee C6.21(iv)

5.1 Reporter Evaluations

General feedback on the experience with Resolution Pathways is sought anonymously from users of the service (Music Users, Music Creators, APRA, OneMusic Australia and resolvers).

To ensure a chance for anonymity given the numbers in the system, these reviews are sent out once around 10 individuals are available to evaluate. Feedback was sought during 2023 and then in February 2024 to include matters closed at the end of 2023. Feedback sought in March 2023 was included in the 2022 Annual Report and is not included here to avoid duplication.

There are a number of metrics used in the survey being; how well Resolution Pathways understood their needs, identification of issues in need of resolution, communication, ease of initiating a process, time efficiency, the overall resolution process, satisfaction with the outcome, what worked well and what could be improved. Summary responses are detailed below.

Feedback from users of the service was sought throughout the Reporting Period. This is a summary of the feedback received.

5.1.1 Summary of Data

For the Reporting Period:

SURVEYS SENT	RESPONDERS	PERCENTAGE RESPONSE
37 Individual surveys	5	13

Note, as APRA/OneMusic Australia representatives are surveyed, those representatives may be sent multiple surveys and are counted individually for each matter.

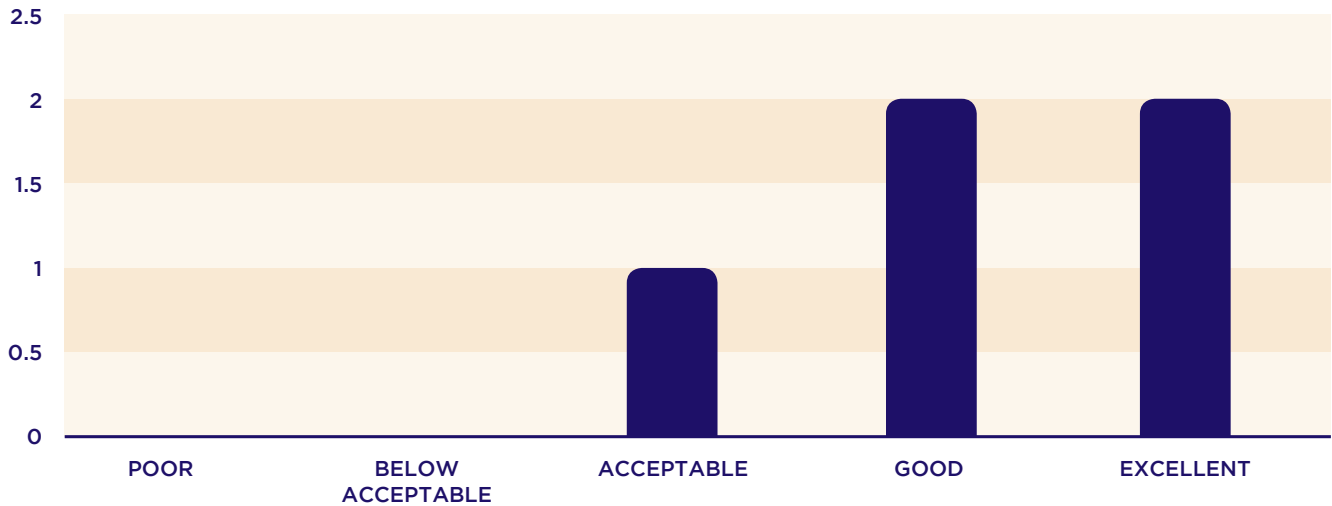
Surveys are also sent to matters between 2 music creators which are not included in the Authorisation.

1 of the 5 responders identified themselves as being a mediator to one of the matters. That person also provided a testimonial for the scheme.



5.1.2 Summary of the results from the survey respondents

Please rate how well Resolution Pathways identified issues in need of resolution



Please rate how well Resolution Pathways understood your needs

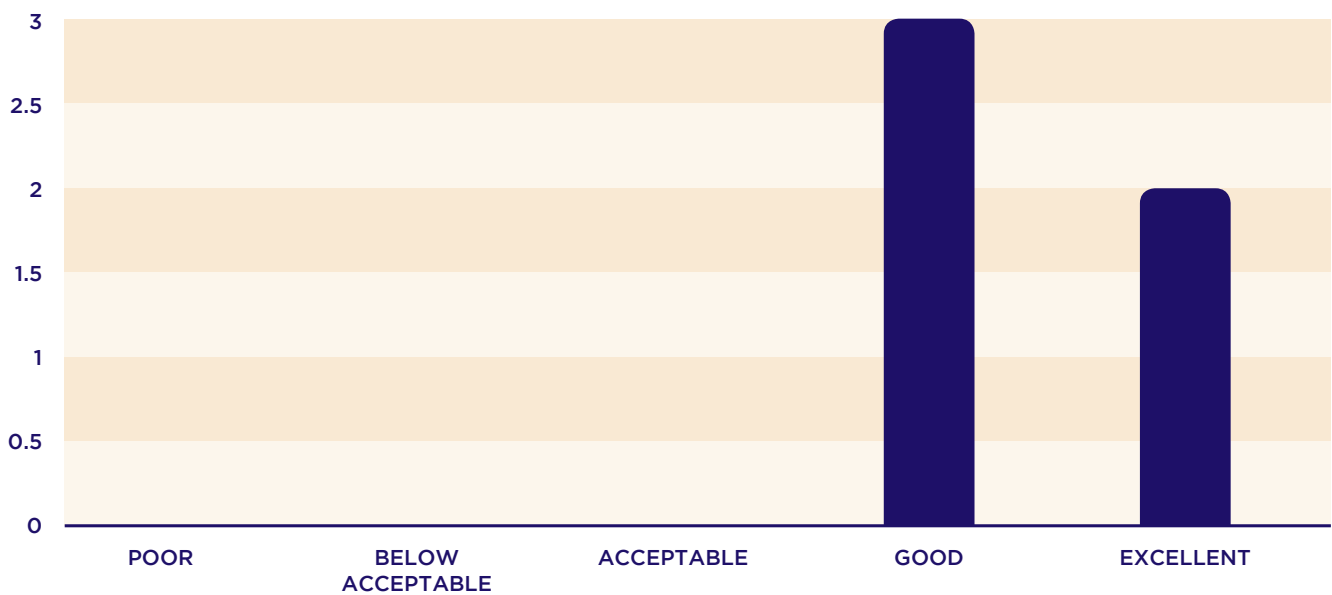




Please rate how well Resolution Pathways communicated with you

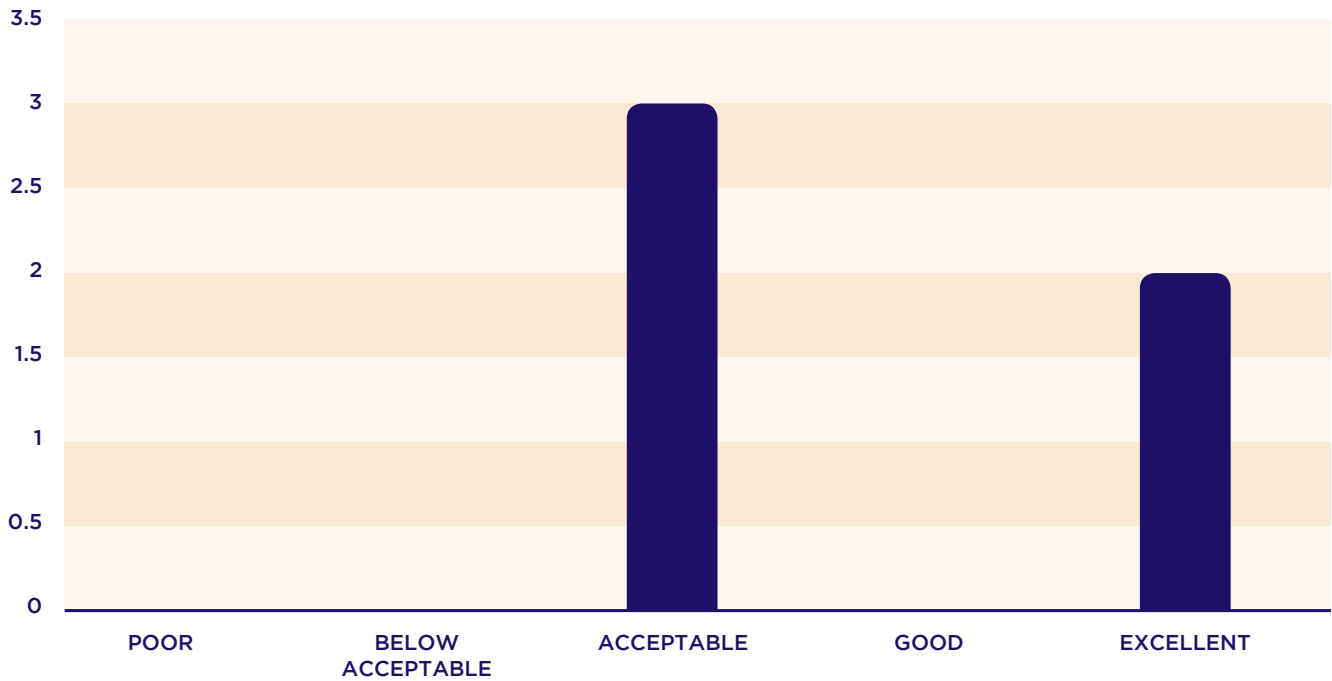


Please rate the ease of initiating the resolution process





Please rate the time efficiency of the process

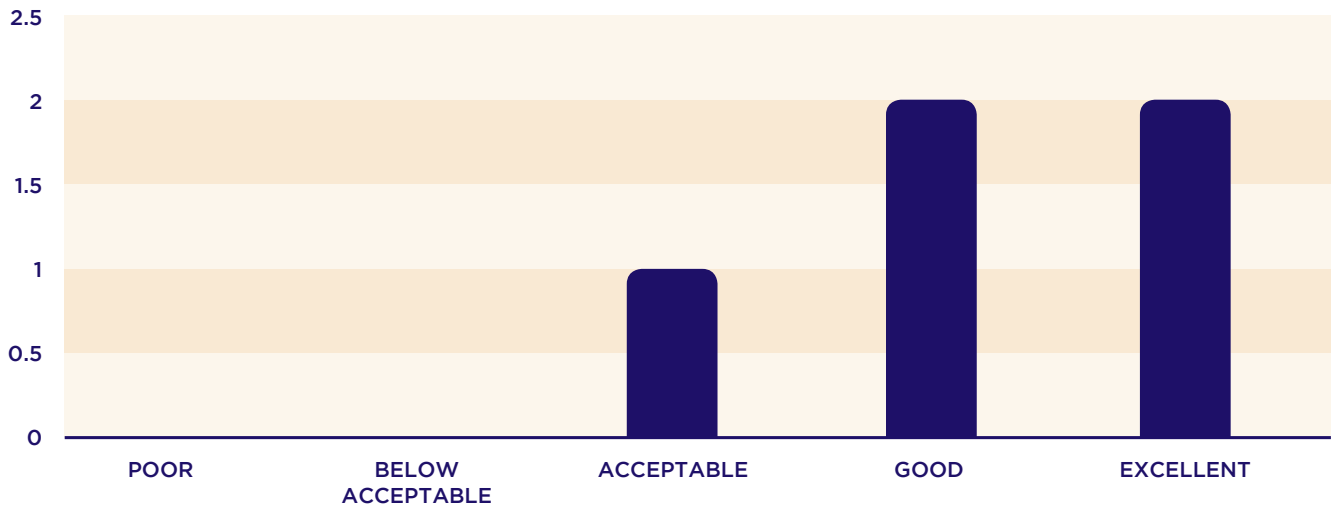


Please rate the resolution process overall





Please rate the satisfaction with the outcome received



**There is also an open text section in the evaluations.
The comments are reproduced below:**

Is there anything that worked particularly well?

“Patience, patience and more patience plus listening, listening, listening. Interaction with RP is outstanding.”

What if anything could be improved for the future?

“To be offered a broader range of independent experts/mediators.”

“I wouldn’t change a thing. Sarah is marvellous to work with and monitors carefully.”



5.1.3 Extract from the Independent Review

The Independent reviewer sent out separate evaluations to an independent sample of users of the system. This was done by the Resolution Facilitator team to protect their privacy.

“Very generally, the interviewees were satisfied with the operation of the Scheme and the Facilitator Team; however, only one did not express some concerns about the perceived relationship between APRA and the Scheme and the likely amount of influence APRA might exert over the Scheme”.

(See page 38 of the Independent Review).

6 Complaints about Resolution Pathways C6.21 (v)

All participants in the dispute resolution pathway have an ability to submit a complaint to the independent chair. Information about feedback on the scheme is provided on the scheme website, including the option to give feedback or complaints directly to the Chair by email.

There were no such complaints or comments in the Reporting Period.

If a compliment or complaint, the feedback is shared (de-identified) with the Governance Committee, APRA, the Resolution Facilitator Team and the ACCC to assist with the ongoing improvement and oversight of the service and to meet reporting obligations under the ACCC authorisation. Feedback direct to the Independent Chair is shared only with consent.

No complaints about the Scheme were received in the Reporting Period.



FINAL WORDS

2023 was a year of consolidation of the Governance framework, the committee and a streamlined operation of the Resolution Pathways with new case management software.

The chair would like to acknowledge the contribution of the volunteers whose efforts allow this process to operate effectively.

Sincerely,

Peta Irvine, Chair on behalf of the Resolution Pathways Governance Committee

Shirli Kirschner, Resolution Facilitator

And the **Resolution Pathways Team**

Testimonial:



Mediator: A pleasure and a privilege to experience the Resolution Pathways model of mediation. In the world of dispute system design it is a great model. Thoughtful triage, well thought-out documentation and hands-on management. A great experience.





APPENDIX 1

Objective and functions of the Committee (Conditions C6.7 and 6.8)

	OBJECTIVE	OBJECTIVE MET?	COMMENT
(i)	Monitoring the operation of the Scheme including the actual costs of the scheme	✓ Yes	
(ii)	Receiving feedback on the scheme and communicating that feedback to the Facilitator and APRA	✓ Yes	Independent pathway established to the Independent Chair.
(iii)	In consultation with the Facilitator and for each calendar year making an annual recommendation to APRA about the budget for the operation of the scheme	✓ Yes	Done on a financial year basis to suit APRA planning.
(iv)	Making other recommendations to the Facilitator and APRA about the operations of the scheme	✓ Yes	Annual strategic planning session and regular meetings held through the Reporting Period.
(v)	Setting annual key performance indicators for the facilitator and the scheme	✓ Yes	This has been transferred into a KPI checklist. Please see page 13.
(vi)	Reviewing complaints about the Facilitator or the scheme (including APRA's engagement with the scheme)	✓ Yes	
(vii)	Where relevant planning for succession of the Facilitator in conjunction with APRA	✓ Yes	An 18-month horizon has been agreed.
(viii)	Preparing the annual ADR report in consultation with the facilitator where appropriate (see Condition 6.18)	✓ Yes	



APPENDIX 2

Glossary of Key Terms in Matters Considered

TERMINOLOGY	COMMENT
Associated Matters	Those matters where several pathways are initiated will have multiple associated matter numbers if the pathways are opened at different times or because there are multiple issues or multiple players.
Closed	Is used when a matter and the file has been closed. This could mean the matter has been referred out of Resolution Pathways by consent of the participants, it was a file for advice and support only, or there is no consent from one or both of the parties to pursue the matter further.
Matters	Issues referred to Resolution Pathways during the reporting period. This includes active disputes and emerging issues that are referred for early assistance and advice.
Music Creator(s)	Refers to those members who have works registered with APRA.
Music User(s)	Refers to those entities that license music from APRA or OneMusic Australia and from whom royalties are collected and distributed by APRA to Music Creators.