
From:
Sent: Wednesday, 5 March 2014 4:47 AM
To: Adjudication
Cc:

Subject: A91367-A91375 dispute resolution process APRA

Categories: Submission

Dear ACCC,

With regard to APRA and this message.

As you may be aware, Ms Shirli Kirschner of Resolve Advisors has conducted the review of APRA's ADR scheme. APRA would like to appoint Ms Kirschner to the position of 'Dispute Facilitator' to run the revised ADR scheme upon its implementation. Please see attached correspondence from APRA commenting on appointing Ms Kirschner as the Dispute Facilitator.

The problem for me with such a statement is this. It seems that APRA has already worked with this person in the process. Its clear from this statement that the person works in a fashion that they would approve of. From my point of view APRA's new dispute facilitator might just be the same thing with a different name.

Might it be better to have a facilitator from an organization like creative commons legal team involved? Then some middle ground might be found with the issue. Or at least a legal service that has empathy with alternative license methods, and copyright problems the public face.

For me the problem in this instance looks to be between the Hotel association and APRA, yet possibly the bigger issue are the licensing issues between the people trying to transmit information with each other, and the regulations imposed by organizations like APRA and partners on the general public. Be it through public spaces performance or through the internet.

Previously publishers were needed to let people know about music, and record companies were needed to make actual recordings. With the internet things are different. Yet APRA has not updated their contract to a non-exclusive contract yet, this update that is needed to allow artists and public to innovate in new ways.

regards,