

The Creative Archive

Speech

By

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As Delivered

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Almost eighteen months ago, I was invited to speak at the launch of the Creative Archive Licence Group.

The Creative Archive has come a long way since then, not least because of the extremely welcome addition of two new members – Teachers TV and the Museums, Libraries and Archives Council.

But before I go into the specifics of the progress that's been made, I'd like first to touch on the way in which the larger environment in which Creative Archive is situated has also changed during that same period.

Since that packed gathering at Portland Place in April 2005, the commercial giants of the Internet, Google, Yahoo and Ebay – to borrow a film analogy, what we might call three of the “majors of the Internet - have continued to grow and grow, not only in scale, but also in dominance within their respective fields.

In some respects, these and one or two other major players remain genuinely innovative companies, ripping up the rule book as fast as it can be created. But in other ways they increasingly resemble any other powerful market incumbent or entrenched vested interest – that's to say, using their power to dictate terms of trade in ways that smaller players, as well as consumers, often find deeply troubling; frequently in my view, with good reason.

Alongside these vast companies, what we might call a second generation of internet majors – MySpace, YouTube and Bebo – are the ones that most obviously spring to mind – are becoming significant forces. And as they grow, so more traditional media conglomerates, many of whom were slow out of the digital starting gate, are swarming around looking to preserve their incumbency. Hence Rupert Murdoch’s acquisition of MySpace and the several reported suitors for YouTube.

In many ways it’s reminiscent of the early days of the movie business when a few big and ironically European companies – Pathé, Gaumont, Nordisk among them – acquired an early and incredibly dominant position, surrounded by dozens and dozens of smaller players all vying for a position in what have appeared to be an incredibly exciting new world.

It’s worth remembering that this was a world in which, the most popular films were comic skits and travelogues, along with extraordinarily mundane scenes from everyday life. In other words, material not that dissimilar from that which, in different ways, is now driving services like YouTube, Google Video and Flickr.

In 1906, for example, just ten years after its invention, very few people would have had the foresight to predict that cinema's dominant cultural form would be built around one hundred minute fictional narratives. Fewer still – probably in truth, no one – would have foreseen that within a few years these seemingly dominant European ‘majors’ would be relegated to bit players in a global business controlled by six or seven companies, largely based in Los Angeles, and created by immigrants from Eastern European most of whom had arrived in the United States virtually penniless just a few years earlier.

Like most historical analogies any attempt to draw precise parallels between the early days of the cinema, and what we must still assume are the early days of the Internet, founders on the detail.

But as John Maynard Keynes was fond of saying, “It’s better to be roughly right than precisely wrong”.

So here are two reasons at least why I think the analogy holds up:

- First, it demonstrates the degree to which the internet business, just like film, has demonstrated that in most, if not all of the corners of cyberspace, scale is a major source of advantage. For sure, a million flowers may well be blooming across the web, but we’re barely aware of most of them because of the dominance of a few giants. But perhaps even these giants are not entirely omnipotent.

- It's certain that some, like those early European film companies, will be surprised and overtaken by this or that upstart innovator, with little more than a good idea, a working computer and a back bedroom equipped with a thirteen amp socket!
- Equally, the romantic notion that saw the web as a place where all would have a chance to be heard, regardless of size, has predictably proven to be just that – a romantic notion!
- Second, most of the extremely powerful market incumbents in cyberspace, whoever they may be, are very likely here to stay – and they have the advantage of not carrying the 'baggage' of those of their competitors with emotional roots firmly tied to newspapers and television. In the final analysis the shareholders of Google, Yahoo, Ebay, Amazon and others are just like any other shareholders – they simply want to maximise their financial return. For them the web is just a means to that end - not any kind of end in itself.

What I take away from all of this is that we're only just beginning to explore the real potential of digital delivery, and what it might mean to our collective futures. But it's equally certain that if we're serious about maximising the public interest in a digital age we cannot rely on the market to do it for us. Yes of course the market will, up to a point, provide the stimulus. Who could deny that Amazon hasn't helped make people more adventurous about their choice of books, or that the online DVD rental companies aren't similarly helping to broaden tastes in film?

But the expectation that commercial companies, with their single-minded commercial imperatives can alone unlock the full benefits – educational,

cultural, creative – of material that sits within the so-called Long Tail is, at least to me, just a different form of Romantic illusion.

That's why initiatives such as the Creative Archive are so important, and are likely to become even more important as the giants of the Internet grow ever more dominant. The Creative Archive, and other public service initiatives in the online space, demonstrate a serious commitment to the public interest in the digital age; a commitment to the belief that all forms of human expression and communication have to be about something more than simply providing an increased return for shareholders.

The Creative Archive turns the concept of media literacy into something much more than just a 'good idea'.. It's about empowering people by providing them with material which may enhance their cultural awareness, their critical faculty and their creative skills – or maybe all these and more – at the very minimum they'll become that much more aware of the way in which the media shapes the way in which they view the world. In this way alone the Creative Archive contributes significantly to the cultural and creative stock of the nation, and demonstrates that media literacy is about far more than ensuring people grasp the meaning of the term 'digital switchover', or how to navigate away from websites that they may find offensive.

The Creative Archive License Group exists to ensure public access to public archives is optimised in the digital age. It's quite simple, we all pay for the upkeep of the material in these archives – we should all be able to access them. If we are unable to access most, if not all, of the riches locked up in these treasure troves, then it quite naturally begs the question, 'why are paying for them to be preserved in the first place'?

The objective of universal access to that material won't be achieved overnight, or even within a few years, but surely within a couple of decades at most, it ought to be an achievable objective.

And of course the commercial sector has an important role to play in all of this. If rights holders in the creative industries want their sectors to enjoy the benefits that flow from public support, then surely they must recognise a natural trade-off; namely that they go out of their way to ensure that public sector initiatives, like the Creative Archive makes as much material as possible widely available.

Maintaining a belief in maximising public access to audio-visual material, new and old, does not mean everything being made available free at the point of use, and at any time, nor does it mean the eventual abolition of copyright law.

That's just a wrong-headed, lazy caricature – but one that's all-too-often perpetuated by the commercial sector and sometimes even by those who actually claim a belief in the public interest.

It does however require a leap of imagination, the ability to take the long-term view that exposure of work, even if there's no immediate financial return, might reap long-term benefits in all manner of ways –for example, in creating valuable awareness of work that has been hitherto virtually unseen, unheard, or even in some cases, unknown.

The biggest problem faced by most creatives in the audio-visual field, at least outside the major Hollywood studios, is not piracy – but obscurity. The Creative Archive is an initiative which can help secure a level of awareness – after all, it's backed by, among others two of the world's leading public service broadcasters, well-trusted “brands”, with a massive commitment to the digital world, and an extremely visible online presence. If you're a rights holder committed to maximising the long-term value of your catalogue, and you're genuinely prepared to work with the Creative Archive – well, to borrow a phrase from my granddaughter, “what's to lose?”

As soon as we start to conceptualise intellectual property primarily in defensive terms, even to the point at which you find yourself almost adopting the language of the police state when discussing the value of copyright; that for me becomes the moment we fundamentally devalue the whole concept of a ‘media literate’ society..

In fact some of the anti-piracy policies pursued by different sectoral interests can look remarkably like a continuation of war by other means – hardly an effective strategy for winning the hearts and minds of consumers and citizens.

It is easy to see how such a restrictive view might be encouraged by tabloid hysteria regarding rival media content – whether disseminated via television or on the Internet. It's easy to see how vested interests might find themselves obsessively protecting the revenues from existing business models, at the expense of rather more long-term thinking – because in reality they always have. But if we had bowed to such vested interests in the past, the film industry would still be attempting to prevent the sale of movies to television, and fighting a continuing rearguard against the VCR and the DVD player – ironically the same three distribution channels that have ensured the survival of the cinema into the twenty first century!

But if we're really serious about maximising the public benefit of initiatives such as the Creative Archive then we need to think about new models which are capable of delivering that benefit. Why not create a “public lending right”, similar to that operating for libraries, which could work through the Creative Archive. In other words, why not establish a fixed revenue stream to underlying rights holders which is driven by frequency of download?

In this way, rights holders would also become stakeholders in the development of the Creative Archive – just as authors and publishers now enjoy through the development of policies relating to the public lending right..

Surely, this is an idea worth looking at?

In the end, the Creative Archive, just like our Public libraries, principally exists to advance the Public interest.

I use the word 'advance' rather than 'protect' because I don't think of the public interest as a something so fragile and enfeebled that it needs unnecessary cossetting. I start from the position that the public interest is just one (albeit fundamental) of the compacts that underpin the whole concept of citizenship and civil society.

As citizens we do have rights, some of which are, or ought to be, inalienable; but equally those rights bring with them a whole slew of responsibilities towards our fellow citizens. In this rapidly changing world the 'public interest' should increasingly become central to the workings of a free and evolving society, it is most certainly not something that we can allow to become in any way superfluous as a consequence of technological advance. That is why the Creative Archive License Group exists, and why it must continue to evolve and grow ever stronger.

Thank you very much for listening to me.