

Passionate Defender of Human Rights

He's been working in the field of digital content and copyright law for over 20 years, but Professor Michael Fraser, Director of the Communications Law Centre, Faculty of Arts and Social Sciences at UTS, fell into his career by answering a consultancy ad while working as a part-time philosophy tutor at Sydney University.

"There was a concern about photocopying machines, which were a new technology, and the impact they were having on the livelihood of authors and publishers," Professor Fraser recalls. "Then the Australian Society of Authors and the Australian Publishers Association asked me if I'd like to put my recommendations into effect."

So in 1986, Professor Fraser, the recently appointed President of Sydney PEN, helped establish the Copyright Agency Limited (CAL), a non-profit organisation devoted to protecting the rights of authors, journalists and publishers.

"I saw it as a way of fostering and protecting human rights," he says. "I thought it was important that the community should be able to use the new technologies, but it wasn't fair to the authors and publishers if it destroyed their livelihood."

As the chief executive of CAL, Professor Fraser quickly became aware of the legal side of copyright protections. "I found that in order to do my work," he says, "I needed to study law, because most of the work was legal work."

He then began taking part-time classes at UTS to obtain his law degree while still running CAL. A strenuous schedule, since his duties as CEO required many meetings and much international travel.

"I submitted essays in those days by fax around the world," he jokes. "I think I'm the only person who has done a New South Wales property law exam while in Copenhagen with jetlag."



Michael Fraser

Recalling his careful juggling act of coursework alongside his CAL responsibilities, Professor Fraser says he was grateful for UTS for its flexibility and practical subject material. "I found that what I learned one day I could apply the following day in my work, so it was a fantastic opportunity."

Despite the gruelling schedule, Professor Fraser admits that acting as the company's CEO for 21 years has awarded him some invaluable experiences.

"The great thing about it is that to work with other people, and to achieve results, you really have to understand other people—their language, their culture, their social, economic and legal framework—and it is very difficult," he says.

Through running CAL, he also came to learn much about the nature of leadership and collaboration.

"You find out that there's nobody in a room, in a tower, with the answers," he says. "That's an important part of being a mature person, to discover that there aren't people somewhere who actually know the answers, that we all have to work to meet the challenges that confront us. And if you don't contribute to it actively, it won't happen."

Professor Fraser has put this lesson into practice through his work in copyright and media law, and has come to be a passionate defender of human rights.

“You know, people have been prepared to die, in fact wars have been fought about privacy, about whether state organisations could collect information about your private life and keep it on file, about the way you lived and the things you did, and what you read,” he says. “People have fought hard to protect their privacy so that their lives weren’t kept on file.”

An outspoken advocate of the human rights of writers, Professor Fraser has chastised companies and government agencies for improperly handling the creative works of authors and journalists, and has warned that copyrights and digital content laws will only become more important as communication technology continues to evolve.

“It’s the question of our age,” he says. “Will the technology manage us, or will we manage the technology? There are public issues at stake as to how this technology is deployed, and who benefits by it. Do we in effect want any corporation to control the most precious resource of mankind, or is this something that we want to manage through the public lending library system, with public interest norms driving the public policy development?”

For his continued service to the arts and promoting the interests and rights of authors and artisans, Professor Fraser was awarded the Member of the Order of Australia on Australia Day last year. When asked about the award, he smiles but refuses to take full credit.

“I think it was because of the contribution of the work I did with my team for copyright law and practice in Australia, to protect and drive creativity and innovation,” he says.

Michael Fraser now helps teach his students at UTS about the need to maintain the rights and liberties of artists throughout the country. He also remains deeply committed to his work in copyright law and digital content rights: he is the chairman of many organisations, including the Australian Communications Consumer Action Network, the primary body that represents consumers in communication issues. He also continues to contribute to government policy development and act as an international speaker.

Currently, his focus has been on ensuring the rights of consumers and companies on the Internet.

“Large swathes of the Internet are becoming badlands, where some of people’s worst impulses are on display and criminals take advantage of people, hiding behind anonymity.”

According to the Professor, defending and protecting the rights of all who use the web is more important now than it’s ever been. “If we don’t, it will be just a third rate place where people will be afraid to go, and all the infinite potential that it has for creativity, commerce and social development will not bear fruit. It’s a question of how we handle the wonderful prospects of the new technology.”

James Hart