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Expat website slapped down for piracy

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The producers of ABC1 drama *The Slap* have succeeded in shutting down a Netherlands-based piracy website that more than 40,000 Australian and New Zealand expats use to illegally watch local shows.

Advertisement

The site, diwana.org, is run by an Australian expat who started the site over five years ago and is popular with expats and others based overseas who are looking to access Australia and New Zealand TV content, which is often difficult to access internationally.

Due for a DVD release next month, *The Slap* is an eight-part television series that is based on the book of the same name by Australian author Christos Tsiolkas. The plot stems from a Melbourne suburban barbecue during which a man slaps a three-year-old boy across the face.

It is understood the producers of *The Slap*, Matchbox Pictures - which last night was named Screen Producers Association of Australia producer of the year - contacted the Australian Federation Against Copyright Theft, who then referred the matter to Dutch anti-piracy body BREIN, which acts on behalf of rightsholders.

BREIN contacted Diwana's ISP, LeaseWeb, saying it was hosting a site that illegally offered pirated copies of shows including *The Slap*, *Packed To The Rafters* and *Wild Boys*. LeaseWeb told the owners of Diwana.org that it had no choice but to shut down the site as "in the past we have lost court cases with BREIN".

The owner of Diwana.org, known by the online handle "fr3ak", replaced the page with a message saying he was shutting the site down as he did not have funds to fight any legal action.

He said he had never received a complaint from Australian TV rightsholders and assumed he had their "unacknowledged support" due to the "excellent free service we gave to tens of thousands of users all over the world, giving unfettered access to Australian/New Zealand content".

The owner of Diwana.org also said he had sent a "strongly worded letter" to Matchbox Pictures. He said the site was never a "commercial pirate organisation" and was used by about 40,000 citizens of Australia and New Zealand to "share content that was not commercially available for viewing in other countries".

"Without our help, your shows would never have reached the international audience that it has," fr3ak wrote to Michael McMahon, of Matchbox Pictures.

Those who used the site should be safe from separate legal action as LeaseWeb has said it would not give out individual subscriber information to BREIN.

AFACT said in a statement that it was not correct that *The Slap* was not available overseas as it was currently licensed for online distribution in Britain via BBC iPlayer.

It said Diwana.org never contacted the producers of *The Slap* to seek permission to make it available for download via BitTorrent. The legal onus was on those who want to broadcast content to contact the producers and seek the necessary licensing permission, not the other way around.

"The only way we can have a sustainable content industry in Australia so that more quality content like *The Slap* can be created is if producers and rights holders are able to sell the rights to local productions both in Australia and overseas," AFACT said.

"It is a misnomer that because something is on free to air television, it is free. The content industry is only sustainable in a free market economy - not a free-for-all economy.

"The broadcaster pays for the right to broadcast the content in Australia as do other broadcasters overseas. The revenue earned is then reinvested in new productions employing Australian actors, producers and others in the television industry."

Despite the shutdown of Diwana.org, *The Slap* is still widely available on other pirate websites.

This story was found at: <http://www.canberratimes.com.au/technology/technology-news/expat-website-slapped-down-for-piracy-20111114-1v37d.html>