Anti-piracy campaign moves to workplace

By LEITHEN FRANCIS

A COMPUTER piracy watchdog group is planning to launch a series of advertisements offering rewards to employees who provide tip-offs on the use of pirated computer software in their workplace.

The Hong Kong advertisements are based on a successful print campaign launched by the watchdog Business Software Alliance (BSA) in Australia last June. It has led to the prosecution of several Australian companies for using pirated software.

But BSA's public relations officer in Hong Kong, Stuart Newell, said the campaign may not go ahead if it fails to get approval from the Independent Commission Against Corruption (ICAC), which is concerned the rewards may be regarded as bribery under the current ICAC legislation.

Mr Newell said: "A lot of things still have to be worked out . . . at the moment BSA is talking with the ICAC. There has been a suggestion that offering people a reward for information may constitute a bribe."

An ICAC spokesman declined to comment on the issue.

Concerns were also voiced by groups representing computer users, including Joseph Leung, president of the Hong Kong Computer Club, who said: "I am concerned that it could cause problems between workers and their employers. Some workers who are angry with their employer for dismissing them may resort to blackmail."

But BSA's vice-president, Alix Parlour, said the alliance would take steps to ensure that did not happen.

"Blackmail is very unlikely because when people phone in we get a statement under oath," she said.

"We get them to come in to be interviewed and find out why they left the company."

But Australia's BSA chairman, Jim Macnamara, confirmed many people who reported employers in Australia were ex-employees with dubious motives.

"We found that many people do not feel comfortable about reporting their employers and wait to inform BSA after leaving their jobs," he said.

"We're always wary about calls from people who have left companies because ex-employees are sometimes vindictive. In which case we have to take what they say with a grain of salt."

Sources working at rival advertising agencies said the campaign was flawed because of this.

"Dobbing in [informing on] your boss for using pirated software would only appeal to people leaving a company because if they were found out there would be discord with your boss," one creative director in advertising said. "That would mean you would have to leave the company anyway."

Another said the campaign may fail because people could be unwilling to wait for a successful prosecution to receive their reward.

"If they successfully prosecute the company in the civil courts, BSA gets paid damages and your reward would come out of that. But what if the case is unsuccessful or the company promises to no longer use pirated software?"

The decision to target users of pirated software represents a shift in direction by Hong Kong BSA, which has traditionally focused on retailers.

Ms Parlour said: "In Australia there were serious cases against users before the courts, but in Hong Kong we have mainly prosecuted retailers, people in Golden Arcade and things like that . . . In future we will see a large number of cases against users."

The proposed Hong Kong advertisements warn employees if they fail to report the use of pirated software they could be an "accessory to a crime".

They add if a report is made on BSA's hotline, the recipient would receive a $15,000 reward if the information led to a successful prosecution.

When the campaign was launched in Australia last June, BSA received over 100 calls in the first week alone.

Information from calls in Australia has led to six successful prosecutions in the past five months.

Companies successfully prosecuted included a major computer software dealer and a bank organisation. Total compensation payouts amount to millions of Hong Kong dollars.