

To whom it may concern

I have read the Productivity Commission report and now express my concerns regarding a few topics upon which several recommendations were made.

Parallel imports

As a self-publisher, this doesn't affect me as much as others as I set all of the prices on my books. If this policy does come in, I will make my overseas editions more expensive. It will lose me sales overseas, no doubt. I don't understand why PI need to be allowed when readers can already shop for cheaper books on the internet and make overseas purchases if they are cheaper. Why is this needed? I cannot see any benefit to changing this, and it will only result in the loss of income for authors.

Fair Use

This is of great concern, not only to me as a writer, but also as a wife. My husband is a photographer and I doubt he will want to continue making his work available when it can be used by others to enhance their own creations, without any recompense. I don't want my books scanned and added to Google's database, I don't want chapters copied and handed out for whatever purpose. It is another way I will lose some control over my work.

Copyright

This is the one recommendation that concerns me most. The report says that a work has commercial value of around fifteen years. Does this mean they can see the future? How do they know this? On what basis are they making this judgement? There are many great works that still sell well a long time after fifteen years post publication. What the commission seems to be saying is that after fifteen to twenty-five years the creator of a work should no longer has the right to earn money from their labours. It doesn't take a few weeks to write a book – it can take years. It would devastate me to have one of books removed from my ownership and used by others to make money. How is that fair and just? The remove of protection of unpublished works only adds to the insult. I can only see this resulting in many Australian authors stopping publication – I will be one of them. I currently have three novels released, a short story in one anthology, another story in an upcoming anthology, plus my other short stories on my website. I have two manuscripts completed, one of which is almost ready for release. I'm not going to release anything further until I hear the result of the report. If copyright is curtailed as recommended, I will not publish anything again. Even my blog posts are up for the chop. Is that what the report wants – Australian authors to stop writing? Because that will be the outcome.

Here are some excerpts from my recent blog post about the report:

“Australian Government Productivity Commission Report

I sat down to read the Fact Sheet (read it here) on copyright that was released alongside the report. It didn't take long for me to get wound up, all due to the slant given. I'll share a few quotes - you see if you can pick it up:

"The current duration of copyright imposes costs on the community, and access to works is restricted."

"Copyright protection far exceeds the commercial life of works"

"Australia needs a new, principles-based, fair use exception, to protect user rights without undermining the incentive to create...Fair Use guides have been developed to foster certainty for users."

"Adopting fair use with benefit Australian consumers, schools, other educational institutions, libraries and archives."

(Regarding online copyright infringement) "Survey evidence suggests infringement declines with better content pricing and availability. As such, an effective approach to reducing infringement is the timely release of content to Australian consumers."

Did you pick up the theme?

It's about the users. The writers of the report seem to think that user should have the ability to access materials easily and cheaply (or preferably free), and to hell with the actual creator. I almost choked when I read the last one. Of course infringement will decline - you've made the content free of copyright! Maybe we should make all of the food in supermarkets free - then there would be no shoplifting! Same logic.

What it boils down to for me is that I could end up only having copyright of my works for as little as 15 years. That's 15 years, down from 'lifetime plus 70 years'. Those who wrote the report think the current copyright period is outrageous and the creator shouldn't have the right to expect payment beyond 15 years, and believe the work has no viable commercial life after this period. And don't think you can unpublish a book at the 14 year and 11 month mark and protect it. Nope, perpetual copyright protection of unpublished works will be removed and they will be made available regardless of what the author wants. I could live to see my hard work used by others to make money, and I would get no recompense for it.

*Imagine this. Fifteen years from now a B grade film company decides my novel, *Roses*, would make a good movie. They could do what they like, change what they like, and I would have no say in it. I would make no money from it either. How is that okay? How is that going to encourage people to keep creating? Why would I?*

What am I doing about it? So far I have written to all of the candidates in my electorate expressing my concerns. I will also be making a submission to the Productivity Commission in the next day or two.

If the united efforts of those against these reforms fail, then what?

If the change to copyright goes ahead I will unpublish my books before the law takes effect, and I will not publish any further stories in any form. I don't know if I'll even continue my blog.

That would be another Australian small business gone. Make that two, because my tiny publishing press would shut its metaphorical doors as well.

I will keep writing - I don't think I could stop - but no one will ever read anything I write.

Let's hope it doesn't happen..."

I ask that you carefully consider all of the implications and possible outcomes of any changes before you make them.

I also ask that you don't dismiss submissions as being too emotional. This is an extremely emotive issue for creators, and I wouldn't be as creative as I am without being the sometimes emotional person I am. It doesn't make me any better or worse than those who employ cold logic, it simply makes me passionate about the things that are important to me.

Thank you for reading my submission.

Regards

Alison Clifford
Author