

Intellectual Property Arrangements

Productivity Draft Report

April 2016

Submission from Robert Macklin

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I am the author of 26 books of Australian history, biography and fiction. My new book, *HAMILTON HUME – Our Greatest Explorer* will be published by Hachette on 27 July this year. I am presently working on *DRAGON and KANGAROO*, the remarkable story of Australia-China relations over the last 200 years. It will be published by Hachette next year.

These works, like the rest of my books, plays and screenplays, are the product of my mind and my research. Without me, they and the thousands of jobs involved in producing and selling them, would not exist. I created them. They are my property.

I have sold my publishers the right to produce them in a form that spreads their message to buyers provided they pay me a percentage of the return from sales – that is, a ‘royalty’ which asserts my continuing ownership of the property. Presently, this ownership – called ‘copyright’ – is recognised by law to extend 70 years from the time of my death.

I don’t agree in principle that there should be any time limit. For example, if I were passing on a business, or a collection of artworks, there would be outrage if by law they were surrendered to the government or anyone who cared to grab a piece for their own purposes after 70 years.

I have willed the income from my books through my wife to my three granddaughters whom I love. Sami, the daughter of my eldest son, is a victim of Rett's Syndrome, a satanic genetic condition that permits the child to develop normally until eight months of age, but then to stall and in some ways to reverse. She is now seven and experience tells us that she will live to be at least 30 years of age. She needs my help; and my capacity to assist depends largely on the control of the 'copyright' to my books.

Aria, 6, and Allegra, 5, are the daughters of my second son and my wife and I care for them two afternoons a week. They are both wonderfully bright and I want desperately to assist them and their parents to develop their full potential, irrespective of the financial trials and tribulations they buffet every family in the Australia of today and tomorrow.

I have that right; I have that 'copyright'.

I accept, reluctantly, that after 70 years another generation whom I do not know will have arrived in our family and that my copyright will then lapse. But I do not accept that the Arts Minister of today, Mitch Fifield – who has never created a book and has no conception of the imagination, concentration and dedication needed to do so – has any right to terminate my copyright and prevent me using my works to assist Sami, Aria and Allegra any more than he has the right to terminate the family ties between us.

Yours Sincerely

Robert Macklin