



## Crime Writer

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Attention: Productivity Commission

Submitted online via <http://www.pc.gov.au/inquiries/current/intellectual-property/make-submission#lodge>

Dear Commissioners,

### **Submission re: the Productivity Commission's Report on Australia's intellectual property arrangements**

I am prompted into action after reading many articles and responses on the draft report, including an open letter on this matter by my esteemed author colleague Jackie French, which has been shared by her publishing house HarperCollins Publishers Australia. I agree wholeheartedly with French's concerns in her response. The so-called Productivity Commission's mistreatment of authors as hobbyists is the death knell for our ability to be treated as professionals and provide for our families and futures, if not also crippling for the Australian publishing industry as a whole.

I am at the relative beginning of my career as an author, with one published novel and two more already penned, despite having worked hard for many years to reach this point (ie studying, building a writer's CV via published but unpaid articles and stories, drafting and re-drafting my novels, etc).

While I am driven to write for a number of reasons, it is a career choice and career change for which I should be fairly remunerated and treated. Writing is my livelihood, not a hobby. And it is an investment in my future – my superannuation or pension plan – but beyond that, it is my contribution to my family's future. How can it be fair that my ownership of my work be limited to a mere fifteen years? Even twenty years is tremendously inadequate.

In what other major industry or investment would you only own the right to your work for fifteen years? Creative projects are some of the most difficult to produce, the most time consuming in their development, and generally the most poorly remunerated.

According to the Macquarie University report 'The Australian book industry: Authors, publishers and readers in a time of change' of October 2015, the average Australian author earns \$12,900 per annum from their creative works, their writing. Most authors have to supplement their income from other sources – writing associated work, such as editorial or teaching creative writing, is said to amount to some \$14,000, and non-arts work approximately \$20,000 – to make a total average of \$46,900 per annum. This figure is far less than the average Australian full-time wage, which according to Scott Morrison is \$80,000 per annum, while we work well over 40 hours per week.

At the very least we should then own the rights to our creative works for our lifetime and a reasonable period following our death.

Why should the author's work be available for 'fair use'? – the definition being something that a court would have to define. Why should others be entitled to use our works without contacting us, the inventor/author, requesting such use? As it stands, as author and copyright owner, dependant on how much of the work is to be used or how critical that excerpt is, using our discretion, we may grant usage without remuneration providing it is properly attributed, while in some cases a small fee to enable the use would be reasonable. That should be our decision to make, after weighing the request, not a 'free for all' situation or one that we'd have to fight in court.

Why should our hard work 'benefit consumers' at the expense of benefiting us as the inventor/author? In fact, at the *blatant detriment* of the inventor/author.

Your proposal is not the way to build a strong Australia and jobs for the future. It is not the way to create innovation. It is not on.

Yours sincerely,

**Sandi Wallace**  
**Crime Writer**