

DATE: 1 June 2016

Submission to the Productivity Commission Draft Report– Intellectual Property Arrangements

I am writing to object to the recommendations made in the draft report on Intellectual Property Arrangements, released on 29 April 2016.

I am a children's author who has written commercially successful books and books that have won Australian and international awards. I am an avid reader who values Australian stories. I am a parent who believes in the importance of Australian content in trade and education stories for young people.

And I am a member of the Australian Publishing Industry - the most successful creative industry in Australia – substantially contributing to economy and to culture with revenue of \$2 billion. Over 4,000 people are employed in more than 1,000 businesses. Australia has the largest independent bookseller sector in the English-language market. Further, the community is actively engaged not only with reading books but over 300,000 Australians attend more than 100 literary festivals annually.

Why would a government want to take action to destroy something that works so well on so many levels, across so many population sectors?

**Copyright.** I am aware that it is not possible to reduce copyright to 15-25 years within the framework agreements Australia is party to, and disappointed the commission recommends contrary to this. I have the right to retain ownership of my work in the same way as any other person who has built or made something. Your recommendation is unfair and inequitable.

**Parallel Importation Restrictions.** I am at a loss to see how anyone could possibly believe that the Australian publishing industry will survive without Parallel Importation restrictions when the equivalent protections remain in place in the US and UK. There will be no level playing field. These other countries' governments are not suggesting dismantling their existing protections.

I am concerned by a policy which is promising cheaper books while ignoring that the similar changes introduced in New Zealand did not reduce the cost of books but did destroy a previously viable and vibrant publishing industry. Australian book prices have fallen in recent years and under existing PIR, anyone can legally buy any book, any time for anywhere in the world.

**Fair Use.** The current "fair dealing" exception works well for all parties, including authors. The American style system of "fair use" might sound verbally similar but means authors will not only lose income but few authors will be in the financial position to undertake litigation when "fair use" is flouted. Other businesses will be able to use this inequity to their advantage, regardless of the author being the rightful owner.

I am horrified by these recommended changes which will destroy an industry which is productive in terms of revenue, employs a substantial workforce and safeguards our culture for future generations - all without any government subsidy. These changes will see Australian author opportunities disappear and our stories told by others in their words.

Please retain the existing arrangements that are fair to all Australians – to the both the book industry and its consumers.

Kind regards,  
Sandy Fussell