

Thursday, 2 June 2016

Submission to the Productivity Commission Draft Report (April 2016) –
Intellectual Property Arrangements

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

In the industry, I am no one of consequence. I send this to you as a writer who one day would like to publish work in this country; as a mother of creative children who would like to one day share their vision and receive fair compensation for their creativity; as a member of the passionate reading public who just loves books and is proud of Australian stories; as a book blogger; as a teacher who understands the value of educational texts that embrace the peculiarities of Australia and the curriculum and as an Australian.

My major concerns are as follows:

1. Term of Copyright

While I understand that it is not possible for Australia to reduce the term of copyright to 15-25 years as proposed in your report, due to a range of free trade agreements, the recommendation was nonetheless very disturbing to me.

It is unfair to suggest that an author does not have the right to retain ownership of work. Authors often spend decades building their readership. Readers may discover and author and then go and search out the backlist and read them all. Can we really be OK with a future where authors, who earn, on average, just \$13,000 annually, be denied any earnings on their own creations? That they could be sitting as pensioners watching someone else making money from their intellectual property?

How is it fair? An author spends years learning and practicing craft, investing time and resources into their career. It concerns me that the report is apparently underpinned by the belief that this should not be the case.

2. Parallel Importation Rules

Your draft report proposes a change to Australia's parallel importation rules for books. I believe, however, that the current system has sufficient safety nets in place to protect the interests of the consumer, while still allowing myself and my fellow authors to retain control of their rights and income and enjoy a level playing field with our fellow authors in the UK and USA.

Furthermore, talk of cheaper books is not relevant. Books are not expensive. I pay the same for a book today as I did in the 1990's! With current technology,

anyone with internet connection and a smart device can purchase a book from anywhere in the world. That's about as global a market as you can get!

3. Fair Use

Territorial copyright helps publishers manage risk and support the creation of new Australian stories. Without these rules an author would lose not only income but the support of a vibrant local publishing industry. This is an industry that has fostered unique Australian voices and introduced them on the global stage, where they are our literary Olympians.

Some of our most loved authors are also internationally respected and award winning. Their success makes it possible, for Australian publishers to search out and take risks on new Australian stories. We want an environment that constantly reaches for new interpretations of Australian life because it grows our cultural landscape, it holds a mirror to us and makes us think. That is innovation. It is the action or process of innovating. Authors are at the forefront, bravely reimagining possibility, rearranging, restructuring, transforming, challenging, shifting emphasis. Sometimes unconventional, sometimes not. To remove territorial copyright is to risk collapsing something that isn't broken.

Along with thousands of Australian authors, am deeply concerned that these changes will affect my ability to continue to write, earn a living and find a publisher. I respectfully ask that you reconsider your position.

Kind regards,

Melissa Sargent