Intellectual Property Arrangements

Productivity Commission Draft Report

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My first book, *What is Left Over, After* was published in 2010. It's only sold about 2,000 copies, which might seem small to many people, and as if it's a failure. Perhaps it's only sold 2,000 copies because it's not a very good book; obviously I can't judge that. But the manuscript for the book won the TAG Hungerford Award over and above all the other manuscripts submitted that year. That seems to indicate it has some merit. But it's also important to recognise that Fremantle Press, who've supported the winner of the TAG Hungerford Award for many years by publishing the winning book, probably didn't expect it to sell much more than that. Because I was an unknown author, with a first manuscript that had promise but needed a lot of work, which possibly sums up many TAG Hungerford Award winning books.

But it gave me my start. Without that award, and without my book being published as a result, I might not be in the position I am now with my third book, *A Kiss from Mr Fitzgerald*, having just hit the bookstores. Fremantle Press took a huge risk on me. They invested in me knowing I probably wouldn't provide them with much of a return. But that's how most authors get their start; a publishing company sees some talent and potential and takes a risk on getting a manuscript out into the market so that the author has chance to start developing a base of readers.

We need publishing companies who can afford to take risks, risks which give authors like me their start. If publishing companies lose the security of being able to trade territorial rights around the world, they might no longer be able to take such risks. Who will then step in to provide the funds to take a manuscript like mine through the editorial, printing, marketing and distribution processes needed to get it out into readers' hands?

As I mentioned, my third book has just been published. This book is the result of hundreds of hours of editorial support from my publisher, as well as many hours of marketing and publicity time, sales team time etc. I received an advance for this book, the publisher created marketing campaigns for this book, designed the cover, produced the book etc all before making a single cent out of it. Removing territorial copyright by lifting parallel import restrictions would mean that my publisher would no longer have the security to invest so much time, money and energy in me and my books. This cuts my career off at the knees.

Most writers aren't overnight successes. I certainly wasn't. And I'm still a long way from success of any kind. We need time and investment in order to build our careers. We need a vital and strong publishing industry here in Australia to give us this time and investment. I know my publisher, Hachette Australia, believes that If parallel import restrictions are removed, which takes away their ability to trade territorial rights around the globe, they will have even less security in an already very risky business. Where might this leave me? Would they still be able to provide the same level of editorial, marketing, sales, publicity and distribution support required to make a book discoverable in the market? Nobody is confident that this would be the case.

Removing parallel import restrictions means my Australian rights for my books are worth less. The advances I receive would decrease. I certainly don't expect to make enough money from writing books that I can support myself and my three children solely from my writing—that's a pipe dream that very few authors achieve—but I would at least like to feel compensated for some of the work I do in writing those books. It took 5 years from the time I began writing my first book to the time it was published. As I said, I sold 2,000 copies of that book. So, for 5 years' work, I received less than $6,000. I was happy to wear that because I'm also happy to invest in my writing career. I know I need to work hard, accept very little money but keep writing in the hopes that, with each book, my readership grows and my income grows.

I am just on the cusp of breaking through into making some sort of money on my books. It's taken eleven years, much expense, vast amounts of time, but I've always had hope that I would get there some day, reach a point where I could say I had an income from writing. Stalling my income by removing territorial copyright would make it difficult to justify continuing on as a writer.

You might argue that perhaps no one actually cares whether I continue on as a writer or not. But when I look at the Goodreads reviews for my latest book, when I read the messages from readers that come in each day, when I see that almost all of those reviews and messages say that readers loved the book, that it inspired them, that it made them laugh and cry and feel, it makes me believe that it does matter whether I continue as a writer. It matters to those readers, some of whom have been with me since my very first book.

I urge you, on behalf of all of those readers, not to damage the Australian publishing industry, thus taking stories like mine—loved stories, stories that have meant something to people—out of the market entirely.