

To the Productivity Commissioners:

I am writing as both an author and book editor to state my opposition to recommendations made in the draft report into Intellectual Property Arrangements. I strongly object to two recommendations in particular:

DRAFT RECOMMENDATION 5.2

The Australian Government should repeal parallel import restrictions for books in order for the reform to take effect no later than the end of 2017

The draft report states: 'By raising book prices, PIRs adversely affect Australian consumers with little or no change in the incentives for producing works by authors (notwithstanding claims to the contrary' (p.143).

In the first instance, the idea of PIRs 'raising book prices' is a fallacy; average book prices have not been rising but in fact have fallen by 25% in the years 2008–2015 (source Nielsen BookScan). Speaking as a children's book author, I can point to the fact that the recommended retail price of my first book, a hardcover picture book, was \$24.95 when published in 2005. This RRP has remained the same on each of my hardcover picture books published in the eleven years since.

Parallel important restrictions provide revenue that is necessary for both publishers and authors in an industry that earns \$2 billion in revenue, employs 20,000 people in more than 1000 businesses and does not depend on government subsidies or tariffs.

The revenue flowing to local publishers of bestsellers generated overseas enables them to invest in local authors. The effect of the removal of PIRs on local publishing in markets with a smaller population size can be seen from the near collapse of local publishing in New Zealand. Authors in other English-language markets, including the US and UK, have the benefit of territorial copyright in their home market; why would Australia deliberately remove this protection of copyright from our own authors?

And if we have no local publishing industry, who will tell the stories of Australia? How will our cultural heritage be transmitted? The Productivity Commission's recommendations are argued solely on economic grounds, arguing for cheap prices for consumers, but quite apart from the fact that the effect of lifting PIRs on Australian book prices is unproven, it should also be pointed out that this is no way to measure our nation's cultural output. A hardcover picture book – a book that may well mark the start of a child's journey to literacy – costs the same as a family-size pizza. How cheaply is literacy valued, are our own stories valued, if that is considered too high a price to pay?

DRAFT FINDING 4.2

While hard to pinpoint an optimal copyright term, a more reasonable estimate would be closer to 15 to 25 years after creation; considerably less than 70 years after death.

This figure of 15 to 25 years after creation is quite frankly outrageous. That authors should cease to benefit from their own original work, their own intellectual property, in their lifetime, while others can publish and benefit from that work in any form or format without the creator's permission is an astounding prospect. It demonstrates a real contempt for the value of authors' work as well as imposing an unfair restriction on their ability to benefit from that work.

The recommendations contained in the draft report will have a devastating impact on a successful industry—and on our culture. I urge you to please retract these recommendations.

Yours sincerely,
Alexandra Lavau (writing as Frances Watts)