

2 June 2016

Intellectual Property Arrangements  
Productivity Commission  
GPO Box 1428  
Canberra City ACT 2601

Dear sir/madam

I am a traditionally published Australian author and I'm writing to express my opposition to the recent recommendations of the Productivity Commission concerning intellectual property.

The Commission recommends lifting the restrictions on parallel importation that currently protects the Australian publishing industry. It also recommends reducing copyright on creative works by a drastic amount that would remove much of the payment to authors for their often already underpaid work.

As an author employed in this industry, it is obvious to me that, if adopted, these recommendations would signal the decimation of the Australian publishing industry and make it virtually impossible for upcoming authors to be published in this country. It would become financial ruination for any currently published author to continue to sell their work within Australia.

My reasons are as follows:

- Copyright is pivotal to the publishing industry. Trade in rights is the way the industry operates. A publisher invests in an author and that author's work. The author invests in their career, which can sometimes take decades to show financial reward. It takes years for an author to acquire the skills to write well; it takes years to write a novel and years of dogged persistence to find an agent and then a publisher to contact the work. Many novels don't become financially successful until well after their first printing, often not until readers pick up a later book and then want to read the author's backlist. Those early books, which may have made scant, if any, money are an investment by the author, publisher and agent, and the copyright payments received are the rewards from that investment.
- Copyright is a property right, not a monopoly. If I work to purchase a house, which I then put on the market to rent, for the government to change the law so that I no longer owned that house after 15-25 years and could no longer receive rental payments or leave that property to my child, would be considered grossly unfair. That house would have been considered an investment in my future. Likewise, it would be grossly unfair for an author to lose the copyright to their work within their lifetime or beyond. The royalties I receive from the copyright of past work are the remuneration for my years of hard work – the investment in skill and training along with the hundreds of hours it took to write each book; they are the dues from my investment in my career and I expect to leave them as a legacy to my child.
- The report says that copyright is weighted too much in favour of creators, and yet on average an Australian author only earns \$13,000 per year from their writing, well below the minimum wage. Again, there seems little comprehension that copyright is a property right and not a monopoly. As the financial rewards for each body of work are paid retrospectively, most Australian authors already need a second job, which makes the work/life balance very difficult to achieve. If the recommendations were adopted, they would further reduce the

incomes of writers, making it almost impossible for the career to survive. Those lucky enough to be published in this environment would receive lower royalties and advances, despite the already heavy workload. Australian authors would no longer be able to afford to publish their work in this country.

- The lifting of parallel import restrictions makes no good economic sense. Most other English-speaking countries (those we might sell books into) are keeping their restrictions in place. There is nothing reciprocal about this arrangement. We will not be able to get our books into their markets via parallel importation, although they will be able to flood our market with their overstocks. Fewer high-quality, local educational resources, vital to Australian curricula, would be produced, and our children would be forced to depend on overseas books, using overseas grammar and overseas examples.
- Allowing parallel imports would make it harder for publishers to invest in Australian authors – particularly new ones. The subsequent loss of Australian voices in the market would undermine Australian culture, grammar and sense of identity.
- The decimation of the Australian publishing industry would result in the loss of jobs, not only in publishing but printing and bookselling. Independent booksellers will suffer.
- Lifting parallel import restrictions won't make good books cheaper. The data the Productivity Commission's data relies on is almost 10 years old and the price of books in Australia has reduced by 25% since then. International books are readily available at cheap prices on the internet to anyone that wants them, so availability of books is not an issue, and e-books can be downloaded immediately for a few dollars, avoiding the need for postage.
- If the report's recommendations were adopted, many Australian authors would no longer be able to afford to seek publication within Australia and would need to turn to a country where rights were still protected to find publishers for their work. The Australian grammar currently used in their novels would be changed to suit the country of publication, any Australian idioms or colloquialisms would be expunged, mention of Australian towns and animals would likely be altered. As an Australian author who loves her country, I find this incredibly sad.

Having examined the reasons given in the report, they are out of date, show little understanding of how our industry works and the argument for cheaper books no longer has any relevance, as Australian book prices are now similar to those overseas and local and international books are available online 24/7.

If despite all this, these recommendations were to be adopted, the real cultural impact would likely become apparent quite quickly. The questions will arise – how could a government contribute so wilfully to the degradation of its country's own culture and what kind of government could be blind enough to let this happen?

Thank you for reading my submission.

Yours faithfully

Amanda Holohan  
Australian Author