

I object to the proposed changes to the copyright and licensing regime in Australia, as detailed in the Productivity Commission's draft report.

1. Change to term of copyright

Like all my colleagues, I was outraged to hear the proposal to reduce copyright to fifteen or twenty years. I understand that this proposal is not currently under consideration because of international obligations, but this idea should be shelved forever.

I have worked full time as an author since the late 1970s, publishing books for children, young adults and adults in the genres of picture books, fiction, history and biography. A number of my books have won major awards; two have been adapted into television miniseries. Throughout that time I have been solely dependent on my income as an author. Although this income has never equalled the wage I would have earned as (for example) a schoolteacher, I have also through a great deal of that time supported a partner (a visual artist who earns far less than I do) and (for a decade or so) my teenage stepchildren. At the age of 67, I continue to rely upon my income from my ownership of copyright in my backlist books. I expect to rely upon this income until I die.

During the forty years of my career, I have created employment for a countless number of editors, copy-editors, publishers, designers, illustrators, script writers, camera operators, producers, directors, printers, publicists, agents, accountants, caterers, delivery persons, warehouse staff, arts bureaucrats, etc.

To name just one of my books on which I continue to depend: the historical picture book *My Place* (illustrated by Donna Rawlins) was originally published in 1987. Although the production of the book took only some eighteen months, it reflects twenty years of thinking and researching as a historian. Acknowledged by many as a classic, *My Place* has been continuously in print since 1987, and is now being enjoyed by a second generation of readers. It continues to be widely used in schools, and its sales comprise the major component of my annual royalty income. Why does the Productivity Commission think I am not entitled to this recompense for my intellectual property? (If I was a farmer and planted a tree that continued to bear fruit for more than twenty years, would I have to give the fruit away for free after that cut-off time? If I was a mine-owner and invested my money in developing a mine, would I have to give my minerals away for free after fifteen to twenty years?)

2. Fair use

The proposals to change the current copyright and licensing regime, from 'fair dealing' to 'fair use', and a consequent loss of statutory licences, would be catastrophic for the industry, both for creators and publishers.

Although my books are published by 'trade' rather than 'educational' publishers (ie they are not 'textbooks'), they are regularly set and used in schools because they fit the benchmarks of the national curriculum. Often, a school or tertiary institution will copy and use only a section of one of my books. This is still my intellectual property, and I am entitled to recompense from it.

One example: My history book, *Australians All*, took me nine years to research and write. It won the Young People's History Award in the NSW Premiers Awards. As it is 280 pp of full colour, publishing it was a huge investment for its publishers. Currently, I am still paying off the advance on my royalties, and look like doing so until I die. Thus the only income I receive from this book comes from 'fair dealing' under statutory licences.

However, my objection to this particular change is not only about money. For an author, the fair use proposals mean a loss of rights as well as income.

As an author who has had her copyright abrogated, I assure you that the sense of violation when this happened was as great as if a burglar had entered my home and stolen my family photograph album.

An aside: How would the sensitivities of the copyright of Indigenous Australians in their stories be respected under the Productivity Commission's new rules?

3. Proposed lifting of the restrictions on the parallel importation of books

My major objection to the proposed lifting of the restrictions on the parallel importation of books is that this will mean a loss of Australian stories for Australian readers, particularly stories for young Australian readers.

Australian writers suffer a great disadvantage by dint of the fact that we come from a nation with a comparatively small population, but we share our language with two nations with very large populations.

Because of economies of scale, it is much cheaper to produce books in larger numbers for the readers of the United States and Britain. It is particularly cheap to do this if the initial production cost of nurturing the author through the writing process and undertaking the editing of the work has already been done by her Australian publisher. What incentive is there for an Australian publisher to do this job if their work is going to be undervalued by the dumping of cheap foreign editions? And without Australian publishers undertaking this investment in Australian books, WHAT HOPE IS THERE FOR AUSTRALIAN WRITERS — AND FOR AUSTRALIAN READERS?