

To Whom it may Concern,

I would like voice my opposition of the proposed changes to the copyright laws, including lifting the parallel importation restrictions and the introduction of fair use as suggested in the draft report by the Productivity Commission, *Intellectual Property Arrangements*.

I write as an avid reader - or consumer, someone the government supposedly aims to help in all of this – and also as a journalist who aspires to create books in future.

This government is riding an “innovation” ticket to the next election, and yet the innovation that is involved in creative writing, ie, literature, and the arts in general, is in danger of being cut off at the knees.

If the **parallel importation restrictions** are lifted, it will mean the death knell for our publishing industry – not only for our authors, but also the thousands employed within it from the publishers and editors right through to book sellers and warehouse staff. This has already been the experience in New Zealand when they became an open market. Consumers may be able to benefit from lower prices for imported books, but there will be fewer examples of Australian voices in the literature they are buying, because local publishers won't be able to take a risk on new works by lesser-known authors for a start. The trickle-down effect from this, from books to television, theatre and film, will be immense.

As a consumer, I have no issue whatsoever paying a good price for original works of literature or well-researched non-fiction, most especially those that aim to tell our own Australian stories in our own unique voices. I despair of a government that doesn't value this as highly as any other innovation, or the resources that are taken out of the ground courtesy of the sheer luck of the land.

There is nothing fair about the proposed introduction of **fair use** for original works. The definition of what is “fair” is unclear, and will apparently be left to the courts to decide on a case-by-case basis. This is something that the majority of authors cannot possibly hope to afford – the average author, according to a report from Macquarie University last year, earns around \$12,900 for their creative output. An audit by PricewaterhouseCoopers into the proposed introduction of fair use in Australia suggests that there will be a \$133 million increase in litigation costs to protect creative works. This is not something that authors can afford.

On the subject of **copyright**, perhaps the current lifespan of 70 years after the death of the author is excessive. It should, however, certainly last for the lifetime of the author. It is the work of the author, and that author should reap the benefits. It is hard to imagine any industry where the creator is only guaranteed 15 to 20 years of income from their own work.

Writing is not a charity or merely a hobby – it is an extremely specialist career to which many aspire but not everyone is able to find success. This government should be doing all it can to support authors to produce original work and make a decent living for the length of their lives. Through the hard and inspired work

of authors and artists, people can escape from their lives for a moment, to imagine, to live vicariously, to learn something fascinating beyond their own experience and to explore other possibilities for their own lives. For a government that wants Australia to be a so-called innovation nation, surely this is worth protecting?

Yours faithfully,

Glynis Traill-Nash