

In reply to the Productivity Commission's Report on Australia's intellectual property arrangements:

I have been a full-time author and the primary income earner in my family since 1993. During that time my works have brought substantial money into the Australian economy, eg the 2008 film of *Nim's Island*, adapted from my 1999 book, was produced in Australia with a budget of approximately 37 million dollars. My share of that may have miniscule, but it was extremely significant to me – not only the payment, but also the recognition of my moral rights in the story. I am incredulous that the Productivity Commission is now considering that if the book had been older I would have received neither. And, although the average commercial life of a book may be five years, many books do last longer. My title, *Peeling the Onion*, is still studied in schools twenty years after publication. Can any sane person truly believe it fair that anyone could now photocopy it, reprint it, translate it to film or theatre, without my receiving any recompense?

Writing books, like all the arts, is a gambling life. We may spend two or five years on a book that sinks into immediate obscurity, never paying out its advance of a few thousand dollars. That may be heartbreaking, but fair – one can't argue with market forces. By the same token, if a book is successful, we should be allowed to reap the reward.

How would these rulings encourage creativity, as stated? How does knowing that one's work has a legally short life encourage the investment of years of work into producing it?

The Productivity Commission claims that, 'Long periods of copyright, coupled with no form of registration, results in excessive search costs for users wishing to identify the copyright owner, and the common extreme of causing works to be 'orphaned.'

I would suggest that the vast majority of books can be searched for on google and easily found, complete with author and publisher's names. I do not believe that all Australian authors should be penalised for the sake of the very few books that are not able to be found in this way.

Parallel importation is of course appealing to the consumer, but is a short-term solution. If an Australian book is successful here, but unsuccessful and remaindered overseas, the dumping of those copies on the Australian market ensures that neither author nor publisher is paid for their work. If they can't afford to produce new books afterwards, the cheap copy has been a high price for the community.

As Thomas Keneally has said in his submission, books are not toothbrushes. At the very least, I believe that the arts should be separated from patents and looked at as the unique field that they are. If it is the government's aim to have no manufacturing in Australia and import all our goods, it may well be a road to economic disaster, but the Australian psyche will not be damaged by using only imported toothbrushes. Destroying the Australian book industry, as evidenced by the New Zealand experience, will significantly damage not only the economy, but the welfare of citizens growing up without a culture of their own.