

To the members of the Australian Productivity Commission...

Dear Madams/Sirs

Re: Proposed Changes to Intellectual Property Arrangements

The writing industry is a tough one. But I, like many other writers, pursue a writing career because we believe that story-telling is at the heart of culture, and that Australian writers have a voice, perspective and sensibility that is unique in the world.

Firstly, I want to address the issue of copyright. To suggest that authors should lose copyright of their work after 15-25 years is laughable. I'm sure you're aware that many authors labour over their novels for more than 10 years before they even approach a publisher. Steve Toltz, for example, took around 10 years to write his novel *A Fraction of the Whole*, which was shortlisted for the 2008 Man Booker Prize; his second novel took a further six or seven years to write and was released in 2015.

Writing is a slow business, and this needs to be recognised when it comes to issues around copyright. Writers earn little enough as it is, without being robbed of the ability to earn ongoing income from their years of work. They rely on royalties for income. They must fund their own superannuation. Writers, like anyone else, deserve the opportunity to earn money from what they have created. Furthermore, copyright standards across the world protect their authors. In both UK and USA the copyright terms are for the duration of the author's life, plus a number of years. Australian copyright for authors needs to be comparable to these international standards.

The second issue to address is the restrictions on parallel importation of books. This battle, which was fought by Australian writers and publishers several years ago, appears to have reared its head once more. Yet there nothing has changed to warrant reconsideration of these rights. The fact remains that lifting the Parallel Importation Restrictions will harm the Australian publishing industry as well as demote and change literature in this country – especially in children's books. Those who advocate the lifting of restrictions clearly do not understand the ramifications for Australian writing; in particular, Australian writing for children.

Back in 2009, many authors fought the battle against lifting of parallel import restrictions because of the strong belief that Australian children deserve to read Australian-authored books without American spelling, references, and all the other ways these imported Australian written-American republished titles are changed. This concern has not diminished. I fail to see the logic behind destroying the culture of Australian children's books to (maybe) save a dollar on the price of a book.

It is true we are living in a global world. It is equally true that Australian voices are unique in the world and that Australian children, in particular, need to see themselves reflected in their books and in Australian stories. To lose this ability would be a huge loss to our culture and to Australian children; there is no price that can be put on this aspect of our literary culture.

Furthermore, there is no evidence to support that lifting parallel import restrictions will lower the price of books. In fact, the evidence is to the contrary.

Firstly, parallel importation rules are the global standard. Such rules exist in the USA, Britain and Europe. Far from being anti-competitive, the rules exist to protect the rights of authors and publishers, similar to the way we protect the rights of workers.

Secondly, the book industry in New Zealand– the only country that has lifted restrictions – has continued to decline and **book prices have not dropped**. In fact, books in Australia are 18% cheaper than they are in New Zealand. Removal of restrictions in New Zealand has been an abject failure from which the New Zealand publishing and literary culture will never recover.

Thirdly, according to the Australian Publishers Association, the Australian publishing industry invests \$120 million a year into Australian writing. In contrast, the amount of direct government subsidy to Australian writers is \$2.4 million. It makes no economic sense to punish an industry that is self-sufficient and thriving.

When you look at the evidence, there is no rational reason to strip parallel importation rights from the Australian publishing industry. Neither is there any logic in changes to copyright law for writers. I can only urge you to consider the facts, and let reason prevail.

Yours faithfully  
Dr Maree Kimberley  
Writer  
Brisbane