

To the Productivity Commissioners

Thank you for the work that has gone into creating the draft report into Intellectual Property Arrangements.

I read the report with interest and have also watched the robust debate that has developed around it.

I have strong concerns around two items within the report: Draft Recommendation 5.2 and Draft Finding 4.2.

*DRAFT RECOMMENDATION 5.2*

*The Australian Government should repeal parallel import restrictions for books in order for the reform to take effect no later than the end of 2017*

As an author who has made the jump relatively recently from non-fiction works to works of fiction, this recommendation filled me with horror. The effect that the removal of PIR would have on the local publishing industry can only be classified as catastrophic, and where would that leave new or aspiring Australian authors working hard to add new voices to our cultural landscape?

Unfortunately, the removal of PIR in New Zealand shows us a story that suggests that they would be lost. If the local publishing industry collapses we will lose a generation of Australian stories and voices, a black hole in our cultural landscape.

Readers will be the ultimate losers because publishers will not be able to afford to take risks on new Australian voices.

*DRAFT FINDING 4.2*

*While hard to pinpoint an optimal copyright term, a more reasonable estimate would be closer to 15 to 25 years after creation; considerably less than 70 years after death.*

As an author, this particular recommendation simply causes outrage. Every word in my novels or non-fiction books comes from my head. My thoughts. My words. To suggest that 15 or so years down the track I would not have the right to own those thoughts and words, to have a say in what is done with them or where they go, is contemptible.

What's more, it deprives me of income in an industry where income is not that easy to come by. Digital versions of books and the 'long tail' that these provide mean that notions of 'shelf life' have changed. Books never go 'out of print' any more.

As a children's author, I am also aware that children's books, in particular, stay in print longer than most. They also attract lower advances and a lower price point in the first place, meaning that it is ongoing royalties that create the income for a children's author. We have an incredibly rich and diverse children's publishing industry, with authors acclaimed around the world and adding to our nation's bottom line – do we want to lose that by giving our best and brightest authors no incentive whatsoever to create?

In addition, a significant part of a writer's long-term income is from Public Lending Right and Educational Lending Right. These schemes pay those who own the copyright – once copyright lapsed, no payments would be made. The recommendation of the 'fair use' provision, allowing free 'educational use' would also have a serious impact upon writers, particularly writers for children and non-fiction writers.

The idea that authors write for fun and would 'do it anyway' is a nice one, but anyone who has ever attempted to create a work of fiction around a family and a fulltime job (as I have) would beg to differ that the income aspect is not important. Great writing, publishable writing, takes time, and ongoing income, no matter how small, helps to buy that.

In conclusion, I am extremely disappointed with the Draft Report. To recommend that authors should have no rights to their works, that our income is not important, and that the Australian publishing industry is not worth supporting defies belief.

At some point, we must stop thinking of Australia solely as an economy, and start thinking of it once again as a society. Stories shape and reflect us; the Australian culture is worth preserving.

Yours sincerely

Allison Tait