

Australian Productivity Commission
GPO Box 1428
Canberra City ACT 2601, Australia

To whom it may concern,

I am making a last ditch appeal to the Productivity Commission to reverse its recommendations to remove parallel import restrictions and territorial copyright. The Commission doesn't seem to understand or care about the devastating impact removing parallel import restrictions and doing away with territorial copyright will have on Australian writers who on average already earn a pittance. Just look at New Zealand and the disastrous effect removing these restrictions has had on their authors and publishers. Where HarperCollins New Zealand once employed 40 people and published 45 books a year, it now employs nine people and publishes between 15 and 20 books annually.

As Nick Earls so eloquently argues,

The entire argument from the Coalition for Big Business (sorry, Coalition for Cheaper Books, ie, Wesfarmers, Woolworths, Dymocks, etc) is that removing parallel import restrictions and abandoning territorial copyright would make books cheaper, but no one has proved that it does. The Productivity Commission worked hard to prove that books were more expensive in Australia but couldn't. In the end they decided that measuring the magnitude of any actual price efforts related to territorial copyright was 'problematic' and in its recent draft report did not 'put a figure on them'.

If good data existed demonstrating a clear and sustained price benefit, it would need to be weighed against possible detriments. If there is no good data to demonstrate conclusively the benefit of change, the change should simply not be made.

The fact is that some books are cheaper in Australia, some are more expensive and some cost around the same as elsewhere, and prices vary from book to book, time to time, retailer to retailer and with changes in the exchange rate. Is it fair to compare the cheapest price of a book online with the Australian RRP, when discount outlets are selling the book for far less? Why are we comparing Dymocks' prices with Amazon's, when Big W and Kmart are regularly undercutting Dymocks?

So how much would the price drop if territorial copyright was lifted, and parallel importing of all books was allowed? If parallel importing would make books cheaper, why are we not seeing that already with the many books that can be lawfully parallel imported right now? I'm not so cynical that I think the answer's all about Dymocks' bottom line. I think it's more likely

that the books wouldn't be cheaper after all. The changes proposed by the Productivity Commission are unlikely to deliver the price benefits to consumers that they might hope, but they will put a commercially viable industry in jeopardy. The publishing industry creates jobs in writing, publishing, design and printing. It generates export earnings. It creates intellectual property that we can market around the world and that helps make Australia a player in a global knowledge economy. I want this industry to thrive, not to be knowingly, recklessly harmed.

We need to read our own stories, and in our own voices. American editions of my novels have had up to 200 changes made for that market, and I want Australians to continue to have access to the original Australian versions. I want Australian children to have access to great Australian children's books, with their Australian cultural references and spelling intact.

So how does territorial copyright work elsewhere? The UK and US maintain their own copyright territories vigorously, and each of their systems is in fact less open than the current system in Australia. NZ gave up territorial copyright a decade ago, and how have they fared? Have you seen the price of books in NZ? They're not cheap. Have you read many great NZ authors under 50 lately? Probably not. It's not that the talent isn't there, but the loss of territorial copyright is a major disincentive for a publisher to take the risk of publishing a new author. NZ Trade and Enterprise's 2004 report into the industry said 'New Zealand publishers face an inherent problem in that the domestic market is swamped by imports'. Children's publishing was seen as threatened, with 'dumping of children's books' listed by NZ publishers as one of the most pressing issues they face. The only reliable sellers the report could identify were 'coffee table books of landscape photos and books about rugby'. That can't be the kind of publishing industry any of us wants in Australia.

Allowing parallel importation would cost jobs in publishing and printing, reduce the number of current writers able to continue writing full-time, reduce the number of new Australian writers being published and reduce the number of Australian stories being told. It might make some books a bit cheaper, and it might not.

By the way, I'd like to know why the Productivity Commission refers to books as 'cultural externalities.'

Yours sincerely
Lynn Savery