

CURTIS --- BROWN

1st June 2016

Productivity Commission
GPO Box 1428
CANBERRA CITY ACT 2601

Dear Sir/Madam

Curtis Brown is Australia's largest and oldest literary agency, having started as an off-shoot of the British parent company with one agent, one part-time administrative assistant and a handful of clients 40 years ago, to turning over \$2 million plus and representing around 1000 Australian writers in 2016. The growth and health of the Australian publishing industry, particularly since the introduction of the 30/90 day rule in 1991, has enabled the company to achieve independence, and a management buy-out from Curtis Brown UK was completed in 2003. There is now a staff of nine and an office in Melbourne. We are very concerned about the prospect of an open market for Australian books, and know that it would be extremely damaging to our industry as a whole, in particular to local writers.

We represent such established authors as Thomas Keneally, Andy Griffiths, Liane Moriarty, Markus Zusak, Christos Tsiolkas, Garth Nix, Nick Earls, Hannah Kent and Annabel Crabb. Every one of these writers is published overseas and every one of them would suffer enormous financial and cultural loss should parallel importation of books be approved. In each case, these authors' local publishers would find it difficult to compete with the overseas publishers, who would publish not only for their own market but for this market as well and export their own, cheaper editions. The authors would receive only a very small royalty on such editions rather than a royalty on the recommended retail price that Australian publishers pay. Should overseas publishers choose to sell to wholesalers who then go on to dump copies in our market, the authors will receive no royalties at all on those copies. And the editions most readily and cheaply available would be those with US spelling and foreign cultural references, thus homogenising content and further diminishing our national identity.

While we fully support the notion of books being available at a reasonable cost to *all* Australians, we do not believe that opening the market to overseas editions will necessarily make books cheaper. Direct comparisons between costs in the US, the UK and Australia are misleading since they don't take into account currency fluctuations or the cost of freight from distant warehouses. The New Zealand example – quoted widely in other submissions – is a clear indication that opening the market does not necessarily lower the price of books.

Repealing PIRs would see the demise of many small businesses including literary agencies, upon whom authors depend, and it would also have serious ramifications for our thriving independent publishers. Curtis Brown relies on revenue from local and overseas markets to continue operating and has indeed flourished under the current structure. Our income would be greatly diminished should the market be opened, and significant downsizing would be necessary to survive. Many of our writers would be forced into alternative employment and may even have to abandon their writing altogether. Increased government subsidies could not – should not – compensate for these losses.

We are also very concerned about the proposed changes to copyright legislation regarding 'fair use'. To allow greater freedom in use of copyright material by schools, universities, behemoths such as Google, will punish writers further, and we know that the average annual income for a writer in this country is a mere \$13,000. The Canadian publishing industry has been seriously damaged by the recent move to the US-style 'fair use', and if it were implemented here we would see further reduction in our publishing trade.

The Prime Minister's election campaign slogan is 'Jobs and Growth', clearly vital to Australia's future. Should the PC recommendations be applied, we would see precisely the opposite happening – a smaller publishing industry and greater unemployment across all book-related industries. We strongly advocate that the current territorial copyright protection be retained.

Yours faithfully

FJONA INGLIS
MANAGING DIRECTOR