

Submission to the Productivity Commission Study – Copyright Restrictions on the Parallel Importation of Books

Insight Publications is a leading educational publisher in Victoria with a strong market presence in senior English resources. We fully support the current arrangement of copyright restrictions on the parallel importation of books and strongly oppose variations to territorial copyright regulations. The already saturated educational publishing industry is heavily dependent on exporting its titles to remain viable. Insight's contractual obligations ensure royalties to writers on international sales, encouraging Australian writers to contribute to the Australian book industry and ultimately benefiting the Australian publishing industry.

The crucial point we would like to emphasise is that selling rights or exporting of our intellectual property would not be achievable in a market where territorial copyright is not recognised. Changes to the 30/90 day rule would impact significantly and detrimentally on the Australian publishing industry, in particular educational publishing, as authors and publishers would be discouraged from exploring international markets where no territorial copyright protection is available and return on investment is not guaranteed.

Insight Publications competes with multinational companies in what is already a very limited market. For this reason, it is vital that Insight has the statutory support to explore markets outside Australia in order to remain viable. Having the protection of territorial copyright means that we are able to explore these markets and get clear sales indicators. Amendments to the current status of parallel importation would unequivocally eliminate Insight's ability to sell rights.

Further, as an Australian-owned educational publisher, we value our commitment to supporting local talent and expertise as well as minimising Insight's carbon footprint. As a small independent publisher, Insight outsources much of its production tasks to well over 300 Australian service providers and contractors, both individuals and companies: writers, reviewers, editors, designers, printers, etc. If, however, we have no territorial copyright, smaller publishers such as ourselves will be forced to print overseas and outsource contracts to overseas companies offering lower prices for these services in an attempt to make Australian publications viable.

In turn this would threaten the livelihood of numerous individual service providers as well as the viability of companies integrally involved in book production.

The ramifications are not just a diminished sector as has happened to our manufacturing industries with the lowering of excise taxes, but a shrinking of Australian input into our cultural and educational content. This would massively diminish us as a nation that has a unique and significant role to play in this world. Unless we have a strongly developed and affirmed sense of our culture, our values and beliefs and stories – which can only come about if we are regularly educated by and exposed to our own Australian cultural products – then we will be unable to make this contribution.

Further, Insight's long-term plans to invest in the international book industry will be hugely undermined if territorial copyright cannot be established and overseas operators are able to sell Australian publications back into Australia. Without established Australian law supporting territorial copyright, Australian publishers would ultimately be disadvantaged in the international book industry, and the Australian public would be less likely to have access to Australian content.

For an educational publisher, currently successfully competing in a highly competitive local school market against major and highly reputable multinational publishing houses, this is our foremost concern. It is absolutely critical that Australian content, produced in and for Australian curricula, students and teachers be able to be produced in this country. This is not about profiteering from a particular market sector – this is about the survival of a group of often small but dedicated educational publishers who are passionately committed to producing the best possible learning resources with their eyes on the future of this country.

In our case, we produce the most booklisted and the most respected English resources for senior students in Victorian secondary schools. This is no mean feat when the competition consists entirely of multinational educational publishing companies. But our edge is that our company is run by previous educators who are truly dedicated to the project of educating our young people in the most critical skills for their future endeavours – literacy, clear and analytical thinking, appreciation of our cultural world. Not only are we doing it incredibly well here – but overseas publishers

are so impressed with our products that we are developing an international presence in educational texts that will contribute to export economy.

It is incredibly difficult for most publishers, especially those serving a niche in the market such as ours, to be a viable enterprise in this country with its relatively small population. But this industry is fundamental to our ongoing evolution as a society because we produce the cultural and educational artefacts and resources through which our community becomes knowledgeable and educated as Australians, sharing what is uniquely Australian, with our unique way of life and perspectives, and understanding our relationship with the rest of the world.

Parallel importation will take away revenue from both publishers and writers, risk livelihoods of many Australian-owned service providers in the publishing industry and curtail export possibilities for Australian publishers. To put it simply, smaller Australian publishers could not survive in a completely deregulated environment.

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