

To the Commissioners
Productivity Commission
Re: Parallel Importation of Books Study

I strongly disagree with making changes to the copyright laws, or introducing the parallel importation of books.

I write as a creator of Australian children's picture books. For 28 years I've collaborated with many Australian authors and most Australia publishers to produce over 60 books for children. Many have been subsequently published overseas, including the the UK, USA, Korea, Japan, Spain, Venezuela, France, Sweden and Germany .

I feel disappointed to say the least that the Government would even consider that changes proposed could benefit the Australian publishing industry .

An 'open' market would create huge competition for our Australian books and would endanger not just my, and my colleagues' earning capacity, but Australian culture generally.

Just as all Australian arts are recognised to be unique, so is children's publishing in Australia. Strong, healthy, successful and collaborative, it's also highly regarded overseas as unique. Our books are different to those originating in the US and in the UK. They have an Australian flavour that is not just Vegemite and Kangaroo. We are known for our sharpness, clarity, cheekiness, larrikinism, for what's left unsaid, the empty space, daring, humour and irony - all qualities that our other Australian arts reflect. Precious qualities.

Through picture books children are introduced to literature, to art, to a love for reading. Australian children deserve Australian books. We create them for them. Our writers and artists see things and express things in an Australian way - we have our own idiom, spelling, games, foods and jokes.

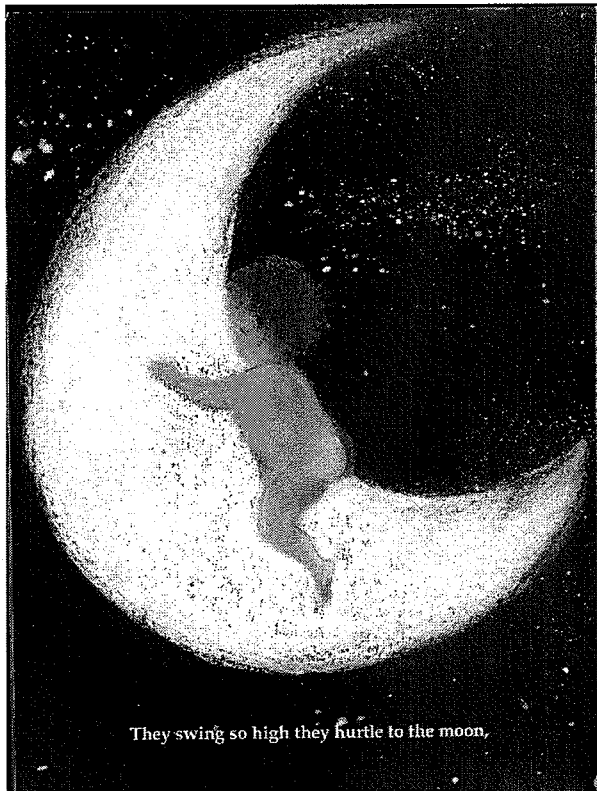
I almost always choose to work with Australian publishers and writers because I want to make books the Australian market will enjoy and kids will understand and own as their own. If our market is flooded with cheaper titles from overseas, families and libraries are very likely to buy them before the Australian ones. What sense does that make to Australia?

What will this do to our industry? What will it do to our culture?

I'd feel totally betrayed if my copyright isn't protected within my own territory, my own country. And for what reason? So big foreign owned bookstores can monopolise book sales? Or more opportunists selling cheap by weight - no royalties going to their creators. It won't be just my books that can't compete. Australian publishers will be unable to compete. Let alone take any 'risks' like publishing books with potentially 'difficult' or 'particular' Australian market appeal.

Sure, I can probably get commissions directly from overseas publishers – as I have done once in the past – but I'll be less able to say no to stories that I'm not absolutely committed to, if I want to continue making my living in this area. And these books won't be eligible for Children's Book Council Book Awards – and short listings for these awards ensures books get bought by libraries and thus eligible for ELR and PLR, which I rely on as the major part of my income.

School visits and talks to students about my work is another important form of income. I don't relish the idea of working with with Australian schoolchildren using my books which have been creatively compromised by say the UK or USA culture.



Here's my illustration of innocently naked Baby Brenda, from *The Midnight Gang*, written by Margaret Wild, who has 'hurtled to the moon'. (Her nappy came off when she squeezed through the cat flap to meet her gang for their night escapade). Though some American publishers were interested in the book, it was considered unfit to be published in the USA because Baby Brenda's bare bottom might offend and disturb some of the child readers. Because I wasn't interested in re-illustrating the book with a clothed baby, the book wasn't published in an American edition, though happily it has been published in Korea.

The Midnight Gang, was held in high esteem here in Australia, a CBCA Honour Book, Picture Book of the Year in 1994 – and it won Children's Choice Awards in four states that same year. It is still in print.

For its sequel, *The Midnight Feast*, I made sure all the babies were un-naked in my illustrations and two U S publishers vied for the rights. It was published

under the title, *The Midnight Babies*. The word 'Gang' was removed throughout the book, as it was considered subversive.

A fellow illustrator, Craig Smith, illustrated a picture book which was for the Australian market but also destined as a reader for the US market. It was a funny story about two children disguised as a cow who get put with herd of real cows. The American publishers, seeing the illustrations, insisted that Craig remove all the udders from all the cows. They were considered rude.

Australian children have to read a book about cows who were udderless.

When I work for Australian Education publishers I am given a list of images to be avoided, for the American market, even though these books are intended for our market as well. The list includes: no fences; no uncut loaves of bread; no fathers (or men) kissing children; no children sitting on men's knees; no witches; no sausages...and a host of others. The ethnic mix was to include specific percentages of Afro American children, Latino children and Anglo children reflecting a US mix., and all to match a particular PMS colour chart.

These titles were also for our Australian market, but don't reflect Australian children's lives or our ethnic mix - and can't include Aboriginal children, for example.

It's incidious that another country's moral code and ethnic mix eclipses our own. It worries me that we are in danger of this happening on a large scale if Australian territorial copyright is not respected and protected. Go with the staus quo.

It's working, don'

I urge you to uphold restrictions on parallel importation and to protect our current copyright retrictions.

Thanks for this opportunity to address the Commission.

Ann James