

To the Commissioners:

I am an internationally published Australian author writing to express my concern about the proposed changes to the Copyright Act in relation to the parallel importation of books. This concern is both as a professional author whose living depends on royalties, and as a reader who values being able to read good quality current Australian fiction.

Although my books have been published in 21 countries other than Australia, my practice is to publish first here and grant my Australian publisher the majority of the overseas rights. I believe that the editorial input I received from my Australian publishers early in my career was instrumental in developing my skills, and that without this input I would have been unlikely to produce the books that have sold internationally as well as being set studies in Australian schools (eg *Peeling the Onion*, *Ark in the Park*, and *Nim's Island*.) It would presumably make it difficult for an Australian publisher to invest a similar amount of time in a new author, knowing that a cheaper American version could be sold to Australian consumers beside the Australian edition. The author would also receive substantially reduced royalties from this type of sale, as it would be an export sale for the American publisher.

There are also no guarantees that a book which is successful in Australia will do well overseas. (Of the three listed above, *Peeling the Onion* did equally well in the US and Australia, as far as both awards and sales, but was published with a different title and cover in the UK, and sank without trace. *Nim's Island* was a NY Times best-seller, and much more successful in the US than Australia, but *Ark in the Park* sold very few there. If the overseas editions of *Peeling the Onion* or *Ark in the Park* had been remaindered, ie sold at less than cost price, and sent to Australia, the public would have had a limited supply of cheap books, but my Australian publishers and I would have received nothing.

The contribution of book sales to the national economy is not limited to the books themselves. The decision to film the feature film *Nim's Island* in Australia last year was based partially on the producer seeing it set here because it was an Australian book. As the (publicly listed) production budget for the film was 37 million USD, it can be seen to have added a substantial boost to the local economy.

Canadian experience also shows the pitfalls of becoming simply a sales territory of the US. Book prices are printed with the ISBN number on the back cover of US published books, eg my most recent book, *Nim at Sea*, says: "US \$12.99/\$16.99." (Tax added at the point of sale, not included as in the Australian price.) When the Canadian dollar reached parity and above the USD last year, Canadian booksellers were devastated; I heard of several going out of business or becoming primarily cafés or toy stores; a major publisher's representative told me that they were struggling, and authors told me of contracts being stalled or ongoing work rejected for being "too Canadian".

I believe that the risk is that projected changes will lead to our publishing industry producing primarily books for the local market; as few authors would be able to make a living in this way, an author's choice would be to aim at having an overseas publisher as one's primary publisher. Economically disastrous as this would be for Australian publishing, the cultural significances would be worse. Books are now routinely edited for US or UK usage, and sometimes much more significantly than spelling variations – for example, in my picture book *Amanda's Dinosaur*, the goannas were removed from the US edition. If Australian children are raised primarily on books published overseas,

they will miss out on the vital confirmation of self that comes from reading books that inform us about our own environment.

When I arrived in Australia as a twenty-one year old migrant, I turned to books to help me understand the country that was my new home, its nuances as much as its history. I wanted to understand and familiarise myself with the unfamiliar phrases I was hearing: books that had translated pavement to sidewalk, or singlet to vest, would have been no help whatsoever. The future migrant, reading an Americanised or Anglicised edition of an Australian book, will not be able to enter their new country's psyche in the same way.

Compensation for the changes in the form of grants to a few individual authors will do nothing to compensate the public for the demise of a vigorous national publishing industry. They will do nothing for the vast majority of authors. There seems a lack of logic in setting up a system that will require compensation – as well as inquiries and boards to determine which individuals will receive that compensation – instead of continuing with a system that allows creators to be properly paid for their works.

Thank you for this opportunity to state my case.

Wendy Orr