

Copyright Restrictions on the Parallel Importation of Books

As a full time writer, I'm very concerned about the impact of the parallel importation of books. I appreciate the opportunity to outline my concerns below.

In my opinion, the proposed changes to copyright law would:

- Undermine our ability to create Australian children's literature and support emerging authors and illustrators.

The Australian market is already difficult. For one thing, it is a small market compared to our international neighbours. Opportunities for emerging authors and illustrators are already limited.

Many publishers and distributors already import authors and titles from overseas. It is depressing when I visit bookstores and libraries to see how many non-Australian books line the shelves. It is already hard enough for Australian artists to compete.

Yet, the government is suggesting that we create an even smaller market in Australia and further reduce the opportunities for Australian artists.

Bringing in more authors and books from overseas would mean Australian publishers have to tighten their belts yet again. It also means that publishers would be less inclined to invest in Australian artists.

The Australian market is not going to grow because more books come in from overseas. People can only read so many books. Obviously time is a factor. Some people don't read much at all, if at all. The reality is that fewer Australian books will be published in light of overseas competition. The size of the market will remain the same in regards to potential sales and purchasers. The supply of books is what changes. And that supply will largely come from overseas.

Dare I say that overseas publishers will have more power than our Australian publishers? You only have to consider the size of the US and UK markets to believe overseas publishers have more power. Our market will be putty in these giant hands.

For obvious reasons, Australian publishers already prefer writers with 'names' and proven sales records. The risk is reduced under these circumstances. This is already a reality. With the increase of overseas publishers and writers, Australian publishers are going to be even more discerning about 'who' gets publishers and what books get published.

But how does an Australian artist get a 'name' and proven sales records? It's the age-old problem that you need experience to get a job, but how do you get experience if you can't get a job?

- Result in reduced opportunities and market for artists.

As an Australian author, I have been unable to attract any interest from overseas markets. I have attempted to interest US and UK agents in my work. Most of them won't deal with overseas writers because they consider the financial arrangements too difficult. Neither have I been able to gain any interest from US and UK publishers. Most don't even acknowledge my submissions.

Given the number of Australian writers I can only assume that there are many, many more writers in the US and UK. These overseas publishers don't have to look at Australian authors or books because they simply have enough of their own.

Therefore, as an Australian writer, I only have my home market, agents and publishers. This home market is essential to my living as a writer. Without this home market, I can see myself having to return to work in an office. Overseas markets are simply not available to most Australian writers.

If an author of 76 children's books can't even gain a response from an overseas agent or publisher, what chance do other writers have?

- Allow dumping here of international editions of Australian books and limit income to creators.

The majority of my 76 books are published by Era Publications. Obviously to allow a profitable and long-term successful business, Era Publications needs to exploit sales in international markets. This is something Era Publications has done very well.

In terms of royalties, however, the international markets bring me much smaller returns. I receive a percentage of the publisher's net receipts. In Australia, I receive a percentage of the recommended retail price of every book sold. Without these higher returns in the Australian market, I could not survive as an Australian writer. That is the reality.

What if Era Publications sells books to Hong Kong and then Hong Kong sells these books back into Australia? The answer is that my Australian royalties would be adversely affected. They would take a major nose-dive. My publisher net receipts would increase but, as I've already stated, they are much smaller than my Australian royalties. The overall affect would be a huge reduction in my income.

I've sat back for years, watching Australian employees receive pay rise after pay rise. Yet my income as a full time writer does not increase, unless I publish another book or dozen. No one gives me a pay rise. In fact the opposite is happening. Of course I have chosen to be an artist. It's amazing, though, that when life is already hard enough for artists that the Australian government wants to make it harder.

A lot of Australian writers I know, and I know many, admit to not wanting to look at their bottom line hourly rate because acknowledging how badly we are remunerated would make us think twice about writing another word again. Fifty cents an hour doesn't really cut it when you have to pay someone one hundred dollars an hour to come out and set up your VCR.

Therefore if international copies of my books were allowed to be sold in Australia, my income would drastically decrease. Instead of receiving a percentage of the recommended retail price of every book, I would receive a much lower amount on publisher's net receipts. I already know this is not sustainable for me as a writer. I'm aware of my royalties and the information provided in royalty statements. I need the protection of an Australian market and a percentage of recommended retail price. Without it, I'm destined to return to full time employment or seek unemployment benefits from the government. Let's face it, I haven't worked in a full time job for approximately 4 years so unemployment benefits look more likely.

- Reduce Australian print runs.

Australian print runs are already small and payments to artists are apparently lower in Australia than the US and UK. The last thing we want is to reduce the print runs and payments to artists even further.

How do we compete if artists are already forced to work in other jobs? Writing or illustrating has to largely be done as a 'hobby' in spare time, taking artists away from family and other activities.

- Threaten our ability for cultural expression by removing our distinctive Australian voice and place.

You can bet there aren't many overseas books written about Australian settings, history, people and events. The figure is more likely zero.

Why are we, in Australia, constantly being forced to give up our heritage and identity in favour of overseas territories? I'm proud of being Australian. I want to read Australian books and naturally I want to write them.

As a purchaser of books, I want to buy Australian. What happened to the buy Australian campaign? Has it now been changed to buy international?

Will Australia just become an enormous remainder bin for international publishers? Not only will this reduce artists' income, publishers' income and so on, it will reduce the consumers' ability to purchase the product of their choice.

I, for one, resent Australia being seen as a 'dumping' ground irrespective of the industry. I am too proud of my country to want to see this happen.

- Encourage interest in the 'blockbuster' and diminish interest in other works.

Again, this is already a feature of our Australian market. When I visit bookstores, I'm inundated with the 'best-sellers' or 'names'. It's difficult to find other works on the shelves. We do not need this aspect of the market to increase. Enough is enough!

I fear we may have a replication of other industries, where the small independents have been forced out by the large multi-nationals. How many artists and books will be forced out by the 'best-sellers' and 'names'? It's already an issue.

- Reduce publisher interest in mentoring new creators.

There is a notion of a writer writing a book and gaining interest from a publisher. An editor then works with the writer, nurturing, assisting, taking great pains, until a publishable novel is achieved. This is a romantic image from the 'good, old days' perhaps. This is definitely not my experience and I haven't heard of another writer who has experienced such a wonderful start to their career.

The reality is that publishers don't even have time to give feedback in their 'rejection' letters. They often don't even have time to send a personal letter, only a standard 'dear writer' letter. This is already the reality. Under the government's proposal of parallel importation of books, this reality is only going to get worse for Australian writers.

- Cause the loss of jobs in the printing and publishing industry and all associated trades.

All of the above can only lead to one thing – loss of jobs. While the government plans to increase profits for overseas publishers and artists, Australian jobs will be lost. More people will need assistance from the government. I'll probably be one of those. Is this really in Australia's best interests? Not in a million years!

I thank you for the opportunity to express my concerns. I could go into greater length with all issues. However, preparing this submission is taking me away from my writing and I am unable to earn an income while I am working on this submission. I understand the importance of writing this submission and that is why I am writing it. But I do need to earn an income, so I will now return to my writing in the hope that it is not a waste of time and that the

government will come to its senses in regards to supporting Australian artists and an entire industry, as opposed to supporting overseas interests.

Regards,

Robyn Opie