

**Productivity Commission Inquiry
Copyright Restrictions on the Parallel Importation of Books**

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Parallel Importation of Books
Productivity Commission
GPO Box 1428
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Dear Commissioners,

I am a moderately successful Australian author with 21 novels published. I am mainly known for my fantasy novels, of which I have written eleven, but I have also written three eco-thrillers about catastrophic climate change, as well as fiction for children/young adults (four books) and for primary school readers (four books). My books have sold well in Australia over the past eleven years since I was first published, and nineteen of them remain in print, with the remaining two coming back into print in the next year. My books have also done well internationally, particularly in the UK, and have been published in 11 countries. I have well over a million books in print. I have also written widely about books, writing, publishing and book promotion.

MY SUBMISSION

I am deeply concerned about the possibility of the parallel importation provisions being removed, for the following reasons:

1. Local publishing nurtures local writers. Without it, many Australian writers will never be published and their place in the bookshops will be taken by imports.

When I first began submitting fiction manuscripts to publishers in 1989, it was almost impossible to get an SF or fantasy novel (or much other genre fiction, for that matter) published in Australia unless it was written for children. Consequently, even though Australia was one of the world's largest markets for the SF/fantasy genre (SFF), with some UK publishers exporting half their print run here, almost every title sold in Australian bookshops was imported.

This situation began to change in the early nineties, around the time the parallel importation rules were introduced. Several Australian publishers began to publish Australian SF and fantasy, and by the mid-late nineties many of their local authors (eg Sara Douglass, Kate Forsyth, Traci Harding and myself) were outselling many of the big name imports. At this time, however, it was extremely rare for Australian SFF writers to be published internationally.

This situation changed dramatically towards the end of the nineties when international publishers realised the quality and the sales potential of Australian fantasy writing.

Within a few years, a huge number of Australian SFF writers were published internationally, and many of those have had great commercial or critical success, or both (eg Garth Nix, Margo Lanagan, Sara Douglass, Cecilia Dart-Thornton, Llian Hearn, Trudi Canavan and myself, to name but a few). When I was in the UK three years ago I made a point of checking the bookshelves in about twenty major bookshops. Australian SFF writers had approximately **15%** of the total shelf space. Ten years earlier it would have been zero.

I have kept a list of Australian SFF writers published over the past decade or so. Over **eighty** Australian SFF writers (not including children's writers) have been published internationally since 1995, and the overwhelming majority of them were first published in Australia. Indeed, to my knowledge, *every single Australian SFF writer* who has had any kind of critical or sales success in Australia has also been published internationally. Without being published first in Australia, very few of these writers would ever have been published internationally.

The case I have presented above relies on my specific knowledge about SFF writing, but it also applies to other genres of fiction. In every case, prior to the early nineties it was extremely difficult to get fiction published in Australia, but since then local publishing has increasingly flourished, and has also become increasingly successful internationally. In mid-2008, Australian writers held four of the top ten places on the UK bestseller list, a situation that would have been unthinkable a few years earlier.

This is important not just for the income it earns Australia, and because it represents our creative people exporting Australian culture and ideas to the rest of the world (instead of Australia importing most of its culture, as it did for the first 200 years), but because to remain a vibrant and creative nation we need a critical mass of writers and artists. Every successful writer adds to Australia's credibility as a creative nation, and makes it easier for creative artists in other fields to succeed, but first we have to have that critical mass, and the present parallel importation rules have greatly fostered this. Removing the parallel importation rules is likely to devastate the local publishing industry and make it much harder for Australian writers to ever get published.

2. "Imported books are much cheaper"

This argument is often used to justify the abandonment of Australia's current system. Books published in the US can be significantly cheaper *in the US*, but when you compare like to like, the difference is usually much less than the figures quoted. Books published in the UK are rarely a lot cheaper than Australian books, with the exception of a few heavily discounted titles. Here are some price comparisons:

Garth Nix *Mister Monday*

Australia \$A15.99

UK £5.99 (\$A13.07)

US \$6.99 (\$A10.26)

Ian Irvine, *The Destiny of the Dead*

Australia \$32.99

UK £12.99 (\$A28.34)

Furthermore:

- International price comparisons generally compare the Australian recommended retail price (RRP) with the discounted price on Amazon, ignoring any discounting in Australian bookshops.
- Such comparisons rarely account for the cost of shipping from the US or UK, which is considerable for individual purchasers. I buy a lot of books from overseas, but rarely because of price, since after shipping and handling is added the cost is the same, if not higher. I buy overseas because the big international vendors offer far more titles, much more useful and accurate websites, and far better service.

For example, Amazon UK lists *all* of my in-print titles, whereas Dymocks' online site omits three of my in-print titles, all of which are widely available in Australian bookstores. Angus & Robertson lists only fourteen of my in-print books, most of which are UK editions not for sale in Australia, and only available at very long delivery times. Does this practice breach Australian copyright laws?

- Mass market paperbacks in the US are significantly cheaper than their Australian counterparts. This is partly due to higher print runs, but also because US mass market paperbacks are cheap, throwaway editions, whereas Australian paperbacks are of significantly higher quality.

3. "If the present system is abolished, books will be cheaper and people will buy more."

This proposition seems extremely dubious to me, since Australian book chains, in the main, show little interest in selling books cheaply, save for the bestsellers. The largest book chain in Australia, Angus & Robertson, is well known for marking books up *above* the RRP, indicating that they have no interest in selling books cheaply except for a few bestsellers. For example, their website has one of my recent books, *The Last Albatross*, for sale at \$32.95 when the list price is \$29.95. Many of my backlist are also marked up, eg *Geomancer* \$26.99, when the list price is \$23.99.

Furthermore, the Australian online vendors rarely offer books at discounted prices even when the same books are heavily discounted in their stores.

I have also seen remaindered copies of my UK editions, which would have been bought by bookshops for a dollar or two each, marked up to the full Australian price in Australian bookshops.

Almost certainly, if the present system is abolished, large quantities of remaindered overseas editions will be dumped in Australia. This will decimate local publishing. Established authors with large reader bases will probably survive, however there will be little incentive for Australian publishers to risk publishing new authors when their sales can be destroyed by bookshops importing bulk or remaindered copies directly from overseas.

4. Conclusion.

If the present system is abolished, books in Australia may be a *little* cheaper, though given the examples I have noted above, of Australian book chains marking many books

up to well above RRP, and the practice of bookshops marking up remaindered overseas editions to full price, books are unlikely to be significantly cheaper.

And the cost to Australia? Australian authors will find it much harder to get published, since publishers will be unwilling to risk the large financial outlay and time required to develop and publish new authors, when the market for their books can be undercut by any bookseller willing to import large quantities of that author's books from overseas. In uncertain economic times, industry requires certainty before it is willing to invest, and who would invest in Australian publishing when its market can be destroyed at the stroke of a pen? Far safer to abandon Australian authors and become importers.

Why should Australia open its market in this way, when the larger American and British markets have no intention of doing so? Where is the benefit of saving a few dollars on the cost of a book when the cost to Australian writers, Australian publishers, and Australian culture both locally and internationally, is likely to be so devastating?