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

Commissioners,

In making a brief submission, I begin with the observation that the purpose of the inquiry into territorial copyright in Australia appears to be to weigh up the costs and benefits of the present 30-day rule. The only cost attributed to the rule (and it is assumed not proven) is that Australians are forced to pay more for books than people elsewhere.

That Australia can be seen as an isolated market in the age of the internet is a matter for bewilderment. Almost everything published anywhere is available from the internet bazaars, who also set the base price of books. No individual (or book club, heaven forbid) need pay more than that price or wait longer for the book than a few days after publication. Indeed, many books can be ordered and are delivered before the official publication date.

There are thus no book buyers held to ransom over price or availability by publishers or booksellers or anyone else in Australia (or anywhere on the globe where the internet is available and post is delivered). It is complete rubbish to suggest, as Mr Bob Carr has done, that we have a class of book-deprived Australians created by the 30-day rule.

If the inflated-price allegation is simply wrong in fact, as many have forcefully argued, as well as being irrelevant were it true, what is there to weigh up?

In the time of the 30-day rule, Australia has developed a vibrant, efficient and entrepreneurial publishing industry. Independent publishers have sprung up to challenge the multinationals. The sharpest of the local publishers have thrived by recognising new Australian writing talent, nurturing it, and taking it to the world. The country also has a healthy and growing number of independent booksellers, making it the envy of booklovers in Britain and the United States, where independents are increasingly rare. Australia still has a local book-printing industry, which in my part of the country keeps the entire small town of Maryborough afloat.

It matters not whether the 30/90 rule is responsible wholly or not at all for this happy state of affairs. The point is that the copyright regime is a benevolent one. Why would anyone want to put this at risk by tampering with it in the name of a reduction in book prices that much evidence says is unlikely to occur (and which will always be undercut by internet discounters not subject to the GST)?

As an Australian writer, my interests are best served by a healthy Australian publishing industry. I think my history lends weight to the argument for doing nothing that could harm Australian publishers.

Many writing careers are like mine: slow and largely unspectacular and sustained by the faith and loyalty of others. My first six novels, published by multinationals, all drew good critical

responses, four won awards, but they all struggled to repay the publishers' advances. No foreign rights were sold; the reason offered was usually that the books were 'too Australian'. By the time I moved to Text Publishing, two novels were out of print.

Text taking me on was an exercise of judgement by the publisher. His decision to risk money on my next two books and on republishing the earlier ones buoyed my spirits. And, with *The Broken Shore*, his judgement was proved correct. First, the book was well received by Australian critics. Then it then won four Australian awards. Then, and only then, did it attract attention from foreign publishers. Once published in the UK, the book won the world's premier award for crime writing. Rights have now been sold in 15 territories, and, as importantly, my entire backlist is now being published overseas. It turns out that, far from being a handicap, the Australianness of the books is a major factor in their success.

This is not a story of personal success. It is a vignette about how important an Australian publisher can be in the making of both a local and international career for a writer. It is a story about how under a benign domestic copyright regime an Australian publisher has grown strong enough to take risks with Australian writers, to invest in making their works as good as they can be, and to go out and export those writers to the world. Everyone in Australia – the reader, the writer, the publisher, the printer, the bookseller, the national treasury, the whole culture – is the richer because Australia's copyright law encourages the existence of a local publishing industry.

I repeat, in the name of what would we consider casting aside such an enlightened and successful legislative framework?

Since my novels began being published in Britain and America, I have also had a taste of what abandoning territorial copyright will mean for Australian writers. Along with other booksellers, a national chain and numbers of discount outlets have been found to be selling UK editions of my books. I will receive no royalties for these sales and my publisher loses potential revenue. This is the world we will bring into being if the copyright law is changed to take away the protection Australian writers and publishers now enjoy.

We have a special country with a remarkable consensus on the importance of the arts and of creators. We have special writers. We have special publishers. Don't let's meddle with our good fortune.

Thank you.

Peter Temple