

Submission to the Parallel Importation of Books Productivity Commission

Dear Commission,

I am an author of books for children, writing under the name Emily Rodda. I have also written books for adults under my own name, Jennifer Rowe, but I am best known as a children's author, and it is on books for children that I will be concentrating in this submission.

I have been writing for twenty-six years, the last sixteen of these full-time. I have won the Australian Children's Book of the Year Award for Younger Readers five times. I have also received the Dromkeen Medal for Services to Children's Literature, and numerous other awards including children's choice awards. My books are published in 31 countries including the US, the UK and Japan, but Australia is and has always been my prime market, and my books are always published here first. I frequently talk to groups of children about reading and writing. My best-known series, *Deltora Quest*, is widely credited with encouraging reluctant readers, especially primary-age boys, to read.

Before leaving full-time work to concentrate on writing, I was an editor and later Publisher at Angus & Robertson Publishers and from 1988-1992 Editor of *The Australian Women's Weekly*. I therefore feel that I understand the Australian publishing industry from both an author's and a publisher's points of view.

I am most concerned about the proposal to change Australian law in order to permit parallel importation of books, and urge the commission to reject it for the following reasons:

Loss of Income to Australian Authors and Publishers

Over the past 15 years books produced by Australian children's authors and illustrators have become increasingly successful internationally. Australian children's books bring millions of export dollars into this country. The quality, freshness and energy of the books themselves have been at the core of this success, but it could not have been achieved without the framework provided by a vital, enthusiastic, innovative and economically viable Australian publishing industry and a strong Australian presence at book fairs such as Bologna.

US and UK publishers have full protection of their own territories, so the only way for Australian books to be sold in those territories is for the rights to be bought by a US or UK publisher. As the law stands, Australian publishers have been able to sublicense properties to overseas English-language publishers in the knowledge that their own Australian publication of the books cannot be compromised by these foreign editions being sold here. If the law is changed and Australian territorial rights are surrendered, this will no longer be the case. UK and US editions of books by popular Australian authors will sell alongside the Australian editions, undermining the ability of Australian publishers to publish confidently and effectively, and dramatically reducing their profits on the very books that should be providing the most income for them. At the same time, publishers will not be able to make up their losses by exporting books to the UK and the US, because these territories are closed to foreign editions.

Australian authors/illustrators who have been successful in having books sub-licensed to foreign English-language publishers will also see their hard-won and often precarious incomes severely eroded by foreign editions in this territory. We do not receive full royalty for sub-licensed books. We receive what is left after agents, sub-agents and publishers have taken their percentages (I have calculated this to be typically about 56 cents in the dollar). So every sub-licensed book bought in Australia in preference to the local product will mean a loss of income to that book's Australian creator.

The problem would be exacerbated by the dumping of remainder stock. US publishers, in particular, print large quantities and remainder easily and quickly. As well as remaindering because a book is not selling well, they remainder or special to rid themselves of overstocks so that they can take a hardback book into paperback, for example, or simply because they wish to re-jacket. Payment to the book's creator is minimal in these cases.

If our laws are changed, large bookshop chains here will be able to buy these remaindered and specialised overseas editions in bulk and sell them in competition with the Australian editions. The book's creator would receive a pittance or nothing for the sale, made at the expense of a full-royalty Australian edition. The Australian publisher of the book would lose in the same way. Independent bookshops without the capacity to buy in bulk would lose sales and in addition lose confidence in the book involved, and reduce the numbers they order and stock.

For me, this is a very daunting prospect. My books are widely read in schools and sell in large quantity in Australia. Australian sales provide the core of my royalty base. While I hope I will be writing for many years to come, the fact remains that I am 60 years old, and in the future will be largely dependent on royalties for books already written, published by Australian publishers, and widely sub-licensed in other English-language territories.

If the laws change, and our territory is surrendered, in the future Australian creators in my position may be forced to abandon their Australian publishers and offer first publication and sub-licence rights to the most powerful of their overseas English-language publishers instead, just to protect their incomes. This would not only be anathema to most of us, but it would rob Australian publishers of desperately needed income and Australia of substantial export income as well.

Surrender of Culture

When I was a child and young adult, the books I read almost all originated in the UK. Even Australian authors typically had UK publishers and were edited in the UK. The local publishing industry was small, and in the children's area depended on books of strictly local interest such as stories featuring Australian animals or bush fairies.

The laws that have provided an environment for Australian publishing to grow and thrive have changed all that. We are no longer an outpost of empire, but a publishing territory in our own right. Australian creators, in partnership with Australian publishers, have been able to work on a wide variety of subjects, and take risks, producing books that have been highly successful not only here, but worldwide. This has benefited the Australian population as a whole, and children in particular. Children now have a wide range of Australian authors to read and meet, and many books that reflect their own language and lifestyle.

To undermine this, particularly at a time when we are desperately trying to encourage our children to read, seems a bizarrely retrograde step.

Books that are sub-licensed to the US are 'Americanised'—that is, spelling, grammar and word use are altered to suit American tastes and habits. It is effectively a translation process, and I have never had any objection to it, since my main interest has always been in communicating effectively with children. If 'jam' is a foreign term for a young US reader, and 'jelly' makes sense, or 'trash can' is more easily understood than 'garbage bin' then I am happy to see the change. But I am not at all happy for editions of my books containing these words to be freely available here. I don't want to see our children confused by American spellings either.

I also speak as a consumer here. As a mother of four myself, I understand completely that costs must always be considered when buying for a family, whether the purchases are groceries or books. But when an Australian parent sees one of my books—*Rowan of Rin*, for example—on sale in an Australian bookshop, I believe that parent has a right to assume that the book will be the same book that won the Australian Book of the Year Award and has been read and taught in Australian primary schools for fifteen years. If what the parent takes home is a US edition, however, this will not be the case. The US *Rowan of Rin* has been edited for US readers. Its grammar and spelling are not Australian. Its verb use has been altered to suit US conventions. It is simply not the same book, and is not 'fit for purpose' in an Australian context.

Discouragement of Young Australian Authors/Illustrators

My final point concerns emerging creators. Publication of an unknown author/illustrator is a risky business. Publishers on tight budgets are naturally very cautious about investing money and time on creators who will be initially hard to sell into bookshops. Publishers who have been impoverished by unfair competition in their own marketplace, while being prevented by foreign laws from entering others, and who have perhaps lost their most successful creators to overseas companies, will be even less inclined to take the risk. As fewer young creators are nurtured, what is now a vibrant culture will gradually die.

This would be a tragedy for this country. I would hate to see it happen. Our books are the vehicles for our language, our stories and our culture. Our children deserve better than to have their birthright sold for a mess of pottage.

Yours sincerely,

Jennifer Rowe
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