

Restrictions on the Parallel Importations of Books Statement in Response to Discussion Draft

From Author, Parent and Teacher Sally Murphy

I wish to respond to the draft report of the commission into this issue. I am writing as a children's book author, book reviewer, English teacher and parent.

I am disappointed at the apparent failure of the commission to fully understand the publishing industry and the needs of the education sector. As an author, I am also disappointed at the commission's apparent disregard of the importance of maintaining and encouraging a vibrant Australian writing community. As a parent, I am horrified at the commission's presumption that my purchasing decisions are based more on the price of the book than on the quality of its content – and that my children would be better served by cheap imported books reflecting life in the US, UK or other countries than by locally produced books which offer children a key to explore their own nation's identity. As someone who made a submission prior to the draft report being written, I am also concerned that whilst the vast majority of such submissions opposed the proposed changes, much more credence seems to have been given to the few submissions which supported the changes.

The removal of territorial copyright after twelve months would be a disaster for the Australian publishing industry, and financially crippling for Australian authors. Few new release books sell their initial print run on the first twelve months, and it is the ongoing sales which both make that first print run viable and ensure that an author has ongoing income. I have had twenty eight children's and educational books published, and none of these have sold their first print run inside the first twelve months.

In children's publishing, the annual Children's Book of the Year awards, as well as individual states' Premier's Book awards, and other awards can have a huge impact on a book's sales. These awards are generally awarded in the calendar year following the book's release. So, for example, a children's book published in January 2009 will be eligible to be nominated for the 2010 awards, with the shortlist announced in March of that year and the winners and honour books announced in September, 20 months after the book's release. The announcement of both shortlist and winners result in increased sales for those books – and it is right that the publisher and the author reap the benefit of these increased sales. For a book published in Australia, it is the Australian publisher who has invested heavily in editing, design, proofreading, marketing and so on, and hence

should be able to benefit from sales of the book that flow from awards and publicity. The author (and illustrator, for illustrated works) has also invested significant time and energy in the book – and deserves to reap the five to ten percent royalty of Australian editions, rather than the much smaller royalty per copy sold of foreign editions.

Foreign editions are also not simply the same book printed overseas. Foreign editions have been published for their relevant markets – so, for example, a US publisher will alter spelling, but may also edit settings, character names, activities and more, to make the book appeal to US children. A book which originates in Australia will be altered for the US market – so to import it back into Australia means that the Australian reader is then being exposed to US spelling and context (faucet instead of tap, Mom instead of Mum, and a game of Gridiron rather than backyard cricket).

The draft report also suggests that one of the benefits of removing import restrictions after twelve months will be the availability of cheaper books. Some of the main proponents of this argument are retailers including Dymocks. Dymocks do not have a current policy of offering Australian books at the cheapest price available. Books are often sold above recommended retail price, despite smaller bookstores offering them at or below the RRP. There is no indication that, should they source foreign editions, their pricing policies will suddenly change. When import restrictions were lifted in New Zealand, the price of books did not decrease, in spite of the flooding of the market with book imports.

As an author, whose current income for writing activities is on a par with claiming unemployment benefits (in spite of having 28 books in print), any move which threatens to undermine my income is of deep concern. The draft report acknowledges that there will be 'a leakage of income to overseas authors and publishers' should the changes be implemented. Few Australian children's authors are able to support themselves from their writing income at present – with most working jobs outside the publishing industry, or reliant on spousal support. The majority of writers do not have access to the grants and awards the commission implies flow freely to writers. For myself, my publishing history means I can't access such grants for unpublished and emerging writers, but I am not considered well known enough to qualify for grants available to established authors. Yes, I do get some 'psychic income' (although I object to this term, which suggests I am somehow bestowed with gifts to see into the future) , in the form of enjoyment of my craft, but am unable

to feed my children on this enjoyment, and also object to the implication that one should not be allowed to enjoy one's job whilst still expecting to be paid for it. For struggling writers such as myself, the prospect of a further erosion of the meagre income we earn is unthinkable.

As an English teacher I am also dismayed at the prospect of my students being exposed to an increasing number of imported books, both in the classroom and at home. Literacy standards are already threatened by increasing exposure to foreign media, and the pressures of the modern world. To then have children reading an increasing number of books which offer incorrect spelling and grammar would be detrimental to learning. Whilst I acknowledge the need for children to read widely, and to read stories from other countries, the best way for them to do these is by reading Australian editions of those books, which include Australian spelling and grammar. To threaten not only those Australian editions but also original Australian produced books is potentially disastrous for literacy education in this nation.

If Australian authors are forced out of the industry, we will lose stories told by Australian voices, addressing Australian issues, Australian history, Australian identity. Important stories published in recent years which would not have been published by foreign publishers include 'Simpson and His Donkey', by Mark Greenwood and Frane Lessac, 'The Boy From Bowral', by Robert Ingpen, 'When I Was Little, Like You, by Mary Malbunka, and the My Australian Stories series from Scholastic, amongst many, many others. These are stories for Australian children, by Australian creators. These are important stories – and their sales success supports this. Foreign publishers won't publish stories like this, and if Australian publishers are forced to reduce their local lists because of the unfair competition which the proposed new laws would introduce, then such stories will cease to be published.

Lastly, I note with great concern that while the commission is suggesting these changes for Australia, the UK and US governments seem to not be considering similar laws – so whilst foreign publishers would have increased access to Australian markets, Australian publishers will not have reciprocal access. Why change a law to disadvantage Australian publishers and creators, at the detriment of the Australian public's access to quality books which reflect our nation's wonderfully diverse culture?

I urge the commission to rethink its recommendations, and implore the Australian government to retain territorial copyright, for the benefit of all Australians.