308. P Newling

**From:** Pip Newling **Subject:** Response: ALRC Copyright Act Review

Dear ALRC,

I am a writer. I have one book of memoir published back in 2007 (Knockabout Girl, HarperCollins Australia) and will, hopefully, have two more books of memoir published within the next couple of years. My writing is not bestselling, although the book did, and continues to sell well. Any money I earn through my writing, including publishing short works in journals, is always secondary to whichever 'day job' I am spending my days at to pay rent and the other necessities of life.

I have been writing for what feels like a very long time. I have studied at university level and am currently halfway through a Doctor of Creative Arts at Wollongong University which is allowing me precious time to fully research and write a third memoir. Everything I am doing at the moment is completely focused on my writing. This is a rare time for me, as explained in the para before, the day job has, usually, to be the focus.

As a consequence, I am living on very little money. So, it was completely surprising to me that one day in June my bank account had over $700 deposited into it. Where did this money come from? From copyright payments from electronic and library lending. Miraculous, isn't it!? The only money I now make from my book, it having been in the marketplace for a long time, is through copyright and public lending rights. I need people to pay me for their use of my written work. Even a mere $700 (a lot to me) can significantly change a writer's circumstance. It did mine.

As a university student, I understand the current terms 'copyright', 'fair use' and 'plagiarism' intimately as they apply to Australia. Acknowledgement and credit for my work, and of others' work by me, is only just and professional. It concerns me that, in regards to copyright, there is a push towards the US Fair Use laws. I was one of many, many authors who protested the Google Books initiative once it began digitising books without permission from authors. While technology has quickly and radically changed our world, and will continue to, the exercise of an idea - which is essentially what a book is, an experiment in time and thinking by the author - still deserves to be always credited and where possible, paid for.

The concepts of 'authorship' and 'ownership' are changing. Some would say these ideas are redundant in our current online world. Even the very-bestselling author Neil Gaiman has discussed online piracy as being simply the same as 'people lending books'. I would suggest that there are limited situations where someone at my end of the bookselling (whether digital or hard) spectrum would benefit from 'piracy'. Using my work without permission, without acknowledgement, without a fee, is not assisting me in anyway. The US 'fair use' laws are incredibly contested - legal action I wouldn't have the money to pursue - and to introduce them for publications in Australia will be detrimental to my already limited income and any future income I may expect from years of writing. It may be that if more people could 'lend my book' (ie. pirate) online it would benefit me professionally, but without a direct acknowledgement, a clear connection between me and the work I created, I don't see how this would be possible. I don't use other people's work without acknowledgement, whether in the academic world or in the world of writing memoir.

Ideas, phrases, connections: The trail of intellectual breadcrumbs is, for me, imperative to acknowledge and build upon in my own work and so, why not for others?

I don't write to make money. I write because I have to. I hope people read it. I hope they are forced to think for a moment about the world outside their own because of something I wrote. I want to be acknowledged for that. I would, preferably, like to be paid for that. The current fair use laws around copying, personal use and institutional lending may be flawed but that $700 came at a time when I desperately needed that money. It also gave me a confidence boost: People are still reading. They are still reading something I wrote.

It takes all sorts of writers to make an industry. Some are prolific, some are bestsellers, some write trilogies that get turned into international blockbuster films. I am not one of those writers. I trust that the recommendations you make around copyright will not detract from my already limited income and any professional recognition of my writing.

Please don't hesitate to contact me for anything further,

Yours in trust and regards,

Pip

Pip Newling