**374. W Orr**

**From:** Wendy Orr

**Subject:** ALRC COPYRIGHT REVIEW

Dear ALRC Review

I have been a full time author since 1993. By this I mean that all my income, and the majority of my household’s income, since that time has been earned, directly or indirectly, from my writing.  My working week ranges from thirty-five to fifty hours a week. I aim to take one week’s complete break per year. Sick leave and employer-funded superannuation funds are nonexistent. The average junior novel, my primary genre, takes me between twelve and eighteen months. The initial ("advance") payment is usually between $7000 and $12,000 dollars though it may be as low as $4000. Further payments may be received if the book is reprinted or sold overseas, however, that initial payment is also frequently the last.

The proportion of my income that comes from copyright payments, through Copyright Agency, ranges from 1 to 10% - ie it may be significant, and is always useful.  For example, in the financial year finishing 30 June 2012, I received only $114.31 for copyright payments from my books, but $1182.45 from schools copying pages on my website. The smaller amount was absorbed into household expenses but I earmarked the website payment to pay a freelance assistant to continue work on the website. I had felt unable to afford that until receiving the fee. If I hadn’t received it, I wouldn’t have added the information to the site, as it is unlikely to bring me any financial return and has been added purely to aid students ,teachers and researchers.

I believe it’s fair for students or any reader to read and use my work as a background to their assignments or general knowledge. However if they are printing or copying as an alternative to buying a book or borrowing from a library, I believe a fee should be paid. I believe in the same principles for my use of other people’s work.

I am concerned about asking teachers to decide whether their or their students’ use constitutes fair practice. Although I have great respect for teachers, I have met many dedicated teachers who believe that their students’ or school’s needs justifies non-payment to authors. My own children’s principal boasted that when a bookseller attended the school, he would divert the seller while a teacher went off with the book to ‘peruse’ it. They would then photocopy the entire book before returning it to the seller, saying regretfully that, “it wasn’t for them.” Although this may be extreme, I think the attitude is not unusual.

It also seems extremely unfair to put the burden of decision on busy teachers. The above example exemplifies the moral dilemma they would face of acknowledging someone’s work versus the financial and administrative needs of their school.

In conclusion, I’d like to add my own confusion as to why authors should be the only people in the educational network asked to donate their work for the good of the students. Like many authors, I donate several days of work each year in offering free visits to schools through programs such as the Victorian Premier’s Reading Challenge and Books in Schools. I sometimes follow this up with giving writing workshops in underprivileged schools. It is my choice to donate these days. However I object to being expected to donate all my work for anyone to copy without payment.

Yours truly,

Wendy Orr  
Love to Read Ambassador  
Victorian Premiers’ Reading Ambassador  
Books in Homes Role Model