

Tēnā koe,

I am a New Zealand author and member of the NZ Society of Authors. I have published works in Canada and am also a member of the Writers' Union of Canada. I have considerable experience in copyright issues, as an author, a former Board member of Access Copyright's Board, and a current member of the Board of Copyright Licensing NZ. I am submitting here solely as an author. The views expressed here are personal and do not represent the organisations I am involved with.

I took a prominent role in opposing the proposed Google book settlement as well, and have suffered directly the detriments caused to copyright owners in Canada as a result of the copyright law reform that took place in that country several years ago. My income from collective licensing fees literally dropped 80% within the first 24 months of that reform, as a result of institutions taking a liberal and incorrect stance on the scope of educational use. My works have been illegally replicated and are being sold on web sites without my permission and without any revenue returning to me. Google itself has scanned my works and uses those works to earn advertising revenue, despite being directed to cease and desist.

I urge you not to let the same damage be caused to New Zealand creators. The potential "reform" being sought serves only distributors of copyrighted works and corporate organisations to increase their already extensive profits on the backs of creators who earn very little from their work. Any reform should only strengthen copyright, not further detract from it as a property right.

Why does this matter?

Let me draw you a picture of what would happen if I was a furniture designer, and someone drove a truck up to my warehouse and proceeded to fill it with my creations, without my permission, without paying for it, but saying: "Everyone loves furniture. Everyone needs it. That justifies my taking it from you for free." I imagine I could call the police and have them arrested for theft fairly promptly.

And yet the same thing is happening to copyrighted works in Canada, and as the owners of that work, we are told simply to go away. It is not treated as theft, but theft is what it comprises in reality. It steals from us our ability to earn income from the work we create, limited as that income is. It steals from us the freedom even that limited income provides to keep dreaming, to keep imagining, and to keep creating. Can you imagine a future in which your children open a book that is blank inside? I can. For that is the reality that faces New Zealand children if the work we create is treated with such ruthlessness and disrespect.

Let me tell you another story, about a writer in Canada in his fifties living on less than \$20,000 a year, all from royalties and collective licensing payments for his works. That isn't much to live on, but he had paid his mortgage, he lived simply, and it was sufficient to pay his bus fares for trips to the doctor and other necessities of life. Then the Copyright Act was amended. His income dropped to \$12,000. He had to sell his house. He barely has enough money to pay the rent. He can no longer enjoy even the most simple of recreational activities, as all his disposable income goes to paying rent, heat, and food.

The impact of removing copyright protection is real and immensely destructive. It is hard to imagine why government does not do more to actively protect our rights in this regard, and would even consider a move to further erode the livelihoods of New Zealand writers. Doesn't everyone want New Zealand literature to be available to our children, and to our grandchildren?

We reward invention well in New Zealand – but only if it is technological, or financial, or scientific. Invention of literary works is not considered in the same light, and that is unfathomable to me. It says that this country places no value on our voices, our stories, our literature and our future.

People want easy access to copyrighted works, and I fully support that. But like everything else anyone makes, that must be fairly compensated. It is easy – and trite – to say that creators create works for love. We do. We're lucky we love our jobs. But love alone does not put bread on the table. Love alone is insufficient compensation for being taken for granted. Love alone cannot withstand the humiliation of being treated as valueless.

Please take great care in this work that you are doing. Carelessness puts not only we creators at risk, but the future of literature and creativity in this country.

Ngā mihi nui,

Katherine Palmer Gordon

Author/Freelance writer

Member of NZ Society of Authors: <http://authors.org.nz/author/katherinegordon/>

Board member, Copyright Licensing New Zealand

Former National Council Director and Executive Member, Writers' Union of Canada:

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