

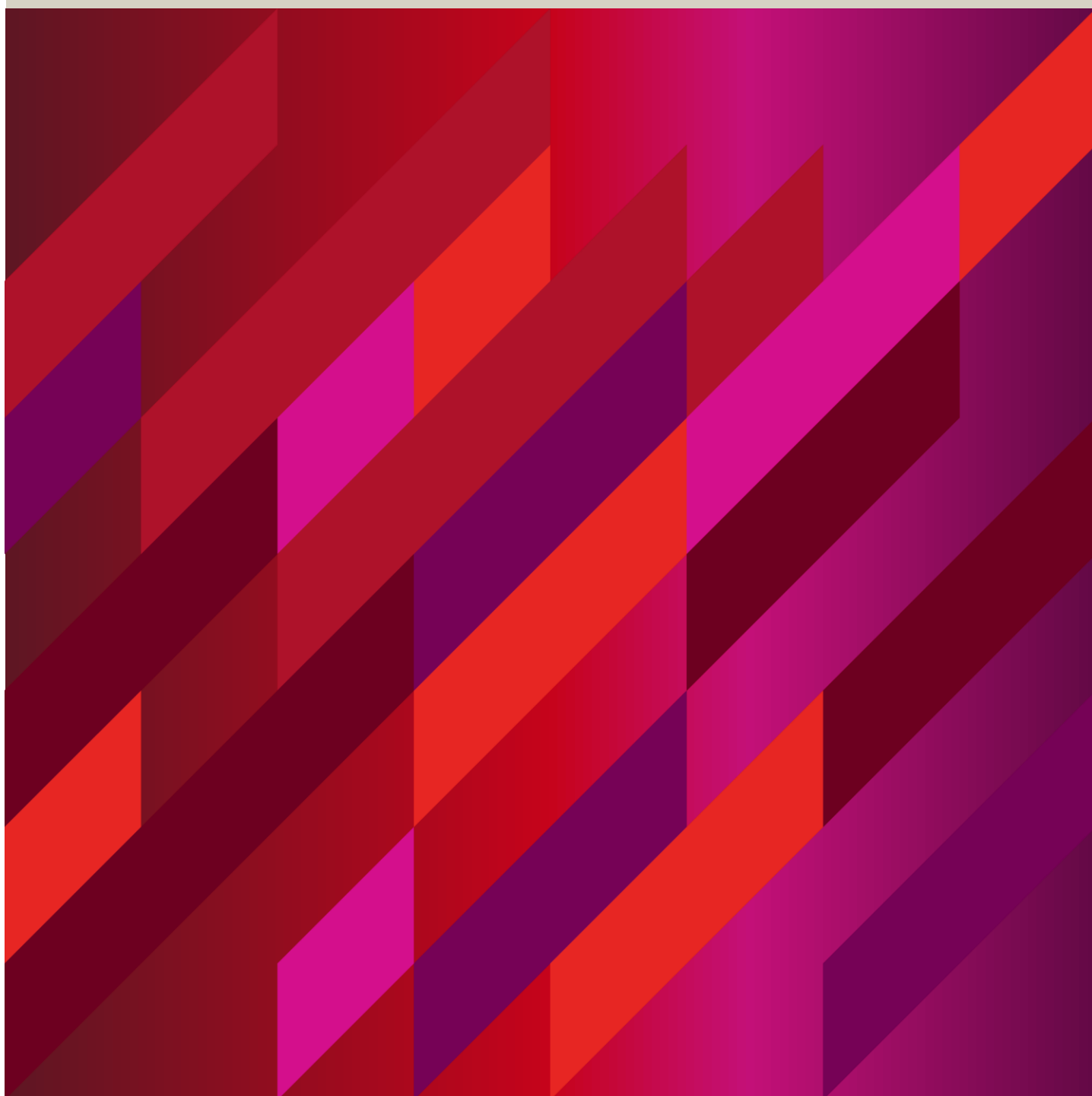


Australian authors

INDUSTRY BRIEF NO. 7: RIGHTS SALES, TRANSLATIONS AND PIRACY

The Australian book industry: Authors, publishers and readers in a time of change

October 2015



The Australian Book Industry: Authors, publishers and readers in a time of change' is a three-year research project led by Prof. David Throsby, funded by the Australian Research Council under Discovery Project grant DP 140101479 and Macquarie University. In February 2015 the researchers conducted an online survey of over 1,000 Australian book authors.

A RANGE OF WAYS IN WHICH AUSTRALIAN AUTHORS ENGAGE WITH INTERNATIONAL READERSHIPS

This brief focuses on some particular international dimensions of the work and careers of Australian authors: whether authors have sold rights to their work overseas, whether their work has been translated, and whether it has been pirated.

We asked authors whether they have had an agent or publisher acquire the rights to their work in a country other than Australia. Nearly half of all authors have sold overseas rights to their work during their careers.

This is a fairly high figure and it's important to note that it does not adequately represent the international reach of Australian authors' work. For example, it does not include authors who sell current and/or backlisted titles from their own websites, and who successfully self-publish to international platforms such as Amazon (with some achieving considerable sales according to our preliminary research). It also does not include authors who use the Internet as a medium for publishing their work directly for Australian and international readerships, for example a number of Australian poets, literary and other writers. Taking all these activities into account, it is clear that well over half of Australian book authors have been or are engaged in one way or another with international readerships.¹

RIGHTS SALES

According to Table 1, three fifths of children's authors have sold rights overseas to their work, followed by half of scholarly and genre fiction authors, with other non-fiction and literary fiction authors also prominent.

Table 1. – Have you ever had an agent or publisher acquire the rights to your work in a country other than Australia? (percent of authors within each genre)

	Literary Fiction	Genre Fiction	Children's	Creative Non-fiction	Other Non-fiction	Poetry	Sub-total (trade)	Education	Scholarly	Total (All authors)
Yes	43.8	50.0	60.2	32.7	44.2	26.2	44.9	37.4	51.5	44.5
No	53.9	46.8	32.7	58.2	55.8	69.0	50.9	51.0	41.4	50.0
Unsure	2.2	3.2	7.1	9.2	0.0	4.8	4.2	11.6	7.1	5.5
Total	100	100	100	100	100	100	100	100	100	100
<i>n</i>	89	282	98	98	95	84	746	147	99	992

TRANSLATION

We asked authors whether their work has been translated into other languages. Interestingly, Table 2 shows that nearly one third (30%) of authors have had their work translated, including over half of poets² and children's authors. Over one third of scholarly and literary fiction authors, over one quarter of genre fiction authors and over one fifth of other creative non-fiction and education authors have had their work translated, plus close to one fifth of creative non-fiction authors.

¹ In addition, authors are engaged in international networks and personally interact with overseas readers in ways not addressed in this brief.

² It's possible that this figure includes the translation of individual poems in addition to collected works.

Table 2. – Has your work been translated into any other languages? (percent of authors within each genre)

	Literary Fiction	Genre Fiction	Children's	Creative Non-fiction	Other Non-fiction	Poetry	Sub-total (trade)	Education	Scholarly	Total (All authors)
Yes	33.7	25.3	50.5	18.6	21.1	54.8	31.5	20.4	34.7	30.2
No	59.6	66.9	41.4	75.3	72.6	38.1	61.2	62.6	54.1	60.7
Unsure	6.7	7.8	8.1	6.2	6.3	7.1	7.2	17.0	11.2	9.1
Total	100	100	100	100	100	100	100	100	100	100
<i>n</i>	89	281	99	97	95	84	745	147	98	990

Table 3 presents the languages authors' work has been translated into, with the option given to select more than one language. Approximately one third of Australian authors whose work has been translated is available in German and French, and approximately one quarter of authors whose work has been translated is available in a Chinese language, Spanish and Italian.

Table 3: Q4.13 – Please indicate the languages that your work has been translated into. (If appropriate please choose more than one option) (percent of authors within each genre)

	%		%
German	35.9	Norwegian	9.3
French	32.9	Bahasa Indonesian	7.3
Chinese (Mandarin and/or Cantonese)	26.6	Greek	7
Spanish	26.2	Finnish	6
Italian	23.3	Arabic	4
Japanese	17.9	Estonian	3.3
Korean	17.6	Hindi	3.3
Dutch	15.6	Vietnamese	3
Portuguese	13	Persian	1.7
Swedish	12	Tagalog	0.7
Polish	12	An Aboriginal language	0.3
Russian	12	Other (please specify) ³	29.6
Czech	11		
Danish	10.6	<i>n</i>	301

We analysed the responses further by examining the top languages in each genre, with the results in Table 4. Note that the percentages below apply to the proportion of authors within each category whose work has been translated, that is, the table demonstrates the popularity of languages within genres.

The findings demonstrate some interesting variations. While German is the most popular language for genre fiction and literary fiction translations, followed by French, Chinese languages are the most popular for poetry, scholarly works and education. Korean is the most popular language for children's books.

³ The other languages comprised a long list of additional languages, with low response rates for each individual language.

Table 4: Top languages that work has been translated into – percent of those translated

Literary Fiction	Genre Fiction	Children's	Creative Non-fiction	Other Non-fiction	Poetry	Sub-total (trade)	Education	Scholarly	Total (All authors)
German	German	Korean	French	French	Chinese	German	Chinese	Chinese	German
50.0	63.4	42.0	33.3	45.0	39.1	40.4	26.7	35.3	35.8
French	French	Chinese	Italian	Italian	Spanish	French	German	Spanish	French
40.0	53.5	32.0	27.8	40.0	23.9	38.3	23.3	32.4	32.8
Italian	Italian	French	Japanese	German	German	Spanish	French	Italian	Chinese
36.7	35.2	30.0	27.8	40.0	21.7	26.8	16.7	14.7	27.1
Dutch	Spanish	Spanish	Chinese	Spanish	French	Chinese	Italian	German	Spanish
33.3	35.2	24.0	22.2	30.0	21.7	26.0	13.3	14.7	26.1
Chinese	Dutch	Portuguese	German	Japanese	Italian	Italian	Spanish	Japanese	Italian
23.3	31.0	24.0	22.2	30.0	15.2	26.0	13.3	14.7	23.4
Spanish	Czech	Dutch	Korean	Russian	Japanese	Japanese	Japanese	Swedish	Japanese
23.3	26.8	18.0	22.2	20.0	13.0	19.1	13.3	11.8	18.1

PIRACY

Next, we consider a less desirable aspect of internationalisation and digitisation (which is also occurring domestically) -- the greater ease of piracy. Over one quarter of authors in the survey have had their work pirated in Australia or overseas and an additional quarter of authors are unsure.

Genre fiction authors are the most affected by piracy, followed by over one third of education authors. One fifth or more of literary fiction, other non-fiction, children's and scholarly authors have had their work pirated.

Table 5: As far as you are aware, has the copyright of your creative work ever been infringed (percent of authors within each genre)

	Literary Fiction	Genre Fiction	Children's	Creative Non-fiction	Other Non-fiction	Poetry	Sub-total (trade)	Education	Scholarly	Total (All authors)
Yes	24.7	44.7	21.2	13.3	22.1	14.3	28.8	34.7	19.2	28.7
Unsure	28.1	21.6	27.3	26.5	22.1	27.4	24.5	33.3	27.3	26.1
No	47.2	33.7	51.5	60.2	55.8	58.3	46.7	32.0	53.5	45.2
Total	100	100	100	100	100	100	100	100	100	100
<i>n</i>	89	282	99	98	95	84	747	147	99	993

METHODS OF PIRACY

We asked authors how their work was pirated. Table 6 shows that half of authors specify file-sharing sites, and nearly one tenth identify piracy through social media.

Over one fifth of authors specify other methods, and we provide a brief overview next (of responses from 61 authors). A striking feature is the broad range of ways in which copyright infringements are occurring.

General websites/ebook sites/unauthorised republication are listed by 16 authors, such as 'Free downloads from multiple corrupt websites'.

Table 6: Was a file-sharing website or social media used as part of the copyright infringement? (If appropriate please choose more than one option) (percent)

	%
Yes, my work has been pirated through file-sharing sites such as Rapidshare, BitTorrent or Usenet	50.2
Yes, my work has been pirated through social media	9.2
Other	22.3
No	15.5
Unsure	13.8
<i>n</i>	283

Another 11 authors give examples specifically related to educational institutions, with examples including:

The use of materials in schools without reporting this to the Copyright Agency [children’s author]

School intranets [education author]

University resource website [scholarly author]

Used without permission in a text book [education author]

Teacher materials sold at conferences but not under my name [education author]

I discovered a US website charging teachers a \$10 mthly fee to download worksheets. They had scanned one of my books and teachers were downloading them, my publisher and myself received no royalties no permission was given. My publisher asked them to delete any of their works from their site, not sure of the outcome. [education author]

Two authors have had their material reproduced in exams (one was a State exam) without their permission and six authors report photocopying, either by students or teachers or in general.

Five authors specify Amazon/Google Library/Books.

Four authors give examples of what could be considered a betrayal of professional relationships within the book industry: two have been republished by a current or former publisher without permission, one ‘other non-fiction author’ advises that a ‘proof-reader copied it to his database’ and a genre fiction author specifies ‘review copy recipients forwarding [it] on to friends’. Also, a scholarly author has had his work reprinted without permission in countries which are not signatories to the Berne convention.

Four authors have had their work reprinted in magazines or newspapers without permission. Three authors mention plagiarism, two mention blogs and striking singular examples include a pirate CD (scholarly author), work being performed without permission (literary fiction author), a phishing site (children’s author), use in workshops (education author), photos copied to a Facebook site without permission (creative non-fiction author), copying part of an author’s website (genre fiction author), a work computer as the means of unauthorised copying (education author), two examples of reprinting works without permission (poet and scholarly author), and even material being used on stamps in another country that is not a signatory to the Berne convention (education author).

One author comments in the survey:

The rise in piracy of books has devastated many authors' incomes. I don't know how it will affect my new direction, but my income has almost halved in the past 10 years.

Another writes:

As an indie author with independently published creative work, I can't find any legal support in order to protect myself and my creative work from copyright infringement. I have stumbled upon several sites with clear breaches

of my copyright and there seems to be no legal or financial choice for me but to just let it go. Perhaps, (an) additional survey question(s) can be included next time as to our awareness among authors of legal recourse to tackle copyright infringements.

There are no easy ways to address the problem of piracy for authors, but the Copyright Council and a range of other organisations are active, with more initiatives to counter piracy likely to occur over the coming years.

CONCLUDING COMMENTS

Scholars of Australian literature have long been interested in the international dimensions of Australian authors's careers and their work, and in the circulation of Australian-authored books overseas. The data show that a high proportion of Australian authors are engaged commercially with overseas markets, with nearly half having sold overseas rights to their work and nearly one third having had their work translated into another language. Further, these data do not reflect the full extent and nature of Australian authors' international involvement. As the scale and pace of Australian authors' international engagement accelerates it is likely this will continue to be a productive field of investigation.

On the matter of piracy, the variety of ways in which authors' work is pirated in Australia and overseas is evident. Australia's Copyright Agency has confirmed its commitment to a range of policy and legislative proposals including a new code of conduct, the Copyright Notice Scheme Code 2015⁴, to discourage infringements. A website for reporting copyright violation, which is endorsed by the Australian Society of Authors, is at: <http://copywatch.org.au/>.

This industry brief is part of a series prepared for Australian book authors and other members of the Australian book industry to highlight key findings of the 2015 survey.

Thank you to all the authors who gave generously of their time and expertise by participating.

The complete series of industry briefs about this survey is:

1. Key Findings
2. Demographics of Australian Book Authors
3. Authors' Income
4. Changes in the Financial Position of Australian Book Authors
5. Authors' Changing Professional Practices
6. Authors' Allocation of Time
7. Rights Sales, Translations and Piracy
8. Promotion
9. Authors and Publishers

See also the Department of Economics Working Paper, 'Book Authors and their Changing Circumstances: Survey Method and Results'.

These can be downloaded at:

<http://goto.mq.edu.au/book-industry>

⁴ See: <http://www.commsalliance.com.au/about-us/newsroom/TIO-complaints-per-provider-decrease-5.5-per-cent>

