

## Submission by Spinifex Press to the National Cultural Policy

### History and context

Spinifex Press is an Australian owned independent regionally based feminist press founded 35 years ago. We are one of the oldest independent presses in Australia. Throughout our time in publishing Spinifex has published a diversity of writing voices across the following areas: Indigenous, working class, feminist, writers with a disability, lesbians, refugees, immigrant and writers from a wide range of linguistic and cultural backgrounds within and outside Australia. We have a list of around 300 titles and more than 1000 contributors to anthologies who come from every continent (except Antarctica). We have two bilingual books: one in Gurindji and one in Turkish.

Spinifex has engaged in a great deal of cultural diplomacy through attendance at book fairs in Frankfurt (annually since 1992), USA, The Netherlands, Japan, Italy, France, India (Chennai, Calcutta and Jaipur) and South Africa. As a result of this and other networking Spinifex has more than 120 translations into 20 languages (Europe, Asia, Africa, Latin America and the Middle East). We have also translated books from Spanish, Dutch, Italian Swedish, Korean, Japanese for the Australian market and have a small German-language Spinifex list. We have been able to do these things in spite of limited, but appreciated, funding from arts bodies such as the Australia Council, SA, Multimedia Victoria, Australia China Council, City of Literature Travel Fund (to Turkey), Department of Communications and the Arts and UNESCO (to Paris). Cultural diplomacy is a two-way street which has the effect of making Australian books better known internationally when they sit beside titles from overseas.

Susan Hawthorne, founding publisher with Renate Klein, has been on a number of industry boards including the following: *Australian Women's Book Review*, Feminist Book Fortnight, Melbourne International Writers Festival, 6<sup>th</sup> International Feminist Book Fair, Australian Book Distribution Group, Independent Publishers Committee of the APA, Co-ordinator of the English-Language Network of the International Alliance of Independent Publishers (Paris). She has also been an active member of the Small Press Network since its inception. She has presented at APA seminars, at the Frankfurt Book Fair, at a publishing conference in Shanghai, China, as well as, in India, at Hindu Lit for Life, Calcutta Writers Festival and the Jaipur Literary Festival and was invited to be part of the Australia Council India Delegation in 2016. Renate Klein has worked in academic publishing a Series Editor for The Athene Series; European Journal Editor of *Women's Studies International Forum*; Journal Editor *Reproductive and Genetic Engineering* and a highly respected Professor in Women's Studies. In 1990 she was Distinguished Visiting Professor at San Diego State University, USA.

Spinifex is known for its innovation, despite being a small independent. In 1995, we were the third Australian publisher to have a complete catalogue of books on our website. In 1996, we published an interactive novel by Indian writer Suniti Namjoshi. The Babel Building Site based on the novel *Building Babel* is held in the Pandora Archive. In 1996, we created the Asia Pacific Feminist Publishers website with links to feminist publishers in the Asia Pacific region. In 2006, Spinifex was the third Australian publisher to create ebooks. The other two were CSIRO Publishing and Lonely Planet. We have continued to innovate. In 2017, we began to work in a decentralised way with offices in Mission Beach, Sydney, Geelong, Melbourne and Perth. When the Covid pandemic hit in

2020, we had already been working this way for three years. In response to Covid we set up a POD system with our US distributors, since freight was not only expensive but was taking 4 months from Melbourne to Chicago. We have significantly reduced our book miles. We also instituted regular international Zoom launches of our books. In 2023 we began experimenting with a Spinifex author on using AI. We found it wanting.

Susan is the author of *Bibliodiversity: A Manifesto for Independent Publishing* (2014, translated into eight languages). She is currently writing a book for the Spinifex Shorts series on AI. She has taught Publishing Studies and Creative Writing at Victoria University, James Cook University and been a Guest Lecturer in the RMIT Publishing Programme. Susan and Renate have both won the George Robertson Award for Publishing.

**The important issues in national cultural policy for a press like ours are the following:**

A book fund that includes support for independent publishers as a priority.

Protection of copyright and other intellectual property laws.

Protection from Artificial Intelligence companies from breaches of copyright and theft of intellectual property and the creative works of writers.

A book fund that recognises the importance of international co-operation.

A book fund that recognises the cultural significance of feminist publishers. We represent half the population.

Better resourcing of PLR and ELR and protection of libraries and archives.

Increased funding for Writing Australia.

Support for author organisations such as the Australian Society of Authors (ASA).

Recognition of the importance of the Copyright Agency for independent publishers and authors.

**A book fund that includes support for independent publishers as a priority.**

Independent publishers are the most critical of publishers in the book industry. Without independent publishers there would be no 'bibliodiversity'. It is independents who take the risks and whose books show new directions in publishing.

Just as biodiversity is an indicator of the health of an ecosystem, the health of an eco-social system can be found in its multiversity, and the health of the publishing industry in its bibliodiversity (Hawthorne, 2014: p.1).

Without independents, the industry would be even more awash with mass market books that simply respond to the profit-making system used by multinational corporate publishers. Bibliodiversity contributes to the thriving of our book culture.

While independents can apply for funding, small independent are often short staffed and therefore the application process is more arduous than it is for large publishers. A simpler, more straightforward application process should be put in place.

The introduction of grants specifically for independent publishers is an important contribution to the survival of independent publishers.

### **Protection of copyright and other intellectual property rights**

Protection of copyright is essential both for publishers and authors. It is the means by which the rights on a book can be sold into other languages and other formats. Other formats include ebooks, audio books, film, theatrical performance, music, dance, circus. We at Spinifex have books contracted or under contract in all these arts forms. Writing is the basis of so many different art forms, but when a movie, an opera, a circus arises from a book, the writers are often not given the due significance they should have.

### ***Other intellectual property rights: Traditional Resource Rights (TRRs) and Community Intellectual Rights (CIRs)***<sup>1</sup>

Spinifex Press is concerned about the theft of Indigenous creative and intellectual works. International trade relations should include a focus on Traditional Resource Rights (TRRs). These are relevant to the intellectual property rights of Indigenous peoples. TRRs take more account of tangible and *intangible* resources which are held collectively by Indigenous peoples and communities with a strong traditional heritage. AI is a cultural imposition of colonising globalisation on Indigenous peoples, including their knowledge of biodiversity and medicinal plants and land use patterns, all contained in memory.<sup>2</sup>

The biggest hurdle to grassroots protection through TRRs is the irresponsibility of the dominant colonial culture. Part of the difficulty is that Trade Related Intellectual Property rights (TRIPs) are intended to protect the western-desired products and knowledge from exploitation. Women face similar dilemmas in the construction of laws intended to protect them from violence. The widespread distribution of pornography and deep fakes is a threat to the safety of women and children of both sexes. In the instance of TRRs, the goal is protection from intellectual violence and cultural colonisation and appropriation.

As a publisher wanting to protect the intellectual property of Indigenous authors published by Spinifex, we feel a responsibility to do whatever we can to do this. Some of our books include material that is owned by a particular Indigenous community. This too is under threat by Meta, LibGen and others, such as Anthropic. From the discussions I have heard on the media, tech companies seem to have no idea about any of these rights and the crimes they are perpetrating against ordinary citizens.

### **Protection from Artificial Intelligence**

The significant breaches of copyright that have already occurred is devastating for independent publishers and writers. Copyright is the bread and butter of publishing. As mentioned above it includes incursions into other intellectual property rights. If your car is on the street and is stolen, that is a crime. Even if it is left unlocked, it is still a crime.

In March 2025, when *The Atlantic* published the list of works stolen by LibGen and Meta, we discovered we found that 145 Spinifex titles had been copied, almost half of the Spinifex list. It represents 34 years' work by 5 Spinifex staff, 2 freelancers as well as the

---

<sup>1</sup> For more on these intellectual property rights see Hawthorne, 2002, pp. 349-352.

<sup>2</sup> The Algiers Declaration positions "memory as a terrain of political contestation, arguing that colonialism was not only a system of exploitation but also an assault on African histories, identities and cosmologies." See Mwangi 2025.

two publishers. It affects 85 book authors and around 1000 contributors to anthologies. Since then, we have received notice that more books were stolen by Anthropic.

Publishers and writers put in enormous hours to produce a book. The writing can take years. In publishing it involves considering manuscripts, contracting, editing, design and typesetting, cover design, marketing and promotion (including events and travel arrangements), applying for funding, social media, website growth and maintenance, selling rights, printing, ebook conversions, metadata, creating catalogues, sales, royalties and keeping an eye on cash flow and other financial matters, as well as the many interactions between the publisher and author.

Creativity lies at the centre of books and their production. No AI system can reproduce this. At Spinifex we have experimented with ChatGPT prompts and the results are desultory. The spirit of the author's style and content is stripped away and the originality lost. Literature does a lot of the cultural and intellectual heavy lifting and should be recognised for the work.

### **A book fund that recognises the importance of international co-operation.**

Everyone recognises the importance of Australian writing at the core of Australian publishing. But there is a case to be made that a mix of Australian and international writers can give wider exposure to Australian writers. An example is that an anthology that contains a mix of Australian and international writers (indeed just one international contributor) means that no funding can be applied for. Spinifex Press has published many international anthologies, and in every case, it is not possible to gain any support. It suggests an insular and parochial approach. It effectively punishes publishers for generating international exposure for Australian writers.

### **A book fund that recognises the cultural significance of feminist publishing**

While this may seem an odd item, feminist publishers are innovators and many of the innovations are then picked up by other publishers. The same can be said for Indigenous publishers and other publishers who specialise in a particular field, sometimes creating a field that didn't previously exist. Feminist publishers are also active in critiquing systems of power such as pornography, colonisation, globalisation and environmental issues. This brings us back to AI where the building of huge data centres to support the AI industry, threatens our water and electricity supplies, our environment and no doubt many jobs too. I'm sure this will be considered a marginal point, but if there are environmental disasters and job losses, the cultural damage will be massive and catastrophic.

### **PLR, ELR must be better resourced, and we need protection of libraries and archives**

These are related issues. Libraries, public, educational and private libraries too are important for keeping alive Australia's particular cultural history and our engagements with the rest of the world. Libraries are often places where children find books and begin reading. Authors and publishers receive income from libraries and for small independents this is crucial just as having books visible and available in libraries is. Proper compensation for digital rights use is a must. Libraries in the USA are now counting per page use, rather than lending rights for books which is distorting the

figures and results in underpayment to publishers and authors. This connects to issues associated with AI.

### **Increased funding for Writing Australia**

Literature is often underfunded. Books seem cheap to readers compared to many other forms of entertainment and education. But books, as I mentioned earlier underpin many other art forms. Writing Australia was not the first art form to be given a new name and status.

### **Support for author organisations such as the Australian Society of authors (ASA)**

The ASA and state-based writers centres play an important role in supporting and educating writers, especially emerging writers. They are the community who can help a new author understand the writing, contracting and publishing processes. They do many things that make the lives of publishers better.

### **Recognition of the importance of the Copyright Agency, especially for independent publishers and authors**

Small independent publishers have close relationships with authors. Copyright Agency is important in paying for the usage of book materials in schools and universities. Without the Copyright Agency a significant loss in sales would occur. It can also support the cash flow of small and specialty publishers.

### **Conclusion**

An Australian National Cultural Policy for writing needs to be given more status and funding in order to respond adequately to a fractious global world which nevertheless relies on literature, orature (oral history and storytelling) and books (ebooks, audio books, online books, in multiple formats) as the substratum of culture. Australia has a 60,000 plus year heritage of orature and at the very least we should be planning – as Lilla Watson in 1984 said: for a 40,000-year future. Australia's rich heritage from Indigenous and migrant communities (I include among migrants, British colonisers and convicts) has profound importance.

Writing Australia can play a vital role in reflecting Australia's deep culture and how it is embedded in cultures around the globe. Feminist publishing plays a critical role in this representing half the world's population and its poorest sector. How does one imagine a freer life, if it is not visible?

Dr Susan Hawthorne, Dr Renate Klein  
Publishers Spinifex Press Pty Ltd

