



Authors'
Licensing and
Collecting
Society

Understanding and communicating
about copyright



A Guide for Young People

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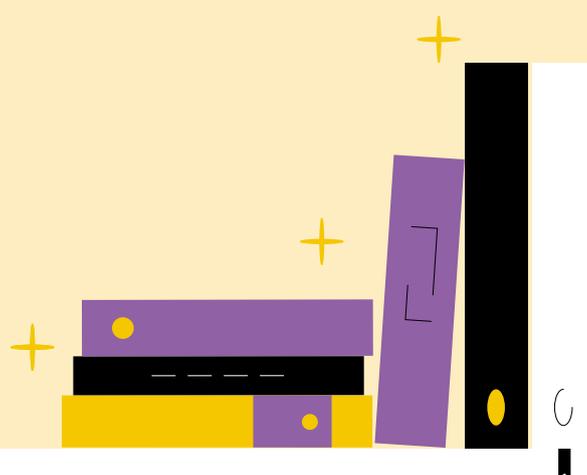
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This booklet is designed to teach you more about:

- writing as a skilled profession
- ownership of written work
- what copyright is and what it does
- why it's important to writers/creators
- why it should be important to you as a creator yourself
- what you can and can't use and how
- how this applies to digital as well as written media, including streaming services and accessing books online
- the difference between copyright and plagiarism.



Section 1

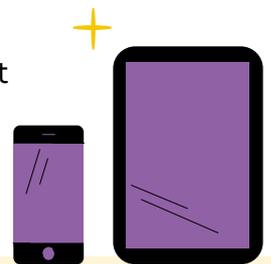
Writing – a professional industry



Writing as a skilled profession:

There are many different types of writers: novelists, short story writers, poets, theatre, TV, film and radio scriptwriters and journalists, as well as people writing non-fiction, textbooks or encyclopaedias. They produce content that might be of interest to the public.

In their day-to-day lives, writers work in many different ways, using different materials and technologies. They are creative, have a good command of language and are able to communicate effectively with an audience.



Activity:

Watch the following video of picture book writer and illustrator Benji Davies: <https://vimeo.com/244687726>. Think and talk about the following questions:

- What have you learnt about what this writer does and what his work involves?
- How did he start writing?
- What qualities does he have that make him a good picture book writer?
- What goes into making a picture book? Were you surprised by this? What did you find out that you didn't know before?
- In the video, Benji Davies also talks about being an animator and filmmaker. How do you think the two kinds of writing are connected? What do you think goes into writing for the stage or screen?

Think and talk about:

- What professional writers do you know?
- What do they write?
- What do you think their job involves?



Valuing and protecting the work of writers: the importance of copyright

Writing as a profession is a part of the arts and culture industry. This industry as a whole is an important one to the UK. As of 2019, it contributes £10.8 billion a year to the UK economy.

The sector contributes **£2.8 billion** a year to the Treasury via taxation, and generates a further **£23 billion** a year and **363,700 jobs** (see Contribution of the arts and culture industry to the UK economy, Report for Arts Council England, April 2019).

Writing takes time and effort and, as you saw from the video, an awful lot of hard work and persistence to earn money from. This is why it is important to value and protect the work of writers. Writers of all kinds are protected by laws that protect their writing from being copied, sold or shared without their permission. Their words are important to them and they belong to them. They are their creative licence, their work, their time and energy.

Words are usually owned by the person who wrote them. Sometimes they are owned by someone representing them, such as a publisher. We call the owner of the words the **copyright holder**. **Copyright** simply means the **right** to make copies.

Unless you have permission from the 'owner' of a piece of writing you must not photocopy or scan it and circulate it. In the absence of permission or legal exceptions, if you take, and use, someone else's words you are breaking the law. Taking someone else's words without permission is **theft**, in the same way that stealing one of their possessions would be. If writers' books and other writing are taken, used and not paid for, they lose out on money they should be earning.

You'll know about copyright if you've been to the cinema, or if you've watched a DVD or streamed a film. At some point there will be a notice to tell you that if you copy the film you are breaking the law. There will always be a reminder that you are not allowed to make copies of the film for sale or show it without permission.

This is the same for other kinds of writing. The symbol for copyright is ©. You'll see both the symbol and a person, publisher or organisation's name at the front of books and you might see it at the bottom of a newspaper or magazine article. Many websites clearly declare that their content is copyright-protected too, usually in the bar at the top or bottom of the website, or in a specific section of its own.

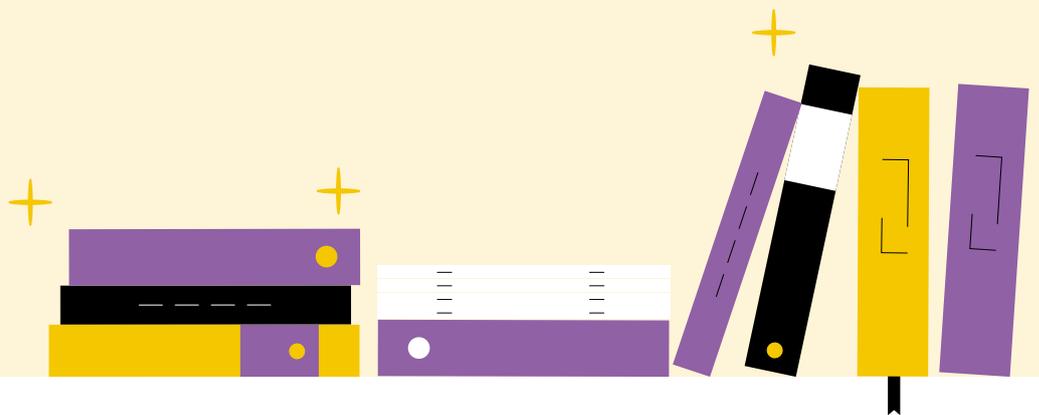
Activity:

Look through some of the different published materials you use at school.

Go to the library and select a fiction book or take a look at a textbook from one of your lessons; is it clear who owns the copyright?

Think and talk about:

- Why is copyright law important for writers?



Ensuring writers are fairly paid for their work

Income from publishing makes up the largest proportion of professional writers' income. In the book industry, for example, they may get an upfront payment for a book, known as an advance, then when sales of the book reach a certain level, they receive a percentage of the sales revenue, known as a royalty.

Under the Public Lending Right (PLR) system in the UK, payment is made from government funds to authors, illustrators and other contributors whose books are borrowed from public libraries. Payments are made annually on the basis of loans data collected from a sample of public libraries in the UK.

If it is an ebook, the publisher has obtained permission from the writer to create a digital copy and to distribute it online. Authors are paid royalties for sales of ebooks by their publishers.

In the case of works written for performance, like films, stage plays and television series, the authors typically receive a lump-sum fee for the initial uses followed by smaller payments relating to different types of use.

Activity:

If a writer is given a **12.5% royalty payment** on each copy of their book sold, how much will they earn on sales of **2,400 copies** if the selling price is **£8.99 per copy**?



Think and talk about:

- Why is buying and borrowing books important for both writers and the economy as a whole?
- What more could be done to support this industry?

Does copyright in writing last for ever?

No. It lasts for 70 years after the writer's death.

Take the work of William Golding, a famous British novelist whose best known book, **Lord of the Flies**, was published in 1954. The author died in 1993, so **Lord of the Flies** and Golding's other titles will remain in copyright until 2063.

Wilfred Owen, a poet who wrote about the First World War, died in 1918. His writing therefore lost copyright protection in 1988. Another poet, WB Yeats, died in 1939, so the copyright in his work expired in 2009. Former Poet Laureate Ted Hughes, however, died in 1998 so his copyright will last until 2068.

Activity:

Find a range of authors and poets that you may have come across in school, for example:

- Emily Brontë
- Robert Louis Stevenson
- Charles Dickens
- JB Priestley
- Jane Austen
- George Eliot
- Seamus Heaney
- Christina Rossetti
- Judith Kerr

Find out the year they died and work out the year in which their copyright lasted or lasts until. Remember, copyright lasts for 70 years after the writer's death.



Think and talk about:

- Why do you think it is important that copyright remains for this period?
- What do you think happens to the money after the writer's death?

Section 2

Owning and using copyrighted materials



How does copyright work when I have paid to see a film at the cinema or I own copies of films or books?

Producers, film companies and directors have invested money in making films. It is their property. When you go to the cinema you pay only to see the film once. You have no more right to it.

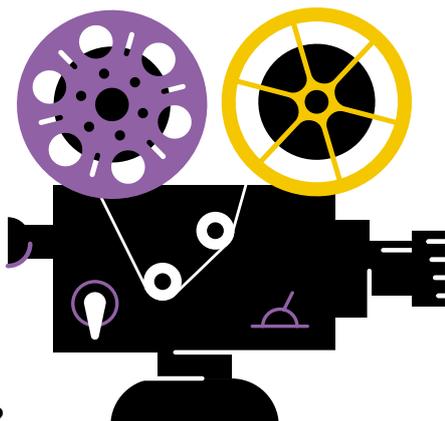
When you buy a DVD, you own the material it is made from. If you have paid to download and keep a film or TV series from a digital provider, the same applies. You have paid for the right to watch the film but the copyright in the film itself still belongs to the makers.

All you have paid for is the right to watch it in your own home using your own equipment, or on your own device on the move. You must not show it to a group of friends and charge them a fee or share it.

The same goes for authors and publishers and the books they produce. When you buy a book (or a magazine or newspaper) you become the owner of the paper and the ink – only.

If you have paid for a download, you have bought it only for use on your own device. It is illegal for you to share it with others, unless you lend the device itself as you would a book. Some sellers of downloaded books, however, allow sharing within a family via a limited number of devices. Or there may be a facility for you to share the material with others for a limited time. Schools using e-readers or downloads for computers can make special arrangements too.

Remember, all this is controlled by law. You – or your family or school – have not bought the words. You have only purchased the right to read them. The words still belong to the author, or sometimes to the publisher or someone else to whom the author has given the copyright.



The important thing to remember is that they do not belong to you!

Does this mean you can't quote or copy even a few words?

No, it doesn't quite mean that.

If you are writing a school essay, you can legally quote someone else's words. The same thing applies to people writing book reviews. But – and this is the important thing to remember – it should usually be no more than a few sentences. And you should always state clearly where you took it from. You can also make a copy of part of a book you have bought for your own use, for example, for research or studying.

If you share it with, or pass it on to someone else, you are breaking the law.

Activity:

Look at any poetry anthology – a collection of poems by different writers including recent ones.

Somewhere in the book – usually at the back – is a list of the poets and publishers who hold the copyright in the poems. They are being thanked because they have given permission for their words to be reproduced.

The same applies to fiction books which quote, for example, from a poem or song, or English textbooks which carry extracts from books for students to study. When you use published works, get into the habit of noticing who the copyright holder is.

Think and talk about:

- How do you get credit for the work you do in school?
- Can you think of a piece of work you've done that you were particularly proud of or received an accolade for?
- What if your teacher reproduced this without referring to the fact that you originally produced it?
- How might it feel not to get credit for work you've produced?

Teachers often give us pages they've copied from books. Are they breaking the law?

Schools and Educational establishments can buy a licence from the Copyright Licensing Agency (CLA) cla.co.uk

If they have obtained a licence, there will be a large notice displayed near each photocopier.

CLA sells licences to organisations so that they may copy articles and extracts from books, journals and magazines.

There are several levels of licence at different prices. These vary according to the size of the organisation and its needs.

Whatever the level, the licence always comes with restrictions. The licences will never allow you to copy a whole book, for example.

And copies made may be used only within the organisation which purchased the licence. Of course, it is still illegal to sell the copies or even to pass them on to, say, another school.

The licence money for writers that is collected by CLA is paid out by the Authors' Licensing and Collecting Society (ALCS).



ALCS distributes money twice a year to authors. That way the authors get a payment for any work that has been copied from their books and articles.

UNDERSTANDING AND COMMUNICATING ABOUT COPYRIGHT

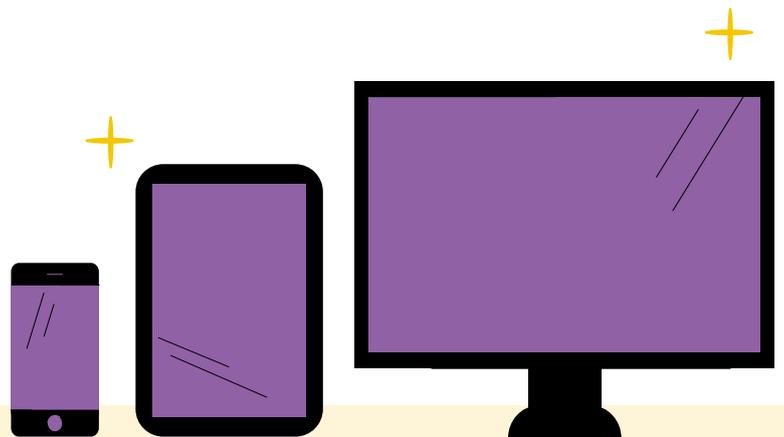
Section 2: Owning and using copyrighted materials

Some textbooks and books of loose-leaf files for teachers have some (or all) pages marked 'photocopiable'. Often these are activity sheets intended for the teacher to distribute to a class.

Some books, *Lord of the Flies: EMC Resource Pack*, published by the English and Media Centre, for example, come with an accompanying CD. That means that the teachers can copy or show the content of the book/CD to the class using an electronic white board. Such resources usually cost much more than ordinary books – perhaps £50 to £100 rather than £10. That is because the purchaser of the book has bought the right to copy part of it so that is included in the high price.

Part of the price eventually goes to the author.

It is still, of course, strictly **against the law** to reproduce and distribute resources which are not marked '**photocopiable**' without the **permission** of the **copyright holder**.



Activity:

Watch this video, made by ALCS: <https://youtu.be/LDOjbVs8kRs>

Think and talk about:

- Why is ALCS so important to writers?

How does this work for ebooks downloaded onto a device?

Copyright still applies in the same way. You own the right to read the book on the device, not the words.

Amazon allows limited sharing of some of their books on devices, via the 'Loan this title' option, by which you can loan a book to someone else for a 14-day period, just as you could with a real copy. During this time, you will not be able to access the ebook yourself.

Schools that have subscribed to their Schools Library Service can get access to the ePlatform app. Through this app each library user can easily find their library, then access all their titles and read them via their browser – even if offline – via their tablet or smartphone.



What about other written material? Are newspapers covered? What about digital versions?

The **NLA Media Access Schools Licence** covers copying from print and digital newspapers.

This licence provides annual blanket permissions to copy and reuse content from print and digital newspaper publications. With a licence, teachers and schools can make paper and digital copies of print or digital newspaper cuttings and share copies of newspaper cuttings with pupils, parents, staff and school governors.

Activity:

Find out if your school library provides access to ebooks and digital newspapers as well as printed copies. How are they distributed? What licences or restrictions apply to their use?

Think and talk about:

- How could smartphones, tablets and hand-held reading devices onto which hundreds of books could be loaded and read, affect writers' copyrights?
- What ideas could you come up with to help protect the rights of writers?

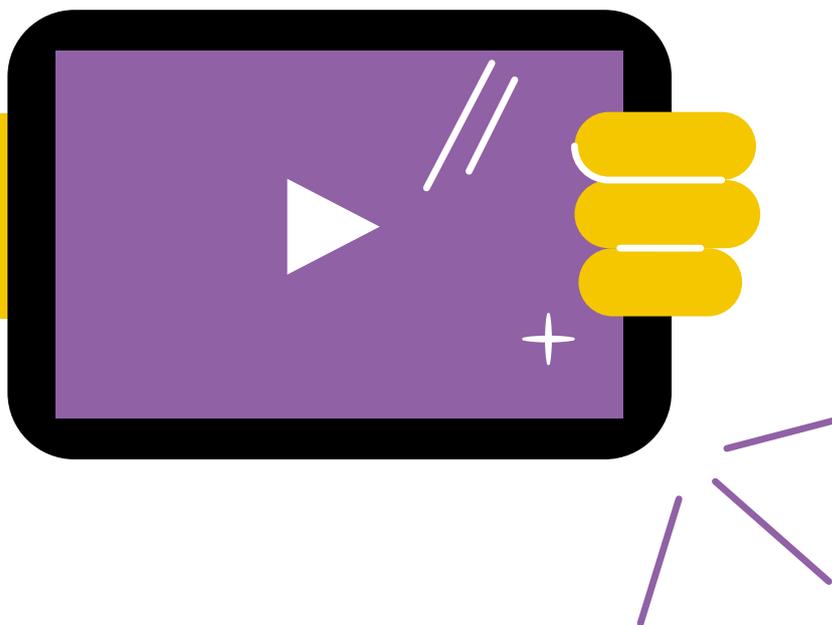


What about other kinds of digital media – such as films and clips we are shown?

Almost all schools also hold an **Educational Recording Agency (ERA) Licence** which allows teachers to use the extracts from films, TV programmes and so on.

This includes the use of facilities such as the BBC iPlayer in schools. ALCS then ensures that writers of scripts are paid a share of the money collected by the ERA licences.

In short, there are different kinds of licences to cover different kinds of copyrighted materials, and it is very important that every school should hold all the appropriate ones and every teacher and student should know exactly what the purchased licences entitles them to do.



Can we watch programmes and film clips in school from streaming services?

It depends on the terms of the streaming service relating to educational use; the services provided by the main broadcasters – BBC, ITV, Channel 4 – are covered by the ERA licence.

Can we watch films on Netflix or DVDs?

The Copyright, Designs and Patents Act (CDPA) contains an exception that allows films to be shown for the purposes of instruction.

So if your teacher is using a film to help you learn about a topic or subject in school, this is fine.

Activity:

Find out how the law governing copyright in recorded music is different from laws affecting writers.

Think and talk about:

- How do you use materials that you own or have downloaded? Were you aware of copyright law previously?
- What did you already know?
- Is there anything you are now thinking about or considering in the way you use protected content?

How do you get permission to use something?

Within any educational institution there is usually someone who is responsible for copyright issues.

They should know which licences are held by your school and be able to help you understand whether your use of a work is covered by a licence or permitted by an exception.

The best way to gain permission to use a published work not covered by a licence or permitted by an exception is to contact the copyright holder or publisher for permission. Lots of publishers have a dedicated page for this on their website.

Why does all this matter?

Writers earn their living from selling their words.

A writer's words are his or her 'product' just as much as a loaf of bread made by a baker or a car made by a car manufacturer belong to the people who made them. If their books and other writing are **taken and not paid for**, writers lose out.

If writers were to become fed up with the unfairness of this and stop writing there would be **no new books, films, plays** or other forms of written material. Even if you only read books, in school or at home, via an ebook reader or on your phone, writers are still protected from theft by copyright law.

Activity:

Find out who is responsible for copyright issues in your school and ask them about the different licences held by your school. What do they allow you and your teachers to do?

Think and talk about:

- What would the world be like if writers were to become fed up with the unfairness of losing out on income and stopped writing?
- What would the implications be if there were no new writing being produced?

Section 3

Using copyrighted materials in your own work



Can I use images, books, music or film produced by someone else in my own material?

You need to be aware of copyright if you are making your own material, including making digital content on platforms like YouTube.

If you use copyright-protected material in your video, including music, movies, television shows, video games or writing produced by someone else, such as reading a book aloud, and upload this onto YouTube, the copyright holder can block your video with a copyright removal. The video will be taken down and in its place will sit a message saying 'Video taken down: Copyright strike'.



What is the difference between copyright theft and plagiarism?

These two acts, while similar in some ways, are distinctly different.

1.

Plagiarism is claiming credit for a work or ideas you did not author, or using someone else's work without proper credit to the creator. Plagiarism is an offence against the author. Plagiarism is a violation against ethical (and often, academic) norms, but it is not illegal. Avoiding plagiarism is about properly attributing intellectual credit.

Say, for example, you were writing a geography essay on unequal development across the globe and you took the ideas from a published paper without crediting the writer, this is plagiarism. But, if you attributed the ideas to the writer and paper they came from, by citing the source and using direct quotations from the paper or paraphrasing ideas from it, this is fine.

If you've done lots of reading around a topic for an essay or assignment, it's easy for ideas to stick in your mind and you may find yourself using these in your own writing without realising it. It's a good idea to use a plagiarism checker to help you avoid inadvertent plagiarism in academic assignments.

2.

Copyright infringement is the unauthorised or unlicensed use, sharing or copying of a creator's work without obtaining their permission.

Copyright infringement is an offence against the copyright holder.

Copyright infringement is illegal. Avoiding copyright infringement and using licensed content enables creators to receive a fair remuneration for the use of their works.



Is my own writing covered by copyright?

Whenever you produce an essay or an article for the school magazine or website, the copyright becomes your property as the creator.

Others will need to ask your permission to reproduce it. For example, if your teacher wants to publish your brilliant GCSE English essay on *Macbeth* on the school intranet to show other students how it should be done, they must, in law, get your agreement first.

You are the author.

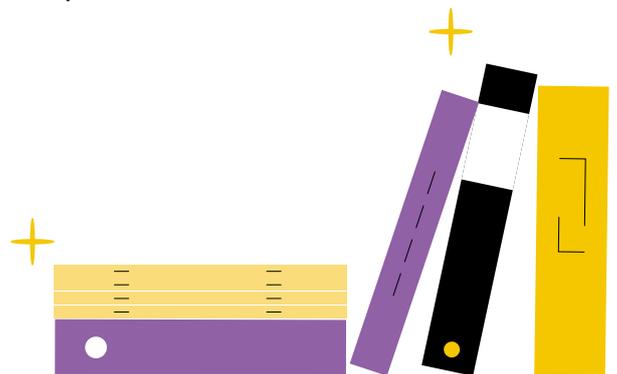
The copyright in the work belongs to you.



Copyright: a quick reference guide

Copyright is important and we should all know more about it to protect the rights of the writers whose work we love and appreciate, and our own rights as writers. Here are some important dos and don'ts to summarise:

Do



- make sure you know about copyright law, what it means and how it works for writers and for you
- remember that UK copyright lasts for 70 years after the death of the writer so most written works you encounter are likely to be covered by copyright – not least your own!
- find and familiarise yourself with copyright pages and notices in written and digital publications you are using
- read attached terms and conditions on digital materials so that you are aware of restrictions
- make sure you know about licences held by your school or educational establishment and what these allow you and your teachers to do with materials
- make sure everyone at your school or educational establishment adheres to limitations outlined by the licences you hold
- ensure you correctly cite, quote from and reference any written materials you have used to support your own writing
- buy written and digital media from legitimate stores or sites
- check all guidance about the use and re-use of materials on digital sites
- seek permission if you are in any doubt about whether you are allowed to use copyrighted material for a specific purpose.

Don't

- ignore copyright! – Infringing copyright law is a legal offence and this law applies to **everyone**
- think you won't get caught – companies regularly monitor for copyright infringement
- think that because you own a copy of a copyrighted material, it is yours to do what you like with. Copyright law applies to the content
- assume that because there is no copyright symbol ©, something isn't covered by copyright law
- assume any use is fair use because you are using material for educational purposes
- copy text, video, music recordings or download from the internet without relevant payment or permissions
- copy materials that you are expected to buy or own, like textbooks, reading books or copies of films
- use images, photos, illustrations or logos created by others in your own designs or work without permissions
- upload copyrighted material to online sharing sites without the owner's permission
- overly quote from the written material of other people in your own writing or use the ideas of others in your own writing without quoting or correctly referencing
- think anything on the internet is free for you to use! Just because it is freely available, material may still be covered by copyright
- ignore the terms and limitations of any licences held by your school or educational establishment.



At the moment, the National Curriculum does not say that you have to learn about copyright in schools – although many people think it should.

Think and talk about:

- What have you learnt about copyright from this booklet?
- Who could you share it with?
- What would be the best way to do this?
- Do you think your teachers could raise awareness of copyright more?
- What does everyone need to do in their everyday activities to show they are aware of the importance of copyright?