



Response to Consultation on the Extension of Public Lending Right to Rights Holders of Books in Non-print Formats

The All Party Writers Group (APWG) was set up in November 2007 to allow MPs and Lords from all sides of the political spectrum to keep both Government and Opposition parties informed on specific policy issues relating to writers of all genres, taking on board opinions from both within and outside Parliament. The APWG is chaired by Janet Anderson MP and supported by Rt. Hon Denis MacShane MP (Vice-Chair), Tim Boswell MP (Treasurer) and Ed Vaizey MP (Secretary).

The APWG campaigned for and continues to support a review of the current PLR system to investigate what extensions may be appropriate in light of changes in the way that writer's works are lent by public libraries.

As in other sectors there is an inevitable and growing trend for libraries to acquire and offer content in digital formats. Pilot schemes for 'digital lending' are already taking place in a number of library authorities including Essex, Luton and Richmond. This review provides a timely opportunity to ensure that new digital access models develop so as to permit access to writer's works through libraries on a fair and transparent basis.

The APWG believes such changes can help to enhance the important role libraries play in serving the community by offering members of the public access to a wider range of content in different formats.

Writers make a considerable contribution to the continuing success of the UK's creative economy; PLR has played a key role in supporting and acknowledging this contribution. In a recent survey of PLR's top earners, 80% specified that their annual PLR payment is core to their income.

In looking at how PLR may be expanded to continue to support writers, and by extension their contribution to the economy, the APWG believes that the following key principles should be observed during this review:

- Wherever expansions to PLR are agreed to be appropriate, adequate funding must be made available to support them.
- Where new kinds of access to writer's books in public libraries is to be balanced by PLR remuneration payments, this access must be consistent with existing principles for library use - the limited availability of works on a non-commercial basis - and should not adversely affect primary sales or other commercial markets.
- The review should acknowledge that different formats and methods of access will have different implications for whether PLR is the most suitable means of providing a fair remuneration to writers.
- PLR was created as a means to reward *authors* for the free lending of their books in public libraries. Any expansions should acknowledge and respect this founding principle.

With regard to the third point above we would like to highlight the specific case of audiobooks available in libraries in hard-copy formats, such as cassettes and CDs. Such lending is widespread and, surveys suggest, on the rise - audiobooks accounted for 10% of loans in 2003 rising to 13.5% by 2006; over 11m loans of audiobooks were recorded in 2007/8.

The lending of audiobooks has never been covered by PLR nor have the rights granted by copyright covering this activity been included within any licensing scheme, despite the efforts of collecting societies to find practical solutions in this area. Despite the wide availability of audiobooks in public libraries for many years and their evident popularity amongst library users, the writers of these works have never received any payment for these uses. Of the various means of PLR expansion outlined in the DCMS consultation paper, adding *hard-copy* format audiobooks to the scope of Scheme appears to be the most straightforward – both in legal and practical terms. The APWG feels strongly that this expansion should be fast-tracked within the

review so that writers can at last receive some reward for the continuing use of their works in this format.

The APWG notes that the current PLR system is seen as a template for other countries in the EU and was recently used as the model for the new lending scheme in the Republic of Ireland. The APWG further notes that the legislative impetus for implementing any reforms under this review will be the forthcoming Digital Economy Bill. If this process proves unworkable the APWG urges DCMS to continue this review by other means to ensure that PLR continues to be a model of best practice as we move into the digital age.