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# Living With(in) Copyright Law: What is it, how does it work, how could it change?

## Project Report

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## **Summary**

This study is underpinned by the principle that copyright policy is a matter of public interest, and as such, should be a subject of public discussion and debate, so that the eventual implementation of copyright is one that attracts a general level of agreement among all affected parties. It builds on an earlier research project<sup>1</sup> that examined the ways in which copyright was understood and evaluated by industry, activist groups and users (see Edwards et al, 2013, Edwards et al, 2015b, Klein et al, 2015). This earlier work argued that users should be viewed as ‘sources of legitimate justifications rather than dysfunctional consumers to be educated or prosecuted’ and identified the need for a more deliberative and democratic process of copyright policymaking (Edwards et al, 2013: 10). However, little research has delved further into public opinions about copyright, explored how they might be formed, and considered what might happen when members of the public are given a broader range of information about copyright from which to form their opinions. The purpose of this research project was to investigate how people would engage with a deliberative process, where they were given the time and space and a range of information to reflect on the complex issue of copyright.

The event ‘Living With(in) Copyright Law’ was a deliberative exercise that brought 88 members of the Leeds public together over one weekend to discuss the nature of copyright law, its implementation, and ways it might change. Participants were provided with information about copyright from advocates and experts in the field and then asked to discuss key questions related to copyright duration, copyright exceptions, and copyright enforcement and penalties. We found that the participants engaged enthusiastically with the event and that the deliberative process increased their knowledge of the subject, generated reflective critique and provided them with a broader basis for their understanding.

We adopted an unusual methodological approach to the study in order to be able to find out as much as possible about people’s engagement during the event. No specialist knowledge of copyright was required of participants, although some had more detailed knowledge than others. We assumed that their understanding of copyright would be a product of the current information and media environment, as well as their own personal and work lives, and the materials provided for the event drew on news stories and examples of how copyright is used in day-to-day life and popular culture, in order to reflect the different ways in which copyright is discussed.

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We used a number of methods: a pre- and post-event survey, a Q-sort, a discourse analysis of group discussions and the collection of informal feedback at the end of the event. This combination of methods enabled us to explore different aspects of the participants' experiences. The discourse analysis allowed us to see what kinds of justifications and critiques participants drew on to make sense of copyright; the pre- and post- measurements allowed us to discover how the time, information and opportunity for engagement had enabled them to develop their knowledge and views about copyright during the event; and the informal feedback gave us a picture of the personal experience that participants had as a result of their involvement.

The key findings from the event are as follows:

1. Participants engaged enthusiastically, and welcomed the opportunity to discuss copyright. They offered their own perspectives and ideas about how it currently works and how it might be altered to work better in practice, including some genuinely new and occasionally radical insights. This suggests that the public should be involved more frequently and more effectively as a potentially insightful partner in discussions about the future of copyright.
2. Participants drew on a range of evidence about copyright in their discussions, including their own lives, news stories and popular culture. They critiqued the justifications of copyright that they encountered, actively reflected on their own position, and showed a clear understanding of the difficulties of implementing copyright in a complex economic and technological environment. The depth of their engagement demonstrates the potential value of structuring copyright debates in a more democratic and inclusive way.
3. Before the event, participants drew on a limited set of justifications to define their positions on copyright (primarily based on the logic of market, civic and domestic worlds); by the end of the event their views consolidated around a justification of copyright in terms of civic, rather than market interests, prioritising the public domain in copyright law.
4. Many participants began the event with limited knowledge of copyright policy (particularly copyright permissions/exceptions and enforcement/penalties), leading to a high level of 'don't know' responses to the survey questions. By the end of the event, 'don't know' responses reduced dramatically, showing that participants had developed a greater understanding of the area and felt more able to offer opinions about different aspects of copyright policy.
5. Different demographic groups varied in their opinions about copyright, although there was no clear pattern to the variation. Future research should ensure diversity of participants, so that more information about the differences between groups can be gathered.

6. Participants noted the absence of corporate and artist voices from the event, and would have appreciated their participation. Future research should ensure that all parties affected by the copyright debate – industry, artists, creators, activists, users and others - are equally represented in deliberative discussions, so that their positions can be fully considered by participants.

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## **Living with(in) Copyright Law: What is it, how does it work, how could it change?**

### **Introduction: The public voice in copyright debates**

Digital technology has changed the manner in which all types of creative work are produced, distributed and consumed (Hesmondhalgh, 2013, Waldfogel, 2015). Books can be co-written online by readers, paintings can be created with an iPad instead of brushes and oils, music is streamed rather than stored, and films are shared via computer networks rather than with popcorn and coke in a darkened cinema. ‘Producers’ both create and consume, producing original creative works to share online as well as parodies and pastiches, using the accessible technologies that have collapsed previous boundaries and roles related to such activities. Copyright law, originally designed for an analogue world, has struggled to keep pace with new digital technologies and activities, and the notion of intellectual property is contested perhaps more than ever before.

To some extent, the contemporary context is a continuation of the challenges that copyright has always faced: technological change has prompted intensive debate about the structure and implementation of copyright law throughout its history. However, digital changes happen more rapidly and spread more quickly than has previously been the case, while the networked, accessible nature of digital technologies empowers users in new ways, challenging the ability of producers to dictate market conditions. Consequently, the rights and responsibilities of creators, corporations, users and lawmakers in relation to intellectual property have become a matter of intense debate, with discussions about the appropriate ‘shape’ of copyright law being particularly fraught (Vaidhyanathan, 2001, Lessig, 2004, Lessig, 2008, Dobusch and Quack, 2008, 2013).

Members of the public have not tended to play a central role in debates about copyright, even though decisions about copyright have a significant effect on their lives as media users. The interests of the creative industries and established artists are clearly articulated and well-represented in the copyright policymaking process. By comparison, the voices of the public are usually less prominent (but for a summary of some exceptions, see Erickson, 2014, Edwards et al., 2015). When a policymaking process is unbalanced, the concern is that the outcomes that result will benefit particular interests rather than more general ones (Freedman, 2008: 80-105, Hesmondhalgh, 2005). As Ian Hargreaves (2011: 93) noted in his review of intellectual property for the UK Government: ‘Lobbying is a feature of all political systems and as a way of informing and organising debate it brings many benefits. In the case of IP [intellectual property] policy and specifically copyright policy,

however, there is no doubt that the persuasive powers of celebrities and important UK creative companies have distorted policy outcomes'.

When not centrally involved in the copyright policymaking process, the public has made its presence felt from the margins. In 2012, for example, there were significant public protests in the United States of America against new legislation designed to address copyright infringement: SOPA (the Stop Online Piracy Act) and PIPA (Protect Intellectual Property Act) (see Sell, 2013, Lee, 2013). The bills were eventually dropped in the face of public opposition. An international agreement called ACTA (the Anti-Counterfeiting Trade Agreement) also generated public protest in 2012 and the European Parliament eventually voted against it (Baraliuc et al., 2013, Levine, 2012, Matthews and Žíkovská, 2013). Such examples of public opposition indicate that not all members of the public are not necessarily indifferent and unconcerned about copyright law, especially, perhaps, given the way decisions about copyright may affect their everyday media practices.

In these cases, though, the public's role is limited to blocking or frustrating the policy process. There is an important difference between having the power to stop policy from being put into practice and having the power to shape the form policy takes in the first place (on this point, see Rosanvallon, 2008). Even if members of the public have the former power, they typically have less of the latter. As Couldry (2010: 143) argues, 'what contemporary democracies lack – at least on a large scale – is not opportunities for citizens to express their dissatisfaction with government (through forms of vigilance, denunciation, and evaluation), but the means by which these voices can be valued within a wider process of policy development'. So, as we have suggested elsewhere, to have confidence that copyright policy reflects the public interest and will resolve ongoing copyright debates in a legitimate manner, there is a need for the public's voice to be more central to copyright policy than it has been previously (Klein et al., 2015).

Structures do exist, of course, to promote public participation in policymaking. Various groups submit evidence and contributions to consultations in order to inform policy outcomes. But policy consultations are typically not sufficient as a means of public participation for a number of reasons (Klein et al., 2015: 120-121). First, even if members of the public do participate, there is no guarantee that they are diverse let alone representative. Certain sections of the public affected by copyright law are not likely to be represented - young people, for example, among whom creative engagement with new technologies is widespread and normal, are unlikely to engage in consultations. Second, participating in a consultation usually requires significant expertise and prior

knowledge. Members of the public may lack the knowledge and understanding of copyright required to participate confidently. Third, consultations gather already established views. They do not provide participants with any opportunity to interrogate, deliberate, and reflect with others on different perspectives before reaching an opinion (Edwards et al., 2015). Fourth, not all contributions of consultations necessarily carry equal weight and the voices of members of the public may still be lost amongst more powerful voices (Freedman 2008: 80-105). Policy outcomes may still be ‘distorted’, to use Hargreaves’s (2011: 93) terms, by the ‘persuasive powers of celebrities and important UK creative companies’.

This study aims to respond to a call in previous research for greater public deliberation about copyright policy (see Edwards et al, 2013, Edwards et al., 2015b, Klein et al, 2015). While we are not able to address the fourth limitation about policy outcomes identified above, our deliberative event was designed to address the first three limitations with existing methods of public participation: (1) a lack of diversity in public consultations, (2) a lack of information to participate confidently, and (3) a lack of opportunities to interrogate and reflect upon different positions in public debates. In response to the first limitation, we recruited a broad range of participants to ensure the group was as diverse as possible (see Appendix 1), even if it could not be fully representative of the public at large. In response to the second limitation, we provided background information to participants before the event and experts on copyright were available during the event to answer questions. This would ensure that participants felt informed enough to participate confidently. Finally, in response to the third limitation, we created structures aimed to promote deliberation among participants and provide them with enough time to explore, discuss and reflect on issues meaningfully. As noted above, the aim of the study was not to identify what a more acceptable copyright regime might look like, or to provide specific policy recommendations. Rather, we wanted to explore how people would engage with a deliberative process where they were given time, space and a range of information to enable them to reflect on complex issue of copyright. The outcome of this is a richer understanding of how a deliberative process can lead to reflective critique, the considered development of opinions, and consensus-building around outcomes. While the project was not of a scale to deliver robust policy recommendations, we suggest that a more extensive deliberative exercise of this kind could achieve this in future.

The rest of this report is divided into four main sections. In Section 1, we present the theoretical background to our study. In Section 2, we describe the method. In Section 3, we present our findings: preliminary findings from a discursive analysis of one of the discussions from the

deliberative event and the results from our Q Sort exercises and survey. The report concludes with a final discussion and reflection on the implications of the study for copyright policy and law-making.

## **Section 1: Theoretical background: Deliberation and justification**

Understanding copyright as a valid focus for public debate requires us to consider what the parameters of such a debate might be: how should it be structured and implemented, and what kinds of justifications might provide the basis for agreement between different parties? To frame our approach, we drew on theories of deliberation and justificatory discourse, briefly summarised below.

### *Deliberative democracy: the importance of democratic debate*

Models of deliberative democracy focus on the ways in which democracy emerges from political debate and discussion across society. Early theorists such as Habermas (1989) and Cohen (1989) emphasised that the quality of deliberation depends on the importance of rational debate, equality among participants, inclusive participation and a focus on the common good, rather than vested interests. However, while recognised as important ideals, these somewhat stringent criteria were critiqued by later theorists on a number of grounds (Coleman and Blumler, 2009, Lunt and Livingstone, 2013, Habermas, 1996, Mansbridge et al., 2006). First, the idea that political talk should only be rational is contested, because rationality is itself a learned mode of communication and creates a false dichotomy with respect to emotional engagement, which characterises other common modes of discussion including rhetoric and storytelling (Mouffe, 1999, Young, 2000). Second, assumptions of equality are unrealistic, given the many implicit and embodied social markers that signal our identities to others (Fraser, 1990). Third, critics argued that self-interest can play an important role in democratic debate as a motivator for participation and a means of recognising conflict (Mansbridge et al., 2010). Deliberative theory has evolved with these critiques, which have reinforced the fact that high-quality deliberation among citizens is socially and politically important when it comes to good governance in modern democracies, but may take a variety of forms.

Research has shown that, when ‘ideal’ deliberative conditions are approximated by actively constructing deliberative environments (e.g., deliberative polls), citizens can make considered and informed decisions (see, for example, Andersen and Hansen, 2007, Fishkin, 2011, Fishkin and Luskin, 2005, Munshi et al., 2014). However, constructing deliberation in this way is time-consuming, costly and resource intensive and alternatives need to be found if deliberation is to be more commonly

realised. The option we adopted in this project was to adhere to some of the basic principles of deliberation, but to employ a deliberative systems approach to the process.

Deliberative systems theorists relax the normative requirements of deliberation – equality of access, fully-informed rational debate, and inclusivity - to argue that political talk can emerge in other ways across society (Mansbridge et al., 2012). They suggest that deliberation takes place at the micro-level, where actors come together in relatively small-scale and localized arenas to deliberate on a particular issue, and at the macro-level, where public debates circulate, evolve and change across public spheres (Dryzek, 2000, 2010, Grönlund et al., 2014, Hendriks, 2006, Parkinson, 2004, 2006). Deliberative systems are made up of five elements: public space (inclusive and abstract as well as material, including the media as well as spaces such as schools, cafes, squares and online fora), empowered space (where institutional deliberation takes place, such as courts and consultative bodies), transmission (which is the means by which public space can influence empowered space), accountability (or the means by which empowered space accounts for its actions to public space) and decisiveness (which relates to the influence that deliberation has on policy decisions) (Dryzek, 2009).

Three aspects of deliberative systems lend themselves to the construction of deliberative environments that, we argue, more closely approximate the actually existing conditions for political talk about copyright today, and which we drew on in the design of our event. First, vested interests may be included in political discussion, since they often act as a motivator for participation. Rather than dismissing instrumental communication about societal issues produced by organisations and individuals, these are recognised as valid elements of the discursive landscape for political talk. In the context of the copyright debate, this allows for the many interest groups involved (corporations, activists, users) to be recognised as important actors contributing to the discussion. Second, rhetoric, storytelling, narrative and other forms of discourse are recognised alongside rational discourse as potential forms of political talk. This takes away some of the limitations of education, class and culture on deliberation and recognises the fact that individuals and organisations often use more emotive, experiential forms of talk in their political participation. Our event included contributions from activists, academics and legal experts, examples of copyright stories in the media, and government documentation, to facilitate a wide range of voices and styles of discourse about copyright<sup>2</sup>. Finally, deliberative quality is understood as a system-wide issue, rather than something to be measured in each individual deliberative interaction. This allows for the fact that political

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<sup>2</sup> Corporate representatives from the creative industries were invited to attend, but were unable to or declined.

discussions vary in quality and depth, but take place continuously and across different locations, rather than in isolated episodes. It takes away the pressure for every instance of political talk to meet stringent parameters, and also allows for systemic adjustments to be made to improve quality, rather than focusing on localised processes. In our event, this meant that our concern was with the overall quality of deliberation across the whole group of participants, rather than with the deliberative characteristics of each small group engagement.

#### *Deliberation as justification and critique*

An important objective of the exercise was to understand how the content and quality of deliberation evolved over the two days, as more information was made available to the participants about different aspects of copyright law and practice. Discussions about copyright and its implementation invoke claims of justice or injustice, based on the content of the law, the normative and legislative rights of individuals and organisations, and the corresponding legitimacy of their actions. As such, copyright has always been an issue subject to processes of justification and critique and so our analysis also focused on how these processes unfolded during the weekend.

As suggested elsewhere (Yar, 2008, Edwards et al., 2013), Boltanski and Thévenot's (2006[1991]) work on justification and economies of worth can provide a useful framework for analysing these processes. Noting that processes of justification are fundamental to any well-functioning society as a way of overcoming disagreement and facilitating cooperation, they explore the bases and processes through which agreement might be reached. They identify seven discursive 'worlds', each of which is governed by different 'higher common principles' that form the basis for attributing worth to individuals (see table 1). States of worth are ordered from the general to the particular – the most worthy people are those who most closely reflect the general principle that governs that particular ordering. For example, in the market world individuals who play a significant and supportive role in market processes are particularly valued, while in the inspired world, greater worth is attributed to creative and artistic individuals. Each of these worlds constitutes a 'system of justice', through which we legitimise our views of who and what should be more valued and respected in society.

When all individuals in a particular context agree with the application of a particular principle to a situation (e.g., that all judges should be respected), this produces a 'situation that holds', where justification is unnecessary because agreement is already reached. However, we constantly move through different worlds and are exposed to alternative systems of justice, sometimes simultaneously; the result is that justifications are regularly put to the test. Critiques may be based

on challenges to the actual principle of justice being applied (that is, by arguing that a different higher common principle is more appropriate), or on the relative worth being attributed to different individuals (that is, by challenging the ways in which the agreed common principle is being applied). In these situations, compromises must be reached in order for society to continue to function effectively.

Copyright law has always been contested and its formulation and implementation remains a focus for constant justification and critique. Previous research has identified a number of principles on which justifications of copyright have been based, and each may be associated with one of the worlds identified by Boltanski and Thévenot (2006[1991]). They include the moral rights of creative producers to recognition (world of fame), the need to incentivise creative production and the need to preserve markets for creative work (market world), the need to reward creativity in and of itself (inspired world) and the need for public access to creative work (the civic world). This allows us to understand the logic underpinning the principles being used to justify copyright by different groups, but also provides clues as to why reaching a compromise on an appropriate implementation of copyright has been so elusive: when the underlying principles for each justification are quite different, agreement is very difficult to achieve. Processes of justification and critique in this context may need to produce a fundamental re-think of copyright in order to stabilise around a widely accepted norm. Even then, the interpenetration of different worlds in people's lives means that such stability could be relatively short-lived as new technologies, norms and behaviours continue to evolve and new worlds are invoked to justify their relationship to copyright.

*Table 1 – The Common Worlds and orders of worth (adapted from Patriotta et al., 2011: 1810)*

<b>Common world</b>	Market	Industrial	Civic	Domestic	Inspired	Fame	Green
<b>Higher common principle</b>	Price, cost	Technical efficiency	Collective welfare	Esteem, reputation	Grace, singularity, creativeness	Renown, fame,	Environmental friendliness
<b>Test</b>	Market competitiveness	Competence, reliability, planning	Equality, solidarity	Trustworthiness	Passion, enthusiasm	Popularity, audience recognition	Sustainability, renewability
<b>Form of proof</b>	Monetary	Measurable criteria, statistics	Formal, official	Oral, exemplary, personally warranted	Emotional involvement and expression	Semiotic	Ecological ecosystem
<b>Qualified objects</b>	Freely circulating market good or service	Infrastructure, project, technical object, method, plan	Rules and regulations, fundamental rights, welfare policies	Patrimony, locale, heritage	Emotionally invested body or item, the sublime	Sign, media	Pristine wilderness, healthy environment, natural habitat.
<b>Qualified beings</b>	Customer, consumer, merchant, seller	Engineer, professional, expert	Equal citizens, solidarity unions	Authority	Creative being, artists	Celebrity	Environmentalists, ecologists

## **Section 2: Methods**

In order to investigate our ideas about how deliberation and justification might operate in practice in relation to copyright, we constructed a two-day deliberative event. The event brought together 88 members of the public to deliberate on copyright. As already noted, the aims of the project were:

1. To explore the potential of deliberative processes to open up debates about copyright and produce shifts in users' subjective understandings of and preferences for different types of copyright regime.
2. To investigate how members of the public would engage with a deliberative process, where they were given time, opportunity to engage with diverse others, and a range of information to help them reflect on complex issue of copyright.

We selected a diverse sample of people to participate in the exercise (see Appendix 1 for a detailed description of our sampling strategy). All participants were from Leeds or the surrounding area, but we aimed to ensure that the group was diverse in other respects (age, ethnicity, gender, and socio-economic status) and that it reflected different levels of engagement with copyright and creative work. The sample breakdown is shown in table 2.

To recruit participants, we publicised the event via posters, leafletting in local venues (community centres, libraries, cafes, shops), emailing local organisations to reach their members (e.g. University of the 3<sup>rd</sup> Age; local music groups; local creative industry networks), and posting on relevant local email distribution lists. We invited participants to contact us and we then matched applicants against our desired criteria. Closer to the event, we asked a recruitment company to boost the sample in areas that were underrepresented (see Appendix 1).

The design of the deliberative exercise reflected the findings of existing literature on deliberative democracy and specifically the 21st century town hall meeting format (Lukensmeyer and Lyons, n.d.). The structure was as follows:

*Table 2: Demographic breakdown of participants\**

<b>Demographic variable</b>	<b>% of total sample</b>
<b>Gender</b>	
Female	51
Male	46
Non-binary	1
<b>Age</b>	
16-24	17
25-34	22
35-44	18
45-54	20
55-64	14
65+	7
<b>Occupation</b>	
Managerial and professional worker	22
Intermediate occupations	27
Routine and manual	8
Not working / long-term unemployed	6
Not Classified (student / retired)	34
<b>Ethnicity</b>	
White	61
Black / Black British (Black/African/Caribbean)	15
Asian/Asian British (includes Indian, Pakistani, Bangladeshi, Chinese, other Asian)	17
Mixed	5
<b>Creative worker</b>	
Yes	23
No	75
<b>Creative hobby</b>	
Yes	58
No	40

\*Missing data means the totals do not always add up to 100%

First, the event was structured around central overarching questions. We divided the deliberative exercise into four main sessions. During each session, participants were asked to focus on, discuss, and eventually register a view about one or two central questions relating to copyright duration, copyright exceptions, copyright enforcement and penalties, and the future of copyright policy (table 3).

Table 3. Sessions and Questions

Session 1 Copyright Duration	In general, what is your view of the length of current copyright terms? (a) they are too long, (b) they are too short, (c) they are about right
Session 2 Copyright Exceptions	In general, what is your view of current copyright exceptions? (a) they are too extensive, (b) they are not extensive enough, (c) they are about right
Session 3 Copyright Penalties and Enforcement	Is the range of options for enforcing copyright (a) too limited – new tools are required, (b) broad enough - no new options are needed, or (c) too wide – options should be more limited? Are the penalties for copyright infringement (a) too lenient (b) too severe or (c) about right?

*Second, participants were provided with relevant background information.* We distributed a briefing document to participants to read before the event (see Appendix 2), which provided basic information about copyright and each of the topic areas covered during the deliberative exercise. We invited copyright experts (one lawyer, one academic) to give a brief presentation at the beginning of each session to cover key information and to be available to answer any factual questions participants might have. We also invited a member of the Open Rights Group, an activist organisation, to act as an advocate. We contacted representatives from the creative industries and from creative worker associations to participate in this process (Alliance for Intellectual Property, the Industry Trust, the BPI, Featured Artists Coalition, the Design and Artists Copyright Society), but unfortunately they were either unavailable or declined to participate.

*Third, we elicited the views of participants at the beginning and end of the deliberative event.* Participants were asked to complete a survey and a Q-sort before and after the event (see Appendices 3 and 4, respectively). The survey and Q-sort were drafted and then reviewed by academic specialists in the two methods as well as piloted with a group of students before the event; some minor adjustments were made to produce the final versions. They were designed to capture participants' views about copyright and track any changes that might happen over the two days, as a consequence of receiving more information about copyright and deliberating with others. While deliberative theory assumes that the process of deliberation leads to better informed decision-making, it is not inevitable that positions change. However, given that we know the public tend to be relatively uninformed on detailed arguments about copyright, we anticipated that some changes might occur based on the new and more detailed information they engaged with during the event.

The survey was structured in the same way as the event, with four main sections containing the questions listed above and additional Likert-scale questions on the same topic, as well as a section on demographics and general understanding of copyright (appendix 3). For the Q-sort, participants were asked to sort 30 statements about copyright based on how important they thought each consideration should be when making copyright law (appendix 4). The exercise is a forced normal distribution: participants were asked to place one statement in each place on the scale, from -5 (less important) to +5 (more important).

*Fourth, the group was split into smaller groups for discussion, but they were asked to convene and share findings with others at regular intervals.* We split the 88 participants into nine groups and a facilitator was assigned to each table. At the end of each session, the groups were asked to share their thoughts, so participants could hear about the views and discussions of others. A facilitator was available at each table to guide the discussion and to act as a ‘secretary’, taking notes and reporting back on behalf of the group.

*Fifth, we established clear deliberative ‘ground rules’ for the event.* At the beginning of the two days, we stressed the importance of the deliberative event being a ‘safe space’. We emphasised that:

- Discussions should remain confidential and not be shared with people outside the room.
- The goal is not necessarily to agree - it is about hearing and exploring different perspectives based on different personal experiences and opinions.
- Participants should listen actively – they should respect others’ views and right to speak when they are talking.
- Participants should refrain from personal attacks – they should focus on ideas instead.
- Participants should be conscious of body language and nonverbal responses, since they can be as disrespectful as words.
- Participants should respect the facilitator’s advice about the direction of the conversation, when they intervene.

It is important to note that, while reflecting existing literature on deliberative democracy in these respects, our approach also differed from normative deliberative practice in some ways:

- We were not targeting demographically representative participation, but wanted to explore how the different discourses that emerged in the deliberation as a result of a wide range of participant backgrounds, might be representative of (and possibly add to) existing debates;
- Given the criticisms of rationality as a condition for deliberation, and the need to ensure people from a wide range of backgrounds felt able to participate during the weekend, we did not limit the style of discussion to rational debate, but included other kinds of discourses that are representative of the range of discursive styles that have already been observed in stakeholder communication about copyright (to which users are already exposed and must therefore evaluate). These included persuasive rhetoric, storytelling and other forms of discourse. Our activist advocate, the media stories used as examples for each topic, the background briefing notes, the overviews for each session, and the input from experts all contributed to this variety.

- We recorded and transcribed the small-group discussions in order to track the presence of different discourses and different discursive styles, and to analyse how participants' thinking about copyright evolved during the two-day event in more detail.

On the first day, the participants were greeted with tea and coffee and given the survey to complete. They were allocated to tables and once everyone had arrived, we delivered an introduction to the event, its structure and purpose, so that participants' expectations could be clear from the outset. They were given instructions to complete the Q-sort and after everyone had finished, the first session was introduced.

Each of the four discussion sessions started with a 15-minute introduction. In the first three sessions, this consisted of a presentation from an expert in the area. The expert for sessions one and two was Bartolomeo Meletti, an experienced researcher from the CREATe community; for session three, the expert was Victoria McEvedy, an experienced copyright lawyer. For session four, no expert was required since the focus was on copyright futures, capturing ideas that the participants had for future development of the debate, and the introduction was done by the lead researchers, Lee Edwards and Giles Moss. Following the opening presentations, the specific questions for each session were introduced. Finally, we also provided each group with a dossier of relevant case materials designed to prompt discussion. For the first session on copyright duration, we used a BBC article about the extension of copyright duration for sound recordings from 50 to 70 years and an article in *The Independent* about ownership of the song 'Happy Birthday To You'. For the second session on copyright exceptions, we used a *Daily Telegraph* article about a parody of the song 'Empire State of Mind' by Jay Z and an article by National Public Radio on a legal case (*Lenz vs Universal Music Corp.*) involving a user-generated YouTube video. Finally, for the third session on copyright penalties and enforcement, we used an article in *The Independent* about how European law may be changed to ensure that the rights of rightsholders are enforced more strongly in relation to YouTube and similar platforms and a summary of the government's response to the consultation on criminal sanctions for online copyright infringement. The participants were then invited to start their discussions. Each table had a PhD student facilitator, who used a series of prompt questions to encourage discussion, and participants were also able to review the printouts of the case materials distributed on the tables. The experts and the activist advocate were available during the discussions to answer specific questions.

Below we present the findings of the research, beginning with an initial discourse analysis to give readers a sense of how discussions developed during the event. We then present the Q-sort and survey results, followed by a summary of the informal feedback.

### **Section 3: Findings**

#### **A. Deliberative discussions**

Given the volume of data, a detailed consideration of the group discussions is not possible for this report, but in this section we identify some illustrative examples from one group's discussions to show how discussions evolve in this type of event. We cite the discussions at length, to give space to the exchanges that happen in the group and illustrate the ways in which different voices, justifications, and forms of evidence are drawn on in the course of their deliberation. As we show, justificatory discourses are clearly evident, in terms of both raising questions regarding the reasoning for policy decisions and deciding what principles should be paramount in the context of each topic. The data provides background for the more general shifts of opinion observed in the survey and Q-sort data.

In their discussion of copyright duration in the first session, participants within the group questioned the justifications for the current length of copyright terms. Consider, for instance, the following exchange taken from a discussion about copyright duration:

*M4: Who came up with the law? Like was it like the UK government that said it was 70 years?*

*F1: For us, yes, because it's different in different countries isn't it?*

*M4: Yeah, so I just find it like that what was the **reasoning** behind it.*

Likewise, another participant asked '*what's special about 1923?*' (M3), referring to the significance of this date in relation to copyright law in the USA.

Without knowing the justifications for policy decisions, one concern is that they may be driven by particular interests rather than general principles. One participant, for example, asks why copyright durations vary across different types of creative work and raises the concern that the differences may be 'haphazard'. Other participants respond to him by suggesting that the differences may be explained by lobbying and who has the 'loudest' voice rather than the best arguments:

*M4: Why is it different for like different types of mediums? So for like sound it's 50 years but for like written work it's 70 years? I mean why is it all sort of not the same?*

*M2: It depends on the lobby in which you belong.*

*Facilitator: Do you think that's a problem?*

*M4: I think yeah, there needs to be some sort of streamlining or kind of bringing it all together into one sort of bracket rather than having it all sort of haphazard.*

*F3: Because it doesn't seem to be consistent.*

*M4: Yeah, consistent.*

*[...]*

*M3: [...] I mean the 1923 thing, I think it was [the Open Rights Group advocate] alluded to, is driven by Disney because you could ask why 1923, what's 1923? It's that Disney have got the rights to protect their intellectual property.*

*M2: A lot of money.*

*M3: So it's just by whoever's shouted loudest*

As well as asking about the reasoning for particular decisions, participants identified principles they felt are important to copyright policy during the discussion. For example, most participants appeared to agree with the idea that creative producers should be recognised and rewarded for their creative work, echoing some of the findings from our survey and Q-sort research. However, concerns were raised in the group about whether this principle is always realised in practice, especially in relationships among creative producers and commercial companies.

Members of the group drew on personal experience when considering this issue. One participant, for example, described her experience while on a work placement:

*F4: Well I had something similar happen to me. I was on placement in summer and I worked for a kid's illustration company and I did work for them and they took it to a trade show and it got photographed by a big company called WGSM which is a trend forecasting agency and it got published on a trend report under their name. So my name wasn't on it so I didn't get the recognition.*

Another participant shared her experience of selling her work to a company:

*F5: Well, I agree like what happened about your name should be applied to something that you've done. Well actually I've had a similar experience, I sold some work to a company, through university we had to design work and take it to a trade show, that was kind of part of a module we had to do, we didn't have a choice, and then one of my designs got sold to the company and I got paid a very, very small fee for it, but that company have now got all of the files and all of my work and they'll make lots of money from it but my name will never be applied to it because all of the rights have been sold straight to that company. So it's a similar thing, like especially if you're starting out, you don't have any rights so you don't benefit from it at all. I mean it's good, like at this stage it's good for your portfolio maybe but you can't even, like with that work because that company now own it I can't even put it on Instagram or my website because I don't own it so I don't have any exposure.*

Reflecting on these two examples, some participants felt that they demonstrated how creative workers may be 'exploited':

*M3: This is bringing it into focus as well, the two of you, your work, really brings this whole debate into focus on how you're exploited.*

*M1: Yeah, it's the same isn't it?*

[...]

*F3: And I agree with yourself, in terms of the discussion it brings it into, so you get a perspective on it that actually I think there's a corporate view and there's an individual view but when you hear real stories like these two individuals then you sort of think, actually the only word that comes to mind is exploitation'.*

*M1: That is it.*

*F3: Absolutely, I think so, yes*

Discussions such as these reflect our survey data, as we will note below, and in particular a shift towards a stronger emphasis on corporations as beneficiaries of copyright. In this case, personal experience appears to play an important role in shaping discussion. Of course, while these experiences are legitimate, they do not reflect the full range and complexity of relationships between creative producers and creative industries. Different examples could have told a different story and moved the discussion in other directions. In addition, the presence of an advocate from the Open Rights Group, may have made these critiques more visible (indeed, this advocate is referred to specifically by M3 above when reflecting on the question of copyright duration); the fact that no-one representing the creative industries attended our event, meant they could not respond to these critiques and balance the argument.

Our second example is taken from the second session focused on copyright exceptions and creative reuse. This discussion not only reflects the complexity of copyright policy, but also the potential for deliberation to help people to consider and think through some of this complexity. We asked groups to reflect on two examples to focus their discussion:

1. *Lenz vs Universal Music Corp.*, involving a home video of a baby dancing to a copyrighted song
2. *Newport State of Mind*, involving a parody of the original copyrighted song *Empire State of Mind* by Jay-Z

Our participants raised multiple considerations and justificatory discourses when discussing these two cases. They draw on existing arguments about copyright, reflect on 'grey' areas in practice, and question the actions of users as well as corporations. In doing so, they demonstrate active engagement with complex arguments, and become aware of where their knowledge of - and the evidence for - the status quo is insufficient.

One issue is the potential importance of intention, especially in relation to whether uses of creative work are commercial or non-commercial:

*F1 She's just innocently taken a video of her child and she's in trouble for it, and that does seem ridiculous.*

*M1 Yes.*

*Facilitator So that's too excessive?*

*F1 Yeah.*

*M1 I agree. I don't think she did it as a business plan, did she? It was a bit of fun.*

*[...]*

*M1 But I think that's very difficult to establish, the intentionality, because I could upload a video to YouTube and say I wasn't looking to making money out of it, but I might have been.*

*F1 But you will have been aware that obviously something out there will make money.*

*M1 But we don't know. She doesn't know.*

*F1 Yeah, but, in law, ignorance isn't an excuse for breaking the law, is it?*

*M1 No, it's not.*

*M4 It's no excuse, no!*

Another consideration raised was the 'grey area' of how to assess the degree of creativity required to create the new work versus the role played by the original work:

*M1 But then on the flipside, I think, particularly with the Newport parody, there's a lot of their own creativity that's gone into that. They've not just copied it, they've re-written it and filmed it on video, etc, etc so it's quite creative.*

*F3 Just the music is the same.*

*M4 Just the music. The rhythm is the same but the wordings are different.*

*F1 I suppose the essence of it is ((0:01:43?)), the original song didn't exist, then that wouldn't exist, so that's where their credit is.*

Participants also tackled the issue of whether the original creator should be able to control what others do subsequently with their work, in political and other contexts:

*M2 If you had written the music, how would you feel for it to be used with lyrics, which maybe you don't approve of and that maybe are offensive? You'd say, 'Hey, what's going on here?' I'd be very offended.*

*M4 Yes, absolutely.*

*M3 But is an innocent baby girl who's just dancing, so I wouldn't say that would be doing any damage to your music, really, it's just a baby doing a thing.*

*M1 Absolutely.*

[...]

*M5: Or if your song is being used in a BNP campaign or something like that, does that come under copyright law?*

*F3: That would come under copyright.*

*M1: It's interesting.*

*F1: Neil Young, because Donald Trump used one of his songs, he obviously doesn't agree with Donald Trump, so he was pissed off.*

Through these reflections, the discussion was linked to a different fundamental right, as one participant raised the central importance of freedom of expression in relation to political speech:

*M5 As long as it follows the law, you can't really do much on it.*

*M6 And it doesn't cause offence.*

*M5 Yeah, as long as it's not inciting any hatred or anything like that.*

[...]

*M1 I think that's probably got a lot to do with politics, because otherwise politicians could prevent people from taking the piss out of them and it would be against free speech, I think that's probably why.*

[...]

*Facilitator So is it that you shouldn't control where your piece of work leads to?*

*M5 I just think this whole definition of fair use, like who determines what fair use is? You can interpret that in so many ways.*

*M4 I can see where you're coming from.*

*M6 And why certain things are fair use.*

*M4 It's not clear. Nobody can see the logic. Nothing is clear about it.*

As the end of this exchange indicates, there is uncertainty about what is or is not acceptable in relation to copyright and why. Despite the recognition of the role played by certain fundamental principles - freedom of expression, the right to create new work - the vagueness of their application to this context means that the group came to the conclusion that 'nobody can see the logic'. This lack of knowledge about copyright was viewed as a significant concern, especially as it may have a bearing on people's everyday media practices. Consider, for example, the following exchange:

*M1 I think it's a really good point, because I think all of us have said there are big holes in our knowledge of copyright and I think that's true of the population at large. I'm quite sure the lady who uploaded the Dancing Baby isn't an expert on copyright law.*

*M1 Precisely, it does seem unfair, and if someone unknowingly breaches copyright, then the penalty should not be extreme*

[...]

F1 I've never put up anything that's in YouTube, but when you do do that, do you read the regulations that you have to agree to?

M4 No, nobody has time to do that!

M1 I think, as far as I recall, there's huge great T&Cs, maybe twenty-page T&Cs, and with a little tick box, and of course everyone just ticks, so the number of people that have never actually read YouTube's T&Cs.

Our final illustration is from the last session, where the group was asked to consider whether copyright law should change in future and, if so, to what extent and how. Here the group reflects back on the question of the relationship between creative producers and companies. There is some discussion about the necessary role companies play, but also the fairness of current economic structures. Where one participant feels the current market system is meritocratic (a 'level playing field') and rewards those who are more popular, others feel small creative producers need greater support and that the system is skewed towards larger companies.

M5 It's just the way of the world isn't it? Yeah.

M6 Yeah I think it's less a right or wrong, more that's how capitalism works. Fine, you could say, "Let's reinvent the capitalist system" but that's kind of going a bit big! But, as you say, if you want your movie to get made, you need millions and millions of pounds upfront.

M4. Which you don't have.

M6 Which you don't have.

M4. Yeah so you need them.

M6. And you need a Hollywood studio. You have to work with one.

M4. You have to work with one.

M6 And, as you say, the number of artists, even very big artists, who don't use a record company is minute.

M4 Yes very small.

M6 They all do. Sure they get better deals than the small guy, but they all use them. So I think, like you say, it's the way of the world.

M4 They need a company, the corporation.

M6 But at the same time I still think more protection could be given to smaller artists at the bottom of the pile, some help about contracts and so forth.

M5. But maybe you could say that like the way things are, like popularity, it governs success. So if someone is popular to the masses then they're going to be successful and that's just the natural way of doing it. Like all this talk about, and I've been saying it too, about protecting the smaller artist, it's all a level playing field at the end of the day. Other people have started from the bottom and got to the top.

M4. Yeah to the top. Yeah, yeah. Yeah, yeah.

M6 Yeah of course, yeah.

M5 You know? I don't know.

M2. I think where to put the line between the big company and the individual person. There should be better lines for the big companies as they simply have much more power to defend their rights. I don't know, look for where they're being stolen.

M1. So there should be more what?

M2. Copyright should cover much more individual artists or researchers or whatever than the big companies since the big companies used to have better tools to protect themselves.

Later on, the group returns to the same question of the relationship between creative producers and companies and the need to limit the power of large companies. However, there was also uncertainty about this conclusion among the group; they show their awareness of the need for evidence from all sides of the debate, if their critique is to be justified. At the end of this exchange, two participants reflect on the potential partiality of the group's perspective ('we are all putting our opinion in from the little guys' side) and how they would have liked a representative from a large company to have contributed to the deliberative event:

M4 I think it's a win and lose situation when it comes to corporations yeah? Because we do need them in order to promote yourself in terms of whether it's music or you being an actor or whatever it is. But I think they kind of exploit their position just because they know that they're in control. And so I'm saying you do need them because they're the one who are going to distribute that thing out for you. They are the one with the access to everything, especially if you're making a movie, they have all the equipments, they have the staff, [...] to support you and things like that.

M3 That's... Sorry, go on, I'll let you finish.

M4 It's alright, it's alright, you can...

M2 That's why copyright should, in some way, limit the power of the big companies.

M4 Of the corporation? Okay. Well it's going to be difficult.

M2 Maybe by limiting the benefits they have for each song or CD they're selling or for the movies.

M5 But it's like corporations can decide who becomes famous essentially.

M2 Yes that's why corporations should be on the other side. I mean not on the other side, but some kind of referee that's more on the side of the...

M5 And if they don't think it's going to sell then they're not going to do it. And I think that is a massive failure.

F2 I think now that I would have liked somebody here from one of those big corporations because we are all putting our opinion in from the little guys' side aren't we?

M2 I've been thinking that.

F2 I would really like to hear Sony or somebody sticking up for their sides on what's the benefits and why this is a good thing for them.

### Summary of the deliberative discussions

The discussions showed that members of the public were keen to engage with the topic, able to deal with complex ideas, and happy to both critique popular justifications and be reflexive about their own positions. The range of evidence they drew on included the resources put at their disposal by the organisers, but also reflected their own experiences with copyright. Some participants drew on copyright-related stories from the media that they had read, while others recalled storylines from media products such as films and TV programmes, that were also helpful in illustrating points they wanted to make. Sometimes, these storylines were fictional, but they were used nonetheless.

The discussions around enforcement in particular showed that participants also recognised the complexity of the environment for copyright and incorporated this into their discussions. While enforcement crossed borders, the fact that laws were nationally-based raised issues - some people felt that a global system of copyright would be more sensible, but impossible to implement. The changes in user behaviour because of digital technologies were countered by suggestions that technology might be usefully used to prevent infringement automatically. On the other hand, the scale of some commercial penalties for infringement prompted some participants to suggest that enforcement was simply a way for corporations to make money.

Perhaps because of the parameters around the 'safe space' communicated at the beginning of each day, the discussions tended to be accommodating rather than acrimonious: people's personal stories, for example, were accepted as evidence rather than questioned, and their perspectives validated. However, the quality of deliberation was not always perfect: in some groups, at some points during the event, there was an imbalance in the contributions of different participants, despite the efforts of facilitators to make space for everyone to speak. This may be a result of personal confidence and knowledge in the area, and to a certain extent, the fact that some people were more used to acting as 'speaking subjects' (Coleman, 2013) than others.

### **B. Q-sort results**

The statements for the Q-sort were designed to reflect a wide range of arguments about copyright, its implementation and enforcement. Statements should ideally reflect the universe of perspectives on the topic being considered (Coogan and Herrington, 2011), and we drew on existing research about copyright to ensure these arguments were covered in easily-understandable, lay terms (legal arguments around copyright, for example, were not included). The statements were then checked for suitability, clarity and comprehensiveness by two other academics, one copyright expert and one Q-sort methodologist.

Q-sorts are usually administered individually, with an interviewer eliciting in-depth explanations from each participant about their choices and decisions. However, time and resource constraints meant that interviewing each participant was impossible, and so the Q-sorts were conducted by the participants independently of support, at the beginning and end of the event. Q-sorts that were incomplete or incorrect were eliminated from the analysis; this left 58 complete pre-event Q-sorts, and 50 complete post-event Q-sorts. Because Q methodology is essentially a qualitative tool, these sample sizes are sufficient for a robust analysis (Coogan and Herrington, 2011).

The results of the Q-sorts were subjected to factor analysis, to reveal how the participants cluster around different patterns of statement placements on the grid. Interpretation of the Q-sort results here is driven by a traditional factor analytic approach, exploring the themes that characterise each cluster, but the results reflect groups of people who tend to cohere around the same kinds of views about the key issues that copyright law should address (rather than groups of statements that individuals tend to identify with).

The data were entered by hand into an excel spreadsheet, converted into a PQmethod .DAT file and uploaded for analysis through the open source KenQ programme (see: [shawnbanasick.github.io/ken-q-analysis/#section1](https://shawnbanasick.github.io/ken-q-analysis/#section1)).

### Pre-event Q-sort

In the pre-event Q-sort, the scree plot showed a clear inversion after 3 factors (see figure 1), but the explained variance and the fact that all factors had Eigenvalues greater than 1 (table 4) suggested that it would be worth including up to five factors for the rotated matrix. After rotation, including a fifth factor explained 6% of the additional variance, but resulted in there being relatively few distinguishing statements for two of the five factors. Four factors still explained 53% of the variance and improved the clarity between factors, and so four were selected for the rotation and final analysis. Varimax rotation was applied, and table 5 shows the respondent count and explained variance for each factor. Correlations between the factors were low to moderate, with the highest correlations between factors 1, 3, and 4 (table 6).

Q-sorts for each factor are shown in appendix 5, and their distinguishing statements and a brief description are listed in the tables below. The sorts give an indication of the types of worlds that each group of respondents draws on for their justification of copyright, and we discuss these patterns in the concluding part of this section.

*Table 4: Unrotated factors, eigenvalues and explained variance*

Unrotated Factor	1	2	3	4	5
Eigenvalue	16.51	6.73	3.89	3.45	3.21
Explained variance (%)	28	12	7	6	6

*Table 5: Respondents and explained variance, rotated factors (pre-event)*

	Factor 1	Factor 2	Factor 3	Factor 4
Respondents	19	13	8	8
Explained variance (%)	19	15	9	10

*Table 6: Correlation matrix, rotated factors (pre-event)*

	Factor 1	Factor 2	Factor 3	Factor 4
Factor 1	1	0.3025	0.4949	0.4602
Factor 2	0.3025	1	0.0932	0.1328
Factor 3	0.4949	0.0932	1	0.3549
Factor 4	0.4602	0.1328	0.3549	1

#### *Factor 1: Complexity vs balance*

Factor 1 accounted for the highest variance in the sample (19%) and had the highest number of respondents loading onto it. The respondents, who may be called *satisfiers*, tended to attach less importance than others to the complexities of copyright implementation and infringement; distinguishing statements indicating ‘grey’ areas of practice and complex realities were placed at the negative end of the rating spectrum. In contrast, distinguishing statements at the high end of the scale suggested they thought the priority for copyright law was to balance the interests of various parties interested in copyright, those using work for non-commercial use, authors and industries. They attached greater worth to both market-related statements and to statements connected with the public interest, and as such reflect a hybrid world that combines both market and civic orders of worth.

Table 7: Factor 1: Complexity vs balance

Statement	Q-Sort location	Z-score	Sig (P < .05 : (*) indicates P < .01)
Copyright law needs to benefit everyone.	4	1.67	*
Exceptions to copyright should be non-commercial	2	0.9	*
Financial rewards for individual authors are not always evenly distributed.	2	0.68	
Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	1	0.21	*
Users are morally obliged to pay for the creative work they enjoy.	-1	-0.29	
Corporations have other ways of protecting their work than enforcing copyright.	-2	-1.09	
Copyright infringement takes a wide variety of forms.	-3	-1.23	*
Copyright infringement doesn't always harm the rights holder.	-3	-1.23	*
Copyright infringement isn't always intentional.	-4	-1.46	*
Sometimes, having someone copy or share your work illegally can have positive consequences.	-5	-1.6	*

*Factor 2: Moral principles vs public domain*

This second factor accounted for a further 15% of the variance in the sample, and 13 respondents, who may be called *public champions*. The distinguishing statements suggested that respondents loading onto this factor de-prioritised moral positions associated with the (mis)use of copyrighted work. They attached the most importance to protecting the public domain; statements reflecting the prevalence of sharing and copying, entitlement to access, and positioning copyright among other rights, were all rated towards the higher end of the scale. The clear emphasis on collective access, welfare and rights suggests that this group of respondents uses the order of worth associated with the civic world.

Table 8: Factor 2: Moral principles vs public domain

Statement	Q-Sort location	Z-score	Sig (P < .05 : (*) indicates P < .01)
The public have the right to access creative work without always having to pay for it.	4	1.79	*

Sharing and copying is the basis for learning and for spreading knowledge.	4	1.65	*
People want to share copyrighted work that they have bought (e.g. DVDs, books) with whomever they like.	2	0.78	*
Sharing and copying are a normal part of everyday life.	2	0.57	
Individual authors are entitled to be rewarded financially for their work.	2	0.56	*
Copyright is not more important than other fundamental rights.	1	0.48	*
Sometimes, having someone copy or share your work illegally can have positive consequences.	1	0.15	
Corporations have other ways of protecting their work than enforcing copyright.	-2	-0.69	
People use copyrighted work illegally, and make money from it.	-3	-1.09	*
Sharing and copying work without permission is like stealing.	-4	-1.42	*
Users are morally obliged to pay for the creative work they enjoy.	-4	-1.7	*
Sharing and copying work without paying for it is like stealing.	-5	-2.24	*

*Factor 3: Public domain vs commercial interest*

The eight respondents loading onto this factor may be called *market realists*. They tended to polarise the public domain and commercial interests. Distinguishing statements at the higher end of the scale emphasised the need for copyright law to protect the commercial interests of industries and authors, and those reflecting the public domain (sharing / copying and access) were placed at the lower end of the spectrum. This factor accounted for 9% of the total variance in the sample. In contrast to the previous factor, this group of respondents places greater importance on statements associated with rights based on market status (producer, consumer, author), and so are likely to be using an order of worth associated with the market world.

*Table 9: Factor 3: Public domain vs commercial interest*

Statement	Q-Sort location	Z-score	Sig (P < .05 : (*) indicates P < .01)
Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	4	1.36	*

Financial rewards for individual authors are not always evenly distributed.	3	1.2	
Corporations have other ways of protecting their work than enforcing copyright.	2	0.39	*
Sometimes, having someone copy or share your work illegally can have positive consequences.	-2	-0.78	*
The public have the right to access creative work without always having to pay for it.	-2	-0.87	
Sharing and copying is the basis for learning and for spreading knowledge.	-4	-1.24	*
Copyright law needs to benefit everyone.	-5	-1.88	*

#### *Factor 4: Complex practices vs moral principles*

The final factor accounted for 10% of the variance, and eight respondents. Respondents loading onto this fourth factor might be termed *moral activists*. They felt that the law should pay less attention to the complexity of copyright in practice, and instead reflect moral principles. Distinguishing statements reflecting moral fundamentals (stealing, illegality) were rated highly, while common objections to enforcement were rated at the negative end of the spectrum. This factor is grounded in neither market nor civic orders of worth, but instead calls upon the principles associated with the domestic world, where higher values attached to trustworthiness and individual reputation. The realities of copyright implementation are less important than the absolute principles that this group feels should be incorporated into copyright law.

*Table 10: Factor 4: Complex practices vs moral principles*

Statement	Q-Sort location	Z-score	Sig (P < .05 : (*)) indicates P < .01)
People use copyrighted work illegally, and make money from it.	4	1.55	*
Sharing and copying work without permission is like stealing.	3	1.09	*
Sharing and copying work without paying for it is like stealing.	2	0.74	*
Sometimes, having someone copy or share your work illegally can have positive consequences.	2	0.69	

Sharing and copying are a normal part of everyday life.	0	0.09	
Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.	0	0.01	
The interests of individual authors and the public should be prioritised, given that corporations already make a lot of money.	-1	-0.57	*
It is sometimes difficult or impossible to get permission to use copyrighted work.	-2	-0.67	*
Sometimes, intermediaries (e.g. Google, YouTube, Internet Service Providers) take down copyrighted material without investigating whether it's necessary.	-4	-1.29	*
Corporations have other ways of protecting their work than enforcing copyright.	-4	-1.73	*

#### Post-event Q-sort

For the post-event Q-sort, the scree plot showed a clear inversion after 2 factors, suggesting that the participants had consolidated around a narrower range of positions. The explained variance and high eigenvalues (table 11) suggested that it would be worth including up to four factors for the rotated matrix, but after rotation a fourth factor explained only 1% of the additional variance. Therefore, three factors were chosen for the rotation and final analysis. Table 12 shows the respondent count and explained variance for each factor. Correlations between the factors were low to moderate (table 13).

*Table 11: Unrotated post-event factors, eigenvalues and explained variance*

Unrotated Factor	1	2	3	4
Eigenvalue	14.94	4.40	3.77	3.11
Explained variance (%)	30	9	8	6

*Table 12: Respondents and explained variance, rotated factors (post-event)*

	Factor 1a	Factor 2a	Factor 3a
Respondents	19	11	12
Explained variance (%)	20	14	13

*Table 13: Correlation matrix, rotated factors (post-event)*

	<b>Factor 1a</b>	<b>Factor 2a</b>	<b>Factor 3a</b>
<b>Factor 1a</b>	1	0.4403	0.3645
<b>Factor 2a</b>	0.4403	1	0.3895
<b>Factor 3a</b>	0.3645	0.3895	1

Q-sorts for each factor are shown in appendix 4, and their distinguishing statements and a brief description are given below.

*Factor 1a: Morality / complexity vs public domain*

Factor 1a accounted for the highest variance in the sample (20%) and had the highest number of respondents loading onto it (19). The respondents reflect the *public champions* identified in the pre-event Q-sorts; they placed a heavier emphasis than other respondents on copyright law needing to protect the public domain, facilitating access and sharing activities. However, their views also reflect elements of the inspired world: the rights of individual authors to a return on their creativity are given higher importance compared to other respondents' ratings. The morality of infringement was rated as the least important consideration for lawmakers, while the interests of rights holders, and the potential damage they suffer from infringement, were viewed neutrally. These respondents primarily adhered to the values and order of worth associated with the civic world as the basis for copyright law. Market principles (the right to financial reward) were only invoked in the context of the inspired world logic; in themselves, they were viewed neutrally. These respondents were also less concerned with individual morality (associated with the domestic world).

*Table 14: Factor 1a: Morality / complexity vs public domain*

<b>Statement</b>	<b>Q-Sort location</b>	<b>Z-score</b>	<b>Sig (P &lt; .05 : (*) indicates P &lt; .01)</b>
The interests of individual authors and the public should be prioritised, given that corporations already make a lot of money.	4	1.61	*
Individual authors are entitled to be rewarded financially for their work.	4	1.61	*
Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.	3	1.17	
The public have the right to access creative work without always having to pay for it.	3	1.14	*

Copyright law needs to benefit everyone.	2	0.89	*
Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.	1	0.58	*
People want to share copyrighted work that they have bought (e.g. DVDs, books) with whomever they like.	1	0.41	*
Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	0	-0.43	*
Copyright infringement doesn't always harm the rights holder.	-1	-0.52	
Sometimes, having someone copy or share your work illegally can have positive consequences.	-1	-0.53	*
Copyright infringement takes a wide variety of forms.	-2	-0.69	
Sometimes, intermediaries (e.g. Google, YouTube, Internet Service Providers) take down copyrighted material without investigating whether it's necessary.	-2	-0.78	*
Users are morally obliged to pay for the creative work they enjoy.	-4	-1.33	*
Sharing and copying work without permission is like stealing.	-4	-1.6	*
Sharing and copying work without paying for it is like stealing.	-5	-1.71	*

#### *Factor 2a: Public domain vs balanced commerce*

This factor accounted for 14% of the variance in the sample and had 11 respondents loading onto it.

The respondents may be termed *equivocal commercialists*; they gave higher ratings than other respondents to statements that reflected the need for copyright law to be non-partisan yet facilitate a return for creative industries; to recognise that some infringement generates money, while some may be a result of exceptions being unclear; and that enforcement may not always be justified.

Statements reflecting the variable form and impact of infringement, and the public domain, were rated as less important by this group than by other respondents. The equivocal nature of their statement allocations suggests a hybrid world trying to balance the priorities of the market (profit and legal commerce) with the rights of the public. No statements associated with morality distinguished this factor, so we can argue that it is a hybrid of the market and civic orders of worth.

Table 15: Factor 2a: Public domain vs balanced commerce

Statement	Q-Sort location	Z-score	Sig (P < .05 : (*) indicates P < .01)
Copyright law needs to benefit everyone.	4	1.42	*
Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	3	1.26	*
Exceptions to copyright are not always clear and easily understandable	2	0.63	*
People use copyrighted work illegally, and make money from it.	1	0.17	*
Sometimes, intermediaries (e.g. Google, YouTube, Internet Service Providers) take down copyrighted material without investigating whether it's necessary.	0	0.12	*
Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.	0	0.07	
People want to share copyrighted work that they have bought (e.g. DVDs, books) with whomever they like.	-1	-0.34	*
Copyright infringement doesn't always harm the rights holder.	-3	-1.15	*
Copyright infringement takes a wide variety of forms.	-3	-1.16	
The public have the right to access creative work without always having to pay for it.	-4	-1.19	*
Sharing and copying is the basis for learning and for spreading knowledge.	-4	-1.3	*
Sometimes, having someone copy or share your work illegally can have positive consequences.	-5	-1.91	*

### Factor 3a: Challenging power

The pattern of distinguishing statements for factor 3a was the most mixed of all the factors. The factor accounted for 13% of the variance and 12 respondents, who we might name *copyright challengers*. The distinguishing statements rated more highly by this group than others included those that positioned copyright in the context of other rights, reflected users' weaker position vis-à-vis corporations, and challenged the blanket view that infringement is always bad. The distinguishing statements rated as less important also challenged industry perspectives, even though they were not regarded as essential for lawmakers to consider. These included the potential for user behaviour to challenge existing thinking about copyright, the uneven distribution of financial rewards, and the

possible injustice of enforcement. Thus, respondents loading onto this factor are arguably distinctly averse to copyright justifications based on the market, and instead focus on grey areas of practice that support the rights and agency of users. These values align with the civic world, but emphasise different aspects of the order of worth to factor 1a: the focus is on justifying individual practices that have variable intentions and outcomes, rather than access and sharing. In this sense, the factor focuses on the practicalities of what happens to copyrighted work once it is in the ‘public domain’, rather than the process of getting it there in the first place.

*Table 16: Factor 3a: Challenging power*

Statement	Q-Sort location	Z-score	Sig (P < .05 : (*) indicates P < .01)
Copyright is not more important than other fundamental rights.	4	1.03	*
It is hard for individuals to defend themselves against accusations of copyright infringement.	3	0.85	*
Copyright infringement takes a wide variety of forms.	1	0.52	*
Copyright infringement isn't always intentional.	1	0.37	*
Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	1	0.3	*
Copyright law needs to benefit everyone.	0	0.26	*
Sometimes, having someone copy or share your work illegally can have positive consequences.	0	0.14	*
The public have the right to access creative work without always having to pay for it.	0	-0.08	*
Copyright infringement doesn't always harm the rights holder.	0	-0.11	
Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.	-1	-0.4	
Financial rewards for individual authors are not always evenly distributed.	-2	-0.64	*
Day to day habits of users might challenge how industries and authors think about copyright.	-2	-0.81	*
Exceptions to copyright should be non-commercial	-4	-1.31	*
People want to share copyrighted work that they have bought (e.g. DVDs, books) with whomever they like.	-4	-1.64	*

Sometimes, intermediaries (e.g. Google, YouTube, Internet Service Providers) take down copyrighted material without investigating whether it's necessary.	-5	-1.84	*
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### Summary of Q-sort results

The Q-sorts demonstrated that respondents do cluster around different perspectives when considering copyright, and make use of different systems of justice when assessing the validity of copyright, its implementation and enforcement. The main orders invoked relate to the market and civic worlds, although the domestic and inspired worlds are called on to a lesser extent. Pre-event sorts suggested that there was a division between respondents who drew on the market, civic and domestic worlds for their evaluations. However, the deliberative event clearly created a shift in groupings. The notion of balance which characterised the strongest factor in the pre-event sort was much less prominent, and explicit expressions of morality were also less visible. Instead, the market and civic worlds dominated the groupings, perhaps reflecting highly visible and frequently opposed aspects of copyright debates - corporate interests vs public access - that the participants would have come across through the event. Further, the distinguishing statements associated with the factors in the post-event Q-sort suggested a more consolidated focus on the civic world: two out of three factors (1a, 3a) strongly emphasised the civic order of worth, while the third (factor 2a) was a hybrid between the market and civic orders of worth. One explanatory factor for this may be that, while the 'voice' of the market was represented in the expert summaries and news stories that the participants used in their discussions, there was no corporate representative present at the event to provide justifications and evidence for the market approach to copyright. If someone had attended, the emphasis on the civic world may not have been as strong as it is in these results. The results reflect the survey results (see below), where on average, respondents rated the public domain as more important to copyright, and where there seemed to be a perception that currently, corporations were both favoured by, and the main beneficiaries of, copyright law.

### **C. Survey results**

Eighty-four pre- and post-event surveys were completed. Responses were analysed in SPSS using a range of statistical techniques (basic descriptives, independent and paired t-tests, one-way ANOVA, and marginal homogeneity tests). Only significant changes, or non-significant but strong effects, are noted in the analysis presented here.

Relatively few significant differences were found for the independent variables listed in table 2 (gender, age, ethnicity, SEC, creative worker and creative hobbyist) and no clear pattern of their effects emerged across either of the surveys. Significant differences in the first survey did not always carry through into the second, suggesting that the deliberative exercise did produce some movements in opinion that varied across groups, though not necessarily in predictable ways. Tests were carried out using independent t-tests for binomial variables (gender, creative workers and hobbyists) and one-way ANOVA for multinomial variables (age, SEC and ethnicity). For the latter, some sub-group sizes were too small to make any valid statistical claims about mean differences, but clear tendencies in the data are described wherever possible. The sample size was not large enough to test for interaction effects, so the results reported here should be viewed as indicative of trends among the participants, as well as an indication that further research of this type, with larger samples, is merited.

Some questions attracted particularly high levels of 'don't know' responses, and are noted in the analysis. The level of 'don't know' responses was particularly important, since we anticipated that for these people in particular, engaging in deliberation should mean they felt more able to commit to a response in the post-event survey and the number of 'don't know' responses would therefore decrease.

#### Section 1: General questions about copyright

This section was designed to elicit participants' general understanding of copyright. Questions addressed participants' overall understanding of the purpose and importance of copyright, the nature of infringement and the benefits of copyright to different groups (see appendix 3).

The pre-event survey showed that most participants came to the event feeling they had an average general understanding of copyright ( $M=3.00$ ,  $SD=0.89$ ) and of the kinds of activities that might infringe copyright law ( $M=3.89$ ,  $SD=1.03$ ). Creative workers and hobbyists both understood infringement to a significantly greater extent than other participants ( $t(80)=1.20$ ,  $p=<0.05$  and  $t(80)=2.74$ ,  $p=<0.05$ , respectively). In the post-event survey, the general understanding of copyright improved significantly ( $M=3.89$ ,  $SE=0.12$ ),  $t(69)=-8.29$ ,  $p=<0.05$ ,  $r=0.71$ , as did the understanding of infringement ( $M = 3.93$ ,  $SE = 0.8$ ),  $t(80)=-7.71$ ,  $p=<0.05$ ,  $r=0.65$ . Significant differences for hobbyists disappeared post-event, but creative workers' understanding of infringement remained significantly higher than non-creative workers ( $t(79)=2.77$ ,  $p=<0.05$ ), and a significant difference also emerged between them and other respondents in relation to their overall understanding of copyright ( $t(68)=2.10$ ,  $p=<0.05$ ).

Pre-event, respondents rated highly copyright's importance to innovation and creativity ( $M=3.78$ ,  $SD=1.15$ ), to the survival of the creative industries ( $M=4.23$ ,  $SD=0.85$ ), and as a way of rewarding creators for their work ( $M=4.29$ ,  $SD=0.96$ ). It was rated as less important for ensuring creative work circulated freely in public ( $M=3.38$ ,  $SD=1.32$ ). Post-event, there was a small but significant increase in the ratings of copyright's importance to innovation and creativity ( $M = 4.16$ ,  $SE = 0.12$ ),  $t(72)=-2.85$ ,  $p=<0.05$ ,  $r=0.32$ ).

Before the event, a majority of respondents felt that beneficiaries of copyright were corporations ( $N=82$ , 49%)<sup>3</sup> or creators (32%) and that copyright favoured rights holders ( $N=84$ , 48%) and creators (14%). However, for both questions a high number of 'don't know' responses were registered (11(13%) and 22(26%), respectively). In the post-event survey, there was a significant increase in respondents feeling that corporations are the beneficiaries of copyright ( $N=78$ , 84%,  $MH(71)=4.13$ ,  $p=<0.05$ ), and a strong, but non-significant shift towards seeing rights holders as those most favoured by copyright law ( $N=82$ , 78%). Post-event, Black/Black British respondents rated copyright's importance to innovation and as a way of rewarding authors more highly than other respondents ( $F(79)=3.77$ ,  $p=<0.05$  and  $F(79)=5.28$ ,  $p=<0.05$ ). 'Don't know' responses to these questions reduced to 1 and 2, respectively, indicating that participants felt more informed about the issue following the deliberative process. However, it is worth noting that these shifts in opinion may not have been so clear-cut if the event had included a representative from industry.

### Section 2: Copyright duration

In this section, respondents were asked their opinion of the length of the standard copyright term, whether the duration should be changed, and about different factors that should be considered when determining duration.

On average, responses rated the standard duration (lifetime plus 70 years) as too long ( $N= 84$ ,  $M=1.85$ ,  $SD=0.94$ ), and there was no significant change to this following the event. SEC classification significantly affected opinions about the length of the copyright term ( $F(60)=5.56$ ,  $p=<0.01$ ): higher SEC groups were more likely to rate it as too long.

Responses to questions about changing the term for specific purposes suggested a conflict between the need to reduce the duration of copyright in order to promote creativity ( $M=1.89$ ,  $SD=0.79$ ), and expand the public domain ( $M=1.83$ ,  $SD=1.00$ ), and increasing or maintaining duration in order to

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<sup>3</sup> Where N is reported, it reflects the fact that not all questions were answered by the same number of people, so the population for each question differs slightly.

protect authors' rights ( $M=2.20$ ,  $SD=0.67$ ). All the questions relating to judgements of the length of the term attracted a high level of 'don't know' responses (30%) in the pre-event survey. The post-event survey data showed a moderate but significant shift towards reducing the length of terms in order to promote creativity ( $M=1.60$ ,  $SE=0.11$ ),  $t(46)=2.25$ ,  $p=<0.05$ ,  $r=0.32$ , and to protect authors' rights ( $M=1.82$ ,  $SE=0.10$ ),  $t(49)=3.10$ ,  $p=<0.05$ ,  $r=0.41$ . The 'don't know' responses reduced to a maximum of 5% of respondents per question.

Before the event, the factors that respondents felt were most important when it came to deciding how long copyright should last were whether an author could be identified or not ( $M=3.81$ ,  $SD=1.26$ ), how long the author lived ( $M=3.46$ ,  $SD=1.40$ ), who would benefit from the copyright ( $M=3.83$ ,  $SD=1.16$ ), and whether the use of the work is for commercial or private purposes ( $M=4.10$ ,  $SD=1.00$ ). How much the work cost was less important ( $M=3.06$ ,  $SD=1.41$ ). For these questions, 'don't know' responses were between 7 and 11% per question. Post event, there was no significant difference in the ratings of different factors' importance to deciding copyright duration, but 'don't know' responses reduced to between 3 and 7%.

In the pre-event survey, people aged 45-54 rated the importance of how long the author lives as significantly more important to decisions about the duration of copyright, as compared to other age groups ( $F(73)=2.836$ ,  $p=<0.05$ ), while hobbyists rated the criteria of who benefits significantly lower than non-hobbyists ( $M=3.63$ ,  $SD=1.21$ ),  $t(73)=-2.26$ ,  $p=<0.05$ ,  $r=0.26$ . In the post-event survey, the previous age-related difference disappeared, but other factors relating to decisions about copyright duration were significantly affected by age: how important the cost of a creative work was ( $F(74)=3.16$ ,  $p=<0.05$ ), who benefited ( $F(74)=3.75$ ,  $p=<0.05$ ), and whether the use of the work was for commercial or private purposes, ( $F(78)=3.66$ ,  $p=<0.05$ ). Post-event, Black and Asian respondents rated the importance of the cost of a work to decisions about duration as significantly more important than other respondents ( $F(74)=6.21$ ,  $p=<0.05$ ).

### Section 3: Copyright permissions and exceptions

In this section, respondents were asked a general question about the opinion of the range of current exceptions, and the importance of different factors when deciding on exceptions. It was in this section that respondents felt their lack of knowledge most acutely: in the pre-event survey, 'don't know' responses accounted for 59% of the answers to the question of whether current exceptions were too extensive or not. Of the remaining responses, most felt that exceptions were not extensive enough ( $N= 32$ ,  $M=2.38$ ,  $SD=0.86$ ). Post-event, there was no significant change in ratings for the

general question among the paired sample ( $N=28$ ). However, the number of ‘don’t know’ responses reduced to 9%, suggesting that deliberation had helped respondents form an opinion about this complex area. The new mean shifted slightly towards the upper end of the scale (too extensive) ( $N=74$ ,  $M=2.46$ ,  $SD=0.58$ ).

In the pre-event survey, no factors had outstanding importance for deciding on exceptions; all were rated highly. However, the most important were protecting rights holders ( $M=4.33$ ,  $SD=1.00$ ), and promoting creativity ( $M=4.12$ ,  $SD=1.05$ ). Expanding the public domain was rated as least important among the factors listed ( $M=3.83$ ,  $SD=1.10$ ). Men rated the importance of expanding the public domain as a criteria for copyright exceptions significantly higher than women ( $t(64)=-2.07$ ,  $p=<0.05$ ). For these questions, ‘don’t know’ responses remained high (although not as extreme as for the general question), at between 12 and 18% per question. Post-event, the only significant (though moderate) effect on the ratings was for expanding the public domain, which increased in importance ( $M=4.29$ ,  $SE=0.13$ ),  $t(62)=-2.80$ ,  $p=<0.05$ ,  $r=0.33$ . The gender difference shifted, such that women rated the importance of protecting authors’ rights and whether the created work is new or largely copied as significantly more important to deciding exceptions than men ( $t(73)=2.36$ ,  $p=<0.05$ ;  $t(72)=2.16$ ,  $p=<0.05$ , respectively). Don’t know responses reduced to between 3-4% per question.

In the post-event survey, SEC had a significant effect on ratings of the importance of whether a created work is new or largely copied to deciding copyright exceptions ( $F(74)=3.75$ ,  $p=<0.05$ ), and a significant difference also emerged for ethnicity, where non-black respondents more frequently rated copyright exceptions as too limited, compared to Black respondents ( $F(72)=5.36$ ,  $p=<0.05$ ).

#### Section 4: Copyright enforcement and penalties

In this section of the questionnaire, respondents were asked their opinion about whether the range of options for enforcing copyright was too broad or too limited, and then about the reasonableness and effectiveness of different modes of enforcing copyright<sup>4</sup>. Pre-event, ‘don’t know’ responses accounted for 51% of the answers to the question of whether current enforcement options were broad enough, too broad or too limited. Of the remaining responses, on average respondents felt that options were too limited ( $N=32$ ,  $M=1.66$ ,  $SD=0.75$ ). In the post-event survey, there was no change in these ratings among respondents who had given an opinion in the first survey ( $N=32$ ).

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<sup>4</sup> The first overarching question in this section asked respondents to assess whether the standard penalty for infringement was too long, too short or about right. However, in the question the example term was given as maximum imprisonment of ten years. This only relates to commercial infringement, and likely misled many respondents. Consequently, the responses to this question are not reported in the analysis.

However, the number of ‘don’t know’ responses reduced to 7%, and the new mean shifted more towards the lower of the scale (range is too limited) ( $N=72$ ,  $M=1.44$ ,  $SD=0.58$ ).

The overall pattern of responses in the pre-event survey showed clear support for educational modes of enforcement. The highest reasonableness ratings were given for changing the way people think about copyright’s role ( $M=4.15$ ,  $SD=1.05$ ) and importance ( $M=4.23$ ,  $SD=0.93$ ), as well as educating them about the law ( $M=4.45$ ,  $SD=0.83$ ) in order to reduce infringement. More cautious support was found for using technology to track ( $M=3.12$ ,  $SD=1.33$ ), and prevent infringement ( $M=3.39$ ,  $SD=1.25$ ), and asking intermediaries to intervene with users ( $M=3.45$ ,  $SD=1.43$ ). Blocking content and increasing penalties attracted the least support ( $M=2.84$ ,  $SD=1.39$  and  $M=2.96$ ,  $SD=1.27$ , respectively). Following the event, only two significant differences were found. A small effect was found on ratings for the reasonableness of blocking content, which increased ( $M=3.18$ ,  $SE=0.16$ ),  $t(72)=-2.3$ ,  $p=<0.05$ ,  $r=0.26$ ; and a moderate effect was found for increasing penalties, which met with significantly less approval on average ( $M=2.54$ ,  $SE=0.16$ ),  $t(70)=-2.70$ ,  $p=<0.05$ ,  $r=0.30$ . Two significant effects were also found for effectiveness, relating to educational, rather than punitive measures. A small but significant effect was found for ratings of educating people about the role and importance of copyright, which increased ( $M=3.59$ ,  $SE=0.14$ ),  $t(67)=-2.30$ ,  $p=<0.05$ ,  $r=0.27$ ; and a moderate and significant effect was found for educating people about infringement ( $M=3.87$ ,  $SE=0.16$ ),  $t(67)=-3.32$ ,  $p=<0.05$ ,  $r=0.38$ .

Pre-event, effectiveness ratings were almost all lower than reasonableness ratings, particularly in the case of educational measures, suggesting that respondents felt that there may be barriers to effective copyright enforcement regardless of the tools used. Only blocking content bucked this trend, with a higher mean rating for effectiveness ( $M=3.10$ ,  $SD=1.37$ ) than for reasonableness. Before the event, for questions on reasonableness, ‘don’t know’ responses were between 7 and 12% per question. For questions on effectiveness, the rate was between 13 and 18% per question. Post-event, don’t know responses for reasonableness questions reduced to between 2-4% per question; for effectiveness questions the rate was between 3 and 10%.

Gender had some important effects on responses in this area. In the pre-event survey, women rated using technology to prevent infringement as both more reasonable and more effective than men ( $t(72)=2.38$ ,  $p=<0.05$ ) and  $t(69)=2.55$ ,  $p=<0.05$ , respectively), and also rated increasing penalties as more reasonable and more effective than men ( $t(70)=2.00$ ,  $p=<0.05$ ) and  $t(67)=2.20$ ,  $p=<0.05$ ).

Women also ranked the reasonableness of educating people about the role of copyright higher than men ( $t(71)=2.10$ ,  $p=<0.05$ ).

After the event, some of the differences remained. Women continued to rate the reasonableness of educating people about the importance of copyright to prevent infringement, blocking content and using technology to prevent infringement, more highly than men. In addition, they rated using technology to track infringement significantly higher than men ( $t(77)=2.13$ ,  $p=<0.05$  and  $t(76)=2.79$ ,  $p=<0.05$ , respectively). They were also significantly more likely to say the law does not need to change ( $t(73)=2.01$ ,  $p=<0.05$ ).

In the pre-event survey, the reasonableness of asking intermediaries to intervene to prevent infringement covaried with age ( $F(72)=4.096$ ,  $p=<0.05$ ). Creative workers also felt significantly more strongly than other participants that the commercial or private use of a work should be factored into decisions about copyright infringement ( $t(71)=2.88$ ,  $p=<0.05$ ) and rated the reasonableness of educating people about infringement significantly higher than other participants ( $t(56)=2.20$ ,  $p=<0.05$ ). However, all these differences disappeared in the post-event survey results.

### Section 5: Copyright futures

In this section, respondents were asked to say whether they felt copyright law should change, whether they were aware of alternatives to copyright, and whether they felt digital technologies changed the definition of fair use in copyright law.

Pre-event, on average, respondents felt the law needed to change in some areas ( $M=2.13$ ,  $SD=0.39$ ), although 33% answered ‘don’t know’. 73% of respondents did not know of any of the alternatives to copyright, and an additional 19% knew alternatives existed but did not know exactly what they were. Finally, 73% of respondents said they felt the changes brought by digital technologies would require some change, or fundamental change, to the definition of fair use in copyright law.

Post-event, there was no significant change in ratings for the question of whether the law should change among the paired sample. However, the number of ‘don’t know’ responses reduced to 1%, and the new mean shifted more towards the lower end of the scale ( $N=72$ ,  $M=1.44$ ,  $SD=0.58$ ). There was a significant increase in the number of people saying they were aware of alternatives and knew what they were (from 5 to 30% of the sample) ( $MH(80)=4.67$ ,  $p=<0.01$ ). No significant difference was found in people’s views of the impact of digital technologies on the definition of fair use.

### Summary of survey results

The survey results show that engaging in informed discussions about copyright did help respondents to develop their knowledge about the area: the levels of 'don't know' responses reduced for all questions in the second survey, sometimes to a very large extent, and people responded significantly more positively to questions about their understanding of the purpose of copyright, the nature of infringement and their awareness of alternatives to copyright. In both before and after surveys, 'don't know' responses were highest for those questions that required some knowledge of how copyright works in practice (e.g., changing duration for specific purposes and range of enforcement options), suggesting that while respondents do have opinions about copyright, they are aware of their limited knowledge and reluctant to pass judgement when they do not feel qualified to do so.

The responses showed that generally, people's positions on the overarching questions in each section did not change following the event. On average, respondents felt the copyright term was too long, that exceptions were too limited, and that enforcement options were too limited. Correspondingly, they also felt that copyright law needed to change somewhat, and that changing norms prompted by digital technologies would justify some adjustment to the definition of fair use used in the law.

Some change did emerge in more specific questions. There was a hardening of the belief that corporates were the main beneficiaries of copyright and that copyright law favoured them. The role of copyright as a means of facilitating public access was not recognised to the same extent, either before or after the event. The inherent conflict between the need for copyright to protect authors' rights, yet promote creativity / expand the public domain, was evident in the responses to questions about duration. Respondents recognised the fact that a longer duration would favour authors, while shorter terms would benefit creativity and the public interest. However, in the second survey there was a shift towards favouring a shorter duration overall, even in the case of protecting authors' rights. Across both surveys, considerations of authorship, mode of use and beneficiaries were perceived as important factors for deciding duration, while commercial issues such as the cost of work were perceived as less important.

Perhaps surprisingly, the most important factors for deciding on exceptions were related to corporate interests - protecting rightsholders' interests - while expanding the public domain was the least important. Even though all the listed factors were rated at the higher end of the scale, the finding is somewhat counter-intuitive given the pattern of other results. However, more importance was attributed to the public domain in the second survey, suggesting that perhaps the wider purpose of copyright exceptions was clarified through the discussions at the event.

When it came to enforcement, responses across both surveys showed a clear preference for educational, rather than punitive modes of enforcement. Changing the way people think about the role and importance of copyright, and improving their knowledge about copyright law, were all perceived as the most reasonable measures for enforcement, on average. Some more publicly contested measures also received cautious support from this group of respondents (notably the use of technology and intervention of intermediaries to track and prevent infringement). Punishing infringement (e.g. by blocking content or increasing penalties) was less popular, and increasing penalties became significantly less popular following the event. When it came to effectiveness, however, responses showed that respondents were aware of the challenges to enforcement in the current environment: in the first survey, effectiveness ratings were relatively low for all approaches to enforcement. Blocking content was perceived as more effective than reasonable, but its average rating was still low. However, in the second survey all educational measures were perceived as significantly more effective on average, perhaps because of the effect that the event had had on the respondents' own attitude to copyright.

Finally, while no clear pattern emerged for any of the independent variable analyses, some significant differences did emerge for gender, age, ethnicity, SEC and engagement with creative work. One limitation of the survey format is that the reasons for these differences are not identified, but further analysis of the table discussions may provide some useful insights to enhance our understanding. In many cases, differences that existed in the pre-event survey disappeared in the post-event survey, suggesting a convergence of views can be one result of engaging in deliberation. The influence of the independent variables suggests that including people from diverse backgrounds in deliberative exercises about copyright is important, since their views and experiences of copyright may diverge significantly and their opinions may be affected differently by deliberative processes. Ensuring diversity is adequately incorporated into the design of future consultations, as well as in research studies, will be essential, so that any differences can be identified and the reasons for them explored in greater detail. In addition, samples should be large enough to identify any significant interactions between independent variables.

## **D. Informal Feedback**

Deliberation should prompt reflective and inclusive engagement with a topic, and allow participants to develop more in-depth knowledge of the topic being discussed, so that their opinions about it are better informed. In addition, in this project we wanted to understand how members of the public might engage with the complex topic of copyright, given that many studies ignore their potential to contribute to the debate. Informal feedback was gathered at the end of the event by asking

participants to anonymously note down any comments or reflections they wanted to make about their experience and leave them on a table at the front of the room on their departure.

The feedback included both general reflection on the discussions that had taken place and their relevance to the participants' own lives, as the following comments illustrate.

*"Interesting. My views did change for more freedom of use and letting go of ownership to some extent. As an artist, it is interesting to make the distinction between economic and intellectual property. The latter is much more important to me, as I see earning a living as separate. I had some awareness of how new technology has changed how copyright is legislated – but I have learnt more."*

*"It sparked more awareness in what copyright effects. I was pleased to hear that something used for training/education escapes the copyright laws as I do work as a trainer/facilitator and will check into the details of this."*

Other participants noted how their opinions about copyright had emerged as a result of the discussion, as well as questions that remained for them:

*"I realise now that I feel more strongly about copyright law than I thought I did. I also know that I am firmly in belief that the creator of any original piece of work – book, art, and a piece of music – should always maintain complete ownership. I understand too that to a degree, that it is hard to maintain complete originality these days as there are passages in books that are always going to resemble passages in other books. But complete ownership of an original work should remain with the creator, author, composer. I feel very strongly about that."*

*"Copyright should exist, but should allow freedom of expression. Exceptions should take into account how quickly the world of ideas now moves – things quickly become irrelevant (i.e. comedy in particular) – so a ban on a parody kills all its relevancy – which is ultimately momentary of its time. Perhaps 70 years is too long – after a creator's death. Perhaps allowances should be made as to whether a piece of work becomes posthumously popular, i.e. 70 years from hitting Best Seller proportions, but otherwise if work has earned its author megabucks during their lifetime, surely their descendants/inheritors already have benefits+investments from that work. Why 70 years more? Descendants are NOT necessarily entitled to intellectual property. Unless the work becomes fee-earning after author's death, they already benefit or not according to author's wishes."*

Others expressed the value they put on having the opportunity to find out more about a topic they recognised was important, but did not fully understand:

*"I have found being involved in public discussion enlightening and valuable. I arrived with no opinion and although I am not an expert now, I feel as though I have gained an opinion. I believe more discussions like this need to take place to ensure the public (youngsters in particular) are educated and more aware of the legalities/of sharing implications."*

Overall, the feedback was positive and provided support for the idea of involving the public in discussions about copyright that gave them the time, space and range of information to engage with the complexity of the issue. The comments suggested that participants had used the opportunity to actively listen and learn from others about copyright. They reflected on what they had heard in the

context of their own lives, and used it as a basis for developing opinions about how copyright policy was currently justified as well as how it might change.

## Conclusion

The purpose of the research project was to investigate how people would engage with a deliberative process about copyright, where they were given the time and space and a range of information to reflect on the complex issues it involves. The results showed that providing this kind of setting for diverse individuals to come together and talk about copyright was indeed productive. People valued the opportunity, and actively reflected on the information they were given as well as the contributions of others, in the process of forming their opinions. Moreover, their participation went beyond personal involvement, to consider how society as a whole should approach copyright.

Boltanski and Thévenot (2006[1991]) point out that the act of judgment demands the ability to ‘recognize the nature of a situation and adapt to it’ (p. 144). Since individuals can encounter and belong to many different systems of justice as they move through the world, they also need to be able to recognise those systems in order to adequately assess the claims that are made in a given situation. This ‘metaphysical thinking’ accompanies the ability to recognise ‘common humanity’ or ‘the human beings with whom agreement is to be reached as sharing a common human identity’ (Boltanski and Thévenot, 2006[1991]): 145). Our participants certainly demonstrated this type of thinking, engaging with discussions on the basis of their role as citizens and not only individuals.

In the context of this study, respondents’ perspectives consolidated in favour of copyright as a means of supporting the circulation of creative work, justified by discourses associated with the civic world. While the market was understood as an inevitable reality of modern life, its ability to balance the conflicting interests of corporates, creators and users was questioned in the discussions, particularly by challenging the corporate power that market structures tend to produce. This reluctance to embrace market priorities as a justification for copyright was also reflected in the survey and Q-sort responses, with the Q-sort results in particular showing a concern that lawmakers should accommodate and protect the public interest first and foremost, rather than being a tool that only resource-rich companies and individuals could use. These results suggest that currently, there may be a fundamental problem in the public perception of copyright law, that it is an industry tool, rather than something that operates in the public’s interest.

As we have noted throughout, one limitation of this study was that industry and artists’ voices were only represented indirectly, through news stories and presentations, and so the participants did not have the benefit of a direct response to their concerns from industry or creators. In future research of this kind, it will be essential that all relevant parties - activists, policymakers, industry and creators

- are equally engaged in a genuine dialogue with the public about their interests, motivations and justifications for their position on copyright. Critique is an essential part of the process of reaching agreement about difficult societal problems (Boltanski and Thévenot, 2006[1991]), and the concerns about corporate dominance and market priorities must therefore be addressed if we are to reach a sustainable compromise for copyright policy. If ignored, the opportunity for further justification and, ultimately, compromise, is lost.

In the final session, participants were asked to make suggestions for change, and here the fruits of their discussions produced informed critiques, suggestions and some solutions. One general conclusion was that much more education was required for the public to be able to understand copyright and avoid unknowing infringement. Suggestions for protecting the public interest included setting up a public body to advocate for the public and individual authors and perhaps pursue claims on their behalf, moving towards prioritising the moral right to recognition rather than economic rights of authors and rights holders, regularly reviewing exceptions, a register of authorship to make the process of asking permission easier, and making copyright law generally more flexible.

A few more radical participants suggested that copyright could be completely abandoned and that more fundamental change was essential - since if we had a law that was impossible to implement effectively, there seemed little point in having it at all. Others suggested copyright itself was too broad, too complex and needed to be made more specific as well as regularly reviewed in order to keep up with technological changes. In the context of penalties, others suggested that imprisonment was inappropriate - infringers are rarely a danger to society, so fines might be more appropriate and logical, if copyright is justified on an economic basis. Similarly, some participants suggested that if copyright could be equated with stealing, then penalties could align with those imposed for stealing. The range of ideas here illustrates the quality of participants' engagement, the possibilities for new thinking that engaging the public might facilitate and, we argue, represents a strong justification for finding ways to include them more extensively and more effectively in copyright debates and policymaking.

As we have suggested, agreement on copyright may be especially difficult to achieve, since the justificatory worlds people inhabit can be quite different from one another. Further analysis of the discussions from the groups participating in this event will enhance our understanding of the justifications used by participants and the discursive worlds they are connected to. By examining the dynamics of discussion, and exploring how shifts in views may have occurred, we can begin to establish the extent to which deliberation is able to negotiate the differences between justificatory

worlds, and bridge these gaps in practice, enabling interlocutors to come closer to an agreement or compromise.

Given the range and variety of insights delivered through this deliberative event, there is a clear case for conducting events of a similar nature in future. Deliberative events could be held in other parts of the UK or in other countries, and build on the experience of this project in other ways – for example, by representing the voices of industry and creative producers more fully than we were able to achieve. The deliberative principle that all relevant stakeholders with interests in copyright should be included in the deliberative process is a valuable one; having representatives from these groups in the room would ensure they can respond to critiques and justify their positions in ways that can help participants come to an informed opinion about copyright policy.

In summary, the quality, range and complexity of the debate we observed, and the results of the Q-sort and survey analyses, suggest that public engagement in copyright debates would be productive both in terms of developing a stronger basis for agreement as well as providing new ideas for how copyright might be conceptualised and implemented in practice. However, all parties involved, including policymakers and rightsholders, need to contribute to this discussion and justify their positions. Indeed, we could put the point more strongly: members of the public who live with(in) the copyright system and are expected to abide by it should be able to ask those who support the system to account for it and justify it to them. They have what the philosopher Rainer Forst (2004) calls a basic ‘right to justification’. ‘This right’, as Forst (2014: 2) defines it, ‘expresses the demand that there be no political and social relations of governance that cannot be adequately justified to those affected by them’. When this does not happen, the results of this exploratory study suggest that the public will use what evidence is available to draw some conclusions and form their opinions, even in the knowledge that they are partial and contingent. The result is a situation that cannot hold, where the cycle of critique and justification does not settle because the distance between the market and civic systems of justice invoked by different parties is too great. It may well be that, until this distance can be bridged, there will be continuing uncertainty about the future of copyright in its current form.

## **Appendix 1: Participants' recruitment and selection**

### **1.1 Sampling**

The format of this event was designed around the idea of the 21<sup>st</sup> century town hall meeting.

Accordingly, we sought to recruit a very diverse group of participants, representative of the general population of the UK in terms of age, ethnicity, gender and socio-economic class (SEC). We adopted a quota-sampling approach that involved selecting a fixed sample size from these strata. Our quotas for each sampling criterion were largely based on the 2015 data provided by the [Office for National Statistics](#).

It should be noted, however, that in this deliberative event we were not aiming for representative participation, but rather focusing on the degree to which different discourses that emerge in the deliberation are representative of (and possibly add to) the existing debates. In other words, we were particularly interested in including those people who do not usually get to have their say about how copyright works and how it might be changed. This required boosting quota for smaller and/or underrepresented groups, such as non-white ethnic groups or people who are 'not classified' under any SEC. Although in this sense the sample was not representative of the general population, a quota-sampling approach guaranteed that the views of all groups were represented.

Additionally, we sought to recruit a sufficient number of people representing the voice of the industry. According to the UK Department for Culture, Media and Sport (DCMS) in 2015, 5.6 per cent of the total UK jobs were in the creative industries ([DCMS, 2015](#)). In this case, we aimed for a higher quota, because people who work in the creative industries are most likely to be affected by copyright law.

Table 1 provides a detailed overview of sampling criteria and quotas as well as the actual post-event numbers. Initially we planned to recruit 100 participants. However, in the course of the recruitment process, this number was reduced to 90 to suit our budget and to ensure the quality and balance of our sample.

**Table 1** Sampling Criteria

Sampling criterion	Sub-group	% of total in a group as per general population <sup>5</sup>	Quota of potential participants	Actual number of participants and % of total in a group
<b>Age</b>	Age 16 to 24	15.10%	14	13 15.7%
	Age 25 to 34	16.40%	15	19 22.8%
	Age 35 to 44	15.60%	14	16 19.2%
	Age 45 to 54	17.20%	15	17 20.4%
	Age 55 to 64	13.80%	13	12 14.4%
	Age 65 and above	21.60%	19	6 7%
<b>Gender</b>	Male	49%	44	40 48%
	Female	51%	46	42 51%
	Other			1 1%
<b>Ethnicity</b>	White	87.20%	≤ 62	52 62.6%
	Black/Black British	3%	≥ 8	12 14.4%
	Asian/Asian British	7%	≥ 15	14 16.8%
	Mixed	2%	≥ 5	4 4.8%
	<i>Prefer not to say</i>			1 1%
<b>SEC</b>	1. Higher managerial, administrative and professional occupations	29%	26	19 23%
	2. Intermediate occupations	21%	19	23 27.7%
	3. Routine and manual occupations	32%	28	7 8.4%
	Never worked and long-term unemployed	6%	6	5 6%
	Not classified (students and retired)	12%	11	29 34.9%
<b>Job in the creative industries<sup>6</sup></b>		5.6%	≥10	13 15.6%
<b>TOTAL</b>		<b>100%</b>	<b>90</b>	<b>83 100%</b>

<sup>5</sup> Data generated from the UK and regional population estimates for mid 2015 ([ONS, 2015](#)) and [Nomis](#) (DC6206EW - NS-SeC by ethnic group by sex by age)

<sup>6</sup> Includes people working in the following sectors: IT, software and computer services; music, performing and visual arts; film, TV, video, radio and photography; publishing; advertising and marketing; design: product, graphic, and fashion design; architecture; museums, galleries and libraries; crafts ([DCMS, 2015](#)).

## 1.2 Recruitment process

More than 500 flyers and posters were printed to advertise the event (see Figure 1). We felt that some people might be reluctant to express an interest because they felt unqualified to discuss the issue of copyright. Therefore in our promotional materials we highlighted that no prior knowledge of copyright was required. To compensate for participants' time and to ensure sufficient attendance rates, all participants were provided with free lunch and a £100 reward for a two-day participation. We also reimbursed all their travel expenses.

**Figure 1** Event poster



We adopted a multi-channel approach to recruitment. Flyers and posters were disseminated in a wide-range of locations across Leeds, including coffee shops, pubs, libraries, universities, learning and training institutes for adults, and even shopping centres and GP practices. Distributing promotional materials through local community centres and associations, such as the Leeds Chinese Community Association, Muslim Cultural Society, Harehills Community Centre, Bangladesh Centre, Leeds West Indian Centre and Leeds Black Elders Association, allowed us to reach specific ethnic and

age groups in Leeds. Given that we also sought to recruit a sufficient number of people from the creative industries, we contacted creative hubs in Leeds, such as Duke Studios and Leeds Music Hub asking them to circulate the information about the event within their networks.

In addition to active ‘on-site’ promotion, we also used online resources to publicise the event. Digital versions of the invitation and flyer were widely disseminated via social media, mailing lists and forums. The information about the event was posted in various Facebook groups, including those of the Woodhouse Community Centre, Jobs in Leeds, Leeds City Council, Duke Studios, Leeds Photographic Society. We used [Eventbrite](#) for advertising and issuing e-tickets for the event. This helped us to keep track of all registered participants. Interested candidates could contact us via phone and email. To ensure that none of phone inquiries were missed, a voice mail service was set up.

Initial response rates were low. Additionally, as initially predicted, some quotas appeared to be harder to meet than others – whilst we received plenty of inquiries from students and short-term unemployed people in their early 30s, we struggled to attract many people from older age groups. The people in full-time employment as well as those in long-term unemployment also expressed very limited interest in the event. In some cases it was a question of time (not many people in full-time employment were willing to sacrifice a whole weekend for the event), for others the issue was finding the right channels to access those who might be interested.

Given the low response rate, we engage in a second round of outreach using new promotional opportunities and channels including elderly societies and groups in Leeds, including the Older Wiser Local Seniors (OWLS) neighbourhood network and the University of the Third Age (U3A). Disseminating the information about the event across their networks and newsletters helped us to address the issue of low numbers of seniors in our event. The invitation was also re-tweeted by Business and IP Centre Leeds (3,461 followers) and Jumbo Records (an independent record store in Leeds with around 18,000 followers). We also approached local networks of musicians, video gamers and artists – those occupations that could have been potentially more interested in the event. Altogether this served to attract more professionals and people working in the creative industries. We posted an advertisement about this opportunity in [Doing Good Leeds](#) – a website for jobs in the third sector organisations – that proved to be particularly efficient resource for recruitment. Finally, to increase the quality and balance of the sample we referred to the professional recruitment agency in order to find ten participants that would match very specific sampling criteria in regard to ethnicity, SEC and age groups.

We stopped recruiting one week before the event, but set up a waiting list for new inquiries. This proved to be particularly useful when people started dropping out right before the event due to illness, family emergencies or work commitments.

In order to match the potential participants against the desired criteria, along with the Information Sheet (see Appendix A) all applicants were provided with a set of six basic questions about their gender, age, ethnicity, education, occupation and employment status (see Appendix B). The latter two questions were aimed at determining the SEC of potential participants, which was measured using [Socio-economic Classification \(NS-SEC\) Coding Tool](#) and [Occupation Coding Tool](#) of the Office for National Statistics. We used a simplified three-category version of the SEC (see Table 1) as opposed to standard eight, because it was sufficient in serving the purpose of this deliberative exercise.

The registration process was completed by issuing a confirmation letter with the invitation to obtain a ticket from the Eventbrite website and some detailed information about the venue and the event. Five days before the event, a briefing document that provided some basic information about copyright, including major arguments for/against copyright, and some details about copyright duration, exceptions and penalties, was sent out to all registered participants. The participants were asked to read it before the event.

In total there were 96 registered participants with 88 of them actually attending the event on both days.

# Information Sheet



## ***Improving Deliberation, Improving Copyright***

### **Information for participants**

You are being invited to take part in a research project. Before you decide whether or not to take part, it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully and discuss it with others if you wish. If there is anything that is not clear, or if you would like more information, please get in touch with Kristina Karvelyte ([copyright\\_event@leeds.ac.uk](mailto:copyright_event@leeds.ac.uk) /office phone: 0113-343-2098/). Take time to decide whether or not you wish to take part. Thank you for reading this.

### **Background**

The project is focused on understanding what members of the public think about copyright. Copyright is relevant to everyone – but not everyone has an equal say in how copyright law is made. The law is complicated, difficult to understand and some people think it needs to change. Often, people aren't aware of copyright rules, but they define what we can and can't do with the books, films, music, software, games and information that we use every day – what we can share, copy and adapt, when we need permission and who that permission should come from. Copyright also defines what our rights are when we create and share things – from films, photos and music to writing, gaming and family videos.

### **Purpose**

Through this project, members of the public will come together to participate in a discussion about copyright and to share their opinions and experiences of how copyright affects their lives. The aim is to discuss copyright in depth, so that participants come to understanding the complexities of applying copyright in practice, can reflect on the different principles and approaches to copyright in light of their experience, and come to some conclusions about where copyright works well and how it might be changed.

### **Why have I been chosen?**

You have been chosen because you responded to an invitation from us to participation in the event. We want to make sure we include a range of people in the discussion.

### **Do I have to take part?**

It is up to you to decide whether or not to take part. If you do decide to take part you will be given this information sheet to keep (and be asked to sign a consent form), but you can still withdraw from the study at any point until publications are in preparation, without it affecting any benefits that you are entitled to in any way. You do not have to give a reason.

### **What will happen to me if I take part?**

You will participate in a two-day discussion, from 5-6 November, with approximately 100 other people. You will be allocated to a small group of about 7 other people, including a facilitator and your discussions will be guided by topics to focus on and presentations from groups and

your discussions will be guided by topics to focus on and presentations from groups and organisations involved in copyright. You will complete a short survey and a sorting exercise at the beginning and end of the discussion. You will receive a report based on the event, if you would like to have one.

**Will my taking part in this project be kept confidential?**

Your participation in the discussion will be anonymised in the final outputs from the discussion, so you will not be identifiable. Your comments during the discussion will be kept within your small group. General summaries of each group's discussions will be shared with all participants, but no individuals will be identified through these summaries.

We hope everyone will be honest in their participation in the group, although we realise that some people may feel somewhat reticent about behaviours that might go against copyright law. While the conversation will be recorded, so that we can transcribe it in order to understand how the discussions progressed over the weekend, everything you say in the study will remain confidential to the group and all the data will be anonymised once the discussion is written up. All the information that we collect about you during the course of the research will be kept strictly confidential. We will not tell anyone else about your participation and all the data from the research will be stored on a secure server at the University of Leeds. You will not be identifiable in any reports or publications.

You will receive a fee of £100 for your participation, your travel expenses will be covered, and we will provide lunch and refreshments during the day.

We hope that your participation will be enjoyable, and that engaging in the debate will enable you to share your opinions about copyright, learn more about the issue, and provide important insights into new ways of understanding and applying copyright.

**Who is organising this project?**

The principal investigator is Dr Lee Edwards, Associate Professor in Communications Studies in the School of Media and Communication at the University of Leeds. The other researchers involved are Dr Giles Moss and Kristina Karvelyte.

**Who is funding this project?**

The project is funded by the CREATe centre for Copyright and New Business Models in the Creative Economy (<http://www.create.ac.uk>).

**Who has reviewed the project?**

This project received ethical approval from the Research Ethics Committee within the Faculty of Arts, Humanities and Cultures at the University of Leeds.

Thank you for your interest.

**Lee Edwards, Giles Moss, and Kristina Karvelyte**

**Project research team, School of Media and Communication, University of Leeds.**

# Recruitment Questionnaire

Thank you for your interest in our event. In order to process your application, we need to know a bit more about you. Please answer all questions below. This information is crucial for us in determining your suitability for the event. For close-ended questions, you can either tick the check-box (  ), or alternatively, to underline your answer. If you have any further questions, feel free to contact us via [copyright\\_event@leeds.ac.uk](mailto:copyright_event@leeds.ac.uk)

## Contact information:<sup>\*</sup>

First name:	Last name:
Phone:	E-mail:

\* This information is needed for contact purposes only. We will not share it with any other parties. Your real name will not be used to protect your anonymity.

### 1. Gender (please tick):

- |                   |                          |
|-------------------|--------------------------|
| Male              | <input type="checkbox"/> |
| Female            | <input type="checkbox"/> |
| Other             | <input type="checkbox"/> |
| Prefer not to say | <input type="checkbox"/> |

### 2. Age:

- |                   |                          |
|-------------------|--------------------------|
| Age 16 to 24      | <input type="checkbox"/> |
| Age 25 to 34      | <input type="checkbox"/> |
| Age 35 to 44      | <input type="checkbox"/> |
| Age 45 to 54      | <input type="checkbox"/> |
| Age 55 to 64      | <input type="checkbox"/> |
| Aged 65 and above | <input type="checkbox"/> |
| Prefer not to say | <input type="checkbox"/> |

### 3. Ethnicity:

- |   |                          |
|---|--------------------------|
| White   | <input type="checkbox"/> |
| (including Gypsy/Travellers/Irish Travellers) |                          |
| Black/Black British                           | <input type="checkbox"/> |
| (including African/Caribbean)                 |                          |
| Asian/Asian British                           | <input type="checkbox"/> |

*(including Indian, Pakistani, Bangladeshi, Chinese, and other Asian)*

- Mixed
- Prefer not to say

**4. What is your usual occupation?**

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**5. Are you... (tick more than one if applicable):**

- An employer
- Employed
- Self-employed
- Currently unemployed
- Never worked before or long-term unemployed  
(12 months and above)
- Retired, a student, or other (please specify)

**6. Highest qualification:**

- Level 4: Degree or above
- Level 3: 2+ A Levels or equivalent
- Level 2: 5+ GCSEs
- Level 1: 1-4 GCSEs
- Other qualifications (please specify)
- No qualification

## Appendix 2: Briefing document

### Living with(in) Copyright Law What is it, how does it work, how could it change?

#### Participant briefing document

##### What is Copyright?

Copyright is a set of legal rights given to producers of creative work, which allow them to decide what is done with the work they create and to stop others from using it without their permission. A range of types of creative work are protected by copyright, including art, books, broadcasts, film, music, photography, software, and websites. Copyright is an automatic right and it is generated as soon as a creative work is produced. There is no need to apply for copyright or to use a copyright symbol (©).

Copyright involves two types of rights: 'economic rights' and 'moral rights'. Economic rights allow copyright owners to decide how their creative work is used for economic purposes. The original producer may transfer the economic rights attached to their creative work to others, including private companies, and so an author of a book may, for example, agree to transfer the economic rights to a book publisher. Also, unless their contract of employment states otherwise, an employer usually owns the economic rights if an employee produces a creative work during his or her employment. For these reasons, the owner of the economic rights for a particular creative work may not be the original producer. The original creator of the work usually keeps what are called moral rights. These rights include, among other things, the right to be recognised as the person who produced the creative work in the first place.

The purpose and scope of copyright is much debated. Examining recent debates about copyright, the [CopyrightUser website](#) has identified a number of general arguments for and against copyright law today. These arguments are summarised in the following table.

Arguments for copyright	Arguments against copyright
<b>Copyright rewards creators</b> By allowing creative producers to control how their work is used economically and to receive payment for what they produce, copyright provides a reward for creative work.	<b>Copyright is too long</b> By preventing the public use of creative works long after they have been produced, copyright protection is too long and restrictive.
<b>Copyright encourages creativity</b> By allowing creative producers to control how their work is used economically and to receive payment for what they produce, copyright enables them to produce more creative work.	<b>Copyright is too broad</b> By not allowing an adequate range of exceptions, copyright is too extensive and prevents legitimate uses of copyrighted work that are creative and/or non-commercial.

<b>Copyright promotes culture and so benefits society</b> By allowing creative producers to produce more creative work, copyright improves knowledge and culture for everyone's benefit	<b>Copyright is out-of-date</b> Copyright is out of step with digital creative practices, which involve not simply copying creative works but — like sampling and mash-ups — reusing existing works in creative ways.
--	--

Table adapted from the CopyrightUser website: <http://copyrightuser.org/schools/a-level-media-studies/prompt-two/>

For more information about copyright, please see the CopyrightUser website <http://copyrightuser.org/protecting/> and the Intellectual Property Office website <https://www.gov.uk/topic/intellectual-property/copyright>

### Copyright Duration

Creative works are only protected by copyright for a set period of time, after which others can freely use the work without the copyright owner's agreement. The length of copyright varies across countries and for different types of creative work. The following table, which has been produced by the [Intellectual Property Office](#), shows how long copyright lasts in the UK today:

Type of work	How long copyright usually lasts
Written, dramatic, musical and artistic work	70 years after the author's death
Sound and music recording	70 years from when it's first published
Films	70 years after the death of the director, screenplay author and composer
Broadcasts	50 years from when it's first broadcast
Layout of published editions of written, dramatic or musical works	25 years from when it's first published

Source: Intellectual Property Office website: <https://www.gov.uk/copyright/how-long-copyright-lasts>

Once the copyright period comes to an end, the creative work is no longer protected by copyright and it becomes part of what is known as the 'public domain'. When in the public domain, a creative work can be copied and used freely without needing the copyright owner's permission. The [CopyrightUser website](#) gives the following example: 'If the creator died more than 70 years ago, his or her works should be in the public domain and can be used in the creation of new work. For example, if you want to create a video game based on *Romeo and Juliet*, you need to ask yourself: 1) Who authored Romeo and Juliet? Answer: William Shakespeare. 2) When did William Shakespeare die? Answer: In 1616, more than 70 years ago. So, you can create a video game based on Romeo and Juliet without the need to ask for permission'.

For more information about copyright duration and the public domain, please see the CopyrightUser website <http://copyrightuser.org/copyright-bites/1-copyright-duration/>, <http://copyrightuser.org/topics/public-domain/>, and the Intellectual Property Office website <https://www.gov.uk/copyright/how-long-copyright-lasts>.

### **Copyright Exceptions and Creative Reuse**

In most cases, if somebody wants to use a copyrighted work that is not in the public domain, they will need the copyright owner's agreement. Getting permission is not always easy, especially if there is more than one copyright owner concerned. The [CopyrightUser website](#) gives the following example: 'if you want to re-use the whole or a substantial part of a copyright protected work – e.g. you want to create a mash-up of your favourite TV series using your favourite song – you need to get permission from all the copyright owners involved. This can be a difficult (and expensive) process, because works like TV programmes have several rights attached to them and each of these rights may have more than one owner'.

While the permission of the copyright owner is required in most cases, copyright law does contain some clearly-defined '[exceptions](#)'. These exceptions allow other people to use copyrighted works without the copyright owner's agreement. Limited use of copyrighted work may, for example, be made for 'non-commercial research and private study', 'quotation, criticism, review and reporting current events', and for 'teaching'. At home, and for private use, a television or radio programme can be recorded so that it can be watched or listened to at a later time (what is called 'time-shifting'). There is also an exception that allows people to use a limited amount of copyrighted work if it is for the purpose of 'parody, caricature and pastiche'. In some of these specific cases, deciding whether a particular use is lawful or not will depend on a legal judgement relating to what is called 'fair dealing'. 'Fair dealing' asks law courts to consider how a 'fair-minded and honest person' would have acted in relation to a copyrighted work.

For more information about exceptions to copyright, please see the CopyrightUser website <http://copyrightuser.org/copyright-bites/3-permission-or-permitted/> and the Intellectual Property Office website <https://www.gov.uk/guidance/exceptions-to-copyright>

### **Copyright Enforcement and Penalties**

Government and industry have made significant efforts to enforce copyright law and tackle copyright infringement or 'piracy'. In recent years, copyright infringement online has been a particular area of concern, given the way that digital media and the internet have allowed internet users to access and distribute copyrighted work more easily. There are three main ways that copyright can be enforced:

- Legal – legal action may be taken against individuals who commit copyright infringement online or offline. Online services and sites that allow users to distribute content are not generally viewed as responsible for copyright infringement, provided they do not have

knowledge of it and if they act quickly to remove illegal content once notified. However, online services and sites may be seen as legally responsible if they are aware of, and encourage and profit from, copyright infringement.

- Educational – educating users about copyright and its importance is another way that government and industry can try to enforce copyright law and prevent infringement. For example, *Creative Content UK* is a recent government and industry initiative that involves: (1) a significant educational campaign about copyright aimed at consumers and (2) internet service providers notifying users if and when online copyright infringement is suspected.
- Technological – technology may be adapted to protect copyrighted works through what are called ‘technology protection measures’ or ‘digital rights management’. In the UK, it is illegal to use technologies to evade technology protection measures. In the Digital Economy Act 2010, the Government suggested that internet service providers may be required to impose further ‘technical measures’ against repeat infringers of copyright, which would limit or suspend their access to the internet, but this has not been put into practice.

The UK Government has recently strengthened penalties for copyright infringement. For example, in the Digital Economy Act 2010, the maximum fine for copyright infringement was increased to £50,000. In the Digital Economy Bill 2016-2017, the Government is now proposing to extend the maximum sentence for copyright infringement online to ten years from the current period of two years. This proposed change to the law would mean that copyright infringement online would be treated in the same way as copyright infringement offline.

For more information about penalties, please see:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/405874/Penalty\\_Fair\\_Study\\_of\\_criminal\\_sanctions\\_for\\_copyright\\_infringement\\_available\\_under\\_the\\_CDPA\\_1988.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/405874/Penalty_Fair_Study_of_criminal_sanctions_for_copyright_infringement_available_under_the_CDPA_1988.pdf)

## **Appendix 3: Participant survey**

### **Living with(in) Copyright Law What is it, how does it work, how could it change?**

#### **Participant Survey 1**

We are asking you to complete this survey so that we can understand how your participation in this event changes your understanding of and ideas about copyright. You'll be asked to complete the same survey at the end of the two days.

There are no right or wrong answers – please give the answer that best corresponds to your opinion.

The survey is completed anonymously before and after the event, and you will not be able to be identified through your responses.

**Questionnaire Number:** \_\_\_\_\_

#### **Part A: About you**

1. What is your gender?

*Please circle only one option*

Female

Male

Nonbinary / third gender

Prefer not to say

2. What is your age?

*Please circle only one option*

16 to 24

25 to 34

35 to 44

45 to 54

55 to 64

65 and above

3. What is your ethnicity?

*Please circle only one option*

White (includes Gypsy/Irish Traveller)

Black/Black British (Black/African/Caribbean)

Asian/Asian British (includes Indian, Pakistani, Bangladeshi, Chinese, Other Asian)

Mixed

Other \_\_\_\_\_

4. What is your usual occupation and what responsibilities do you have (please be specific)? If you are a student, retired, or long-term unemployed (1 year or more), please write this in the space provided.

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5. Do you work in the creative industries (e.g. art, music, film, photography, advertising)?  
*Please circle only one option*

Yes

No

6. Do you engage in creative work as a hobby, in your spare time?  
*Please circle only one option*

Yes

No

#### **Part B: Copyright definition, role and purpose**

7. How well do you understand the purpose of copyright?

*Please circle your response, where 1 = not well at all, and 5 = extremely well.*

1

2

3

4

5

8. How **important** is copyright....

*Please tick your response, where 1 = not important at all, and 5 = extremely important. For 'don't know' please tick 6.*

	1	2	3	4	5	6 (don't know)
...for promoting innovation / creativity?						
...for ensuring creative industries survive?						
...as a way of rewarding creators (e.g. musicians, actors, writers)						
...as a way of ensuring that creative work can circulate freely in public?						

9. How well do you understand what kinds of activities might infringe copyright law?

*Please circle your response, where 1 = not well at all, and 5 = extremely well.*

1                    2                    3                    4                    5

10. Who does current copyright law benefit most, in your opinion?

*Please circle only one option*

Corporations

Creators

Users

A different group (please specify) \_\_\_\_\_

Don't know

11. Do you think current copyright law ....

*Please circle only one option*

Strikes a fair balance between the interests of creators, the public and corporate rights holders?

Favours the interests of creators?

Favours the interests of the public?

Favours the interests of corporate rights holders?

Don't know

### **Part C: Copyright duration**

12. In your opinion, is the standard copyright term (lifetime of the author plus 70 years) ...

*Please circle only one option*

Too long?

Too short?

About right?

Don't know

*Please explain your answer to Q. 12*

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13. Do you think copyright duration should be changed in order to...

*Please tick the answer that is closest to your opinion*

	Yes, reduced	No, stay the same	Yes, increased	Don't know
Promote creative production?				

Protect the rights of authors?				
Expand the public domain?				

14. How **important** are the following factors when deciding how long copyright should last?

*Please tick your response, where 1 = not important at all, and 5 = extremely important. For 'don't know', please tick 6.*

	1	2	3	4	5	6 (don't know)
How long the author lives						
Whether the author made any money from their work						
Whether an author can be identified or not						
The amount the work cost to make						
Who the copyright will benefit (e.g. a corporate rights holder, the original author, other people involved in making the work)						
Whether the use of the work by someone else is for commercial or private purposes						

#### Part D: Copyright permissions and exceptions

15. In your opinion, are current copyright exceptions...

*Please circle only one option*

too extensive?

not extensive enough?

about right?

Don't know.

*Please explain your answer to Q. 15*

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16. How **important** are the following factors when deciding on copyright exceptions?

*Please tick your response, where 1 = not important at all, and 5 = extremely important. For 'don't know' please tick 6.*

	1	2	3	4	5	6 (don't know)
Promoting creative production						
Protecting the rights of authors						
Expanding the public domain						
Whether the created work is new or largely copied						
Whether the created work is done for commercial purposes (to make money) or non-commercial purposes						
Whether the use of the work by someone else is for commercial or private purposes						

#### Part E. Copyright enforcement and penalties

17. In your opinion, is the range of options for enforcing copyright...

*Please circle only one option*

- too limited – new tools are required?  
 broad enough - no new options are needed?  
 too broad – options should be more limited?  
 Don't know

*Please explain your answer to Q. 17*

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18. How **reasonable** are the following options for enforcing copyright, in your opinion?

*Please tick your response, where 1 = not reasonable at all, and 5 = extremely reasonable. For 'don't know' please tick 6.*

	1	2	3	4	5	6 (don't know)
Block copyrighted content on the internet (e.g. YouTube videos, music or film streaming sites) so that people cannot access it.						

Change the way people think about the role of copyright so that they do not want to infringe.					
Change the way people think about the importance of copyright so that they do not want to infringe.					
Use technology to prevent people from infringing copyright in the first place (e.g. to prevent copying music or films).					
Use technology to track down copyright infringement and then tell people to stop.					
Educate people about copyright law so that they know when they are infringing.					
Increase the penalties for copyright infringement so that people are discouraged from doing it.					
Ask intermediaries (search engines such as Google, hosting platforms such as YouTube, ISPs such as BT) to monitor and warn customers/users when they are breaking copyright law.					

19. How **effective** are the following options for enforcing copyright, in your opinion?

*Please tick your response, where 1 = not effective at all, and 5 = extremely effective. For 'don't know' please tick 6.*

	1	2	3	4	5	6 (don't know)
Block copyrighted content on the internet (e.g. YouTube videos, music or film streaming sites) so that people cannot access it						
Change the way people think about the role and importance of copyright so that they do not want to infringe						

Use technology to prevent people from infringing copyright in the first place (e.g. to prevent copying music or films)					
Use technology to track down copyright infringement and then tell people to stop					
Educate people about copyright law so that they know when they are infringing					
Increase the penalties for copyright infringement so that people are discouraged from doing it					
Ask intermediaries (search engines such as Google, hosting platforms such as YouTube, ISPs such as BT) to monitor and warn customers/users when they are breaking copyright law.					

20. Are the penalties for copyright infringement (up to ten years imprisonment under UK law)...

*Please circle only one option*

too lenient?

about right?

too severe?

Don't know.

#### **Part F: Copyright futures**

21. Do you think current copyright law

*Please circle only one option*

does not need to change?

needs to change in some areas?

needs to radically change?

Don't know

*Please explain your answer to Q. 21*

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22. Are you aware of alternatives to copyright?

*Please circle only one option*

- Yes and I know what they are
- Yes but I don't know what they are
- No

23. Digital technologies have changed the way we share our own and other people's work, the ways we connect with others, and the assumptions we make about what we should and shouldn't be able to do with information and creative work online. To what extent do you think these changes affect the way that fair use might be defined in copyright law?

*Please circle only one option*

- Does not change the definition of fair use at all
- Changes some aspects of the definition of fair use
- Fundamentally changes the definition of fair use
- Don't know

**Thank you for completing the survey. Please hand this to your table facilitator.**

#### Appendix 4: Q-sort statements and grid

**PARTICIPANT Q SORT (NUMBER: \_\_\_\_\_)**

**Please read each statement carefully, and then please consider how important each consideration should be when making copyright law.**

**Please note down the statement number in a box on the grid, once you have decided how important it is. You may only allocate one statement to each box.**

1. Individual authors are entitled to be rewarded financially for their work.	2. Individual authors are entitled to be recognised as the creators of their work.
3. Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	4. The public have the right to access creative work without always having to pay for it.
5. People want to share copyrighted work that they have bought (e.g. DVDs, books) with whomever they like.	6. Exceptions to copyright are not always clear and easily understandable
7. Exceptions to copyright should be non-commercial	8. Copyright law needs to benefit everyone.
9. Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about	10. Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.

	copyright.
11.Financial rewards for individual authors are not always evenly distributed.	12.The interests of individual authors and the public should be prioritised, given that corporations already make a lot of money.
13.It is harder for individuals to enforce their rights than it is for organisations.	14.Day to day habits of users might challenge how industries and authors think about copyright.
15.Users are morally obliged to pay for the creative work they enjoy.	16.It is sometimes difficult or impossible to get permission to use copyrighted work.
17.Sharing and copying is the basis for learning and for spreading knowledge.	18.People use copyrighted work illegally, for personal purposes.
19.People use copyrighted work illegally, and make money from it.	20.Sharing and copying are a normal part of everyday life.
21.Sharing and copying work <u>without permission</u> is like stealing.	22.Sharing and copying work <u>without paying for it</u> is like stealing.
23.It is hard for individuals to defend themselves against accusations of copyright infringement.	24.Sometimes, intermediaries (e.g. Google, YouTube, Internet Service Providers) take down copyrighted material without investigating whether it's necessary.

25. Corporations have other ways of protecting their work than enforcing copyright.	26. Copyright infringement takes a wide variety of forms.
27. Copyright infringement isn't always intentional.	28. Copyright infringement doesn't always harm the rights holder.
29. Sometimes, having someone copy or share your work illegally can have positive consequences.	30. Copyright is not more important than other fundamental rights.

## **Q sort grid: Please insert ONE number in each box**

## Appendix 5: Q-sort factors

### Pre-event Q-sort Factors – Factor 1

LESS IMPORTANT											MORE IMPORTANT
-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5	
<b>29. Sometimes, having someone copy or share your work illegally can have positive consequences</b>	<b>27. Copyright infringement isn't always intentional.</b>	<b>28. Copyright infringement doesn't always harm the rights holder.</b>	<b>25. Corporations have other ways of protecting their work than enforcing copyright.</b>	24. Sometimes intermediaries take down copyrighted material without investigating whether it's necessary.	22. Sharing and copying work <u>without paying for it</u> is like stealing.	<b>3. Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).</b>	<b>11. Financial rewards for individual authors are not always evenly distributed.</b>	13. It is harder for individuals to enforce their rights than it is for organisations.	<b>8. Copyright law needs to benefit everyone.</b>	2. Individual authors are entitled to be recognised as the creators of their work.	
30. Copyright is not more important than other fundamental rights.	<b>26. Copyright infringement takes a wide variety of forms.</b>	20. Sharing and copying are a normal part of everyday life.	21. Sharing and copying work <u>without permission</u> is like stealing.	14. Day to day habits of users might challenge how industries and authors think about copyright.	6. Exceptions to copyright are not always clear and easily understandable	12. The interests of individual authors and the public should be prioritised	10. Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.	1. Individual authors are entitled to be rewarded financially for their work.			
		5. People want to share copyrighted work that they have bought	18. People use copyrighted work illegally, for personal purposes.	23. It is hard for individuals to defend themselves against accusations of copyright infringement.	9. Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.	<b>7. Exceptions to copyright should be non-commercial</b>					
			<b>15. Users are morally obliged to pay for the creative work they enjoy.</b>	4. The public have the right to access creative work without always having to pay for it.	17. Sharing and copying is the basis for learning and for spreading knowledge.						
				19. People use copyrighted work illegally, and make money from it.							
				16. It is sometimes difficult or impossible to get permission to use copyrighted work.							

## Pre-event Q-sort Factors – Factor 2

LESS IMPORTANT											MORE IMPORTANT
-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5	
<b>22. Sharing and copying work without paying for it is like stealing.</b>	<b>15. Users are morally obliged to pay for the creative work they enjoy.</b>	18. People use copyrighted work illegally, for personal purposes.	3. Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	7. Exceptions to copyright should be non-commercial	13. It is harder for individuals to enforce their rights than it is for organisations.	<b>29. Sometimes, having someone copy or share your work illegally can have positive consequences</b>	<b>1. Individual authors are entitled to be rewarded financially for their work.</b>	12. The interests of individual authors and the public should be prioritised	<b>17. Sharing and copying is the basis for learning and for spreading knowledge.</b>	2. Individual authors are entitled to be recognised as the creators of their work.	
<b>21. Sharing and copying work without permission is like stealing.</b>	<b>19. People use copyrighted work illegally, and make money from it.</b>	<b>25. Corporations have other ways of protecting their work than enforcing copyright.</b>	24. Sometimes, intermediaries take down copyrighted material without investigating whether it's necessary.	16. It is sometimes difficult or impossible to get permission to use copyrighted work.	6. Exceptions to copyright are not always clear and easily understandable	<b>20. Sharing and copying are a normal part of everyday life.</b>	10. Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.	<b>4. The public have the right to access creative work without always having to pay for it.</b>			
		23. It is hard for individuals to defend themselves against accusations of copyright infringement.	11. Financial rewards for individual authors are not always evenly distributed.	27. Copyright infringement isn't always intentional.	<b>30. Copyright is not more important than other fundamental rights.</b>	<b>5. People want to share copyrighted work that they have bought</b>					
			26. Copyright infringement takes a wide variety of forms.	28. Copyright infringement doesn't always harm the rights holder.	9. Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.						
				14. Day to day habits of users might challenge how industries and authors think about copyright.							
				8. Copyright law needs to benefit everyone.							

## Pre-event Q-sort Factors – Factor 3

LESS IMPORTANT											MORE IMPORTANT
-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5	
<b>8. Copyright law needs to benefit everyone.</b>	30. Copyright is not more important than other fundamental rights.	20. Sharing and copying are a normal part of everyday life.	<b>4. The public have the right to access creative work without always having to pay for it.</b>	18. People use copyrighted work illegally, for personal purposes.	23. It is hard for individuals to defend themselves against accusations of copyright infringement.	7. Exceptions to copyright should be non-commercial	<b>25. Corporations have other ways of protecting their work than enforcing copyright.</b>	12. The interests of individual authors and the public should be prioritised	<b>3. Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).</b>	1. Individual authors are entitled to be rewarded financially for their work.	
<b>17. Sharing and copying is the basis for learning and for spreading knowledge.</b>	5. People want to share copyrighted work that they have bought	<b>29. Sometimes, having someone copy or share your work illegally can have positive consequences</b>	24. Sometimes, intermediaries take down copyrighted material without investigating whether it's necessary.	21. Sharing and copying work <u>without permission</u> is like stealing.	16. It is sometimes difficult or impossible to get permission to use copyrighted work.	6. Exceptions to copyright are not always clear and easily understandable	<b>11. Financial rewards for individual authors are not always evenly distributed.</b>	2. Individual authors are entitled to be recognised as the creators of their work.			
		15. Users are morally obliged to pay for the creative work they enjoy.	14. Day to day habits of users might challenge how industries and authors think about copyright.	28. Copyright infringement doesn't always harm the rights holder.	10. Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.	9. Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.					
			19. People use copyrighted work illegally, and make money from it.	22. Sharing and copying work <u>without paying for it</u> is like stealing.	13. It is harder for individuals to enforce their rights than it is for organisations.						
				26. Copyright infringement takes a wide variety of forms.							
				27. Copyright infringement isn't always intentional.							

## Pre-event Q-sort Factors – Factor 4

LESS IMPORTANT											MORE IMPORTANT
-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5	
30. Copyright is not more important than other fundamental rights.	<b>25. Corporations have other ways of protecting their work than enforcing copyright.</b>	18. People use copyrighted work illegally, for personal purposes.	15. Users are morally obliged to pay for the creative work they enjoy.	11. Financial rewards for individual authors are not always evenly distributed.	7. Exceptions to copyright should be non-commercial	10. Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.	17. Sharing and copying is the basis for learning and for spreading knowledge.	<b>21. Sharing and copying work without permission is like stealing.</b>	<b>19. People use copyrighted work illegally, and make money from it.</b>	1. Individual authors are entitled to be rewarded financially for their work.	
	<b>24. Sometimes, intermediaries take down copyrighted material without investigating whether it's necessary.</b>	5. People want to share copyrighted work that they have bought	23. It is hard for individuals to defend themselves against accusations of copyright infringement.	3. Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	6. Exceptions to copyright are not always clear and easily understandable	14. Day to day habits of users might challenge how industries and authors think about copyright.	<b>29. Sometimes, having someone copy or share your work illegally can have positive consequences</b>	13. It is harder for individuals to enforce their rights than it is for organisations.	2. Individual authors are entitled to be recognised as the creators of their work.		
		<b>16. It is sometimes difficult or impossible to get permission to use copyrighted work.</b>	<b>12. The interests of individual authors and the public should be prioritised</b>	<b>9. Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.</b>	8. Copyright law needs to benefit everyone.	<b>22. Sharing and copying work without paying for it is like stealing.</b>					
			4. The public have the right to access creative work without always having to pay for it.	28. Copyright infringement doesn't always harm the rights holder.	27. Copyright infringement isn't always intentional.						
				26. Copyright infringement takes a wide variety of forms.							
				20. Sharing and copying are a normal part of everyday life.							

## Post-event Q-sort Factors – Factor 1a

LESS IMPORTANT											MORE IMPORTANT
-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5	
22. Sharing and copying work <u>without paying for it</u> is like stealing.	21. Sharing and copying work <u>without permission</u> is like stealing.	18. People use copyrighted work illegally, for personal purposes.	24. Sometimes, intermediaries take down copyrighted material without investigating whether it's necessary.	27. Copyright infringement isn't always intentional.	16. It is sometimes difficult or impossible to get permission to use copyrighted work.	5. People want to share copyrighted work that they have bought	13. It is harder for individuals to enforce their rights than it is for organisations.	4. The public have the right to access creative work without always having to pay for it.	12. The interests of individual authors and the public should be prioritised	2. Individual authors are entitled to be recognised as the creators of their work.	
	15. Users are morally obliged to pay for the creative work they enjoy.	25. Corporations have other ways of protecting their work than enforcing copyright.	19. People use copyrighted work illegally, and make money from it.	30. Copyright is not more important than other fundamental rights.	3. Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).	7. Exceptions to copyright should be non-commercial	17. Sharing and copying is the basis for learning and for spreading knowledge.	10. Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.	Individual authors are entitled to be rewarded financially for their work.		
		26. Copyright infringement takes a wide variety of forms.	29. Sometimes, having someone copy or share your work illegally can have positive consequences	20. Sharing and copying are a normal part of everyday life.	9. Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.	8. Copyright law needs to benefit everyone.					
		28. Copyright infringement doesn't always harm the rights holder.	23. It is hard for individuals to defend themselves against accusations of copyright infringement.	11. Financial rewards for individual authors are not always evenly distributed.							
			14. Day to day habits of users might challenge how industries and authors think about copyright.								
			6. Exceptions to copyright are not always clear and easily understandable								

## Post-event Q-sort Factors – Factor 2a

LESS IMPORTANT											MORE IMPORTANT
-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5	
<b>29. Sometimes, having someone copy or share your work illegally can have positive consequences</b>	<b>17. Sharing and copying is the basis for learning and for spreading knowledge.</b>	26. Copyright infringement takes a wide variety of forms.	27. Copyright infringement isn't always intentional.	20. Sharing and copying are a normal part of everyday life.	14. Day to day habits of users might challenge how industries and authors think about copyright.	<b>19. People use copyrighted work illegally, and make money from it.</b>	21. Sharing and copying work <u>without permission</u> is like stealing.	10. Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.	<b>8. Copyright law needs to benefit everyone.</b>	1. Individual authors are entitled to be rewarded financially for their work.	
	<b>4. The public have the right to access creative work without always having to pay for it.</b>	28. Copyright infringement doesn't always harm the rights holder.	25. Corporations have other ways of protecting their work than enforcing copyright.	30. Copyright is not more important than other fundamental rights.	9. Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.	22. Sharing and copying work <u>without paying for it</u> is like stealing.	<b>6. Exceptions to copyright are not always clear and easily understandable</b>	<b>3. Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).</b>	2. Individual authors are entitled to be recognised as the creators of their work.		
		18. People use copyrighted work illegally, for personal purposes.	<b>5. People want to share copyrighted work that they have bought</b>	23. It is hard for individuals to defend themselves against accusations of copyright infringement.	13. It is harder for individuals to enforce their rights than it is for organisations.	11. Financial rewards for individual authors are not always evenly distributed.					
			16. It is sometimes difficult or impossible to get permission to use copyrighted work.	15. Users are morally obliged to pay for the creative work they enjoy.	7. Exceptions to copyright should be non-commercial						
				<b>24. Sometimes, intermediaries take down copyrighted material without investigating whether it's necessary.</b>							
				12. The interests of individual authors and the public should be prioritised							

## Post-event Q-sort Factors – Factor 3a

LESS IMPORTANT											MORE IMPORTANT
-5	-4	-3	-2	-1	0	+1	+2	+3	+4	+5	
<b>24. Sometimes, intermediaries take down copyrighted material without investigating whether it's necessary.</b>	<b>5. People want to share copyrighted work that they have bought</b>	25. Corporations have other ways of protecting their work than enforcing copyright.	19. People use copyrighted work illegally, and make money from it.	20. Sharing and copying are a normal part of everyday life.	12. The interests of individual authors and the public should be prioritised	<b>3. Creative industries want a return on the investment they make in funding and distributing creative work (e.g. films, books, music).</b>	13. It is harder for individuals to enforce their rights than it is for organisations.	17. Sharing and copying is the basis for learning and for spreading knowledge.	<b>30. Copyright is not more important than other fundamental rights.</b>	2. Individual authors are entitled to be recognised as the creators of their work.	
	<b>7. Exceptions to copyright should be non-commercial</b>	18. People use copyrighted work illegally, for personal purposes.	<b>14. Day to day habits of users might challenge how industries and authors think about copyright.</b>	16. It is sometimes difficult or impossible to get permission to use copyrighted work.	15. Users are morally obliged to pay for the creative work they enjoy.	<b>27. Copyright infringement isn't always intentional.</b>	21. Sharing and copying work <u>without permission</u> is like stealing.	<b>23. It is hard for individuals to defend themselves against accusations of copyright infringement.</b>	1. Individual authors are entitled to be rewarded financially for their work.		
			<b>11. Financial rewards for individual authors are not always evenly distributed.</b>	<b>9. Changes in the way that we think about sharing and reusing creative work can prompt new ways of thinking about copyright.</b>	<b>28. Copyright infringement doesn't always harm the rights holder.</b>	<b>26. Copyright infringement takes a wide variety of forms.</b>	10. Non-commercial institutions, such as libraries, schools, churches and universities, want to use creative work easily.				
				6. Exceptions to copyright are not always clear and easily understandable	<b>4. The public have the right to access creative work <u>without always having to pay for it.</u></b>	22. Sharing and copying work <u>without paying for it</u> is like stealing.					
					<b>29. Sometimes, having someone copy or share your work illegally can have positive consequences</b>	<b>8. Copyright law needs to benefit everyone.</b>					

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