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Research Libraries UK
254 Senate House
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London
WC1E 7HU
(on behalf of the undersigned)

Monday 30 March 2020

Rt Hon. Gavin Williamson, Secretary of State for Education
Rt Hon. Oliver Dowden, Secretary of State for Digital, Culture, Media and Sport

Dear Secretaries of State,

Copyright and enabling remote learning and research during the Covid-19 crisis

In the face of COVID-19, public libraries, schools, universities and research have moved online overnight. Educational establishments are working to support learning, teaching and research remotely and researchers and students are trying to access content from libraries which are now closed.

Unfortunately, remote supply of information during this crisis is being inhibited by copyright law. Copyright limits how much information can be remotely supplied for educational purposes - namely that the amount has to be "fair" (usually interpreted as, for example, a few lines of a poem, or a single book chapter) or is subject to licences, which are not designed for the current unprecedented situation we all face.

For example, reasonable adjustments that institutions are having to put in place very swiftly risk infringing current copyright law. These might include:

- Teachers scanning more than one chapter for courses hastily transitioned to online delivery.
- Public libraries arranging the online reading of books as part of children's story time.
- Researchers wishing to access entire works that are only available on library premises, such as paper books or certain eBooks.

Some publishers and authors are responding positively to ad hoc requests and there are many excellent individual initiatives to help access content, which we welcome. However, such isolated efforts only go part way to addressing the new and unprecedented large-scale need across libraries, schools, universities and research organisations that have shifted rapidly to entirely remote teaching, learning and research. It is not practical in this time of crisis and

exceptional change for every public library, school, researcher or university to do rights clearance for every item.

Therefore, we are writing to request that you take urgent action to ensure that publicly accessible libraries and educational and research establishments are able to support this overnight switch to remote access, without having to face claims of infringement to copyright law.

We believe that the following solutions may be of help:

1. A statement from government that s171 (3) of the Copyright, Designs and Patents Act 1988 can be used as a defence by public libraries, research organisations and educational establishments for as long as the current crisis lasts;
2. Emergency legislation or immediate soft-law initiatives to ensure that the infringing activities in normal circumstances are not actionable by rightsholders;
3. Compulsory licensing and government compensation for rightsholders allowing whole items to be copied and accessed remotely.

Our organisations will of course be willing to support you in any way necessary in order to ensure that public libraries and educational and research establishments can switch their activities online overnight without risking litigation.

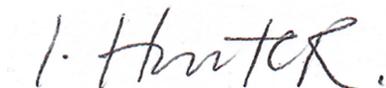
Yours sincerely,



David Prosser, Executive Director
Research Libraries UK

The logo for Research Libraries UK (RLUK) features the acronym "RLUK" in a bold, blue, sans-serif font. To its right, the full name "Research Libraries UK" is written in a white, sans-serif font inside a solid blue rectangular box.

Ann Rossiter, Executive Director
**Society of College, National and University
Libraries**

The logo for SCONUL consists of the word "SCONUL" in a grey, sans-serif font. To the right of the text is a stylized graphic of a network or circuit, composed of several colored nodes (red, orange, green, blue) connected by thin lines.

Isobel Hunter, Chief Executive

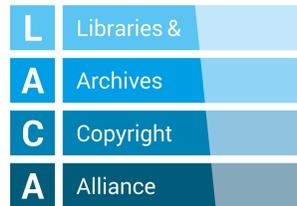


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Fred Saunderson, Chair
Libraries and Archives Copyright Alliance



Gillian Daly, Executive Officer
**Scottish Confederation of University
and Research Libraries**



Nick Poole, Chief Executive
**CILIP, UK Library and Information
Association**



Dr Paul Ayris, FRHistS
Pro-Vice-Provost (UCL Library Services)

