

# Digital Literacy, Copyright and Creativity

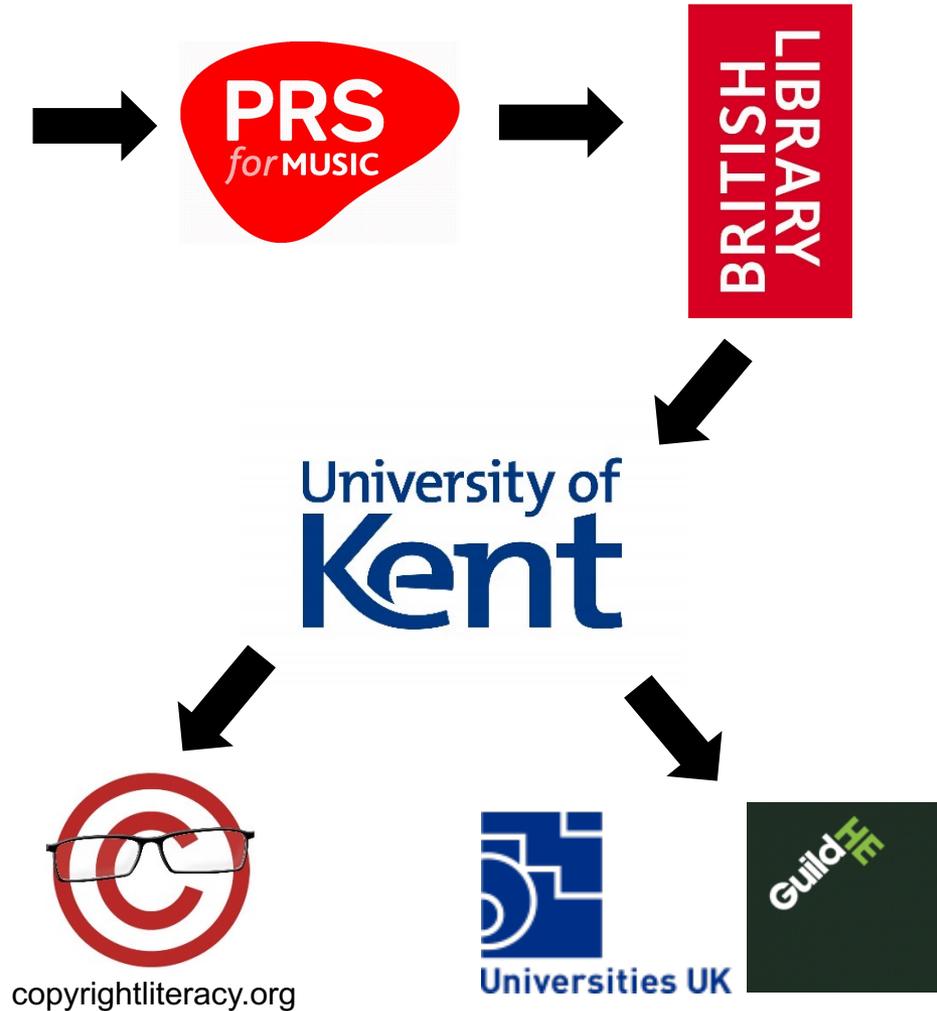
*Digital Literacies and Open Practice Webinar, City,  
University of London 29 October 2021*



Chris Morrison: Copyright, Licensing &  
Policy Manager, Information Services



# Chris Morrison - Introduction





# UK Copyright Literacy

*Decoding copyright and bringing you enlightenment*

About ▾

Research ▾

Events ▾

Resources ▾

Publications ▾

Contact us



## Copyright Literacy at ECIL2021: returning to our spiritual home

A few weeks ago, Chris and I were delighted to present virtually at the European Conference on Information Literacy, (ECIL2021)...

[#conferences](#), [#copyright literacy](#), [#research](#)



## Upcoming webinar on the strategic and practical implications of CDL for UK academic libraries

Providing access to literary works under library copyright exceptions. A closed webinar hosted by the ALT CoOL SIG and NAG...

[#academic libraries](#), [#CDL](#), [#copyright education](#), [#copyright exceptions](#)



Copyright Waffling with

# Copyright at a Time of Crisis



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*Decoding copyright and bringing you enlightenment*

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## Webinars: copyright and online learning during the COVID-19 pandemic



These weekly webinars hosted by the Association of Learning Technology (ALT) started on Friday 20th March in response to queries largely from those in higher education related to copyright and online learning following the outbreak of the COVID-19 pandemic and the shift to online learning.

The webinars are free to all and aimed at those interested in talking about copyright challenges at the current time and how we can address them. We have [published a page full of resources](#) and the original blog post that led to us starting this series on [Copyright, Fair Dealing and Online Teaching in a time of Crisis](#).

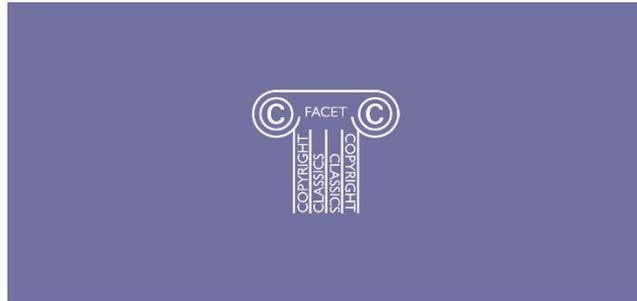
No registration is required to join these events which will be hosted in the following [Blackboard Collaborate classroom](#) and are listed on the [ALT website](#).

Details of the webinars are listed below. All webinars take place at 11-12pm BST unless otherwise stated:

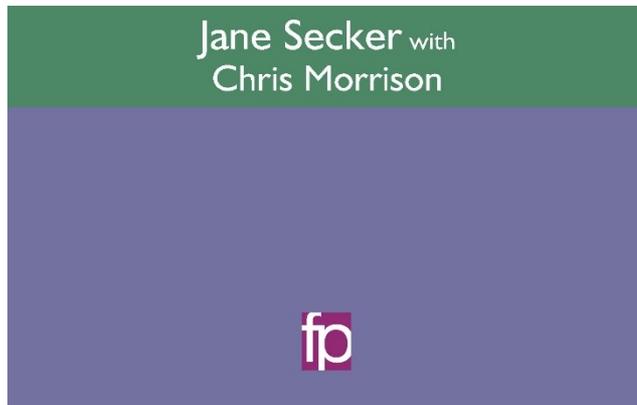
Webinar 1: Friday 20th March 2020: [Recording](#) | [Slides](#)

<https://copyrightliteracy.org/upcoming-events/webinars-copyright-and-online-learning/>

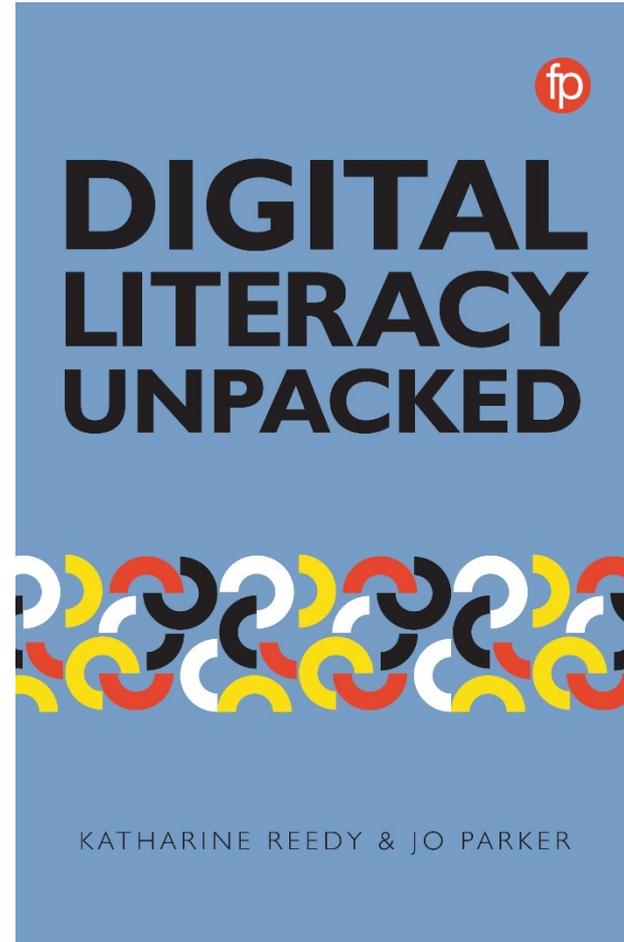
# Two books from Facet Publishing



**Copyright and E-learning**  
A guide for practitioners  
SECOND EDITION



Jane Secker with  
Chris Morrison



**DIGITAL  
LITERACY  
UNPACKED**

KATHARINE REEDY & JO PARKER

# Copyright and digital literacy

7

## Copyright and digital literacy: rules, risk and creativity

Chris Morrison

### Introduction and definitions

Copyright is now an inescapable aspect of learning and research when using digital technologies, and therefore awareness of it is a fundamental part of digital literacy. Rather than being a separate concept that can be considered in isolation, copyright implications arise whenever anyone creates, interacts with or shares content with others. It is therefore woven through all the key aspects of digital literacies and capabilities, with particular relevance for the ethics of sharing.

Copyright has traditionally been seen primarily as a compliance issue for educational and cultural institutions such as libraries, universities, colleges and museums – protecting an institution from claims of infringement by ‘locking down’ processes and procedures. Copyright literacy however seeks to situate the subject in a critical and empowering context. It draws on developments in the field of information literacy, which have been shaped in recent years by theories of critical pedagogy (see for example Elmbourg, 2006; McNichol, 2016; Smith, 2013; see also chapter 1 in this volume). Jane Secker and I recently defined copyright literacy as: ‘Acquiring and demonstrating the appropriate knowledge, skills and behaviours to enable the ethical creation and use of copyright material’ (Secker and Morrison, 2016, 121).

The term was first used in Bulgaria 2012 by Tania Todorova who carried out a survey of librarians’ levels of knowledge and understanding of

Morrison, C (2018) Copyright and digital literacy: rules, risk and creativity. In: Reedy, K. and Parker, J. (Eds.), Digital Literacy Unpacked. (pp. 97-108). London: Facet Publishing. ISBN 178330197X

## Question

How does  
copyright make  
you feel?

# Copyright Literacy Definition

“acquiring and demonstrating the appropriate knowledge, skills and behaviours to enable the ethical creation and use of copyright material.”

Secker and Morrison, 2016, p.211

# Copyright Literacy in Practice



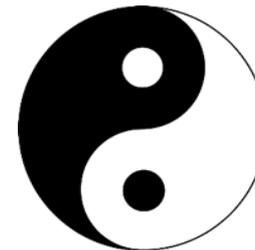
**Getting comfortable with uncertainty**

01101100  
01101111  
01110110  
01100101

**Avoiding binaries**



**Education not training**



**Balance between content and approach**

# Copyright History timeline

Invention of the printing press

c. 1440

Statute of Anne

1710

Berne Convention

1886

Copyright Act 1956

1956

Information Society Directive

2001

1440

1488

1536

1584

1632

1680

1728

1776

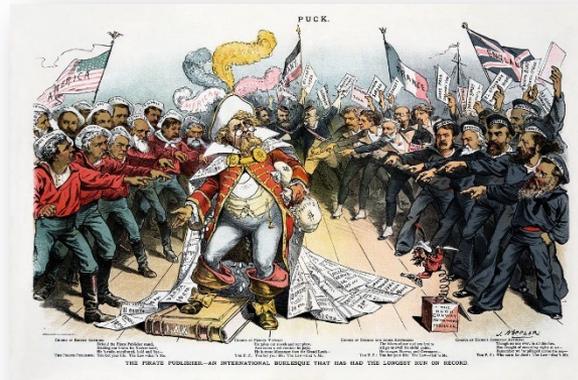
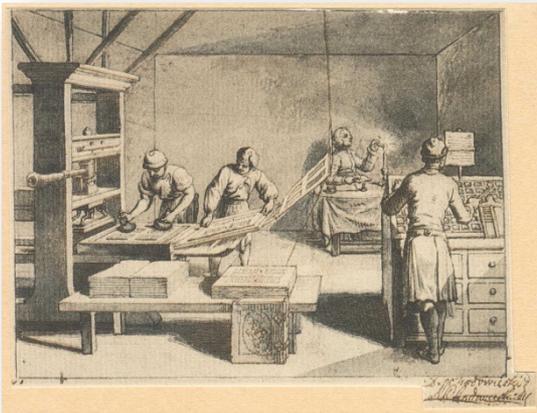
1824

1872

1920

1968

2020



2014

Changes to UK copyright law

1988

Copyright, Designs and Patents Act 1988

1911

Copyright Act 1911

# What is copyright?



## Works

(The things it protects)



## Licences

(Legal use with permission)



## Usages

(The activities it regulates)



## Exceptions

(Legal use without permission)

# Communication to the public



# Licences



**Library E-resources**



**Creative Commons / Open Licences**



**'Bespoke' permission**



**Website Terms and Conditions**



**IPO Orphan Works Licensing Scheme**



**You made it yourself**



**You work for / in collaboration with rights holder**

# Key UK provisions for academics and students



**Research & private study**



**Text and data mining**



**Quotation**



**Orphan works**



**Illustration for instruction**



**Dedicated terminals**



**Library privilege**

# Fair Dealing and Fair Use



# The Copyright Wars: global tensions



Taken from t shirt design by Gnome Enterprises:  
<https://www.gnomeenterprises.com/product/dinosaur-vs-robot-tee>

# Open Practice



# Draw a picture

Show us the relationship between these three. What are the challenges and opportunities?

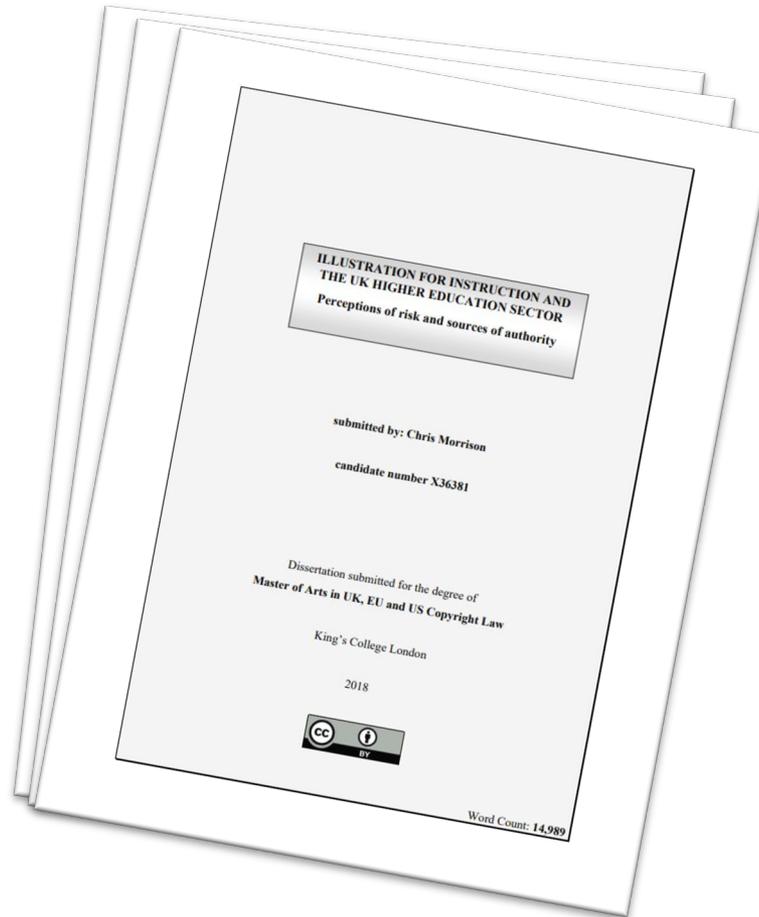
Open  
Practice

Digital  
Literacy

Copyright

<https://padlet.com/ukcopyrightlit/2urndqufuq8dwwmp>

# MA in copyright law at King's College London



Interpretations of Illustration for Instruction in UK universities

Morrison (2018) - <https://kar.kent.ac.uk/73310/>

# University interpretations of copyright law

- Examples of good practice
- But inconsistently applied across the sector
- Tensions within academia
- Copyright difficult to communicate
- Issues with legislative drafting
- Locating latent flexibility in the law

# Kent Copyright Literacy Strategy



<https://blogs.kent.ac.uk/copyrightliteracykent/launch-of-the-university-of-kent-copyright-literacy-strategy/>

# Kent Copyright Literacy Strategy Vision

## Copyright Literacy Strategy

### Our vision

By 2025 people working and studying at the University of Kent will feel confident in making informed decisions about using copyright material and will understand the role copyright plays in innovation and creation of new knowledge.

The University's approach to copyright education will support its strategic objectives by informing policy and practice.



# Kent Copyright Literacy Strategy Vision

Copyright Literacy Strategy 3

## Copyright Literacy

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# Copyright Education: Games and Creativity



Copyright the Card Game



by  UK Copyright Literacy

# © COPYRIGHT THE CARD GAME

- © UK game downloaded over 2,500 times from Jorum
- © Over 7,500 hits on <https://copyrightliteracy.org/resources/copyright-the-card-game>
- © International versions in development



Playing Copyright the Card Game in Scotland



US version of copyright card game by Paul Bond



Canadian version of Copyright the Card game

# Copyright the card game online

Copyright the Card Game Online



We are developing a version of Copyright the Card Game to be used in online training. This is designed to be played by a group of players divided into smaller teams using a virtual classroom platform such as Zoom, with break out room functionality. The game is facilitated by a trainer in a similar way to how it is played in a face to face classroom.

To facilitate the smooth running of the online workshop four PDFs are available to correspond to each round of the card game. It is recommended that players download these or have these files open on a separate screen or device while playing the game. This is to simulate having a deck of cards available in the room



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<https://copyrightliteracy.org/resources/copyright-the-card-game/copyright-the-card-game-online/>



## Downloads and hits on website:

- over 11,400 hits on website
- 564 downloads to date\*



## Who has played it

- Librarians, students, researchers, friends, family members



## Worldwide interest

- UK, USA, Canada, Australia, New Zealand, France, Germany, Lithuania, Sweden, Czech Republic, Norway, Spain, Denmark, Japan, Singapore, Saudi Arabia and many more!

\* as of 28 October 2021

# Copyright Waffle Podcast



<https://copyrightliteracy.org/resources/copyright-waffle/>

# Further Reading

- [copyrightliteracy.org](http://copyrightliteracy.org)
- [copyrightuser.org](http://copyrightuser.org)
- Morrison, C (2018) Copyright and digital literacy: rules, risk and creativity. In: Reedy, K. and Parker, J. (Eds.), *Digital Literacy Unpacked*. (pp. 97-108). London: Facet Publishing. ISBN 178330197X
- Morrison, C and Secker J. (2015) Copyright Literacy in the UK: a survey of librarians and other cultural heritage sector professionals. *Library and Information Research*. 39 (121)  
<http://www.lirjournal.org.uk/lir/ojs/index.php/lir/article/view/675>
- Morrison, C & Secker, J. (2017). Understanding librarians' experiences of copyright: findings from a phenomenographic study of UK information professionals. *Library Management*, 38 (6/7)
- Secker, J and Morrison, C. (2016) *Copyright and E-learning: a guide for practitioners*. Facet publishing: London.
- Secker, J and Morrison C (2018). The Publishing Trap. *Information Professional*. April 2018 edition Available at:  
<https://www.cilip.org.uk/page/PubTrapAprMay18>

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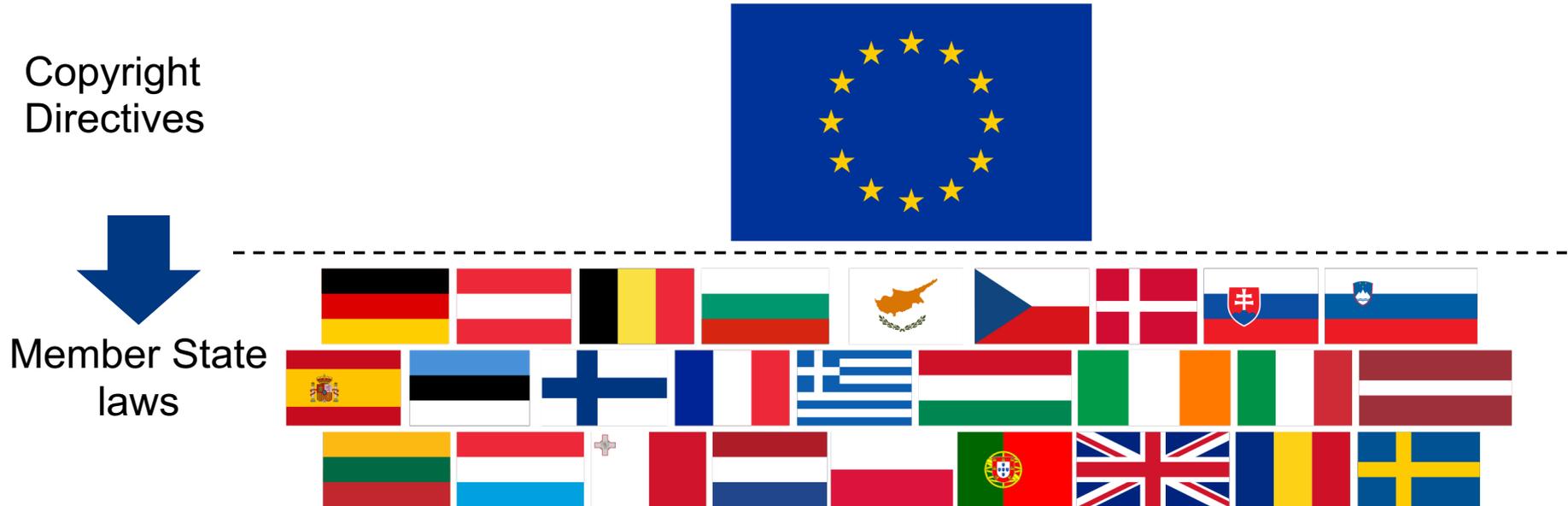
# Next webinar

Thursday 4<sup>th</sup> November 11.00am-12.00pm:

- **Lorna Campbell, University of Edinburgh,**
- **Catherine Cronin, National Forum for the Enhancement of Teaching and Learning in Higher Education in Ireland**
- *Open Educational Practices*
- Pre-reading:
- <http://lornamcampbell.org/higher-education/the-soul-of-liberty-openness-equality-and-co-creation/>



# European Copyright Reform



Digital Single Market (DSM) Directive proposal, adopted March 2019

[http://www.europarl.europa.eu/doceo/document/TA-8-2019-0231\\_EN.html?redirect](http://www.europarl.europa.eu/doceo/document/TA-8-2019-0231_EN.html?redirect)

**BR\*X\*T**

# Copyright and Brexit

Even if we don't adopt the DSM Directive, EU copyright law will continue to have a huge influence on UK copyright law.

# EU DSM Directive and internet freedom

## Press publisher right article 15\*

- New right for press publishers to licence aggregation of links
- Lasts for 2 years from publication
- Does not apply to academic periodicals
- It will impact on the way links to news articles are disseminated

## Online content-sharing services article 17\*\*

- Online platforms will be liable for content posted by users
- Automatic upload filters on online platforms
- Does not apply to academic repositories
- Will it kill the meme and do machines understand fair dealing?

\*previously article 11

\*\*previously article 13

# DSM Directive and researchers / institutions

- Mandatory exceptions
- Text and data mining (articles 3 and 4)
  - Provides some restrictions on publisher use of technical protection measures to prevent researcher access
- Use of works for teaching (article 5)
- Range of library and cultural heritage exceptions
  - Preservation (article 6)
  - Mass digitisation (articles 8-12)
  - No protection for facsimiles of out of copyright visual works (article 14)
- No contract override (article 7)