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254 Senate House
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London
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(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 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, under copyright law the following activities that are swiftly being put in place would be infringements:

- Teachers scanning entire books for hastily arranged online courses.
- 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.

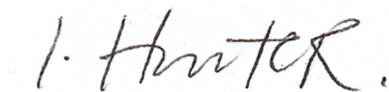
Yours sincerely,



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, followed by the full name "Research Libraries UK" in a smaller, white, sans-serif font inside a blue rectangular box.

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

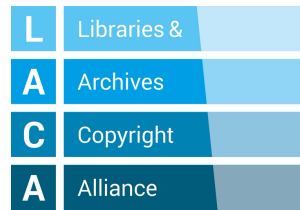
The logo for the Society of College, National and University Libraries (SCONUL) consists of the word "SCONUL" in a grey, sans-serif font, followed by a graphic of colorful, interconnected lines and dots in shades of blue, orange, and red.

Isobel Hunter, Chief Executive
Libraries Connected



**Libraries
Connected**

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)

