

Copyright Anxiety and Chill: Higher Education Employees in the UK and Canada

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HOW DOES COPYRIGHT MAKE YOU FEEL?



THE COPYRIGHT ANXIETY STUDY is led by the Bodleian Libraries, University of Oxford in partnership with City, University of London and the University of Alberta. It will explore levels of 'copyright anxiety' across the UK and Canadian higher education sectors, to learn more about the extent to which copyright law inhibits innovative research and teaching practice.



What is copyright anxiety?

Copyright anxiety includes nervousness and apprehension associated with navigating copyright issues.

*This may result in **copyright chill**, where a legitimate use of copyright-protected material is discouraged or inhibited by the threat (real of perceived) of legal action.*

Why study copyright anxiety and chill?

Copyright anxiety and chill can prevent legitimate uses of literary and other works, inhibiting learning and the creation of new works.

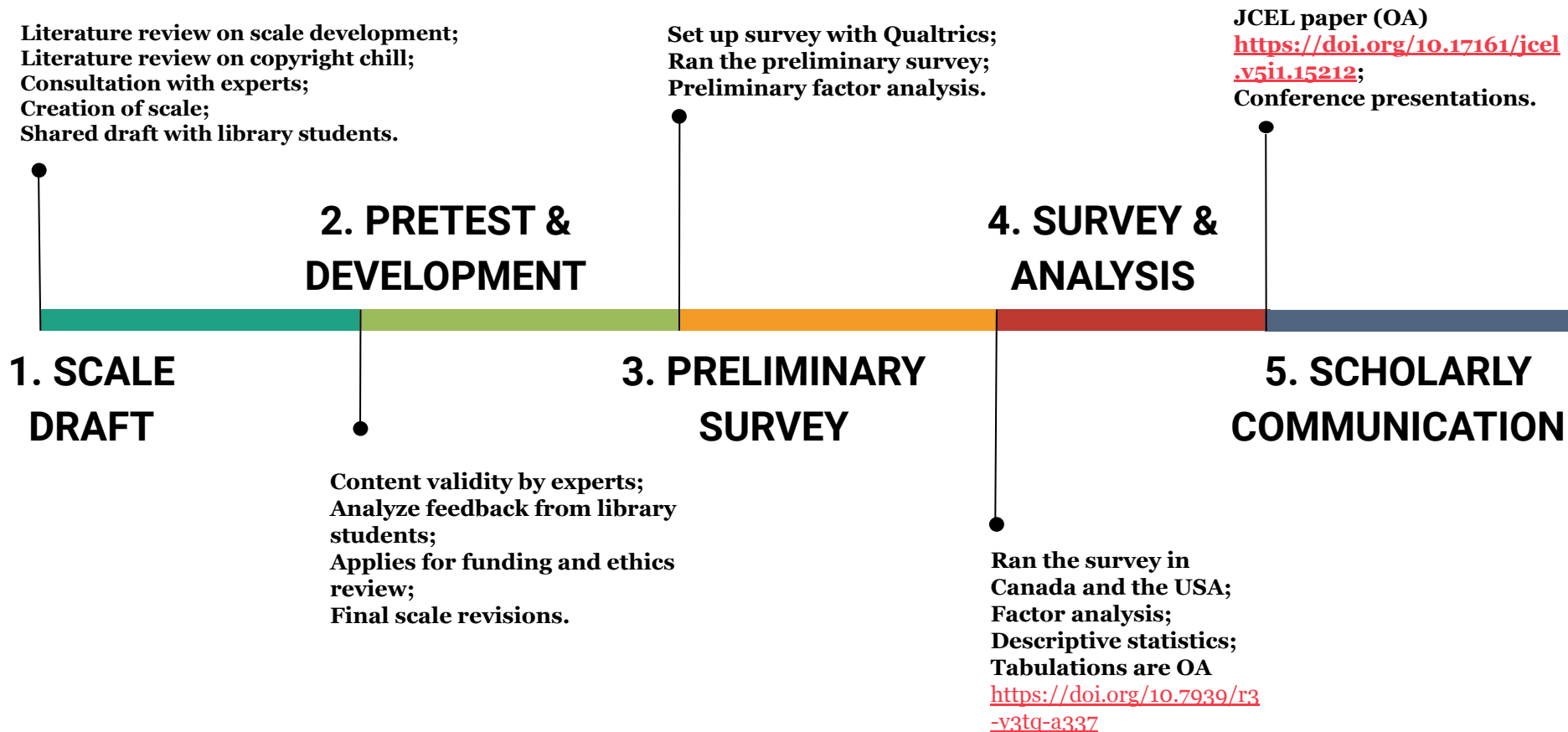
The more librarians and other professionals that understand this phenomenon, the better equipped we will be to develop information and copyright literacy practices and services to help reduce and alleviate its impact.

Why use a scale?

A ranking scale allows for an initial measurement of the scope and impact of copyright anxiety.

The Copyright Anxiety Scale (CAS) is informed by the Library Anxiety Scale and the Depression Anxiety Stress Scale.

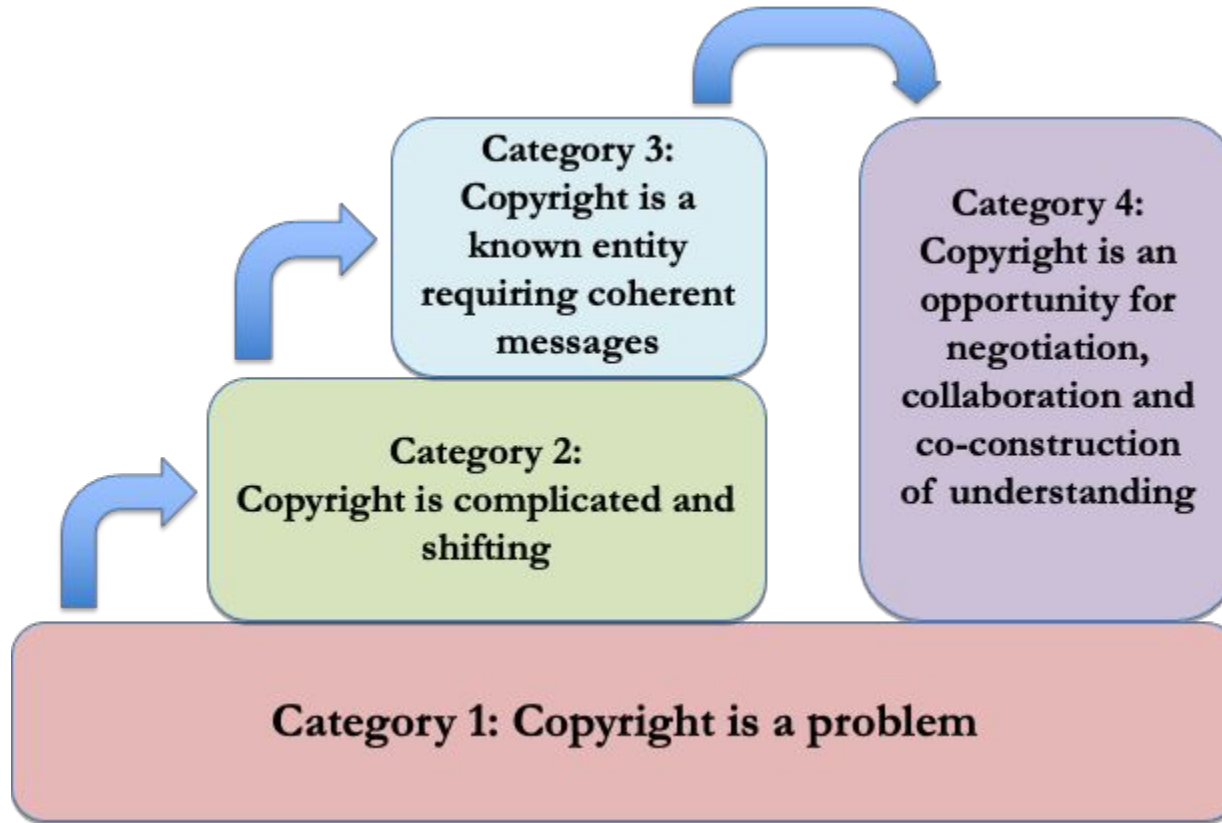
2019 CAS Development (Univ of Alberta)



What did we learn from the CDN/US 521 respondents?

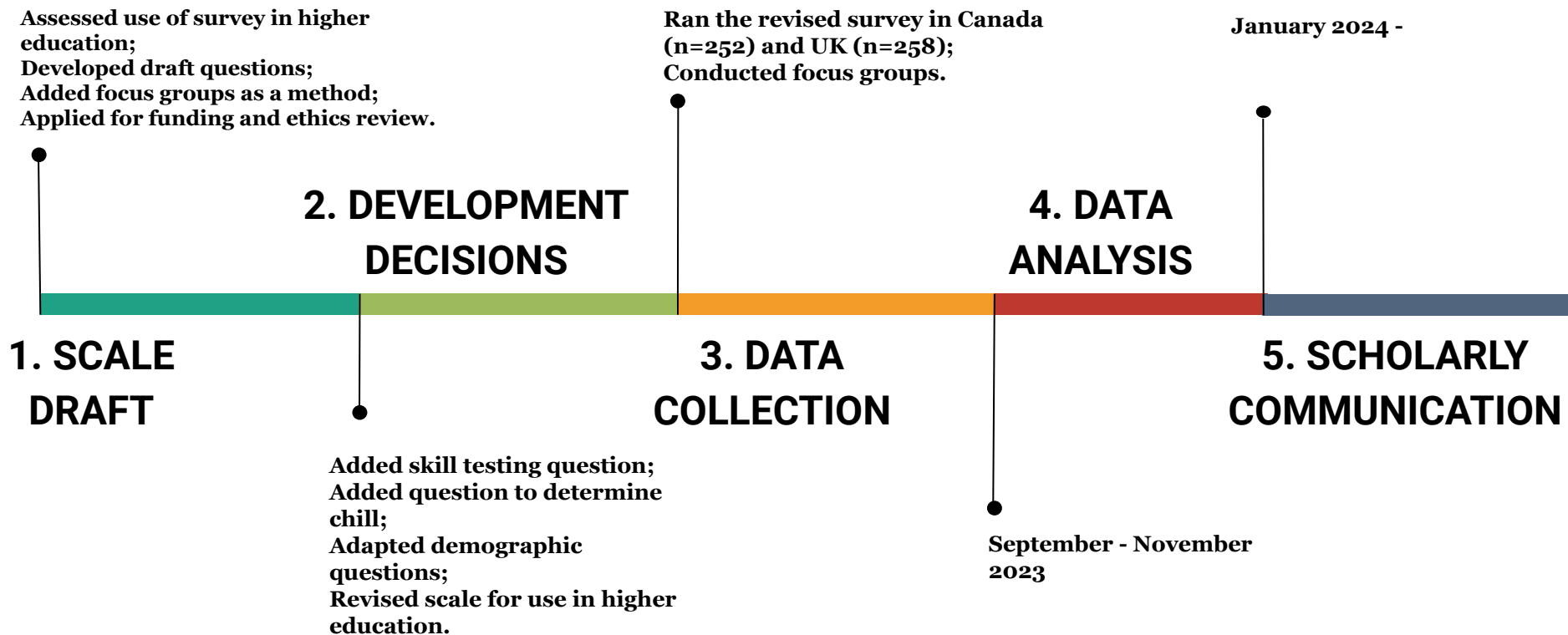
- Copyright anxiety is real and chill is likely
- People are worried that they do not know enough about copyright
- Very few questions elicited responses with statistically significant variation between genders or geography (i.e., those living in Canada and US)
- Need scenario-based information to determine chill and assess its impact
- Modifications could be helpful if collecting sector-specific data

Meanwhile, in the UK...



Morrison, C & Secker, J. (2017). Understanding librarians' experiences of copyright: findings from a phenomenographic study of UK information professionals. *Library Management*, 38 (6/7)

2023 CAS Development (CDN/UK project)



2023 Copyright Anxiety Scale HE

1. I am familiar with copyright legislation and/or copyright case law.
2. I can identify exceptions to copyright infringement.
3. I frequently have concerns about copyright.
4. I get confused trying to navigate copyright issues.
5. I am comfortable performing actions that I think might be copyright infringement.
6. I am confident that the materials I create are protected by copyright.
7. I do not feel safe using copyright-protected materials that I do not hold the rights for.
8. I worry that I do not know enough about copyright.
9. I have access to good instructions and/or policies for using copyright-protected materials.
10. It is easy for me to get help or find information about copyright.
11. I feel hesitant to ask for help with copyright issues.
12. I worry about the consequences of copyright infringement.

13. I am confident that elected officials (e.g., MPs) understand legal issues related to copyright.

14. I am confident that the senior managers / leadership team at my institution understand legal issues related to copyright.

15. I am worried about the amount of copyright infringement that goes on at my institution.

16. I often feel anxious in my professional life.

17. I have had formal training / education related to copyright.* Yes / No

18. True / False question about educational fair dealing.*

19. I have avoided activities or projects in the workplace because of copyright issues.* Yes / No

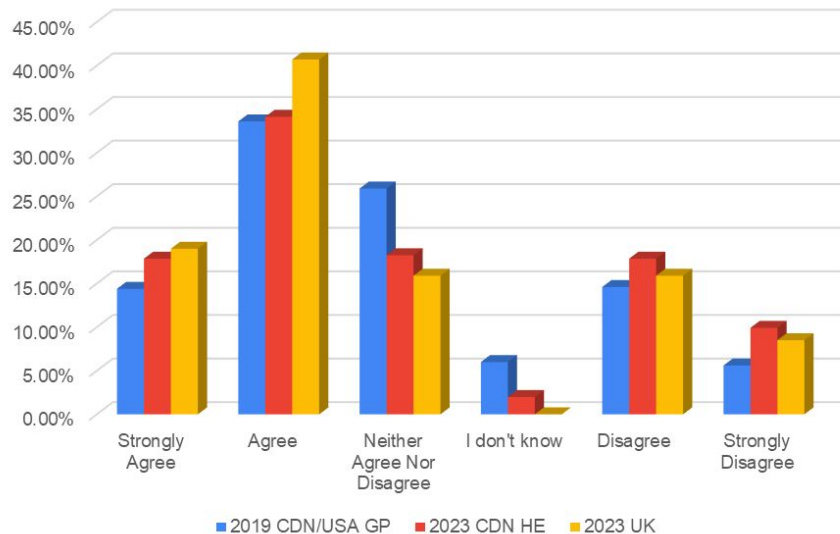
20. Can you describe a time that concerns about copyright hampered or prevented you from doing something as part of your work?* Yes / No

21. Any additional comments you would like to share?

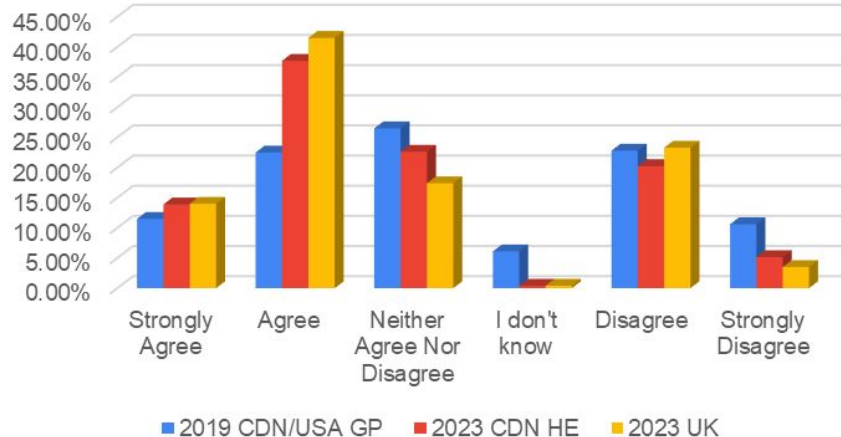
*Followed by a write-in response request

2019/2023 CAS Questions: Anxiety

I worry that I do not know enough about copyright.

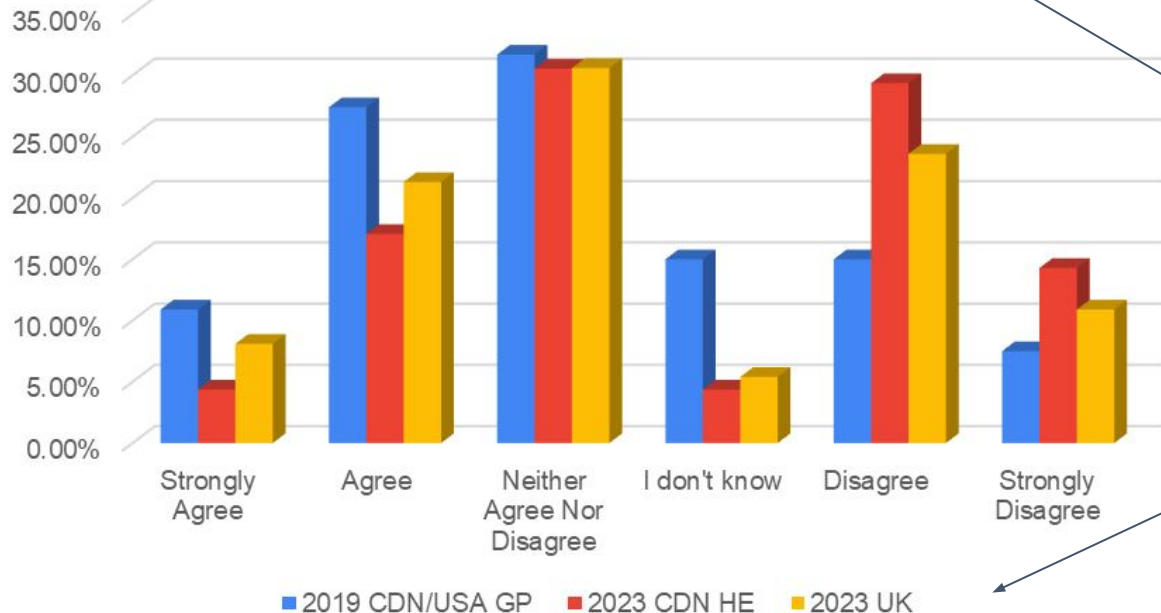


I frequently have concerns about copyright.



2019/2023 CAS Questions: Infringement?

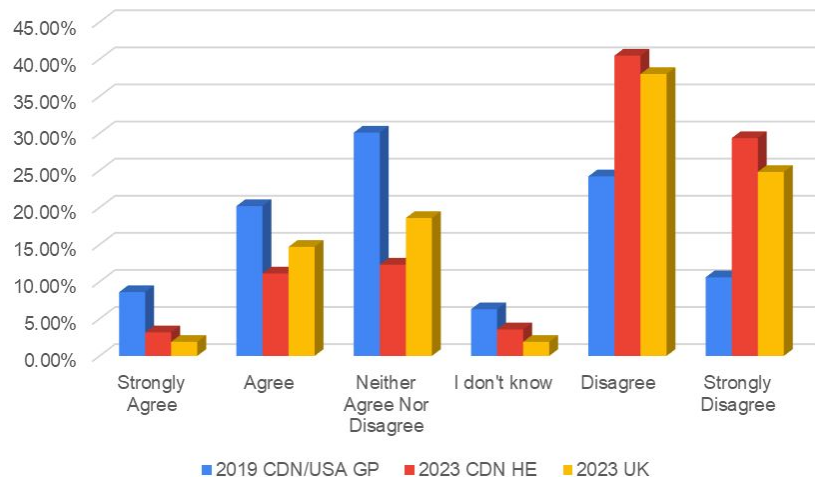
I am worried about the amount of copyright infringement that goes on (at my institution).



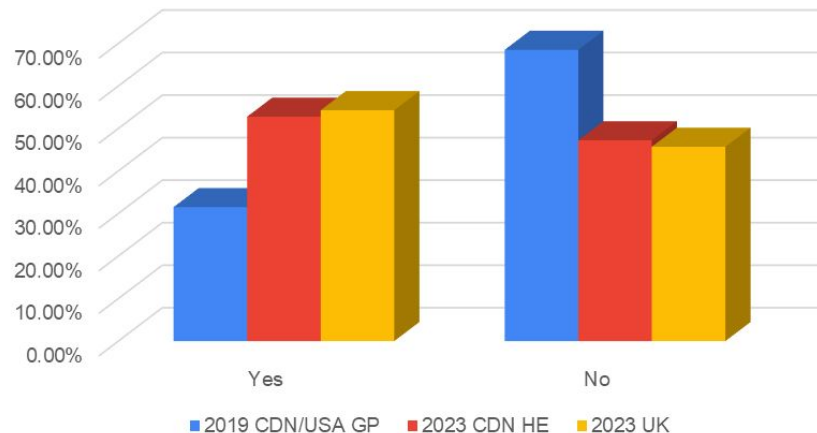
2023 question surveyed worries about copyright infringement "at my institution"

2019/2023 CAS Questions: Literacy

I feel hesitant to ask for help with copyright issues.

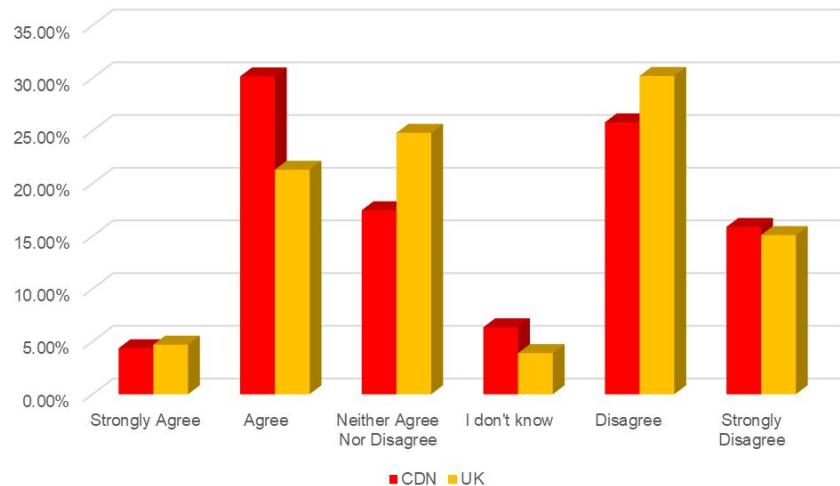


I have had formal training/education related to copyright.

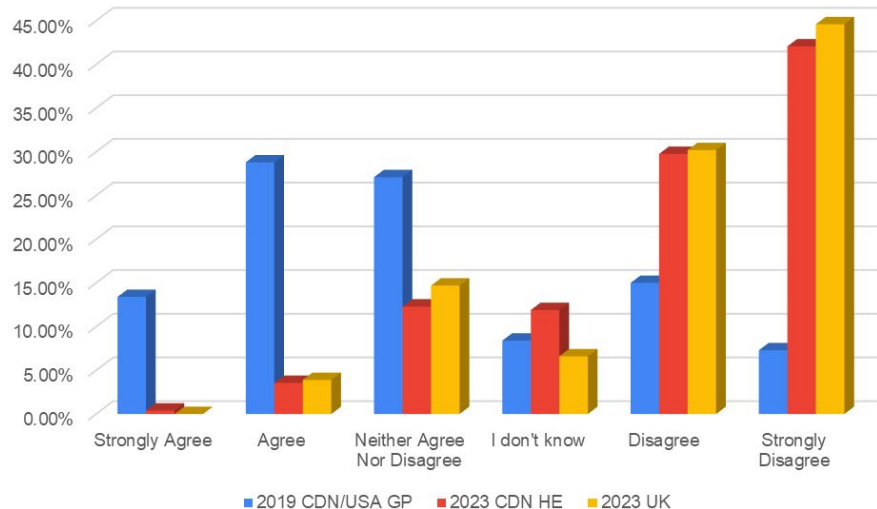


2019/2023 CAS: Confidence in leadership

I am confident that the senior managers / leadership team at my institution understand legal issues related to copyright.

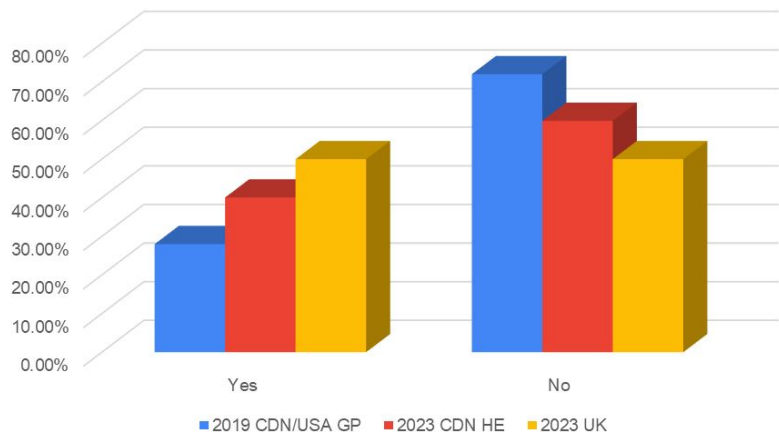


I am confident that elected officials (e.g., Members of Parliament) understand legal issues related to copyright.



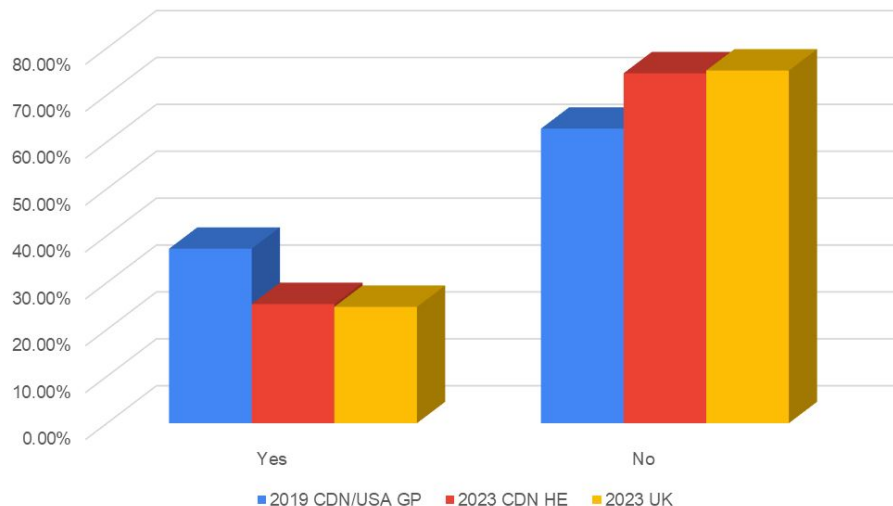
2019/2023 CAS: Chill?

Can you describe a time that concerns about copyright hampered or prevented you from doing something as part of your work?



2023 questions specific to hampering / avoidance "in the workplace"

I have avoided activities or projects in the workplace because of copyright issues.



2023 Canadian Focus Groups

Legal chill and pedagogical impact

“The complexity of fair dealing can lead to a lot of avoidance.”

“...they [instructors] will look for alternative material. It may be fine, it may be just as impactful and meaningful for students but it may not be.”

“If someone has found something that explains something the way that they want to explain it in a way that makes sense for their students I just feel like we all lose if you can’t share that in an educational setting. We all lose.”

Workplace stress and emotional fatigue

“I’ve had instructors say to me in the past, ‘I disagree with your assessment and I’m going to do what I want anyway.’ And I say, ‘Well, you can do that. Good luck.’ I have no teeth. There’s nothing that I can do.”

“What will happen if I make the wrong call? There’s no answer to that.”

“It was tough because I had to keep saying that I’m not the decision maker.”

2023 United Kingdom Focus Groups

Legal chill and pedagogical impact

“it will have an impact on the student experience...What we're keen for them to be really is an exemplar collection that students can use to see some really strong dissertations, to really support their own learning. ... So without having those available, then they're almost really starting from scratch, which is quite a shame”

“We have decisions on whether something is in copyright isn't in copyright and when it will be out of copyright...we tend to take a more conservative approach and more risk averse approach. So we're not using those things for fear of sort of doing wrong with them”

Workplace stress and emotional fatigue

“...it's both a complexity and then it's what risks are we running as well by by doing this and even if even if you go through exceptions and things like that, there's still hesitancy everywhere.”

“....everybody tells me that that that my institution is is a very risk averse institution as well. But I was you know when we're having those conversations ...it's the risk averseness of the people that you having conversations with as well.”

“So I think that's that's part of the anxiety is that you are just building up a bank of knowledge of hearsay”

Questions for you...

Have you avoided activities or projects in the workplace because of copyright?

How did it impact your work?

What would help improve this for the future?

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