



All Party Writers Group (APWG)

Public Lending Right: The need to adapt to a changing market

Background

After decades of campaigning by authors, the PLR Act, passed in 1979, gave them the legal right to receive payment from public funds for the lending out of their books by the nation's public libraries. The new system's rules of operation were set out in secondary legislation, the PLR Scheme, in 1982.

The PLR office collects loans data from a statistical sample of public libraries across the UK and makes payments to authors in line with how often their books have been borrowed. In 2009 the PLR office will distribute £6.6 million to 24,000 writers, translators, editors and photographers. This equates to 5.98 pence per loan.

PLR remuneration plays an essential role in supporting and sustaining the contribution made by authors to the UK's creative economy.

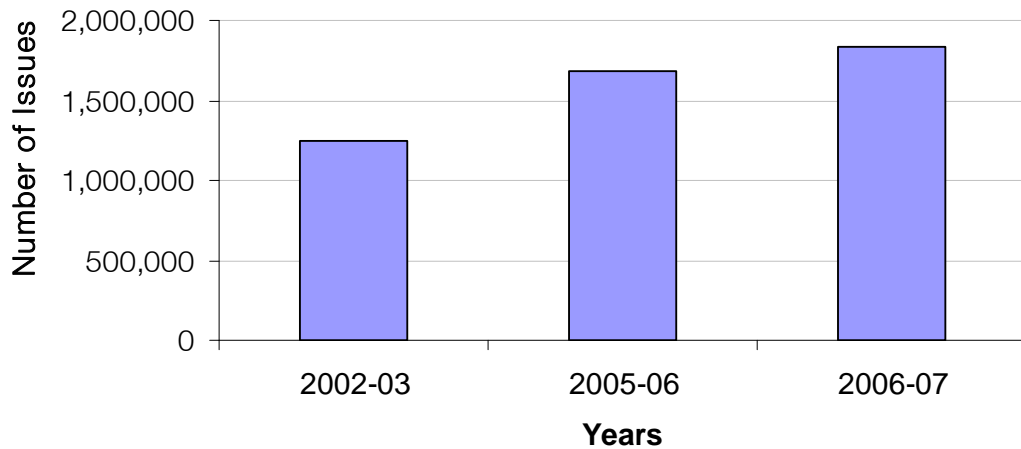
PLR also provides welcome feedback for authors on the popularity of their books with public library users. For many reasons the annual payment statement that goes out to every author is eagerly anticipated.

With 288 million visits to UK libraries each year, this simple system providing a fair reward to writers in return for access to their works, benefits a vast section of society.

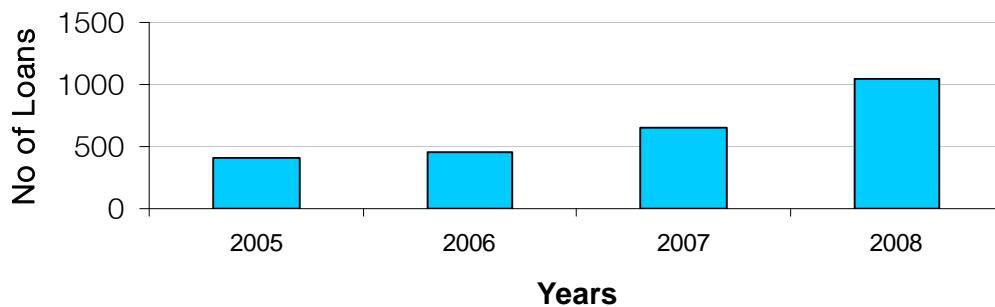
Current situation

The last 30 years have seen significant changes for public library services; most notably the evolving digital environment is changing the expectations of library users. Borrowers are increasingly seeking to access the written word in different ways: demand for audio books grows year on year and libraries are already responding to the growing market for e-books.

Lending of Audio Books in Libraries



eBooks & eAudio Loans in single Essex Library



Increasing Sales of the Sony eReader

Waterstone's has sold 30,000 units of the Sony Reader, following its launch in the UK at the beginning of September 2008.

Sony has sold 300,000 of its Reader devices globally since the digital device was launched in October 2006.

Alongside these technological advances, the traditional public library model is changing. The old distinctions between different types of libraries are breaking down. Partnerships are being developed by local government authorities that bring together college and school libraries with public libraries to share facilities and buildings thus offering a more cost effective form of service that better reflects community needs.

This evolution in the library service is clearly attracting popular support; Andy Burnham, Secretary of State for Culture, Media and Sport, recently told the Public Libraries Association:

"In the last five years, when the internet and broadband have taken off – library visits have gone up by 17m to 288m, with half the population using the library.

The Year's library membership campaign has been one of its greatest and most tangible successes, with over 1 million new members signed up since April."

To prepare libraries for these changes the Secretary of State has launched a Library Service Modernisation Review which will be informed by the developing digital environment and will report by June 2009. It would therefore make sense to review and modernise the related PLR legislation at the same time.

Perception of PLR

By writers:

'I'm only too aware how many living authors desperately depend on their PLR earnings.'
(Children's writer, Dame Jacqueline Wilson.)

'The arrival of my PLR printout is for me one of the great spurs towards fresh endeavour.'
(Children's writer and illustrator, Shirley Hughes, OBE.)

'Such a connection with the reading public is valuable and interesting.' (Colin Dexter)

'Writing is a lonely business and so PLR provides a unique bridge to readers.' (Bel Mooney)

'In my early years as a writer PLR was a godsend – an amount of money which went towards necessities.' (Ian Rankin)

By the library community:

'Public libraries are involved in a growing new focus on the importance of their work with readers. With this comes a new eagerness on the part of publishers, booksellers and librarians to work together to achieve this. PLR has an important, and growing role to play here through its provision of invaluable data and by the way it connects with all sectors of the book world.' (Miranda McKearney, Director of the Reading).

'PLR laid the foundations for closer collaboration between authors and libraries, libraries and publishers and ultimately writers and their readers.' (Rob Froud, Head of Somerset Libraries)

'Increasingly public libraries are acquiring digital works and clearly there is a role for PLR in providing authors' remuneration for the use of these works through libraries.' (Rob Froud)

'Internationally PLR has set a benchmark for excellence in its field.' (Rob Froud)

What is needed?

The PLR scheme needs to reflect the reality that many people use their library to access content in diverse formats - books, audio-books, e-books - and the likelihood that these formats will change again over time as technology develops. The current PLR Act is no longer broad enough in scope, or sufficiently flexible to cover the lending usage of what 30 years ago was termed simply as 'books'.

2009, the thirtieth anniversary of the PLR legislation, presents the ideal opportunity to initiate a long-overdue reform of the PLR Act and Scheme. The APWG is seeking the support of the Secretary of State for a review programme that will deliver these much needed reforms.

What are the next steps?

The 1979 PLR Act recognised the right of authors to receive payment from public funds for the free lending of their books from the nation's public libraries. The legislation prescribes that payment can only be made for loans of printed books, and only from public libraries.

Libraries are changing and the PLR legislation needs to be modernised to reflect these changes. Books are accessed in public libraries in a growing range of alternative media. It is only right and fair that authors be remunerated for the use of their works in these formats in the same way that loans of their printed books have provided payment under the PLR scheme.

Linked to this is the need to modernise the rules governing the Registrar's management of the Scheme which are over-prescriptive and outdated. The Registrar and his team have built a fine reputation for their cost-efficient administration. But further progress in managing the current scheme more efficiently and preparing for a wider remit to cover the different media in use in libraries is hampered by the Scheme's extremely prescriptive rules of operation.

In short, PLR seeks to respond to the changing ways in which author's works are accessed and the new models for library services that are emerging, to further reduce its administrative costs and to ensure that authors' remuneration reflects the actual use of the written word in 21st Century.

The intended outcome

This proposed programme of reform is aimed at:

- ensuring fairer remuneration for authors;
- enabling the Scheme to be managed more cost-effectively;
- reflecting changes in the use of books in libraries
- taking account of changes in the way the public library service operates
- enabling PLR to be more flexible in meeting the needs of a continually changing environment
- ensuring that PLR remains a model of best practice internationally

Background Notes On PLR

The PLR Act – 1979

The PLR Act was passed in 1979. It recognised for the first time the right of authors to receive payment from public funds for the free lending out of their books by public libraries. It was a great achievement after 30 years of campaigning by authors. The PLR Scheme got under way in 1982 and the first payments were made in 1984.

PLR – Primary & Secondary Legislation

PLR's secondary legislation (the 1982 Scheme) dictates its rules of operation; it is prescriptive and burdensome to administer. Over the years different Ministers have agreed some changes to the secondary legislation by Statutory Instrument, but a fuller overhaul is now needed.

But, it is the primary legislation, the 1979 Act that restricts PLR to the loans of printed books from public libraries. This has proved far more difficult to change given the issue of finding parliamentary time for primary legislation. If Ministers can be persuaded of the case for modernisation, it is the Act that would need to change to enable PLR's remit to be extended to take account of the wide range of new formats in which authors' works are accessed and the changing definition of public libraries.

PLR funding & administration

PLR is currently funded by the Department for Culture, Media and Sport. PLR's funding for 2008-09 stands at £7.4 million. The Scheme is run by the Registrar of Public Lending Right and a small dedicated team from offices in Stockton-on-Tees. The Registrar's primary aim is to keep administrative costs as low as possible to ensure the maximum payout to authors each year. He collects computerised loans data from a representative sample of public libraries across the UK. Payments are made annually in February on the basis of a Rate Per Loan. 24,000 authors will receive payments in 2009 at a Rate of 5.98 pence per loan.

PLR – what could be fairer?

The Scheme has been fine-tuned over the years to make it fairer but the basic legal principle of payment for use has not changed, and rightly so. PLR in the UK remains exclusively the authors' right and payment is based on how often books are lent out.

Compare this with countries whose PLR systems permit publishers to share in the payments, or where payment is not based on book loans but on numbers of copies held by libraries. In the UK, also, we make no judgement on the 'worthiness' of a book for payment. Elsewhere, some categories of book do not qualify for payment, or committees of authors decide which of their fellows should benefit. In the UK if a book is borrowed from a public library it qualifies for payment.

Recent research provides evidence that a typical UK writer earns 30% less than the national average wage. PLR's own research demonstrates that for authors, their PLR payment forms a core part of their income upon which even the most-borrowed authors now rely.