

Repeal of Section 52

As the owner of Abode Interiors Picture Library Ltd I have been involved in marketing interiors images for advertising and editorial purposes for over 20 years.

I am also a journalist and for 30 years have been responsible for producing many hundreds of editorial features on British homes for a wide range of publications including Ideal Home, Homes and Gardens and House Beautiful This has involved me in commissioning photographs to accompany my stories.

The prospect of designers being able to claim infringement of copyright for a 2D use of their designs and products in interiors photographs is entirely unrealistic.

A photograph of a room could portray scores of furnishing items. Obtaining licenses for these images in advance would be totally unfeasible. I can understand that designers need protection from businesses that seek to copy and sell their work, but this is an entirely different matter to their work being portrayed in a photograph. The Government needs to set clear guidelines on this.

In my opinion the Government should provide a five year transition once again for 2D representations of 3D works

There should be an exclusion for editorial use of 2D images showing 3D objects

The Government should be aware of the difficulties of identifying objects within the images and the implications time and cost of attempting to obtain clearance on what could be a huge number of images within every image

Also home-owners should have the right to show their own homes as photographic works without risk of committing a criminal offence.

If photographers, libraries, agencies and publishers are put in a position of risking committing a criminal offence by publishing interiors images, they are unlikely to continue in business. Without a supply of images, the magazines – already facing difficult trading conditions – would have no photographic editorial interiors material to publish and may fold. This would have an undesirably negative effect on the market for furnishings, floorings, lighting, wallpaper etc.

If the legislation is changed and Section 52 is repealed, I would cease operating my photo library business and would not undertake any further editorial commissions for stories and features on British homes. Faced with the threat of legal action, the risk would be too great, and the insurance costs too high – if insurance were still available.

Thank you.

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