

Minutes of the Copyright Advisory Panel Meeting 4th June 2-4pm

Attendees

Tim Suter – Non Executive Director IPO (Chair)
Ros Lynch – Director, IPO
Joanna Huddleston – CED, IPO
Magnus Brooke – Director of Policy and Regulatory Affairs, ITV
Maureen Duffy – President of Honour of British Copyright Council and ALCS
Stephen Edwards – ReedSmith
Hamish Crooks – Magnum Photos
Gilane Tawadros – CEO Designers and artists copyright society
Dave Humphries – ERE, IPO
Maria Prokopiou – ERE, IPO
Euan Mackay – TNS
Shruti Dagaonkar – TNS
Ben Beadle – CED, IPO (minute-taking)

Apologies

Crispin Hunt – CEO Featured Artists Coalition
Geoff Taylor – Chief Executive British Phonographic
Jo Twist – CEO UKIE
Bill Bush – Director of Policy, Premier League
Roly Keating – British Library
Amanda Nevill – BFI
Richard Mollet – CEO The Publishers Association
Julian Ashworth – Global Director of Industry Policy, BT

Introductions & welcomes

The chair welcomed Dave Humphries and Maria Prokopiou from the ERE team and Euan MacKay and Shruti Dagaonkar from TNS.

Update from the IPO

Penalty Fair? - Research from the study of criminal sanctions for copyright infringement has suggested that the maximum sentence of 2 years imprisonment for online infringement should be increased to the existing maximum 10 year sentence for off line infringement . This would involve amending the CDPA 1988. The consultation process will be commencing shortly.

Section 72 – It is likely that the consultation process on amending section 72 will commence shortly.

Agenda

- Online Copyright Infringement Tracker: TNS to present findings from Wave 5 (Feb-April 2015)
- Update from CAP members on engagement with the European Commission on DSM
- Policy Discussion: The EU DSM Paper

Online Copyright Infringement Tracker presentation

Dave Humphries gave a brief history of the OCI Tracker. Originally the IPO worked with Ofcom in 2012 to undertake 4 waves to track consumer behaviour in the online world. TNS were commissioned to undertake the work. In an ideal world the IPO would continue on an annual basis if funding is available. The IPO would encourage Creative Industries to consider contributing.

The survey is being mirrored in Australia and the IPO is looking forward to working with the Australians to garner a wider view of online infringement.

It was also noted that the Creative Industry Council's Strategy, published 2014, recommended that the OCI Tracker survey be repeated.

Euan MacKay and Shruti Dagaonkar then presented the findings of Wave 5 of the OCI Tracker to the panel. The presentation included a short Q&A session.

Update from CAP members on engagement with the European Commission on DSM

Panel members shared thoughts from recent visits to Brussels before discussing recent statements from the Commission. Points raised in discussion included:

- There is a potential review of Artists Resale Rights (ARR) in the autumn. It was noted that ARR becomes payable at €1000 but it has been claimed that many people have been bypassing this by selling via online auctions where the fee does not apply.
- It was noted that some public statements and conversations with Commission officials suggest that there may be the possibility of exempting the A/V industry from reforms to promote cross-border sales. It was also noted that the review of the Cable and Satellite Directive seemed to be added late in the process and the full consequences may not have been properly thought through.

Wrap up and next steps

It was agreed that the next CAP meeting should move away from focusing exclusively on the EU and the DSM and take a look at international issues concerning copyright. Members agreed to provide a few slides to explain any topics they would like to discuss as other members may not be familiar with the topic.

It was also agreed that the next meeting should be held in October.

Action

IPO to canvass dates and topics for the next meeting.

AOB

None