

UK artists, performers, writers, and directors advocate for fair pay and the protection of creators' rights in the Culture, Media, and Sport Select Committee.

London, Tuesday 19 September 2023: Today the Culture, Media and Sport Select Committee heard evidence exploring the issues around creator remuneration in the UK. Dame Caroline Dinanage MP, Committee Chair, asked for evidence to examine working practices across the creative industries, including the increased precariousness of employment and falling remuneration for creators. Whilst these are long-standing issues, they were brought into sharp focus when many freelance creatives were locked out of support schemes introduced during the height of the Covid-19 pandemic.

Giving evidence were four organisations who manage and collect royalties on behalf of their members. The Authors' Licensing and Collecting Society (Writers, ALCS), British Equity Collecting Society (Actors and Performers, BECS), the Design & Artist Copyright Society (Visual artists, DACS) and Directors UK (TV and Film directors). Key issues for UK creators that were highlighted included:

- Creators rely on a wide portfolio of earnings from commissioned work, sales, and royalties to sustain their careers.
- 49% of workers in the creative industries are freelance. Creators are twice as likely to work freelance compared to other industries.
- Creator remuneration across the creative industries is falling in real terms, risking a loss of talent across the sector.
- The downturn in income has been caused by various factors, including the shift to digital platforms, and advancing technology, neither of which are well covered by established mechanisms for copyright remuneration.
- UK creatives are at a disadvantage to those in 45 other countries where private copying levies exist to pay creatives when their works are stored and shared across digital devices.
- Without addressing issues of UK creator remuneration, the Government risks undermining its aims for the creative industries, including to increase social mobility through creative careers.

All four organisations made the following recommendations to the Committee:

- The UK Government should appoint a freelancer commissioner to better understand the issues of freelance workers.
- The UK Government should introduce a private copying scheme into law to compensate creators and performers, and to protect income from overseas by creating reciprocity between the UK and other countries.
- DCMS and the IPO should engage further on how to improve the regulatory landscape and ensure that fair, equitable payment to creators and performers is a priority.
- There should be further research into comparative value loss between UK creators and performers and their counterparts overseas.

Richard Combes, Deputy CEO, ALCS, said: "Many freelancers have fallen through the gaps in government support and due to the nature of freelance work there is no special consideration made for how tax and benefits relate to such workers, but we cannot afford to lose this creative pool. A Freelancer Commissioner would help Government understand and navigate the issues of freelance work, and many of the issues that UK creators face."

Jess Winchester, Legal Counsel, BECS, said: "UK performers' income is becoming more precarious than ever. Since the UK has left the EU they are losing out on some of the statutory payments that were previously available when their work was used in Europe. The UK Government has an opportunity to alleviate this loss by introducing a statutory private copying scheme in the UK, the Smart Fund, similar to schemes already operating in 45 countries around the world. As well as providing a much-needed additional revenue stream to compensate them when their work is privately copied and shared in the UK, this would also address the issue of reciprocity. This would help our world leading performers to continue to entertain us, boost our economy and the UK's reputation abroad."

Reema Selhi, Head of Policy, DACS said: "Leave copyright exceptions alone. Meddling with this policy leaves the door open for Big Tech companies to push for deregulation. We need to look at what other countries are doing and how they are pushing for creator remuneration.

"Our proposal, the Smart Fund, will address issues of creator remuneration for a wide range of creators and performers. It doesn't reinvent the wheel: it echoes private copy levies in 45 countries, which are established and successful. Government is in a prime position to make a workable solution fit for the UK, which would bring vital income to underpaid creators and performers."

Andy Harrower, CEO, Directors UK, said: "Protecting creators' income is vital, especially as the last few years have seen more directors than ever out of work, whether due to the global pandemic or the current TV and film production slowdown. Royalty payments might be the only income our members have to live off during these periods.

"The sad reality for many directors, even those who are in work, is that the creative industries are dependent on underpaid creators and workers. Introducing a private copying scheme in the UK would be an incremental source of income that goes some way to addressing that problem. It would also level the playing field in line with how creators are remunerated in other countries."

The DCMS Select Committee is expected to produce a report after the session. Information on some of issues highlighted in the Committee, and personal stories of people working in the creative industries are available [online](#).

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For more information or interviews please contact:

Kate Rosser-Frost, Head of Communications and Engagement, DACS: kate.rosser-frost@dacs.org.uk

Luke Alcott, Public Affairs and Policy Manager, ALCS: luke.Alcott@alcs.co.uk

For further information on private copying levies please visit: <https://thesmartfund.co.uk/>

The Authors' Licensing and Collecting Society (ALCS) is a membership organisation for writers, journalists, and literary translators. The organisation's main aim is to protect the rights of writers and ensure that they receive fair payment for their work. ALCS collects fees on behalf of its members for the use of their work in a range of media, including print, television, and online. The organisation distributes these fees to its members and campaigns for their rights to be respected.

The British Equity Collecting Society (BECS) is a collective management organisation for audio-visual performers in the entertainment industry. BECS aims to ensure that its members receive fair payment for their work in television and film. The organisation collects statutory remuneration and fees from collective licensing on behalf of its members for the use of their work and distributes these to its members. BECS also campaigns for the rights of performers, both in the UK and internationally.

The Design and Artists Copyright Society (DACS)

Established by artists for artists, DACS is a not-for-profit visual artists' rights management organisation. Passionate about transforming the financial landscape for visual artists through innovative new products and services, they act as a trusted broker for 180,000 artists worldwide. Founded almost 40 years ago, DACS is a flagship organisation that campaigns for artists' rights and collects and distributes royalties to visual artists and their estates through its services: Artimage and Copyright Licensing, Artist's Resale Right and Payback. DACS members include Sonia Boyce, Tracey Emin, Sir Peter Blake, Damien Hirst, Yinka Shonibare, the Andy Warhol Foundation and many more.

dacs.org.uk
@dacsforartists

Directors UK is the professional association of UK TV and film directors. It is a membership organisation representing the creative, economic and contractual interests of 8,000 members – the majority of working directors in the UK. Directors UK negotiates rights deals and collects and distributes royalties to its members. It also campaigns and lobbies on its members' behalf and provides a range of services including legal advice, events and career development. Directors UK works closely with fellow organisations around the world to represent directors' rights and concerns, promotes excellence in the craft of direction and champions change to the current landscape to create an equal opportunity industry for all.

directors.uk.com
@Directors_UK

PICSEL launched in December 2015, as an independent not-for-profit collective management organisation (CMO) in the UK providing healthy competition in the marketplace to benefit rightsholders within the Image Sector. PICSEL exclusively represents a significant number of image-based rightsholders, including individuals, by contract. PICSEL members collectively represent over 300m content items available to license. Our objectives are to ensure fair and equitable remuneration reaches our rightsholders, as well as be open and transparent about the management of rights, collection of data and distribution of rights revenue, and for members to be central to the governance and decision-making process of PICSEL.