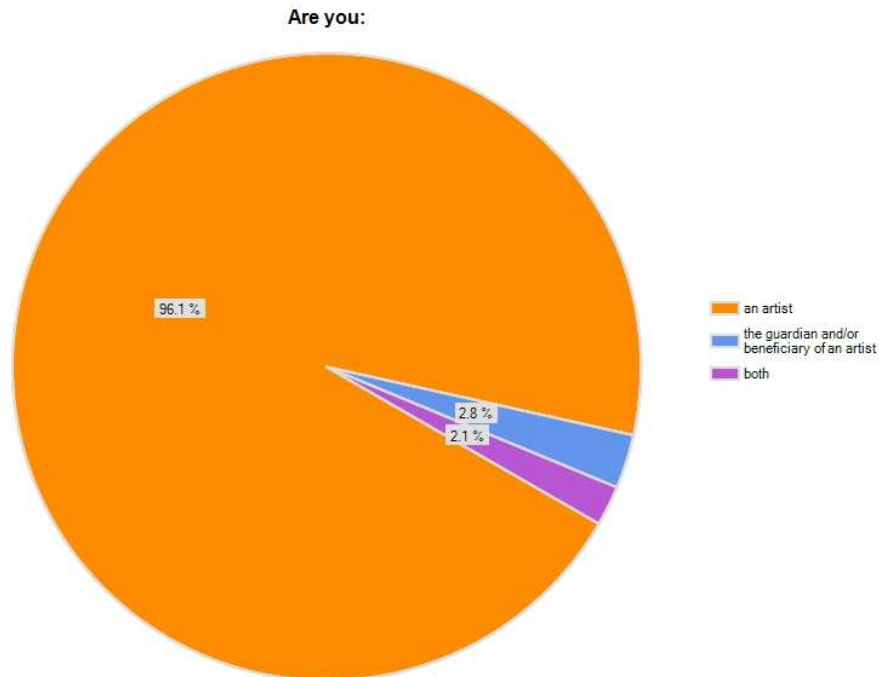


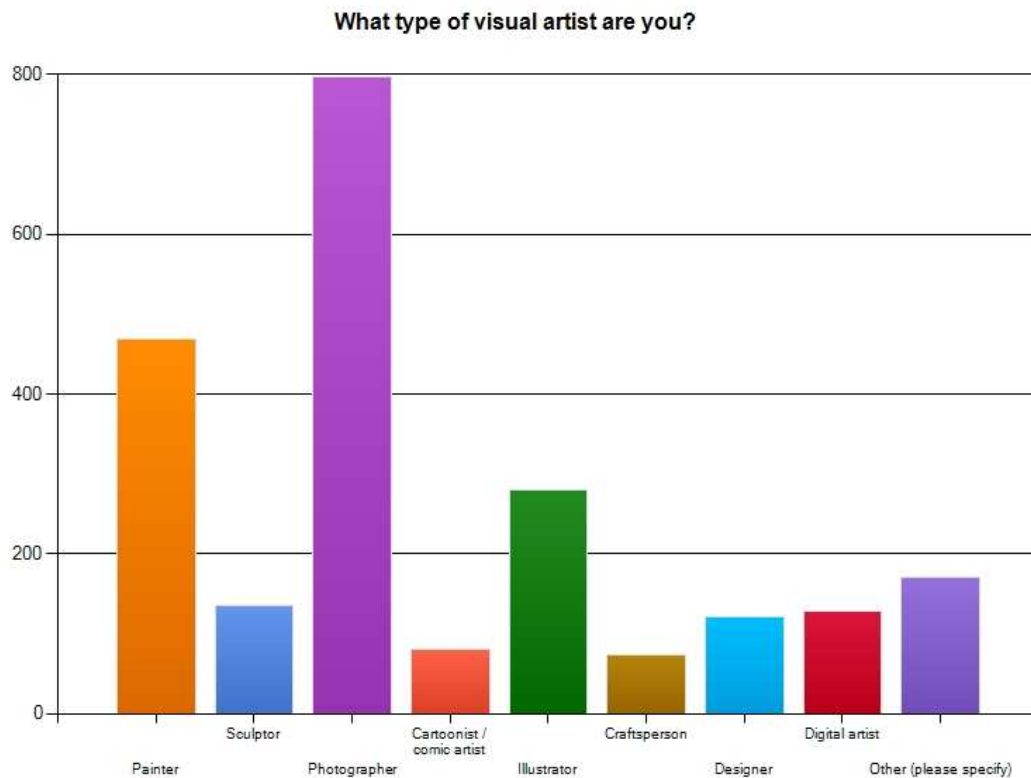
## DACS artist survey

- Attracted 1,870 responses.
- Circulated to DACS artists, and through numerous artist networks, and social media platforms.
- Please attribute DACS if referencing the results of this survey.

### Q1: Are you: an artist; the guardian and/or beneficiary of an artist; both



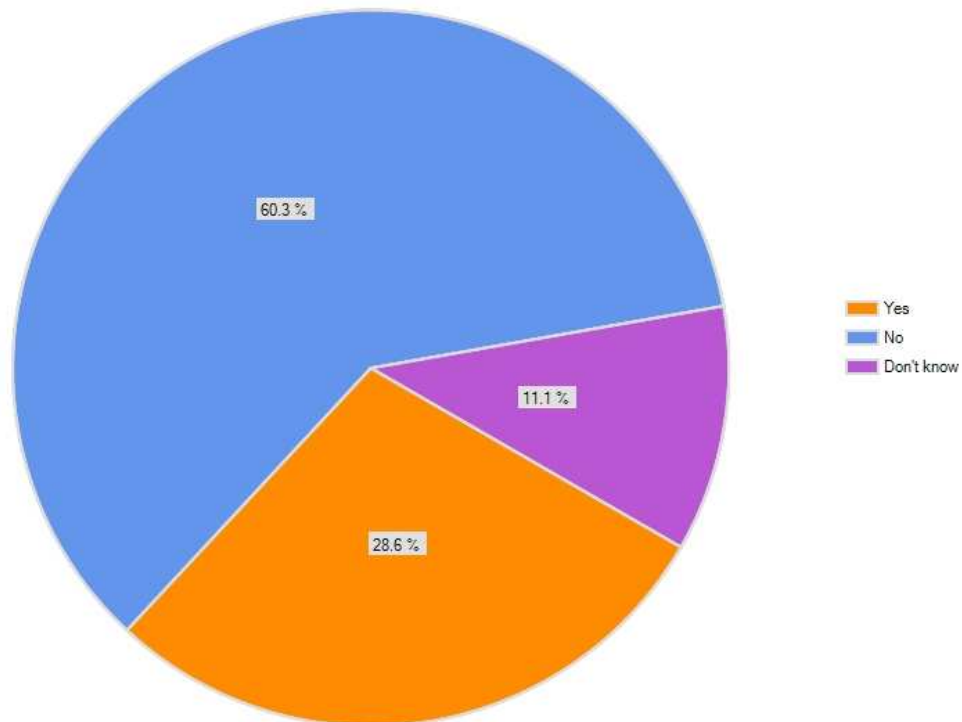
### Q2



## Your copyright

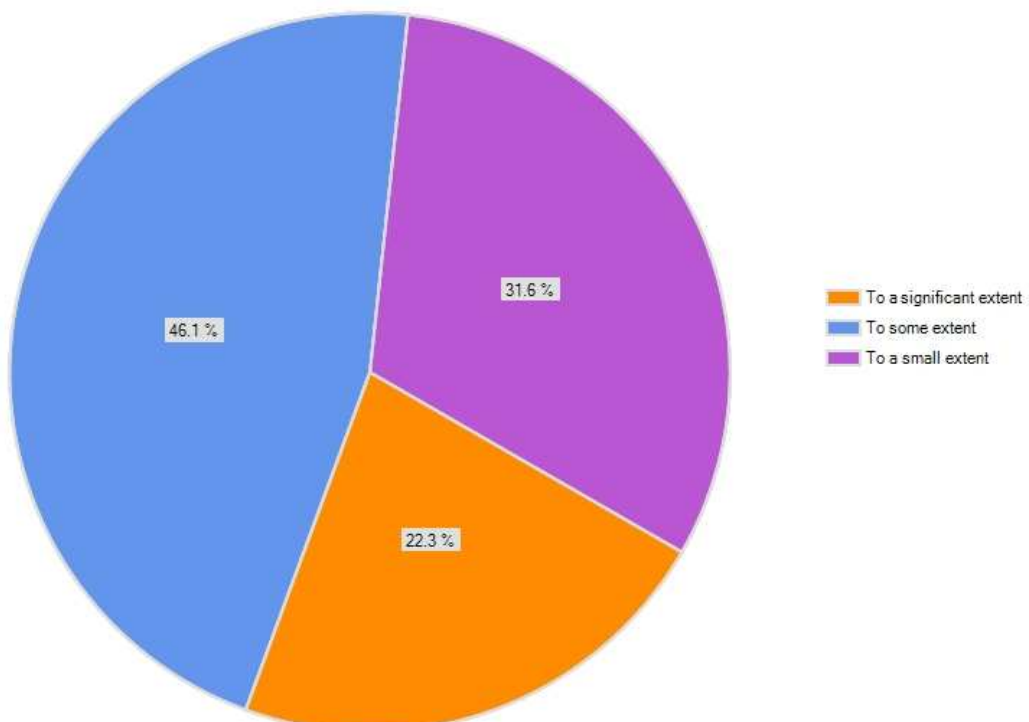
Q3

Has a copyright issue ever been a barrier to your creative output?



Q4

If YES: To what extent have copyright issues been a barrier to your creative output?



60% of respondents felt that copyright was not a barrier to their creative output. Of the 29% who felt that copyright was a barrier:

- 63% said that attempts by customers to 'rights grab' their copyright had created barriers in their work as a visual artist. Most commonly described were instances where the visual artist lost a contract as they were not prepared to assign their rights.
- 21% of respondents felt the risk of their work being infringed created a barrier for their creativity. Many commented that they refused to, or were reluctant to use online platforms to promote their work, for fear of it being infringed.
- 11% of respondents felt that copyright issues had restricted their creativity - due to the delay, cost, or difficulty in clearing the rights in content they wanted to use in their work - eg, film, collage etc.

### **Comments**

"I have had to turn down jobs because a book publisher was insisting on having the copyright of the work and would not budge. They were also not going to pay any more money to buy the copyright either. Other clients try to attain the copyright and I have had to get them to change the contract which they did agree to do. This of course takes up time. If I had assigned my copyright, I would lose the right to use it myself, even to promote myself as an illustrator."

"I am reluctant to post images on the internet or to allow others free use of my images in case they are passed on."

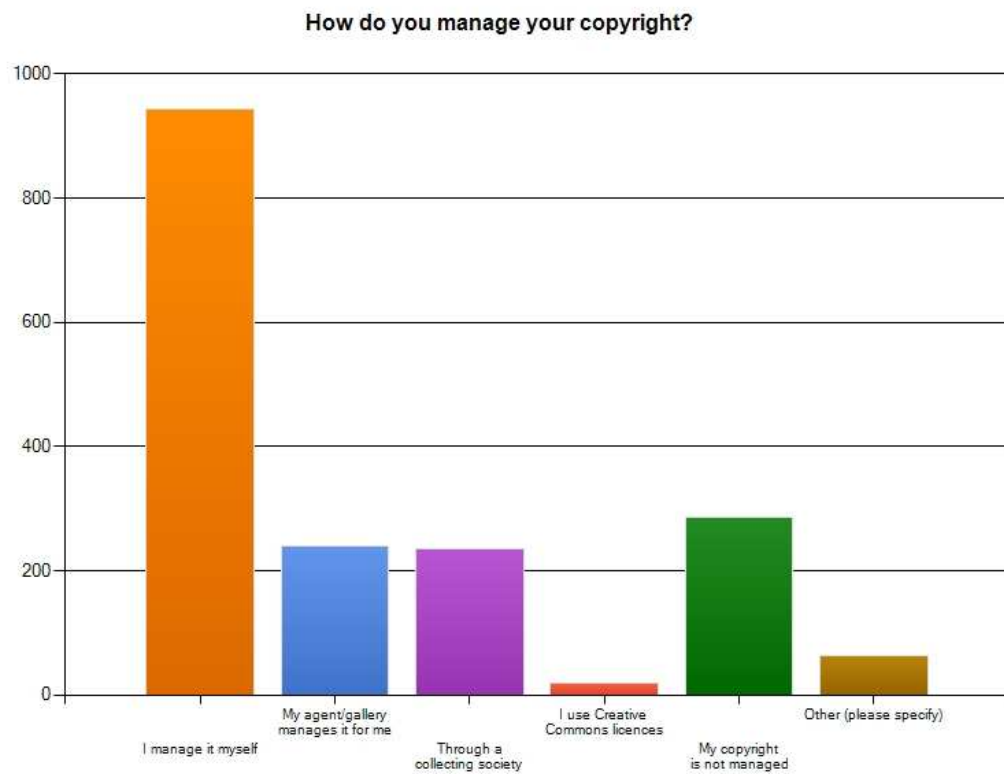
"It prevents me feeling able to post my work online or other, in order to promote myself. Many people in mainstream areas (i.e. not in the art/creative industries) just don't seem to respect copyright."

"Occasionally I have been unable to screen video where I have used copyrighted music on the soundtrack."

"Potential clients often want to own the copyright to images they are asking me to create. I only licence usage to my images, as I believe the copyright should remain with the artist. In many cases I have had to turn down work I would like to do because of this."

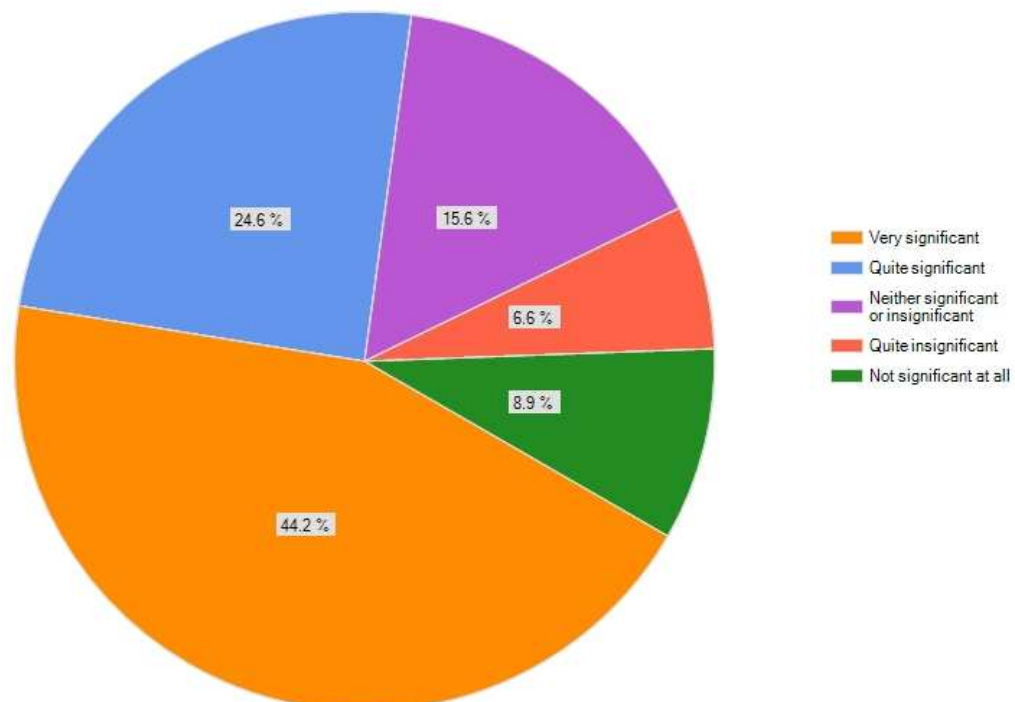
## Your royalties

Q5



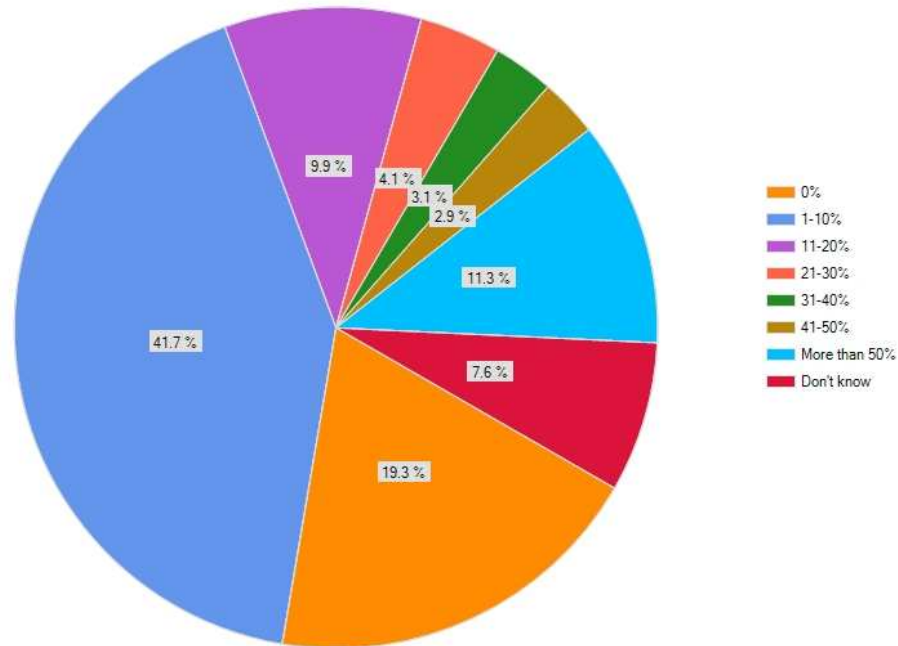
Q6

Thinking about your royalties/earnings from copyright (i.e. Copyright Licensing, Artist's Resale Right, Payback) how significant an incentive are they for you?



Q7

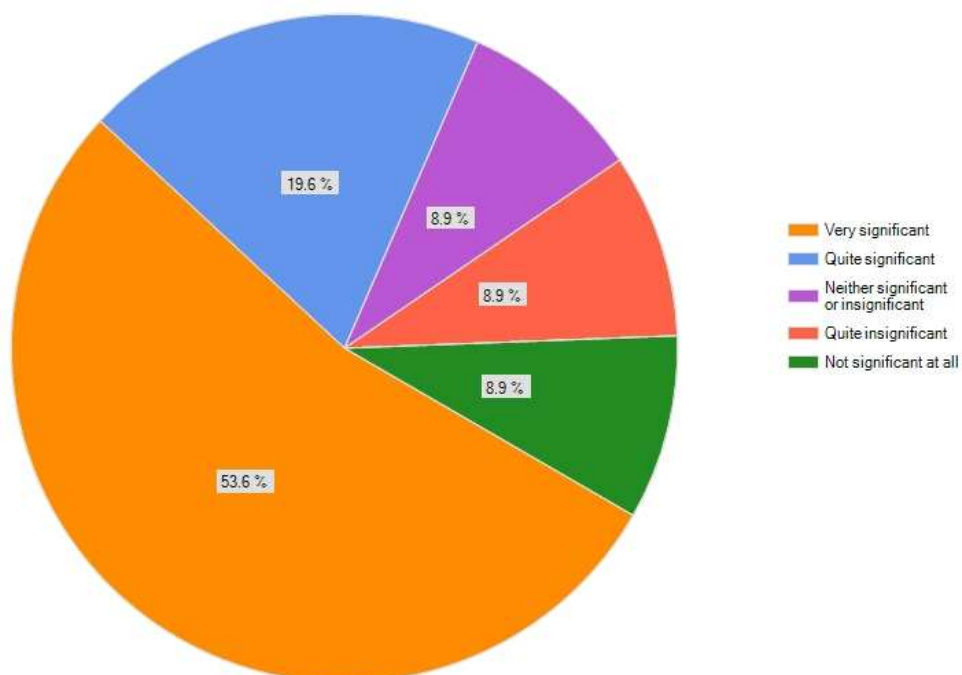
What percentage of your income (or the estate's income) is derived from copyright royalties?



These results clearly show that artists view the significance of royalties in a broader way than just financial remuneration. 69% of respondents felt that their royalties were a 'Very significant' or 'Quite significant' incentive, however, for 61% of respondents, royalty income made up less than 10% of their total income. This supports DACS' view that small royalty payments matter to visual artists, whose income is often made up of a portfolio of sources. The result also confirms that for many artists it is the recognition that this remuneration represents which is equally valued by them.

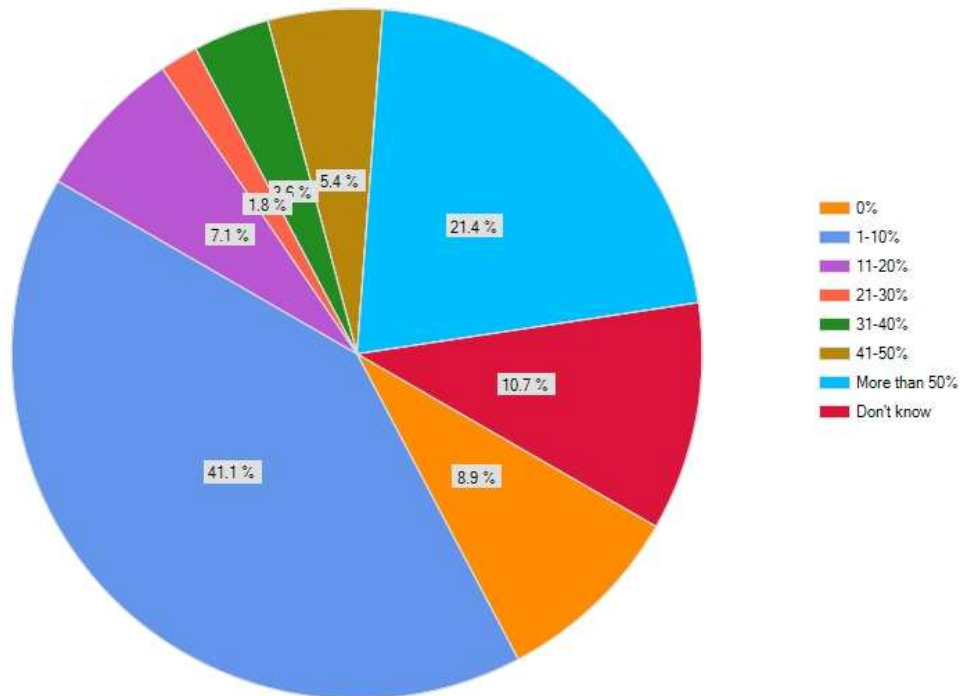
For artists' estates, the pattern of royalty earnings shifts:

Thinking about your royalties/earnings from copyright (i.e. Copyright Licensing, Artist's Resale Right, Payback) how significant an incentive are they for you?



Royalties still hold importance for estates with 73% considering royalty income to be 'Very significant' or 'Quite significant' for the estate.

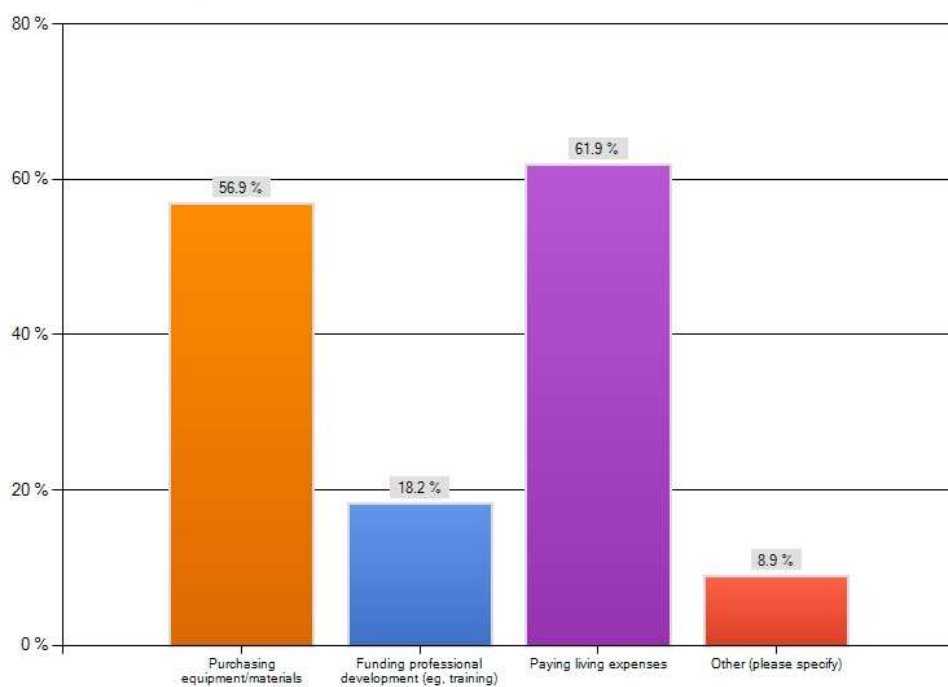
**What percentage of your income (or the estate's income) is derived from copyright royalties?**



For 21% of estates royalty income made up more than 50% of the entire income of the estate, illustrating the increased importance rights have for the families and beneficiaries who are maintaining the estate.

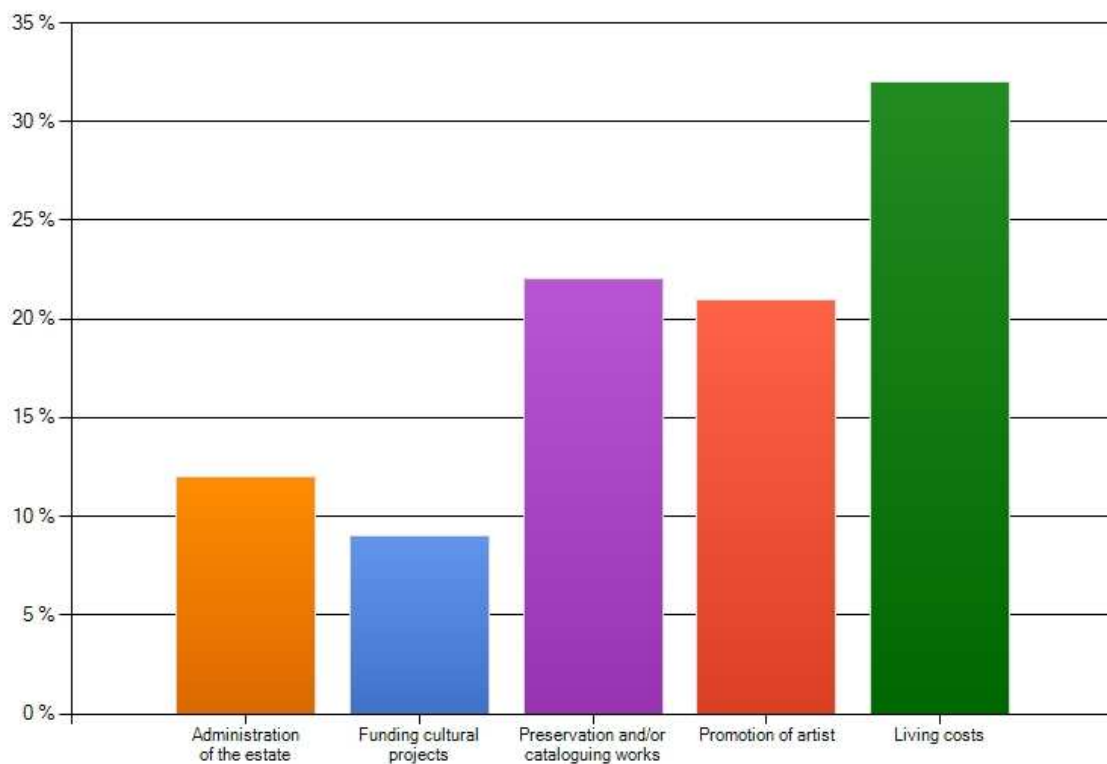
#### Q8

**If you are an artist: How have you used these royalties/earnings?**



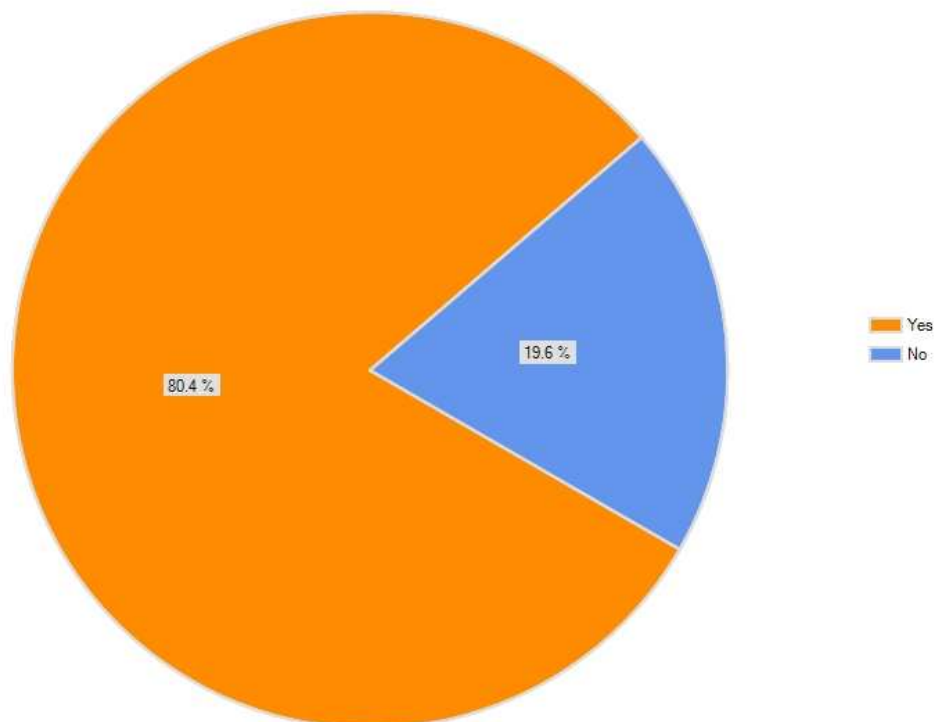
**Q9**

**If you are the guardian or beneficiary of an artist's estate: how is income from copyright and/or Artist's Resale Right used?**



**Q10**

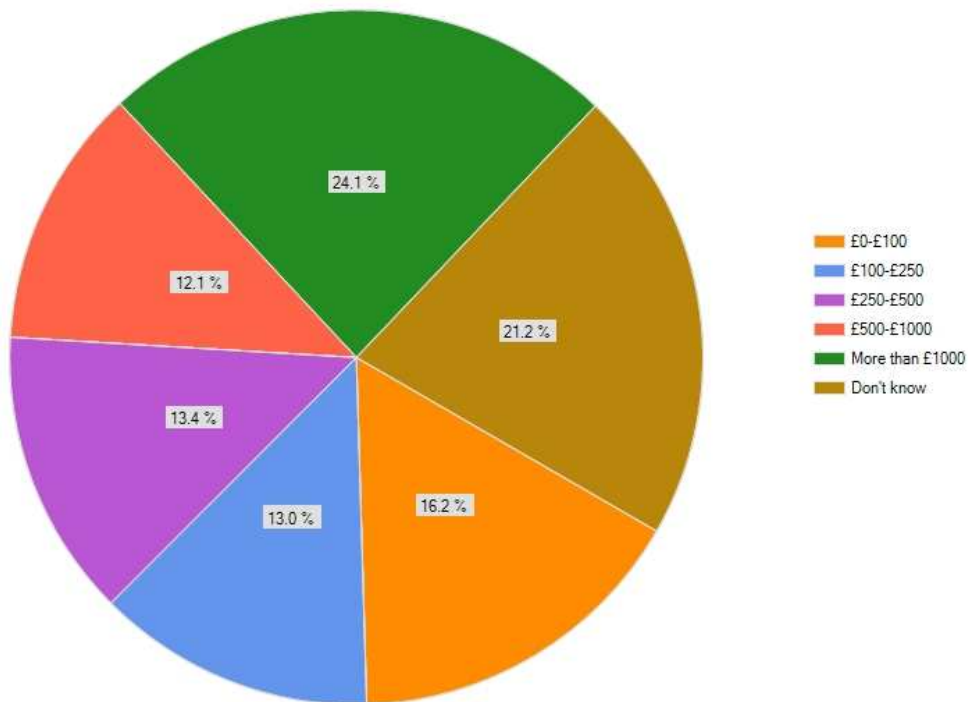
**Has your work ever been reproduced WITHOUT remuneration?**



80% of survey respondents have had their work reproduced without receiving remuneration, 24% of whom estimate their loss of income to be more than £1000.

### Q11

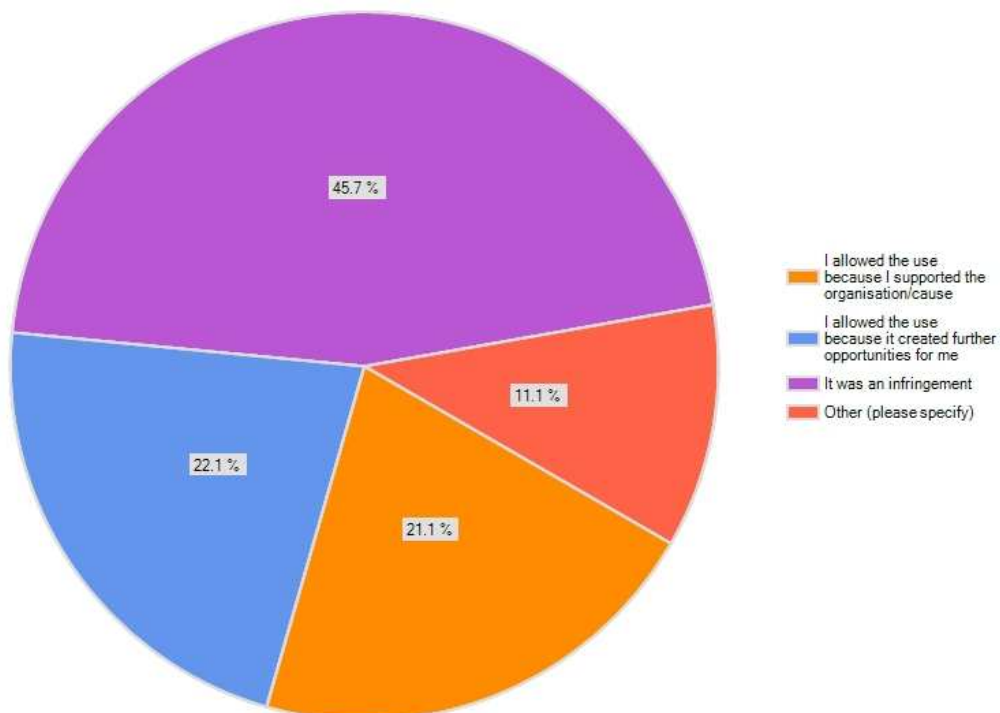
If YES: Can you estimate the financial value of the remuneration had you been paid?



Many artists choose to waive reproduction fees in some circumstances. 43% of survey respondents waived fees because they felt the use would create further opportunities for them or because they supported the organisation wishing to reproduce their work. However, 46% of respondents said the reproduction of their work was an infringement.

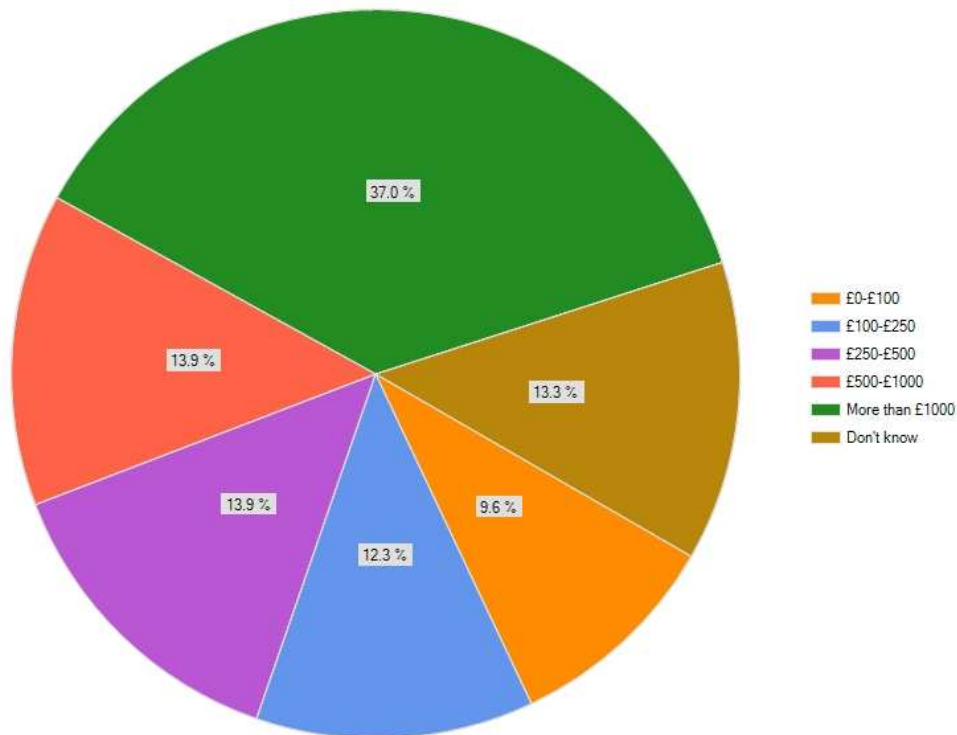
### Q12

In most cases, why was remuneration not paid?





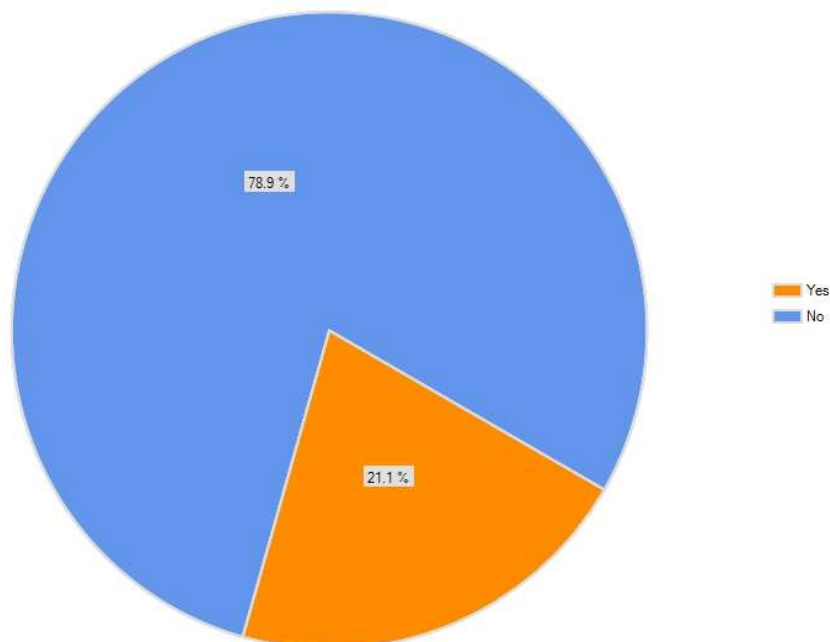
**If it was an infringement: Can you estimate the financial value of the remuneration had you been paid?**



37% of visual artists whose work had been infringed indicated they had lost more than £1000 in potential income because of the infringement. Only 21% of respondents took legal action against the infringer.

### Q13

**If it was an infringement: did you take any legal action?**



42% of people who did not take legal action said it was the cost of taking the action which prevented them from doing so. Other key reasons were the time it involved, and the lack of knowledge of how to go about tackling an infringement.

A number of respondents said that the infringement had occurred overseas and they lacked the knowledge and resources to pursue such an infringement.

**Comments**

"The cost of pursuing action in court outweighed the benefit of the infringement since it was a larger amount than would be handled in small claims court, but not significant enough to pay the legal costs involved in pursuing."

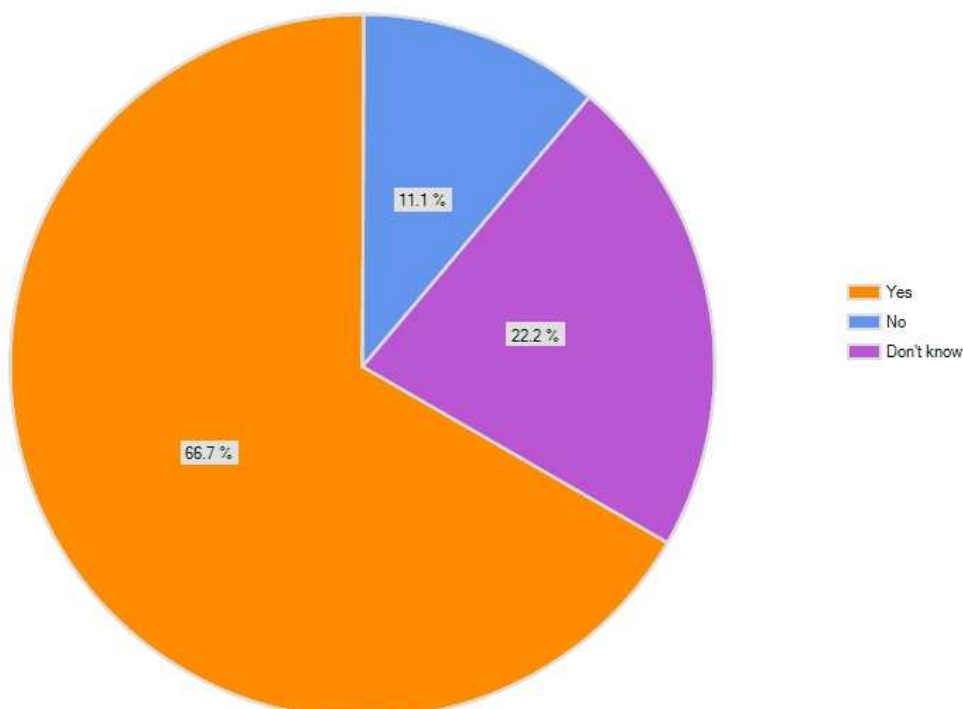
"It's not worth the hassle in most cases. Low remuneration and no ability to fine or charge more for the infringement, just what they should have paid in the first place."

"Too costly. Infringers are in a stronger position to fight legal cases and, even if they lose, they only have to pay the fee that they should have paid in the first place. In other words, there is no incentive to be honest."

## Copyright and new technology

Q14

Has there been an increase in your work being used on digital platforms  
(eg, websites, iPhone apps) since 2005?



67% of respondents have seen an increase in their work being used on digital platforms in the past five years.

Artists have recognised the benefits of digital technology with 89% of artists agreeing or strongly agreeing that digital technology had helped them promote their work to a wider audience.

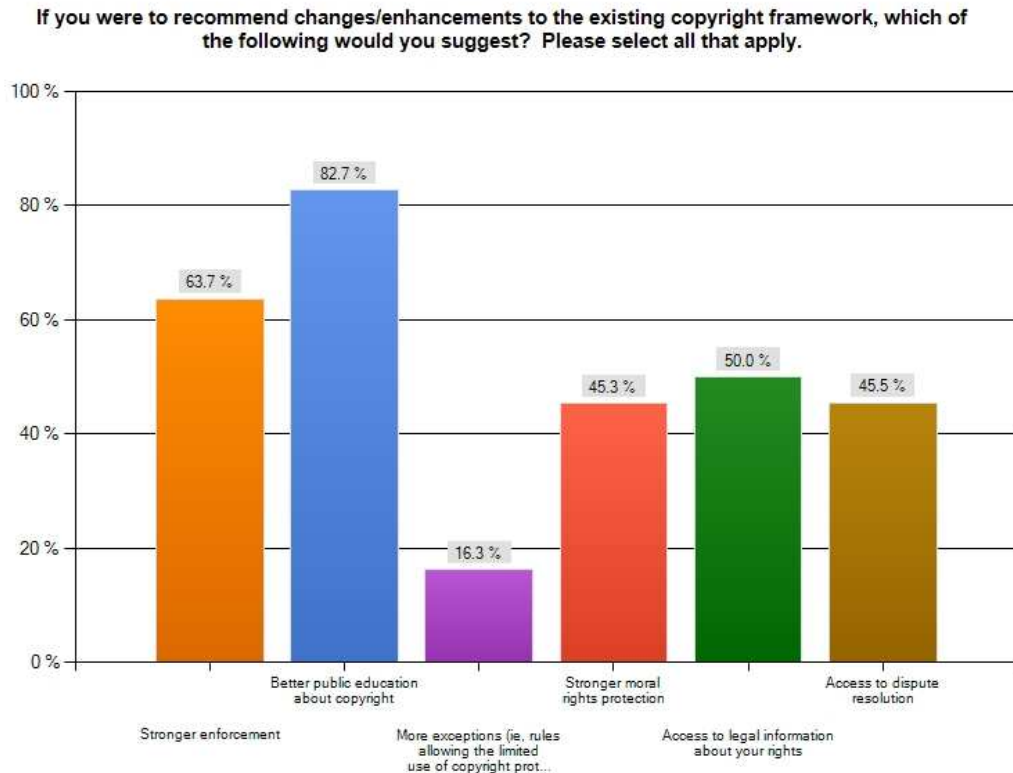
However, they had also recognised that such developments had introduced greater risks with 73% agreeing or strongly agreeing that digital technology had made it harder to protect the integrity of their work, and 54% feeling that digital technology had increased infringements of their work.

**Q15. Digital technology has:**

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
Increased sales / commissions of my work	23.2%	34.0%	28.2%	11.0%	3.6%
Increased infringements of my work	21.2%	32.7%	38.4%	6.7%	1.0%
Reduced my overhead costs (eg. Production, distribution)	16.9%	36.8%	26.8%	14.6%	4.9%
Helped me promote my work to a wider audience	41.3%	47.7%	9.8%	0.9%	0.4%
Increased licensing opportunities	13.4%	32.2%	44.7%	7.8%	1.9%
Made it harder to protect the integrity of my work	34.8%	38.5%	22.0%	3.8%	0.9%

## Copyright in the UK

### Q16



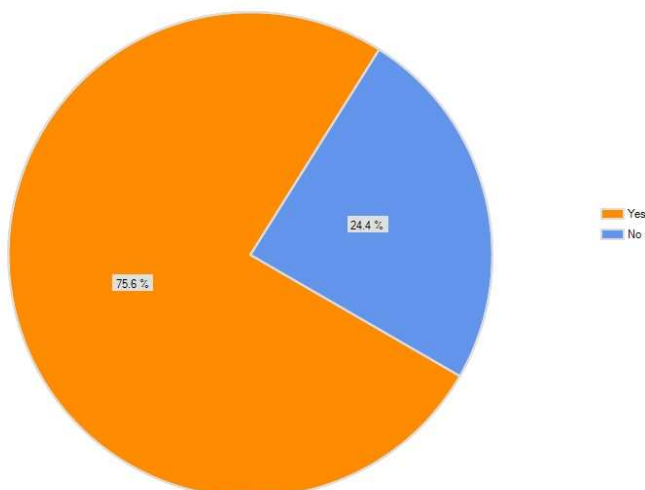
83% of survey respondents favoured better public education about copyright – reflecting the frustrations expressed by many artists that consumers do not respect copyright.

A desire for a stronger legal framework was expressed, particularly in relation to dealing with infringements of copyright protected work:

- 64% favoured stronger enforcement of copyright
- 50% wanted access to legal information
- 46% wanted access to dispute resolution
- 45% identified stronger moral rights protection

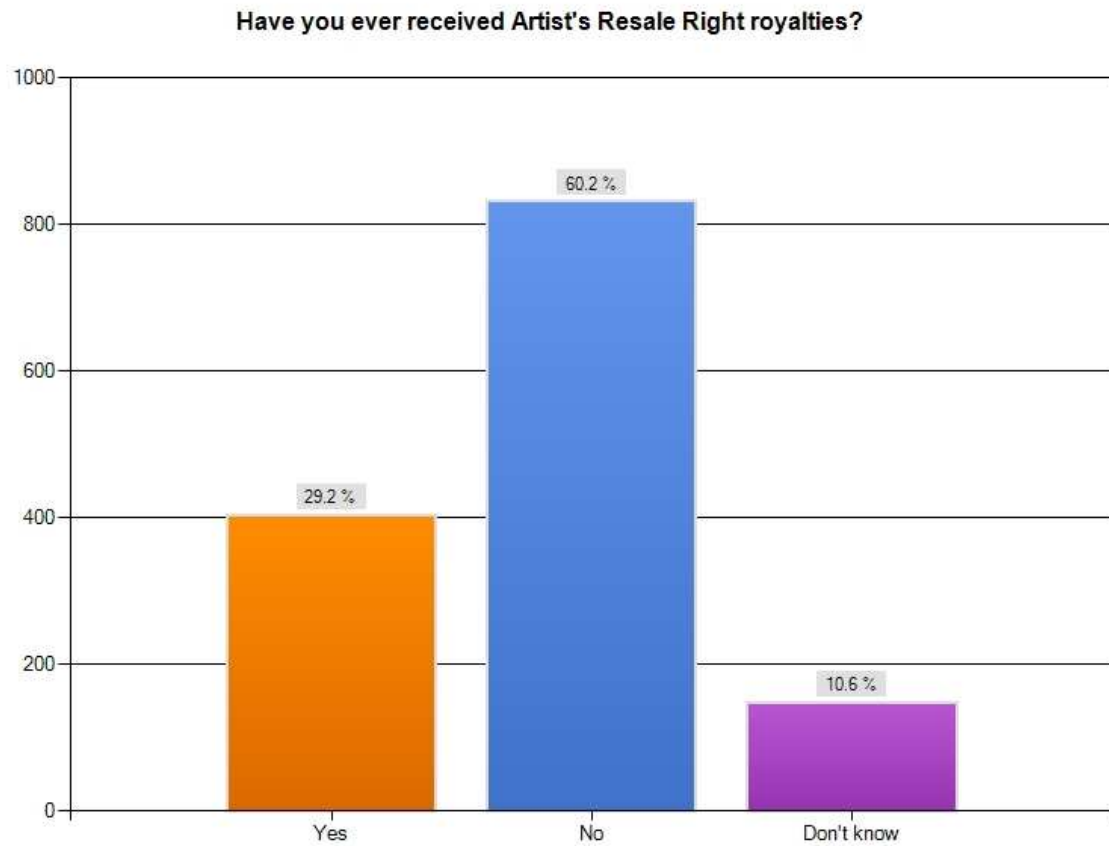
### Q17

Have you had any of your work being used and/or sold in countries outside of the UK?



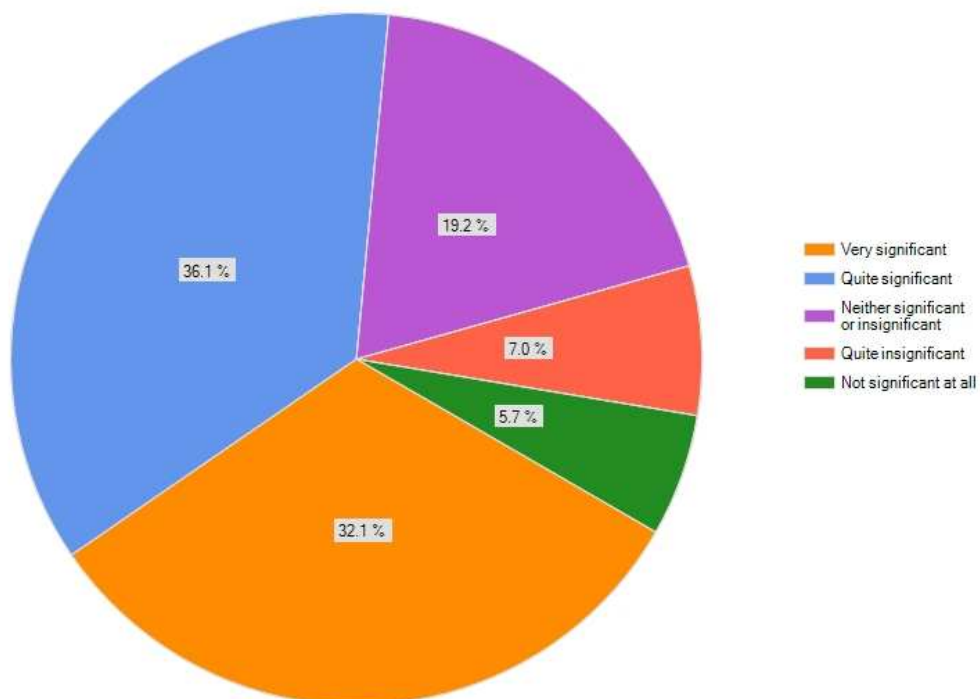
## Artist's Resale Right in the UK

Q18



Q19 (Filtered to show those artists who have received resale royalties)

If YES: How significant an incentive are Artist's Resale Right royalties for you?

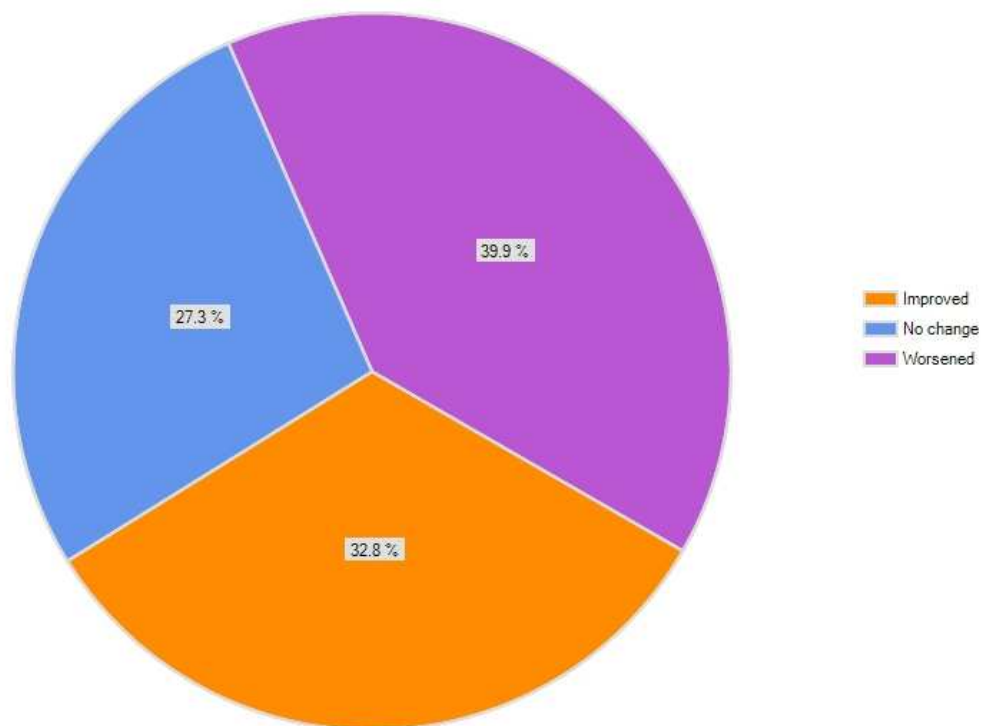


68% of artists who have received Artist's Resale Right royalties consider them to be a 'Very significant' or 'Quite significant' incentive.

40% of artists who say they have received Artist's Resale Right royalties felt that the market in their art had worsened over the last five years. However, of the artists who responded that they had received Artist's Resale Right royalties, and that the market in their work had worsened in the preceding five years, none named Artist's Resale Right as the reason for this change in the market. 27% named the global recession, 60% named the changing market in their work, due to increasing supply of works in the market.

**Q20 Filtered to show those artists who have received resale royalties:**

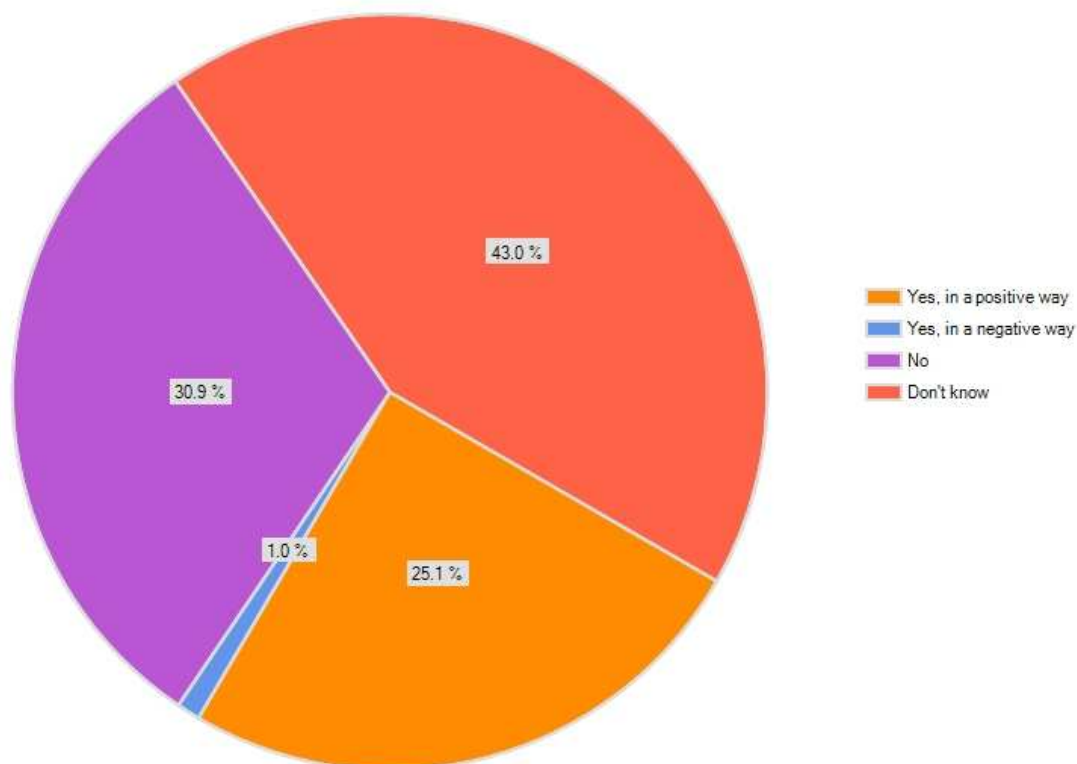
As a visual artist, or the guardian/beneficiary of an artist's estate, how have you seen the market in your work change between 2005-2010?



It is clear artists feel that the resale right has very little impact on the market in their art works, either positive or negative, with 10% registering an impact (either positive or negative) on the volume of sales, and 12% registering an impact on the prices achieved by their works.

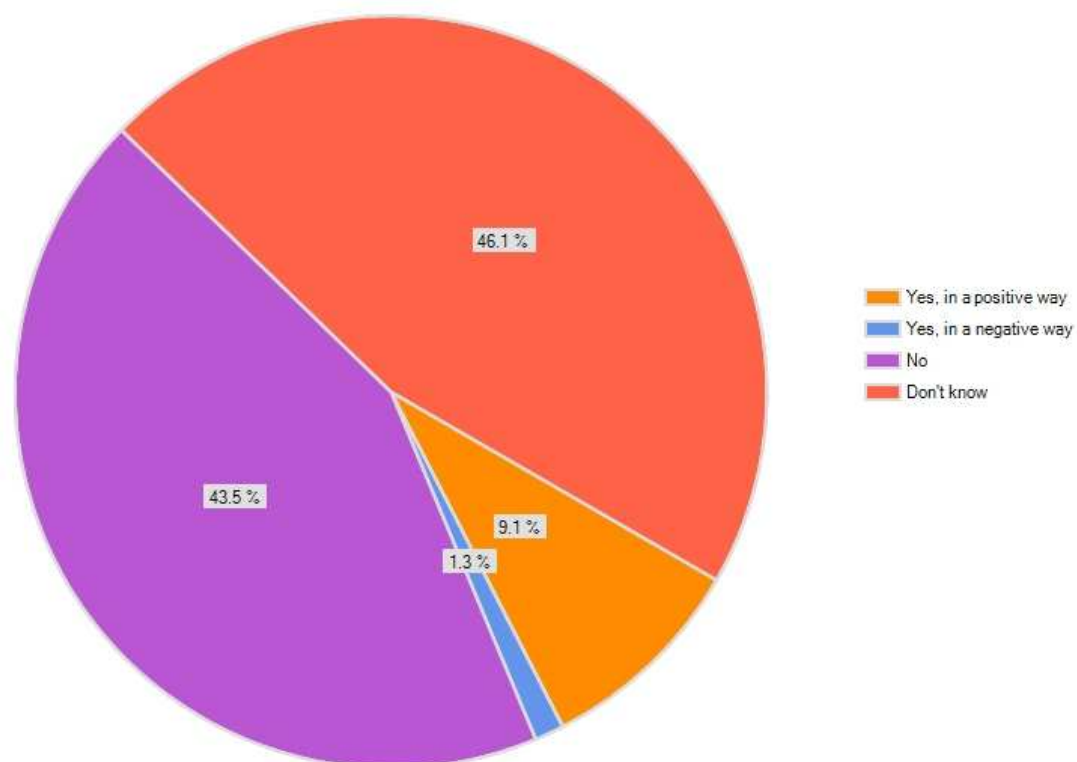
**Q22 Filtered to show those artists who have received resale royalties:**

**In your opinion, has the Artist's Resale Right affected the market in your work?**



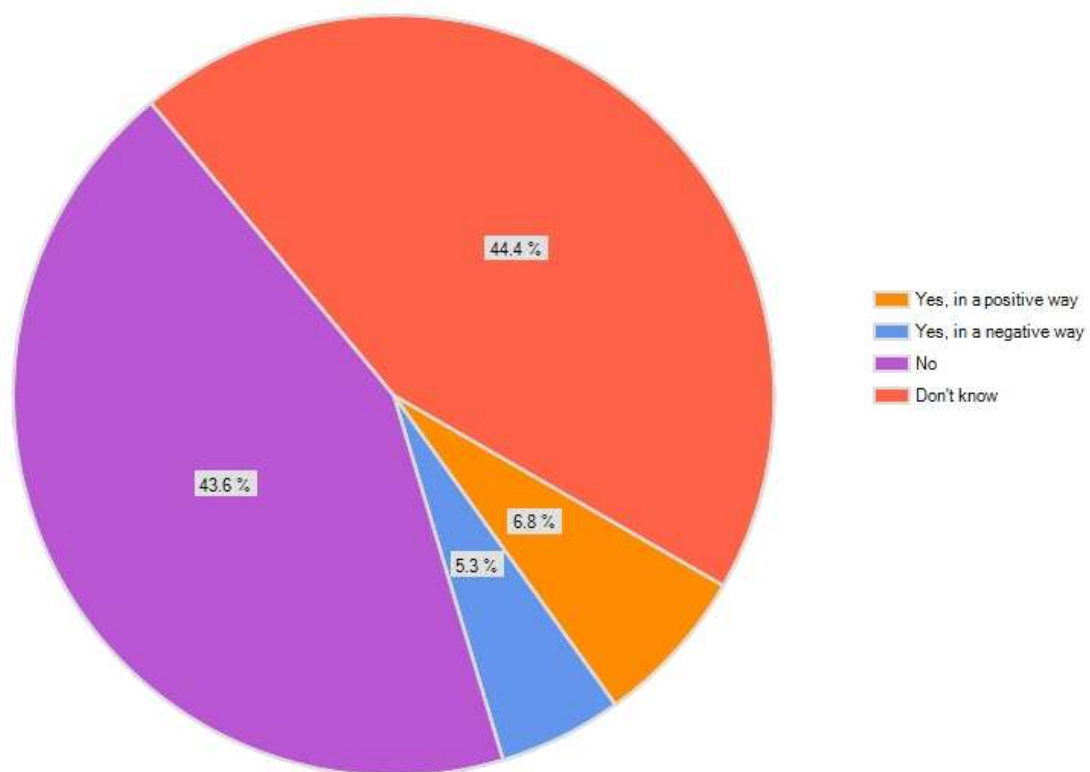
**Q23 Filtered to show those artists who have received resale royalties:**

**In your opinion, has the Artist's Resale Right affected the NUMBER of your works that have been sold?**



**Q24 Filtered to show those artists who have received resale royalties:**

**In your opinion, has the Artist's Resale Right affected the PRICE  
achieved by your works when sold?**



**DACS, February 2011**