Understanding librarians' experiences of copyright: findings from a phenomenographic study of UK information professionals

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Structured Abstract

Purpose

Librarians and information professionals increasingly need to deal with copyright issues in their work, however evidence suggests they can lack confidence and often refer queries to a dedicated copyright specialist. Explores the professional experiences of copyright of a group of academic librarians in the UK, with a view to devising appropriate copyright education strategies.

Design/methodology/approach

Uses phenomenography which is a qualitative method from education. Data was collected though group interviews to explore the variation of experience. Four categories of description were devised which are placed in an outcome space.

Findings

There were four distinct ways that librarians experience copyright in their professional lives, including viewing it as a problem, as complicated, as a known entity and as an opportunity. The variations in experience relate to a variety of factors such as the librarians' role, ideology, level of experience, context and who they might be dealing with.

Originality/value

The first study of this nature, building on quantitative findings from a multinational survey. Concludes librarians need to be taught about copyright in a way that acknowledges and addresses the challenges so librarians view it as empowering and part of wider information literacy initiatives.

I Introduction

Since the first copyright laws emerged from the British censorship regulations of the 16th and 17th centuries, copyright has long reflected the tension between the desire to control the creation and distribution of literary and artistic works and the central mission of libraries in providing free access to information. Specific exceptions for librarians (referred to as Library Privilege) were first enacted in the UK in the 1956 Copyright Act, yet it was largely the adoption of photocopying in the 1970s and digital copying in the 1990s that fuelled the need for librarians to understand copyright. Crews, (2015) carried out a study of copyright exceptions in 184 countries for the World Intellectual Property Office (WIPO) highlighting specific privileges for librarians, allowing the copying of works for purposes such as research and private study, preservation and replacement of materials, and document supply and interlibrary lending. As librarians preserve and provide access through digitization of their print collections, or manage their digital resources, there are few aspects of the work where copyright is not relevant (Morrison and Secker, 2016).

This paper presents findings from a study exploring librarians' experiences of copyright in their professional lives. It should be of interest to managers, teaching librarians and those responsible for librarians' education and professional development. The data was collected through group interviews with both professional and paraprofessional library staff in higher education. The interviews followed a survey exploring the 'copyright literacy' of over 600 UK information professionals (Morrison and Secker, 2015) which found levels of knowledge about copyright were relatively high, but that copyright queries could cause anxiety[1] and some professionals actively avoid dealing with it.

The findings from this new study highlight the important role of librarians as sources of advice on copyright matters. Using phenomenography, a qualitative research method from the education field, it focuses on the variation in experience as a way of improving learning. This research seeks to be more than just theoretical; the findings will be used to enhance copyright education programmes both for staff within institutions and for the library profession more broadly. The findings suggest that a more critical approach to copyright education will empower librarians by acknowledging and addressing the tensions and complexities of copyright issues.

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[1] The use term anxiety is partly a reflection of the phrase 'library anxiety' coined by Constance Mellon to describe the discomfort, fear and intimidation some students experience when they are not confident in their use of the library. For further details see: Mellon, Constance (1986). "Library Anxiety: A Grounded Theory and Its Development." *College & Research Libraries.* 47 (2)

This research has interesting parallels with other challenging aspects of information work, such as privacy, censorship and freedom of speech. This research suggests that copyright education might usefully draw on critical pedagogies and critical information literacy (Elmbourg, 2006) focusing less on information transfer and more on developing critical consciousness. Furthermore, it suggests that some of the variations in experience of copyright relate to fundamental differences around how information professionals view their role. Critical information literacy argues that librarians cannot be 'neutral' but they should be advocates for change to societal and academic norms and practices (Smith, 2016). This research suggests 'critical copyright literacy' will teach librarians about copyright, and also help them to support, educate and empower their communities. However, they also need support from senior managers and to have appropriate policies in place that promote copyright education as part of both information literacy and scholarly communication initiatives.

II Research Questions

This study set out to explore the differences in the experiences of copyright amongst information professionals. Findings from the 2014 survey suggested that at one extreme copyright could be a frustrating and disempowering *fait accompli,* but at the other end of the spectrum it was an opportunity to collaboratively shape the information environment of the future. This new research aimed to bridge the gap between the ideological and political public debates around copyright (often perceived as the preserve of specialists and senior colleagues) and the day to day reality of responding to copyright challenges as an information professional.

This research also sought to address the affective dimension of working with copyright, to investigate further findings from the survey that it caused 'fear' or 'anxiety.' Understanding this fear seems to be key in helping to design appropriate teaching interventions that could empower librarians and may ultimately bring about cultural change within institutions and wider society. This research also explores whether raising awareness of copyright matters makes librarians fearful, due to their heightened awareness of risk.

The research therefore sought:
- to understand more about how librarians experience and view copyright, building on the findings from the Copyright Literacy Survey;
- to understand and describe more deeply the variations in experience and present this into a hierarchy or model that can be used by those responsible for librarians' professional development;
- To use this understanding to teach librarians about copyright in a more holistic, critical way that bridges the gap between the disempowered and the empowered experience.

The authors' own experiences as copyright practitioners suggests that colleagues tend to avoid or ignore copyright issues or leave them until late on to try and 'fix'. This approach means that knowledge about copyright remains the preserve of specialists, who have a growing number of copyright 'problems' to deal with.

Ultimately the aim of the research is to help librarians make better informed decisions about copyright in their work, give them strategies for explaining it to others and help others determine how to behave ethically. However this study is just the first phase in what will be an ongoing study with practical applications for the library profession.

III Literature Review

Librarians have had a growing need to understand copyright since the 1970s, when photocopiers starting appearing in libraries. This is evidenced through the number of books, articles and online guides to copyright aimed specifically at the library community. In the UK this includes guidance on interpreting the law (Cornish, 2015, Pedley, 2015 and Padfield, 2015). Specific books examine issues such as E-copyright (Pedley, 2012) Copyright and E-learning (Secker and Morrison, 2016a) and similar publications exist around the world for librarians in countries such as the United States, Canada, Australia and New Zealand. Online guides to copyright are provided by professional bodies such as the American Library Association, CILIP and international resources have been produced by EIFL and IFLA. A list of resources in this field was provided in Secker and Morrison (2016, pp. 245-256 and also available online[2]).

In addition, organisations and individuals provide training courses to meet the demand for professional development in copyright. The demand for librarians to both understand copyright for themselves and provide copyright support to others is clear, however almost no research exists into understanding how librarians feel about this type of work, and their experiences as copyright educators or advisors.

An earlier study examined the copyright advice and guidance services offered by UK academic libraries (Oppenheim and Woodward, 2003), finding that fear of giving the wrong advice and potentially sanctioning copyright infringement was a significant concern amongst librarians. The study indicated librarians worried about giving what could be construed as legal advice. Meanwhile Danes (2006) suggested there was a 'copyright gap' in the education of librarians and new professionals. Growing instances of copyright infringement and the educational role of librarians was the motivation behind a study of the copyright knowledge of academic librarians in Kenya (Olaka and Adkins, 2012). More recent literature also suggests that fear leads many librarians to actively avoid copyright as a controversial "charged" issue (Smith and Cross, 2015). Each of these studies suggest that librarians need to understand copyright to advise library users and offer appropriate services. In some instances copyright advice may stray into policing user behaviour or checking for copyright compliance. Many UK academic libraries now scan extracts from books or journals under the Copyright Licensing Agency (CLA) Licence, which may fuel the belief that librarians are responsible for instances of copyright infringement. For example, Secker and Morrison (2016b) found complying with the CLA Licence was one of the main reasons why academic libraries had established scanning services.

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[2] See https://copyrightliteracy.org/publications/copyright-and-e-learning/copyright-and-e-learning-further-resources/

The term 'copyright literacy' was first used as part of a multi-national study into librarians' attitudes towards copyright and their knowledge of copyright matters in Bulgaria, Turkey, Croatia and France (Todorova et al, 2014). The survey was extended to a further nine countries and a comparative paper is currently in press (Todorova et al, 2017). The choice of the word 'literacy' partly reflects the link with information, digital or academic literacy. Morrison and Secker (2015) define copyright literacy as the "range of knowledge, skills and behaviours that individuals require when working with copyright content in the digital age". They recognise the dual nature of copyright literacy where librarians develop their own copyright knowledge but are also able to teach and support others.

The term recognises that copyright education is part of the wider information literacy teaching undertaken by librarians. All the major national and international information literacy frameworks include an understanding of how to use and share information and the ethical implications of doing so. For example, in the United States the ACRL Information Literacy framework developed for higher education (ACRL, 2015), has a frame called 'Information has Value.' This includes an understanding of issues such as attribution and plagiarism and also how copyright can limit, control and protect the expression of ideas. As mentioned above, Smith and Cross (2015) described copyright as a charged issue that information literacy practitioners want to avoid. They recognised the importance of introducing copyright issues into information literacy teaching, while acknowledging the risks this presents. For example some librarians feared giving copyright advice in case they might be liable for the actions of library users.

In the UK, A New Curriculum for Information Literacy (ANCIL) (Secker and Coonan, 2012) has a strand focusing on the ethical use of information, including an understanding of copyright. In practice however, many librarians generally do not teach copyright to staff or students as part of information literacy. This was highlighted by a study carried out across higher education (NUS, 2013) by the National Union of Students (NUS) in conjunction with the Government's Intellectual Property Office (IPO). The research explored students' attitudes towards copyright and intellectual property (IP) and found that their understanding was relatively limited. Students believed that most IP education they experienced in higher education focused on plagiarism issues and they did not know enough about copyright for their future careers. The study also suggested that many academics did not feel they had the expertise to teach about copyright issues. Di Valentino's (2015) research into levels of copyright knowledge amongst academics in Canada found few faculty attended copyright training, but they were most likely to ask librarians for advice on copyright matters. Thus, the literature suggests an opportunity where academics might usefully collaborate with a copyright specialist or librarian with practical experience of handling copyright issues.

The key research underpinning this study was the UK survey of copyright literacy (Morrison and Secker, 2015), completed by over 600 library and information professionals. The findings highlighted that UK librarians' levels of

copyright literacy compare favourably to other countries (Todorova et al, 2014). The UK was more likely to have an institutional copyright officer (63% of institutions had one, compared to 29% across four other countries), and the level of confidence on copyright matters was generally high (57% were moderately or extremely aware of copyright issues). Although in general UK confidence was high in comparison with other countries, the survey highlighted a large number of topics that librarians wanted to know more about, either as part of their professional qualifications or as CPD.

This survey again found that copyright created concern and anxiety, due to its perceived complexity and a belief that the law (or its interpretation) changed frequently. Respondents did not believe that copyright had been covered in enough depth in their professional qualifications, and wanted it taught in an engaging and accessible way.

However, the survey suggested copyright could be an opportunity for advocacy and boldness, and a political issue related to censorship and freedom of speech. Consequently some respondents believed that copyright education should focus explicitly on user's rights and copyright exceptions. The study found that the role of librarians as copyright educators needed greater exploration, as many felt under-prepared when teaching copyright to others. Overall the findings from the survey pointed to the need for additional qualitative research to better understand the issues.

IV Research Methods: using phenomenography

Phenomenography is a qualitative research method or approach from educational research, used to look at variations in, for example, student learning outcomes (Marton, 2000). It is concerned with understanding variation in people's experience of a phenomenon and underpinned by the idea that people collectively experience and understand phenomena in different but interrelated ways. Central to phenomenography is Marton's Variation Theory of Learning (Marton, 2014), which proposes that teachers identify aspects of a curriculum that is critical for students' understanding. They can then use the variations in experience to enable students to discern different features or aspects of what is being learnt.

The authors' experience as copyright specialists suggested that while some colleagues were fascinated by copyright queries, others readily passed these on to them without attempting a response. They also noted how library staff in certain roles had a greater or lesser interest in copyright and context seemed to be important. Phenomenography provided an opportunity to understand these differences in a structured way.

In phenomenographic research, data is collected through open questions to explore participants' experiences of a phenomenon, not the researchers' perception. Rather than asking questions about why something happens, questions focus on how and what the participants do, and their feelings. It is particularly useful for understanding how people learn and see knowledge in particular contexts and has been used increasingly in information literacy

research (Yates et al, 2012). The method was popularized in library and information research by Bruce in her study of students' information searching (Bruce, 1997). Typically, phenomenography involves interviewing individuals. However to capture the experiences of a greater number of librarians, it was decided to undertake group interviews. There was also a precedent for using this approach by Osbourne in his doctoral work (Osbourne, 2011) on the value of information literacy to nursing students.

Three interviews were carried out with groups of staff working in academic libraries, in institutions that had a dedicated copyright specialist and a copyright training programme. The staff were from a variety of roles and grades, including professional and paraprofessional staff. Unlike a focus group the aim was not to obtain a consensus from the group, but to use open questions to understand the differences in people's experiences. This meant that the interviewers wanted to find contrasts in people's experiences and encouraged differences in opinion. Participants were asked to speak freely and assured the findings would be anonymised. The questions were devised to allow participants to describe their experiences and feelings. The interview guide is included in Appendix 1.

Data Analysis

Each interview was recorded and transcribed in full. The data analysis was undertaken using approaches outlined by Åkerlind (2012) which involved reading and re-reading the transcripts and searching for similarities and variations in experiences. Wherever possible the interviews were reduced down to 'utterances' that summarized the experience being described, while retaining the meaning. A number of approaches were used to verify and sense check the emerging themes and help to refine these into the final categories of description. In the first instance both of the researchers read all the transcripts in full several times and independently looked for emerging categories or themes in the data. Only after this initial stage did they compare notes and this led to the creation of 10 initial categories.

Following this, a research student was given access to the full transcripts and independently identified emerging themes from the data. The categories devised by the student were then compared to the 10 categories that had emerged from the first stage of the research. Each theme was examined in detail to try to determine if it related to or was part of another wider theme. Finally these were reduced to four distinct categories of description that summarised the variation in experiences. Another important stage in the analysis involves developing dimensions of variation which typically cut across the categories. Examining the data within categories highlights how individual experiences are shaped by specific issues or a context.

As a final sense check, two additional researchers with knowledge and experience of phenomenography were shown the data and the categories and asked to provide feedback. The discussions at this stage helped to solidify the categories into those that are described below.
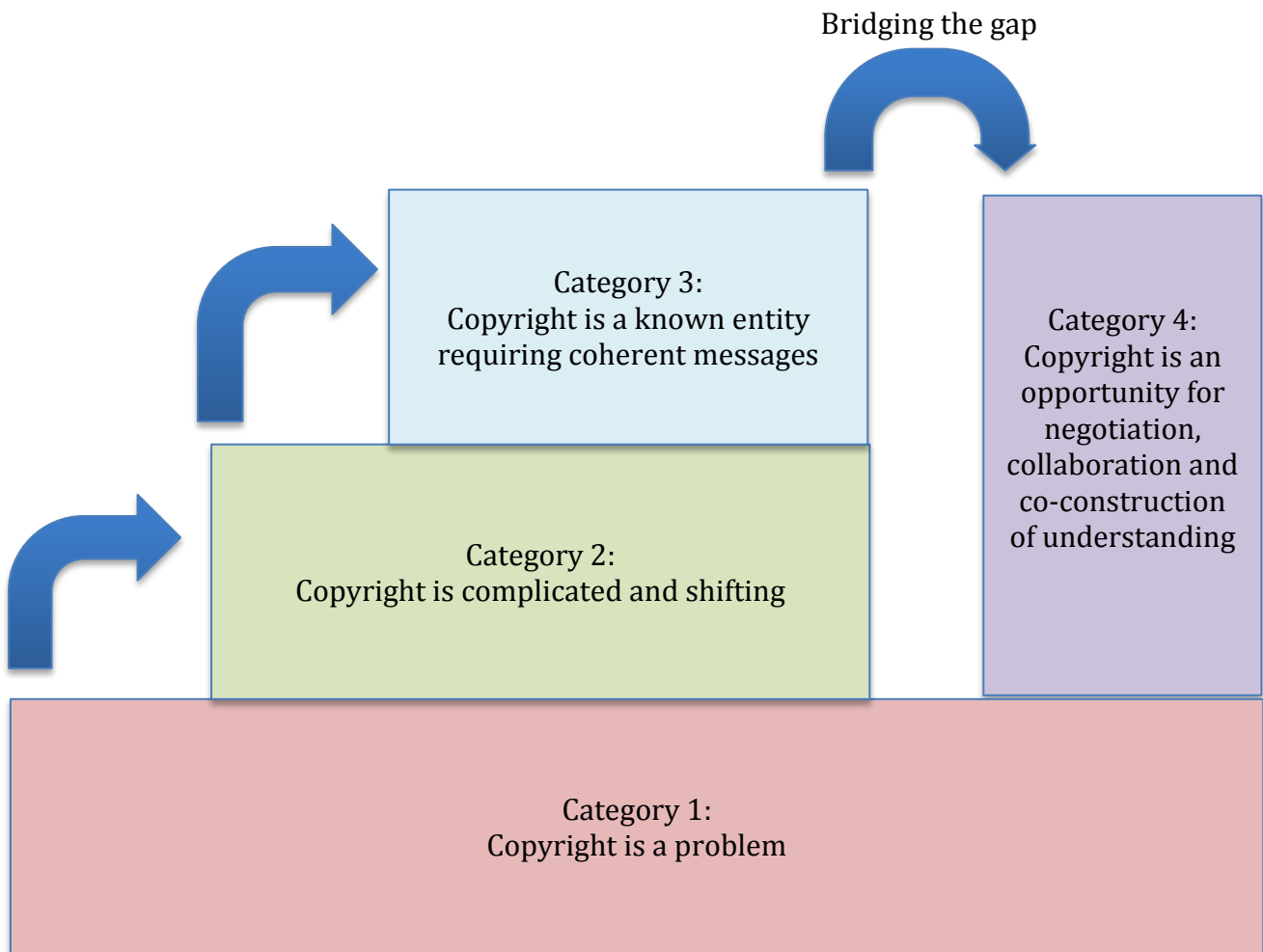
V The findings

Phenomenography involves the development of 'categories of description'. These are presented in an outcome space which visually represents a hierarchy or relationship between the categories, although it is acknowledged the outcome space is the least well understood aspect of phenomenography (Åkerlind, 2012, p.116). Each category of description needs to be unique and the intention is to have as few categories as possible to describe the variation in experiences. The need to be 'parsimonious' (Marton and Booth, 1997, p.114) meant considerable effort was made to reduce the original categories to as few as possible. Considerable work was undertaken to ensure capture the richness of the data in the categories, and that the outcome space illustrates the structural relationship between the experiences. The final stage involved returning to the data and ensuring that the categories were true and accurate. The categories can then be used to develop a framework for supporting learning that recognises the different ways people experience a phenomenon. This article presents the categories and the dimensions of variation.

Based on phenomenographic analysis the findings suggest there are four distinct ways that librarians experience copyright. The findings are different to what might have emerged from a thematic analysis using a method such as grounded theory. This may have led to categories describing librarians' experiences of copyright, but not focused in on the variation in the experience. Kinnunen and Simon (2012, p. 213-214) provide a useful comparison of phenomenography and grounded theory. Each of the four categories are described in further detail below and the outcome space is presented in Figure 1. One point to note is that the categories of description don't describe the experience of individuals, but the ways in which an individual might experience copyright in a specific context.

Figure 1: The outcome space: copyright as an experience

Bridging the gap

Category 3:
Copyright is a known entity
requiring coherent messages

Category 4:
Copyright is an
opportunity for
negotiation,
collaboration and
co-construction
of understanding

Category 2:
Copyright is complicated and shifting

Category 1:
Copyright is a problem

Category 1: Copyright is seen as a 'problem'
One of the primary experiences of librarians is to view copyright as a problem in
their professional lives leading them to try, or hope to avoid it. Copyright issues
typically arise from an enquiry from a library user who wishes to use
information in a way that is restricted by copyright law. The data revealed many
librarians experienced negative emotions associated with copyright queries
(words used included: trauma, annoyance, fear). Many have a belief that they
might be 'getting it wrong' and feel uncomfortable about policing or sanctioning
others' behaviour. This experience might be related to low confidence in their
knowledge of copyright issues, despite the earlier survey suggesting knowledge
about copyright matters is relatively high among UK librarians. Understanding
the source of this discomfort and anxiety is likely to be key to knowing how to
begin to tackle it. Some experienced a sense of resentment in having to deal with
copyright matters and viewed it as an imposition. One interviewee said:

> It's not like other areas where I can help people and people want an
> answer…. I have done this job for years and I didn't used to get these sorts
> of queries.

There were many comments on feeling 'conflicted' about copyright issues, and librarians disliked having to say no because of copyright. Some believed that copyright conflicts with the fundamental aim of librarianship; to provide access to information and knowledge. However, concerns that they could be held accountable by managers, rights holders or a body such as the Copyright Licensing Agency that seemed central to librarians' anxiety. This led many to want to avoid copyright wherever possible.

Category 2: Copyright is seen as complicated and shifting
In this second category copyright is seen as requiring access to specialist, privileged knowledge. Librarians believe copyright 'rules' are multi-layered, complex, changing and difficult to comprehend. The use of legal jargon and the need to interpret case law make it unlike other areas of librarianship. As one interviewee said:

> For non-copyright queries the answer is yes or no, or a series of instructions. For copyright queries the actual answer it's maybe, maybe – and that is why it is different - you can't give them the answer they want.

Many librarians felt their copyright knowledge is limited and tied closely to their professional context, so tend to pass most queries on to a copyright specialist. Even when librarians develop some knowledge of copyright, they perceived this to be narrowly defined, so they would only deal with specific types of query. Interviewees believed complex queries require an investment of time and effort and robust evidence to back them up. There was also a sense that copyright could be overwhelming because of frequent updates to the law or other rules. Librarians working on enquiry points or employed as floor walkers (often paraprofessionals) felt particularly uncomfortable about being asked about copyright in this context. Librarians who witnessed copyright infringement also felt uncomfortable about wading into a situation where they are not confident of the law. There was a perception that information about copyright was written in a legal code (i.e. legislation, case law and contracts) and often not easy for librarians to interpret. This meant librarians tended to pass queries to a specialist advisor.

Category 3: Copyright is a known entity requiring coherent messages
In this third category copyright is experienced as something knowable that requires effective interpretation and communication in order to control it. Librarians are then able to decode copyright as a series of coherent messages or a framework for library users to work with. Their role as copyright educators is largely an attempt to change other people's behaviour by explaining the law clearly, explaining what they or the library service is prepared to do, and the expectations they have of the library user. In many ways librarians combat their own anxiety around copyright by having a clear audit trail of the advice they give. This advice can be cautious and risk averse. Here copyright education focuses on simplifying and conveying difficult legal concepts in plain, accessible language. Librarians develop empathy to handle difficult copyright issues, such as communicating bad news, managing users' expectations and communicating the bigger picture. However, there is a clear 'compliance' aspect to the work of

librarians in this category, who view it as part of a risk management approach to copyright. In this category librarians try to see copyright from both the rights holder perspective and the person wanting to use content, but they tend to view copyright laws as black and white, meaning people can't always get what they want. Therefore they try to use their expertise to help the user to engage with pre-defined standards of compliance.

Category 4: Copyright is an opportunity for negotiation, collaboration and co-construction of understanding.
In this final category the librarian sees copyright as an opportunity for the co-creation of meaning with the user and it is not their role to simply advise them of the 'right' course of action. So for example topics such as piracy or file sharing, are taught using critical approaches, rather than presented simply as illegal activities. Librarians recognise their responsibility to share what they know with others in their institutions and in the wider community. Sharing case studies and examples from their professional work with others all contribute to good practice in copyright education and advice, particularly when things seem ambiguous, contradictory or controversial. There is however a fine balance between the librarian offering guidance and support and when legal advice is needed. Within their organisation, developing an online space or a physical community that meets regularly (such as a Community of Practice) can be a valuable way of sharing understanding of the complexities of copyright. In this category librarians find their knowledge about copyright is empowering and the user makes the ultimate decision about how to act, but from an informed perspective. This approach means that librarians are more likely to be involved in conversations about copyright from the outset, and not called in to 'fix' copyright problems late in the process or sanction others behaviour. However, it requires a high level of knowledge about copyright and the confidence to discuss the wider political and cultural issues that surround the current copyright regime.

The dimensions of variation
Central to developing the categories is exploring what phenomenography calls 'dimensions of variation' which are structural aspects of difference. The analysis of the interview data revealed six dimensions of variation, including:

- The individual's level of knowledge: this usually related to their job and the frequency with which they deal with copyright. The data revealed some staff (e.g. working in teaching support, or special collections) deal with copyright more frequently and had greater knowledge.
- Status / grade of librarian: those at lower grades or with less autonomy generally felt less empowered to address their conflicts around copyright. They were happier working with fixed rules rather than taking a risk-managed approach. However, more senior staff felt more empowered but struggled against institutional inertia or lack of support from other senior colleagues.
- Beliefs about the higher purpose of librarians: whether they viewed themselves as a freedom fighter, human rights champion, service provider, advisor, teacher etc. impacted on their experience.

- Their ideology towards the value and purpose of copyright: for example some librarians were also authors (musicians, artists, writers) and recognised copyright's role in protecting creators' rights, whereas others viewed it as overly restrictive.
- The audience: whom the librarian was interacting with raised issues of status, gender and impacted on how the librarian felt about copyright. Higher levels of women librarians make gender an issue worthy of further investigation.
- The context of the interaction: interactions usually involve someone wanting to copy material, asking for advice, or using a library service or resource. How this interaction takes place: face to face, verbal, written, one to one, one to many, synchronous or asynchronous is significant.

As mentioned earlier, the researchers are carrying out additional research to verify the categories of experience and dimensions of variation in order to develop a framework for learning. Most recently this has included presenting the findings through interactive sessions at several conferences that are helping to validate the data (Secker, 2017). This will lead to further development of the outcome space where both the categories and dimensions of variation will be presented together.

VI Discussion

The finding perhaps of greatest significance is not that copyright causes problems and anxiety, but that librarians respond to copyright in different ways. Some choose to learn as much as they can about it as a way of bolstering their confidence and knowledge. Others take on the role of being a copyright champion or advocate, and relish the opportunity to educate others. However, many prefer to avoid dealing with copyright issues or deflect the queries they receive onto a specialist. It is not yet clear whether all librarians start by experiencing copyright as a problem (Category 1) and move in a linear fashion through to either Category 2 or 3. However, it seems that many remain 'stuck' in Category 1 or 2 for much of their professional lives and this affects how they approach copyright education both for themselves and others. The dimensions of variation suggest that there may be scope for librarians to move between the categories over time and depending on particular circumstances. For example, someone who has recently attended a copyright training session may feel more confident dealing with copyright queries. Some librarians may be happy to advise students or other library staff, but less confident when dealing with academic staff.

One recommendation is that the library profession should acknowledge that copyright is problematic, leading to anxiety or lack of confidence, and that the Category 1 preference for avoiding copyright might actually lead to more problems. In Category 2, the librarian perceives copyright queries as complicated and shifting, leading them in many cases to pass them on to a dedicated expert. This means some librarians become the contact for all copyright queries, which is laudable but ultimately unsustainable. So while experts are highly valuable, they should not be a replacement for all librarians having a baseline knowledge. In Categories 1 and 2 the introduction of

sympathetic and well-designed copyright education as part of CPD can be particularly valuable. In Category 3, librarians develop their copyright knowledge and make considerable efforts to communicate and simplify copyright law for others. They may become confident that their advice is helpful and accurate. However, they may assume that users who ignore or misunderstand copyright, do so out of ignorance, and see their role as one of educator. Again, this approach places the librarian in a largely unsustainable position as the arbiter of all copyright queries. This can lead them to take on a policing or compliance role within their institution. Arguably the final category, Category 4, is the most analogous with teaching copyright as part of information literacy, where the librarian works with the user to achieve their goals, to understand the law, but ultimately empowers the user to make choices themselves. However, in this category it is important to recognise that in addition to CPD, engagement from senior managers and development of helpful, supportive policies are needed to bring about cultural change within their institution and education more widely. This helps the community make informed decisions based on their appetite for risk.

Two relevant developments from the field of information literacy are worth considering at this point. Firstly, the current interest in critical literacy and critical pedagogies, which focus less on information transfer, and more on the need to develop critical consciousness amongst students. Elmborg (2006, p. 198) believes the education of librarians needs to be transformed to recognize 'libraries can no longer be seen as value-neutral cultural space, and librarians cannot be defined as value-neutral information providers.' The recognition that copyright is about ambiguity, not right and wrong answers, may be a helpful way of framing copyright education to help address the fear and anxiety. Oppenheim and Woodward (2003) suggested the fear stemmed from inadvertently sanctioning a copyright infringement, and being held responsible in the event of legal action. In many information literacy queries there are no 'right' answers, and critical approaches to information literacy do not view the librarian as an impartial advisor. However, there are clear differences in opinion. For example a study investigating how school librarians support political literacy amongst young people highlighted how some information professionals want to remain neutral or impartial (Smith, 2016), highlighting how this need for neutrality is the subject of a broader debate within education and librarianship (see for example Lewis, 2008). Bourg (2015) Director of Libraries at MIT argues that libraries 'fail to achieve any mythical state of neutrality because we contribute to bias and inequality in scholarship, and publishing, and information access'. There are clearly political issues at stake with regards to copyright, for example the Open Access and Open Education movement which challenge the traditional models of scholarly communication and pedagogic practice. While it's important librarians try to remain neutral when advising academic colleagues, Dobson (2016) highlights the importance of campaigns such as *Think. Check. Submit*[3] to support researchers in their publication choices. As governments around the world question who owns publicly funded research and the ethics of placing scholarly content behind paywalls, shying away from providing advice about

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[3] http://thinkchecksubmit.org/

copyright in the current economic climate, where journal subscriptions continue to rise, is arguably a dereliction of duty. Surely accepting that copyright is political, open to interpretation and consequently about risk, is a helpful way of framing the issues for librarians?

Another growing development of relevance to this study is creative approaches to teaching information literacy and the value of games for learning (Walsh, 2015). Tensions and anxieties around teaching and advising others about copyright, may be tackled through creative or games-based learning approaches to copyright education. The researchers have already seen this working in practice from their work to develop an educational resource; Copyright the Card Game (2015). The game has proved to be popular with librarians (Morrison, 2015), although as yet no detailed evaluation has been undertaken to measure its impact on librarians' knowledge. Games are widely recognised as being valuable for teaching 'difficult' subjects providing a 'safe space' and the opportunity to fail (Whitton and Moseley, 2012). The researchers sense that the game is effective because of its ability to alleviate some of the anxiety around copyright, but further evidence is recommended to test this further.

The findings suggest copyright education framed around dealing with 'problems' needs to be shifted to empower librarians. However, the sensitivity of copyright issues means copyright education requires empathy and trust, and it should not be taught in an abstract or theoretical way, but based on individuals' lived experiences. Teaching copyright as a set of rules that librarians need to follow seems particularly unhelpful, as many queries rely on the individual's, or their institutions', approach to risk, rather than what is right or wrong. Copyright queries also need to be understood in context so although librarians find might stock answers helpful, many queries are unique and require good listening skills and the ability to respond to specific needs. Finally the research suggests that learning about copyright should be viewed as a central part of librarianship. Fear, or a belief that copyright is not relevant, leads too many librarians to avoid it and rely on a specialist within their organisation. This model is ultimately unsustainable, and also makes copyright 'someone else's problem', rather than an issue at the heart of education today. However, when seeking to engage in critical information literacy practices, librarians may find it uncomfortable to be seen as inhabiting an explicitly political role. There is clearly a role for librarians to be activists and champions for copyright freedoms, and bodies such as IFLA and LACA serve an important advocacy role, but this is often detached from the day-to-day work of librarians. Therefore further research to demonstrate the relevance of copyright and encourage librarians to view copyright education in the context of critical information literacy is both necessary and timely.

Conclusion

This article highlights the growing need for librarians to develop their knowledge of copyright issues and to provide advice and guidance to others. Librarians working in higher education are increasingly being asked to deliver formal teaching sessions for staff or students on aspects of copyright. However, critical approaches to copyright education need to be more widespread when teaching librarians in their professional qualifications or CPD. Additionally,

specific attention needs to be paid to how librarians might best teach others about copyright. The research suggests that librarians experience copyright in four distinct ways as part of their professional lives. Understanding the variations in these experiences, and the underlying fears and tensions that copyright causes are key to developing appropriate educational interventions. The next stage will be to plan new approaches to copyright education for information professionals and educators. However, these findings suggest that copyright should be taught as part of the wider knowledge creation process and information ecosystem. Critical information literacy offers an opportunity to better support librarians' professional development and to empower the communities they serve.

Many staff interviewed in this research were paraprofessionals and therefore copyright education needs to focus on CPD, in addition to professional qualifications. CPD is important also because of the need to understand copyright in context, which will vary depending on where a librarian works. With this in mind the researchers wrote guidance for library staff on copyright, which is available on the CopyrightUser website[4]. The guidance was tailored to take account of the differing roles of librarians within their institution. However, job role is just one factor and understanding the full range of variation is key. The research also highlights the need to develop librarians' confidence that they know about copyright and can help others. Therefore, being able to demonstrate this through a formal certificate or award could be helpful.

Further analysis and the development of the outcome space should help in trying to establish not only what librarians need to know about copyright, but also identify the best way to teach them about it. The researchers are currently at the early stages of developing a copyright education course for librarians in the UK, which has the potential be a significant step change from that currently on offer. The findings from this research will be an important part of the development of a more critical approach to copyright education. The notion of 'copyright literacy' first proposed by Todorova et al (2014) is helpful, however this research suggests 'critical copyright literacy' will enhance copyright education and give librarians the knowledge and confidence to support, educate and empower their communities. In order to do this effectively librarians need support from library and other senior managers to address the sensitivities and political nature of the advice they give as part of information literacy and scholarly communication initiatives. Critical approaches mean acknowledging the contradictions and tensions that exist (for example the growing use of sites such as Sci-Hub[5] in academia) but also raising awareness of the flaws in copyright law, and potentially being a champion for copyright reform and social justice. Further research is recommended to fully understand this potentially transformative dimension of librarians' experiences of copyright.

In summary, librarians have important privileges under UK law. Institutions need information professionals who are confident in the law, but also clear of

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[4] http://copyrightuser.org/topics/libraries/
[5] https://en.wikipedia.org/wiki/Sci-Hub

their role in facilitating access to knowledge. The days of acting as a gatekeeper of information or copyright police officer are hopefully coming to an end. But truly understanding copyright requires confidence and clarity, not fear and anxiety. This needs to be instilled across the library and information profession for the future, while recognising that risk and ambiguity are an unavoidable part of working with copyright.

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Appendix 1: Questions used in the group interviews

Opening Questions

1. What impact does copyright have on your day to day job, specifically your approach to supporting staff and students at your University? / How do you experience copyright in their day to day role?

2. What topics come up related to copyright in the course of your job?

3. How do you feel about answering copyright queries?

4. How do you approach answering them? What do you do? Who else might you speak to?

Copyright as a phenomenon

5. Are copyright queries different to other library queries - if so how are they different (don't ask why!)

6. Can they give examples of conversations about copyright that have gone well / or not so well? What happened? How did you feel? How did the person you were talking to feel? Were there specific aspects of the conversations that went particularly well / were difficult?

Education and training

7. What training and education have they had in the past about copyright?

8. What topics do you feel confident about when tackling copyright queries?

9. What topics do you want to know more about related to copyright

10. What role did their LIS degree play in preparing you for copyright queries?

11. What is your approach to risk and how does this relate to copyright?