



NCBI

**Working for People
with Sight Loss**

**Submission to the Consultation on the Review of the
Copyright and Related Act 2000**

NCBI – Working for People with Sight Loss

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About NCBI

NCBI is a not-for-profit charitable organisation that provides support and services to over 16,000 people of all ages who are blind and vision impaired throughout the country.

Our vision is for people who are blind and vision impaired to have the same opportunities, rights and choices as others to fully participate in society. Our mission is to enable people who are blind and vision impaired to overcome the barriers that impede their independence and participation in society.

NCBI's library service

NCBI's library is the only national library for blind or vision impaired people in Ireland. The library stocks almost 16,500 Braille, audio and large print titles and last year lent out just over 22,200 titles to its 4,300 Library members. The library is over 150 years old, having been established in 1858, and holds a valuable collection of rare pieces of Braille literature dating back to the 1920s.

The library produces around 40 Braille and 30 audio Irish interest books annually. The library is the only producer of accessible Irish interest materials; these would not otherwise be available to members in an accessible format. While audio books can be purchased from mainstream book shops, they are very expensive and only give the reader access to an abridged version of the book.

In order to produce a Braille book, a print novel is scanned, page-by-page, and the files are then edited. The volunteer editors go through the scanned pages to make sure that no spelling or grammatical errors have occurred during the scanning process. Once this has been checked, the files are then sent to print. When the book has been produced in Braille, a copy is sent to the Braille proof reader where they check for errors that may have occurred in the compilation and production stage. Once printed, the book is then catalogued and made available to library members.

The problem

Even in 2011, people living with a print disability still have very limited access to books and other published works. Only some 5% of published books are ever made accessible.

The Copyright and Related Acts 2000 allows NCBI to produce materials published in Ireland in accessible formats without express permission from the author or publisher as per section 104 "Provision of modified works" and section 205 "Making available to public copies of recordings of qualifying performances".

However, the environment in which publishers and libraries like ours operate has changed dramatically in the last 11 years. Increasingly, affordable and rapidly developing technology such as e-books is becoming accessible to people who are blind or vision impaired. This digital revolution ought to help end the book famine by allowing us to produce accessible formats quickly and to share accessible books worldwide.

But the Copyright Act makes no reference to digital formats and therefore creates a barrier to producing accessible formats at the same time and price as printed materials. Scanning in a book page by page takes time and resources, which could be overcome if publishers were to make digital copies available to NCBI for conversion to accessible formats. The Copyright Act also prohibits the sharing of these digital files with other trusted bodies internationally. Therefore, in order to provide accessible copies of books published outside of Ireland, NCBI must seek copyright permission, which often incurs delays of between two and three months and a knock-on delay for the reader who is blind or vision impaired.

The solution

The Copyright Act needs to be updated to reflect the development of digital works. NCBI suggests that a definition of “modified works” be added to the definitions and explanations section of the act. Modified works should include literary work converted into Braille, audio, large print and digital formats. The definition of a “designated body” needs to be more clearly defined and should include organisations such as NCBI, Universities and organisations dealing with the needs of individuals with a physical or mental disability.

Ireland urgently needs to implement a national exception to copyright law to allow the making and distribution of accessible format books. Copyright law currently prohibits us from sharing files with other sight loss organisations worldwide. As a result charities working in five different English speaking countries produced five identical Braille master files for the same Harry Potter book. NCBI believes that being able to share these files with other sight loss organisations around the world would create a greater supply and selection of books in accessible formats, whilst respecting the rights of authors. We would ask that Ireland supports the WIPO Treaty for Improved Access for Blind, Visually Impaired and other Reading Disabled Persons, which is currently being debated at EU level.

The future

According to a recently published study, there were 224,832 ¹ people with vision impairments in Ireland in 2010. This figure includes people with mild and moderate sight loss, as well as people who are totally blind and is set to rise by 21% by 2020. By 2020 5% of the population of Ireland will have impaired vision.

Technology has improved the production and delivery capabilities of NCBI’s library. The library has moved from analogue audio production to digital audio recording and production. The whole e-book market has become quite popular over the past few years and the quality of the digital recording is far superior to analogue.

The modifications to the Copyright Act in Ireland will help the library in its quest for obtaining copyright clearance from publishers. If the changes recommended here are

¹ Access Economics 2011, The economic impact of vision impairment and blindness in the Republic of Ireland, Report for NCBI.

made, publishers in Ireland will be aware of their obligation to provide their publications to NCBI's library in electronic format. Also, they will be aware of the formats that the library will be providing the modified works in, and the medium that the copies will be distributed, such as iPhones and USB keys.

A modified Copyright Act would also allow NCBI's library to share digital files with other international libraries for the blind and would allow a reciprocal agreement with the international libraries. Sharing of digital files cuts down on cost and time in producing an accessible book, and focuses resources on the production of titles that haven't been made accessible yet.