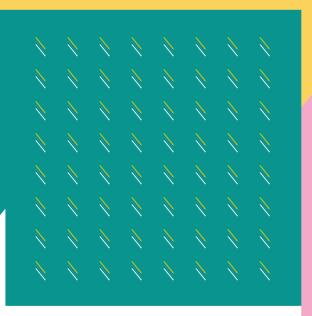


# **Supporting Writers Through the COVID-19 Crisis**



Second Report of the All Party Writers Group 2021 Inquiry into Authors' Earnings and the Effects of the Pandemic



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# From the Chair of the All Party Writers Group (APWG)

The creative industries are central to the UK's economy and cultural life. During recent tumultuous times, writers have shown how important they are to society by providing us with enjoyment, education and creativity when we have needed it most. Authors continue to contribute so much at home, as well as internationally where they are an important projection of UK soft power. We need to ensure that they are valued for their vital work.

The APWG's initial Inquiry into Authors' Earnings, conducted in 2018/19, provided an opportunity to bring together all kinds of writers, their representatives and the industry, to discuss the challenges they face and how we could seize opportunities for the country going forward.

Over the last year, COVID-19 has clearly had an immense impact on the creative industries. As a result, the APWG undertook a supplementary evidence session to hear how exactly the outbreak had affected authors and writers across all sorts of genres.

I would like to thank the Authors' Licensing and Collecting Society (ALCS), and all contributors, for their help in producing this report. It covers the common issues raised by creators, their representatives and publishers, and recommends actions which the APWG will take forward.

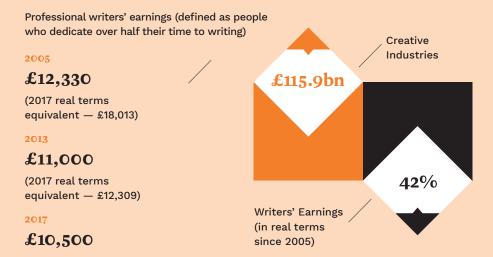
GRUST

Giles Watling MP Chair of the All Party Writers Group

### The Key Issues Identified

The background

Despite the continued growth of the creative industries, now valued at £115.9 billion, ALCS studies show that writers' earnings have fallen by 42% in real terms since 2005 — and COVID-19 has exacerbated this situation.



# Effects of the pandemic

The latest Society of Authors survey showed that 65% of writers had lost income during the first half of the COVID-19 pandemic, with the situation worsening as it progressed.

#### 49%

had lost more than a quarter of their income by October 2020.

#### 1 in 3

said events were still being cancelled into 2021, after shutdown in 2020.

# Falling through the gaps in Government support

- Only 28% got help from the first two payments of the Self-Employment Income Support Scheme.
- 96% were ineligible for the Job Retention Scheme.
- Most continued to miss out on extensions of the schemes, as eligibility rules remained the same.



# The Key Issues Identified

Diversity and opportunity

#### 1 in 11

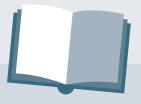
The creative economy employs 1 in 11 working people.

#### Women in writing

The last ALCS survey suggested that female authors earn around 75% of that of their male counterparts. A WGGB report found only 16% of screenwriters were women, scripting just 14% of prime-time TV.

#### 9 out of 10

Jobs in the creative industries are 'occupied by more advantaged socio-economic groups', according to the DCMS Sector Deal, and COVID-19 threatens diversity further for people without independent means.



#### **Unbalanced books**

With smaller bookshops closed, Amazon and the supermarket giants reinforced their market dominance during the pandemic, with implications for all, beyond the 'bestsellers'.

# Key requests to Government

Establish a 'Creators Council', as a clear line of communication between the Government and the creative workforce, including freelancers, to assist policymaking and recovery.

**Fair and modern contract rights** for authors in the digital age.

**Protect and promote** the UK's effective copyright system amid online exploitation.

Secure ongoing targeted support for the creative industries after the pandemic, to help recovery and enable career development.

Review the gaps in Government support for freelancers, and reform tax and benefit rules. Remove VAT on audiobooks.

Increase funding for the Public Lending Right for library book loans.

Improve access to grants, beyond venues, to better help authors and individual creators.

Increase opportunity, with more development support for writers beyond London.

Create a level playing field between high-street and online booksellers, which has become more unbalanced through the COVID-19 crisis.





# Findings of the Inquiry

The impact of COVID-19

With incomes long under pressure, a key concern repeatedly raised by authors with the Inquiry Panel was the catastrophic impact of the pandemic on vital secondary sources of income, such as visits to schools and universities, libraries, festivals and other personal appearances.

Publishers and producers have postponed or cancelled new projects, and taken freelance work in-house, so many writers just getting by, without the finances to absorb the loss of all their work feel their careers have ended. With venues struggling for survival, freelancers, it was felt, would always be the last priority. Concern was widespread that headline book sales masked the true picture, and the cliff edge faced by new or 'mid-list' authors would also have a hugely negative impact on diversity in our cultural and creative industries.

As engagement with culture has moved further online — like all working life — during COVID-19, authors' representatives were concerned that the 'Zoom Boom' would

exacerbate existing consumer attitudes that any creative content should be made available without remuneration to creators. This could lead to more pressure to work for lower pay, or for free, and yet more spurious justifications for piracy, which would further undercut income streams for creators.

When the health crisis hopefully abates, witnesses also expressed concern about the problems stored up as a result of the pandemic, which may not be more widely appreciated. These include a 'commissioning timebomb', with a year's backlog of work waiting, which will hamper new commissioning; the impact on royalty payments stretching into 2021; and education budget and catch-up pressures that may continue to stymie paid personal appearances.

This means that further, targeted support for the creative and cultural sectors will be needed after the health pandemic, to assist in recovery beyond the emergency funding announced so far. Writers and their representatives voiced frustration, however, about a lack of engagement with the creative workforce in Government decision-making to date. This had been apparent in gaps in coverage for the Job Retention Scheme (JRS) and Self-Employment Income Support Scheme (SEISS), whose eligibility criteria had left so many creators — including witnesses to the Inquiry — without anywhere near their normal income. And on every extension of the schemes, the gaps had simply not been addressed.

Where there have been grants to support the cultural sector, concern was expressed that these had helped venues and cultural institutions well, but there was not enough access or assistance for individuals to continue their careers.

"This is a real issue in terms of inclusion and diversity as, frustratingly, SEISS only applies to authors who can afford to be self-employed full time and who do not need any other supplementary income, so there's a danger in losing talent forever from the theatre industry."

Poppy Corbett, Playwright

"The events of the pandemic have just highlighted how little is understood about the freelance workforce. They've shown how often actual creators are left out of the process of discussions in preparing for recovery and dealing with the crisis."

Lesley Gannon, Writers' Guild of Great Britain

#### The challenges authors have faced

Most responses to both of the APWG's inquiries reported an ongoing reduction in authors' earnings, with just 14% in the latest survey expecting their income to remain stable during COVID-19¹. This continues a trend, already profoundly evidenced by ALCS' surveys of 2005, 2013 and 2017², with similar findings apparent from recent reviews in Europe³, the USA⁴ and Canada⁵.

Respondents to ALCS surveys are writers who are traditionally published, self-published and who write about a range of subjects across many genres. With a membership of over 110,000 in

all, ALCS' efforts depict the experience of a broad spectrum of UK writers, as do recent Society of Authors' surveys.

A major underlying historic issue is that the structuring of royalties significantly changed following the dissolution of the Net Book Agreement (NBA) in the 1990s. Many authors found the effect most significant where booksellers frequently discount books at high rates and, as a result, royalties have dropped well behind the rate of inflation. With the NBA, they were linked to the cover price, and the shift to net receipts means that royalties, still today, have not kept up with cover price rises.

The challenges for authors were followed up by the APWG's supplementary inquiry session in November 2020, which reinforced previous findings and evidenced the precarious nature of writers' income streams, when put under any pressure, as they most certainly have during COVID-19.

The pandemic has acutely impacted the creative sector and highlighted a range of issues that have specifically affected the self-employed, including freelance authors and contributors to all genres of books.

It is common for authors to do more than writing to enable them to make a proper living. Authors, particularly those writing for children, typically subsidise their income with visits to schools, community centres and literary festivals; and, in multiple submissions to the Inquiry, they stated this is no longer an option. Budget constraints were already leading some schools to commission fewer appearances, even when these can be part of a varied

and interactive education, and this is likely to persist after the health crisis because of curriculum and exam catch-up pressures and priorities.

Another concern for authors is festivals, where they are often expected to speak for free. The fact that this happens, at events where every other contributor is remunerated, suggests mistaken beliefs that authors can work for nothing as a matter of course. As a result, the Society of Authors has campaigned for a boycott of festivals where speakers are not paid, and setting 'minimum practice' guidelines regarding payment for booked appearances.

This is one example of where people feel authors should work unpaid 'for exposure', but many think it is not worth the time and expense incurred. During the pandemic, with lockdown and social distancing, authors have simply been unable to supplement their living in these ways in any event, with potentially damaging effects for the future.

<sup>&</sup>lt;sup>1</sup> Society of Authors, 2020. Third Membership Survey during COVID-19, 15 October 2020.

<sup>&</sup>lt;sup>2</sup> ALCS, 2018. Authors' Earnings 2018: A survey of UK writers.

<sup>3</sup> FERA/FSE, 2018. European Film and TV Screenwriters and Directors: Their earnings and working life. First results.

<sup>&</sup>lt;sup>4</sup> The Authors Guild, 2019. US Published Book Author Income Survey.

<sup>&</sup>lt;sup>5</sup> The Writers' Union of Canada, 2015. Devaluing Creators, Endangering Creativity.

This inability to subsidise income through other streams has led writers to consider other career paths outside the creative sector, and created increasing concern about diversity in writing as a result, when many emerging authors were already struggling to be paid appropriately before COVID-19 struck. Evidence had already suggested, too, that poetry writers were finding it particularly tough to maintain a livelihood, with smaller poetry publishers, who nurture 'mid-list' authors, closing their lists. Poor payment from writing for compilations had further meant that poetry and short story-writing are less viable as an entry point to professional writing. Authors of poetry also rely greatly on paid appearances that were becoming rarer, and have now dried up during the pandemic.

Similarly, playwrights found that fewer new productions were being put on, with theatres relying on more familiar plays. Many opportunities that gave a start to now successful writers were already disappearing and, with theatre closures and backlogs, the future is uncertain.

Many authors find agents essential for negotiating and striking deals with publishers. Most professional support comes with costs, though, that impose difficult decisions on low earners. Lots have become 'hybrid authors', self-publishing and promoting, and the digital revolution has created new opportunities here. The Alliance of Independent Authors has said its members are seeing greater success with self-publishing and sale of their works internationally.

Unfortunately, the digital revolution has also seen rising pressure for writers to complete freelance work for free, or for lower fees. The Writers' Guild of Great Britain (WGGB) has been active over this issue, with its 'Free is NOT an Option' campaign, and has worked with members to compile guidelines as to what a writer should, and should not, do for no reward.

Contracts, moreover, increasingly demand extensive rights in return for a one-off payment — including for future re-use across different formats without further remuneration. This is particularly concerning for authors in fields such as educational writing, where their work is continually used by students. Fair and modern contract rights, therefore, are vital for authors in the digital age.

The creative industries depend on writers to create the intellectual property that translates into a range of formats including books, films, TV and radio series, plays and video games. They deserve respect with fair and modern contract terms.

Due to the unpredictable nature of the book market, and the timing of publishing schedules, authors can find their earnings sporadic. This can make it difficult when taxes, and any benefits, are calculated by a system intended to deal with steady income streams. Keeping reserves for tax has also bitten during the pandemic — leading to ineligibility for Universal Credit, when falling through support scheme gaps.

Writing should create opportunities to hear from all parts of society, and much more needs to be done to make sure our cultural output reflects its full diversity. As regards gender, too, the most recent ALCS survey found that female authors earn about 75% of the income of their male counterparts, a disparity also evident when it comes to opportunity.

Research by WGGB<sup>6</sup>, funded by ALCS, also showed that the number of women in the screenwriting industry has barely improved over the last decade. In film, only 16% of working screenwriters are women and only 14% of prime-time TV is predominantly written by women.

Overall, most recent estimates from the Department for Culture, Digital, Media and Sport (DCMS) show that 93% of workers in the creative industries come from more-advantaged social groups, compared to 68% for the general UK workforce<sup>7</sup>. With added pressure on incomes because of COVID-19, there are concerns that many will not see writing, nor the creative sector, as a career for them. So, if further steps are not taken, creative and cultural opportunity may become even more the preserve of privileged elites.

Workers in the creative industries who come from more-advantaged social groups

93%

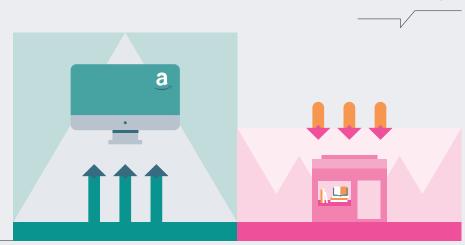
68%

Compared to the general UK workforce "Inclusion is at the heart of everything we do at Hachette and regional diversity is another way to bring fresh ideas into our business. We want to forge closer links to the brilliant pool of creative talent outside the 'London bubble' and connect more closely with readers, authors and booksellers around the UK to enrich our publishing."

David Shelley, CEO of Hachette UK, June 2020

<sup>&</sup>lt;sup>o</sup> Kreager, A. and Follows, S., 2018. Gender Inequality and Screenwriters: A study of the impact of gender on equality of opportunity for screen writers and key creatives in the UK film and television industries.

<sup>&</sup>lt;sup>7</sup> Department for Digital, Culture, Media and Sport, 2020. DCMS Sectors Economic Estimates 2019: Employment.



#### Publishing and our creative industries

Our creative industries contributed £115.9 billion<sup>8</sup> to the UK economy in 2019 and employed one in 11 working people. Within that, publishing accounted for £11 billion<sup>9</sup>, supporting 196,000 jobs in all.

As documented in the APWG's First Report, the publishing industry is in considerable flux and writers worry about the effect on them in turn. Many feel that 'mid-list' authors will lose out due to the focus on bestselling writers and the decreasing budgets for marketing books of those less well known. It is vital to encourage a wide range of writers and choice is essential. Education and culture reach beyond enjoyable bestselling fiction, crucial

though this is. If it is not possible for a variety of authors to make a living, we will see a decline in the UK's success. Authors need publishers to be healthy and resilient, and while there is significant debate over how profits are shared, there has also been recognition that part of the decline in authors' earnings can be attributed to the challenges publishers are clearly facing.

The most prominent bookseller now is Amazon, which has thrived during the pandemic. We face a market, therefore, with a few increasingly dominant sellers, including supermarkets allowed to stay open throughout COVID-19. Independent bookshops have declined, adding to a focus on bestsellers; and publishers, in turn, have had to respond, offering more high-street discounts.

Witnesses noted that the dominant sellers also stock books as part of a wider offering to customers, potentially as loss-leaders. Independent bookshops face a disadvantage in terms of profits, therefore, as well as scale, and lack a level playing field against online operators as regards business rates and corporation taxes paid. This has led to continuing concerns over a decrease in the diversity of books sold in the UK, with literary fiction struggling in particular. Books do not have to reach number one to have dedicated readers, to whom authors are important.

COVID-19 has further skewed the market and the Inquiry was concerned that policymakers might get the wrong impression from news reports on publishing during the pandemic. While overall book sales recovered in 2020, with an estimated 5.2% annual growth, following a 6% first-half fall, according to Nielsen Book Research<sup>10</sup>, the underlying picture was patchier. Witnesses pointed out that the overall view was distorted by bestsellers on Amazon and in supermarket chains, while 'mid-list' authors and smaller booksellers saw a significant decline.

Libraries were also closed during the pandemic and increased loans of ebooks did not make up for the drop in physical lending. This has had implications for the distribution of Public Lending Right funding, which has been frozen for a decade; and witnesses supported a campaign to increase the level of funding as a fair and targeted way to reward authors for their contribution, through libraries, to the public good.

"Overall publishers' figures and profits do not represent the wider landscape. Some authors lost their contracts entirely, and for many debut authors it was terrible, with no bookshop launches. You may then not get that crucial second book deal, because sales are so low."

Isobel Dixon, Association of Authors' Agents

<sup>&</sup>lt;sup>8</sup> Department for Digital, Culture, Media and Sport, 2020. DCMS Sectors Economic Estimates 2019 (provisional): Gross Value Added.

<sup>9</sup> Department for Digital, Culture, Media and Sport. DCMS Sectors Economic Estimates 2019: Gross Value Added, December 2020; DCMS Sectors Economic Estimates 2019: Employment, April 2020.

<sup>10</sup> Nielsen BookScan estimates, January 2021.

#### A voice for writers and creators in a changing world

While the business side of the UK's creative industries has an established point of contact with the Government through the Creative Industries Council, there is no equivalent for individual creators, including authors. Respondents agreed that establishing such a communication channel for the creative workforce and their representatives would help Government to better understand the sector's need, not least at this critical time.

In evidence received over the impact of COVID-19 were concerns that — despite repeated representations to Government — the continued lack of an equivalent and complementary 'Creators Council' meant that they were not engaged in informing policy formation to support creators during the pandemic and the recovery beyond.

Such a body could provide a regular forum to discuss cross-cutting issues, in place of the ad hoc arrangements assembled amid the pandemic so far. A significant concern for creators, including authors and their publishers, for example, is maintaining the UK's world-leading and highly respected copyright regime in any future trade talks. Keeping in step, at least, with best practice elsewhere is also vital in the digital age.

In 2019, the EU agreed new rules, giving authors and other copyright-owners greater protections. The UK championed these measures, but following withdrawal from the EU decided not to implement the new Copyright Directive. Intellectual property underpins our creative success and it is vital that we establish our own version of the positive aspects of the new directive.

The UK copyright regime strikes an effective balance in ensuring access to content, with remuneration for authors. This enables, for instance, educational access at lower cost, while writers can make a living producing the books used in our schools and exported abroad. It is crucial in trade talks, therefore, that exceptions to copyright should not be expanded, and that the UK's IP exhaustion rights are not weakened, nor ceded on an international basis.

In the past, the UK's creative and cultural sectors benefited from significant funding from the EU's Creative Europe programme, to the tune of €15.9 million in 2019." After our withdrawal from this, too, it will be important for writers that the Government establishes equivalent replacement funding.

"Copyright is the lifeblood of the UK's creative success. It is vital that it is protected and enhanced. Writers and creators need effective engagement with Government over crucial issues like this."

Authors' Licensing and Collecting Society

<sup>11</sup> Creative Europe Desk UK. Creative Europe in the UK 2018: Results report, July 2019.

#### Recommendations from the APWG

The APWG recommends the following action to be taken immediately:

### 1/ Better Government engagement with the creative workforce and their representatives

Although the industry side of the sector has a channel to communicate with the Government, through the Creative Industries Council, there is no similar mechanism for creators themselves, including freelancers on whom the success of our creative industries greatly depend. The need for better dialogue between the Government and creators, including authors, became all too apparent during COVID-19, as measures such as SEISS failed to grasp the way freelancers work, leaving an estimated 3 million hard-working people repeatedly bereft of support.

A Creators Council, comprising organisations representing individuals within the sector, could give valuable insights and input into policymaking, and assist recovery from the pandemic. Through this, they could also contribute their expertise as to the needs

of creative freelancers, addressing wider issues such as inclusion and diversity, copyright and fairness, and how the UK succeeds in the modern, post-Brexit digital age.

## 2/ Protect the success of the UK's creative industries and effective copyright regime

The UK has supported policymaking in the EU that would benefit our creative industries through the Digital Single Market Strategy and, following withdrawal, we should replicate positive measures at the earliest opportunity. These should include fair and modern contract rights, ensuring transparency with authors about the use of their works, and the establishment of a principle of appropriate and proportionate remuneration, so creators fairly share in the value of their work in the digital age.

We also call on the Government to ensure that any new trade deals do not undermine the strong, well-balanced copyright regime the UK has achieved. It provides certainty and fairness to creators and users alike. The UK should resist pressures to broaden

copyright exceptions, or introduce so-called 'fair use' models, to the detriment of our creative industries. Europe is a major export market for UK publications and audiovisual productions. We ask the Government to ensure that, following withdrawal from the EU, barriers to work and trade are reduced where they disadvantage UK writers, publishers and producers.

#### 3/ Better support for authors and creators

Government strategy to support the workforce through the COVID-19 pandemic and beyond should include better targeted support for freelance creators, including better access to grants and a review of the eligibility criteria of income support schemes. Authors are self-employed workers who could also be better supported by tax and benefit rules, such as being able to offset the costs of training in new skills. For simplicity, plans for 'Making Tax Digital' should also include the same reporting threshold as for VAT registration.

#### Recommendations from the APWG

The Public Lending Right (PLR) rewards authors and other creators for their contribution to the public good through library loans. Yet the fund, at just £6.6 million, has been frozen for a decade and stands at half the amount of Germany and France. We call upon the Government to increase PLR funding, as a fair and targeted way to help authors, at modest cost to the public purse.

Effects on income because of COVID-19 further threaten inclusion and diversity and we urge the Government to encourage more writing development support in the nations and regions beyond London, as well as regional initiatives by the publishing industry.

The Creative Europe programme supported diverse projects especially in the fields of culture, film and translation. The 2020 Spending Review included a welcome part-replacement for its MEDIA strand, through a new 'Global Screen Fund', and we now urge the Government to replace the support the literary industry has gained through the Culture element of the programme.

#### 4/ Fairness in the bookselling market

The UK and its authors benefit from a diverse market for booksellers. High-street shops have struggled to compete with discounting by online retailers, who are not burdened by high business rates and pay little corporation tax. COVID-19 has skewed the market even further, with independent bookshops forced to close, while giant supermarkets stayed open. These small businesses will need further support for recovery and we back calls to level the playing field. We have seen innovative ways with help online, like Bookshop.org and hive.co.uk, and encourage measures to incentivise further such developments.

In 2020, after calls from authors, publishers and the APWG, the Treasury removed VAT from ebooks. But one anomaly remains: audiobooks, vital to the visually impaired, which should also be exempt.

# **Input from Inquiry Respondents**

The reality, in their own words

"Evidence shows an ongoing decline in authors' incomes, despite our creative industries seeing record growth year on year. Writers needs better recognition; the way we engage with culture is adapting to meet modern needs, not least online, but this should not devalue the contribution authors make, nor diminish their ability to create."

#### Authors' Licensing and Collecting Society

"I think there is a big risk here of the pandemic damaging diversity and inclusion within the industry. I think we will lose working class people; we will lose people whom you know already were on that edge of poverty anyway."

Dawn Finch, Writer

"Britain's creative industries generate £116 billion a year for the UK economy, and the creative sector employs 1 in every 11 working people. We would like to see greater recognition of the centrality of writers to the success of the creative industries, which includes ensuring that they can make a living from their work."

#### Society of Authors

"Publishing depends upon authors to provide a stream of ideas that translate into books, journals and a range of digital formats. Identifying, financing and working closely with authors to take their books to the widest markets is the most important role of a publisher."

Hachette UK







"Authors are at the heart of publishers' businesses. Their creativity, knowledge and imagination has enabled the UK to be home to a publishing industry which has entertained, educated and informed people all over the world."

#### The Publishers Association

"There is a cruel irony that pieces are read by more people across the world and yet the people who write are getting less."

#### Philip Womack, Writer

"Authors need publishers to be healthy and economically resilient, as authors depend on publishers as patrons and customers. However, the ALCS survey and others offer evidence that many authors are not receiving a high enough share of the profits of publishing to protect their creative livelihoods."

Association of Authors' Agents

"Cultural products such as films, television programmes and video games are key exports. It is vital, for the UK to retain its position as one of the world's largest creators and exporters of cultural products, that we continue to have access to a suitably skilled and mobile workforce. It remains vital that new tariffs and trading regulations do not prevent the UK from remaining competitive in the global market."

#### Writers' Guild of Great Britain

"I know that I get paid less and less for the same work, but also...among the other writers I know, several have given up because they're just not earning enough. They don't want to compromise on quality, but if you have less time in which to write the same type of book, it's very difficult."

Anne Rooney, Writer



The All Party Writers Group (APWG) was established in November 2007. All Party Groups allow Parliamentarians across the political spectrum to keep both government and opposition informed on specific policy issues, taking on board opinions from within and without Westminster.

Its aims are to represent the interests of all writers; to help safeguard their intellectual property rights; and to ensure they receive fair recognition and reward for their contribution to the economy and society as a whole.

The initial APWG Inquiry into Authors' Earnings took place from July 2018 to February 2019, and this follow-up was conducted from September 2020 to January 2021. Over the two inquiry periods, we heard from the following organisations in compiling our reports:

Alliance of Independent Authors
Association of Authors' Agents
Authors' Licensing and Collecting Society
Hachette UK
The Publishers Association
Society of Authors

Writers' Guild of Great Britain

In addition to this we received written testimonials from **over 30 professional authors.** 

The following Parliamentarians led inquiry sessions:

Giles Watling MP (Chair)

Pete Wishart MP (Vice-chair)

The Earl of Clancarty

**Lord Clement-Jones** 

Julie Elliott MP

Rt Hon John Whittingdale OBE MP (former Chair)

Summaries of the evidence provided are available on the APWG website: allpartywritersgroup.co.uk

The Group is grateful for all of the evidence received and fed in to this report.

"We need to look at including the creators, those at the front line of artistic and creative endeavour, in rebuilding, making sure that voice is heard. Going forward it is important that artists' and creators' voices are there."

Pete Wishart MP













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