

Copyright & Websites

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"Derek McAuley, Chief Officer of the General Assembly of Unitarian and Free Christian Churches, has drawn our attention to what might possibly be something of a scam but which certainly involved a breach of copyright on the part of the church in question – an issue we have mentioned before.

An (Anglican) congregation had posted on its website a poem of "sympathetically expressed religious thoughts in relation to human anxiety". The church then received a demand for £7,000 in compensation for breach of copyright. After three months' stressful negotiation, the church paid £1,500 in an out-of-court settlement. It was suggested that the poem had been deliberately made readily available and targeted at churches, then the publisher's lawyers had trawled church websites to locate instances where the poem had been used and demanded compensation. But whether this was sharp practice or not, the lesson is *that almost everything published since 1900 may possibly be copyright* – and the newer the publication, the greater the likelihood.

The basic rule for literary, dramatic, musical or artistic works is that copyright persists for 70 years from the end of the calendar year in which the last remaining author of the work dies. The UK Copyright Service has a useful [fact-sheet](#) which sets out the precise term for each type of publication or work under the Copyright, Designs and Patents Act 1988.

The moral is, *be very, very careful*. Do not under any circumstances, for example, simply pick a photograph off the Internet and post it on your website. There have been cases of churches and charities that have used photos from the Hulton Picture Library (aka Getty Images) without permission being sent a large bill when the Library's web-crawlers caught up with them. In short: if you cannot find something suitable on [Wikimedia Commons](#), either take an appropriate photo yourself – or do without.

Similarly, be very careful about extensive quotes from literary works. The UK Copyright Service makes it clear that:

'When using quotes or extracts, there is no magic figure or percentage that can be applied as each case must be viewed on its own merit. In cases that have come to trial what is clear is that it is the perceived importance of the copied content rather than simply the quantity that counts.'

[Source: *CLAS Summary* – 24 June 2013]"

Further information may be obtained from the following websites:

CLAS: www.churcheslegislation.org.uk/home

UK Copyright Service: www.copyrightservice.co.uk/copyright/p01_uk_copyright_law

Wikimedia Commons: http://commons.wikimedia.org/wiki/Main_Page

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