UNIVERSITY OF GLOUCESTERSHIRE

How the Covid-19 pandemic accelerated an e-book crisis and the #ebooksos campaign for reform

This article sets out the problems with the e-book market and the origins and work to date of #ebooksos, a librarian-led campaign for a fairer e-book market for libraries. While many of the issues identified predated the Covid-19 pandemic, the rapid pivot to remote teaching and learning and the subsequent change in working cultures it precipitated brought these issues to a head. The article is primarily about the academic context as the authors are academic librarians, but the e-book library crisis applies to all sectors and the #ebooksos campaign aims to represent them all. While it is recognized that change will take time, as with related change in areas such as open access and the movement of journals from print to online, this underlines, rather than diminishes, the need for the campaign to keep highlighting the problems and to work with colleagues and stakeholders to deliver an approach to e-books that is equitable and sustainable. The #ebooksos campaign is in its infancy and thus this article presents a snapshot of a work in progress at the vanguard of librarianship and information work.

Keywords

e-books; Covid; #ebooksos; library; publishing; licensing

Introduction

Since the earliest forays into e-book provision by libraries in the late 1990s, society has become completely ensconced in a digital age. However, as with many aspects of our digital lives, the technological developments regarding access to information have outpaced policy and legislation. Consequently, e-books are fettered from living up to their early promise and are not the great levellers it was hoped they would be.

Unlike hard copy books, e-books are generally licensed to libraries rather than sold outright, which means libraries no longer own the books but rent them and so have experienced significantly diminished control over their collections. Continued access is precarious as publishers can, and do, withdraw access to titles at any time. Furthermore, with only 10% of reading list titles being available in e-book format,[1] increasingly restrictive licence terms, bundling practices and prohibitively expensive pricing, reliance falls heavily on hard copy books instead of e-books.

When the Covid-19 pandemic took hold in 2020 and lockdown restrictions were implemented, the reliance on hard copy was put to the test and dependence on e-books soared in a manner that had not been envisaged by librarians, publishers or students. The result, unfortunately, was that those issues already of significant concern were exacerbated by a perfect storm of financial pressures, a dysfunctional market and skyrocketing demand. The outcome was the establishment of the #ebooksos campaign.

UK context

As lockdown measures closed university campuses in March 2020 and the higher education sector scrambled to move teaching online, hard copy library resources were no longer a reliable option and library collections were generally too poorly resourced to cater for

YOHANNA ANDERSON

Subject Librarian
School of Natural and Social Sciences
University of Gloucestershire
and #ebooksos campaigner

CATHAL McCAULEY

University Librarian
Maynooth University
Ireland

the new demands placed on them. After an initial temporary offer of free access to their e-book collections,[2] the largest publishers withdrew that access as early as June 2020 while the pandemic continued to cause major disruption to higher education nationally and internationally. Thereafter, librarians saw increasingly restrictive licences being applied to titles, further excessive price rises – by as much as 500% and e-books withdrawn from individual sale and exclusively placed in high-priced, poor-value bundled packages. Some e-book titles were withdrawn from sale altogether.[3]

Higher and further education libraries in the UK have Jisc, a highly influential not-for-profit organization, working on their behalf 'to negotiate and license the high-quality digital content agreements needed to support academic research, teaching and learning'[4] but, while students were trying to study remotely with scant access to the necessary resources, Jisc and other library consortia did not have the leverage required to pressure publishers into reversing their aggressive price increases and the situation continued to worsen. It also became clear that the pandemic was going to cause disruption for far longer than originally anticipated and that the impact of the problems associated with e-books required a concerted response.

'the problems associated with e-books required a concerted response'

The #ebooksos campaign

With librarians unable to provide access to key resources and an absence of tangible action from national library leaders, it was in the eye of this perfect storm that the #ebooksos campaign was founded by UK-based academic librarian, Yohanna Anderson.

Contrary to the non-disclosure rules publishers apply to purchasing contracts, frustrated librarians began sharing details of the price disparities between hard copy and e-book format publicly on the social media tool Twitter, using the hashtag #ebooksos. Twitter is a tool widely adopted by librarians and it provides a platform to discuss current issues and practice internationally and across sectors. It quickly became clear that libraries in all sectors and geographical regions were facing similar challenges in securing access to e-books for their patrons. Due to the ready access it provides to educators, commentators, journalists, government bodies, members of parliament, professional organizations, etc., Twitter was the natural campaign tool to use to amplify the #ebooksos cause. Indeed, it was via Twitter that journalists from *The Guardian* and the BBC, among other media outlets, were alerted to the campaign without being approached directly by #ebooksos members.

'librarians began sharing details … on the social media tool Twitter, using the hashtag #ebooksos'

Due to the notoriously litigious reputation of big publishers, many other librarians were frightened of the possible repercussions of taking part in sharing e-book pricing data on Twitter. To overcome this fear, a crowdsourced spreadsheet was created and shared that allowed librarians to anonymously contribute their experiences.[5] The picture painted by the data is stark and clearly illustrates the situation faced by librarians. Hundreds of textbook titles listed are as much as 4000% more expensive to purchase than their equivalent in hard copy format, and the complexity of their licensing terms is fiendish.

'many other librarians were frightened of the possible repercussions of taking part in sharing e-book pricing data'

Meanwhile, Yohanna, Caroline Ball (Academic Librarian, University of Derby), Rachel Bickley (Senior Academic Liaison Librarian, London Metropolitan University) and Benjamin White (Copyright and Intellectual Property Researcher), penned an open letter from #ebooksos to the Education Select Committee, urging it to conduct an investigation into the e-book market.[6] The Education Select Committee is a cross-party committee of members of the UK Parliament which scrutinizes the work of the Department for Education. The open letter received unprecedented cross-sector support with over 4,700 signatures from librarians, professors, students, consortia, university leaders, National Health Service staff and many others. The Chair of the Education Select Committee responded to state that, while they were aware of the issues, they did not have the capacity to investigate.

The disappointing Education Select Committee response did nothing to dampen support for the campaign as the stark pricing data shared by librarians had attracted the attention of several journalists who published articles about the e-book crisis in national publications. Several major media platforms also published articles submitted by #ebooksos team members thereby further raising awareness.[7]

When asked by journalists for comment regarding their pricing structures, few publishers responded to the request. Those who did cited the 'enhanced functionality' of e-books, and the work that goes into constantly editing them and keeping them up to date, as the reasons why the price disparities exist. However, most e-books are scans of pre-existing texts in PDF format and feature limited accessibility.[8] An e-book that might have been £39.99 in 2019 and was now being licensed at £350 in 2020 is the same PDF version of the hard copy book, so this explanation does not stand up to scrutiny.

The academic publisher Taylor & Francis Group states that the problem lies with the misrepresentation of 'the reality of how the different formats are used',[9] a dismissal echoed by Stephen Lotinga, Chief Executive of the Publishers Association:

> 'Many of the examples cited by this campaign are not comparing like for like. A digital textbook is often put together using multiple authors over a long period, is regularly updated, has additional functionality and might be used by entire cohorts of students on a course or lent thousands of times.'[10]

The publisher responses repeat those that librarians had received in answer to complaints raised through Jisc prior to the campaign and they provoked a backlash – eloquently illustrated in a blistering rebuttal written by Access and Procurement Development Manager at University of York, Anthony Sinnott:

> 'Anyone with more than a passing knowledge of e-book pricing understands that it is a surface level dismissal at best and it speaks to a desire to avoid any transparent or nuanced discussion. The Publishers Association should recognize that these complaints are coming from experienced and knowledgeable professionals who have an intimate understanding of the complexities and require more meaningful engagement than empty platitudes at this point.'[11]

In their comments, the publishers, perhaps inadvertently, reinforce the rationale behind the #ebooksos argument: that an impasse has been reached and the only way progress can be made is by an independent investigation of the market conducted by a body with the authority to demand transparency and detail, and to force change.

With government thus far failing to act, and publishers unwilling to engage in open and sensible dialogue, the Chartered Institute of Library and Information Professionals (CILIP) and Paul Aryis, Pro-Vice-Provost (UCL Library Services), on behalf of #ebooksos, wrote to the Competition and Markets Authority (CMA) requesting that they intervene and investigate the e-book market. The CMA is an independent non-ministerial government department responsible for strengthening business competition and preventing and reducing anti-competitive activities.

At the time of writing, the CMA is still considering the request. As their deliberations continue, the #ebooksos team has been invited to speak at multiple events nationally and internationally. One event, a webinar organized by University College London,[12] had over 700 people register to attend and delegates from 13 different countries participated.

Two years after the campaign first started, the campaign team has spoken at conferences and events in the USA, Canada and South Africa, and was invited to speak in Germany and to the League of Research Universities in Copenhagen. Several members of the UK House of Lords, the second chamber of the UK Parliament with the remit to examine bills, question government action and investigate public policy, have written to the Chief Executive Officer of the CMA and asked questions in Parliament about the issue.

Support for #ebooksos has continued to grow and the campaign has received statements of support from Research Libraries UK, Jisc, SCONUL,[13] leading NHS information professionals,[14] the University and College Union (UCU), representing over 130,000 higher and further education staff,[15] The Society of Legal Scholars, the National Union for Students, and we are collaborating with the US sister campaign Library Futures.[16] Not only has the #ebooksos team lobbied authoritative bodies and policymakers for intervention, but we have also worked to raise library users' awareness of the complex situation, such as students and academic colleagues. Volunteers Sarah Pittaway (University of Worcester), Lucy Barnes (Open Book Publishers), Dr Nadia Georgiou (University of Gloucestershire) and Professor Charles Oppenheim (Robert Gordon University) wrote guidance for academics on negotiating contracts with publishers,[17] which has been viewed on the campaign website over 450 times and, anecdotally, the document has been shared widely and been enthusiastically received.

> 'Support for #ebooksos has continued to grow'

In order to raise busy library users' awareness, Caroline Ball of #ebooksos created a brief animated video to explain the challenges of e-book provision and the aims of the campaign. The video is hosted in various places and, on YouTube alone, has been viewed over 1,700 times.[18] Librarians have reported using the video in induction sessions with students, in meetings with academics and in budget meetings with senior executives at their organizations as a tool to explain the complex challenges involved in providing essential information resources.

#ebooksos Ireland

On 26 March 2020, just 13 days into what could now be called 'lockdown one' in Ireland, the Irish government announced an additional €200,000 investment in e-books for public libraries and they injected a similar amount again in June 2020.[19] Academic libraries, like their UK colleagues, also ramped up spending on e-books and welcomed the decision by many publishers to make a range of content temporarily available at no additional cost. Unsurprisingly, given the sudden increase in availability and the reduced access to physical stock, e-book usage soared by up to 300%. The increased content was broadly welcomed by students, faculty and members of the public. However, library leaders and colleagues were worried about the sustainability of the approach and concerned about the fact that this increased dependence and spend on e-books was highlighting the longstanding problems with the current models of e-book provision that pre-dated Covid-19. At around this time the #ebooksos campaign was gathering momentum in the UK and Research Libraries UK issued a content statement[20] in support of libraries. Building on the work of UK colleagues, in October 2020 the Library Association of Ireland (LAI) issued a call for action[21] on what they called the electronic content crisis facing libraries and library users and, working together, the call was signed by four key representative groups: the LAI, which represents librarians and libraries in Ireland, the Irish Universities Association librarians' group, the Technological and Higher Education Association (THEA) librarians' group and the Consortium of National and University Libraries (CONUL). This was an unprecedented cross-sectoral move which underlined the level of concern in libraries about these issues. The cross-sectoral dimension was at the time an interesting difference from the UK campaign, which started out with an exclusively academic library focus. This has since changed with the release in the UK of a joint statement in October 2021.[22]

> 'our data collection confirmed that some e-books are 20 times more expensive than the print equivalent'

The call was followed up, again inspired by the UK #ebooksos campaign, by gathering examples of the issues of concern, and our data collection confirmed that some e-books are 20 times more expensive than the print equivalent, and many are three to ten times more expensive. Interestingly, the data gathered suggested that the highest multipliers are applied by the large international publishers rather than the small, local Irish publishers. In a manner similar to the UK campaign, the Irish campaign attracted a great deal of attention from the outset. Webinars focusing on

it have attracted delegates in their hundreds and librarians involved in the campaign have been asked to speak at many events. IFLA (International Federation of Library Associations and Institutions) and national media outlets interviewed the leaders of the campaign in Ireland.[23] In March and April 2021, ahead of planned meetings with Irish government officials, #ebooksos Ireland engaged in a concerted social media campaign which used graphics prepared by UK colleagues. From May 2021 onwards, a series of meetings were held with officials in key Irish government departments and agencies (including the Department of Rural and Community Development and the Competition and Consumer Protection Commission) about the concerns around e-books. In January 2022 representatives of these and other key stakeholders, together with colleagues from across the library sector nationally and internationally, attended a seminar, *The ebooks crisis in Ireland*,[24] as part of a series of measures aiming to maintain the profile of the issue ahead of the World Library and Information Congress (WLIC) in Dublin in July 2022.[25]

Looking ahead

The need for the campaign has never been clearer. From late 2021 onwards, while pandemic restrictions eased, the difficulties associated with e-books only intensified. In November 2021 the announcement by the publisher Pearson of price increases of up to 500% further underlined the need for change.[26] Helpfully, there are increasing signs that a growing number of countries are acknowledging the problems associated with e-books. Campaigns for change are ongoing in more countries including the UK, Ireland, Canada, Germany and the US. In the US several states (Maryland, New York, Illinois, Rhode Island) have sought to introduce laws requiring publishers to make e-books available to public libraries on reasonable terms. These laws, and other actions intended to make e-books available more equitably, are the subject of legal action from publishers' representative groups.[27]

> 'while pandemic restrictions eased, the difficulties associated with e-books only intensified'

Despite this resistance from publishers, there is increasing pressure internationally. Since mid-2021 alone there has been a range of additional interventions including the announcement of an EU-led pilot 'The impact of the Covid-19 pandemic on Education, Research and Library institutions: the role of copyright laws in facilitating distance education and research,'[28] and the launch of the Knowledge Rights 21 programme with the explicit objective of 'Facilitating fair access to e-books for users of public, national, educational and research libraries'.[29] The League of European Research Universities' (LERU) Information and Open Access Policy Group hosted #ebooksos at their meeting in Copenhagen in March 2022, with a view to potentially adopt the issue as a LERU campaign in Europe. LERU is influential and regularly publishes papers and reports which make high-level policy statements, provide analyses and make recommendations for policymakers, universities, researchers and other stakeholders in the EU.

> 'libraries must also continue to foster alternative routes for knowledge dissemination'

Notwithstanding these encouraging developments, it is anticipated that progress will be slower than many library colleagues would want. Library colleagues who worked through the transition from print to electronic journals in the 1980s and 1990s and the recent move to more open access publishing, recognize that the current situation in relation to e-books is familiar. Then, as now, publishers resisted change for many years but when it did come it came very quickly. The #ebooksos campaign aims to ensure that when change comes it will lead to a tangible improvement for libraries in the key areas of terms and conditions, pricing and licensing. Importantly, libraries must also continue to foster alternative routes for knowledge dissemination including the use of open access book publishing (via for example university presses), open educational resources (OERs), Controlled Digital Lending (CDL) and other approaches. The promotion of such routes

will have the dual benefits of reducing our over dependence on the traditional e-book publication process which has proved so problematic and encouraging routes that will increase accessibility. Ultimately, the campaign wants publishers to play their part in the e-book market but to do so on fair, reasonable and sustainable terms.

The campaign team was nominated for an international Open Publishing Award in 2021[30] and the CILIP Information Literacy Group and the Information School at the University of Sheffield award for achievement in the field of information literacy in 2022.[31] This recognition from the information community is a testament to the inspirational work undertaken by the #ebooksos team. With no formal funding and limited active sector leadership in the UK, the grass roots campaign team hopes that the extraordinary achievements thus far will embolden more library workers and leaders to join them in the drive to overcome the biggest challenge librarians have faced in several decades.

> 'the campaign wants publishers to play their part … on fair, reasonable and sustainable terms'

Meanwhile, in their annual report published in April 2022, the Publishers Association reported a 14% increase in profits in the academic publishing market for the UK alone.[32]

Abbreviations and Acronyms
A list of the abbreviations and acronyms used in this and other *Insight*s articles can be accessed here – click on the URL below and then select the 'full list of industry A&As' link: **http://www.uksg.org/publications#aa**.

Competing interests
The authors have declared no competing interests.

References

1. Jane Secker, Elizabeth Gadd, and Chris Morrison, *Understanding the value of the CLA Licence to UK higher Education*, July 2019,
   https://www.sconul.ac.uk/sites/default/files/documents/CNAC%20Research%20Project%20Report%20FINAL%20with%20logos.pdf (accessed 20 June 2022).

2. "Sector pulls together to deliver unprecedented amount of e-textbooks to minimise impact of COVID-19," *Jisc*, April 1, 2020,
   https://www.jisc.ac.uk/news/sector-pulls-together-to-deliver-unprecedented-amount-of-e-textbooks-01-apr-2020 (accessed 20 June 2022).

3. Anna Fazackerley, "'Price gouging from Covid': student ebooks costing up to 500% more than in print," *The Guardian,* January 29, 2021,
   https://www.theguardian.com/education/2021/jan/29/price-gouging-from-covid-student-ebooks-costing-up-to-500-more-than-in-print (accessed 20 June 2022).

4. "About Jisc Collections," *Jisc*,
   https://www.jisc.ac.uk/jisc-collections (accessed 20 June 2022).

5. "Ebook Campaign Examples," *Crowdsourced, Google Doc*s, accessed March 15, 2022,
   https://docs.google.com/spreadsheets/d/1ix8AkrDisZnQ9TEPD0wFtPdG8to9WQ28I0qAqJ9ZOI0/edit#gid=0 (accessed 20 June 2022).

6. "Read and sign our open letter," *#ebooksos*,
   https://academicebookinvestigation.org/ (accessed 20 June 2022).

7. Anna Fazackerley, "'Price gouging from Covid'"; Russell Hotton, "University staff urge probe into e-book pricing 'scandal'," *BBC Business News*, November 13, 2020,
   https://www.bbc.co.uk/news/business-54922764 (accessed 20 June 2022); Caroline Ball, "The cost of e-books is hobbling university teaching," *Times Higher Education*, November 18, 2020,
   https://www.timeshighereducation.com/blog/cost-e-books-hobbling-university-teaching (accessed 20 June 2022); Rachel Bickley, "There's big problems with the market for academic ebooks," *Wonkhe* (blog), March 29, 2021,
   https://wonkhe.com/blogs/theres-a-big-problem-with-the-market-for-academic-e-books/ (accessed 20 June 2022).

8. James Scholes, "eBooks: An Accessibility Disconnect," *Jisc accessibility and inclusion* (blog), March 24, 2016,
   https://accessibility.jiscinvolve.org/wp/2016/03/24/ebooks-disconnect/ (accessed 20 June 2022).

9. Hotton, "University staff urge probe into e-book pricing 'scandal'."

10. Hotton, "University staff urge probe into e-book pricing 'scandal'."

11. Anthony Sinnott, "BBC News Online Feature : A Response to publishers", *#ebooksos* (blog), November 15, 2020,
    https://academicebookinvestigation.org/2020/11/15/bbc-news-online-feature-a-response-to-publishers/ (accessed 20 June 2022).

12. "Ebooks: Scandal or Market Economics webinar – summary and links," *Open@UCL* (blog), March 17, 2021,
    https://blogs.ucl.ac.uk/open-access/2021/03/17/ebooks-webinar/ (accessed 20 June 2022).

13. "Joint statement on access to e-book and e-textbook content," *Jisc* (blog), October 6, 2021,
    https://www.jisc.ac.uk/news/joint-statement-on-access-to-e-book-and-e-textbook-content-06-oct-2021 (accessed 20 June 2022).

14. "A call for action on ebooks," NHS Health Education England Knowledge and Library Services, December 2021,
    https://library.hee.nhs.uk/resources/content-and-usage/ebooks/ebook-call-for-action (accessed 20 June 2022).

15. "Union demands regulator step in and review e-book industry," UCU, January 19, 2022,
    https://www.ucu.org.uk/article/11964/Union-demands-regulator-step-in-and-review-e-book-industry (accessed 20 June 2022).

16. "International Statement of Solidarity," *Library Futures* (blog),
    https://www.libraryfutures.net/international-statement-of-solidarity (accessed 20 June 2022).

17. "Can my students read my books?: Guidance for academics on negotiating contracts with publishers," *#ebooksos*, May 20, 2021,
    https://academicebookinvestigation.org/2021/05/20/can-my-students-read-my-books-guidance-for-academics-on-negotiating-contracts-with-publishers/ (accessed 20 June 2022).

18. "#ebooksos in one minute!," *YouTube*, October 27, 2021,
    https://www.youtube.com/watch?v=tuZUJs72288&ab_channel=EbookInvestigation (accessed 20 June 2022).

19. "Govt invests additional €200,000 in eBooks and eAudiobooks in response to increased demand for online public library service – Minister Ring,"
    Department of Rural and Community Development, Ireland, May 31, 2020,
    https://www.gov.ie/en/press-release/78342-govt-invests-additional-200000-in-ebooks-and-eaudiobooks-in-response-to-increased-demand-for-online-public-library-service-minister-ring/ (accessed 20 June 2022).

20. "RLUK Content Statement," RLUK Collections Strategy Network, August 11, 2020,
    https://www.rluk.ac.uk/rluk-content-statement/ (accessed 20 June 2022).

21. "Irish librarians call for action on the electronic content crisis facing libraries and library users," The Library Association of Ireland, October 28, 2020,
    https://www.libraryassociation.ie/irish-librarians-call-for-action-on-the-electronic-content-crisis-facing-libraries-and-library-users/ (accessed 20 June 2022).

22. "Joint statement on access to e-book and e-textbook content," *Jisc*, October 6, 2021,
    https://www.jisc.ac.uk/news/joint-statement-on-access-to-e-book-and-e-textbook-content-06-oct-2021 (accessed 20 June 2022).

23. "An Electronic Content Crisis: Interview with the Library Association of Ireland," IFLA, November 26, 2020,
    https://www.ifla.org/node/93491 (accessed 20 June 2022).

24. "The ebooks crisis in Ireland," seminar details, January 27, 2022,
    https://www.eventbrite.ie/e/the-ebooks-crisis-in-ireland-tickets-243393836517# (accessed 20 June 2022).

25. "IFLA World Library and Information Congress, Dublin, 2022," IFLA,
    https://2022.ifla.org/ (accessed 20 June 2022).

26. Sophie Inge, "Ebook campaigners rally against Pearson price increases," *Research Professional News,* January 7, 2022,
    https://www.researchprofessionalnews.com/rr-news-uk-universities-2022-january-e-book-campaigners-rally-against-pearson-price-increases/ (accessed 20 June 2022).

27. Sian Bayley, "Challenge over Maryland library e-books law set for February," *The Bookseller,* December 22, 2021,
    https://www.thebookseller.com/news/maryland-law-forcing-publishers-license-library-e-books-will-come-force-january-1296889 (accessed 20 June 2022).

28. "2022 BUDGETARY PROCEDURE, PARLIAMENT'S POSITION, Amendments submitted to the meeting of the Committee on Budgets of 27–28 September 2021," 4: (6) draft amendment 54, 62–63, EU Committee on Budgets, September 9, 2021,
    https://www.europarl.europa.eu/cmsdata/239581/budg2022-doc4-txt-6-en.pdf (accessed 20 June 2022).

29. "Press Release – Knowledge Rights 21 – 21st Century Access to Culture, Learning and Research in Europe," Knowledge Rights 21, September 23, 2021,
    https://libereurope.eu/article/press-release-knowledge-rights-21-21st-century-access-to-culture-learning-and-research-in-europe/ (accessed 20 June 2022).

30. "Open publishing awards: celebrating open in publishing," Open publishing awards,
    https://openpublishingawards.org/ (accessed 20 June 2022).

31. "Information literacy award", LILAC,
    https://www.lilacconference.com/awards/information-literacy-award (accessed 20 June 2022).

32. "Publishers Association Annual Report 2021," Publishers Association,
    https://www.publishers.org.uk/publications/publishers-association-annual-report-2021/ (accessed 20 June 2022).

Corresponding author:
Yohanna Anderson
Subject Librarian
School of Natural and Social Sciences
University of Gloucestershire
and #ebooksos campaigner, GB
E-mail: janderson@glos.ac.uk
ORCID ID: 0000-0001-5276-6137

Co-author:
Cathal McCauley
ORCID ID: 0000-0002-0849-9059