



# Fair Pay/Play in the UK Voice-Over Industries: a survey of 200+ voice-overs

## Report #1 – Executive Summary

The emergence of online peer-to-peer recruitment platforms, which have introduced Uber-like business models for the commissioning of creative content, brings both threats and opportunities to the UK creative economy. This research investigates the impact of these platforms from the perspective of a specific market: the UK voice-over industries. This is done by analyzing levels of remuneration, recruitment and contractual practices as well as the role played by intellectual property rights in monetizing the work of voice-over performers.

This pilot study follows two recent reforms of EU regulations: the first regards fairness in relation to authors' and performers' remuneration (via intellectual property rights); the second focuses on fairness and transparency in the contractual terms and conditions practiced by online intermediation services (such as online peer-to-peer recruitment platforms).<sup>1</sup> This research is also preceded by a report on the remuneration of creative labour in the digital environment published by the World Intellectual Property Organization<sup>2</sup> and important seminal academic work on this question.<sup>3</sup>

In a two-part analysis, this study demonstrates that online peer-to-peer recruitment platforms defeat the framework of intellectual property (copyright and performers' rights) on a global scale. The research findings are outlined in two reports. The first report (this document) analyzes the findings of the online survey carried by the research team to capture the experience of voice-over performers on remuneration, recruitment, contract and intellectual property. The second report contrasts these results with a review of online peer-to-peer recruitment platforms' terms and conditions, scheduled to be released by January 2020.

The results of the survey show that: online peer-to-peer recruitment platforms are perceived very negatively by voice-over performers; the use of written contracts, summarizing the key aspects of a transaction is extremely rare; and, there is a critical lack of awareness of intellectual property rights within voice-over performers paired with a perceived lack of representation by unions or organizations to defend and advance their rights. At the same time, the survey also evidences that the UK voice-over market is extremely versatile, and contributes to an impressive range of cultural, communication and entertainment sectors. The survey thus evidences that the UK voice-over industries are a key contributor to the country's creative economy. As such, national policy-makers must take measures to safeguard the market's resilience in the global digital environment, which in this case, includes addressing the role and impact of online peer-to-peer recruitment platforms.

The research concludes that the contractual terms currently practiced by online peer-to-peer recruitment platforms pose a threat to the UK intellectual property framework. However, preliminary investigation also suggests that these platforms could become an opportunity to introduce principles of contractual best practice on a global scale, should their terms and conditions be appropriately revised.

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<sup>1</sup> Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC (Text with EEA relevance.). PE/51/2019/REV/1. OJ L 130, 17.5.2019, p. 92–125; Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on promoting fairness and transparency for business users of online intermediation services (Text with EEA relevance) PE/56/2019/REV/1 OJ L 186, 11.7.2019, p. 57–79.

<sup>2</sup> Alexander Cuntz, Creators' Income Situation in the Digital Age, Economic Research Working Paper No 49 (WIPO, 2018).

<sup>3</sup> Focusing on the UK and EU studies, Martin Kretschmer and others, UK Authors' Earnings and Contracts 2018: A Survey of 50,000 Writers, CREATE, 2019; Lucie Guibault and others, Remuneration of authors and performers for the use of their works and the fixations of their performances (Study for European Commission DG Communications Networks, Content & Technology, 2015); Lucie Guibault and Olivia Salamanca (Europe Economics), Remuneration of authors of books and scientific journals, translators, journalists and visual artists for the use of their works (Study for European Commission DG Communications Networks, Content & Technology, 2016). On creators use of intellectual property: Townley and others, Creating Economy: Enterprise, Intellectual Property and the Valuation of Goods (OUP, 2018).