

WHAT'S REALLY HAPPENING WITH E-LENDING:
finally, some evidence

REBECA GIBLIN reports on what the team working on the E-lending Project has discovered so far and what the next steps are.

Libraries have always been able to buy and lend physical books without requiring publishers' permission. For ebooks it's different. Buying and lending ebooks involves making copies and transmissions, and this means copyright is involved. Ebook publishers have the right to impose special conditions on library access – or refuse to allow libraries to hold titles on any terms at all.

For the last two years my team of data science, law and communication researchers has been working with library partners to investigate how this affects the abilities of public libraries to fulfil their missions. The results and data are open to all and you can find them at (elendingproject.org). There you'll also find interactive dashboards you can use to visually query the data and get a better picture of how the information might affect your library and readers.

I have recently explained the results in talks at ALIA's Asia-Pacific Library and Information Conference and IFLA's World Library and Information Congress, and you can find recordings of these talks on the website. But for now, here are three quick take-homes about what we found.

AVAILABILITY IS BETTER THAN WE'D BEEN WARNED TO EXPECT – BUT IT'S STILL NOT GOOD

It was encouraging to find older titles available at rates above 65%. That's far better than we had been warned to expect, suggesting the publishers and aggregators have greatly improved their back catalogue offerings since the early days of elending. However, this still compares poorly to the 94% availability we found for the same books in physical form.

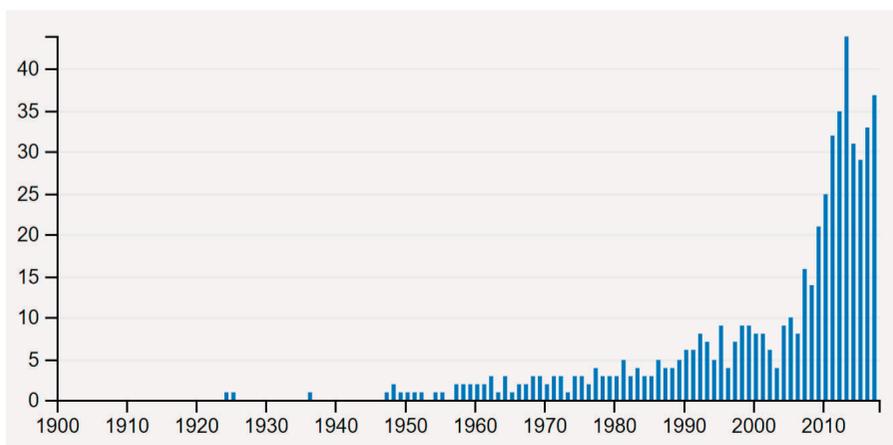
EVEN WHEN BOOKS ARE AVAILABLE, THEY ARE NOT NECESSARILY ACCESSIBLE

After analysing almost 100,000 books across five different countries, we discovered licence terms and pricing don't seem to be impacted by book age. That is, older books are made available on the same kinds of terms and with the same kinds of prices as the newest ones. That means high rates of time-limited licences, which expire after a set period or time (or sometimes alternately after a set number of loans – whichever comes first). That's concerning, because libraries keep telling us that they need to stretch their circulations budgets by maximising circulations. They may not be able to justify purchasing older books on time-based licences, even if they remain culturally significant. That potentially leaves money on the table (if libraries would have purchased on different terms) and raises questions about the changing nature of libraries' roles in curating and preserving access to books.

THERE'S A STRONG CASE FOR MORE TRANSPARENCY

When we first set out to gather this data, some ebook vendors told us there was no point, since pricing and terms were set by publishers and they would be identical across

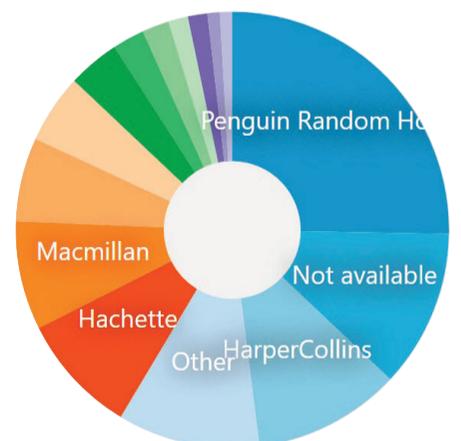
The years that the books in the study were published



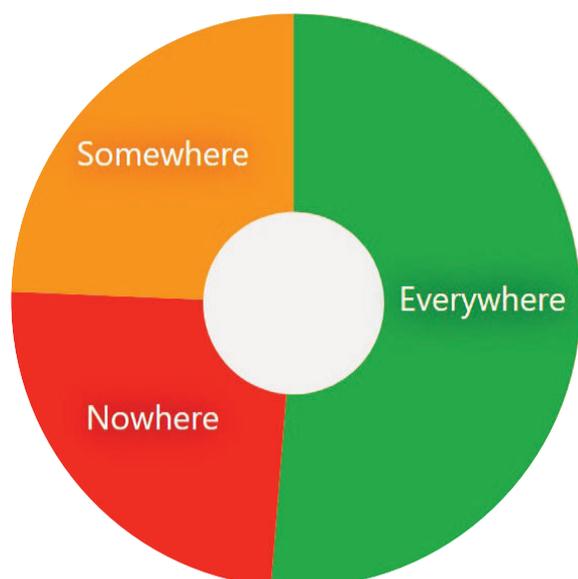
Publisher Distribution



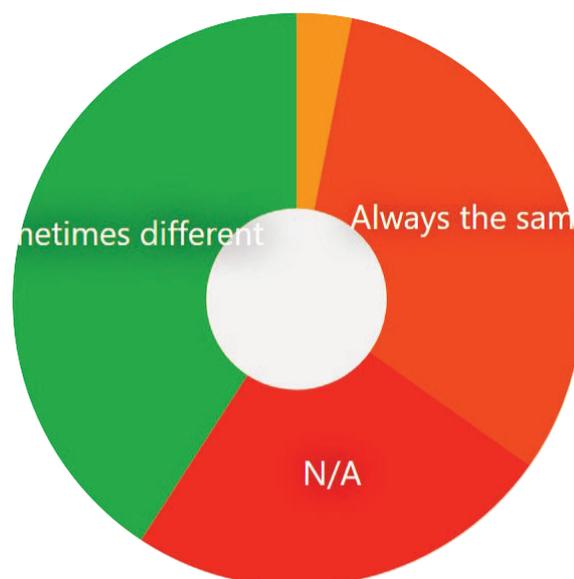
Publishers



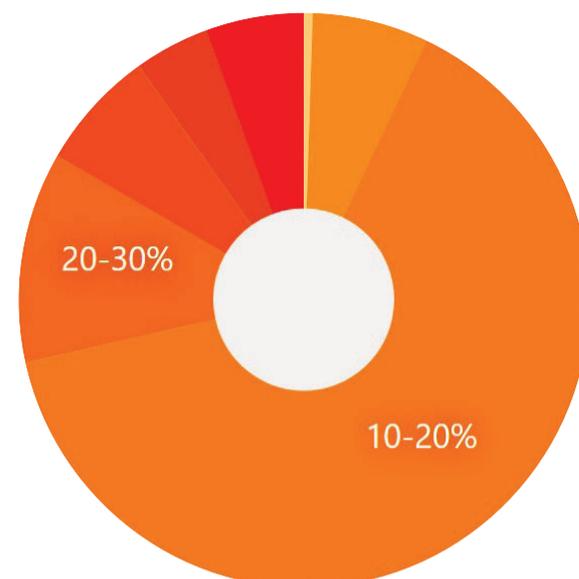
Where are the books available in digital formats?



Are the same titles offered on different licence terms?



Are the same titles offered at different prices?



platforms. But that's not what we found. Almost half of the books in our Australian sample had licence differences across platforms. This came as a big surprise to vendors and they are now talking to publishers about ensuring there's a level playing field. Prices were all over the place as well. Even where a book had been made available on exactly the same licence across platforms, there could be a huge difference in how much it cost: for example, Lisa Gorton's *The Life of Houses* was offered for as little as \$9.08 and as much as \$45 by different Australian e-lending platforms. We couldn't explain this – and the vendors couldn't either. Library ebook contracts tend to have strict confidentiality restrictions, and it took us over a year to obtain the permissions necessary to gather this data. There's a strong case for more transparency around terms and pricing to enable libraries to shop (and aggregators to compete) on price.

We are now about to enter the next phase of the research – understanding how the practices we have uncovered affect library decision making. We'll shortly be distributing a survey to all public libraries – please watch out for it and take the opportunity to have your voice heard. Once we have received and analysed this data, we'll be developing recommendations for reform. Should ebooks be treated more like physical ones? What does this evidence mean for updating the public lending rights? Stay tuned for answers.

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SAVE THE DATE

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KEYNOTE SPEAKERS

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 Jacinta Koolmatie South Australian Museum	 Dr Eva Balan-Vnuk Department of the Premier and Cabinet, SA Government

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