



An Investigation of Copyright Awareness at Kwame Nkrumah University of Science and Technology (KNUST)

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Abstract

Copyright remains the cardinal bridge between creation and access to knowledge and knowledge-based materials. However, the issue of copyright awareness has now become a global concern. Since tertiary education revolves around the use of other people's copyrighted works, this study seeks to investigate the level of copyright awareness at the Kwame Nkrumah University of Science and Technology (KNUST) in the legitimate use of copyrighted materials based on the principle of "permitted use," without infringing on the rights of the author. The study drew participants of 500 students, the Deputy Registrar (Academic and Students Affairs) and the University Librarian to respond to questionnaire and interviews. The study revealed that copyright awareness at KNUST is not up to the level expected due to the fact that the university does not have copyright awareness policy to effectively regulate, monitor and protect its intellectual property, academic and institutional values as well as to defend its teaching, research and service mission.

Keywords: Copyright; Awareness; Copyright Awareness; Intellectual property

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1. Introduction

It is obvious that copyright remains the cardinal bridge between creation and access to knowledge and knowledge-based materials. However, the issue of copyright awareness has now become a global concern. In Ghana and other parts of African, the subject has received relatively little attention of scholarships [1] to the extent that a significant portion of literature available on the subject is scanty to non-existent [2].

According to Wahid, the problem of illegal photocopying (piracy) and plagiarism in our academic environments could potentially result from uncertainties or lack of awareness of users [3]. It is obvious that tertiary education revolves around the use of other people's copyrighted works as well. For instance, at the Kwame Nkrumah University of Science and Technology, lecturers rely on copyrighted works through "permitted use" to make allowance for great flexibility in the course of teaching their students, as the students also heavily rely on the understanding and the use of other people's expressions of ideas to support their own and also to facilitate their learning. However, a distinction that is often discussed in the context of copyright is the distinction between ideas and expressions [4]. Even though it is true that Section 2 of the Copyright Act 2005 (Act 690) does not extend copyright protection to ideas [5], nevertheless, copyright protects the expression of these ideas in any form [6]. Unfortunately, the existence of lack of copyright awareness and understanding in our academic environments reveal that some people, including lecturers, students and school administrators fail to notice that the use of other peoples' expression of ideas without due acknowledgement is offensive. Some people also think that using copyrighted materials does or does not require permission from the author or the copyright holder at all times. Following this critically, one can therefore hypothetically attribute the cause of illegal photocopying (piracy) and plagiarism to the lack of awareness of users.

The objectives of this study are

- a) to find out the level of copyright awareness among students and lecturers
- b) to find out about copyright observation at KNUST
- c) to find out about enforcement of copyright at KNUST
- d) to find out what copyright policies are available at KNUST on creation, use and protection of copyright materials.

Since lecturers and course designers at KNUST often use copyrighted materials to teach and also to design courses, as the students also consult copyrighted materials to meet their educational course work requirements, in such an environment, lack of copyright awareness may result in uncontrollable copyright infringement activities.

For instance, one can easily notice that the absence of proper copyright awareness policy at KNUST, at the time of this study, among other things has contributed to the mushrooming of commercial photocopy centres and other unnoticeable copyright infringement activities among students. This was confirmed in a cursory survey, where it came to light that these commercial photocopy centres are not effectively regulated. In spite of this unfortunate situation, there are no copyright awareness notices displayed at these places where photocopying activities are undertaken — thus, notices that would inform students and other users about the quantity of

materials that may be legally photocopied for “permitted use” or “fair use” under section 19 of the Copyright Act 2005 (Act 690). In other universities, there are clear copyright awareness policies to guide teaching, learning and the promotion of knowledge whilst not infringing on authors’ rights.

One may even wonder what happens in a university where there is no copyright awareness policy in this era where copyright infringement has become more evident with the emergence of advanced technology, as it is now possible to copy any material in volumes and works that are likely to be protected by copyright. The situation at KNUST reveals that many students, who cannot afford the prices of materials and textbooks, now make photocopies of essential texts and materials for their academic work, at lower cost, at the detriment of the copyright holders.

Resulting from the lack of official copyright awareness policy at KNUST, the university faculty members and students are at ‘liberty’ to use copyrighted works with impunity, with no recourse to whom it may hurt. However, it can only be concluded that the detriments caused by copyright infringement do not only affect authors, but also publishers and other stakeholders in the publishing industry.

Considering that KNUST forms part of the major users of copyrighted materials in Ghana, it is therefore prudent, to investigate the level of copyright awareness at the university community with regards to the appropriation and the daily use of other people’s works in conducting research, promoting knowledge and the dissemination of knowledge and knowledge-based products.

This is because the university has a central library block resourced with various copyrighted materials including the large collection of internal and pre-subscribed books, articles, journals, textbooks, essays, encyclopedias, dictionaries, letters, reports, memoranda [5] and other published materials which are available to members of the university community for the production of term papers, essays, reports, theses or dissertations, articles, journals and other scholarly publications. This calls for prudent and cogent copyright awareness policy to enable the university to effectively regulate, monitor and protect its intellectual property, academic and institutional values as well as to defend its teaching, research and service mission.

However, since the creation and ownership of knowledge-based product remains an important aspect of the socio-economic development of an individual and as well as the nation, this study will be a significant endeavour in promoting copyright concerns as a national business. The outcomes of the study will form the basis for awareness-raising in support of the institutionalisation of systems that facilitate the protection and easy access to learning materials. The study is particularly important, given that there are also frequent reports of disagreements among copyright stakeholders on matters pertaining to access to knowledge in Ghana. Educators can avoid copyright infringement and legally use copyrighted materials if they understand and comply with the “permitted use” of copyright guidelines. It is hoped that the study will contribute to the development of policies that will foster copyright awareness and access to teaching and learning materials at KNUST.

1.1. What is Copyright Awareness?

There is no standard definition for “Copyright Awareness.” However, some critics have argued that awareness can only be defined in the light of what is being manifested in all forms of perception, knowledge and consciousness. In each expression, awareness is revealed as the ability to perceive (perception), know (knowledge) or the state of being conscious (consciousness) [7].

Simply defined, awareness means you are aware of something. Let us say “I am aware of road accidents” it is qualified as “Road Accident Awareness” [8]. Similarly, when “I am aware of copyright”, this is also “Copyright Awareness.” This means whenever there is awareness of something, that thing becomes the qualifying subject for awareness.

On this wise, Copyright Awareness is perceiving, knowing and being conscious that copyright exists [9] in all forms of perception, knowledge and consciousness. It is the state of having conscious knowledge about copyright in a perceived manner. When users of copyright materials exhibit this sense of awareness in an educational institution, it gives authors the opportunity to enjoy the economic value of their works and motivates their authorship.

Copyright Awareness can be developed when conscious efforts are made to bring it into fruition. For instance, when copyright notices are displayed at various points where copyright materials are mostly used.

The importance of Copyright Awareness can be notice in its absence. That is to say that the absence of Copyright Awareness can be noticed when there is the problem of uncontrollable copyright infringement activities such as plagiarism and piracy within an academic setup.

1.2. Awareness of Copyright Protection

Awareness in all sphere of life is very challenging. In the same vein, awareness of Copyright Protection has also remained a globally controversial aspect of copyright in respect of works eligible for copyright protection, works not protected by copyright and authors’ protection under the copyright protection. A lot of people have little or no knowledge in this regard. However, the objective of copyright has always been to protect the interest of creators and users together with the dissemination and access to knowledge and information [10]. This is because copyright recognises that authorship requires an investment of time, effort and skills. Once expressed in tangible, physical form, an idea can be copied by others; this is the reason why copyright provides protection against copying of those works that have been copyrighted [1].

According to Strong, the regulatory scope of copyright protection keeps on expanding as the reach and power of copyright expands globally [11]. This means, some works that were generally excluded from copyright protection are now often classified as copyrighted works.

1.3. Awareness of Copyright Infringement

Osman defined Copyright Infringement as the unauthorized use of a copyrighted work in a manner that violates one of the copyright holder's exclusive rights and does not fall into any of the exceptions or limitations on the holder's rights [12]. Based on this, Awareness of Copyright Infringement can be said to be the awareness that is created when people become aware, conscious, alert, and responsive that unauthorised use of works that are copyrighted is prohibited.

The literature review reveals that there is virtually little academic literature available on copyright in Africa and Ghana in particular. This is because the subject has received relatively little attention among Ghanaian scholars [1, 2].

While there is a global concern to fight plagiarism, piracy and other forms of copyright infringement by offering protection for copyrighted works, the scope of copyright protection has globally remained a very controversial aspect of copyright [9].

2. Methods and materials

2.1. Research Perspective

The study utilized the Mixed Approach [13]. The study generated both qualitative and quantitative data to explore the level of Copyright Awareness among Students and Lecturers; copyright observation at KNUST; enforcement of copyright at KNUST; and what copyright policies are available at KNUST on creation, use and protection of copyright materials.

2.2. Research Context and Participants

The study was carried out on KNUST campus, focusing on Students, Lecturers, The Deputy Registrar (Academic and Students Affairs) and the University Librarian as the main participants. The participants were drawn from the users and creators of information resources. A sample of 500 respondents was created among the Students and supported with interviews with Lecturers, from the six (6) Colleges of the University, The Deputy Registrar (Academic and Students Affairs) and the University Librarian. Both probability and non-probability sampling methods [14] were used in choosing the participants for the study with stratified random sampling and purposive sampling.

The student population was stratified into different groups based on characteristic or variables such as their year groups [15]. All group A students were in First Year, group B were Second Year students, group C were also in Third Year, and group D was also made up of Fourth Year students. All postgraduates were also categorised in group E. Table 1 gives the distribution of categories of the students sampled for the study and their corresponding percentage of representation calculated as:

$$\% = \frac{n}{N} \times 100$$

Where $\% = \frac{\text{sampled population}}{500} \times 100$

Table1: Number of students Sampled for the study

Sample	Size	Percentage (%)
First Years	150	30
Second Years	125	25
Third Years	90	18
Fourth Years	85	17
Postgraduates	50	10
Total	500	100%

The Deputy Registrar (Academic and Students Affair), University Librarian and Lecturers were purposively sampled [16] to gather data on copyright policies available at the Kwame Nkrumah University of Science and Technology.

2.3. Instruments for Data Collection

Questionnaires and interviews were used in gathering the data [13] from the Students, Lecturers, The Deputy Registrar (Academic and Students Affair) and the University Librarian. The essence of the two instruments used in the data collection was to achieve the objectives provided in the study. During the investigation of what the Students of KNUST know about copyright, it was essential that the first inquiry would reach the concerned people. At the first phase of the study, a survey was implemented among the population of Students through the use of questionnaire [17]. The researchers designed and administered questionnaire to the Students to respond to questions about copyright at KNUST. The knowledge of the students was tested to determine their respective awareness of copyright.

During the second phase of the study, the researchers made personal contacts, with the Deputy Registrar (Academic and Students Affair), the University Librarian as well as the Lecturers, to conduct interviews. The interviews had the purpose of recognising the various copyright policies at the university and how they are enforced to prevent copyright infringement. Semi-structured interview guides were used. Copies of the interview guides were given to the respondents a week earlier before the actual time for the interview. This was to give the respondents prior notice on the information needed so that they would be well prepared to give the necessary information. During the interviews, the researchers also conducted informal interviews where necessary.

2.4. Data Analysis and Presentation

The data were analysed using descriptive statistics, including percentages and frequencies [13]. George, Bright Hurlbert, Linke, St. Clair, and Stein suggested that, using descriptive statistics makes it possible to apply both quantitative and qualitative techniques to analyse the verbal data [18]. The quantitative analysis of the results helped to provide the basis for comparison among the disciplines as well as the overall summary of the study.

Chi also suggested that, using qualitative analysis of verbal data makes the interpretation of the results less subjective yet maintain the richness of its context [19].

3. Results and Discussions

3.1 Copyright Awareness among Students and Lecturers

Exactly half of the Students, representing 50%, gave responses that revealed that they have satisfactory knowledge about copyright. However, the responses of the Students portrayed copyright as an instrument that prohibits others from using copyrighted works without the authors' permission. Although these Students use resources such as books and articles written by other people in their research papers, lab reports or other academic assignments, however, they failed to show their awareness of the permitted use principle enshrined in Section 19 of the Copyright Act 2005 (Act 690) which according to Darkey and Akussah, is an important part of copyright and the mechanism that makes the copyright system function properly due to its system of exceptions and limitations to the author's or creator's ownership of his or her works [20].

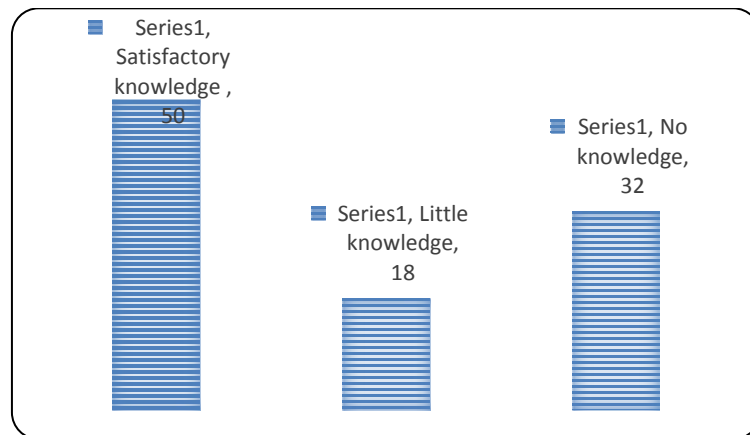


Figure1: A distribution of Students' knowledge about copyright

One way of preventing copyright infringement is by providing bibliographic citations or references to materials used. The study further revealed that most of the Students, thus 97% (n=485), expressed that they are aware that they have to cite sources of information they use in their academic works as seen in the Figure 4.

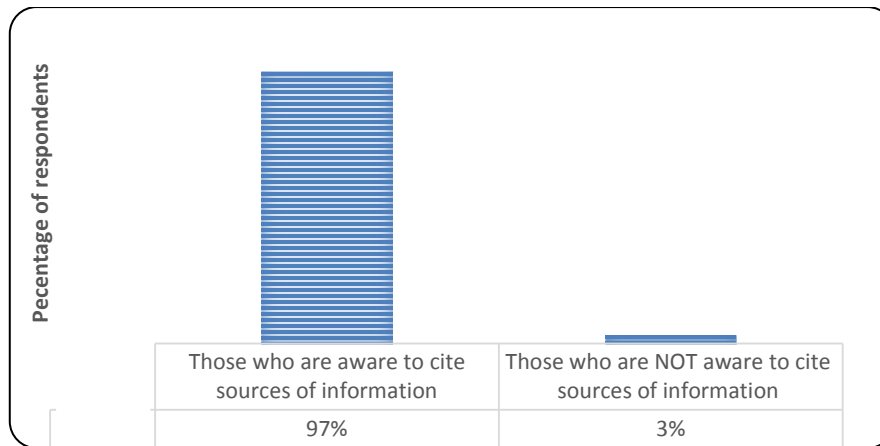


Figure 2: Students' awareness of reference citation

From the data in Figure 4, it is expected that majority of the Students must have the culture of citing references of their works based on their awareness in citation of references, but the question is, does it mean that all the 97% of the Students who claim they are aware of citation of references actually do so?

Inferring from Figure 5, one can now easily realise the relationship between the number of Students who are aware that they have to credit sources of information they use in their academic work and the number of Students who are not aware. Out of the 97% Students who said that they are aware of acknowledging sources of information they use in their academic works, only 58% were found to practically do so. We can now see from Figure 5 that there is a decrease in the number of Students who said they are aware that they have to cite sources of information they use in their works, from 97% to 58%. This decrease is however the result of the increase among the Students who are not aware of citing sources of information they used in their works, from 3% to 42%, causing an alarming discrepancy of 39%.

Whatever the case is or may be, citation of references is very important in every academic work and Nottingham Trend University, has given three reasons why students must cite references, including:

1. to acknowledge other writers,
2. to demonstrate the body of knowledge upon which a research is based,
3. to enable all those who read the materials to locate its sources easily [21].

This means, citation or referencing is the way through which acknowledgement is given and sources of information used in various course works and research papers, credited.

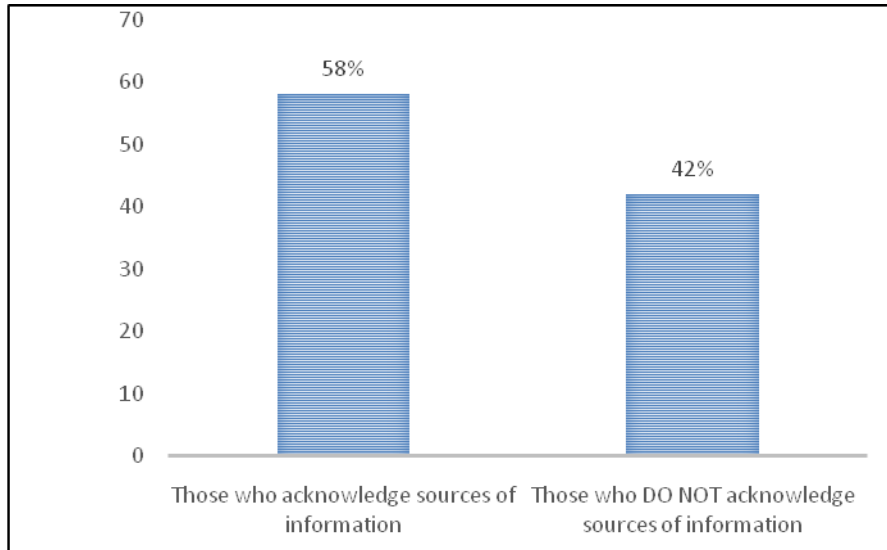


Figure 3: The practice of citing references among students

In finding out the level of copyright awareness among the Lecturers, it was revealed that most of the Lecturers interviewed have some level of awareness of copyright, however, less than half of them confessed that they have neither seen a copy of the Ghanaian Copyright Act 2005 (Act 690) nor read about what it says about literary works. Nevertheless, these lecturers tend to have almost full knowledge about copyright of the countries where they continued their education, which bonded them on the use of copyright materials for their education.

A cursory survey reveals that many scholars believe that the rate of frequent copyright infringements among Students and other users of copyright materials in the academic environment is an indication that awareness of copyright is still extremely low, especially, today that technology has made it easier to photocopy, plagiarise and pirate other people's materials. This shows that there is little respect for creativity, so copyright protection is considered unnecessary.

3.2 Copyright Observation at KNUST

Copyright observation occurs when copyright awareness is created. Since in Figure 5, it has been established that a little more than half of the Students have developed the culture of citing references to sources of information they use in their works, it means that there is some level of copyright awareness and observation among the Students at KNUST. It was however confirmed in the interviews with the Deputy Registrar (Academic and Students affair) that *“the university is not being faced with copyright infringement issues because Students and Lecturers are aware of the implications of copyright”*.

The University Librarian also revealed that, even though it has always been the duty of the library to educate Students on plagiarism, which is also contained in article 13 of the Students' Guide book, during freshers' orientation, the university has no documented complain against any copyright infringer or taken-down notice of copyright infringement except that of a postgraduate Students who was found to plagiarise someone's thesis.

3.3 Copyright Enforcement at KNUST

Copyright enforcement is an act of implementing and upholding copyright policies and statute. This is important because when Students or Lecturers present other people's work as their own, they fail to develop and use their critical thinking skills, which are necessary for learning [22]. According to the interview with the Lecturers, while some of the Lecturers are not aware of what KNUST is doing to ensure the enforcement of copyright observation, others lamented that *"copyright enforcement is not necessary at KNUST for reasons being that the existence of permitted use allows the use of copyrighted materials for educational purposes."* One of the Lecturers, however, said *"even if copyright observation is enforced, it will still be broken because there is no enabling environment for Students to get easy access to books, which of course, makes them create alternative means to make photocopies as they cannot afford the original ones"*.

The same person implied that the academic and copyright systems are such that they do not allow time to get permission from authors to make photocopies of pages from their books. Conversely, if the university had a copyright awareness policy as one of its regulations, it becomes mandatory for Members of the Academic staff, the Academic Board, Dean of Students, Senior Administrative Officers to ensure that they are enforced as it is to other regulations documented in the Students' Guide book. The extract in Figure 6 buttresses this assertion.

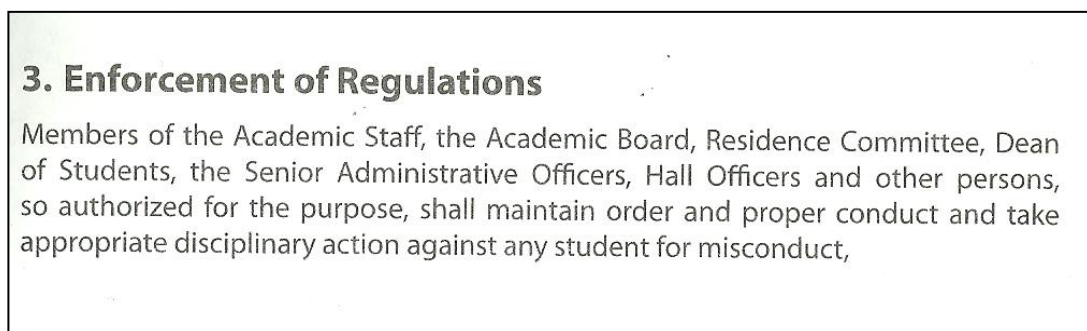


Figure 4: KNUST's regulations enforcement policy

Most of the Lecturers condemned the way copyright infringement has now received prominence, especially in the academic environment and the way enforcement of copyright has become a global concern. They reiterated that plagiarism and piracy are the impact of lack of copyright awareness or poor administration of the law in the academic environment. These menaces have never been more evident than with the emergence of advanced technology, as the information age has created greater concerns in the academia. They admitted that the issue of copyright infringement is as old as copyright itself.

Some of the Lecturers also refused to blame the academia on their revelation that there is no official estimate in Ghana to indicate the extent of copyright infringement and its socio-economic loss to the country. They have the perception that the copyright law of Ghana is as good as those of many advanced countries in Europe and America, where concerns for copyright in the academic environment are at high levels. They further revealed that poor enforcement of copyright remains the reason for copyright infringement being a big problem in Ghanaian academic institutions.

Among other concerns, they concluded that, in general, lack or poor copyright enforcement discourages authorship, creativity, originality and publication of works by indigenous authors.

3.4 Copyright Policy at KNUST

The extract in Figure 7 shows that KNUST has general regulations that are made under the University Act 1962, (Act 80) which binds every student and other units of the university such as the library and faculties.

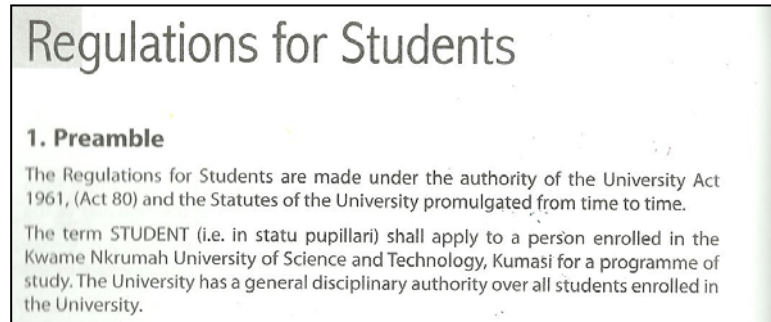


Figure 5: Preamble of KNUST's general regulations for Students

The information gathered from the interviews revealed that these regulations do not address copyright issues in the university. In fact, The Deputy Registrar (Academic and Students Affairs) revealed that, “*KNUST as an academic institution has not developed or implemented policy to manage copyright infringement issues.*” While The University Librarian also lamented that “*there has also not been any copyright licensing scheme or written agreement involving the KNUST library that covers past examination papers, essays, reports, or dissertations, articles, journals and other scholarly publications. Neither has the library produced guidelines which cover copyright of books.*”

Relating this to Crews' assertion, it is true that for most educational institutions, policy development is a complicated process. The institutions consider it to be involving lengthy deliberations and multiple levels of review and approval [23].

According to McLachlan and Crews, in a community of Administrators, Faculty, Staff, and Students who are creators as well as users of literary works, lack of properly implemented copyright policy results in non-compliance to copyright that may eventually affect the institution as a whole, thereby denying the community the benefits of both the protection of copyright ownership and the maximum utilization of statutory exceptions granted by copyright. When not enforced, policies offer little defense against legal action [24, 25].

To Abdulla, regardless of technological changes, the goal of librarians, educators and scholars is to find an equilibrium whereby the widest access to scholarly works is ensured while the intellectual properties of copyright holders are protected [26]. One can however say that it is therefore very important that copyright policies are created, communicated, managed, updated and enforced at KNUST even though it has been confirmed that the university is not being faced with copyright infringement issues because the students and Lecturers are aware of copyright and its implications.

Not only that, but according to Crews, the Technology, Education And Copyright Harmonization Act (TEACH Act) also requires that an educational institution must institute policies regarding copyright, although the language does not detail the content of those policies, the institution must provide informational materials regarding copyright, and in this instance the language specifies that the materials must accurately describe, and promote compliance with copyright. These materials must be provided to Faculty, Students, and relevant Staff members.

The source further specifies that the institution must provide notice to students that materials used in connection with their courses may be subject to copyright protection [23]. However the interview with The Deputy Registrar (Academic and Students Affairs) revealed that KNUST does not provide such notices *“because copyright infringement has not really been a problem at KNUST as it is elsewhere”*.

In spite of this, a little more than half of the total Student respondents, representing 51%, are aware that plagiarism involves the use of someone else’s expression of ideas or words without crediting the source [12] and the fact that the university regards plagiarism as a serious breach of academic honesty and integrity. The Students are also aware that students who are guilty of plagiarism face at least a failing grade in the course for which they committed the offence or possibly, or asked to redo the work for which they plagiarised [27]. For instance, it was revealed during the interview that, a postgraduate student who was found to have submitted someone else’s thesis as his own was charged with plagiarism and had his thesis cancelled.

In another interview session with The University Librarian, it was revealed that *“although the KNUST Library has not produced guidelines which cover copyright of books, there are still some terms under which copyright protected materials may be copied in the libraries such that one cannot photocopy more than one article in a journal.”*

Despite the fact that the university has no documented copyright policies, it regards plagiarism as an act of academic dishonesty. According to Section 19 of the Copyright Act 2005, (Act, 690), copying for personal use does not, however, permit the reproduction of a whole or a ‘substantial’ part of a book [5].

4. Conclusion and Recommendations

Even though it was established that there is some level of copyright awareness and observation among the Students and Lecturers at KNUST, the study concludes that the level of copyright awareness is not up to the level expected. In fact, one revelation that calls for concern is the fact that the university has no copyright awareness policy to effectively educate, regulate, monitor and protect its intellectual property, academic and institutional values and defend its teaching, research and service mission.

It is recommended based on the findings and conclusion of the study that:

1. There is the need for copyright awareness policy development and implementation at KNUST.
2. Workshop and seminars should be organized for Students at their various faculties and departments to educate them on copyright in order to reduce copyright infringement.

3. Copyright notices for education should be placed at places where copyrighted materials are used such as The Library and Lecture Halls.
4. References in Students works should attract marks to motivate them to see the need of crediting sources of information they use their write ups.

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