Punish, seduce and persuade

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Valorisation Addendum

Digital piracy refers to the act of digital copyright infringement. Digital piracy is common and has potential consequences for the creative industry and society as a whole. To tackle this problem, various anti-piracy interventions have emerged. Various stakeholders, such as the creative industry and governments, are involved in the management of digital piracy. They attempt to reduce the total number of digital pirates via the anti-piracy interventions. The research has examined the inner workings of these interventions, aiming to change the behaviour of digital pirates. This was accomplished by focusing on the mechanisms that are used in the design of these anti-piracy interventions. As this research focuses on a real societal problem, its relevance and worth is immediately underlined. More specifically, many of the anti-piracy interventions will have direct consequences for individual end-users and society at large. Particularly those measures that are meant to deter instances of digital piracy are likely to influence the digital and physical lives of individuals. The findings of this research may influence the design of the anti-piracy interventions, which in turn may influence members of society. For instance, an increase in the technical measures used to counter digital piracy can influence how individuals use their purchased digital content.

Relevance

This research fills a knowledge gap, from both a scholarly perspective and a societal one. For many years, governments around the globe and the creative industry have attempted to tackle digital piracy, although with limited success. This limited success is likely the result of the selection and design of anti-piracy interventions. Quite possibly, those interventions were designed (solely) on the ‘gut feeling’ of policy-makers, instead of departing from knowledge on digital piracy. Simply put: evidence-based policy making might not always be the norm, a common problem in the field of policy and evaluation sciences (Nelen, 2008; Sanderson, 2002a, 2002b). This is further influenced by those individuals and organizations who design the policy and how they perceive digital piracy. For instance, the creative industry is clearly worried about digital piracy, which can make them more inclined to use more forceful (or deterrent) measures, in order to project an aura of strength and send a clear message.

A further reason for the limited degree of evidence-based policy is the limited amount of research on anti-piracy interventions. More importantly, the available evidence is scattered across many disciplines. As this research reports on anti-piracy interventions in an integrated and cohesive manner, the findings from this research can be beneficial for the development of future interventions. Moreover,
the focus on the mechanisms\textsuperscript{168} used in the interventions will provide a better insight on the functioning of anti-piracy interventions.

\textit{Target group}

The findings of this research can be used to better inform policy makers (in the broadest sense) on which types of anti-piracy intervention are better suited to influence digital piracy, as well as what outcomes can be expected once the interventions are implemented. In addition, the research is also informative on how a selected anti-piracy intervention can be best designed.

Governmental agencies that form the target group in the Netherlands include the Advisory Committee on Copyright and the Directorate of Legalisation and Legal Affairs and at the Ministry of Security and Justice, the Directorate-General Culture and Media at the Ministry of Education, Culture and Science and the Ministry of Economics. In addition to governmental organizations, other organizations also influence the policy on copyright enforcement. These include ‘Stichting Brein’, ‘Buma/Stemra’ and ‘Bits of Freedom’. Eventhough these organizations have different stances on digital piracy, they can also influence the policy-making process. Similar organisations in Belgium (and beyond) can likewise benefit from the insights obtained in this research, such as BAF in Belgium and the RIAA in the USA. Targets groups can also be found in organisations that surpass the national borders. At the EU level, the ‘Digital Single Market’ project of the European Commission is such an example as well organisations on a (further) international level such as the OECD and the WIPO.

In addition, the findings of the research are relevant for other organizations that can influence the societal debate on digital piracy but cannot directly influence the enforcement policy. Examples are the mainstream or popular media. These organisations inform the public on the status of digital piracy and copyright enforcement. Insights derived from this research can be used to better inform the general public.

\textit{Activities and products}

First and foremost, the guidelines presented in Chapters 6 and 7 can be beneficial for policy-makers when designing new or modifying existing anti-piracy interventions. An even more concrete toolset has been described in Chapter 8, in the form of a Big Data approach, which allows for the mapping of online search behaviour using an easily accessible tool (Google Trends). Such an approach has implications beyond the immediate scope of the research. Policy-makers, but also commercial organizations, can use this method to map changes to online search behaviour and understand the extent of these changes. More specifically, the toolset can be used directly when evaluating (digital) policy. In the field of

\textsuperscript{168} Mechanisms are the building blocks of any (anti-piracy) intervention.
criminology, the Big Data approach holds opportunities the more classical approaches lack. The speed and versatility of data collection are clear benefits, even though the approach requires further fine-tuning. The value of testing the Big Data approach in this research is twofold. Firstly, the results of the Big Data approach found in this research can be expanded and further analysed, possibly with different statistical tools. Secondly and more importantly, the Big Data approach used in this research is not limited to the field of anti-piracy interventions alone, but can be expanded to other fields of research. On the medium to long term, a Big Data approach can be used for various topics, such as the ability to predict legal judgements (Katz, Bommarito II, & Blackman, 2017), or the prediction of voting behaviour of citizens (Vergeer, 2015).

In addition to these guidelines and toolsets, certain aspects of the research have already been published elsewhere, resulting in concrete (knowledge) products. These publications include reviewed articles on specific aspects of anti-piracy interventions (Leeuw & Leeuw, 2012; Leeuw, 2012; Leeuw, 2016) as well as a chapter in an edited volume on Big Data, policy evaluations and digital piracy (Leeuw, 2017). This ensures that the knowledge obtained during the PhD is already accessible to a wider range scholars and organizations. Insights obtained during the research will also be used to create new university courses and modify existing ones. My role as tutor thus ensures that the knowledge obtained in this research is also disseminated to a wider audience.

Innovation

This research fills a vacuum by focusing on the mechanisms of the anti-piracy interventions, as previous research tends to focus on the interventions as a whole rather than their working mechanisms. Another substantive innovative aspect of the research is the fact that a rather new criminological theory (the SAT) was used to structure the findings derived from the literature (see Chapter 4). The final substantive innovative aspect is the focus on a specific anti-piracy intervention, the Copyright Alert System, which has not yet been the subject of any empirical study so far.

From a methodological stance, the research is also innovative. The use of the stated-preference method is quite rare in the context of digital piracy and anti-piracy interventions. Yet, use of the method offered insights on how the various mechanisms can influence responses of respondents. Most innovative is the use of a Big Data approach in order to map the changes to online search behaviour. Such an approach had, prior to this research, not been applied to the topic of digital piracy or to the specific anti-piracy intervention (the Copyright Alert System). Thus, the findings presented in Chapter 8 present an effort to pioneer a new approach to studying online or digital interventions.
Schedule and implementation

Some steps have already been taken during the PhD research to valorise it and disseminate the findings to a wider public. These steps include media appearances, both on television (TV Maastricht) and on the radio (NPO 1: Met Het Oog Op Morgen). Certain aspects of the research have also been incorporated into courses that are taught at the Faculty of Law of Maastricht University (The Art of Doing Research, Criminological Perspectives). As previously stated, the research has already led to a number of publications in journals or edited volumes. The aim is to further publish parts of this research. The findings discussed in Chapters 4, 6 and 7 are especially suitable for separate publication. Possible (peer-reviewed) journals of interest originate from the fields of criminology, evaluation studies, public policy and media studies. More informal methods of dissemination, such as blogs, can also be used to implement the valorisation.

In addition to these efforts, the aim is also to disseminate the published manuscript to the various members of the direct target group, both within the Netherlands and beyond.

References