

Is your proposed book readable?

While it is difficult to describe what makes a book readable and apart from the material preceding this section, the following are considered elements of readability:

- Keeping to the subject and theme of the book.
- Organisation of the text into some form of order which is coherent and logical.
- Paragraphs have a single topic which develop a sequence of related ideas.
- The use of footnotes and appendices to maximise information but allow the reading to flow smoothly.
- The use of the right words with the right shade of meaning.
- The use of any material reliant on inside knowledge is avoided.
- Measures are left in form appropriate to the time.

Legal issues—Copyright

Background

Copyright is the law relating to copying and protects the work of authors and creators of works so they can receive remuneration for the use of their work. Copyright law provides a guide to how much of a work can be copied and when it is permissible to copy the whole of a work. Copyright covers materials in a variety of formats: books, journals, newspapers, films, videos, audio recordings, computer programs, artistic works etc.

The owners of copyright works may institute legal proceedings for breach of copyright by others. Such action may result in compensation being paid to the copyright owner for the infringement. Further infringement may be a criminal offence that may be prosecuted in the Federal Court and penalised by fines. The Commonwealth Crimes Act imposes a penalty of up to three years imprisonment on persons who conspire to commit offences against a law of the Commonwealth, including the Copyright Act.

The Act covers literary works, artistic works, musical works, dramatic works, films, sound recordings, broadcast signals, published editions, composite works, and compilations. A work must be original to qualify for copyright protection and there must be a connecting factor with Australian law. For example, the author/creator must be a citizen or resident of Australia or of a country to which the Act extends, or the work must be first published in one of those countries.

Under Australian Copyright Law, copyright protection is automatic, and no symbol is required. For Artistic works (such as paintings, drawings, cartoons, sculpture, craft work, photographs, maps and plans), copyright lasts from the time the material is created until 50 years after the year of the creator's death.

An original work of authorship is assumed to be protected regardless of the format.

A volunteer indexer will normally hold the copyright and not the FHS for whom they may have prepared the index unless an appropriate agreement has been entered into between the parties.

Authors are faced with both legal and ethical obligations when considering the use of portions of another authors' work. Within the bounds of what might constitute fair use,

an author can use another author's words providing they are in quotes and the original work appropriately cited.

Where an author wishes to reuse their own work, the author should first ascertain who owns the copyright. For example if the work to be used has been published or accepted for future publication by a publisher, it is likely the publisher owns the copyright.

Issues for publishers of family history books

There is no need to seek permission to photograph a building. Although a building is protected by copyright, a special exception in the Copyright Act allows buildings to be photographed without permission.

The period of protection for photographs varies according to the type of material.

Photographs taken before 1 May 1969 are protected for 50 years from the end of the year they were taken. Photographs taken after 1 May 1969 are protected for 50 years from the year of first publication (that is, when copies are first made available to the public). Other works are generally protected until 50 years after the year of the author's death.

There may be two copyrights involved in an artistic work featured in a book: copyright in the artistic work (for example, a painting or map) and copyright in the photograph or image of the artistic work. You will generally need permission from the owner of copyright in the artistic work unless the copyright has expired.

It is unlikely you need permission in relation to a photograph, if the photograph depicts nothing but an artistic work and is indistinguishable from other photographs of the same work. For example a photograph of an old painting by one of the masters may not be a breach of copyright. Otherwise, you will generally need permission from the owner of copyright in the photograph.

Scanning an image to produce a digitised version will usually reproduce the image, and thus requires permission (unless the copyright has expired). You will also generally need permission to produce a new image by altering the digitised image, if an important part of the first image is recognisable in the new image.

In some cases, an organisation owns copyright of a work in its collection, and you need their permission to reproduce the work. In most cases, the copyright is owned by someone else, or has expired.

You may draw, paint, photograph or film a sculpture or work of artistic craftsmanship that is publicly and permanently displayed (ie not a temporary exhibit) without permission. This means you are entitled to photograph headstones and like monuments. This does not apply to other public art, such as murals.

Judicial proceedings or legal advice can be freely copied.

To obtain a legal copy of material protected by copyright:

1. Check to see if copyright has expired. Copyright lasts for 50 years from the end of the year in which the author died, regardless of whom owns the copyright. If a work is unpublished at the author's death, the copyright lasts for 50 years from the end of the year in which the work is first published. Copyright may last indefinitely if a work is unpublished.

2. Obtain permission from the copyright owner. The owner of a literary, dramatic, musical or artistic work is usually the author of that work. The copyright owner of a published edition of a work is the publisher. If a work is created by or under the direction or control of the Commonwealth or a State, the Crown owns copyright.

Legal issues—Privacy

We are now subject to the Privacy Act and so we may as well get used to it! If you wish to make yourself more familiar with the issues, check out the web site...

* The Office of the Federal Privacy Commissioner: www.privacy.gov.au

The requirements of the Act are not retrospective and you need only address issues in publications produced after 21 Dec 2001.

The Privacy Act applies to '*personal information*', that is information about any identifiable living individual.

Objects of the Privacy Act

1. To establish a single scheme relating to the appropriate collection, holding, use, correction, disclosure and transfer of personal information held by government and private sector organisations.
2. To meet international obligations in regard to personal information.
3. To recognise the individual's interest in protecting their privacy.

Your responsibilities as an author are to:

1. disclose to the individual how you will use their personal information before collecting this data.
2. not use personal data for any reason other than you stated when securing permission.
3. not knowingly pass on personal data to a third party without gaining specific written consent from the individual first unless the disclosure of the information is required by law.
4. retain the records of written consent.
5. ensure personal data is secure and allow appropriate access only.
6. allow access by an individual to their own personal data.
7. update or correct personal data when advised by the individual that it is incorrect.
8. not collect personal information held by a third party without the consent of that party and the individual concerned unless entitled to do so by law.

Individuals' rights

1. Individuals must have the right and opportunity to require non-disclosure of their personal data except where the disclosure of the information is required by law.
2. Individuals must be given the opportunity to update and/or correct personal information held by the author.
3. Individuals must have the right and opportunity to change their requirements over non-disclosure of personal data but this cannot be retrospective.

Definition of personal information

Personal information on a living individual (member or otherwise) covered by these criteria include using the person's name in conjunction with a:

1. private address, and/or,
2. telephone number, and/or,
3. credit, financial and/or banking record or details, and/or,
4. parent or child's name, and/or,
5. record of birth, marriage or death, and/or,
6. motor vehicle registration record, and/or,
7. health or medical record, and/or,
8. employment record, and/or,
9. any material about the individual which may lead to disclosure of any of the above or any material deemed sensitive as defined in Section 6 of the Privacy Act or any material which an individual deems to be private and have advised accordingly.

The criteria only apply to living people except where as indicated in 4 above the identification of a deceased person may reveal personal data of a living person.

Sensitive information

Sensitive information is a subset of personal information. It means information or opinion about an individual's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association, membership of a trade union, sexual preferences or practices, criminal record or health information about an individual.

Legal issues—Slander

Any one has always had the right under common law to take any author to task if they are aggrieved, regardless of any new privacy laws. The difference now is that the enactment of such laws has raised people's awareness and they may be tempted to undertake such a civil action. Regardless of whether they are successful or not, there would be very few authors keen to endure such an ordeal!

When revealing sensitive material there always remains the chance that another party may feel the need to take action against you if the content of the publication contains material they find offensive.

Essential features of any good book

- Title page.
- Table of Contents and list of illustrations, maps, plans and photos present.
- Full acknowledgment made of all sources.
- Factual data is complemented with anecdotal material.
- Index.

Desirable elements of any family history book:

- Consistency of print styles and layout throughout book.
- Footnotes used.
- Family Charts are clear and understandable.
- Photographs are captioned preferably with dates.
- Bibliography and/or lists of references and sources included.
- Appropriate appendices, statistical tables etc, maps, plans, diagrams are included.
- Full index including all proper names and cross referencing.
- General historical backgrounds of countries, migration schemes etc which do not relate directly to the family under study and are properly the province of history books, etc have been avoided.
- Discussions of heraldic devices associated with the name rather than the family have been avoided.
- There has been no use of large amounts of previously published material.
- Large numbers of reproduced BDM documents and similar certificates, previously published maps and photographs, etc have not been included.
- An introduction and a conclusion to the book has been included.

Publishing the book

In producing your publication it is assumed in this section that you have completed the following steps—

- all research for the genealogical material has been completed
- you know how to research and write the stories
- you are aware of the responsibility factor for content
- legal constraints about privacy and copyright are understood by you

Selecting a book format

Before undertaking the physical publication of your book, steps you need to decide on—

- what will be contained in the book
- what will be the finished size of the book. Select a standard size to save costs associated with trimming eg A4, A41, A5, A51
- who is going to buy the book
- what is the approximate cost your clients will bear

Laying out the book

Cover

You need to make an early decision on the type of binding you are going to use as this will impact on the page set up.

The thicker the book, the stronger the binding needs to be. The choices come down to the following—

- Side stitched or stapled—single leaves printed both sides and stapled. The staples are hidden by a wrap round cover glued to the spine. There are many other ways of fastening the book other than staples which you may like to consider but all, in my opinion, detract from the appearance of the book!
- 2-up saddle stitch—double sided pages are folded once and fastened along the fold. The limit for this type of book is 80—120 pp
- 2-up perfect bound—accommodates the problem faced by two-up saddle-stitch by creating a series of small booklets fastened together to make the one book. Booklets usually comprise of 4, 8, 12 or 16 pages.

If you select the latter and have not used a computer, you will have some trouble with creep. If you take a bundle of, say four sheets of paper, and keeping them in their stack fold them over you will notice that the sheets in the centre have edges that project beyond the edges of the outer sheet. The printer trims the book to remove this problem but this does not account for the fact that the text on the page has also moved! Each margin through the book has to be adjusted slightly to allow for the increasing thickness of the folded pages and is best accommodated using a computer publishing program which will automatically adjust the margin to accommodate.

To my way of thinking the first option is easier to prepare if you are not in a computer environment using an expensive page layout program.

Hard covers are much more expensive than soft covers. For a plain hard cover with

gold writing on the spine—add about \$25.00 per book unless you have a huge print run of 1000+. I do not believe the cost is justified. With a soft cover you have a huge range of treatments and coloured inks and a most attractive book can result. Remember that the hard covered books will cost a lot more in postage and freight! Consider the option of adding a hard cover just for those few purchasers who may require such an option. Perhaps you could just give them the address of a good book binder!

- **Information pages**

All good books have support pages which aid the reader. They usually follow a particular order and can be summed up as follows...

Front of the book

1. Title page and reverse

An application will need to be made to secure an ISBN number. This takes four weeks and has to be included in specified places in the book. It can be done online.

2. Table of Contents

Back of the book

3. Acknowledgments
4. Appendices
5. Indexes

How these special pages are formatted should be determined by the text styles you adopt for the body of your book. Many family history writers leave some of these sections out and their publication is the poorer for it.

- **Text**

In this section you will need to consider many issues which are collectively called The Style of the publication...

Margin and gutter sizes—top and bottom; left and right; single or facing pages

Fonts including style; size in points; line spacing—serifs are more readable in a page of text

Headers and footers; captions; headings and subheadings; dot statements; quotations

Foot notes—style and placement

Text layout—columns, paragraphing layout

Heading styles

Page numbering including start number; location; style may vary in different parts of the book

Prepare a style sheet which details all this information and ensure you keep it consistent throughout the book. Many amateurs like to introduce many fonts resulting in a very poor product. Every font should relate to every other font you use. Avoid flowery difficult to read fonts—they do not give any page a pleasing look. Look at other books for ideas. See the section in these notes headed: *Printing conventions*.

- **Photographs, maps, drawings and charts**

The placement of photographs is largely a matter of personal taste. Unfortunately many just include photographs willy-nilly without any consideration of their quality or

appropriateness. All photographs need to be accurately captioned.

You can group photographs so that the printer can use glossy pages for a better result but that costs more. You can have them in context with their text but the quality will suffer due to the poorer quality of the paper unless you have deep pockets! If you have photos in context you will have to leave spaces in the text unless you are using a computer and your software program can place them in the correct places.

Placement of diagrams, drawings and maps needs to be considered. These are usually located with the text. Consideration to copyright ownership is needed. Maps need to be simple and clearly relate to the text material. Have a look at the style used by the newspaper when drawing small location maps for guidance. All maps need a scale and some need a key.

Preparing the art work

To prepare the art work for your book will save huge costs but clearly you need access to a computer. Indeed the purchase of a basic computer with a good word processing program would probably cost you less than to have a printer do the work for you. However, if you do not have the skills to use the equipment then this may not be a viable consideration.

• Cover

You will need to provide the printer with design ideas. Along with the title you choose, this will be one of your important decisions—after all—many people do judge a book by its cover!

Some small desktop publishers can produce your artwork at reasonable rates.

Keep the cover simple, in my experience most covers are too fussy

• Contents of book ie everything between the covers

This would largely be determined by previous decisions. The art work needs to be sharp and clean. It can be produced on A4 sized pages regardless of the production size—remember though that all measurements need to take into consideration the final size and not the proof size if they are different.

Some printers, but not all, will accept your work on a disk or CD. Most smaller printers will want *camera ready* material ie high quality laser printed pages ready for photocopying. If the printer does accept disks and CDs you will need to use a computer program the printer's equipment will recognise.

Editing

Once the book has been prepared it must go through an editing process before printing.

- Proof reading—who is going to do it? Preferably not the writer but someone who understands the content and will pick up errors like 1988 for 1898 etc
- Layout check— probably you! Careful checking of each page. Look out for spacing errors missed by the proof reader.

Costing a book

Use small printers because the larger concerns are too expensive. They rely on large print runs to keep costs down whereas smaller printers want the work and have less overheads.

Consider producing your book using photocopying, with the exception of the covers and photographs, rather than printing. For small runs this is also a great cost saving. New equipment used by many short-run printers is computer assisted—eg *docutext*.

Do you want book production costs covered by sales. I say production because the writing etc has been a labour of love and you could never expect to cover the time costs spent in research and writing! Ensure costs are covered by carefully estimating the potential market reducing this by 10% and dividing the total production cost by this number. Purchasers have to pay for the postage and packing. Consider pre-ordering only as an option to ensure you cover all your costs.

There are legal deposit requirements in Australia and you should allow in your costing for three posted books to meet this obligation. Packing and posting cost is a significant factor to consider.