Northumbria Research Link

A Participatory investigation of image authenticity and acceptability

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For University academic staff and students the concept of plagiarism should be well understood and, for text, detection systems are established albeit unable to help in the determination of intent. With text based creative material (e.g. lyrics, plays, poems or substantial quantities of text) copyright is also understood, will be readily detectable and any substantial infringement is unlikely to be inadvert or accidental.

However for those working creatively with images or in three dimensions (designers, artists, architects, etc.) academic misconduct will virtually always have the potential to infringe intellectual property rights (IPR). Images have the creative holism that is automatically copyright and, if three dimensional, awarded design rights. Additional, non-automatic IPR may also be established after a verification and registration process. However, such rights may be limited in time or to particular geographical areas and product types.

The text based academic can avoid the accusation of plagiarism by attribution and acknowledgement. However, this may be seen by the designer or artist as unnecessary and, perhaps, as simplifying the tracing of any infringement and thus accusations of misconduct. Furthermore, infringement can, plausibly, be inadvertent when an existing design solution, look or style reappears in the new work or trivial when a derivative or adorned work is created. Coincidental co-creation is not uncommon with IPR applications when primacy must be established. Trivial while not a defence might be thought to be mitigating.

It is increasingly possible to determine if an image (in whole or part) is a direct copy of one that has either been registered or found by web-crawling software. Tineye® is an example of a "reverse image search" service however it can be shown to "fail to find" work even when an image is, circumstantially known to be, copied.

For example, a product student who, with Photoshop® placed a representation of their waterproof camera design against a background of an Australian reef. The original image could not be located via Tineye® thus giving doubt, unless further and better particulars of the image creating circumstances could be obtained, to an accusation of plagiarism. Searching via Google Images® does find many similar images but as it cannot reliably distinguish between a photograph taken by me of "Tyne Bridge" and one used by the local tourist board of the "Swing Bridge" doubt of authenticity remains but is not verified.

In Northumbria University's regulations the examples given of plagiarism include:

"the unacknowledged use of images (digital or otherwise) [...] either in the[ir] entirety or in the creation of a derivative work"

The lack of a rigorous identification scheme makes the application of this clause problematic and staff may regard infringement as an acceptable misdemeanour rather than gross academic misconduct.

This workshop will seek to determine the views held by the participants who will be asked to debate and classify various examples of potentially problematic work. The intention is to devise a taxonomy of infringement, culpability and, perhaps, indicate actions to be taken.