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Committee of Advertising Practice (Non-broadcast)

Help Note on Vanity Publishing Marketing

CAP Help Notes offer guidance for non-broadcast marketing communications under the British Code of Advertising, Sales Promotions and Direct Marketing (the CAP Code). For advice on the rules for TV or radio commercials, contact Clearcast www.clearcast.co.uk for TV ads or the RACC www.racc.co.uk for radio ads.

Background

These guidelines, drawn up by CAP, are intended to help marketers, agencies and media interpret the rules in the British Code of Advertising, Sales Promotion and Direct Marketing as far as they relate to the subject discussed. They are not intended to be a substitute for the full Code.

Vanity publishing, also self-styled (often inaccurately) as “subsidy”, “joint-venture”, “shared-responsibility” or even “self” publishing, is a service whereby authors are charged to have their work published. Vanity publishers generally offer to publish a book for a specific fee, or offer to include short stories, poems or other literary or artistic material in an anthology, which the authors are then invited to buy.

Since the last Advice Note, issued in January 1995, the ASA has continued to receive complaints about the misleading nature of vanity publishers’ marketing. As a result, the Copy Advice team has drawn up advice to highlight the continuing problem and to clarify the type of evidence the ASA or CAP are likely to expect from vanity publishers to support marketing claims made in both primary marketing communications and follow-up material.

Merit

Unlike publishing houses, who reject many more manuscripts than they publish, some vanity publishers print work regardless of quality. These publishers should not give the impression that they, or an independent reviewer, will judge whether an author's work qualifies for publication if no such vetting occurs.

For the ASA or CAP to evaluate whether work is considered on merit, vanity publishers should provide documentary evidence showing that they reject, on merit, a significant percentage of the manuscripts submitted to them. They should provide a list of the names, addresses and telephone numbers of all the people who have submitted manuscripts to them over a reasonable period (for example, the previous six months). A suitable number of names, (for example, twenty), may be randomly selected by the ASA or CAP and the vanity publisher's responses to these authors requested.

If their responses show that all, or most, of these authors' manuscripts were published, they will have failed to prove that a significant number are rejected on application. If their responses show that all, or most, of the manuscripts were rejected, they will have proved that there is an element of selection. The ASA or CAP might, however, check with the relevant authors to confirm that their work was rejected on merit and that they did not either back out of a publishing arrangement or, despite having some manuscripts rejected, have at least one manuscript accepted for publication in an anthology.

Costs

Some vanity publishers state, or imply, that they share production costs with the author. This is seldom true. If they wish to prove these claims, vanity publishers should provide invoices, or similar, showing that they contribute to the costs of authors randomly selected by the ASA or CAP. These invoices must constitute a complete record of all publication costs and authors' charges and must show the vanity publisher's contribution. The ASA or CAP will select authors from the vanity publisher's catalogue or book list. The nature and extent of all costs borne by the author should be transparent in follow-up material.

Implication of Financial Gain

Some vanity publishers claim that their authors can recoup their costs, or even gain financially, from book sales. This is rarely so. If they wish to prove these claims, vanity publishers should provide invoices, or similar, showing that a reasonable number of authors, randomly selected by the ASA or CAP, have benefited as stated. The ASA or CAP will select these authors from the vanity publisher's catalogue or book list. If a vanity publisher can provide satisfactory evidence, their follow-up material should include a qualifying statement that authors might not recover the cost of their investment. If a vanity publisher cannot provide satisfactory evidence, references to royalties, or other payments, should be qualified by a clear statement that authors very seldom recoup the cost of their investment.

Marketing and Promotion

The principal method of marketing a book successfully relies on persuading retailers, wholesalers, mail order companies and library suppliers to buy copies. The following activities are, on their own, unlikely to stimulate an increase in book sales: registering a book's publication with Whitakers; sending copies to the Agent for the Copyright Libraries, the Legal Deposit Office, or similar; encouraging the author's local library to buy a copy; or getting a book reviewed in the local or regional press. If vanity publishers wish to prove that they, or their external sales force or marketing agency, market author's books in a way that increases sales, they should supply a list of those retailers, wholesalers, mail order companies and library suppliers who carry their titles. They might additionally or alternatively be asked to provide invoices, or similar, showing that a reasonable number of authors, randomly selected by the ASA or CAP, have financially benefited from increased book sales as a result of their marketing programme.

Advice on specific marketing communications is available from the Copy Advice team by telephone on 020 7492 2100, by fax on 020 7404 3404 or by email on copyadvice@cap.org.uk. The CAP website at www.cap.org.uk contains a full list of Help Notes as well as access to the AdviceOnline database, which has links through to relevant Code rules and ASA adjudications.