

Mr Huber
Head of Unit DGXIII/E-1

26 May 1999

Our ref BN/aee/LS5110.EU1

Dear Mr Huber

The attached paper has been prepared by the Official Publications Research Sub-Committee of the University of Southampton in response to the European Green Paper on Public Sector Information in the Information Society: Public Sector Information: a Key Resource for Europe.

We look forward to hearing further about the responses received by the EU in reply to this paper.

Yours sincerely

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Bernard Naylor
University Librarian

Public Sector Information: a Key Resource for Europe

Comments on the European Commission Green Paper on Public Sector Information in the Information Society submitted by the Official Publications Research Sub-Committee of the University of Southampton

- 1 The University of Southampton has a record of serious academic interest in British Official Publications which goes back more than 60 years and has resulted in a substantial number of publications. The work is based on the University Library's Ford Collection of British Official Publications, one of the finest and most complete in the country. The Official Publications Research Sub-Committee (henceforth "OPRSC"), chaired by Professor Dilys Hill of the Department of Politics, has the current responsibility for continuing that tradition. It reports to the University Library Committee and thence to the University Senate.
- 2 The University of Southampton Library houses a European Documentation Centre and welcomes the deposit of European Community publications. OPRSC considers that these already make an important contribution to the support the Library provides for teaching and research. Furthermore, as our holdings grow, we shall increasingly provide the sort of historic repository of the EC's collective official memory which mature political organisms require.
- 3 OPRSC considers that "public sector information" in the European Community is currently marked by the following features:
 - 3.1 a lack of definition as to what constitutes "public sector information". This is referred to in the Green Paper as "an issue for discussion". However, it is important that the discussion should not be open-ended. It needs to be brought to a firm and preferably early conclusion so that those wanting to use this information and needing to know the conventions which are applicable to its use, can also be clear as to the material to which those conventions relate.

3.2

a degree of uncertainty and even anxiety as to the priorities which are driving the dissemination of public sector information. Is the main objective the generation of profit, or the minimising of cost, or the informing of a politically mature society?

3.3

inadequate attention to the metadata infrastructure needed for the successful use and exploitation of the information content

3.4

a deficit in fully exploiting the inherent potential of the electronic information revolution.

- 4 In addressing the situation characterised by these features, OPRSC takes the following as starting points:

4.1

"public sector information" is critical for the political processes of modern democracies (not just legislation, but also numerous other reports and printed announcements)

- 4.2 the most important criterion is making the material available readily and at the lowest possible cost in order to inform the electorate better. The generation of profit should not be a priority criterion.

- 4.3 it is fair to make a distinction between the use of public sector information as necessary for playing a mature role in the body politic and the re-use of such information to create new value-added information products which can be traded in a normal competitive market

- 4.4 the electronic revolution is opening up the possibility of making access to public sector information easier, more widespread and cheaper.

- 5 From these starting points, the OPRSC makes the following comments on the questions raised in chapter III of the green paper:

- 5.1 we think that a functional approach should be taken and we think that it ought to be widely interpreted. We think that, in a mature democratic environment, the citizen has a right to access information which will inform an ability to judge whether the organs of public authorities are carrying out their responsibilities as they should and whether money raised through taxation is being properly spent and accounted for.

- 5.2 we think that the different conditions for access to information do create barriers and we have criticised the approach taken by our own country in respect of British Official Publications, which we think is unduly restrictive and excessively orientated towards the commercial exploitation of public sector information. We have some sympathy with the exemptions listed in paragraph 81, but we think that some of these are capable of being misused, and invoked in situations where the real motive is to avoid embarrassment to the executive authority. We therefore think a healthy scepticism towards the use of "exemptions" is appropriate.
- 5.3 we think that the inadequacy of the existing metadata is a factor inhibiting the use of public sector information. However, we would argue against an excessively structured approach. We have ourselves, through our own British Official Publications Current Awareness Service (BOPCAS - <http://www.soton.ac.uk/~bopcas/>), demonstrated that a systematic approach which is tempered with pragmatism and with a determination to engage in a practical way with the needs of users can significantly help them to make more effective use of this material. Our experience suggests that an approach based on broad user categories (education, health etc) is found helpful.
- 5.4 certain information must always be freely available, for example if it defines legal obligations with which compliance is required. Enterprises should also have a right to information relevant to the conduct of their business. Special factors should apply to charities and educational establishments. We would argue that universities have a special role to serve as objective critics of the functioning of all aspects of a democratic society and should be supported in this role.
- 5.5 the validity of some of the examples raised in paragraph 101 is acknowledged. However, the priority is to ensure that the citizen of the mature democratic society is properly informed. Commercial exploitation should always be secondary to that.
- 5.6 different copyright regimes certainly do create problems. The most challenging example is presented by the United States of America where it is understood that information generated by the federal government must be made available to the interested citizen at a price no higher than is sufficient to cover the cost of replication. A move towards uniform acceptance of such an approach within the European Union would be a major advance.

- 5.7 we see no objection to the provision and use of aggregated personal data, provided that the aggregation is always at a level which precludes the identification of individuals. We think that public authorities have a special responsibility to protect the confidentiality of the information they hold about individual citizens.
- 5.8 since our arguments are broadly in favour of a "prudent information policy" where information about the individual citizen is concerned, we are also inclined to see liability issues in a positive light. However, we do recognise the need for harmonisation in this matter, especially in cases where the object is to achieve a flow of information between member states.
- 5.9 we think that users need help in sifting information, beyond what they can obtain from the family of WWW sites. We have already referred to the active role being carried out by BOPCAS. Sifting is an essential feature of this operation, but it is sifting moderated by constant interaction with informed and interested members of the user community.
- 5.10 we think it is important to raise awareness about information already available. Our experience has shown what a demonstration project can do in the particular British context; we are currently launching a cost-recovery based service. We think that education and training is unlikely to reach end users and that intermediaries are more likely to be helped by opportunities to exchange experience.

Bernard Naylor
University Librarian
for
Official Publications Research Sub-Committee
University of Southampton
26 May 1999

OPRSC/BN/aee/LS 5110.EU1

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