



Submission
to
Digital Economy Future Directions
Consultation Paper
February 2009

Submission from:

Australian Library and Information Association (ALIA)
Council of Australian University Librarians (CAUL)
Australian School Library Association (ASLA)
Australian Government Libraries Information Network (AGLIN)
Queensland Public Library Association (QPLA)
Public Libraries Australia (PLA)
Local Government Librarians' Association of WA (LocLib)
Public Libraries NSW – Metropolitan
Public Libraries of South Australia (PLSA)

Introduction

We welcome the opportunity to comment on the Department's *Digital Economy Future Directions Consultation Paper*.

The Australian Library and Information Association (ALIA) is the peak body representing the library and information services sector. It represents 6000 members, the library and information profession, Australian library and information services, and the interests of over 12 million library users.

ALIA is submitting these comments on behalf of all the above associations. We wish to strongly express our interest in being involved in future deliberations and discussions on the digital economy.

We are committed to promoting the free flow of information and ideas in the interest of all Australians and a thriving culture, economy and democracy.

We support the development of a 21st century information infrastructure with libraries as the conduit for a sustainable knowledge economy.

We advocate the development of an informed society that can partake and participate in skilled decision-making. Accurate, relevant and timely information is the key ingredient to effective decision-making. Australia's long-term economic development is dependent on its ability to use information to make decisions that enable growth, progress and productivity.

A thriving national and global culture, economy and democracy will best be advanced by people who are empowered in all walks of life to seek, evaluate, use and create information effectively to achieve their personal, social, occupational and educational goals. It is a basic human right in a digital world and promotes social inclusion within a range of cultural contexts.

(Alexandria Proclamation on Information Literacy and Life Long Learning, Egypt, 2005
<http://www.ifla.org/III/wsis/High-Level-Colloquium.pdf>)

Library and information services professionals are committed to the following core values:

- Promotion of the free flow of information and ideas through open access to recorded knowledge, information, and creative works.
- Connection of people to ideas.
- Commitment to literacy, information literacy and learning.
- Respect for the diversity and individuality of all people.
- Preservation of the human record.

This submission supports the separate submissions and comments from: NSW Public Libraries – Country, Public Libraries Victoria Network (PLVN), the Australian Libraries' Copyright Committee, and the Australian Digital Alliance.

The role of public libraries in the digital economy

Public libraries are community hubs within rural, regional and metropolitan areas. Libraries are at the heart of local communities. The free public library network in Australia is the key provider of free access to information and services; public libraries are recognised as trusted, friendly, neutral and non-threatening spaces for individual or group social inclusion.

The Australian Library and Information Association (ALIA) will convene the ALIA Public Libraries Summit in March 2009 with the theme 'Setting a National Agenda'. The purpose of the Summit is to demonstrate the many ways public libraries play a central and valued role in strengthening communities, developing people and achieving social inclusion. The Summit will be opened by Senator the Hon. Ursula Stephens, Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion.

Public libraries are uniquely placed to draw a diverse range of people and groups together. They perform a particularly crucial role for people such as those at lower socio-economic levels, the unemployed, Indigenous people, non-English speakers and seniors who do not have internet access at home, and do not have other opportunities to develop the necessary skills to access information and technology. A community's social and economic development increasingly depends on how well its residents can access and use information and technology.

Public access to the internet and computers is transforming public libraries into de facto e-government access points. Government agencies now refer people to public libraries to receive both access to and assistance with online services.

Libraries provide a bridge between the community and the different levels of government – forming a conduit to local council services, offering a more friendly face of government and acting as a public statement of government commitment to the community. For many users libraries are their first point of contact with local government.

Access to the internet, and particularly to broadband, is an extremely important enabler for the delivery of better health, education, community and emergency services in regional, rural and remote Australia, particularly as many government services are increasing online service delivery to clients. The Library Council of New South Wales Report NSW *Public Libraries and eGovernment 2006*

<http://www.sl.nsw.gov.au/pls/publications/pdf/egov.pdf> identifies the increasing use of libraries for this purpose, particularly regional libraries.

The *ALIA Internet access in public libraries survey 2008* shows that since 2005 there has been a 41% increase in the number of public access internet terminals in public libraries . The increase since 2005 in the number of users each week is 91% – that means that an estimated 147,000 users access the internet via their local public library each week.

The recent New South Wales report on the value of public libraries states that:

Economic benefit, that is the financial amount saved relative to the cost of purchasing materials, was found to average \$325 per annum among surveyed library users. This aligned closely with a more structured estimate of a statewide benefit of \$1.216 billion, which equates to a benefit-cost ratio of 4.24 against the 2004-2005 investment of \$287 million. Thus for each dollar expended on public libraries, \$4.24 of economic benefit is generated.

Economic activity measures the contribution of public libraries to the economy in real terms and was estimated at \$810.2 million. Thus for each dollar expended on public libraries, \$2.82 of real economic activity is generated.

Library Council of New South Wales. *Enriching communities: the value of public libraries in New South Wales, March 2008, p i.*

In addition, public libraries offer particularly important support for those with a disability. For this community access to information is a very significant challenge. A recent study in Victoria found:

- The provision of fast, reliable, cheap (or preferably free) internet access at public libraries was found to be very important. The vast majority of respondents with disabilities use the internet and they use it at public libraries at a significantly higher rate than do people in the general population.
- Importantly, over half the respondents with disabilities also said they would like to use the internet more. Given the fact that so many services are now provided online and the internet is such an entrenched part of modern life, equal access to it for everyone is vital. Public libraries in Victoria play an important role in mitigating the effects of the 'digital divide' on people with a disability.

B. What does success look like?

What markers of success can government, industry and other stakeholders establish?

- Adequate resourcing to ensure that Australia's public libraries can fulfill their crucial role as the key provider of free access to information and services
- Improved recognition and support for the delivery of government services through public libraries
- Reaching a nationally identified benchmark of digital fluency for the financial viability and economic sustainability based on diversity of digital resources across industries to balance out the dependence on traditional exporters such as agriculture and mining.
- Improved literacy skills, including information and computer literacy, so that all Australians can participate in our democratic society and digital environment
- Provision of national broadband access
- Resourcing to implement a national digital preservation program
- Development of national online quality resources
- Funding for library buildings, resources/collections, services and staff
- Funding to maintain collections of national significance
- Copyright in the digital environment that ensures the unhindered access to information
- Reduction in calls to customer service call centres where information is available online
- Reduction in payment by phone where payment is available through online transactions eg BPay
- Increased usage of online transaction and interactive tools as opposed to simply web page hits
- Providing the appropriate affordable digital technology to the consumer at home to make the payment of bills, purchase of plane tickets, checking the weather report, contribution to charities, search for jobs

How will we know when we have maximised the potential of Australia's participation in the digital economy?

- When all Australians have the necessary information and digital literacy skills and confidence to participate
- When every Australian has affordable access to broadband or free access to the internet through publicly funded services such as public and school libraries.
- Seamless and easy access to government information regardless of the originating source - ie federal, state, local
- A national digitisation program
- Equitable access to quality online information resources
- Adequate funding for library buildings, resources/collections, services and staff including funding to maintain collections of national significance.
- Copyright environment to ensure unhindered access to information

C. Consultation topics

1. Open Access to Public Sector Information

Libraries and access to public sector information

Establishing a framework to deliver access to and ensure long term management of public sector information is an essential infrastructure which must be funded and well designed. An effective digital economy depends on the commonwealth developing and acquiring quality information resources for the nation.

Libraries have, in fact, been a key facilitator of access to public sector information. Formal arrangements for supplying resources to libraries have included the parliamentary paper distribution scheme, the Australian Bureau of Statistics Library Extension Program and the Free Library Distribution Scheme of the Australian Government Information Management Office (previously the by the Australian Government Publishing Service). These programs ensured that national, state, selected public and university libraries were supplied with copies of government publications. The program has enabled citizens to have access to government information through a range of geographically dispersed libraries.

In the predominantly online environment, it could have been expected that libraries would not need to be involved in providing access to government publications and e-government services. Research has shown, however, that this is not the case, and that the role of public libraries is even more important, particularly for those without Internet access at home.

Public libraries have had to pick up the burden of supporting public use of government services. A study of New South Wales public libraries found:

- Increasing demand. Most librarians report increasing client use of individual Government websites, for both content information and process or transaction based purposes.
- An invisible draw on resources. While libraries were aware of some high-demand government online services, librarians rarely had an overview of all government services accessed by their clients... (State Library of New South Wales 2004 Public Libraries +eGovernment, Sydney, <http://www.sl.nsw.gov.au/pln/projects/summary.pdf>)

Public libraries have been funded in other countries to support access through public libraries. In the United Kingdom funding for the Peoples network (<http://www.peoplesnetwork.gov.uk/>) has enabled public libraries to develop both improved skills in library staff and improved services for resource discovery of e-government, including government publications and services. By delivering on a policy to develop online services with libraries as a key delivery component the community, particularly those in lower socio-economic groups, access to e-government has been successfully supported.

Government information helps to educate people, stimulate progress and solve complex economic, scientific and social problems. With many new technologies, however,

government information has expanded so quickly that basic principles regarding its creation, use and dissemination are in danger of being neglected and even forgotten.

Library infrastructure in Australia is significant, integrated and sustainable and yet largely ignored and overlooked by Commonwealth government departments as a means of providing equitable access to commonwealth government information.

The Australian Library and Information Association (ALIA) believes government information should be recognised as a national resource to be developed and preserved in the public interest. ALIA asserts that government information should be publicly available except where restricted by law according to the following principles:

1. The public has the right of access to government information. Government agencies should guarantee open, timely and uninhibited access to government information regardless of format.
2. Governments should guarantee the integrity and preservation of government information, regardless of format (for example, electronic formats). By maintaining government information in the face of changing times and technologies, government agencies assure government accountability and the accessibility of government business to the public.
3. All levels of government in Australia should guarantee the production and dissemination of government information. Any restriction of dissemination or other function dealing with government information must be strictly defined by law.
4. Governments should ensure access through libraries as well as through normal departmental sources to government information.
5. Governments should not allow cost to obstruct individual users' access to government information. Costs incurred by creating, collecting and processing information for governments' own purposes should not be passed on to people who wish to utilise government information.
6. Governments should ensure that information about government information is easily available and in a single comprehensive catalogue (for publications) and a directory (for information). These catalogues and directories should be accessible in a variety of formats. The comprehensive government directory of government information should be in addition to inventories of information kept within individual government agencies.
7. Governments should guarantee public access to government information regardless of where individuals live and work, through national networks, exchange programs between governments in Australia and programs like the Legal Deposit System.

Commonwealth agencies are responsible for a wide range of public sector information which includes:

- Resources created by and published by commonwealth agencies including reports, data (such as the Australian Bureau of Statistics and Australian Institute of Health) and service information; and
- Research funded by commonwealth agencies such as the National Health and Medical Research Council and Australia Research Council.

Agencies producing these information resources include government agencies, such as departments, statutory authorities and parliamentary departments.

The information produced or funded by these agencies is vital for a strong, innovative, democratic country. The information resources are critical to support:

- Democratic participation through information such as Parliamentary committee reports, Hansards, Votes and Proceedings and Senate Journals and other parliamentary resources
- Research, such as medical and environmental research through government funded reports of research and evaluation
- Evidence based policy development, through creating and sharing evidence development through quality research
- accountability to the broad community for government operations and expenditure
- Education – for students in all sectors and lifelong learning
- Policy participation by Australians wherever they are
- Use of agency services through an informed public
- Australian business development
- Community activities throughout the nation.

Clear and transparent access to publications and datasets would also reduce duplication and make for a more efficient information management and research approach across the nation.

There are specific suggestions to improve the accessibility of public sector information. They include:

- Development of a better search capacity for <http://www.australia.gov.au/> , for example by the jurisdiction to which the information applies.
- A style manual for naming conventions on government web sites is desirable. Accessibility to electronic information on government web sites is unstable. At times the only way to link to an item known to exist, is to carry out an internet search external to the site.
- Distribution of government information on a just-in-time basis at publically accessible e-kiosks or computers e.g. in libraries and Council offices, shopping centres, etc. The information could be printed out, or downloaded into digital storage media. This information should also be available by mobile phone.
- PSI should be made available in formats that can either be easily accessed/downloaded over domestic internet communications eg pdf or in formats that can be accessed by commercial applications eg Excel, GIS.

What categories of Public Sector Information (PSI) are most useful to industry and other stakeholders to enable innovation and promote the digital economy?

ALIA believes, as noted above, that access to commonwealth publications, commonwealth funded research and commonwealth funded data sets is vital. In particular it is vital that

access also be provided to the extensive sets of printed materials available through the nation's libraries by fully funding Libraries Australia to enable easy access to these collections.

What are priority issues that will facilitate the use of PSI?

Digitisation and preservation

Much of the record of Australia is contained in its libraries – particularly national, state and public libraries. While developments in recent years have led to digitisation, particularly pictures and newspapers and now a national newspaper digitisation program, much of our creative heritage is locked up and inaccessible to the nation's citizen and the new generation of creative people simply because of geographic location.

Without a commitment to long term access and the ability to search for the information through an effective searching capability as well as internet search engines, putting the information online will not achieve use of the information resources. It is vital that a national repository, such as the National Library of Australia's Pandora, be adequately resourced to ensure long term preservation and access.

Digitising older material is one of the priority issues facing libraries. Where the current material of a series is in electronic format, its older material should move from print to electronic and the whole collection be maintained so that the search for information can be comprehensive. Speed is an undeniable factor in economic activity now and reference librarians are expected to produce answers to queries at an ever increasing rate. It is important that standards and processes for management and preservation of electronic government information be maintained. Funds for this digitisation are necessary. The digitisation of older material and in particular orphan works where no copyright owner can be traced, is a challenge for libraries.

The risk is that some information may be lost forever. Significant information that is on the web today may not be there tomorrow. Government publications appear and disappear on the web on a daily basis.

Legal deposit provisions

The legal deposit provisions in the *Copyright Act 1968* should be updated to require full deposit of government publications in any format, including online format in the National Library of Australia. At present only paper-based publications have to be deposited.

Other copyright changes are needed to enable putting of PSI online and thus facilitating its use. The *Copyright Act 1968* tends to be material specific and not helpful to the digitalisation of collections of different types of material. Libraries have problems with being able to digitalise collections of mixed material and orphan works. For example library local history collections of photos, letters, manuscripts, pamphlets, artistic works etc. They cannot honestly use a 'no known copyright' identifier and trying to trace and getting permission from any present copyright owners for older material imposes an impossible administrative burden.

The commendable examples given of publically funded institutions such as the Powerhouse Museum putting up publicly-held historical photographs on the photo-sharing platform Flickr represent the type of material that is easy to put up under the *Copyright Act 1968*. It is made up of only one media (photographs) and one collection (the Tyrrell Collection) which is of known provenance.

Are there other examples of innovative, online uses of PSI?

Collaborative means of providing access to material from a range of agencies with effective interfaces and systems that ensure permanent access, such as the National Library of Australia's PictureAustralia and MusicAustralia.

If PSI is made open access, what licensing terms would best facilitate and promote its use and reuse?

Creative Commons licences could be used for PSI. ALIA recognises that more restrictive licenses may be used where there is a special need to protect privacy, confidentiality, security and/or reflect legislative restrictions.

Should licensing terms distinguish between commercial uses and non-commercial uses and reuses?

Yes – licensing terms should distinguish between commercial uses and non-commercial uses and reuses. This distinction between commercial uses and non-commercial is being made in the trial of Creative Commons licences in Queensland. Six internationally recognisable standard Creative Commons licences are being used, including three for non-commercial uses. Licences for non-commercial uses and reuses are of particular benefit to the public and non-profit sector.

2. Digital confidence

We make the following points:

- small business needs online opportunities for education and re-skilling as do small community organisations. Community organisations will need subsidies to establish an online presence.
- Consumer information needs to be presented in simple, easy to understand terms and there needs to be just one place for people to seek information/explanation (similar to smartraveller.gov.au) that people know. To date there seem to have been endless initiatives that come and go.
- Media reports often highlight security/privacy breaches however it would be beneficial if there was consumer education on the relative safety of using online services
- Time and experience will see confidence and usage increase
- An important strategy is to encourage stability in websites. New users are reluctant to continue to use a site where it changes constantly.
- Ongoing community education eg through libraries, to ensure lifelong skills development as technology evolves.

What more can industry and other stakeholders do to address concerns about consumer privacy and online safety?

Libraries and information services facilitate and promote public access to the widest variety of information, reflecting the plurality and diversity of society. The selection and availability of library materials and services, including online content and services, is governed by professional considerations and not by political, moral and religious views.

Libraries and information services support the right of all users to unhindered access to information of their choice regardless of format. Access to electronic information resources should not be restricted except as required by law and this basic right should not be eroded in the development of regulatory measures for online information.

Users are assisted with the necessary skills and a suitable environment in which to use their chosen information sources and services freely and confidently. Each user's right to privacy and confidentiality is protected with respect to information sought or received and resources consulted.

In addition to the many valuable resources available on the internet, some are incorrect, misleading and may be offensive. Libraries and information services proactively promote and facilitate responsible access to quality networked information for all their users, including children and young people. They enable library users to learn to use the internet and electronic information efficiently and effectively.

We endorse and support effective, practical and appropriate measures that assist Australians to manage their use of the internet. We believe that cybersafety education is one of the most effective strategies to manage content issues.

What more can be done to increase trust and confidence in online transactions?

The Australian Securities and Investments Commission (ASIC) has excellent material on its FIDO website on safely using the internet for financial transacts and email which deserves to be more widely made available to increase trust and confidence in online transactions. For example FIDO NEWS Issue 112, 22 January 2009 has a document on fraudulent emails: Watch out - some emails look surprisingly genuine

<http://www.fido.gov.au/fido/fido.nsf/byHeadline/Fraudulent%20emails%3A%20some%20look%20genuine?op=display&docid=112>

3. Developing Australia's knowledge and skills base

Digital and media literacy

Literacy

The Australian Bureau of Statistics' report *Adult literacy and life skills survey*, found that slightly less than half of the Australian population, approximately 7 million, failed to achieve the minimum required level or higher in prose and document literacy.

ABS 4228.0 - *Adult Literacy and Life Skills Survey*, Summary Results, Australia, 2006

The illiterate person can be substantially disadvantaged. It is essential to democratic processes of government that citizens have the skills and opportunities to inform themselves on matters of community and national interest and participate in the decision-making process.

Rapid social change, the emphasis on lifelong learning, the increasing rate of technological development and the movement towards an information-based society are factors which suggest, as never before, that literacies are an essential instrument for effective participation in society.

Information literacy

Information literacy is not just technical skills in using particular hardware or software. There also needs to be a broader focus on how to locate information amongst the plethora of webpages and critical assessment of information to assess relevancy and accuracy.

More and more Australians are becoming computer literate. Many of these are not sufficiently information literate and with the creation of information and use of electronic information resources increasing the need for information skills training has never been more critical. Information literacy skills give individuals the capability to recognise a need for information and access, evaluate and use that information efficiently and effectively.

Training in responsible use of the internet is a socially responsible approach to enabling users to enjoy positive internet experiences. *Investing in information* would design and develop both online interactive and face-to-face user training programs and training for library and information professionals to deliver these programs within their educational, research, government and business communities. Better information creation and use will ensure that Australia is not only competitive but takes a leading role in the global information and knowledge economies.

Access to computers and digital resources

Most communities have access to a public library, and these libraries have high levels of use by those sectors of the community who would generally not have the financial resources or skills to access electronic information resources. Australia's public library

network is ideally placed to help to bridge the information divide, both in rural and urban areas.

Libraries aid development of information technology (IT) literacy among users in much the same way that they encourage literacy in the written word. For many people, libraries provide access to a range of otherwise inaccessible technologies and help overcome fears of using new media.

Australians without the appropriate technology at home can be provided with access to digital resources through the existing free public library network.

Librarians have an important role in helping people navigate this mass of information. A high level of confidence was expressed in librarians as 'trusted' information experts. Librarians were also seen as playing a key role in helping people develop their own skills in navigating and accessing information.

Libraries provide a friendly environment in which residents can learn the basic skills they need to take part in the economic, social and cultural life of their community. This includes supporting the development of basic reading, information and computer literacy and learning habits and skills.

Training

Adequate funding is required to establish the public library as the focal community access point for publicly available electronic information and government interactive electronic resources, and school grants to support ICT and access to online databases and resources. In addition to funding for ICT there would be funding for a national information skills and literacy public education and training program centred in Australia's public libraries.

There needs to be an expansion of existing training and support programs in public, school, TAFE and university libraries. E-learning modules could be produced on a variety of quick topics and short courses and then made available to all Australians. Collaboration should be encouraged by funding the necessary licenses and establish a central repository of e-resources and e-learning modules.

Technology continues to evolve, at a rapid pace, therefore the skills that people learn through formal education will not carry them through their lifetime. Support needs to be provided to allow for lifelong learning through community based programs such as public libraries to ensure that people have evolving skills that keep pace with technology.

The inclusion of developmental and sequential attainment of digital media literacy skills and information fluency across all National Curriculum areas is necessary for active participation and engagement in the future of economy by all Australian students. An across the curriculum continuum of learning in information, digital and media literacy is a vital component to skills acquisition from early childhood through to senior secondary schooling. Teachers need more training in this area to effectively develop their skills.

The role of libraries is essential in educating youth. The majority of users of the National Library of Australia's Electronic Resources Australia are school and public libraries. Public and state libraries make home access to data sets available and more extensive electronic resources available within the physical library. School libraries may have individual subscriptions to electronic resources. The role of librarian as intermediary is of most importance here.

Access to quality online resources

To be able to work effectively in the digital economy, Australians need access to quality information resources and services.

Electronic Resources Australia (ERA) is administered by the National Library of Australia as a not-for-profit Australian library consortium. The purpose of ERA is to enable Australian libraries to collaboratively purchase full-text electronic resources for their clients. ERA was developed in response to recommendation 9 of the Senate's October 2003 report on *Libraries in the Online Environment*.

Through ERA's cross-sectoral collaboration (national/state/territory, academic, specials, public, TAFE and school libraries), Australian libraries stand to achieve the greatest common good for all Australian library users. In an era of the Internet and ever-expanding electronic services, direct and immediate access to online information is fundamental to a well-informed, educated, economically competitive and democratic society.

Electronic Resources Australia (ERA) was created in response to the needs of individuals across the nation identified by the Senate inquiry. ERA sets out to:

- Deliver access for Australians to quality resources through their libraries.
- It provides a national approach, managed by and for all Australian libraries for their users.

Electronic Resources Australia offers significant potential benefits for Australians and their libraries. These are:

- Australians across all rural, regional and urban areas, all social groups and diverse community organisations could have access to quality electronic resources through all types of libraries.
- Australians would benefit through access to information that supports business, vocational, government, educational and community activities.
- A national purchasing arrangement would be a very tangible step towards overcoming the isolation experienced daily by those living in rural and remote regions of Australia by facilitating their access to reliable and readily available information sources.
- Significant business opportunities and economies of scale would be offered to publishers and suppliers of Australian online resources through access to national markets.
- The bargaining position of libraries would be strengthened by negotiating as a consortium, offering vendors economies of scale and single-point purchasing.

Subscriptions to their electronic resources would become more affordable for libraries, and this benefit would flow on to their users in improved services.

- The broader Australian community would become more aware of the benefits of electronic resources and so make more effective and profitable use of them.
- Libraries would acquire a higher profile at all levels of government.

It will facilitate the creation of mutually effective agreements between all interested parties with regard to costs, access principles, authentication and performance measurements. However it is only with a national funding model that the full benefits of ERA will be fully realised.

By working together Australian libraries can achieve greater outcomes for Australians. ERA has delivered access to general reference, news and health resources.

Approximately **6,750,000** Australians are currently served by libraries that subscribe to resources through ERA. In total there are 485 libraries and consortia from all sectors subscribing to products through ERA.

Professional ICT skills

ICT skills need to be more than technical skills; information literacy and fluency and ethical use and practice are required across a workforce engaged in a digital economy.

Universities provide a wide range of services to enable students deliver key competencies, now usually referred to as graduate attributes. Achieving literacy in the access and use of information, including ethical use of information is important. Much of this is delivered online -- that is the only way universities could face the scale issue. Wide availability of self help, online tutorials is a good way to assist students.

What can industry and other stakeholders do to assist the Government's existing efforts to develop the digital and media literacy skills of Australians?

Australia has major work to do on written and digital literacy. Supporting reading programs for which education institutions, workplaces, libraries and community groups can obtain funding would make a significant contribution to assist in developing skills.

In addition specific training programs, such as those of the Australian Bureau of Statistics, would improve the use of digital public sector information.

It is critical that access to quality resources, particularly health and general information is available to assist all groups in the nation including business, students, researchers and community groups to be able to operate in the digital economy through developing skills and harnessing a great knowledge base.

4. Ensuring Australia's regulatory framework enables the digital economy

Copyright

Libraries and their users need effective, well balanced national copyright laws that recognise not only the copyright owners' right to remuneration, but also the critical purpose of public information, education and research.

Copyright protection should encourage, not inhibit use and creativity. Copyright law should not give rights holders the power to use technological or contractual measures to override the exceptions and limitations to copyright and distort the balance set in international and domestic copyright law. It is in the public interest to have access to information in all formats. And it is the public duty of libraries to provide access to copyright material.

Each year libraries provide a range of services to millions of researchers, students and members of the public. These services are performed in conformity with copyright law. Librarians are aware of the advances in digital technology and wish to take advantage of the efficiency which digital technology offers to their information services. They are equally aware that digital technology poses a threat to copyright protection and are sympathetic to the needs of copyright holders.

The introduction of Section 200AB of the *Copyright Act 1968* has been favourably received by the library community.

While copyright legislation plays an important role in protecting intellectual property, in the modern world it needs to allow for the changing nature of content development eg through collaborative content development sites and social networking tools.

Existing copyright legislation can be prohibitive in the field of digitisation which seeks to make accessible materials held in hard copy collections in libraries, museums etc.

See relevant comments about copyright and legal deposit also in the PSI section of this submission.

Digitisation

The incredibly rapid growth in the delivery of information in electronic formats has left organisations responsible for the preservation of, and access to this information unable to adequately meet their obligations, in part because of the complexity of technological, economic and organisational requirements, but also because the existing deposit legislation is not designed for, or adequate to deal with this new digital environment.

Significant information that is on the web today may not be there tomorrow. Government publications that were made available in print through Library deposit programs appear and disappear on the web on a daily basis. The National Library is attempting to archive 'culturally significant' websites with its 'PANDORA' project, but its ability to do this is hampered by existing legislation. The requirement to obtain permission from publishers before harvesting websites severely limits the amount of material that is preserved.

Is there non-copyright legislation that is directly relevant to digital economy businesses that create uncertainty or barriers?

The non-copyright legislation that creates uncertainty and barriers includes:

- ISP filtering
- Flexibility around licensing schemes
- Legal deposit extension

6. Measuring the digital economy and its impacts

Do you have views on the adequacy of the existing data sets or suggestions as to how they might be improved?

Table 2 on page 24 of the consultation paper identifies the range of digital economy data collected by the ABS. The first data source given is the Census. A considerable amount of the census information, which forms part of our national heritage, is still not retained. This is unlike other countries such as the United Kingdom which has older census information available online. The most recent complete name identified census online from the United Kingdom is <http://www.uk1901census.com/index.htm>.

The *Census Information Legislation Amendment Act 2006* (which amended the *Census and Statistics Act 1905* and the *Archives Act 1983*) related to the retention of identified census information by the National Archives of Australia. The act ensured that some name identified information collected in all future Australian censuses will be preserved for the future. During a 99 year period, the name identified information will not be released by the National Archives under any circumstances. However retention only applies to information supplied by those households that provide explicit consent on the census form. If explicit consent were not required the information would be comprehensive and thus more useful.

Submission by:

Sue Hutley
ALIA Executive Director
sue.hutley@alia.org.au
ph 02 6215 8215

Jane Hardy
ALIA Assistant Director: Strategy & Advocacy
jane.hardy@alia.org.au
ph 02 6215 8235