

November 23, 2007

**Canadian Digital Information Strategy
E-mail to CDIS**

**Response of Carleton University Library and Archives to the CDIS Draft Strategy
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Carleton University is a medium sized comprehensive university in Ottawa with a student FTE population of over 24,000. The Library and Archives department serves the staff, students and faculty of Carleton University as well as many members of the local Ottawa and regional community and staff and students of other universities.

Carleton's Library and Archives team has recently produced a strategic plan for 2007-2010 in which we make clear our role in supporting the lifecycle of scholarly communication from facilitating the generation of new knowledge, the dissemination of this knowledge, and finally the preservation of this knowledge for future generations.

One way in which we fulfill this role is to make our library and archival collections as accessible to our community as possible by purchasing digital materials, as these can be accessed remotely as well as on campus. We are very fortunate to be members of provincial and national licensing consortia e.g. the Scholars Portal in Ontario and the Canadian Research Knowledge Network. Our library and archives users appreciate that our licences to commercially produced e-journals, e-books and e-databases have greatly increased access to primary and secondary publications so necessary for their research and teaching. However, we also hear that it is never enough and many researchers complain that publications are not available in digital format and not available through interlibrary loan, resulting in both costly trips to examine these primary materials as well as underuse of these valuable resources.

We are therefore totally in support of the goal of the CDIS, *"to enable more of Canada's rich cultural heritage, its scientific information and research data, and the body of information emanating from its governments – all of which are fast becoming digital – to be managed, available, known and used, now and into the future, for societal and economic benefit."* We strongly support the three main objectives of the Canadian Digital Information Strategy (CDIS):

- Strengthening digital content
- Ensuring preservation
- Maximizing access

The Draft CDIS mentions many of the consortial projects that are making more digital research collections available in Canada e.g. Alouette Canada. We believe that the CDIS needs to recognise all players and build on existing projects and successes to avoid duplication of effort and to ensure that projects are not competing for limited resources. As noted in the Strategy, not everything can be digitised so sharing the digitisation workload with existing initiatives will be critical to the success of the strategy.

Carleton's Library and Archives staff also take a proactive approach to preserving our own community's scholarly output and making it available by managing the institutional digital repository for the university. This involves supporting the Carleton community in contributing in digital format their publications and research data into the repository. Our Archivist is also actively developing a digital portfolio of heritage materials which can be made accessible to the wider public via the web. These include materials about Carleton University and manuscripts and papers of retired Carleton faculty. Our staff are actively embracing roles as digital curators but recognize that for many of them, they are taking on new skills and would benefit from continuing professional development and training in these digital preservation techniques. We also recognize that whilst we are doing our best to follow current best practice in the development of our repository, we would welcome guidance and leadership from a network of Trusted Digital Repositories in Canada.

Clearly, in these Carleton digitisation initiatives, the copyright of the deposited materials rests with the individual members of the Carleton community and we have not experienced many difficulties in obtaining permission of the copyright owners to deposit their materials. The Vice President, Research and International, is encouraging Carleton researchers to contribute their research materials to our repository and encouraging us to include a wide variety of digital materials including research data. Many faculty

express a desire to see long term preservation of research data and we are endeavouring to include original data in our repository.

We believe that we also have a responsibility to make sure that access to research data, especially that which is publicly funded, is as widespread as possible. To that end, we are also working with the University of Guelph on a provincial project to index, make accessible and preserve large datasets for the wider education community in Ontario. This project is <odesi> which we were pleased to see mentioned in the CDIS. At the moment, <odesi> is focusing on large public datasets such as those from Statistics Canada and some other large datasets for which we have the digital rights e.g. Gallup polls. We do envisage that <odesi> could eventually take different types of data e.g. GIS data, and also take the datasets from individual researchers in Ontario.

<odesi> is funded provincially and is part of the Scholars Portal managed by the Ontario Council of University Libraries. However, it could be the start of a national research data archive. There are companion projects in this area – the CFI funded RDC (research data centres) project, the Data Liberation Initiative and others which we recommend to you as key players in the CDIS. <odesi> is working with these other projects on a best practice document to ensure long term compatibility and interoperability. Carleton has had early discussions with CISTI about its role in a national STM (Science, Technology and Medicine) research data archive and we would be very interested in participating in any pilots in this area. As noted in the OCUL response to the CDIS, it is important that any digital strategy must ensure that there are appropriately funded and expertly managed repositories to ensure the long term preservation and availability of these materials. Institutions that are asked to take on these roles must be able to meet rigorous standards and should be part of a national Trusted Digital Repository network.

Staff in Carleton's Library and Archives are also receiving many requests from faculty and staff to help them with digitisation of materials for which they are not the copyright owners. We are also approached by private citizens who wish to donate large and valuable collections of print materials for which they also do not have the digital rights but are unsure how to obtain these rights. We therefore face major obstacles in providing digital access to these collections, largely due to the problems in getting digital rights to orphan works or in getting performance rights to works. This means that very valuable research collections cannot be made as accessible for research as they should be.

An example is the unique collection of the 24 hour CBC Newsworld videotapes which we hold at Carleton. This is a major research collection for journalism, political science, public policy and economics to mention but a few disciplines but at the moment is poorly used and only used by those who can visit Carleton's Library and Archives in person. This collection does not appear to be a priority for the CDIS but we believe it should be, particularly since these VHS tapes risk deterioration over time. Our problems in making this collection widely accessible to educational institutions in Canada is not just the cost of digitising the tapes into digital formats with some longevity but the labour costs of securing performance rights for the content, much of which is not produced by the CBC.

Another Carleton example is the collection of material on sustainable development which is with one of our faculty in the School of Public Policy and Administration. This collection includes materials from many community groups, national and international committees, government departments, etc. Unfortunately, many of these groups have disappeared, making requests for permission to digitise materials very difficult. Some of the material which is very valuable for historical policy research is from government departments who appear to have removed this material from their websites or libraries, perhaps because the documents were produced under another government and are not reflective of current policy. Library and Archives Canada may have this material but at the moment, we are only aware of one other library which may have some of these items and we feel that this should be a priority for digitisation. Again, the effort required to obtain digital rights permission is onerous.

Similarly, the Landon Pearson Centre at Carleton University has a unique collection of government and citizen group research materials which should be more widely accessible but which at the moment will only be made available through a web based catalogue of metadata due to problems in obtaining copyright permission to digitise some of the collection. We support the view that the CDIS needs to encourage a more open interpretation of Crown copyright and that government departments need to work to common standards for the long term preservation and accessibility of their own digital content. Many of our faculty prefer to use American material in the classroom because it is freely available – rather than go through the hoops to get access to Canadian works. This cannot be in the best interests of Canadian students and society in general if we are trying to preserve Canada's creative heritage. We would support a change in policy towards the American policy of publicly funded government publications being in the public domain.

We are often offered material from private collectors who wish to donate to the Library and Archives and who wish to see these collections digitized. Often the understanding of the labour and costs of such projects is lacking so we would strongly support a public education campaign which focuses on the copyright and technical issues involved in heritage digitisation projects.

Carleton Library and Archives staff feel that the CDIS could have much stronger objectives/actions regarding copyright reform. Copyright is a major show-stopper for many digitization projects. For example, "Strengthening content - Objectives" (p.15) discusses the ad hoc nature and lack of completeness of digitization efforts but doesn't explain how intellectual rights are a major reason many projects don't go ahead in the first place, or are shut down as in the International Music Score Library Project (IMSLP, see "Music Takedown Strikes the Wrong Chord" at <http://www.carl-abrc.ca/publications/elert/elert253-e.html>). The mention of orphan works (p.16) could be stronger and could include other property rights such as Crown copyright. Or else put the copyright sections together, e.g. Action 3.3.1 on page 41.

The copyright issues which need to be addressed alongside the CDIS have been clearly stated in the OCUL (Ontario Council of University Libraries) response to the draft CDIS. Carleton University Library and Archives supports the suggestions made by OCUL in relation to the CDIS as a whole and particularly in relation to copyright, namely:

"To be successful, the CDIS will need to be complemented by copyright reform, notably in the treatment of orphan works, Crown copyright and the right in prescribed circumstances to circumvent technological measures (TM) for non-infringing purposes. For there to be a balanced copyright regime, there need to be changes to legislation and an education component."

Carleton Library and Archives believes that the role of libraries in representing user rights on the issue of fair dealing needs to be supported and promoted. We also believe that the government needs to push publishers to look at digital distribution as an opportunity rather than an obstacle and to push authors to take back and manage their rights rather than assigning them over completely to the publishing industry.

Summary

There are a few specific comments on the text of the CDIS which are attached as an appendix to this submission and there are also summary comments that the Carleton University Library and Archives team would like to make:

- We endorse the view that the current patchwork and ad hoc approach to digitisation and digital preservation must not continue and that a co-ordinated national approach is required to ensure access to Canada's intellectual heritage
- We support the three broad objectives of the CDIS: strengthening content, ensuring preservation, maximizing access
- Whilst we also support provincial and regional approaches, we believe that these need to be encouraged quickly to work together on national strategies e.g. for a national research dataset archive
- We feel that the CDIS should build on existing regional and national initiatives such as <odesi>, Alouette, Synergies etc, to form this distributed national network and to ensure a co-ordinated approach to the digitisation of priority materials
- We agree that the CDIS requires a national network of trusted digital repositories which are funded appropriately and which need rigorous standards and which will provide leadership to local repository development
- We particularly support the need to digitise content for aboriginal and print-disabled communities
- We would like the CDIS to ensure that consultations include the general public, especially people who take an active interest in aspects of this strategy but may fall outside the mainstream groups, e.g. new musicians, artists, people like Russell McOrmand <http://www.digital-copyright.ca/blog/2>
- We also support the view that all materials of heritage and research value need to be covered by the CDIS – print, audiovisual, manuscripts, grey literature, original research data, etc.
- We feel that more effort should be made to ensure government departments take responsibility for the long term preservation and access to their own digital content
- We feel strongly that the copyright issues need to be addressed and some changes to legislation made in order for the CDIS to be fully effective in making research materials accessible – preserving them is a laudable goal but accessibility should be the primary objective. It would be

useful to have a brief and clear explanation of the major obstacles that copyright, licensing and intellectual property rights pose to a digitization project, perhaps as an Appendix.

- We think that that working through the Creative Commons (CC) concept would be a preferable course of action to starting a new process or initiative.
- We believe that information science faculties should be encouraged to offer more digital preservation and digital content management training to library and information professionals both at the emerging professional level and also for those with years of experience
- Finally, we think that the CDIS should encourage participation from institutions of all sizes with unique collections of value via funded pilot projects

Appendix – Comments on Specific Passages in the Text of the CDIS

Due to the overwhelming nature of the scope and challenges of the CDIS document, the extent and repetitiveness of the text, and the current lack of copyright reform in Canada, we think the CDIS document risks being put aside. The goals and objectives in different sections overlap somewhat and don't point a clear, unambiguous path and priorities for proceeding further. The introductory texts in the different sections are long and sometimes repetitive, duplicating what was said in other sections, e.g. the sections on copyright could be pulled together. The point sometimes gets lost in the extensive text.

Typos & Details (PDF version):

- p.5 - flickr (not Flickr); suggest replacing MySpace with facebook
- p.10 - table: difference between Public and Citizenry?
- p.12 Key assumption "Stakeholders are supportive and engaged" - not necessarily, e.g. many creators are more concerned with protecting their rights
- p. 17 - Put Action 1.1.4 first and 1.1.3 second. Re 1.1.4 - add word "created" after "orphan works" to make sentence clearer. The "conducive environment" section is a little vague, perhaps could be incorporated into other sections.
- p. 19 - Action 1.2.2. is similar to Action 1.3.1. Typo in text box ("with the its").
- p. 26 - (column 2, 1st paragraph) - omit "digital" before "broadcast" because other items in list are not necessarily digital. Mention that there are charges to the public and to libraries for online government information.
- p. 28 - Action 2.2.1 - suggest either listing all the disciplines, or else omitting "science" because "research" includes science. Or replace "research" with "science".
- p. 20 -Action 2.3.1 - reword, the many adjectives for "agenda" make the sentence confusing
- p. 34 - text box - add something to the effect that CRKN was a library initiative
- p. 35 - Action 3.1.4 - add "fewer copyright restrictions" or something to that effect
- p. 38 - (column 1) - "governments have a social obligation to provide access..." but in reality often cannot do this because the costs of translation are too high. Perhaps enumerate the number of boxes of inaccessible English documents sitting in government storage? (column 2) - extra space after "geospatial and". Text box - has extra spaces, extra comma after "Data Documentation". Many readers won't know about Scholar's Portal, perhaps add link.
- p. 39 - text box - official name seems to be NRC Research Press. Also, ".,," after ("NRCan").
- p. 41 - Action 3.3.3. - extra space after "policies for". Action 3.3.4 - add "translation" after "publication"? Section 3.4, 1st paragraph - is it true that Canada is no different re copyright law in the digital age? e.g. re secure desktop delivery.
- p. 42 - (column 1, paragraph 2) - "those uses exercised based" confusing. (column 1, paragraph 2) - add a box for "Creative Commons"?
- p. 43 - title for 3.5 confusing, perhaps change to "Increase the funding and dissemination of research on the use [and users?] of digital information"?
- p. 45 - (paragraph 1) - change "what" to "which" (after "direction about")?
- p. 46 - (paragraph 1) - see comment for page 28 (above)