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Improved access to and use of public sector information is of major importance for all economies. It has increasingly taken centre stage from being a somewhat peripheral issue often confused with freedom of information. The OECD has undertaken extensive work analysing and providing policy principles for the development and use of public sector information. This information ranges from weather and map information generated by governments through to public sector broadcasting archives, museums and art repositories where the information is held by governments. Free access to public sector information has been a cornerstone of US policy and this has been strengthened with the 2009 release of the US open government directive based on principles of transparency, participation, and collaboration. The 2003 EC Directive on the re-use of public sector information has been designed and implemented to expand and improve use.

The OECD Recommendation on public sector information provides policy guidelines designed to improve access and increase use of public sector information through greater transparency, enhanced competition and more competitive pricing. This was adopted by the OECD Council on 30 April 2008 and is reproduced in Chapter 25 of this book. This work was based on principles for enhanced access and more effective use for public and private sectors to increase total returns on public investments and economic and social benefits through more efficient distribution, enhanced innovation, development of new uses, and market-based competition.

It was based on findings that there were barriers and difficulties in the development and commercial and non-commercial re-use of public sector information and content. Continuing obstacles include: restrictive or unclear rules governing access and conditions of re-use; discouraging, unclear and inconsistent pricing of information when re-use of information is chargeable; complex and lengthy licensing procedures; inefficient distribution to final users; barriers to development of international markets; and the role of public sector organisations as collectors, producers and disseminators of public sector information is not always clear, particularly in competitive market areas.

The Recommendation framework is underpinned by a set of general principles that are common to most approaches to improving access to public sector information. These include that the principles, e.g. on openness and re-use, apply to a different extent to different categories of information and content. They take account of: legal requirements and restrictions, including IPRs and trade secrets; privacy, confidentiality, and national security concerns; democracy, human rights, and freedom of information. They encourage greater access and use regardless of IP ownership. And finally strengthening the role of non-public sectors in producing, developing and disseminating information and content may require changes in legislation, organisation and budgets.

The four accession countries to the OECD (Chile, Estonia, Israel and Slovenia) have all formally accepted the Recommendation following review of their PSI policies. In general they
have made considerable progress towards making public sector information more widely and transparently available and access more competitive, uniform and well-known.

Taking into account the economic and social importance of this area, and the need for greater transparency and improved mechanisms for enhancing access to and use of public sector Information, the analysis and discussion in this book is a very welcome addition to the growing literature tackling this important subject.

Dr Graham Vickery
Head, Information Economy Group,
Information, Computer and Communications Policy Division
Directorate for Science, Technology and Industry
OECD Paris
17 February 2010
This book has been inspired by my involvement in advocating for and implementing better access to and re-use of public sector information (PSI) in Australia.

From 2004 I have worked closely with my sister Professor Anne Fitzgerald and Mr Neale Hooper of the Queensland Government on a project that has in more recent times been known as the Government Information Licensing Framework (GILF) project. Having been involved in the establishment of the Creative Commons (CC) Licensing project in Australia it became obvious to me that much of the confusion and frustration around copyright licensing of public sector information (PSI) could be resolved through the use of CC licences.

This realisation meshed with the long held aspirations of people to provide better and more efficient access to PSI in the areas of statistical and spatial information.

A group of like-minded people emerged. Dr Peter Crossman (Assistant Under Treasurer and Government Statistician, Office of Economic and Statistical Research, Queensland Treasury), Mr Tim Barker (Assistant Government Statistician, Office of Economic and Statistical Research, Queensland Treasury and Queensland Spatial Information Office) and a team of people working with them (Dr John Cook, Jenny Bopp, Carla Simpson, Trish Santin-Dore and David Torpie) joined forces with Anne, Neale and I to make GILF a reality and a leading-edge project that has attracted worldwide attention. We were one of the first groups to connect the broader access to PSI movement with the CC movement.

Over the last three years we have been active in organising and attending conferences on PSI in order to explain our work and to learn from others. In late 2007 through the good will of Chris Corbin the coordinator of the ePSI Plus Network (a European Network funded by the European Commission) we were able to attend an important conference in Bratislava in Slovakia and then to travel to London to meet with leading people in the access to PSI area such as Carol Tullo (Director of the Office of Public Sector Information [OPSI]), Jim Wretham (Head of Information Policy, OPSI) and Michael Nicholson of Locus.

In July 2007 and then in March 2008 we organised two conferences – Summits on Access to PSI. Many of the papers in Volume 1 were presented at those conferences. Carol Tullo and Chris Corbin travelled from the UK to be involved in the March 2008 events and Professor Fiona Stanley (Director, Telethon Institute for Child Health Research) was instrumental in us formulating the Stanley Declaration (extracted on the back cover of Volume 1 of this book) at the July 2008 event. Terry Cutler (Cutler & Co, and CSIRO Board member) who has been an untiring supporter from the start, John Wilbanks (Science Commons), Keitha Booth of the State Services Commission in New Zealand, Paul Uhlir of the National Academies in Washington DC, Susan Linacre, Steve Matheson and Wayne Richards of the Australian Bureau of Statistics (ABS), Ben Searle of the Office of Spatial Data Management (OSDM) Michael Easton (ASIBA) John Cook (Queensland Government/QUT) Emily Whitten (AGIMO),

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1 See GILF Resources – Presentations www.gilf.gov.au/gilf-resources#presentations.
Nicholas Gruen (Lateral Economics, Chair of the Government 2.0 Taskforce) and Professor Mary O’Kane (Chief Scientist of NSW) also participated in the Summits on Access to PSI. Since that time the Australian Bureau of Statistics (ABS) Geoscience Australia (GA) and the Australian Bureau of Meteorology (BOM) have endorsed the application of Creative Commons licences to PSI. Similar examples have emerged in other countries such as Spain and currently the UK is considering the application of CC like licences to its PSI. President Obama moved on the first day of his administration to license copyright material on the www.whitehouse.gov website under a CC licence. How times change. This is an idea whose time has come.

During 2008 and 2009 our team led by Professor Anne Fitzgerald undertook a comprehensive Literature Review on the Policy and Principles relating to PSI a brief summary of which appears in this volume. In 2009 we also saw the release of an influential report by the Economic Development and Infrastructure Committee of the Victorian Parliament titled Inquiry into Improving Access to Victorian Public Sector Information and Data (2009) which recommends the use of CC licensing and the establishment of more sensible policy outcomes in this area. We also saw the announcement on the 22 June 2009 of the Government 2.0 Taskforce by the Australian Government (of which I was proud to be a member) and the release of its final report Engage – Getting on With Government 2.0.

We would like to thank all of the contributors to this book, all of the people that helped to organise, presented at and attended the various conferences we convened on these topics and most importantly the community of people that have worked with us to put access to PSI on the national and international agenda. Special thanks go to Professor Anne Fitzgerald, Neale Hooper, Niall Collins, Dr Annie Connell, Baden Appleyard, Kylie Pappalardo, Cheryl Foong and Steve Gething for their help in requesting, formatting and reviewing material for this book and to Graham Vickery of the OECD who has provided guidance and a helping hand on a number of occasions.

2 ABS, ‘Creative Commons Licensing’ www.abs.gov.au/websitedbs/D3310114.nsf/4a256353001af3ed4b2562bb00121564/8b2bdbe1d45a10b1ca25751d000d9b03?opendocument?
7 See the www.whitehouse.gov Copyright Policy www.whitehouse.gov/copyright. See also creativecommons.org/weblog/entry/12267.
8 www.aupsi.org/publications/reports.jsp.
Nothing can be achieved without collaboration. My greatest joy in all of this has been working with committed and passionate people in government and elsewhere who have been pioneers in implementing new thoughts, policies and approaches in their own domain.

Professor Brian Fitzgerald, QUT Law Faculty
Brisbane, February 2010