Founded in 1785, the Royal Irish Academy is an all-Ireland, independent, academic body that promotes excellence in scholarship and research in the sciences, humanities and social sciences. It is the principal learned society in Ireland and has 485 members elected in recognition of their achievements in scholarship and research. The Academy has responsibility for thirteen committees in the Sciences, Humanities and Social Sciences. We provide independent expert advice to government on research and higher education issues and seek to inform public policy development on issues relevant to the sciences and the humanities.

The Royal Irish Academy welcomes the opportunity to contribute to the Department’s consultation on extension of Legal Deposit to encompass websites and publications in electronic format under the Copyright & Related Rights Act 2000.

Recognising the exponential growth of the web as a medium for the communication of

- information, including citizens’ information;
- news;
- cultural, historical, commemorative and scientific content;
- ideas via blogs, exhibitions, web-streamed debate,

we consider this matter to be of the first importance and strongly advocate that the current outdated legislation pertaining to mandatory legal deposit should be extended to include websites, electronic publications and other digital outputs. For completeness of the record, legislation should provide that, in addition to the open web, collection of content from the commercial web (i.e. behind technical/pay barriers) is mandated by legislation. The rights of content creators must be recognised in the level of access provided to this type of content and in the number of legal deposit libraries specified.

Our membership covers all aspects of scientific and humanities endeavour in Ireland and we are intensely aware of the imperative to preserve digital publications, including websites for future accessibility and use. In terms of online publications, ‘future’ can mean six months hence. Web content is extremely transient and significant national documentation, for example policy documents, consultation exercises, departmental publications, annual reports, blogs, as well as significant social media content, and all kinds of material which could be useful for data mining purposes, for compilation of statistics, the creation of corpora (e.g. of Irish-language texts), disappear without trace and are irretrievably lost.

Research publications, which have only ever existed in electronic form, aimed at dissemination of research results and outcomes, are at risk of being lost. Examples are the publications of PhD candidates whose publications may only have been disseminated in a national forum. Subsequent entry of these candidates to commercial employment may result in restrictions on further online publication. There is a risk that evidence and knowledge of original ideas and their originators may be lost, or be wrongly attributed or plagiarised.

In response to our request for submissions to the current consultation, former Academy President and eminent historian, Prof. Mary E. Daly, MRIA, indicated her full support for the extension of legal deposit to e-publications and commented:
'Historians or cultural scholars who wish to research Ireland in the twenty-first century will be unable to capture the full range of political, social, cultural and intellectual life if these vital and fragile sources do not survive'.

Prof. Luke Drury, MRIA has stressed the urgent need for an appropriate legal structure with the infrastructural and human capital investments required to preserve digital content for future generations.

We are also cognisant of the fact that our legislation in this regard lags behind the majority of EU member states, thus creating an imbalance in Ireland’s ability to guarantee the provision of long-term access to public data.

The benefits of extending legal deposit are:

The archive of the knowledge created in our country will be more complete. Creative outputs, such as online multimedia exhibitions, reflective outputs e.g. blogs, essays, debates, historical, genealogical and political content and data, government publications, state agency publications and a whole range of publications from societies and groups (often short-lived), will be preserved and will permit the presentation of a valid overview of our diverse society for future generations.

Researchers will have a comprehensive archive from which to draw down content for analysis or for data mining purposes.

Access to policy documentation, to the digital outputs of public bodies which are increasingly published in digital format only, will be guaranteed.

Siobhán Fitzpatrick
Librarian, on behalf of the Royal Irish Academy

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