Response to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs Consultation on the Legal Deposit of published digital material in the 21st century in the context of Copyright legislation.

I write as Director of the Glucksman Library, University of Limerick, in support of the extension of the policy of collecting, preserving and making available the published output of the nation to include all contemporary publication formats, including online digital formats.

Please find my response to the public consultation outlined below.

1. **Should the policy of collecting, preserving and making available the published output of the nation for the benefit of the public be extended to include all contemporary publication formats of Irish interest including online digital formats e.g., ie websites?**

   The Glucksman Library strongly supports the expansion of the policy on collecting, preserving and making available the published output of the nation to include all contemporary formats including online digital formats e.g. websites, born digital publications. The proposed expansion in the range of formats collected and preserved is a logical and necessary extension of the remit of the National Library of Ireland and other legal deposit libraries because of the increasing reliance on information in born digital formats as well as print.

   The World Wide Web has enabled an unprecedented era of knowledge sharing, but it has also created new challenges. How can we prevent the vast amount of content — of national cultural heritage, scientific, sociological and economic importance — delivered through the medium of the Internet from disappearing? Vinton ‘Vint’ Cerf, Vice-President of Google is quoted as saying “If we want people in the future to be able to recreate what we are doing now, we are going to have to build the concept of preservation into the internet.” He warns that the evolution of digital technology could turn the 21st century into a new dark age lost to history.

   Ensuring digital preservation of the Web is an urgent issue and the prospect that the late 20th century and early 21st century will become an informational black hole is very real. National legislation would provide for a continuity of heritage with those printed works held in the care of the National Library of Ireland and
other legal deposit libraries, while recognising the national significance and vulnerability of Ireland’s digital heritage,

Ireland needs to follow international best practice by incrementally extending the legal deposit framework to new formats.

2. **What issues arise if a policy extension on digital legal deposit is not provided for?**

Librarians, archivists, historians, commentators, creators, and researchers are very conscious of the reality of the ‘digital black hole’ in the published record and the extent of information already lost irrevocably and which continues to be lost daily. The lack of a legislative framework fails to ensure that today’s ideas and information in digital formats are available to the creative and innovative processes of the future.

The Glucksman Library focuses on supporting research, scholarship and innovation. As a research-supporting library, we believe that the extension of the legal deposit system is essential to the delivery of a digital future for our nation, through legislation to enable the acquisition of digital content, ensuring its sustainability, long-term preservation and continuing accessibility. Without such effort and investment, future researchers and citizens will be denied access to a significant part of the knowledge base of the 21st century. Furthermore, lack of such an approach runs counter to stated national and European policy to provide open access to publically funded research.

I understand the importance and value to our citizens, research community and innovators of ensuring collection and maintenance of our nation’s digital content in a trusted repository mandated by the law of our country and for digital content freely available (at point of collection) to continue to be accessible to all citizens. 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.

Researchers need confidence that such digital content will not disappear and that research will be reproducible. A national mandated repository ensures that content is collected transparently without bias; processes are documented and published and will provide context for future research. The Web does not exist in vacuum and such digital content will be used alongside other sources. Researchers need to be enabled through legislation to carry out research using data mining tools; a mandate that will allow the development of technical platforms and interfaces that facilitates them to build sophisticated queries and create and manipulate corpora derived from large datasets and tools to support annotation and curation of data.
3. **What are the benefits if a policy extension on digital legal deposit is provided for?**

Extending policy in this area will
- Ensure that the country’s intellectual, social, heritage and cultural record is saved for the nation and future generations of researchers
- Ensure ongoing access to our digital heritage, government publications and intellectual record
- Prevent a digital ‘black hole’ in the archive of published output
- Enable a digital archive and ensure digital inclusion which underpins Ireland’s creativity and competitiveness, thus supporting and enabling investors, innovators and entrepreneurs
- Align and achieve parity with emerging norms in the EU
- Ensure the public digital record of Government & it’s Agencies will be systematically preserved and continued access for the citizen guaranteed

The collection and archiving of contemporary formats including digital content made available on the Web is a vital step towards ensuring that the intellectual, social and cultural record of the Ireland is captured and preserved for future generations.