

# Joint Information Systems Committee (JISC) Response to the Digital Britain Consultation

## *Copyright in a Digital World: What Role for a Digital Rights Agency*

### Context

1. The Joint Information Systems Committee (JISC)<sup>1</sup> supports UK higher and further education by providing strategic guidance, advice and opportunities to use information and communication technologies to support teaching, learning, research and administration. The JISC is funded by the UK Higher and Further Education funding bodies.
2. JISC is committed to ensuring that access to JISC-funded resources and projects is free to the community and in accordance with internationally recognised open standards. To this end, it encourages the use of Open Access models and, where appropriate, Open Source solutions.
3. JISC's strategic aims include:
  - Delivery of innovative and sustainable ICT infrastructure, services and practice that support institutions in meeting their mission.
  - Promoting the development, uptake and effective use of ICT to support learning and teaching and to support research.
  - Promoting the development, uptake and effective use of ICT within institutions and in support of their management.
  - Developing and implementing a programme to support institutions' engagement with the wider community.
4. The Higher Education Funding Council for England (HEFCE), through JISC and the HE Academy, is proposing to invest £45 million over the next five years in its open educational agenda to ensure that the UK maintains its international competitiveness in the development and exploitation of world class learning, teaching and research materials.. JISC also works collaboratively with international funding bodies across the range of its activities, in support of its strategic priorities to enhance the opportunities that ICT brings to modern learning, teaching and research.
5. JISC's work supports the recent statement made by the Rt. Hon. John Denham, M.P. Secretary of State, Innovation, Universities and Skills.

*“Our aim should be the best by showing that online learning can offer those features of higher education which make our university world class today: Our challenge is to support students in developing their skills of evaluation, critical analysis and reflection, synthesis, problem-solving, creativity and thinking across discipline boundaries, as well as giving them any extra skills they need to make their use of IT fully effective.”<sup>2</sup>*

### Summary

6. JISC welcomes the opportunity to respond to the consultation *Copyright in a Digital World: What Role for a Digital Rights Agency*. As an ICT-based innovative organisation working supporting HE, FE and research, we fund the following activities of relevance to Digital Britain:

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<sup>1</sup> Further information about the JISC can be found at <http://www.jisc.ac.uk>

<sup>2</sup> Taken from the Secretary of State, Innovation, Universities and Skills, John Denham speech to the Universities UK Conference on 11 September 2008

- i) The UK academic network, JANET ([www.janet.ac.uk](http://www.janet.ac.uk)) which provides a high speed and resilient network to UK universities and colleges;
- ii) JISC Collections ([www.jiscollections.ac.uk](http://www.jiscollections.ac.uk)), which negotiates discounted access to electronic content for UK universities and colleges;
- iii) The digitisation of UK content (<http://www.jisc.ac.uk/whatwedo/programmes/digitisation>), such as old newspaper collections and parliamentary papers;
- iv) Activities to pilot and embed the use of technology to support learning and teaching and distance learning (<http://www.jisc.ac.uk/whatwedo/themes/elearning.aspx>);
- v) A new pilot programme to encourage open educational resources and universities to make their learning materials freely available online (<http://www.jisc.ac.uk/whatwedo/programmes/oer.aspx>);
- vi) Working with partners to explore student expectations and digital literacy issues of staff and students and how these can be improved;
- vii) Activities to support collaborative research across institutions (<http://www.jisc.ac.uk/whatwedo/programmes/vre2.aspx>);
- viii) Analysing environmentally sustainable ICT practices in the sector as well as developing some best practice cases and tools to assist future sustainable development (Sustainable ICT in Higher and Further Education - Final Report [http://www.susteit.org.uk/uploads/DOCS/55-SustainableICTreport\\_final.pdf](http://www.susteit.org.uk/uploads/DOCS/55-SustainableICTreport_final.pdf));
- ix) Supporting institutions in their knowledge transfer / External Partner Interface by enabling more efficient and productive knowledge and learning partnerships, better-controlled access to institutional knowledge assets, and more agile and visible institutional services (<http://www.jisc.ac.uk/whatwedo/themes/bce.aspx>);

## **7. Our Response to the Consultation document**

- Within a dynamic IP ecosystem, teachers, learners and researchers are both creators and users of copyright material, and that rights holders can also be consumers and vice versa.
- That the proposed Agency should therefore work with and include a range of stakeholders, such as users and rights holders of all types and including brokers of content such as information professionals, universities and colleges in recognition of our contribution to the dynamic digital environment in which we are all engaging.
- That in order for enforcement to be effective, rights need to be managed and viewed within the broader legislative framework which recognises the balance between rights holders interests and those of users.

JISC supports the concept of an effective Rights Agency which:

- Works holistically across the copyright legislation recognising the need for a balanced approach to rights in a digital age;
- Works with all stakeholders to create an environment of mutual respect and trust;
- Provides guidance and clarity about what can and cannot be done lawfully in a digital environment;

- Provides a non partisan and representative voice about the opportunities and challenges presented in the digital age associated with rights;

## 8. The Consultation Process

- a. While we appreciate the opportunity of responding to this consultation, and are supportive of maintaining the momentum behind the Digital Britain process, we are concerned that the limited time allowed for this consultation will impair the quality and scope of discussion about this important area.
- b. JISC would welcome an opportunity for further discussion with the Digital Britain Team about how best the interests of the Higher and Further Education Sector can be represented in the scoping and development of the proposed Agency.

**JISC Executive and JISC IPR Consultants  
(Naomi Korn and Charles Oppenheim)  
March 2009**

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