government 2.0
taskforce

Engage

Getting on with Government 2.0

Report of the Government 2.0 Taskforce

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Dear Ministers

Having now completed our task, it is my happy duty to provide you with the report you commissioned from the taskforce in June. It has been a busy period and we have achieved a lot.

We have consulted with people far and wide, within Australia and beyond, in search of their views and insights. We have also tried to bring them into our own thinking as it was developing by publicly discussing our evolving ideas and progress on our blog and in other forums.

There has been a growing sense of excitement that something genuinely fresh might emerge from our endeavours. One unusual feature of this inquiry has been your injunction to us to work with others to fund and develop seed projects that demonstrate the potential of the changes we would advocate.

If there was any doubt that this was 'business as usual' it would surely have been dispelled for those who attended the GovHack weekend in Canberra. Now common outside government, this was the first government run such event in the world. Over 100 people came from around the country and worked through the weekend—many not stopping for sleep—to build online tools to show what Government 2.0 could be like. The members of the winning team got on so well that each had imagined that all the other members of their team were good friends. Only just before receiving their prize they discovered that they had all been strangers at the outset of the weekend!

The results of our MashupAustralia competition of which GovHack was a small part have been a revelation. Indeed, several public agencies have lamented to me privately that they had only recently redeveloped their own websites largely unaware of the power of drawing in the ideas and enthusiasm of the community as we had done.

In addition to the pride we had in the success of these events, we are proud of this report. The draft released just over two weeks ago garnered uncommon praise from some people from around the world for whom we have the greatest respect. We have been mindful to craft the recommendations with the transition they must make into government policy. John Sheridan in the Australian Government Information Management Office (AGIMO) was particularly helpful in that respect.

And we hope we have produced a report of ideas. Our subject matter—government and the use of Web 2.0 tools and approaches—is moving with dizzying speed. As a consequence, our challenge has been to avoid the gimmickry of the latest fad in favour of outlining how the new approaches might reinvigorate the time-honoured and hard-won traditions of modern democratic government.

Thanks to Peter Alexander and his team from the secretariat. Following what I fear might have been their initial shock at the speed and magnitude of our task they responded with dedication and good grace. I am sincerely grateful also to Michael Griffith from Minister Tanner's office for his solicitude for the cause of Government 2.0.

For a group of people who produced a report on how to harness the wisdom of the crowd, it was perhaps appropriate that we were something of a crowd ourselves. Fifteen in all. Some would have predicted such a group to be unwieldy. But it has not been so. It was a wonderfully productive and diverse mix of experience and expertise, talents and temperaments, a mix which in my opinion has been not only capable of good ideas but also of good judgement.

It was a privilege and a pleasure to work with these people and I'm sure I speak for them all when I thank you sincerely for your faith in us.

Regards

Nicholas Gruen
Chair
Government 2.0 Taskforce
22 December 2009

What's in a name?

'Engage' distills in one word the key theme of Government 2.0:

- Public agencies and public servants should engage more using the tools and capabilities of 'collaborative web' or Web 2.0. Forming or joining existing online communities of interest around issues of relevance to government policy, service delivery and regulation will help public agencies and their officers become more informed, responsive, innovative and citizen-centric.
- Once public sector information is liberated as a key national asset, possibilities—foreseeable and otherwise—are unlocked through the invention, creativity and hard work of citizens, business and community organisations. Open public sector information is thus an invitation to the public to engage, innovate and create new public value.
- To seize the opportunities of Government 2.0, the existing public service culture of hierarchical control and direction must change sufficiently to encourage and reward engagement. Yet it must at the same time, stay true to enduring public service values of impartiality, propriety and professionalism.

Thus getting to Government 2.0 requires leaders to engage with what is for many, an unfamiliar and challenging agenda. Are we up to it? Ultimately, the invitation to engage is an invitation to get involved and get things done so that Australia can reap the rewards.

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Key points

- Government 2.0 or the use of the new collaborative tools and approaches of Web 2.0 offers an unprecedented opportunity to achieve more open, accountable, responsive and efficient government.
- Though it involves new technology, Government 2.0 is really about a new approach to organising and governing. It will draw people into a closer and more collaborative relationship with their government. Australia has an opportunity to resume its leadership in seizing these opportunities and capturing the resulting social and economic benefits.
- Leadership and policy and governance changes are needed to: shift public sector culture and practice to make government information more accessible and usable; make government more consultative, participatory and transparent; build a culture of online innovation within Government; and promote collaboration across agencies.
- Government pervades some of the most important aspects of our lives. Government 2.0 can harness the wealth of local and expert knowledge, ideas and enthusiasm of Australians to improve schools, hospitals, workplaces, to enrich our democracy and to improve its own policies, regulation and service delivery.
- Government 2.0 is a key means for renewing the public sector, offering new tools for public servants to engage and respond to the community, empower the enthusiastic, share ideas and further develop their expertise through networks of knowledge with fellow professionals and others. Together, public servants and interested communities can work to address complex policy and service delivery challenges.
- Information collected by or for the public sector is a national resource which should be managed for public purposes. That means that we should reverse the current presumption that it is secret unless there are good reasons for release and presume instead that it should be freely available for anyone to use and transform unless there are compelling privacy, confidentially or security considerations which require otherwise.
- Government 2.0 will not be easy, for it directly challenges some aspects of established policy and practice within government. Yet the changes to culture, practice and policy we envisage will ultimately advance the traditions of modern democratic government. Hence, there is a requirement for coordinated leadership, policy and culture change.
- Government 2.0 is central to the delivery of government reforms like promoting innovation, and making our public service the world's best.[2]

2 Advisory Group on Reform of Australian Government Administration and the Management Advisory Committee project on Advancing Innovation in the Public Sector, see http://www.dpmc.gov.au/consultation/aga_reform/index.cfm or http://tinyurl.com/yf57mr5 and http://www.innovation.gov.au/Section/Innovation/Pages/AdvancingPublicSectorInnovation.aspx or http://tinyurl.com/nbx6jm.

Executive summary

Web 2.0 and its promise for government

The use of the internet as a platform for collaboration is already transforming our economy and our lives. Whole industries and sectors are being refashioned by this phenomenon of Web 2.0. Citizens are being empowered to express themselves, organise and collaborate in myriad new ways.

The tools of Web 2.0 include blogs, wikis and social networking platforms. These tools enable communities of interest to develop rapidly to find people with local knowledge or technical expertise to build understanding of issues and solve problems as they emerge. They enable communities to filter the torrent of information on the internet and identify the most useful parts of it. They enable us to find the most useful contributors in any given subject area, be they a world expert or someone possessing important local or ephemeral knowledge.

Web 2.0 also encompasses the way in which the internet has become a platform for the distribution of vast quantities of data and the way in which it has empowered people and organisations to transform data by 'mashing it up', combining it with other data so that it can become useful in new ways.

These new tools and the culture of open collaboration which distinguishes the culture of Web 2.0 present important new challenges and possibilities for government. This offers new opportunities to refresh and deepen the enduring principles and values of modern democratic government and improve the quality and responsiveness of government policy making and service delivery.

The taskforce's Government 2.0 agenda

The taskforce came to define its agenda for Government 2.0 in terms of three pillars:

- Leadership, policy and governance to achieve necessary shifts in public sector culture and practice.
- The application of Web 2.0 collaborative tools and practices to the business of government.
- Open access to public sector information (PSI).

Government 2.0 presents challenges to some long held government practices and has the potential to change the relationship between government and its citizens.

The promise of Government 2.0

By embracing Government 2.0 we can:

- make our democracy more participatory and informed
- improve the quality and responsiveness of services in areas like education, health and environmental management, and at the same time deliver these services with greater agility and efficiency

- cultivate and harness the enthusiasm of citizens, letting them more fully contribute to their wellbeing and that of their community
- unlock the immense economic and social value of information and other content held by governments to serve as a precompetitive platform for innovation
- revitalise our public sector and make government policies and services more responsive to people's needs and concerns by:
  - providing government with the tools for a much greater level of community engagement
  - allowing the users of government services much greater participation in their design and continual improvement
  - involving communities of interest and practice outside the public sector—which offer unique access to expertise, local knowledge and perspectives—in policy making and delivery
  - more successfully attracting and retaining bright, enthusiastic citizens to the public service by making their work less hierarchical, more collaborative and more intrinsically rewarding.

Government 2.0 will be central to delivering on critical national objectives including delivering on our National Innovation Agenda—including the aspiration for a more innovative public sector.[3] It will be central to addressing the desire of the Advisory Group on the Reform of Australian Government Administration to establish in Australia the world's best public service which puts citizens at the centre of everything it does.[4] It will be an important component of the Department of Human Services' service delivery reform agenda.[5] It can improve social inclusion. And it will enable us to make the most of our huge broadband investment, making Australia a more connected democracy.

The state of play

The enthusiasm of public agencies, public servants and the public themselves are all necessary for Government 2.0 to take root. In this regard Australia is well placed. Some Australian Government agencies have become recognised as international leaders in their embrace of Government 2.0 approaches.

In 2001, the Australian Government's Spatial Data Access and Pricing Policy was one of the first substantial programs in the world in which government data which had previously been sold was made available without charge.[6] Today both the Australian Bureau of Statistics and Geoscience Australia are licensing much of their output using Creative Commons licences which permit others to freely use and remix it. This is an invitation to enhance the value of this public information asset (see Chapter 5).

3 *Powering Ideas: An Innovation Agenda for the 21st Century* http://www.innovation.gov.au/innovationreview/Pages/home.aspx or http://tinyurl.com/67l3vm and Management Advisory Committee, Advancing Public Sector Innovation see http://www.innovation.gov.au/Section/Innovation/Pages/AdvancingPublicSectorInnovation.aspx or http://tinyurl.com/nbx6jm.

4 Advisory Group on Reform of Australian Government Administration. http://www.innovation.gov.au/Section/Innovation/Pages/AdvancingPublicSectorInnovation.aspx or http://tinyurl.com/nbx6jm.

5 http://www.mhs.gov.au/media/speeches-transcripts/091216-service-delivery-reform.html.

6 http://www.osdm.gov.au/OSDM/Policies+and+Guidelines/Spatial+Data+Access+and+Pricing/default.aspx or http://tinyurl.com/kpgtsn.

The National Library of Australia (NLA), National Archives of Australia (NAA) and a number of Museums such as the National Museum of Australia (NMA) and Sydney's Powerhouse Museum[7] have engaged Australia's citizenry in contributing their own time and content to enrich and improve national historical collections of text and visual material. Some government agencies and some individual public officials maintain blogs where they share their expertise and have informal discussions of professional matters of public interest.

There are many other examples. However efforts to date have tended to rely on the interest and enthusiasm of individual agencies. A recent KPMG survey undertaken for the Review of Australian Government Administration found that the Australian Public Service compared favourably with counterpart services elsewhere in a range of areas, but had worse performance than its best peers in the provision of online access to government information and services, mechanisms for cross-agency collaboration and tools and methods for incorporating external advice into the policy development and service design process. These are all things that Government 2.0 can deliver.

Since 2007 the United Kingdom (UK), New Zealand (NZ) and, more recently, the United States of America (US), have recognised the economic and social benefits of Government 2.0 at the highest levels of government. These countries have put in place coordinated and centrally driven reforms to advance the Government 2.0 agenda. Until recently, Australia was lagging behind these leaders, but proposed legislation to strengthen access to information and the promulgation of very encouraging new Australian Public Service Commission (APSC) guidelines for online engagement has set the stage for Australia to join the other countries in pioneering Government 2.0.

The taskforce's approach

Accordingly the taskforce's central recommendation is for a Declaration of Open Government to be made at the highest level of government emphasising the role of Web 2.0 tools and approaches in:

- achieving a more consultative, participatory and transparent government
- realising the full social and economic value of public sector information (PSI) as a national resource
- asserting the centrality of Government 2.0 in the achievement of the government's broader reform objectives

For Australia to achieve the aspirations outlined in our terms of reference, it will require stronger, more coordinated governance, policy improvements and a renewed public service culture of openness and engagement. It is essential to find ways that government can adapt to the new paradigm of open and transparent government.

Government 2.0 needs concerted leadership to drive the necessary reforms and bring about the shifts of culture and practice required across the whole of government. For this reason the taskforce's second recommendation is that a lead agency be appointed from within one of the

7 In this report we use many examples of information which is generated principally by state or local government agencies. While our direct mandate is from the Australian Government, we have interpreted that mandate broadly. While our recommendations are, strictly speaking, recommendations to the Australian Government, many of the principles developed apply at the state level and all states are exploring the Government 2.0 agenda, though some are further advanced on the journey than others. We feel the use of such examples is useful both because the states control much of the data that affects people's lives most closely and because data collected by state agencies can and should often be the subject of national information agendas (as in the Council of Australian Governments' (COAG) agendas in education and health).

central portfolios—either within Finance and Deregulation or Prime Minister and Cabinet—to take responsibility for Government 2.0 policy and provide leadership, guidance and support to agencies and public servants. The agency's work program should be developed though a Government 2.0 Steering Group of high level officials from relevant agencies.

The lead agency will provide guidance and support to improve the extent and quality of online engagement to promote innovation and share knowledge. Agencies will identify and address barriers to online engagement, and nominate specific projects aimed at enhancing policy making and delivery through the use of online tools within and between agencies across the public sector.

According to a recent survey,[8] governments around the world had the lowest deployment of unified communications and collaboration technology across major industries. Currently, few public servants have work access to these building blocks of Government 2.0. The taskforce recommends that agencies provide employees with access to appropriate technology.

In order to achieve these shifts, public servants should be actively encouraged and empowered to engage online. The recently issued APSC guidelines for online engagement are an excellent start. They begin:

> Web 2.0 provides public servants with unprecedented opportunities to open up government decision making and implementation to contributions from the community. In a professional and respectful manner, public servants should engage in robust policy conversations.
>
> Equally, as citizens, APS employees should also embrace the opportunity to add to the mix of opinions contributing to sound, sustainable policies and service delivery approaches.

Security concerns have been a major inhibitor of collaboration technology adoption in the public sector. Accordingly the lead agency should work with the Defence Signals Directorate to develop appropriate guidance so that agencies can undertake security risk assessments and ensure the effective, efficient and secure use of Web 2.0 tools.

Public agencies should also seek opportunities and provide space for staff to experiment and develop opportunities for greater online engagement and participation with their customers, citizens and communities of interest. Over time it will also be important to report and scrutinise progress, ensure that lessons are learned and reward outstanding practice in the use of Web 2.0 tools to improve agency and program performance. Recognition for outstanding practice will include adoption of the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG) as the minimum accessibility standard for Government 2.0.

The APSC's annual State of the Service Report will be one instrument by which agencies' progress in implementing these measures can be tracked and reported.

We also need clear, strong and simple policies to deliver the aspiration of the Freedom of Information Amendment (Reform) Bill 2009[9] for public sector information (PSI) to be released by default with secrecy being maintained only where there is good reason to do so. In addition the information must be truly open. This means that unless there are good reasons to the contrary, information should be:

- free[10]
- easily discoverable
- based on open standards and therefore machine-readable[11]

8 See: Figure 3: Technology Deployment by Vertical Industry

9 http://www.dpmc.gov.au/consultation/foi_reform/index.cfm or http://tinyurl.com/d7ywkt.

10 Provided at no cost in the absence of substantial marginal costs.

11 The Semantic Web involves a vision of a machine-readable web, where intelligent agents would be capable of understanding data presented online by interpreting the accompanying metadata.

- properly documented and therefore understandable[12]
- licensed to permit free reuse and transformation by others.

The need for the licensing itself to be machine-readable means that the licence should conform to some international standard such as Creative Commons.

The taskforce proposes Creative Commons Attribution 2.5 Australia (CCBY) as the default licence.[13] Where third parties are involved, agencies should contract to ensure that government is able to license their work under the default licence. The Government should also proceed with a review of copyright in relation to 'orphan works'.[14] There should also be a process of providing more open licensing to the stock of existing PSI which has been more restrictively licensed in the past.

Because so many of the benefits of Government 2.0 will accrue when state governments are involved, the taskforce proposes that the principles set out in this report be implemented at all levels of government in Australia through a national information policy and that the Commonwealth should provide national leadership towards such a policy by engaging the Council of Australian Governments (COAG).

To accelerate progress the taskforce recommends establishing a central portal (data.gov.au) that will enable access to and discovery of the data and skills necessary in preparing government information to be released as open PSI. Guidance will be required to assist agencies to protect privacy and confidentiality, including making sure that they can reliably de-identify personal and commercial-in-confidence PSI.

The taskforce endorses the proposed freedom of information reforms and recommends that the proposed new Office of the Information Commissioner (OIC) operate to ensure the integrity of the process by which PSI is released by default. PSI should be released unless agencies are following the Information Commissioner's (IC's) policies or have the agreement of the IC not to release it.

In addition, the OIC will develop and administer policies to ensure that PSI that may be considered as holding value is proactively identified and released, and that all options to protect privacy and confidentiality by suppressing certain fields in structured data[15] be explored before an exemption from release is granted. The Commonwealth Copyright Administration (CCA) unit within the Attorney-General's Department (AGD) should also be moved to the OIC or the lead agency reflecting their charter to optimise the flow of information.

In order to measure the benefits of releasing PSI, the proposed OIC should develop a common methodology to determine the social and economic value generated from published PSI and require major agencies to report and publish their performance on the release of PSI in their annual report, as well as their contribution to the consolidated value of Commonwealth PSI.

The taskforce supports the model for the information publication scheme set out in the Freedom of Information Amendment (Reform) Bill 2009 and recommends that the proposed OIC provide guidance to the public on their rights to access PSI and guidance for agencies to meet their information publication and reporting obligations.

Some of the most successful experiments in Government 2.0 have been led by not-for-profit organisations in the UK and the US. Here, the taskforce suggests that policymakers facilitate recognition of info-philanthropy[16] as an eligible activity to qualify for deductible gift recipient status and other measures that recognise charitable or philanthropic purposes.

12 Supported by metadata that will aid in the understanding the quality and interpretability of the information.

13 http://creativecommons.org/licenses/by/2.5/au/.

14 Information for which the copyright is held by third parties who cannot be readily identified or located.

15 'Any data kept in an electronic record, where each piece of information has an assigned format and meaning.' http://www.mgrush.com/content/view/70/33/.

16 The building of public information goods and platforms for public benefit.

What is at stake

The work of government funded or managed agencies pervades and underpins some of the most important aspects of Australian's lives. By improving agency operation and their relationship with stakeholders, Government 2.0 gives us the scope to improve:

- the quality of schools
- the quality and safety of hospitals
- the safety and productivity of workplaces
- the convenience of public utility services such as public transport, energy and the maintenance of government infrastructure
- the dynamism, engagement and responsiveness of the public sector, its services and regulatory systems.

Government 2.0 can enable Australia to achieve all this while deepening democracy and engaging the citizenry so that governments don't just 'consult' their constituents, but draw all those with the enthusiasm, expertise and relevant local knowledge into active collaboration with them.

Getting to Government 2.0 will not be easy or straightforward for it requires coordinated leadership, policy and culture change. But as Mike Waller put it in a project for the taskforce 'no country can lay claim to having yet achieved the overall transformation in public sector culture, systems and processes required to deliver a fully articulated Government 2.0 approach'. Having just begun the journey back to world leadership, we should press on secure in the knowledge that a serious effort will see us succeed.

Report recommendations

Central recommendation: A declaration of open government by the Australian Government

Accompanying the Government's announcement of its policy response to this report, a declaration of open government should be made at the highest level, stating that:

- using technology to increase citizen engagement and collaboration in making policy and providing service will help achieve a more consultative, participatory and transparent government
- public sector information is a national resource and that releasing as much of it on as permissive terms as possible will maximise its economic and social value to Australians and reinforce its contribution to a healthy democracy
- online engagement by public servants, involving robust professional discussion as part of their duties or as private citizens, benefits their agencies, their professional development, those with whom they are engaged and the Australian public. This engagement should be enabled and encouraged.

The fulfilment of the above at all levels of government is integral to the Government's objectives including public sector reform, innovation and using the national investment in broadband to achieve an informed, connected and democratic community.

Recommendation 2: Coordinate with leadership, guidance and support

2.1 A lead agency should be established within the Commonwealth public service with overall responsibility for advancing the Government 2.0 agenda, providing leadership, resources, guidance and support to agencies and public servants on Government 2.0 issues. Its work program should be developed in consultation with relevant agencies, for example Department of the Prime Minister and Cabinet, the proposed new Office of the Information Commissioner, Department of Finance and Deregulation, the Australian Public Service Commission, National Archives of Australia, Australian Bureau of Statistics, Department of Broadband, Communications and the Digital Economy, through a Government 2.0 Steering Group.[17]

2.2 The Australian Government should engage other members of the Council of Australian Governments to work with the lead agency to learn from each other and promote their successes in the development of Government 2.0 strategies.

Recommendation 3: Improve guidance and require agencies to engage online

3.1 To make government more consultative, participatory and transparent, the lead agency, in consultation with other relevant agencies, should issue and maintain guidance to improve the extent and quality of online engagement by agencies.

3.2 Using this guidance, in conjunction with the lead agency and within 12 months of the Government's response to this report, all major agencies[18] should:

17 This is not to preclude the possibility of one of the listed agencies being or including the lead agency.

18 All departments of state and material agencies see http://www.finance.gov.au/publications/flipchart/index.html or http://tinyurl.com/yhkrbe2.

3.2.1 identify barriers within their organisation which inhibit online engagement and document what they will do to reduce these barriers

3.2.2 identify and document specific projects to make use of social networking and 'crowdsourcing' tools and techniques to enhance agency policymaking, implementation and continuous improvement

3.2.3 identify and document specific projects to increase the use of online tools and platforms for internal collaboration within their agency and between agencies that they work with across the public sector.

3.3 The Australian Public Service Commission (APSC) will include in the annual State of the Service Report details of agencies' progress in implementing the above recommendations, covering successes, disappointments and lessons learned.

3.4 Subject to security and privacy requirements, all public inquiries funded by the Australian Government should ensure that all submissions are posted online in a form that makes them searchable, easy to comment on and reuse. The Government 2.0 lead agency should encourage those conducting inquiries to use interactive media such as blogs to publicly discuss emerging lines of thought and issues of relevance.

Recommendation 4: Encourage public servants to engage online

4.1 The taskforce endorses the revised online engagement guidelines for public servants issued by the Australian Public Service Commission (APSC) on 18 November 2009, including the declaration that Web 2.0 provides public servants with unprecedented opportunities to open up government decision making and implementation to contributions from the community. The taskforce agrees that, consistent with APS values and code of conduct, APS employees should be actively encouraged and empowered to engage online.

4.2 The APSC in consultation with the lead agency should regularly review online engagement guidelines, using Government 2.0 approaches to ensure the process is open and transparent.

4.3 The default position in agencies should be that employees are encouraged and enabled to engage online. Agencies should support employee enablement by providing access to tools and addressing internal technical and policy barriers.

4.4 Agencies should support employee-initiated, innovative Government 2.0-based proposals that create, or support, greater engagement and participation with their customers, citizens and/or communities of interest in different aspects of the agency's work. They should create a culture that gives their staff an opportunity to experiment and develop new opportunities for engagement from their own initiative, rewarding those especially who create new engagement/participation tools or methods that can quickly be absorbed into the mainstream practice that lifts the performance of the department or agency.

4.5 The Government 2.0 lead agency should establish an online forum on which agencies can record their initiatives and lessons learned.

Recommendation 5: Awards

In consultation with relevant agencies, the lead agency should establish awards for individual public servants and agencies that recognise outstanding practice in the use and impact of Government 2.0 tools to improve agency and program performance.

Recommendation 6: Make public sector information open, accessible and reusable

6.1 By default Public Sector Information[19] (PSI) should be:

- free[20]
- based on open standards
- easily discoverable
- understandable[21]
- machine-readable[22]
- freely reusable and transformable.[23]

6.2 PSI should be released as early as practicable and regularly updated to ensure its currency is maintained.

6.3 Consistent with the need for free and open reuse and adaptation, PSI released should be licensed under the Creative Commons BY standard[24] as the default.

6.4 Use of more restrictive licensing arrangements should be reserved for special circumstances only, and such use is to be in accordance with general guidance or specific advice provided by the proposed OIC.

6.5 The proposed OIC should develop policies to maximise the extent to which existing PSI be relicensed Creative Commons BY, taking account of undue administrative burden this may cause for agencies. To minimise administrative burden, the taskforce envisages that rules could be adopted whereby a large amount of PSI that has already been published could be automatically designated Creative Commons BY. This would include government reports, legislation and records that are already accessible to the public. Individuals or organisations should also be able to request that other PSI be relicensed Creative Commons BY on application, with a right of appeal should the request be refused, to the proposed new Information Commissioner.

6.6 Where ownership of the PSI data rests with the Commonwealth, data should be released under Creative Commons BY licence. Negotiation with the other party/ies will be required to ensure release under Creative Commons BY for PSI which is not owned by the Commonwealth, or is shared with another party/ies. New contracts or agreements with a third party should endeavour to include a clause clearly stating the Commonwealth's obligation to publish relevant data and that this be under a Creative Commons BY licence.[25] This policy should become mandatory for all contracts signed by the Commonwealth after June 2011.

6.7 Copyright policy should be amended so that works covered by Crown copyright are automatically licensed under a Creative Commons BY licence at the time at which Commonwealth records become available for public access under the *Archives Act 1983.*

19 The definition is: 'information, including information products and services, generated, created, collected, processed, preserved, maintained, disseminated, or funded by or for the government or public institutions, taking into account [relevant] legal requirements and restrictions'.

20 Provided at no cost in the absence of substantial marginal costs.

21 Supported by metadata that will aid in the understanding the quality and interpretability of the information.

22 The Semantic Web involves a vision of a machine-readable web, where intelligent agents would be capable of understanding data presented online by interpreting the accompanying metadata.

23 Not having limitation on derivative uses.

24 http://creativecommons.org/licenses/by/2.5/au/.

25 A consistent clause should be developed by Department of Finance and Deregulation and inserted as a standing requirement of all Commonwealth Contracts—similar to that used to ensure access and reporting by the Australian National Audit Office (ANAO).

6.8 Any decision to withhold the release of PSI, other than where there is a legal obligation to withhold release, should only be made with the agreement of, or in conformity with policies endorsed by the proposed OIC and consistent with the Australian Government's FOI policy, noting that:

6.8.1 in the case of structured data,[26] agencies must exhaust options to protect privacy and confidentiality before seeking an exemption[27]

6.8.2 agencies must proactively identify and release, without request, such data that might reasonably be considered as holding value to parties outside the agency.

6.9 The Australian Government should engage other members of the Council of Australian Governments to extend these principles into a national information policy agreed between all levels of government; federal, state, territory and local.

6.10 In order to accelerate the adoption of Government 2.0, in addition to any distribution arrangements they wish to pursue, agencies should ensure that the PSI they release should be discoverable and accessible via a central portal (data.gov.au) containing details of the nature, format and release of the PSI.

6.11 Within the first year of its establishment the proposed OIC, in consultation with the lead agency, should develop and agree a common methodology to inform government on the social and economic value generated from published PSI.

6.12 The major agencies[28] under the *Financial Management and Accountability Act 1997* (FMA Act) should use the common methodology to report their performance in the release of PSI in their annual reports, commencing from the first anniversary of the establishment of the proposed OIC.

6.13 The proposed OIC should annually publish a report outlining the contribution of each agency to the consolidated value of Commonwealth PSI, commencing from the first anniversary of the establishment of the proposed OIC. The report should be published online and be accessible for comment and discussion.

6.14 Following government acceptance of the initial 'Value of PSI Report', the proposed OIC should consider the development of a 'lite' version of the common methodology for use by other FMA Act agencies.

6.15 The taskforce notes the proposed changes to the FOI Amendment (Reform) Bill 2009 to have the proposed OIC issue guidelines to support the future operations of the Act as described in the Explanatory Memorandum for Schedule 2, Section 8.[29] To ensure effective and consistent implementation of access to PSI these guidelines should give due consideration to the concepts outlined above.

Recommendation 7: Addressing issues in the operation of copyright

7.1 Agencies should apply policy guidance, or seek advice on a case by case basis, on the licensing of PSI either before its release or in administering licences after publication from the proposed OIC.

26 'Any data kept in an electronic record, where each piece of information has an assigned format and meaning'. http://www.mgrush.com/content/view/70/33/.

27 This would include, for example, the removal of specific fields or records. However, in considering appropriate treatments, agencies should avoid unduly compromising the potential value of the data that may be derived.

28 All departments of state and material agencies see http://www.finance.gov.au/publications/flipchart/index.html or http://tinyurl.com/yhkrbe2.

29 http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22legislation%2Fbillhome%2Fr4163%22 or http://tinyurl.com/ycqhp83.

7.2 The functions currently performed by the Commonwealth Copyright Administration (CCA) unit within the Attorney-General's Department (AGD) relating to pre- and post-licensing of copyright material should be transferred to either the proposed OIC or the lead agency. Other administrative functions of the CCA unit should be reviewed to identify which of the functions should remain within AGD and those that should transfer to the proposed OIC.

7.3 It is recommended that the proposed OIC examine the current state of copyright law with regard to orphan works (including section 200AB of the *Copyright Act 1968*), with the aim of recommending amendments that would remove the practical restrictions that currently impede the use of such works.

Recommendation 8: Information publication scheme

8.1 The taskforce recommends that, in the development, management and implementation of a government information publication scheme, the proposed OIC, once established, take regard of the findings and recommendations contained in the report *Whole of Government Information Publication Scheme*, Government 2.0 Taskforce Project 7.[30]

8.2 The taskforce supports the model for the publication scheme set out in the Freedom of Information Amendment (Reform) Bill 2009[31] and notes that the Bill incorporates complementary aims. To reinforce its support, the taskforce recommends information publication schemes be developed with the following explicit aims. To:

8.2.1 provide an overall and consistent statutory framework for information publication by all agencies

8.2.2 encourage the widest disclosure of useful government information consistent with the public interest, and thereby greater trust in government

8.2.3 guide agencies in overcoming attitudinal, technological and legal barriers to optimal information disclosure and use, and to improved public engagement

8.2.4 provide a planning framework to assist agencies in their overall information management

8.2.5 provide an integrated and simplified guide for agencies to meet their information publication and reporting obligations

8.2.6 provide clear and understandable guidance to the public on their rights to, and methods of, accessing and using government information, leading to improved service delivery and public engagement in policy development

8.2.7 enable the proposed OIC to monitor schemes, and encourage agencies towards achieving government pro-disclosure objectives through reference to exemplars, and reporting of unsatisfactory progress.

Recommendation 9: Accessibility

9.1 Significant cultural change is needed to enable greater support for the adoption of accessible Web 2.0 tools, collaboration and online community engagement activities, and PSI delivery projects. The taskforce therefore recommends that:

30 http://gov2.net.au/projects/project-7.

31 http://www.dpmc.gov.au/consultation/foi_reform/index.cfm or http://tinyurl.com/d7ywkt.

9.1.1 agency compliance with the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG)[32] as the minimum accessibility level for all online community engagement and online PSI provision is required. Data provided on the primary PSI site, data.gov.au, should be provided in full compliance with WCAG

9.1.2 where an agency is considering a Web 2.0 project where strict compliance with WCAG accessibility guidelines risks preventing a project from proceeding, AGIMO will provide guidance on options to facilitate maximum access for people with disabilities

9.1.3 where an agency elects to proceed with a project that is not fully compliant they must publish an online statement explaining site accessibility, together with an outline of where and why it does not meet a specific WCAG guideline, and what alternative options for accessible access were considered or are provided and plans for compliance within a reasonable timeframe

9.1.4 a central register of accessibility compliance statements should be maintained on data.gov.au

9.1.5 in consultation with relevant agencies, the lead agency should establish awards for agencies that recognise outstanding practice in the application of accessibility principles and guidelines to Government 2.0 tools to improve agency interactions with citizens, business and community groups.

Recommendation 10: Security and Web 2.0

10.1 The lead agency, in conjunction with the Defence Signals Directorate (DSD), should develop a better practice guide (or 'how to' guide) to assist agencies in the effective, efficient and secure use of Web 2.0 tools and how to undertake associated risk assessment.

10.2 DSD should provide guidance to agencies on the appropriate mitigation treatments that could be adopted to address concerns or exposures identified in relation to the use of social networking and related tools. This guidance should take into consideration the different environments in which agencies operate, the varying risk profiles that exist and the range of tools that may be used. DSD should update the Information Security Manual (ISM) accordingly.

10.3 Sensitive and national security data requires special consideration in the context of PSI. To ensure consistency between PSI arrangements in the future and the proposed changes to the FOI Act, the proposed OIC should provide advice to agencies in relation to the treatment of PSI to enable its broadest possible release. Consistent with good practice, and the requirements of the Protective Security Manual (PSM), agencies must avoid the over classification of data so as to limit the need to review or pre-process data to enable its release.

Recommendation 11: Privacy and confidentiality

11.1 To protect the personal information of individuals included in PSI, the Privacy Commissioner should develop guidance on the de-identification of PSI before it is released.[33]

32 This recommendation avoids specifying which version of WCAG is being referred to as a means of ensuring the recommendation refers to the most current version of the guidelines mandated by the government.

33 The *Privacy Act 1988* provides for the Privacy Commissioner to prepare and publish guidelines on privacy under s 27(1)(e). The taskforce understands, however, that responsibility for this function would transfer to the Information Commissioner following proposed amendments to the Privacy Act and proposed new legislation to establish an Office of the Information Commissioner. In this event, responsibility for the preparation of guidance on de-identification of PSI as outlined in this recommendation should transfer to the Information Commissioner.

11.2 To protect the commercial-in-confidence information of businesses included in PSI, the proposed OIC should develop guidance on the de-identification of PSI.

Recommendation 12: Definition of Commonwealth Record

12.1 The taskforce recommends that government agencies wishing to use third party sites for the purposes of collaboration, service delivery or information dissemination, ensure that copies of records so generated are retained in the possession of the Commonwealth such that they satisfy the definition of Commonwealth Record in the *Archives Act 1983*. The Australian Government reviewed the property-based definition of Commonwealth Record in the *Archives Act 1983*, with a view to replacing it with a definition that defines Commonwealth records as any information created or received by the Commonwealth in the course of performing Commonwealth business.

12.2 To enable and assist the discovery, sharing and reuse of PSI, agencies should deploy endorsed metadata standards such as the Australian Government Locator Service Metadata Standard (AS 5044) together with whole of government taxonomies such as the Australian Government's Interactive Functions Thesaurus (AGIFT) as outlined in the Australian Government's Information Interoperability Framework. Whenever not being able to meet such standards would appreciably delay the release of PSI, agencies should release non-compliant data until such time as they are able to comply with the standards.

Recommendation 13: Encourage info-philanthropy

Australian policy makers should minimise obstacles to info-philanthropy being treated as an eligible activity to qualify for deductible gift recipient and other forms of legal status which recognise charitable or philanthropic purposes. Some of the most successful experiments in Government 2.0 have been fuelled by not-for-profits in leading countries such as the UK and the US. As part of their policy approach to recognise volunteers in the community, they should also ensure that online volunteers are appropriately recognised.

1 What is Government 2.0?

Being truly citizen-centred means placing the citizen at the centre of the entire public service endeavour. This requires a meaningful commitment to actively engaging and empowering people at all points along the service delivery chain—from high-level program and policy formulation all the way to the point of service delivery, and capturing feedback from the users of services.

New technologies are bringing new opportunities to enhance feedback between service delivery and policy or program design areas. More than half of all Australians now interact with government using a variety of these technologies. A cultural shift among policy and service delivery agencies is needed for these opportunities to be fully exploited.

Discussion Paper, *Reform of Australian Government Administration: Building the world's best public service.*[34]

1.1 Government 2.0—The three pillars

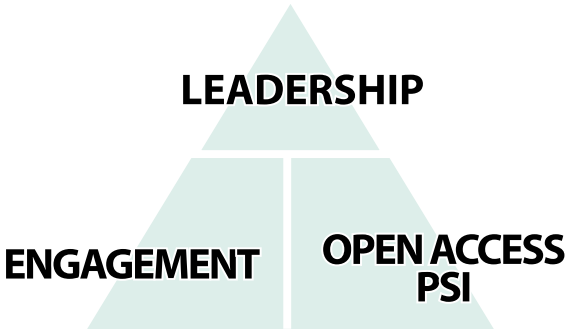
Government 2.0 involves a public policy shift to create a culture of openness and transparency, where government is willing to engage with and listen to its citizens; and to make available the vast national resource of non-sensitive public sector information (PSI). Government 2.0 empowers citizens and public servants alike to directly collaborate in their own governance by harnessing the opportunities presented by technology.

The taskforce came to define its agenda for Government 2.0 in terms of three pillars:

- leadership, policy and governance to achieve necessary shifts in public sector culture and practice
- the application of Web 2.0 collaborative tools and practices to the business of government
- open access to PSI.

Government 2.0 presents challenges to some long held government practices and has the potential to change the relationship between government and its citizens.

Figure 1: The three aspects of Government 2.0



Source: Government 2.0 Taskforce

34 *Reform of Australian Government Administration: Building the world's best public service,* Advisory Group on Reform of Australian Government Administration, October 2009, at http://www.dpmc.gov.au/consultation/aga_reform/index.cfm.

1.2 Leadership, policy and governance to achieve culture change

Cultural change is at the heart of Government 2.0 and more important than the development of policy or the technical challenges of adopting new technologies.

Effective engagement with citizens will occur only where government agencies and public servants encourage their involvement—not just by inviting it, for there is no shortage of such invitations today, but by responding in ways that demonstrate their appreciation of public contributions. By grasping the potential of Government 2.0, governments can increase the effectiveness of policy making and take the opportunity to draw citizens into closer collaboration with them. Greater openness and transparency will mean that government is more exposed to public scrutiny and criticism. The benefits to be realised include improved access to new ideas and informed feedback.

Whole of government leadership is required to drive this transition. Government 2.0 must infuse the culture of public agencies and their operatives. It must become 'the way we do things here'.

Government 2.0 is central to delivering on critical national objectives including the National Innovation Agenda,[35] improving the quality, flexibility and innovative capability of the public service,[36] and allowing us to make the most of the huge investment in broadband and other enabling infrastructure to make Australia a more connected democracy.

Chapter 5 discusses the taskforce's findings and recommendations for Government 2.0 leadership.

1.3 The application of Web 2.0 collaborative tools and practices to the processes of government

Government 2.0 involves the application of Web 2.0 collaborative tools and practices to the processes of government. As they have outside of government, these tools and practices can increase productivity and efficiency. Yet this report is guided by the conviction that it can be much more than this. As Australia's self-organised Government 2.0 Google Group puts it:

> Government 2.0 is not specifically about social networking or technology … It represents a fundamental shift in the implementation of government—toward an open, collaborative, cooperative arrangement where there is (wherever possible) open consultation, open data, shared knowledge, mutual acknowledgment of expertise, mutual respect for shared values and an understanding of how to agree to disagree. Technology and social tools are an important part of this change but are essentially [just] an enabler in this process.[37]

Given that government should be inherently collective and collaborative, the potential of a Web 2.0-enabled approach to government is potentially transformative. It offers the opportunity to make representative democracy more responsive, participatory and informed. The incorporation of Web 2.0 technology into government engagement offers a unique opportunity to achieve more open, transparent, accountable and responsive government. Alternatives should continue to be provided for those not wishing or able to engage online.

35 *Powering Ideas: An Innovation Agenda for the 21st Century* http://www.innovation.gov.au/innovationreview/Pages/home.aspx or http://tinyurl.com/67l3vm.

36 Advisory Group on Reform of Australian Government Administration http://www.innovation.gov.au/Section/Innovation/Pages/AdvancingPublicSectorInnovation.aspx or http://tinyurl.com/nbx6jm and Management Advisory Committee, *Advancing Public Sector Innovation* see http://www.innovation.gov.au/Section/Innovation/Pages/AdvancingPublicSectorInnovation.aspx or http://tinyurl.com/nbx6jm.

37 http://groups.google.com.au/group/gov20canberra or http://tinyurl.com/lffnvo.

1.3.1 What is Web 2.0?

Until recently activity on the internet was dominated by the website and email. This internet enabling broadcast, point to point and hub and spoke activity through websites is termed 'Web 1.0'.

Within the community and the market, Web 2.0 is only now becoming pervasive when much of it was technically achievable over a decade ago. As commentators have observed, Web 2.0 emerged not as a function of new technology but because the ubiquity of internet technology makes new ways of operating and interacting possible.

Web 2.0 enables connections and collaborations of all kinds. Social networking websites such as Facebook[38] and Meetup.com[39] facilitate and enrich communication between people. Substantial economic returns are generated by 'ideas market' Innocentive,[40] which brings together those with technical problems and those who can solve them.

Search engines have facilitated collaboration between people whose search behaviour is teaching the search engine to be more useful to future users.[41] Users of products come to build the products themselves as with Wikipedia[42] and stumbleupon.com.[43, 44]

Firms like Dell and Starbucks use Web 2.0 to engage their employees, suppliers and customers, to identify existing problems and to co-design future products.

Web 2.0 tools can be used to create networks in which relationships can be made and deepened whilst knowledge of all kinds, whether it be scientific expertise or the understanding of something ephemeral and local is shared and further developed in the sharing.[45]

1.3.2 The promise of Web 2.0

The potential to collaborate online and engage through Web 2.0 tools and approaches provides both economic and social benefits. One calculation concludes that internet searches generate total economic value of somewhere between 0.5 and 5 per cent of US gross domestic profit (GDP).[46]

Other benefits of online engagement and collaboration are harder to assess because they do not directly lower costs but improve quality of life. Search engines and wikis do not just save time but produce more germane or more targeted and relevant results than previous methods. Web 2.0 allows fine grained interaction between people with particular interests, expertise or knowledge. For instance, a cancer patient can find others in the same predicament and, in addition to gaining mutual support can share information about drug reactions, doctors and specialists.

Blogs permit anyone with internet access to publish their thoughts globally and to invite discussion from others on any topic imaginable. One benefit of this is the rapid identification of those with the knowledge to speak authoritatively on a subject.

38 http://www.facebook.com.

39 http://www.meetup.com.

40 http://www.innocentive.com.

41 Search algorithms typically employ users' selections of search results to optimise future searches for others.

42 http://www.wikipedia.org.

43 http://www.stumbleupon.com.

44 In this sense open source software which is typically built by volunteer individuals and/or firms was a precursor to Web 2.0.

45 Except where otherwise suggested, references in this report to Web 2.0 and expressions like 'online' include mediums that are not strictly part of the internet and which may not literally use cables, such as the mobile network.

46 http://www.kk.org/thetechnium/archives/2007/10/the_value_of_se.php or http://tinyurl.com/y8u8rzk.

It is difficult to put an economic value on many of these phenomena. However, they show how Web 2.0 is reconfiguring the world, driven by individuals and groups with a thirst for information and innovation and a powerful desire to engage on their own terms.

Chapter 6 discusses the taskforce findings in relation to application of Web 2.0 to government.

1.4 Open access to PSI

Increasing citizen participation pre-supposes access to information. Here Government 2.0 takes the next step in the evolution of open government by strengthening freedom of information rights and building upon them additional rights of access, rights to freely reuse, republish, repurpose and otherwise add value to government information. The Freedom of Information Bill currently before Parliament takes as a premise that 'information held by the government is to be managed for public purposes, and is a national resource'. This report expands on the implications of that premise.

In its recommendation for enhanced access and more effective use of public sector information the OECD Council defined PSI, as 'information, including information products[47] and services, generated, created, collected, processed, preserved, maintained, disseminated, or funded by or for the government or public institutions, taking into account [relevant] legal requirements and restrictions'. Except where otherwise indicated this is what the taskforce means in this report.

Government 2.0 represents a shift to an assumption that government information is open by default, in the absence of good reasons to the contrary. When information is released it creates new and powerful dynamics which can drive innovative use and reuse. Allowing the commercial, research and community sectors to add value to it can provide important social and community benefits. Policy changes mandated by governments, and legal changes by Parliament, are necessary to make this transition. Many of these changes are either in place or in contemplation. While these changes are necessary they are not sufficient for Government 2.0 to take hold.

Chapter 5 explores open access to PSI in greater detail.

47 The taskforce defines an 'information product' as 'an item that has been derived from one or more sources of information to meet a specific purpose'. This definition is derived from http://www.walis.wa.gov.au/resources/WALIS_glossary.

2 How does Australia compare internationally?

2.1 The Australian policy context

2.1.1 Freedom of Information (FOI)

The Ministers announcing this taskforce noted that it:

> ...builds on FOI reforms to date by seeking to free up government data and information to enhance government accountability. It will also allow business and others to innovate with government information so that it is more useful and compelling to others.[48]

The *Freedom of Information Act 1982* (FOI Act), introduced by the Fraser Government in 1982 and subsequently by all states, allows members of the public to access information held by government, though significant quantities of information are either exempt or excluded from access. The underlying rationale for exemption is that the public interest in access to documents is, in some cases, outweighed by the public interest in maintaining their confidence, for example in the case of documents containing information that, if publicly released, would damage the defence of the Commonwealth or reveal Cabinet deliberations.

In November 2008,[49] the Rudd Government put forward the first stage of its FOI reform agenda. This commenced with the *Freedom of Information (Removal of Conclusive Certificates and Other Measures) Act 2009* on 7 October 2009.The *Freedom of Information (Fees and Charges) Amendment Regulation,* put forward in March 2009, seeks to reduce or make free of charges applications for some government information.

The second stage of the reform agenda, the Information Commissioner Bill 2009 and Freedom of Information Amendment (Reform) Bill 2009, seek to create a new Australian Government Office of the Information Commissioner[50] and amend the FOI Act and the *Archives Act 1983*.[51] The taskforce strongly endorses in principle the nature of the proposed changes in the reform agenda, and considers legislative reform an essential precursor and enabler to Government 2.0.

In particular, the taskforce endorses the FOI reforms focus on:[52]

- ensuring that the right of access to documents under the FOI Act is as comprehensive as it can be
- giving greater weight to the role that the FOI Act serves in the proactive publication of government information

48 The Ministers' media release announcing the taskforce is at http://www.financeminister.gov.au/media/2009/mr_352009_joint.html or http://tinyurl.com/ycuu6y4.

49 Freedom of Information (FOI) Reform details at http://www.dpmc.gov.au/consultation/foi_reform/index.cfm or http://tinyurl.com/y95mlec.

50 Bill available at http://www.dpmc.gov.au/consultation/foi_reform/docs/information_commissioner_bill_2009_exposure_draft.pdf or http://tinyurl.com/ya43rqd.

51 Bill available at http://www.dpmc.gov.au/consultation/foi_reform/docs/FOI_reform_bill_2008-Exposure_Draft.pdf or http://tinyurl.com/yhq733r.

52 Letter from Senator Faulkner to Secretaries, dated 30 April 2009, 'Open Government And Freedom Of Information', available at www.cabinetsecretary.gov.au/media/2009/docs/Letter_to_Secretaries_FOI.rtf or http://tinyurl.com/yfaafcl.

- introducing structural reforms, including creating a new Australian Government Office of the Information Commissioner, to provide a platform for system wide information policy development across government.

The taskforce is encouraged that amendments to the objects clause of the FOI Act[53] are proposed, articulating the underlying rationale of the Act.[54]

The taskforce understands that these proposed amendments signal the intention of FOI reform to promote Australia's representative democracy by increasing public participation in government processes. FOI reform will promote better-informed decision making and increased scrutiny, discussion, comment and review of the government's activities. The amended FOI legislation, if passed through parliament as proposed, will provide a solid basis upon which to build Government 2.0 in Australia.

A central objective of the Australian Government's FOI reform agenda is 'to increase recognition that information held by the government is to be managed for public purposes, and is a national resource'.[55] Discussion of PSI as a national resource is at Chapter 5.

2.2 Proposed new Australian Government Information Commissioner

The proposed Information Commissioner Bill 2009[56] outlines the establishment of a new statutory function in the form of an Australian Government Office of the Information Commissioner. This new Office of the Information Commissioner (OIC) includes a newly created FOI Commissioner position. The proposed legislation is an important policy underpinning of the government's desire to establish a pro-disclosure culture. The taskforce is encouraged that a more permissive approach to information management and government engagement appears likely. The proposed OIC can create the structural and functional basis for a Government 2.0 agenda. In particular, the Freedom of Information Amendment (Reform) Bill 2009 (FOI Amendment Act) acknowledges that the functions and powers given by the legislation 'are to be performed and exercised, as far as possible, to facilitate and promote public access to information, promptly and at the lowest reasonable cost.'

53 The proposed new objects clause will read as follows:

- The objects of this Act are to give the Australian community access to information held by the Australian Government, by:
  - (a) requiring agencies to publish the information
  - (b) providing for a right of access to documents.
- The Parliament intends, by these objects, to promote Australia's representative democracy by contributing towards the following:
  - (a) increasing public participation in government processes, with a view to promoting better informed decision making
  - (b) increasing scrutiny, discussion, comment and review of the government's activities.
- The Parliament also intends, by these objects, to increase recognition that information held by the government is to be managed for public purposes, and is a national resource.
- The Parliament also intends that functions and powers given by this Act are to be performed and exercised, as far as possible, to facilitate and promote public access to information, promptly and at the lowest reasonable cost.

54 Letter from Senator Faulkner to Secretaries, dated 30 April 2009, 'Open Government And Freedom Of Information', available at www.cabinetsecretary.gov.au/media/2009/docs/Letter_to_Secretaries_FOI.rtf or http://tinyurl.com/yfaafcl.

55 Freedom of Information (FOI) Companion Guide, p. 10, available at http://www.dpmc.gov.au/consultation/foi_reform/docs/Companion_Guide.pdf or http://tinyurl.com/yjbu3g4.

56 See http://www.dpmc.gov.au/consultation/foi_reform/index.cfm or http://tinyurl.com/d7ywkt.

Within the context of Government 2.0, the responsibilities of the proposed OIC[57] are important mechanisms to drive cultural change in the APS with regard to information disclosure and release.[58] Australia can potentially learn from the experience that the UK Government has had with their Information Commissioner and The National Archives in UK working together. In their submission NAA noted that:

> A Memorandum of Understanding between the United Kingdom Information Commissioner and the United Kingdom National Archives sets out how they will work together on promoting and monitoring a code of practice, issued under the FOI Act, which prescribes good practice in records management and applies to all FOI authorities and other bodies subject to the *Public Records Act 1958*. This could serve as a good model for cooperative arrangements between the National Archives of Australia and the proposed Office of the Information Commissioner.[59]

The reforms to FOI and related legislation that have already been made, taken together with reforms to be considered by Parliament in 2010, are likely to create a statutory office within the Australian Government which has as its objectives key elements of the Government 2.0 agenda.

The taskforce notes that the creation of an OIC, which is empowered to adopt a proactive approach towards achieving whole of government information management, would be an important enabling step toward greater recognition that government information is a national resource to be used for public purposes.

2.2.1 Public sector reform and Government 2.0

2.2.1.1 Reform of Australian Government administration

On 3 September 2009, the Prime Minister, the Hon Kevin Rudd MP, announced the formation of an Advisory Group on Reform of Australian Government Administration (the Moran Review) with the Secretary of the Department of the Prime Minister and Cabinet, Mr Terry Moran AO, as Chair.[60]

57 The Information Commissioner (IC) is to report to the Minister responsible for the IC legislation on broader information management matters (beyond FOI and privacy). The IC will be assisted in this function by an information advisory committee comprising senior officials from key agencies and suitably qualified persons external to government.

The IC also has responsibilities in connection with the proposed new agency information publication scheme, including assisting agencies to identify and prepare information for publication and issuing guidelines for that scheme. It could be expected that the IC's broader information management functions, would continuously inform responsibilities for the information publication scheme.

It is proposed that the new IC will have investigative powers with respect to complaints in relation to agencies' adherence with the new FOI legislation. Specifically, new processes are proposed whereby the IC would have discretion to investigate an action taken by an agency in the performance of its functions or exercise of its power under the FOI Act, and/or investigate agencies' conduct upon complaint by a member of the public. The taskforce considers the proposed investigative powers appropriate.

The Information Commissioner Bill 2009 proposes that the IC will review and report on how agencies are complying with the Information Publication Scheme and the Australian Government's policy and practice with respect to information management and the systems used for information management. The taskforce supports the establishment of a robust review and reporting function, and notes that the lessons generated are likely to capture considerable value (for example in ongoing policy development and agency benchmarking) for agencies and the new OIC.

58 The Information Commissioner Bill 2009 gives the Information Commissioner three functions, namely the 'information commissioner functions' which are concerned with reporting to government on broader government information management, the 'FOI functions' which are responsibilities relating to oversighting the FOI Act and the 'privacy functions' which are responsibilities relating to privacy including under the *Privacy Act 1988*.

59 National Archives of Australia Submission to Towards Government 2.0: An Issues Paper, p. 21–22, http://gov2.net.au/submissions/.

60 See http://www.dpmc.gov.au/consultation/aga_reform/index.cfm for detailed information.

The advisory group will deliver a blueprint for reform of Australian Government administration by early 2010. The blueprint will outline steps needed to rejuvenate the APS and enable it to serve the government of the day in addressing the challenges facing Australia in the 21st century.

The advisory group has released a discussion paper that canvasses a number of issues and raises a series of questions for discussion with the Australian people and public service.[61] The Moran Review has an aspiration to create the 'world's best public service' striving to put 'Australia and Australians at the centre of everything we do'. Web 2.0 tools and approaches provide one of the most powerful ways of achieving that goal. Government 2.0 can provide Australians with unprecedented opportunities to collaborate in a wide range of functions of government and to be more actively consulted about others.

2.2.1.2 Reform of the National Innovation System

The report on the Review of the National Innovation System, *Venturous Australia—Building Strength in Innovation* (the Cutler Review), was released by the Minister for Innovation, Industry, Science and Research, Senator the Hon Kim Carr, on Tuesday, 9 September 2008.[62]

The report identified that Australia's innovation system requires renewal, refurbishment, recasting and, where necessary, re-imagining. The report included 72 recommendations.

The report also covers areas viewed as critical for improving the innovation system, such as human capital, innovation in the public sector, government procurement, and governance issues.

This review impacts directly on the work of the Government 2.0 Taskforce. The review made recommendations relating to innovation and the use of Web 2.0 technology in the broad economy and in government. These have directly influenced the considerations of the Government 2.0 Taskforce.

2.2.1.3 Advancing public sector innovation

As a government response to the Review of the National Innovation System,[63] the Department of Innovation, Industry, Science and Research (Innovation) is leading a cross-government project to investigate how to advance innovation within and by the public sector under the auspices of the Management Advisory Committee (MAC). The project is expected to report to the MAC by the end of 2009.[64]

61 *Reform of Australian Government Administration: Building the world's best public service*, available at http://www.dpmc.gov.au/consultation/aga_reform/docs/reform_aust-govt_admin.pdf or http://tinyurl.com/yfuaq55. The paper indicates that the advisory group's discussion will be framed by the government's stated expectations of the public service:

1. Having a values-driven culture that retains public trust
2. Providing high-quality, forward-looking and creative policy advice
3. Delivering high-quality programs and services that put the citizen first
4. Providing flexible and agile responses to changing realities and government priorities
5. Being effective and efficient in all operations.

The discussion paper also notes that:

The fundamental purpose of the APS has remained constant (since federation). With strong roots in the Westminster system, the APS:

- serves the government of the day, including by striving to be a professional and rational advocate of ideas that are in the best long-term interests of Australia
- fulfils important accountability responsibilities, through ministers, to the Parliament
- serves the public, within the policy and program framework determined by the government.

62 http://www.innovation.gov.au/innovationreview.

63 http://www.innovation.gov.au/innovationreview.

64 See http://www.dpmc.gov.au/consultation/aga_reform/index.cfm for detailed information.

The project will develop recommendations and a strategy to foster a culture of innovation in the public sector. It will look at:

- encouraging 'bottom-up' innovation
- using new technologies and platforms to increase collaboration and to facilitate, disseminate and promote innovative practices
- identifying and addressing barriers to public sector innovation
- using innovative mechanisms such as pilots and trials
- drawing on external expertise and ideas from citizens and stakeholders
- using the above measures to improve service delivery.

This project and the Government 2.0 taskforce's work are complementary and the teams undertaking the two exercises consulted with each other.

2.2.1.4

APSC protocols on online media participation

Some public sector taskforce members expressed reservations about engaging online given the APSC's previous guidelines on online engagement, and the taskforce was very pleased to see the APSC's new Guidelines. (See Box 1).

The APSC has consulted widely, including with the taskforce, on the development of these guidelines,[65] with a focus on encouraging public servants to grasp the opportunities that social media provide whilst staying true to APS values and code of conduct. The guidelines recognise the opportunities that Web 2.0 provides for public servants to open up government decision making to contributions from the community.

Box 1: New APSC guidelines for online engagement by public servants

Web 2.0 provides public servants with unprecedented opportunities to open up government decision making and implementation to contributions from the community. In a professional and respectful manner, APS employees should engage in robust policy conversations.

Equally, as citizens, APS employees should also embrace the opportunity to add to the mix of opinions contributing to sound, sustainable policies and service delivery approaches. Employees should also consider carefully whether they should identify themselves as either an APS employee or an employee of their agency.

There are some ground rules. The APS values and code of conduct, including Public Service Regulation 2.1, apply to working with online media in the same way as when participating in any other public forum. The requirements include:

- being apolitical, impartial and professional
- behaving with respect and courtesy, and without harassment
- dealing appropriately with information, recognising that some information needs to remain confidential
- delivering services fairly, effectively, impartially and courteously to the Australian public
- being sensitive to the diversity of the Australian public
- taking reasonable steps to avoid conflicts of interest
- making proper use of Commonwealth resources
- upholding the APS values and the integrity and good reputation of the APS.

65 http://www.apsc.gov.au/circulars/circular096.htm

APS employees need to ensure that they fully understand the APS Values and Code of Conduct and how they apply to official or personal communications. If in doubt, they should stop and think about whether to comment and what to say, refer to the Code of Conduct, consult their agency's policies, seek advice from someone in authority in their agency, or consult the Ethics Advisory Service in the Australian Public Service Commission.

Agencies may find it helpful to provide guidance and training to employees in using ICT resources, including personal use, the use of social media, and any rules or policies about representing their agency online. It would be particularly helpful to workshop scenarios around some of the more complex or 'grey' issues that arise for employees in deciding whether and how to participate online, in the performance of their duties or otherwise, consistent with the above principles.

2.3 Policy into practice across Australia

Australia has been moving towards more open data management since at least 2001, which saw the release of the Spatial Data Access and Pricing Policy, making Australia a world leader in deliberately seeking economic and social benefits from moving away from selling data towards free distribution.[66] The Australian Bureau of Statistics (ABS) followed suit in the mid 2000s. Today both ABS and Geoscience Australia are again leading the world, both releasing much of their output using Creative Commons attribution only licenses permitting others to use and remix it with minimal cost and restriction (see Chapter 5).

Yet progress towards open government in Australia has tended to be the result of specific policy initiatives, such as those mentioned above, and the interest and enthusiasm of individual agencies.

The NLA, NAA and a number of museums such as the NMA and Sydney's Powerhouse Museum[67] have engaged Australia's citizenry in contributing their own time and content to enrich and improve national historical collections of text and visual material. Some government agencies and some individual public officials maintain blogs where they share their expertise and have informal discussions of professional matters of public interest.

66 http://www.osdm.gov.au/OSDM/Policies+and+Guidelines/Spatial+Data+Access+and+Pricing/default.aspx or http://tinyurl.com/kpgtsn.

67 In this report we use many examples of information which is generated principally by state or local government agencies. While our direct mandate is from the Australian Government, we have interpreted that mandate broadly. While our recommendations are, strictly speaking, recommendations to the Australian Government, many of the principles developed apply at the state level and all states are exploring the Government 2.0 agenda, though some are further advanced on the journey than others. We feel the use of such examples is useful both because the states control much of the data that affects people's lives most closely and because data collected by state agencies can and should often be the subject of national information agendas (as in the Council of Australian Government's (COAG) agendas in education and health).

Some states and local governments have also led the way with specific initiatives.[68] For example, the New South Wales Government is running Apps for NSW[69], and Mosman Council has a comprehensive social networking strategy, crowdsourcing photos and stories for 'Mosman Memories of My Street.[70] In the non-government sphere, OpenAustralia,[71] has been inspired by and adapting web sites built by the UK's TheyWorkForYou.[72] It aims to connect people to their parliament and their representatives.

2.4 Australia's international counterparts.

2.4.1 United Kingdom

In his *Smarter Government* speech on 7 December 2009,[73] UK Prime Minister Gordon Brown identified the 'radical shift of power to the users of public services, all users…' as the 'next stage of public sector reform'. Characteristics of this reform include increasing transparency and accountability through more access to public information, using public service performance data as a benchmark, investment in digital inclusion and moving more transactions online (only) in the next five years.

68 The Government Information Licensing Framework (GILF) project, a collaborative project between the Queensland Government and Queensland University of Technology Law Faculty (QUT), recognised internationally as a leader in the area, recommended and endorsed the use of CC licences to support sharing of PSI. See the GILF Stage 2 Report (October 2006) *Government Information and Open Content Licensing: An Access and Use Strategy* at http://www.gilf.gov.au/resources-gilf-stage-2-report. This project has strongly influenced later initiatives by federal and state government agencies. At the federal government level, the GILF project served as a catalyst for renewed effort on the development of a national information framework. It was reviewed and supported by the Cross-Jurisdictional Chief Information Officers Committee (CJCIOC) and was endorsed by the Ministerial Online and Communications Council (OCC) in 2007. There have also been moves to develop administrative frameworks to support the release of public sector information. The Queensland Government enacted the *Right to Information Act 2009*, implementing the recommendations of a review committee headed by Dr David Solomon in *The Right to Information: Reviewing Queensland's Freedom of Information Act* (June 2008). The Act contains a commitment to provide access to information held by the government, unless on balance it is contrary to the public interest. The Report of the Victorian Parliament's Economic Development and Infrastructure Committee, *Inquiry into Improving Access to Victorian Public Sector Information and Data*, has laid the foundations for the Victorian Government's policies on access to PSI. (see: http://www.parliament.vic.gov.au/edic/inquiries/access_to_PSI/ or http://tinyurl.com/nkbruu.). The South Australian Government endorsed the CC-based GILF in December 2008 and the Office of the Chief Information Officer advises that implementation has begun across South Australian Government departments through a working group of agencies and support from agency chief executives. In developing the Future Melbourne Plan, Victoria enabled participation through a wiki so that people could directly edit the document or comment on discussion pages (see: http://www.futuremelbourne.com.au/wiki/view/FMPlan or http://tinyurl.com/5s6xvx. The New South Wales Government has launched a data catalogue of public sector information, including publications, spatial information, raw data, audio visual files and web services from agencies state wide and funded prizes for the best uses of information (see: http://data.nsw.gov.au/catalogue?p=d and http://www.information.nsw.gov.au/apps4nsw or http://tinyurl.com/lcv2n2). In 2009 the Mosman Municipal Council (Sydney, NSW) adopted a Community Engagement Strategy to involve residents in participatory government and to promote the objectives of transparency and accountability in government. The strategy's stated agenda is:

> … to achieve a broader range of views to assist council in planning services better to meet community needs and aspirations and to provide residents greater opportunities to contribute to and influence outcomes which directly affect their lives.

The council has committed to providing open data and utilising social media and networking and licensing under Creative Commons licences to help them deliver on this Strategy. The Strategy itself is released under a Creative Commons Attribution-Noncommercial 2.5 Australia licence. See further: http://wiki.creativecommons.org/Case_Studies/Mosman_Municipal_Council.

69 http://www.information.nsw.gov.au/apps4nsw.

70 http://www.mosmanmemories.net/.

71 http://www.openaustralia.org/about/.

72 http://www.theyworkforyou.com/.

73 http://www.number10.gov.uk/Page21633.

This builds on earlier efforts by the UK Government which established a whole of government approach to Government 2.0 following the work of the *Power of Information Review*[74] in 2007 and the Power of Information Taskforce[75] on implementation which followed it. The taskforce's Show Us A Better Way contest generated over 500 submissions, made new datasets available for the first time and has resulted in funding of some new applications.

The *Power of Information Review* and the Making Public Data Public initiative[76] have led to a number of developments, including:

- the appointment in 2009 of a Director of Digital Engagement located in the Cabinet Office, with a mandate to work across government to implement the taskforce's recommendations[77]
- projects and services publishing public transport, environment and planning notices using semantic mark-up to make it easier to reuse
- a test site, data.gov.uk,[78] for authorised developers with the aim of making government data more widely available[79]
- the 'Local democracy, economic development and construction Bill',[80] which is expected to shortly pass into law. It requires councils in England and Wales to provide local residents with an online facility for both electronic and traditional petitions.

The UK has also been developing policies and implementing practices intended to make government information more easily available for reuse for a number of years. The Office of Public Sector Information (OPSI) is a part of the National Archives and works together with the Information Commissioners[81] and the Cabinet Office on a series of initiatives intended to bring greater coordination to making information more freely available.

The OPSI plays a key role in information policy by setting standards and encouraging the use and reuse of PSI. OPSI has operated from within the National Archives since 2006.

Its functions include oversight of the Information Asset Register,[82] a central source for the information resources of government (particularly unpublished resources) and the Information Fair Trader Scheme[83] which requires public sector agencies registered under the scheme to encourage reuse of public sector information.

Other aspects of information policy in the UK come under the umbrella of the Information Commissioner's Office. This office is an independent authority set up to promote access to official information and to protect personal information, through its oversight of legislation relating to data protection, freedom of information, environmental information and privacy and

74 http://www.england-legislation.hmso.gov.uk/advice/poi/power-of-information-review.pdf or http://tinyurl.com/ylqqo7p.

75 http://www.cabinetoffice.gov.uk/reports/power_of_information.aspx or http://tinyurl.com/yhexqmz.

76 Sir Tim Berners-Lee and Professor Nigel Shadbolt were asked by the UK Prime Minister Gordon Brown in June 2009 to lead the Making Public Data Public project to advise on how government can best use the internet to make non-personal public data as widely available as possible http://blogs.cabinetoffice.gov.uk/digitalengagement/post/2009/10/27/Stephen-Timms-reports-progress-on-Making-Public-Data-Public.aspx or http://tinyurl.com/ylq6b8r.

77 http://www.cabinetoffice.gov.uk/newsroom/news_releases/2009/090513_digital.aspx or http://tinyurl.com/oawvql.

78 http://www.kable.co.uk/data-gov-uk-beta-cabinet-office-23oct09 or http://tinyurl.com/y9pbqmm.

79 http://www.data.gov.uk.

80 http://services.parliament.uk/bills/2008-09/localdemocracyeconomicdevelopmentandconstruction.html or http://tinyurl.com/6hh8sb.

81 Scotland has its own Information Commissioner who regulates the *Freedom for Information (Scotland) Act 2002* which covers Scottish public authorities.

82 http://www.opsi.gov.uk/iar/index.

83 http://www.opsi.gov.uk/ifts/index.

electronic communications. It works with the National Archives, through a memorandum of understanding, to promote and manage the records management code.[84]

2.4.1.1 PSI initiatives in the UK and info-philanthropy

In addition to initiatives taken by government in the UK, a notable trend in the UK has been the development of Web 2.0 projects from outside government.

The charity MySociety.org,[85] for example, has been very active in establishing websites which simplify the interface between citizens and their government and track government responses. Such websites make government more efficient and accountable. This is a powerful example of 'democracy in action' using Web 2.0 tools.

These are examples of 'info-philanthropy', or the creation by individuals or not-for-profit based organisations of information assets (information itself or platforms for delivering and adding value to the information) as a public good from which many people will benefit. Examples discussed briefly elsewhere in this report include:

- FixMyStreet.com[86]
- TheyWorkForYou.com[87]
- PatientOpinion.com.[88]

2.4.2 United States

In January 2009, the day after his inauguration, President Obama issued two memoranda to agency heads which clearly set out his intentions for government to be accountable, transparent, participatory and collaborative. This followed the well-publicised use of information technology to engage with the public during his election campaign.

The Memorandum on Transparency and Open Government (21 January 2009)[89] called for transparent, participatory and collaborative government with the clear statement that 'My Administration is committed to creating an unprecedented level of openness in government.' In the memorandum, the Chief Technology Officer was directed to coordinate the development of recommendations for an open government directive.

The Memorandum on the Freedom of Information Act (21 January 2009)[90] called for accountable, transparent government and required agencies to administer the Freedom of Information Act 'with a clear presumption: In the face of doubt, openness prevails'. The memorandum contained an instruction that new guidelines on FOI, reaffirming a commitment to accountability and transparency, were to be issued. These guidelines, issued in March 2009, include an instruction that agencies should readily and systematically post information online in advance of any public request.[91]

On 8 December 2009 the United States Open Government Directive[92] was issued in response to the Memorandum on Transparency and Open Government. The directive intends to

84 http://www.nationalarchives.gov.uk/documents/mou.pdf or http://tinyurl.com/yhr5rh4.
85 http://www.mysociety.org/.
86 http://www.fixmystreet.com/.
87 http://www.theyworkforyou.com/.
88 http://www.patientopinion.org.uk/default.aspx.
89 http://www.whitehouse.gov/the_press_office/Transparency_and_Open_Government or http://tinyurl.com/oom98d.
90 http://www.whitehouse.gov/the_press_office/Freedom_of_Information_Act or http://tinyurl.com/yhjgqfm.
91 http://www.justice.gov/ag/foia-memo-march2009.pdf or http://tinyurl.com/ygbdxzp.
92 http://www.whitehouse.gov/open/documents/open-government-directive.

support the implementation of transparency, participation and collaboration as set forth in the Memorandum, and directs executive departments and agencies of the US Government on steps, including timelines, to:

- publish government information online
- improve the quality of government information
- create and institutionalise a culture of open government
- create an enabling policy framework for open government.
- PSI initiatives in the US include the following:
- The US data.gov site[93] aims to increase public access to machine-readable[94] datasets generated by the executive branch of the federal government. The site allows users to suggest other datasets for loading to the site. It also provides links to similar US state and local catalogues.
- The District of Colombia Data Centre[95] provides access to 405 datasets from a range of agencies. Users can subscribe to a live data feed and can access data in a number of different formats.
- The New York City Data Mine[96] is a catalogue of government-produced machine-readable data sets in a variety of formats.
- DataSF[97], in beta, provides links to a number of data sets from the City and County of San Francisco. It allows users to search for data sets using a number of criteria, comment on and rate data sets, and suggest additional data sets. The site requires users to register.
- Everyblock[98] offers a news feed for every city block in 15 cities. It addressed the question, 'what is happening in my neighbourhood?' by collecting local news, events and civic information.

2.4.3 New Zealand

Since at least 2007, New Zealand has been progressively working towards implementing Government 2.0 across a range of areas. In 2007, the New Zealand Government ventured into Government 2.0 with its guide to online participation noting that, 'new technologies will enable easier access to government information and processes. People will have improved opportunities to be informed and participate in government'.[99]

Early examples of online collaboration included:

- the Police Act wiki,[100] inviting ideas for a new Policing Act
- the Safer Journeys Discussion forums[101] for safer roads
- the Couch,[102] an online panel on issues facing New Zealand families operated by the Families Commission.

93 http://www.data.gov/.

94 Machine-readable formats store data in format that can be accessed by an automated sensing device and capable of being turned into some form of binary code. Examples of machine-readable media include (a) magnetic disks, cards, tapes, and drums, (b) punched cards and paper tapes, (c) optical disks, (d) barcodes and (e) magnetic ink characters http://en.wikipedia.org/wiki/Machine-readable_medium.

95 http://data.octo.dc.gov/.

96 http://www.nyc.gov/html/datamine/html/home/home.shtml.

97 http://datasf.org/.

98 http://www.everyblock.com/.

99 http://plone.e.govt.nz/policy/participation/online-guide-07.pdf or http://tinyurl.com/yeupekk.

100 http://www.policeact.govt.nz/wiki/.

101 http://forum.transport.govt.nz/index.php?topic=40.0.

102 http://www.thecouch.org.nz/.

More recent developments include:

- a guide to social media in 2007, as part of its status report on e-government:[103] information has been provided on identity and authentication to help people prove their identity to government service providers securely via the internet[104]
- the blog In Development[105] was launched in March 2008, containing links to a number of other government blogs
- the National Broadband map[106] was launched in 2008, providing a mashup of telecommunications fibre maps, locations of government offices and other broadband demand data
- guidelines were published for public servants use of social media in early 2009.[107]

As a result, examples of innovative use of Government 2.0 by government agencies in New Zealand have developed, including:

- The Companies Office which tweets[108] and podcasts[109]
- InfoConnect, New Zealand's Transport Agency, is developing application programming interfaces (APIs)[110] for transport related data
- Digital NZ[111] contains tools to work with New Zealand's digital content
- On 1 July 2009, the Ministry for the Environment (Manatū Mō Te Taiao) announced that it was making two important environmental databases—the Land Cover Database (LCD) and Land Environments New Zealand (LENZ) classification—available online, for free and licensed under an unrestricted Creative Commons licence[112]
- New Zealand's data.govt.nz[113] is a directory of New Zealand Government datasets which contains a facility to request datasets and make comments.

In August 2009, the New Zealand Government released a *Draft New Zealand Government Open Access and Licensing Framework* which recognises that the 'licensing of public sector copyright works for reuse on liberal terms and otherwise enabling greater access to their information and data may: bring about creative, social and economic benefits for the people of New Zealand; and foster greater transparency of government agencies' performance'.[114]

In terms of the UK's, the US' and NZ's approaches to licensing for PSI over time, a useful resource is the recent review by the Queensland University of Technology.[115]

103 http://plone.e.govt.nz/resources/research/progress/agency-initiatives/chapter6.html or http://tinyurl.com/yl9mrnd.

104 http:// www.i.govt.nz.

105 http://blog.e.govt.nz.

106 http://broadbandmap.govt.nz/map/.

107 http://www.ssc.govt.nz/display/document.asp?docid=7160 or http://tinyurl.com/ye6cl9l.

108 http://twitter.com/CompaniesOffice.

109 http://www.companies.govt.nz/cms/customer-support/training/homepage-content/latest-podcasts or http://tinyurl.com/ybcdhdh.

110 Application programming interfaces (APIs) are interfaces that a software program implements in order to allow other software to interact with it, much in the same way that software might implement a user interface in order to allow humans to use it. APIs are implemented by applications, libraries and operating systems to define how other software can make calls to or request services from them http://en.wikipedia.org/wiki/Application_programming_interface.

111 http://www.digitalnz.org/developer.

112 The databases are licensed under a Creative Commons Attribution (CC-BY) licence. See the Ministry for the Environment New Zealand website at http://www.mfe.govt.nz/ and http://www.mfe.govt.nz/issues/land/land-cover-dbase/index.html.

113 http://www.data.govt.nz.

114 http://www.e.govt.nz/policy/information-data/nzgoalframework.html or http://tinyurl.com.yhchmmy.

115 A Fitzgerald (et al), *Open Access Policies, Practices and Licensing: A review of the literature in Australia and selected jurisdictions,* QUT, July 2009, http://eprints.qut.edu.au/28026/.

2.5 Australian Government 2.0 stocktake

The 2008 Survey of e-government readiness[116] published by the United Nations Department of Economic and Social Affairs suggests that Australia is doing well in some respects but less well in others. Australia ranked eighth in the 2008 composite index of e-government readiness, just below Canada but above France and the UK (ninth and tenth respectively). Sweden ranked first, followed by Denmark, Norway and the US.[117] However e-government capability is a necessary but not sufficient condition for Government 2.0 approaches to thrive.[118]

Different historical, institutional and political contexts will affect the speed of transition of a country to a citizen-centred Government 2.0 model. While no other country is even close to fully embracing the possibilities of Government 2.0, some countries like the US enjoy particular structural advantages.[119] Leadership from US President Obama in early 2009 has mobilised action in the US Administration towards Government 2.0.

From 2007 to the present, the UK Cabinet Office has recognised the economic and social benefits of Government 2.0 and has put in place coordinated and centrally-driven reforms. The OPSI is a useful reference point for Australia's proposed OIC, as it has nearly two years experience in adapting to this new environment. New Zealand has also been actively building towards Government 2.0, particularly in licensing PSI, since 2007.

While Australian governments have made some encouraging moves towards Government 2.0, there has been limited leadership to drive coordinated action, particularly at the federal level.

Until some very encouraging developments occurred in the last few months, Australia has lacked an overall recognition of the potential of Government 2.0 at the whole of government level. As yet there is no coordinated governance framework to underpin individual agency efforts. This report seeks to provide that framework.

116 UN Department of Economic and Social Affairs, Division for Public Administration and Development Management, (2008), *United Nations E-Government Survey 2008: From E-Government to Connected Governance*, United Nations, New York. http://unpan.org/egovkb/global_reports/08report.htm or http://tinyurl.com/ye5btvp.

117 The e-government readiness index is a composite index comprising a web measure index (measuring government presence online), a telecommunication infrastructure index (how good is the infrastructure available to deliver e-services) and the human capital index (how well equipped are people to derive benefits from services in relation to literacy/education etc), p. 20 http://www.unpan.org/egovkb/global_reports/08report.htm or http://tinyurl.com/ye5btvp.

118 The methodology of the UN survey relates to e-government which is an indirect proxy for Government 2.0. It looks at aspects of the use and access in government of information and communications technologies rather than government take-up of Web 2.0 tools and approaches. However, in the absence of other comparative measures it assists in providing some context for the rest of this chapter.

119 See e.g. http://gov2.net.au/blog/2009/10/03/mr-gruen-goes-to-washington/ or http://tinyurl.com/yk2xno6.

3 The foundations of Government 2.0

3.1 The culture of Web 2.0

3.1.1 Public goods, serendipity and Web 2.0

A striking paradox helps us understand the dilemmas of Government 2.0.

All the most prominent Web 2.0 platforms for collaboration—like blogs, wikis and social networking platforms such as Wikipedia, Google, Facebook, Twitter and Flickr—are available without charge. They function as community assets. In fact they conform to the technical definition of public goods:

- being freely available no-one is excluded from enjoying them
- one person's enjoyment of them does not hamper others' enjoyment of them—indeed it typically enhances it.[120]

In traditional public policy thinking, governments supply public goods because individual firms have inadequate incentive to build value for others. Yet remarkably none of the major public goods of Web 2.0 have been built by governments.[121]

Thus although in a basic sense governments face the best economic incentives to build the public goods of Web 2.0 their internal culture is inimical to doing so. Web 2.0 evolved from the thousands of experiments in building value on the web. The culture that emerged was perfectly suited to capturing the extraordinary possibilities of the first 'serendipitous network'. By design, the internet imposes no gatekeepers between those in the network, and accordingly none between the creators of value and users.

As one of the architects of the internet, Vinton Cerf (2006), stresses the uniqueness and importance of this fact:

> Because the network is neutral, the creators of new internet content and services need not seek permission from carriers or pay special fees to be seen online. As a result, we have seen an array of unpredictable new offerings…[E]ntrepreneurs need not worry about getting permission for their inventions will [sic] reach the end users…This is a direct contrast to closed networks like the cable video system, where network owners control what the consumer can see or do.[122]

The internet thus provided a medium for rapidly scaling up innovations, making them available to all, and thus generating explosions of new value. This created huge incentives to experiment in search of successful innovation to build value to users. For if only a small fraction of that new value could be monetised in some way—with micro-payments, advertising, freemium[123] or some other business model—a lucrative business could be created. The new economics of the internet rewarded those who collaborated with others—so that they could together build value to the user—rather than seeking to control others. It also rewarded openness to the ideas of others—for others might provide some way to enhance the value of one's own offering.

120 Classic public goods in economics textbooks are defence and lighthouses. Traffic lights are a local public good. Web 2.0 platforms are typically super public goods because the value of the network rises with each participant.

121 Though the public good lies at the centre of the system, the initial engineering of the internet itself and some of the fundamental software of the world wide web have been projects of government. Other public goods of Web 2.0 have been built by the commercial sector and by individuals or organisations not primarily motivated by profit.

122 Quoted in Lee Robin S. and Wu, Tim, 2009. 'Subsidizing Creativity through Network Design: Zero-Pricing and Net Neutrality', *Journal of Economic Perspectives*, Summer 2009—p. 61–76, at p. 66.

123 The business model involving giving products away to some users while selling it to others.

The culture that emerged from this world was one that was flexible and adaptive of mediums—personal, immediate, provisional and, in consequence, informal. All these things mean that experiments are constantly run in Web 2.0 world, and as a result mistakes are constantly made. But they are equally readily corrected, sometimes by the original contributor, sometimes by others. We argue that governments should, indeed must, take on more of the cultural characteristics of Web 2.0. We do not imagine that they either can or should wholly replicate that culture. Our vision is one in which governments take into their own culture what is necessary to get the best out of Web 2.0—for there is so much to gain—without compromising their essential character as the heirs to the traditions of modern government.

3.2 Web 2.0 makes connections

The world that is the product of this culture and these tools makes connections.

Firstly, it facilitates connections between people who may be unknown to each other but who bring some particular kind of knowledge—whether it is local, ephemeral or technical—to the solving of some problem. Thus recently, someone who had been a literature lecturer but who had worked in America's mortgage industry became ill. Off work she took to blogging using her family nickname 'Tanta'. She described the sub-prime mortgage market with such humour and meticulous integrity that her posts became 'must reading' for economists seeking to understand the financial crisis, including Nobel Prize winning economists. 'Tanta' became sufficiently well known that she came to be cited in US Federal Reserve (the Fed) Research on the financial crisis without the Fed knowing her 'real' name. Before Web 2.0 this almost instant connection of 'talent' or local knowledge with circumstances was far less likely to occur.

Likewise people using a search engine are unlikely to know who has performed a similar search in the past, but the search engine 'connects' them. For it has 'learned' from the links of others searching particular terms, the links that are of most value to them and by inference to those who come after them.

Secondly, Web 2.0 enables data to be distributed to anyone on the internet for negligible marginal cost. Web 2.0 enables value to be added to data in myriad ways, by juxtaposing it with other data, by customising it for particular users and by allowing anyone and everyone who has the skills to transform it in ways that they find useful or that simply take their fancy.

3.2.1 Running the gauntlet of permissions

If governments are to become part of this world—as contributors and users of the vast potential of Web 2.0, their culture must encourage it. Right now it does not. Before government engages—whether it is by way of communicating with the public or releasing information—a panoply of permissions is required. In any but routine service delivery roles, officials are typically not authorised to speak to the public without substantial clearance processes. As documented in Chapter 5, before PSI can be made truly free for people to build on using Web 2.0 platforms, the hurdles that PSI must clear are truly daunting.

Instead of being immediate, government announcements and actions can take some time to be forthcoming while all possible stakeholders are consulted and points of view are considered. Instead of being informal, governments tend to speak formally with each word chosen very carefully. Government processes are intended to minimise the chance of making a mistake with little regard given to the potential costs this imposes on innovation—for it is virtually impossible to find new and better ways of doing things if one cannot experiment. And by definition a true experiment brings the risk of failure.

Box 2: Permissions, information innovation and serendipity

Free access to information and serendipity are closely related. A central fact about the human condition, ignored in many economic models, is that even at our most sophisticated we are only boundedly rational. A person or group cannot consider all possible propositions and information states they could encounter. Thus, the possible outcomes of any research project, large or small, can never be fully anticipated. Serendipity is central to our relationship to information.

Many serendipitous discoveries arise when a prepared mind makes a previously unnoticed connection between seemingly disparate pieces of information. The number of such discoveries that are possible in a given information network depend on the number of people with access to the network and on the number of connections they can potentially make. This is of the order the square of the number of pieces of information accessible to each member of the network.

Even seemingly moderate restrictions on the freedom of information may drastically reduce the potential for serendipitous discovery. This is true whether we are talking about freedom as in availability without payment or in another sense of the freedom to copy and tinker with others' work and ideas.

Suppose that requirements for paid access, or practices that put off participation reduce the number of network participants by 80 per cent (this seems likely given the general pattern in which most value accrues to the top 20 per cent of participants in any activity) and, that each participant only accesses 20 per cent of the information that would be available in the absence of those restrictions. Then the number of observed connections potentially available is only 0.8 per cent (0.2*0.2*0.2) of those that would be available without restrictions. While this is a purely illustrative example, there is no reason to suppose that it overstates the loss of potential discovery associated with restricting the size of networks.

In policy terms, the ubiquity of serendipity and the inherent impossibility of predicting serendipitous discovery or connection implies that there must always be a presumption in favour of free inquiry, free discussion and therefore of free access to information. This presumption may be rebuttable in particular cases, but the burden of proof should always be firmly on those arguing to restrict freedom.

Professor John Quiggin, Federation Fellow, University of Queensland[124]

Consider the case of a state government legal office advising an agency which had proposed to allow comments on a blog to be immediately displayed to the public and only afterwards 'post-moderated' as this taskforce has done without incident. The legal advice provided was that while the chances of the agency being unable to rely on the defence of innocent dissemination were relatively low—the taskforce considers them extremely low—the agency should avoid 'unnecessary risk'.[125]

Yet the advice offered no weighing of the perceived benefits of avoiding the risk against the costs of risk aversion. In this case those costs include the cost of increased resources to check each comment. More importantly pre-moderation affects users' experience usually requiring at least some hours to pass each time people are to exchange comments, with the blog effectively closed for exchanges out of hours. This impoverishes the discussion and robs it of participants who depart for other destinations because they cannot engage satisfactorily.

The difficulties the Social Inclusion Discussion Forum experienced in getting any real discussion going illustrate the point. (See Box 3).

124 Correspondence with the taskforce in the course of working on a project on the economic value of PSI.

125 Confidential correspondence of the taskforce.

Box 3: Taskforce member Lisa Harvey's observations about the social inclusion online discussion forum at www.socialinclusion.gov.au

Intended to provide a platform to discuss issues regarding the National Compact there were several apparent flaws in the strategy with the result being that as at the time of writing there has been just over 40 posts and comments in over four months, with more than half appearing to be from agency staff logins and only one idea on the ideas page.

Simply in terms of the technology there are some barriers that make it harder to participate than necessary—for example, people can't choose their own user name or use their email address and the password setting and registration are time consuming and frustrating. Answering three security questions, having a user ID chosen for me and strong password requirements (eight characters) was impenetrable enough.

People with less persistence than I will not complete the registration, let alone participate. Once my registration was approved (in itself a barrier to entry), in the discussion forums I cannot see any details of other users, and I cannot create a new topic of my own.

This should be a lively debate on an important national agenda, but the technology barriers make it feel difficult and unwelcoming.

Where agencies provide specific advice on risk management, as for instance security agencies do the agency may see itself as advising principally on the avoidance of risk and so may weigh those risks more highly than the possible benefits which may come from greater flexibility.[126] This is one reason the taskforce recommends that an agency be specifically identified as a Government 2.0 champion. (See s.3.4). For with such an agency's participation, the myriad detailed issues of policy and practice can be considered within the context of the benefits of an agency seeking to promote Government 2.0. This is a context in which a more balanced decision may be reached, and one in which officials are more likely to be motivated to find ways to manage the risks that are identified rather than treat them as reasons not to proceed.

3.3 Relinquishing control

Government must find a way of engaging far more with the community using Web 2.0 tools and approaches whilst remaining true to age old traditions of government. Officials should be able to express themselves informally, tentatively and candidly but they must also do so in ways that retain people's confidence that they are acting fairly, professionally and impartially. Ultimately these public service values can be delivered in a less hierarchical manner. They must be, if we are to get to Government 2.0.

Yet relinquishing control is rarely easy.

Before it is relinquished, those who have control find it hard to see why doing so might be beneficial, not just for others, but for *them*. Yet this is a microcosm of our success within and outside government in modern times. In government through the struggles of previous centuries, we have come to understand that the separation of powers—the decentralisation of power within government—is not a harbinger of chaos but a central requirement of the rule of law and a foundation of a free and prosperous society. Likewise following the admonitions of

126 See 'The Theory of SPIN: Serial Professional Innovation Negation' on the taskforce blog at http://gov2.net.au/blog/2009/08/04/the-theory-of-spin-serial-professional-innovation-negation/ or http://tinyurl.com/yl8ncym.

Adam Smith and his intellectual descendants more recently in Australia, commerce has thrived once restrictions on trade and commerce designed to strengthen them had been relinquished.

The success of the market itself is an illustration that freedom and the decentralisation of power works to tap decentralised knowledge if we can set the 'rules of the game' to reward experiments and innovation that is socially beneficial. In each case, the relinquishment of control from the centre enabled decentralised knowledge and responsibility to be tapped. We have to move in that direction to get to Government 2.0. But it will not be easy. The two immediate preconditions are strong leadership and coordinated action. These are elaborated in the next two sections.

3.4 Leadership

As a world leader in public administration and public policy innovation, Australia should be a world leader in the transition towards Government 2.0. Yet we have fallen behind for lack of leadership and coordinated whole of government action. Given the magnitude of the tasks we can no longer rely on the isolated enthusiasms and initiatives of individual agencies and public servants. Fortunately as documented above there are several signs of more coordinated action towards Government 2.0.

It is notable that in the two preeminent leaders of the movement towards Web 2.0—the UK and the US—leadership starts at the top with the head of government, not only endorsing the endeavour but being one of its most energetic champions. In the US, an 'unprecedented' level of openness has figured as a major goal of the Obama Administration and of the President himself. UK Prime Minister Gordon Brown has also recently made major announcements in support of greater information release and engagement.[127]

Given the government's aspirations for stronger, more coordinated governance and a renewed public service culture of openness and engagement as set out in our terms of reference, strong leadership is the first pre-condition to make the important cultural shifts articulated by Government 2.0 actually translate into practice.

127 http://www.number10.gov.uk/Page21634.

Central recommendation: A declaration of open government by the Australian Government

Accompanying the Government's announcement of its policy response to this report, a declaration of open government should be made at the highest level, stating that:

- using technology to increase citizen engagement and collaboration in making policy and providing service will help achieve a more consultative, participatory and transparent government
- public sector information is a national resource and that releasing as much of it on as permissive terms as possible will maximise its economic and social value to Australians and reinforce its contribution to a healthy democracy
- online engagement by public servants, involving robust professional discussion as part of their duties or as private citizens, benefits their agencies, their professional development, those with whom they are engaged and the Australian public. This engagement should be enabled and encouraged.

The fulfilment of the above at all levels of government is integral to the Government's objectives including public sector reform, innovation and using the national investment in broadband to achieve an informed, connected and democratic community.

3.5 The need for systematic changes to policy and culture: the case for 'whole of government' management

As observed above, the new Freedom of Information policies and the promulgation of very encouraging new Australian Public Service Commission (APSC) guidelines for online engagement set the stage for Australia to join other leading countries in pioneering Government 2.0. Overcoming these difficulties will be challenging and confronting for some government processes and agency cultures.

A compelling report commissioned by the taskforce from former senior Commonwealth official Mike Waller with the counsel of former Secretary of the Department of the Prime Minister and Cabinet Dr Peter Shergold summarised the situation thus:

- Information disclosure and reuse are necessary but not sufficient to deliver the transformation required in public sector agencies (and the people and organisations with whom they interact).
- Technology is a key enabler to which careful attention needs to be paid, but is unlikely to be a major impediment to delivery.
- The large part of the task is about refashioning large elements of the APS culture, structures and processes to deliver more interactive, citizen focussed policies, programs and outcomes.
- Elements of the necessary change agenda are in play but the pervasive and deep nature of the change agenda point to the need for clear accountability for overall delivery and role clarity amongst the many agencies with responsibilities for the constituent parts of the change agenda.

This advice from experienced former senior Commonwealth public servants and based on international experience accords with the taskforce's experience of the past six months. For Government 2.0 leadership to be effectively established and maintained, the right governance arrangements will be critical.

The following three conditions should inform the design of Government 2.0 governance arrangements:

1. A Government 2.0 lead agency should be appointed as the central and accountable focus at a whole of government level to drive the implementation of the taskforce recommendations. The lead agency should maintain a longer term commitment to the wider Government 2.0 agenda across the Australian Government.
2. The lead agency should itself reflect and reinforce the practices, habits and tools of Government 2.0 and so, model the principles of openness, engagement and collaboration.
3. The lead agency should ensure that the Government 2.0 agenda is part of the government's larger ambitions for public sector reform and public innovation. This reflects the taskforce's view that the Government 2.0 agenda is an integral part of systemic changes to the culture and practice of public policy and governance, the next step in a long evolution towards a more responsive and citizen centric public sector.

3.5.1 The case for a lead agency

Current responsibility for functions associated with Government 2.0 practices are fragmented across agencies in the APS. Table 1 below sets out some (although not all) of these agencies.

Table 1: Government 2.0—entities, roles and responsibilities[128]

Agencies/entities	Roles			
	Policy/resource allocation	**Program delivery**	**Advice/ advocacy**	**Audit/public reporting/other**
Government 2.0 Taskforce	Yes—time limited	No	Yes—time limited	No
Proposed Office of the Information Commissioner	Yes	No?	Yes—to agencies and the public	Yes—on performance of departments and agencies against FOI Act requirements for information plans
Department of Finance and Deregulation/AGIMO	Yes—on ICT architecture, policies and resources	Yes—e.g. cross government activities *Responsive Government A New Service Agenda*	Yes—to agencies on ICT issues	Yes—e.g. *Interacting with Government* *Australians' use and satisfaction with e-government services—2008*
Department of the Prime Minister and Cabinet	Yes—*Reform of Australian Government Administration: Building the world's best public service*	Yes—departmental performance information in relation to programs and 'system health'	No?	Yes?—e.g. in respect of broad public service reform outcomes
Public Service Commissioner	Yes—culture and people policies for the APS for Gov 2.0	Yes—people development	Yes—to agencies on people/culture issues	Yes—*State of the Service Reports*
National Archives of Australia	Yes—records management/archives policies	Yes—national collections	Yes	Yes—departmental record keeping practices
Line departments and agencies	Yes—topic specific input	Yes—front line delivery of 'content'	No	Yes—in respect of own performance via annual reports etc
Administrative Appeals Tribunal (AAT)	No	No	No	Hearings on disputed FOI requests

Source: Government 2.0 Taskforce Project 13, Government 2.0 Governance and Institutions: Embedding the 2.0 agenda in the APS, Heuris Partners

As detailed in Chapter 4, both the UK and the US have driven the Government 2.0 agenda with

128 This table is taken from the report of the Government 2.0 Taskforce Project 13, *Government 2.0 Governance and Institutions: Embedding the 2.0 agenda in the APS* by Heuris Partners http://gov2.net.au/projects/project-13/.

strong leadership and coordination.[129]

The functions of the lead agency should be to:

- provide leadership and act as a catalyst and exemplar of Government 2.0 to sustain the momentum of these reforms across the APS
- develop and maintain policies, guidance, education and support to assist decision makers to extend and improve the quality of online engagement, in conjunction with other relevant agencies
- work with agencies to develop and implement agency plans relating to online engagement and the use of online tools and platforms
- develop and maintain a toolkit to facilitate agencies' access to a menu of Government 2.0 tools and platforms
- capture and share agencies' learning about Government 2.0 through networks of practice
- recognise and reward outstanding practice and innovation in Government 2.0
- develop and report to government on the social and economic benefits of Government 2.0, in particular the value of published PSI
- position and embed Government 2.0 principles in the broader public sector reform initiatives undertaken by government.

Managing a successful and timely transition to a Government 2.0 culture has APS-wide implications. Experience in other jurisdictions has shown that strong political support driven by the leadership of a central agency is a common element of success in managing the required transition to Government 2.0. Thus the lead agency should be a central government agency with sufficient authority across the APS to ensure APS-wide commitment to necessary changes. The taskforce considers that the lead agency should come from within either the Prime Minister and Cabinet (PM&C) or Finance and Deregulation (Finance) portfolios.

The taskforce considered but rejected the proposed OIC as an appropriate candidate for the role of lead agency. The OIC's remit currently has only partial coverage of Government 2.0 and is primarily an audit and compliance function. To use the words of the Waller Report, the lead agency's role is that of advocate and coach. The taskforce agrees with the Waller Report that the lead agency and the OIC have strongly complementary roles, but they are distinct and best served by separate agencies.

The work program of the lead agency should be developed with and supported by a Government 2.0 steering group, in consultation with relevant agencies.

129 As noted in the Heuris Partners Project 13 Report:

> Gov 2.0 is not at bottom about technology or even ubiquitous access and use of public sector information. It is about a fundamentally different way of approaching much of the business of government. As such, it is highly desirable that one agency/executive carries ultimate accountability and one with the skill sets and leverage required to prosecute successfully and embed the change agenda across the APS.

Government 2.0 Taskforce Project 13, *Government 2.0 Governance and Institutions: Embedding the 2.0 agenda in the APS* by Heuris Partners, p. 23, http://gov2.net.au/project/project-13.

3.5.2 The lead agency as an exemplar of Government 2.0

Considered risk taking, experimentation, innovation and wide-scale citizen engagement will all be necessary features of a successful change program. The lead agency must be an exemplar of Government 2.0.

It is imperative that whichever agency is selected as the lead agency, it leads by example, modelling Government 2.0 in practice. Its mode of operation should exemplify and extend the possibilities of Government 2.0 principles and approaches in practice.

As documented in Chapter 7, the taskforce has sought boldly to adopt and demonstrate Government 2.0 in its operations. It helped foster the development of an extensive community which has matured into an active community of interest. A critical role for the lead agency will be to maintain and extend the role and reach of that community.

A project[130] to review the taskforce's success in demonstrating the potential of Government 2.0 outlined a proposal to develop a whole of Australian Government community of practice to enable communication and collaboration to further open access to public sector information and facilitate greater online engagement through a series of internal and external online forums to develop best practice policies, standards, data and guidelines.

To be successful, Government 2.0 must also remain closely linked to key public sector reform and renewal agendas. The lead agency will need to embed Government 2.0 principles and practices into changes following from the Advisory Group on Reform of Australian Government Administration (the Moran Review),[131] the Review of the National Innovation System (the Cutler Review)[132] and the *Review of the Australian Government's Use of Information and Communication Technology* (Gershon Review).[133]

Recommendation 2: Coordinate with leadership, guidance and support

2.1. A lead agency should be established within the Commonwealth public service with overall responsibility for advancing the Government 2.0 agenda, providing leadership, resources, guidance and support to agencies and public servants on Government 2.0 issues. Its work program should be developed in consultation with relevant agencies, for example Department of the Prime Minister and Cabinet, the proposed new Office of the Information Commissioner, Department of Finance and Deregulation, the Australian Public Service Commission, National Archives of Australia, Australian Bureau of Statistics, Department of Broadband, Communications and the Digital Economy, through a Government 2.0 Steering Group.[134]

2.2 The Australian Government should engage other members of the Council of Australian Governments to work with the lead agency to learn from each other and promote their successes in the development of Government 2.0 strategies.

130 Government 2.0 Taskforce Project 19, *Online Engagement Review* by Collabforge, http://gov2.net.au/projects/project-19.

131 http://www.dpmc.gov.au/consultation/aga_reform/index.cfm.

132 http://www.innovation.gov.au/innovationreview.

133 http://www.finance.gov.au/publications/ict-review/index.html.

134 This is not to preclude the possibility of one of the listed agencies being or including the lead agency.

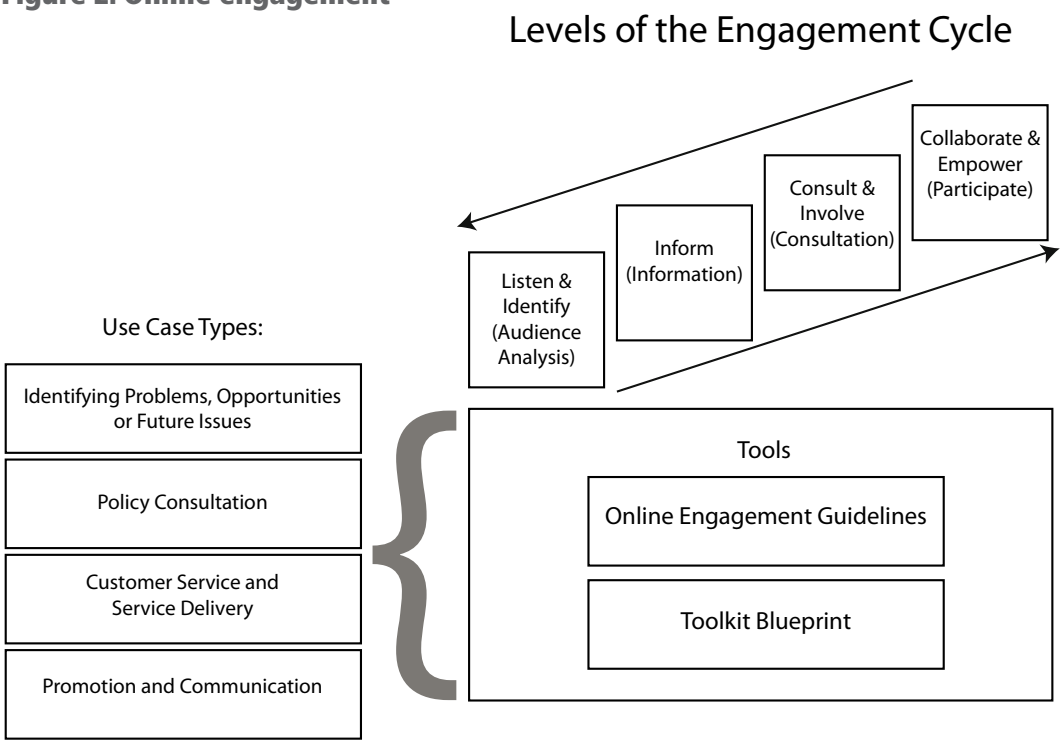
4 Promoting online engagement

> Collaboration—especially where it draws together different ideas and perspectives from academia, business, citizens and other stakeholders—is vital in terms of driving innovation and addressing this barrier is a vital component of overall APS reform. … The APS needs to nurture a culture where new, innovative and creative policies are explored and experimented with.
>
> The Moran Review into Australian Public Administration.[135]

4.1 Online engagement as a new way of working

The diagram below from one of the taskforce's commissioned projects describes the term 'online engagement'.[136] Online engagement is the more general term comprehending the range of activities from communicating with citizens to bringing them into direct collaboration with government using Web 2.0 tools. 'Online collaboration' refers to the processes of working together online with one or more people in order to achieve something.[137]

Figure 2: Online engagement



Source: Headshift 2009

135 *Reform of Australian Government Administration: Building the world's best public service*, p. 23 available at http://www.dpmc.gov.au/consultation/aga_reform/docs/reform_aust-govt_admin.pdf.

136 Government 2.0 Taskforce Project 8, *Online Engagement Guidance and Web 2.0 Toolkit for Australian Government Agencies* by Headshift, http://gov2.net.au/project-8.

137 Except where otherwise suggested, references in this report to Web 2.0 and expressions like 'online' include mediums that are not strictly part of the internet and which may not literally use cables, such as the mobile network.

The use of the internet as a platform for collaboration, the phenomenon of Web 2.0, is already transforming the economy and our way of life. Whole industries are being refashioned and citizens are being empowered to express themselves, organise, and collaborate in myriad new ways.

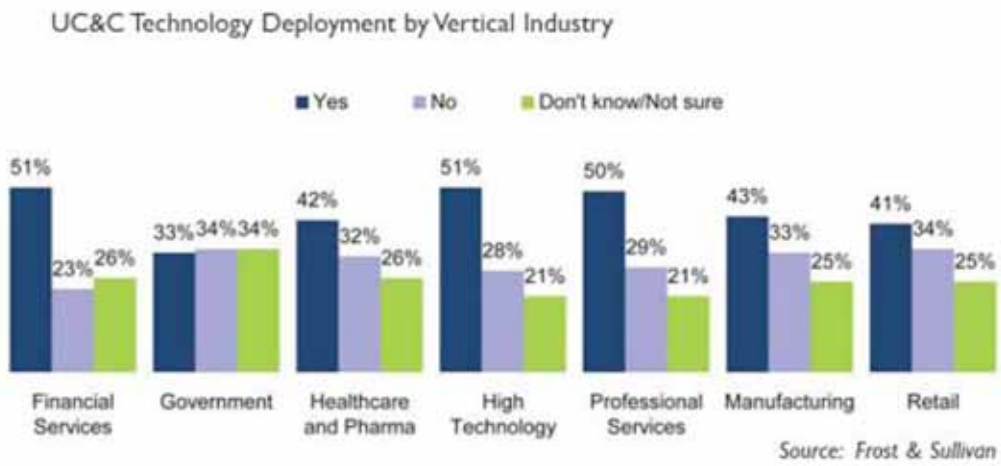
These phenomena offer powerful new opportunities to refresh and deepen the enduring principles and values of modern democratic government. They can make government not just more open and democratic, not just more consultative, but also more inclusive and a truer collaboration between the apparatus of the state and its citizens.

The inherent characteristics of Web 2.0 tools can present opportunities and challenges to government as it strives to reach out to citizens. Establishing a culture of openness and improvising improvements will be required to facilitate public servants' and agencies' ability and willingness to engage and collaborate online. When those outside government detect this preparedness to really engage, rather than simply go through the motions, they will be mostly likely to get involved and really contribute.

4.2 Getting to first base: accessing the tools

Access to work tools like web-based email (webmail), collaborative work spaces and instant messaging create powerful new possibilities for collaboration, particularly where collaborators are physically apart. Of all the sectors surveyed in a recent survey, governments had the lowest deployment of unified communications and collaboration technology.[138]

Figure 3: Technology deployment by vertical industry



Likewise Twitter, Facebook and blogs provide access to professional information and conversation. Few public servants have work access to these building blocks of Government 2.0. Public servants on the taskforce and members of the secretariat did not have access to instant messaging despite the fact that it was an important collaborative tool for other taskforce members.

138 Frost & Sullivan research sponsored by Verizon and Cisco, *Meetings Around the World II: Charting the Course of Advanced Collaboration*, 14 October 2009 p. 14 at http://newscenter.verizon.com/press-releases/verizon/2009/meetings-around-the-world-ii.html or http://tinyurl.com/ykemmef.

Legitimate security reasons limit access to some Web 2.0 tools, such as webmail, because it typically uses 'encrypted tunnels' which may necessitate expensive additional investment to secure against malware.

Some security reasons cited for not giving access are less convincing. For instance it is frequently argued that social networking tools raise the risk of people voluntarily disclosing confidential information. Yet employees have many opportunities to leak confidential information should they be so minded. It is unclear why these mediums should involve any qualitative change in the risk levels associated with phone or email exchange.

Management sometimes considers that Web 2.0 tools facilitate time wasting. However controlling time wasting is a management problem rather than a good reason to limit the productive use of these tools.

As a practical matter the lack of access to the tools makes online engagement impossible. As one public servant commented, having been referred to the taskforce's blog:

> Just tried to hit the link you included. This site has been categorised as 'Political/Activist Groups/Blogs/Personal Pages'.[139]

Further, demand for such tools is also a function of their supply, because people learn how to use them and their potential usefulness *by using them.*

To achieve Government 2.0 agencies need to:

- take much greater advantage of tools and practices to capture the expertise and experience of citizens, service users and front-line public service workers to enrich the knowledge from which public policy and service delivery decisions are made
- use Web 2.0 tools as a major contribution to the task of refreshing and renewing the public service as a critical institution in Australia's governance
- recognise that the more open and connected techniques of communication and knowledge sharing should also fuel innovation in the search for new responses to the difficult policy challenges of a complex, networked world
- use these tools internally to engage with their own staff and with staff across the public service.

Further, wherever possible public agencies should build these tools as they become available rather than 'reinventing the wheel' internally. Tapping into existing tools enables agencies to tap into billions of hours of experience in building, fixing and adapting these tools to improve their performance—including improving the experience users have of them. And as is the way on Web 2.0, some agencies will adapt the tools and so make their own contributions to the commons of Web 2.0 platforms for government for the benefit of other agencies with like needs in Australia and other countries.

Box 4: A government agency's early experience with Web 2.0

It's worth sharing our early experiences with Web 2.0. In 2002 we had visionary staff who wanted to build a Web 2.0 space called *My Museum* as a component of a much larger website redevelopment and content management system project. Users would become members, select images of objects in our database, add captions, and upload their own images and captions. In short, users would curate and share their own online museum exhibitions.

139 http://apsozloop.ning.com/xn/detail/3812050:Comment:1530 or http://tinyurl.com/ydt7n6l.

My Museum was part of the stage two rollout of the project. By the time it was released, Flickr and YouTube had arrived with simpler interfaces, an easier process for joining and more sophisticated functionality. The commercial web space was moving much faster than *My Museum* and they ran right past us.

More importantly, we learned that we had been thinking about Web 2.0 as a technology rather than a human online community. We needed to plan for ongoing engagement—for museum staff to be part of building a community, to join with *My Museum* members in creating great online exhibitions, to showcase staff members' exhibitions as well or invite 'guest' online curators as SFMOMA[140] has done in its Collection Rotation online feature. If we were developing *My Museum* today, we would focus on the human participants in the social media space and develop the technologies to fit the humans. We would also choose a much more rapid and flexible development process, able to respond quickly to innovation in the wider context. And we would ensure that museum staff had both the time and the skills to participate and communicate effectively within the space.

Submission by Tikka Wilson[141]

4.3 The promise of open and citizen-centred government through online engagement

> Will Rogers famously said that 'everybody is ignorant, just on different subjects'. One of the lessons of modern social media is that the reverse is also true: everyone is knowledgeable, just on different subjects. Social media provides unique ways to tap into that knowledge.
>
> Bittle, Haller and Kadlec[142]

Web 2.0 tools enable people of like mind and purpose to locate each other, and to work towards common goals. Where this works well, Web 2.0 can potentially lower costs, increase flexibility, improve quality and also the satisfaction of those performing useful tasks. This vastly increases the extent to which we can have 'organisation without *organisations*'.[143]

First pioneered in software, Web 2.0 has propagated the 'open source' method of production in all manner of new areas beyond the production of software. The most radical projects like Wikipedia emulate open source software in the sense that, once the platform is built, users literally build the whole product. There may be some projects—for instance the National Library's newspaper digitisation project—which at least in principle could be almost entirely run in this way if there were sufficient online volunteers to do it. More usually governments will use Web 2.0 as a powerful tool within existing structures.

In this regard, elements of open source production are now often used to complement traditional management. A forerunner of these trends was the Japanese management revolution of the 1970s and 80s in manufacturing production—particularly identified with Toyota. Toyota management systems were built to encourage learning at all levels of the enterprise by accessing

140 San Francisco Museum of Modern Art (SFMOMA), http://www.sfmoma.org.

141 Tikka Wilson, Submission to *Towards Government 2.0: An Issues Paper,* http://gov2.net.au/submissions/.

142 Scott Bittle, Chris Haller and Alison Kadlec, 2009, *Promising Practices In Online Engagement* at http://www.publicagenda.org/pages/promising-practices-in-online-engagement or http://tinyurl.com/nty9fw.

143 Clay Shirky, (2008) *Here Comes Everybody: The Power of Organizing Without Organizations*, (2008) p. 29–30.

not just the local knowledge of all employees but those outside the organisation like customers and suppliers.[144]

Today Web 2.0 enables firms to draw their customers into many of the processes of research, design and production, giving them a new 'voice' and enlisting them in many ways as co-producers of the products themselves. The same possibilities are increasingly open to governments allowing them to collaborate with citizens and across agencies to improve policy research and advice, the design and delivery of public services, and continually improve regulation.

There is growing evidence from Australia and around the world that public sector agencies are experimenting with the growing array of social networking tools and applications.

Box 5: Innovative uses of Web 2.0 in government: some examples

In New York, a website, SeeThroughNY is giving a clearer view of how state and local tax dollars are spent, allowing taxpayers to share, analyse and compare data from other jurisdictions and authorities.[145] Intellipedia is a Wikipedia-inspired tool to make it easier for the multiple agencies involved in homeland security in the US to collaborate and speed up the provision of high-quality and timely advice to the government.[146]

The UK Department of Innovation created widgets that allow people to lift consultation questions onto their own websites. The state government in Utah created the first iPhone app for government, which allows people to lookup agencies and services and news from Utah.gov.[147]

The rapid growth of examples from governments around the world has prompted a suitably Web 2.0 response: one site collects examples of good practice with Government 2.0 applications and solutions around the world.[148] A page on Victoria Online collects examples of Victorian agencies using Facebook specifically as part of their social media and networking strategies.[149]

Companies like Bang The Table are using social networking platforms to lift the quality of the discussion around sometimes contentious policy issues.[150] Recent issues include the rail line into the central business district of Newcastle, Hornsby Shire Council's housing strategy and the update of the Canberra social plan have used Bang The Table's platform.

The Peer-to-Patent project in Australia[151] will draw value from finding just the right person in the community. Opening patent applications to online peer review, or crowdsourcing, will help to find the 'needles in haystacks' which may demonstrate a patent application has been anticipated elsewhere. This will not only lower costs to government but, more importantly produce more accurate search results.

144 See e.g. Dyer, Jeffrey H. and Nobeoka, Kentaro, 2000. 'Creating and managing a high-performance knowledge-sharing network: the Toyota case' *Strategic Management Journal*, Volume 21 Issue 3, p. 345–367, http://www3.interscience.wiley.com/journal/71001350/abstract?CRETRY=1&SRETRY=0 or http://tinyurl.com/yll8px4.

145 http://www.seethroughny.net/.

146 http://www.ciocentral.org/entry/intellipedia-the-intelligence-wikipedia/ or http://tinyurl.com/ygpyam7.

147 http://www.mobilewhack.com/utahgov-announces-two-free-iphone-apps/ or http://tinyurl.com/cy55b3.

148 http://www.sfmoma.org.

149 http://www.vic.gov.au/social-media/facebook.html.

150 http://www.bangthetable.com/.

151 The Australian Peer-to-Patent project is part of the international expansion of Peer-to-Patent into jurisdictions outside the United States. It operates with the support of IP Australia and is the result of the collaborative efforts of the Queensland University of Technology Faculty of Law and New York Law School http://www.peertopatent.org.au/.

4.4 Connecting people, problems and solutions

Online engagement vastly increases the range, type and mix of expertise on which complex and challenging decision processes can draw. This is particularly useful where issues are complex, contentious or involve conflicting values and assumptions. Government 2.0 allows access to more open, diverse knowledge base from which to draw to improve the chances of seizing an opportunity or solving a problem.

In this regard the taskforce endorses the views of the Government's Advisory Group on the Public Service Reform (the Moran Review) quoted at the head of this chapter. Emerging practice is moving beyond 'consultation' towards true policy collaboration between those within and those outside government agencies. This implies a shift in thinking and practice at both a cultural and managerial level in the public service. The promise of Government 2.0, at least in part, is to spread the search for both formal and experiential, or informal, expertise. Having located this expertise, it is important to find ways more effectively to integrate that knowledge into the deliberation and decision making process.

The collaboration of those outside government brings a potential difference in the kind of contribution they can make. While public servants bring types of knowledge and expertise to bear, there will increasingly be a range of people outside government with their own expertise, personal and professional insights to contribute. In many cases, this will derive from their perspective as service *users,* or their local knowledge or some other expertise.

This phenomenon has been identified by Beth Simone Noveck in her work on 'wiki government'.[152] Technology now offers the opportunity for policy development and service delivery to be simultaneously more democratic and more expert. We have the capability to fashion much more open and connected approaches. Those approaches will recognise that in some cases, those on whose expertise we want to draw may be found outside the particular agency developing policy or delivering services. They will be found in other agencies which interact with the delivery agency, in communities of users of services or general interest groups in Australia or indeed elsewhere.

James Surowiecki's book *The Wisdom of Crowds* begins by pointing out that on the game show Who Wants to be a Millionaire, asking the crowd produces a right answer over 90 per cent of the time whereas phoning a smart friend—the closest the contestant can come to an expert—generates correct answers just 65 per cent of the time.[153] The point is not that all those in the audience know more than the expert, but rather, that to answer some questions, providing one has some plausible way to identify those with the specific expertise required, more minds addressing the problem increases our chances of finding a solution. Citizens with expertise, experience, local knowledge and professional insights can contribute their perspectives as service *users* or interested participants.

Understanding the value of crowdsourcing does *not* discount specific expertise and the policy experience of Australia's public servants. It certainly isn't a claim that any and every problem can simply be crowdsourced to a successful solution. Many issues require specific expertise, but even here, a well cultivated community of discussion can widen the circle of knowledge and expertise on which government agencies ultimately make their own judgements.

152 Beth Simone Noveck (2009), *Wiki Government: How technology can make government better, democracy stronger, and citizens more powerful*. Brookings Institution Press, Washington DC.

153 James Surowiecki (2004), *The Wisdom of Crowds*. Doubleday, NY.

4.5 Opportunities and challenges to online engagement

Web 2.0 raises questions both for public sector agencies and for public servants about managing the transition to greater online engagement. The taskforce's recommendations follow from its consideration of the opportunities and challenges to online engagement.

4.5.1 Improving the work of individual public servants through Web 2.0.

Public servants are concerned to understand how online engagement tools can:

- leverage and further develop their existing expertise
- improve the quality of their deliberations
- extend the range of their information sources
- improve the skill and ease with which they assess issues and offer possible solutions.

Addressing these challenges is equally relevant for large private and civil society organisations as well as for those in the public sector. Whilst policy change can assist in the transition, a good deal of the change will only happen as a result of increased training and support.

The lead agency needs to work with relevant agencies to develop and provide:

- guidance and training so that decision makers can make good decisions about engaging online. This should also include a series of 'how to' guides for agencies on engaging online and using Web 2.0 tools
- a 'help desk' for online engagement advice
- tools: the Australian Government needs to establish a Government 2.0 toolkit to give agencies a menu of tools and approaches. The toolkit could include tips on and access to preferred software accessible with pre-negotiated licenses. The lead agency could also provide access to established networks of expertise for instance in providing community engagement, moderation and other services.

Box 6: At arm's length

Several major agencies have commissioned work that demonstrates the value of online engagement using external platforms. While these sites have not been run by the agencies themselves, they do provide them with access to communities of interest. Agencies can engage with these communities of interest to discuss issues, share information and content and observe the conversation. This way, the agency can conduct consultation and engagement 'at arm's length'. Accessing external services, such as a blogging platform, removes the requirement for agencies to run the process, leaving them free to focus on achieving their desired outcomes. It can also save them from placing themselves in the invidious position of moderating others contributions.

The Human Rights E-Forum:[154] The forum was established by the Institute for Cultural Diversity with funding from the Australian Human Rights Commission (AHRC) to provide a place for people to discuss issues of human rights in a cultural diversity context. The AHRC participates by providing content and by monitoring the discussions.

The Homelessness Information Clearinghouse:[155] The Deparment of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) funded the development of this information site to provide news and information specifically for organisations involved in the delivery of homelessness services. This site also includes a platform for communities of practice. Several of these include members from within government and outside.

154 http://www.culturaldiversity.net.au.

155 http://www.homelessnessinfo.net.au.

Human Rights consultation:[156] The Open Forum was commissioned to run an online consultation on the Human Rights in Australia. This was a time-limited engagement rather than an ongoing conversation, but demonstrated that existing tools and expertise can be harnessed to provide effective consultation, without the need for agencies to manage the entire process in-house.

4.5.2 Reporting online engagement by agencies

Agencies need to accelerate their use of Web 2.0 technology and adopt a more open and collaborative culture if they are to reap the benefits. Yet while embracing Government 2.0 requires strong leadership, the engagement must be genuine rather than imposed from above. For this reason, it is important for agencies to build their experience on Web 2.0 with specific projects, particularly by those who are keen to adapt government to the new medium.

In addition, it is important for the success or otherwise of these endeavours to be measured and reported. The APSC reports on a range of activities across the APS in its annual State of the Service Report. Its report for the 2008–09 financial year contains the first systematic information on which agencies are using Web 2.0 tools like Twitter and Facebook.

The APSC's reporting on the use of Web 2.0 tools should be developed further to support the measurement and reporting of agencies' progress towards Government 2.0.

Recommendation 3: Improve guidance and require agencies to engage online

3.1 To make government more consultative, participatory and transparent, the lead agency, in consultation with other relevant agencies, should issue and maintain guidance to improve the extent and quality of online engagement by agencies.

3.2 Using this guidance, in conjunction with the lead agency and within 12 months of Government's response to this report, all major agencies[157] should:

- 3.2.1 identify barriers within their organisation which inhibit online engagement and document what they will do to reduce these barriers
- 3.2.2 identify and document specific projects to make use of social networking and 'crowdsourcing' tools and techniques to enhance agency policymaking, implementation and continuous improvement
- 3.2.3 identify and document specific projects to increase the use of online tools and platforms for internal collaboration within their agency and between agencies that they work with across the public sector.

3.3 The Australian Public Service Commission (APSC) will include in the annual State of the Service Report details of agencies' progress in implementing the above recommendations, covering successes, disappointments and lessons learned.

3.4 Subject to security and privacy requirements, all public inquiries funded by the Australian Government should ensure that all submissions are posted online in a form that makes them searchable, easy to comment on and reuse. The Government 2.0 lead agency should encourage those conducting inquiries to use interactive media such as blogs to publicly discuss emerging lines of thought and issues of relevance.

156 http://www.openforum.com.au/NHROC.

157 All departments of state and material agencies see http://www.finance.gov.au/publications/flipchart/index.html or http://tinyurl.com/yhkrbe2.

4.6 Engagement and intrinsic motivation

While traditional consultation methods can typically take months, with the production of issues papers, the taking of submissions and writing of reports, platforms such as bulletin boards and blogs can provide ongoing and very rapid feedback between government and the community. As David Williams[158] said to the taskforce in an online submission, 'I don't think that the imagination of the citizens needs capturing—they just need the opportunity to participate'.

Intrinsic motivation is recognised as a crucial ingredient of much of the best quality work where high levels of skill and knowledge are required. There is still a long way to go to understand the importance of intrinsic motivation or of how to maximise it in the workforce, but it seems clear that it is critical to highly skilled activity. Eric S. Raymond attributes a good deal of what he argues is the superiority of open source modes of working to intrinsic motivation:

> 'Fun' is therefore a sign of peak efficiency. Painful development environments waste labor and creativity; they extract huge hidden costs in time, money, and opportunity.[159]

Service to others is a motivator of most people who make major volunteering commitments, including online.[160] The ethic of voluntarism coupled with the openness of online collaboration has typically led to a culture in which status and recognition are a function of the quality of contribution. This is judged by those who share an interest in the common ambitions of the community or network itself.

There are various ways in which the value that this brings can make a contribution to government. Firstly, governments can tap more confidently into online collaboration. Some of those who self-organise around an issue of shared interest are likely to have particular expertise and aptitude which can complement government resources.

Some of the innovation in welfare and service funding in countries like the UK demonstrates this. People with disabilities and older people, are being funded more directly, allowing them to invest resources to reflect their better knowledge of their need and context.[161] Providing matters of probity are appropriately dealt with, this level of expertise and insight could be drawn more closely and explicitly into the policy design and service delivery process.

This can be taken further. Should they wish, the best volunteer contributors—whether that contribution is correcting text or discussing policy alternatives—might be afforded greater recognition and respect. This might in turn be reflected in greater responsibility or more opportunities to contribute over time, in the way that salaried public servants are offered promotions. At the very least this would widen the pool of talent available to perform various tasks. It might also provide pathways, which, providing candidates were otherwise appropriate, might lead to greater levels of responsibility.

Perhaps new pathways could complement existing career pathways in public service. These new pathways could be built, as structures of authority are built in the world of open standards and open source software. They would be based on self-selection, enthusiasm and a record

158 David Williams, online submission to *Towards Government 2.0: An Issues Paper* http://gov2.net.au/consultation/2009/07/23/towards-government-2-0-an-issues-paper-final/ or http://tinyurl.com/mt4rgb.

159 Eric Steven Raymond (2003), *The Art of Unix Programming*, http://catb.org/esr/writings/taoup/html/index.html at http://catb.org/esr/writings/taoup/html/ch01s05.html or http://tinyurl.com/yf9eqnw.

160 All of those quoted in a report on the motivations of those correcting text errors in digitisations of historic newspapers for the National Library mentioned the way in which their work helped others as one of their motivations. Holley, Rose, March 2009, 'Many Hands Make Light Work: Public Collaborative OCR Text Correction in Australian Historic Newspapers', National Library of Australia, http://www.nla.gov.au/ndp/project_details/documents/ANDP_ManyHands.pdf or http://tinyurl.com/yk34add, p. 17–18.

161 See, for example, In control in the UK, http://www.in-control.org.uk/site/INCO/Templates/Home.aspx?pageid=1&cc=GB or http://tinyurl.com/5hqjtt.

of aptitude and contribution in the field. Just as these values can be brought inside traditional organisations, firms in the Web 2.0 world are successfully experimenting with means of adapting aspects of this kind of voluntarism to their own organisational structures.

One approach which a number of software companies have experimented with is enabling employees to spend some of their time on projects which are for the benefit of the firm, but which they are free to choose. Employees with a creative idea have the authority to try it out, and to try to persuade others to collaborate. In this process, they create some of the organic possibilities and associations typical of the undirected spontaneous activity of markets and civil society.

If such an approach were centrally imposed on agencies it might simply reduce productivity. Nevertheless, tapping into the intrinsic motivation of public servants, and encouraging a greater degree of self selection for tasks is an important challenge for the public service. Approaches which have their origins in the culture of Web 2.0 might be trialled, either in pockets of the service or in recognition of particularly creative and well-motivated public servants. Recommendation 4 encourages agencies to take measured steps in this direction.

4.7 Public servants, public, private and professional practice

Virtually all formal organisations distinguish between the official and private activities of their officers. The distinction is central to the culture of the public service. The APS Code of Conduct and associated documents have well-developed protocols for making these distinctions, although the issues remain inescapably subtle and require considerable judgement in their application.

However, between the 'ideal types' of public servants officially putting forward their agency's position and their speaking in a private capacity, there is much middle ground. In negotiating this terrain, public servants may find official stipulations, codes of conduct and other guidance useful. Yet for the distinction to be practically useful, they must have an intuitive 'feel' for how these apply as they negotiate the public space of the internet in 'real time'.

To date public servants have taken an extremely cautious approach. There is a rich array of blogs hosted from within Australia and elsewhere which provide a valuable avenue for professional discussion. It is true that such blogs sometimes descend into party political debate and even acrimony. It is appropriate that officials avoid public debate of this kind unless it is seen as strictly private activity (and even here senior officials should show sensitivity). Yet much discussion on blogs covering public and professional issues is not rancorous or highly partisan. Yet, except for some pseudonymous participation, Australia's public servants are largely absent.

Box 7: On the role and regulation of public servants

In an environment of open consultation and perpetual beta, errors and omissions become matters of public record. As such public servants need to be provided room to fail, if they are not to be forced into paralysis or subversion of the access policy. To operate successfully Government 2.0 must accept the existence of errors and implement tight corrective feedback loops seeking a trajectory of increasing accuracy. It cannot work if public servants are in constant fear of criticism and rebuke for the errors and omissions that are a natural part of any drafting or problem solving process. It is also worth noting here that a shift from being authors of policy to public curators frees public servants to collaborate as citizens in the public contemplation of policy.

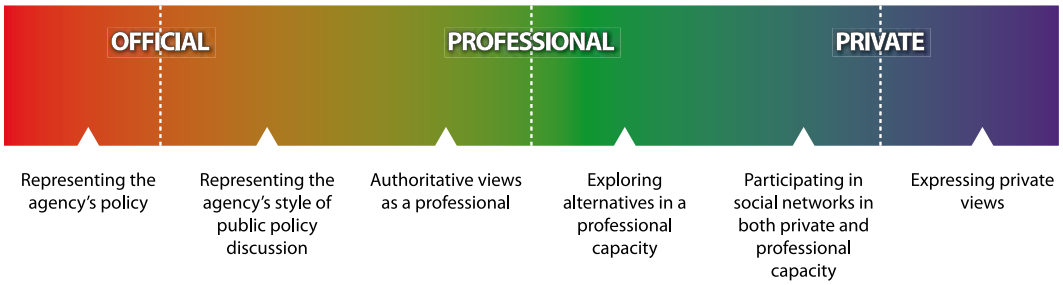
Submission by Andrae Muys[162]

162 Andrae Muys, Submission to *Towards Government 2.0: An Issues Paper* http://gov2.net.au/submissions/.

Generally, engaging with the tools and platforms of social networking should be accepted as a valuable and productive way for public servants to share and develop their expertise. In that sense, they should be accepted as an integral part of their professional development toolkit.

For instance a public servant may be engaging in social networks, discussing both private and professional matters. Keeping their social connections with other professionals—including from other countries—enhances their network of contacts and possibly enables them to improve their performance. It is certainly something for which agencies pay when they fund conference attendance. In a discussion on a prominent blog, it could be helpful for public servants to discuss issues and explore alternative views as a professional rather than as a representative of the agency.

Figure 4: The spectrum of activities for public servants



Source: Government 2.0 Taskforce

In the right context, particularly where it was not some matter of heated party political debate, a public servant might discuss their own professional judgement as to the pros and cons of various policy options, providing it was clear that they accepted whatever view the government of the day or their agency had or might come to. As the Minister for Finance and Deregulation, the Hon. Lindsay Tanner MP commented; 'While no one is suggesting that we allow public servants to simply tell reporters what is on their mind, they should feel free and encouraged to engage in robust professional discussion in public including online.'[163]

The taskforce agrees with Google's submission to it:

> Members of the Australian Public Service should be able to make attributed comments in fulfilment of their official duties and as part of their work environment that do not necessarily represent the views of their agency, and the default might be that their views do not unless stated otherwise. This is the customary default setting by corporations that permit their employees to blog on an attributed basis, then backed by internal protocols and approval processes as appropriate to the organisation and its culture.[164]

The taskforce believes that the existing culture of the APS focuses on online engagement as a risk rather than a benefit. This means that agencies do not consider the huge opportunity online engagement offers to advance their mission and to boost the professional capability of their staff. The recent revision of the online engagement guidelines from the APSC represents an important step towards a culture that focuses on reward and not just risk.

163 Minister for Finance and Deregulation the Hon. Lindsay Tanner MP, speech to Government 2.0 Conference, CeBIT Australia, Canberra, 19 October 2009, http://www.financeminister.gov.au/speeches/2009/sp_20091019.html at http://tinyurl.com/yfkb3pd.

164 Google, Submission to *Towards Government 2.0: An Issues Paper* http://gov2.net.au/submissions/.

In this regard Andrea Di Maio's words about the absence of public servants from much discussion of Web 2.0 are apposite:

> Wouldn't it be appropriate to single them out and finally recognize that they are an asset government should leverage, through a wise use of 'Government 2.0'?—It is as if employees were considered legacy, just part of an organization that will be transformed, and not the real fuel and soul of those organisations.
>
> Until when their role will be given equal dignity as 'citizens', Government 2.0 will remain an interesting subject for discussion, will marginally contribute to service improvement, but won't realize a fraction of its potential.[165]

If individual public servants do not feel either encouraged or empowered to use these new tools and platforms and actively to incorporate them into their professional practice, realising the promise of Government 2.0 will be much harder. In many ways, the behaviour of public servants and their managers, as they embrace or try to limit the possibilities of social networking, will determine whether Government 2.0 remains essentially 'embroidery' on the edge of, or fundamentally changes, mainstream practice in the public service.

This issue has been the subject of one of the liveliest extended conversations on the taskforce blog.[166] It has also been the subject of some significant changes, during the course of the taskforce process, in the guidance offered by the APSC about online engagement by public servants.

On the blog, the taskforce invited contributions to an exercise that took a blank sheet of paper approach to the question 'how would you write the guidance for public servants about the most effective and appropriate way to manage their online engagement?' The idea of the exercise was to see what would emerge if, just for the purposes of this conversation, no account was taken of the current or comparative examples of online engagement guidance in Australia or around the world, public or private. If you were starting from scratch, but knowing what we now know about these tools and their associated rewards and risks, how would you frame the guidance for public servants?

What followed was a lively and closely argued debate, involving half a dozen or more people, which laid out in some detail the nature of the challenge and opportunity presented by social networking tools for professional practice in the public service. Over 40 pages of detailed argument, exposition and debate came to a couple of fundamental conclusions.

Firstly, public servants should be both encouraged and empowered to engage these new tools as a normal and indeed integral part of their daily work. Secondly, bringing this about will not be easy or simple. Fundamental concerns for confidentiality, impartiality and probity in the conduct of public management at every level mean that in some circumstances complex and careful judgements have to be made. The capacity for the public service to fulfil its obligations to the government of the day implies, in some situations, behaviour and choices that conflict with the open and connected nature of the social web.

165 Di Maio, Andrea, 'Why So Many Are Getting Government 2.0 Wrong' 16 October 2009, http://blogs.gartner.com/andrea_dimaio/2009/10/16/why-so-many-are-getting-government-2-0-wrong/ or http://tinyurl.com/yle2aox. See also 'Blurring the boundaries', http://www.governing.com/column/blurring-government.

166 http://gov2.net.au/blog/2009/10/21/if-you-could-start-with-a-blank-sheet-of-paper.../ or http://tinyurl.com/yhdnw2e; http://gov2.net.au/blog/2009/11/02/if-i-could-start-with-a-blank-sheet-of-paper... or http://tinyurl.com/ydnhfzr; and http://gov2.net.au/blog/2009/11/11/blank-piece-of-paper-2/ or http://tinyurl.com/yjw9jw2.

From the blog discussion, these additional insights emerged as central to helping public servants to be more active and more confident in their embrace of social networking tools for online engagement:

- Guidelines should be based on the assumption that the tools and capabilities of social networking offer unprecedented beneficial opportunities and reduce uncertainty about the circumstances in which public servants should engage. Guidance should require such decisions to be made in a way that acknowledges risks, but also balances these against potential benefits.
- Online engagement both internally and externally makes it easier for public servants to be involved in the task of refreshing and renewing the public service as a critical institution in Australia's governance.
- Public servants should be encouraged to talk openly about their areas of expertise and professional practice in policy debate.
- Public servants work in a political environment. The use of Web 2.0 tools by public servants cannot undermine the need to act professionally, impartially, and courteously. Nor can it compromise 'due process' requirements to comply with the law, including discrimination legislation, or significantly relax disclosure and secrecy provisions.
- The behaviour of public servants and their managers as they embrace, or try to limit the possibilities of social networking will determine whether Government 2.0 succeeds in influencing mainstream practice in the public service.

The APSC guidelines for online engagement represent a major shift in thinking and a clear embrace of the positive potential of Web 2.0 tools in online engagement. The value of these guidelines will be tested over time. The new guidelines put Australia into a leading position in the encouragement they provide for public servants to seize 'unprecedented opportunities' the new tools provide for engagement. They also elaborate on how sensibly to manage the inevitable risks of this engagement.

Recommendation 4: Encourage public servants to engage online

4.1 The taskforce endorses the revised online engagement guidelines for public servants issued by the Australian Public Service Commission (APSC) on 18 November 2009, including the declaration that Web 2.0 provides public servants with unprecedented opportunities to open up government decision making and implementation to contributions from the community. The taskforce agrees that, consistent with APS Values and Code of Conduct, APS employees should be actively encouraged and empowered to engage online.

4.2 The APSC in consultation with the lead agency should regularly review online engagement guidelines, using Government 2.0 approaches to ensure the process is open and transparent.

4.3 The default position in agencies should be that employees are encouraged and enabled to engage online. Agencies should support employee enablement by providing access to tools and addressing internal technical and policy barriers.

4.4 Agencies should support employee-initiated innovative Government 2.0 based proposals that create, or support, greater engagement and participation with their customers, citizens and/or communities of interest in different aspects of the agency's work. They should create a culture that gives their staff an opportunity to experiment and develop new opportunities for engagement from their own initiative, rewarding those especially who

create new engagement/participation tools or methods that can quickly be absorbed into the mainstream practice that lifts the performance of the department or agency.

4.5 The Government 2.0 lead agency should establish an online forum on which agencies can record their initiatives and lessons learned.

Recommendation 5: Awards

In consultation with relevant agencies, the lead agency should establish awards for individual public servants and agencies that recognise outstanding practice in the use and impact of Government 2.0 tools to improve agency and program performance.

5 Managing public sector information (PSI) as a national resource

As policy makers and service deliverers, governments spend large sums collecting, analysing and transforming vast amounts of data, information and content. Governments are also collectors and custodians of material in the Galleries, Libraries, Archives and Museums (GLAM) sector. Ultimately these institutions and their collections exist for public benefit.

Government has already invested in the production of this information. It thus exists as a national asset. Internationally and nationally, there is a growing recognition of the extent to which PSI is a resource that should be managed like any other valuable resource—that is to optimise its economic and social value. Of course information is 'non-rival': unlike physical goods and most services, sharing information does not diminish its value—in fact, as discussed earlier in the report, it will typically increase it.

The advent of the internet has vastly increased the value of this information because of the internet's extraordinary capacity to disseminate it at minimal cost. Information on the internet can get to those people and places where it is most useful and facilitate its transformation in myriad ways both anticipated and unanticipated.

5.1 The principles of open access to PSI

To be useful information must be findable. Then it must be practically useable. Generally speaking, where an asset already exists, the most economically efficient price to make it available to others is the marginal cost of doing so. In the age of the internet that marginal cost of distribution of PSI typically approaches zero. Thus in the absence of good reasons to the contrary, in the world of the internet, PSI should be free—that is distributed *gratis,* at zero price.[167]

However, in addition to free as in *gratis,* PSI should be free as in *libre.* To take some poetic licence with Richard Stallman's colourful terminology, PSI should be 'free as in beer' and 'free as in speech'.[168] When information is released it creates new and powerful dynamics which can drive innovative use and reuse, allowing the commercial, research and community sectors to add value to it. Robinson *et al* outline some of the myriad ways data can be transformed to add value through Web 2.0 for instance via:

- advanced search
- syndication
- discussion forums
- data visualisation
- machine automated content and topic analysis

167 PSI should generally also be distributed at zero price even where marginal costs of distribution are small, rather than negligible. (Government 2.0 Taskforce, Project 6, *The value of Public Sector Information for cultural institutions* by Professor John Quiggin, http://gov2.net.au/projects/project-6.)

168 http://www.gnu.org/philosophy/free-sw.html.

- collaborative filtering
- crowdsourced correction or analysis.[169]

Such benefits will be facilitated by licensing PSI, on as liberal terms as possible. In this report, the 'open access to PSI' or 'open PSI' is used to refer to PSI which is freely available at zero price and on terms and formats that allow users to copy, use, transmit, reuse and transform the PSI from its original form.

The 'Three Laws of Open Government Data',[170] developed by David Eaves, a member of the taskforce's International Reference Group, seem apposite:

1. If it can't be spidered or indexed, it doesn't exist.
2. If it isn't available in open and machine-readable format, it can't engage.
3. If a legal framework doesn't allow it to be repurposed, it doesn't empower.

Eaves sums this up even more succinctly as 'Find, Play, Share'.[171] An open access approach ensures that the terms and formats will permit and enable findability, usability and reusability, consistent with Eaves' 'Three Laws'.

Box 8: Unlocking PSI in the UK

The UK Office of Public Sector Information (OPSI) has established a PSI 'Unlocking Service' in beta which individuals can use to gain access to PSI in a straight forward way.[172] The service allows individuals to make requests for PSI that they wish to reuse. Requests can include pointing out where licences are too restrictive for reuse or suggesting where an API for data would be useful. The OPSI checks first that the data is not already available under data access laws and if it is not, uploads the request to allow others to vote for it. OPSI also contacts the PSI holder on the individual's behalf to seek the release of the information.

5.2 Enhancing accountability

Open PSI can be instrumental in enhancing accountability both in government and elsewhere. The following US examples illustrate the potential for this in government:

- The US Securities and Exchange Commission (SEC) maintains a database of the financial reports companies are required to file with them. The database (EDGAR) was always available for a fee, however the SEC resisted making the information available on the internet. In the 1990s, a public domain advocate, Carl Malamud (with the help of benefactors) purchased access to the data and put it online in an accessible format. The SEC was surprised by the site's popularity and within two years had put EDGAR online themselves.[173]
- Malamud also put data from the Patent Office online and noticed that a lot of the visitors to the site were from the Patent Office which built their own online database.

169 Ed Felten, David Robinson, Harlan Yu and Bill Zeller, 'Government Data and the Invisible Hand', (2009) 11 *Yale Journal of Law and Technology* 160, http://www.yjolt.org/11/fall/robinson-160 or http://tinyurl.com/yj6ztdu.

170 David Eaves, 'Three Laws of Open Government Data' http://eaves.ca/2009/09/30/three-law-of-open-government-data/ or http://tinyurl.com/yb9nf6v.

171 David Eaves, 'Three Laws of Open Government Data' http://eaves.ca/2009/09/30/three-law-of-open-government-data/ or http://tinyurl.com/yb9nf6v.

172 Office of Public Sector Information, UK, www.opsi.gov.uk/unlocking-service/ or http://tinyurl.com/y9ze6zz.

173 http://www.sec.gov/edgar.shtml.

- The US Environmental Protection Agency operates a publicly available database containing information on toxic chemical releases and waste management activities reported annually by industry and federal facilities.[174] Using the Toxic Release Inventory (TRI) Explorer,[175] people can look up toxic releases in their area. Other US organisations such as the Right to Know Network[176] and Scorecard[177] use the TRI data to provide the information in an easily searchable form and combined with other data sources (for example, information on the possible health hazards of toxic chemicals).
- US FedSpending is a non-government site that provides all the available data on US Federal Government expenditure and allows users to examine and compare it by department or by state or even whether contracts were competitively bid or not.[178] MapLight[179] and Fundrace[180] both highlight political donations, and OpenCongress[181] (run by the Sunlight Foundation) allows users to compare donations to politicians to their voting records and legislation.
- The winner of the taskforce's Canberra GovHack event was a group which built LobbyClue[182] a Web 2.0 tool which integrates Commonwealth Lobbyists Register Data[183] with contract notices data from AusTender.[184]

Box 9: OpenAustralia: the community value-add to government information

OpenAustralia shows how the community can add value to government information to the benefit of government and the people. OpenAustralia started in 2007 as a website that 'makes it easy for people to keep tabs on their elected representatives in Parliament.' The site was founded by software developer Matthew Landauer and visual effects supervisor Katherine Szuminska. The site has been developed by a team of volunteer programmers and enthusiasts and is now run by the OpenAustralia Foundation.

The inspiration for the site came from the UK site theyworkforyou.com. OpenAustralia republishes all Hansard and other information about members of parliament with the aim of making democracy and the activities of our political leaders more transparent.

OpenAustralia has secured permission to publish Commonwealth Hansard in a more accessible and searchable format. To date, similar requests to publish state and territory Hansard have made little headway.[185] OpenAustralia also publishes data from the Register of Members Interests and biographical information about Members of Parliament (MPs) from the Australian Parliament House website.

Visitors to the site can enter their postcode and find out who their representative is and what their representative has said recently in Parliament. Visitors can also follow particular topics, by using the site search or by subscribing to email alerts every time a particular representative or senator says something or when a particular topic is discussed or both.

174 Toxics Release Inventory (TRI) Program, http://www.epa.gov/tri/.
175 http:// www.epa.gov/triexplorer/.
176 See Right to Know Network TRI page, http://www.rtknet.org/db/tri.
177 http://www.scorecard.org/.
178 http://www.fedspending.org/.
179 http://maplight.org/.
180 http://fundrace.huffingtonpost.com/.
181 http://www.opencongress.org/.
182 Renamed LobbyLens http://lobbylens.info.
183 http://data.australia.gov.au/184.
184 https://www.tenders.gov.au/.
185 http://www.crikey.com.au/2009/11/17/qld-hansard-a-closed-book-to-openaustralia/ or http://tinyurl.com/y8d4cqs.

In June 2009, the site had 25,000 page views per month and just over 1300 email subscribers. OpenAustralia.org found that of those, 300 (23 per cent) of its active 1300 email subscribers were using .gov.au email addresses, suggesting that the subscribers were public servants.[186]

In addition, media reports suggest that OpenAustralia has identified numerous errors in Hansard, that even Hansard reporters admit to using the OpenAustralia service in preference to the official version because it is more reliable.[187] OpenAustralia has been working with the Department of Parliamentary Services to speed the fixing of any Hansard errors that OpenAustralia discovers.

5.3 The economic value of PSI

Once it is made freely available by governments, PSI has great economic potential. According to a survey conducted by the European Commission in 2006 (MEPSIR study[188]), the overall market size for PSI in the EU is estimated at EUR 27 billion.[189] Various international studies[190] confirm economic benefits of open PSI licensing. Often these benefits are so great that the increased corporate and individual taxes on additional economic activity outweighs any revenue losses from moving from charging for PSI to distributing it free of charge. Likewise the 2007 UK *Power of Information Review* estimated the amount of money generated by direct sales of information by UK trading funds to be much smaller than the wider value of PSI to the economy.[191]

In Australia, economic modelling suggests that the use of spatial data and high precision positioning systems can increase productivity in the order of many billions of dollars[192] across a range of industry sectors, such as:

- agriculture
- forestry
- fisheries
- property and business services
- construction
- transport
- electricity, gas and water
- mining and resources

186 http://www.news.com.au/technology/story/0,28348,25649658-5014239,00.html or http://tinyurl.com/l8x544.

187 http://www.canberratimes.com.au/news/national/national/general/govt-opens-up-to-participatory-ict/1565831.aspx?storypage or http://tinyurl.com/ybrdrpk.

188 http://ec.europa.eu/information_society/policy/psi/mepsir/index_en.htm or http://tinyurl.com/y9xhc49.

189 Note there is a wide range of estimates of the value that is generated from PSI owing to the immaturity of the field and divergent assumptions about what PSI is and what value generation is dependent on it. See Pira International for a different approach which estimates a much higher value of PSI.

190 See also Ed Mayo and Tom Steinberg, *Power of Information Review: an independent review*, commissioned by the UK Cabinet Office, June 2007, p. 34–35. http://www.england-legislation.hmso.gov.uk/advice/poi/ or http://tinyurl.com/yb2fxg7 and David Newbery, Lionel Bently and Rufus Pollock, *Models of Public Sector Information Provision via Trading Funds*, Cambridge University, 26 February 2008, http://www.opsi.gov.uk/advice/poi/models-psi-via-trading-funds.pdf.

191 Ed Mayo and Tom Steinberg *The Power of Information Review: an independent review*, commissioned by the UK Cabinet Office, June 2007, p. 34. http://www.england-legislation.hmso.gov.uk/advice/poi/ or http://tinyurl.com/yb2fxg7.

192 Acil Tasman, (March 2008) *The Value of Spatial Information: The impact of modern spatial information technologies on the Australian economy*, available at http://www.crcsi.com.au/UPLOADS/PUBLICATIONS/PUBLICATION_324.pdf or http://tinyurl.com/yabjcof and Allen Consulting Group (November 2008) *Economic benefits of high resolution positioning services. Final report* (Proposed for Victorian Department of Sustainability and Environment and the Cooperative Research Centre for Spatial Information) http://www.crcsi.com.au/UPLOADS/PUBLICATIONS/PUBLICATION_348.pdf or http://tinyurl.com/y8e2csr.

- resource exploration
- communications
- government.

The potential benefits of dealing with information are not isolated to the public sector. The 2008 UK Capgemini Information Management Report found that failure to properly exploit information assets was costing the UK private and public sectors a staggering £46 billion and £21 billion respectively.[193,194]

Box 10: Optimal pricing for public sector information

> *On the one hand information wants to be expensive, because it's so valuable. The right information in the right place just changes your life. On the other hand, information wants to be free, because the cost of getting it out is getting lower and lower all the time.*

This quote from Stewart Brand frames the debate on the pricing of Public Sector Information. But the term free is itself ambiguous in English. Public Sector Information can be 'free as in speech' that is, available for access, downloading and modification, without being 'free as in beer', that is given away for no charge, as is implied in the phrase 'free beer'. The terms 'libre' and 'gratis' are often used to refer to this distinction.

The central finding of this project is that, under the conditions created by Web 2.0, making information effectively freely available (libre) generally requires that it be provided free of charge (gratis). As the costs of disseminating and accessing information have declined, the transactions costs associated with charging for access to information, and controlling subsequent redistribution have come to constitute a major barrier to access in themselves. As a result, the case for free (gratis) provision of Public Sector Information is even stronger than has already been recognised.

From the transactions cost perspective, it is equally important that the provision of information should not be burdened with unnecessary restrictions on use, such as those associated with standard copyright. A good default choice, which provides for free (libre) use, protects this freedom in reuse and is consistent with free (gratis) pricing is the Creative Commons BY. The work in this project has shown how these points can be demonstrated, and estimates of the social loss associated with priced access to information derived, using a simple diagrammatic analysis of the kind familiar to undergraduate economics.

John Quiggin—Personal correspondence in the course of Project 6

Recent moves towards the free distribution of PSI in Australia illustrate how much consumers of information respond to a zero price and thus how much benefit zero price distribution can generate. The Australian Government announced its Spatial Data Access and Pricing Policy in September 2001 which was implemented over the six months to February 2002. The policy was 'premised on the view that all fundamental spatial data should be freely available at no more

193 Capgemini, 3 March 2008, 'Failure to exploit information loses UK economy £67 billion a year' at http://www.uk.capgemini.com/news/pr/pr1605. Nokia expects mobile services based on Global Positioning System information to generate the main share of its future revenues. Using these, drivers can subscribe to real-time traffic information enabling them to anticipate traffic jams and/or check fuel prices in advance of choosing a petrol station. (European Commission Staff. 2009, Working Document Accompanying document to the Communication from the Commission to the European Parliament, the council, the European Economic and Social Committee and the Committee of the Regions on the re-use of Public Sector Information—Review of Directive 2003/98/ECONOMIC).

194 http://ec.europa.eu/information_society/policy/psi/docs/pdfs/directive/com09_212/staff_working_document.pdf or http://tinyurl.com/ylgrbau.

than marginal cost of transfer in order to maximise the net economic and social benefits arising from its use.'[195] The growth in use as a result of the policy—an average annual rate of over 40 per cent rose to over 200 per cent in the third and fourth years taking the usage from 75,000 downloads in 2001–02 to 863,000 downloads in 2005–06.[196]

Box 11: Some economic advantages of open access to data

The United States makes complete weather data available to anyone at the cost of reproduction … European countries, by contrast, typically claim government copyright over weather data and often require the payment of substantial fees. Which approach is better? … The US weather risk management industry, for example, is ten times bigger than the European one, employing more people, producing more valuable products, generating more social wealth. Another study estimates that Europe invests €9.5bn in weather data and gets approximately €68bn back in economic value—in everything from more efficient farming and construction decisions, to better holiday planning—a seven-fold multiplier. The United States, by contrast invests twice as much—€19bn—but gets back a return of €750bn, a 39-fold multiplier. Other studies suggest similar patterns in areas ranging from geo-spatial data to traffic patterns and agriculture. 'Free' information flow is better at priming the pump of economic activity.

James Boyle, 2005[197]

The ABS has also been at the forefront of the movement within Australian Government to free up data. There has been a surge in the use of ABS data going from around a million downloads per year when data was sold to recover costs to over four million downloads a year in the first full year of free access.

195 http://www.osdm.gov.au/OSDM/Policies+and+Guidelines/Spatial+Data+Access+and+Pricing/default.aspx or http://tinyurl.com/kpgtsn.

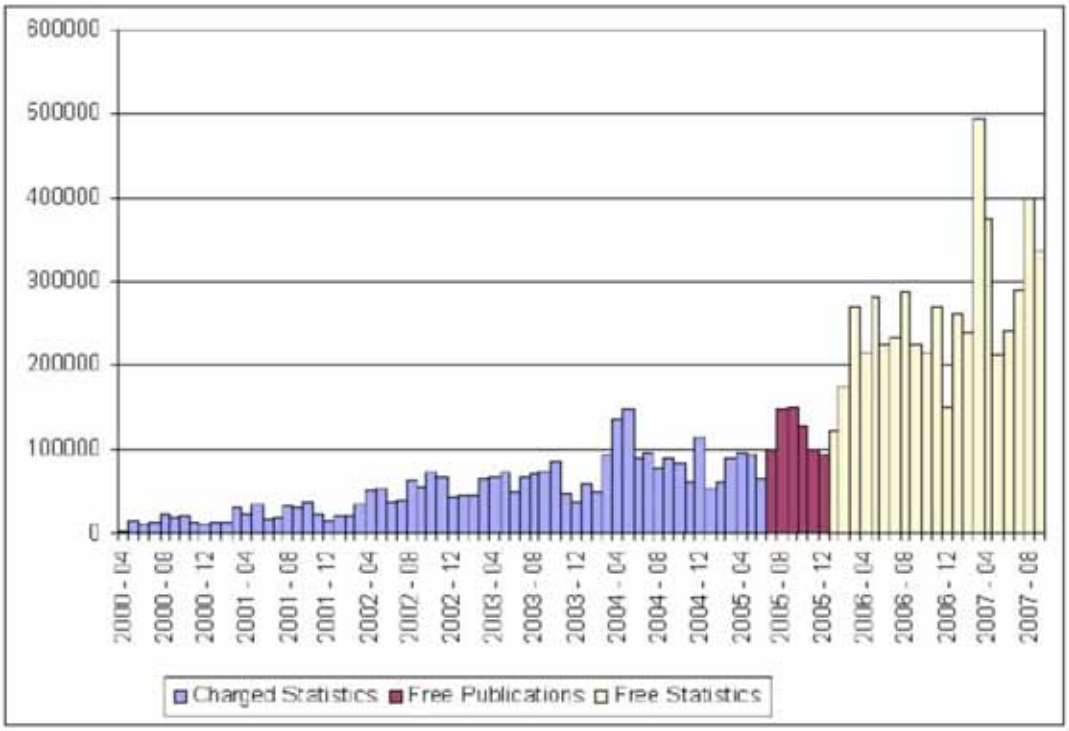
196 Growth in Spatial Data Delivered under free access

Year	Scheduled Dataset Units Delivered
2001–02	75,310
2002–03	83,049
2003–04	52,565
2004–05	219,821
2005–06	862,530

Source: Pollock, Rufus, 2009. 'The Economics of Public Sector Information', *Cambridge Working Papers E 0920*, May, p. 35 http://www.econ.cam.ac.uk/dae/repec/cam/pdf/cwpe0920.pdf or http://tinyurl.com/yflehgx.

197 James Boyle: 2005. 'Public information wants to be free', *Financial Times*, 24 February http://consommacteurs.blogs.com/pg/files/FreePublicInfo.pdf or http://tinyurl.com/yl8vjdv. Original reference can be found here: http://books.google.com/books?hl=en&lr=&id=a0AbDHMb5rAC&oi=fnd&pg=PA137&dq="borders+in+cyberspace"&ots=Rba8jsGD2I&sig=Ybt4uynggQj6MzNzyBIa0W-uayY#v=onepage&q=%22borders%20in%20cyberspace%22&f=false or http://tinyurl.com/ykll3qc.

Figure 5: Freeing up data drives strong demand growth at ABS



Source: Australian Bureau of Statistics, 2007[198]

5.4 The social value of PSI

> 'Mapping our Anzacs'[199] was built quickly on a small budget, with resultant limitations in terms of usability, but it indicates the potential for citizen engagement. In nine months, the Archives has received hundreds of corrections to the names of service personnel, next of kin, and places of birth and enlistment. One thousand eight hundred public contributions to the digital scrap-book have extended and enhanced the archival account of World War I service. Additionally, feedback via the site suggests that the public is willing to do more, including offers from individuals to undertake bulk data correction. The 'Mapping our Anzacs' experience suggests that exposing the public to government processes, rather than limiting their exposure to finished products, can be intrinsically motivating for public users. The community feels honoured to be trusted to help and appreciative of the opportunity to be involved.
>
> The National Archives of Australia.[200]

Many of the social benefits derived from PSI are not easily quantifiable in economic terms but they improve quality of life in myriad ways. Australia's cultural institutions, such as the National Library of Australia (NLA), the Powerhouse Museum in Sydney, the Australian War Memorial and the NAA, have all have made extensive parts of their collections freely available online. They are using Web 2.0 tools and engaging the community to improve their collections.

198 Siu-Ming Tam, Australian Bureau of Statistics, *Informing the Nation—Open Access to Statistical Information in Australia*, Siu-Ming Tam, paper presented to the United Nations Economic Commission for Europe Work Session on the Communication and Dissemination of Statistics, Poland, May 2009, at para. 37, available at http://www.unece.org/stats/documents/ece/ces/ge.45/2009/wp.11.e.pdf.

199 http://mappingouranzacs.naa.gov.au/.

200 National Archives of Australia, Submission to *Towards Government 2.0: An Issues Paper*, p. 19 http://gov2.net.au/submissions/.

Since 2007, the NLA has had historic Australian newspapers[201] scanned and digitised by optical character recognition software. It has then published the resulting text on the web in such a way as to permit the public to correct errors[202] produced by the optical character recognition software. The result has been spectacular:

- in the first month of use over 200,000 lines of text were corrected. Today over six million lines of text have been corrected
- at no point since early in the program has there been a time when text correction is not taking place. It continues 24 hours a day, 7 days a week
- 78 per cent of users are based in Australia but there is a growing international community with users in the UK, US, NZ and Canada. One of the top ten correctors was based in US
- no vandalism of text was detected in six months so no roll back to previous versions or moderation was required.[203]

As a major volunteer contributor to the NLA's Newspaper Digitisation Program explained it to the taskforce:

> Yes it can be addictive. For me I value the opportunity to leave my own slight impression or watermark upon Australian historiography.
>
> In the history of the NLA the Newspaper Digitisation Program may well be seen as a watershed in how the institution very successfully (and accidentally) reached out to the user population, and received a level of commitment and engagement that was beyond belief.[204]

The UK Government provides opinion information to students and creates obvious incentives for schools to improve their performance.[205] Australian students choose their preferred tertiary education institutions and even their local primary and secondary schools. In contrast to the UK, information which is collected at substantial public cost cannot be accessed by Australian parents and students eager to use it to determine which institutions offer the best service for them.

5.5 Principles for PSI

In April 2008 the Organisation of Economic Co-operation and Development (OECD) Council adopted the *Recommendation of the OECD Council for enhanced access and more effective use of public sector information*.[206] (Australia is a member of the OECD and was a participant in

201 http://newspapers.nla.gov.au/ndp/del/home.

202 The site http://newspapers.nla.gov.au/ndp/del/home has a league table of 'Top Text-Correctors'. As at 10 November 2009 2100 the list was headed by jhempenstall with 288,593 corrections.

203 Holley, Rose, 2009. 'Many Hands Make Light Work: Public Collaborative OCR Text Correction in Australian Historic Newspapers', National Library of Australia. March http://www.nla.gov.au/ndp/project_details/documents/ANDP_ManyHands.pdf or http://tinyurl.com/yk34add. Museums and archives are inviting the public to correct and enrich their collections with their own knowledge and artefacts.

204 Similar projects aimed at improving, expanding and adding value to PSI are happening outside Australia, for example, Your Archives (http://yourarchives.nationalarchives.gov.uk) was launched in beta in April 2007 by The National Archives in the UK. It is a wiki that allows people to submit both articles about historical subjects and articles about records in The National Archives' collection. People can also use the site to collaborate with others on research projects and can edit other pages. The site does however retain a number of restrictions on the use of its data.

205 www.unistats.com. Note: The relevant student opinion information is released in the UK—unlike in Australia—but it is still released subject to copyright which prevents others adding value to it without permission. Gruen 2008 argues that substantial additional value could be added to it and it is likely that some of this would be added if the data were permissively licensed.

206 http://www.oecd.org/dataoecd/0/27/40826024.pdf or http://tinyurl.com/59tafe. These principles have been reproduced in Attachment E.

and a signatory to the recommendation.) It recommends that member countries 'in establishing or reviewing their policies regarding access and use of public sector information … take due account of and implement the following principles, which provide a general framework for the wider and more effective use of public sector information and content and the generation of new uses from it.'

The taskforce endorses the broad thrust of the principles but notes that there is a strong case for greater prominence to be given to timeliness in these principles. It is common for information to be locked up for far too long while it is brought into a state deemed acceptable for publication. Where data will require further work to improve its quality there should be a strong presumption that it should be released — together with clear declarations of any limitations in the quality of the information and the ways in which this limits its usefulness. While there are no doubt circumstances where the early release of data that will be subsequently revised could do more harm than good, this will be rare.

The taskforce also considers that greater prominence can be given to the importance of metadata to the effective release of PSI. Metadata is 'data describing data' and it is essential for users wishing to 'find, play or share' it. Metadata can take many forms:

- Discovery metadata — describes a sufficient amount of the content of a resource to a sufficient level of detail such that the resource can be discovered and used by anyone with an interest in it. In its simplest form it might be just the title of a spreadsheet although to maximise the chances of the resource being discovered, discovery metadata should be more comprehensive and ideally follow a standard.
- Quality metadata — enables potential users to make decisions about whether to use, or how they should use, a resource. To maximise its utility, quality metadata should be presented in a consistent way, if possible, for all available resources. This can be achieved by using a quality framework to assess each resource.[207] Aspects of quality metadata can also be considered to be discovery metadata.
- Content metadata — enables a resource to be understood and used. At the highest level, content metadata is consists of the super set of metadata that is required to enable a dataset to stand on its own — metadata about the dataset itself as well as metadata about the actual data that it contains. At the lowest level, content metadata describes each element in each record in a dataset by specifying things such as name, format, length etc.

The more comprehensive the metadata, the more useful it is. However, providing comprehensive metadata can be a time consuming and costly, particularly where internal information management is in a poor state. The perfect can be the enemy of the good,[208] and this can lead to unnecessary delays in the release of data. To overcome this, a 'layered' approach to metadata can be adopted, where the first priority is to provide simpler metadata sets, building up to more complete metadata as expertise is built up and as sophisticated information management processes become established.

207 An example of such a framework is the ABS's data quality framework, which can be accessed at http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/1520.0Main%20Features1May+2009 or http://tinyurl.com/yd6owv7.

208 http://en.wikiquote.org/wiki/Voltaire.

Box 12: Reducing metadata paralysis by choosing simpler metadata sets

It is acknowledged that metadata assists with search, discovery and access for data sets. However, in the case of spatial data, a certain level of 'metadata paralysis' can be observed where some agencies focus on completing a full metadata record as an absolute prerequisite before publication of the data set. This reduces the speed with which data is made available to the public.

SIBA recommends mandating the use of minimal metadata requirements for spatial datasets as one of the key mechanisms for making more government data searchable and usable, including legacy data. SIBA also recommends the use of standards based metadata capture and access capabilities and related tools, which reduce the effort to create metadata.

Information supplied to the taskforce by the Spatial Industries Business Association (Australia) (SIBA).

5.6 Clearing the hurdles: freeing up PSI

The call in our terms of reference for the establishment of 'a pro-disclosure culture around non-sensitive public sector information' is straightforward enough. Yet as demonstrated below, the list of objections that *might* be made to the release of PSI—reasons for arguing that *this* particular piece of information is not 'non-sensitive'—is virtually endless. At any stage public decision makers may be tempted to play it safe.

The new policy of openness must be overseen by an agency with sufficient authority and independence to ensure that each decision which might obstruct the free flow government information is informed.[209]

5.6.1 Perceived obstacles to open release of PSI

For PSI to be successfully released today it must clear the following hurdles:

- For someone to access PSI they must know of its existence and location. Yet agencies often have no systematic knowledge of all the data they hold and to the extent that they do, they have not been required to make such knowledge available to the public in a register. If information is known to the agency it may not be known to those outside the agency who might find it useful. Most obviously if its existence has not already been published, there may be the need for permission for those outside agencies to have its existence and location divulged.
- Even if its existence is publicly known, the institutions of government ensure that secrecy is the default. Thus public officials face sanctions ranging from subtle disapproval through to reprimand and ultimately jail sentences for releasing information without authorisation, generally irrespective of the merits of release.
- Releasing information must also be consistent with domestic and national security considerations and with privacy laws.

209 There are many occasions where some principle is endorsed, but remains largely unimplemented. Thus for instance in 1986 the Prime Minister, Bob Hawke, announced a rigorous new process of regulatory impact assessment. However the then Office of Regulation Review did not report on compliance with the policy by department. In the absence of this accountability, the policy was fully complied with in only 8 per cent of cases even after the policy had been announced and operating for a decade. Industry Commission report, 1997, *Regulation and its Review 1996–97*, p. 41 Table 3.2.

- There can be economic reasons not to publish. Some PSI may be costly to get into a useable form, whilst a particular agency may earn some revenue from the licensing of PSI (see s.5.7.2 below).
- Further, once publication takes place, the information cannot flow freely without liberal licensing and even then, given the way in which copyright is built around the notion of cascading permissions to copy, problems may remain (See s.5.7 below).

5.6.2 The inevitability of judgement and the scope to frustrate openness

This list of possible *bona fide* reasons for obstructing the free flow of information is daunting. Many of the decisions involved require fine judgements and some of these are on detailed points of law. This is against the backdrop of a public sector decision making culture which focuses on avoiding mistakes or embarrassment and achieving consensus rather than the seizing opportunities.

Throughout their decision making, officials and politicians will also be considering how information might be 'spun' by the media, their opponents or those with direct commercial interests or an axe to grind. These considerations will militate against release if the data discloses inadequacies in a government program. Whether it does or not might not be known by the decision makers. All this strengthens the case for secrecy for the risk averse.

5.6.2.1 Data quality, embarrassment and inconvenient truths

Gartner consultant Andrea Di Maio recently warned agencies to be prepared for the linking or combining of data with other data sets in ways that reveal unexpected or inconvenient truths.[210] Releasing PSI also invites 'intermediation': that is, external bodies using PSI to add value or deliver services to individuals. In so doing, they are acting as an intermediary between government and individuals. Di Maio warned that this could dilute the 'brand' of agencies or government as a whole. As they do this, trust may shift to these intermediaries operating outside government supervision. Agencies may need to consider where accountability lies in terms of the quality of the information, its reliability and currency and how agencies will ensure that the public continue to receive high quality information and services. The taskforce agrees that these matters should be carefully considered in agencies' management of Government 2.0. It also stresses that they should never be reasons for preventing the release of PSI.

There might be concerns, legitimate or less so, about the quality of the data to be released. With rare exceptions, it will be better to drive the accountability and innovation benefits that come from an open access approach to PSI by releasing the data, subject to clearly expressed caveats about its quality and possibly with the intention of subsequently revising and improving it—including by 'crowdsourcing' the identification of problems with the data and/or the fixing of them. Agencies should not use poor quality as an excuse to suppress data. Even when the quality of the data is poor, its release may generate benefits. This issue is best illustrated in emergency situations, when data which may be far from perfect will usually do much more good than no data at all, particularly if people are forewarned about its inadequacies. Often release is a prelude to the data being improved as corrections, or at least the identification of problems is 'crowdsourced' as has happened with the NAA's 'Mapping our Anzacs' program.

A practical obstacle may be an agency's concern about the real or perceived potential for organisational, professional or personal embarrassment. This may be either over something revealed in the information or in some inadequacy in the quality of the data itself. An incident of this nature occurred during the organisation of the MashupAustralia contest by the taskforce.

210 Gartner Symposium in Sydney on 17–19 November 2009.

A federal department was well disposed to release a dataset going back several decades for MashupAustralia. It was largely publicly available in scattered form and would have been released under existing FOI. However it was discovered to be poorly maintained. Some data was wrong or missing. There are no hazards that we can imagine that would have arisen from the publication of the data, but the department then chose not to release it. Many taskforce members are familiar with stories such as this one.

Even where information is released, it is natural for managers seeking to minimise adverse risk to try to control whatever they can. In addition to being reinforced by an organisation's culture and incentives, it is also 'professionalised'. Thus specific professions advising management, such as the provision of legal, communications or IT advice and services will typically see maximisation of control as a default setting to minimise adverse risks. If one has information one cannot be sure that it will not be used or misused in ways that may embarrass an agency. So why release it if one can avoid it? If one has copyright, why relinquish some of the rights it gives one, instead of staying in control of how users use the information? If one is managing a commercial entity like the NSW trains services why let others use your information when you are accustomed to controlling it yourself? And why release information that you may—just may—want to sell someday yourself?[211]

Box 13: People and cultural change

The issues paper[212] acknowledges that people and cultural change within government is a significant hurdle for Government 2.0. We do have a risk-averse culture and we have a culture of highly controlled communication. Most agencies have public affairs, marketing, web and publishing teams with clearly defined roles, responsibilities and approvals processes for published material. Web 2.0 challenges this structure in being an informal conversation space that produces a public record (and, for federal government agencies, a Commonwealth record).

Submission by Tikka Wilson.[213]

Around all these issues is a penumbra of doubt. Often something will not be released, not because it is clear that it is in breach of some stipulation—for instance the *Privacy Act 1988* (Privacy Act)—but because someone thinks it just could be and of course privacy regulation, like so many areas of regulation can be complex. So rules of thumb are needed for practitioners. They may not precisely reflect the details of that act, or of any of the other possible obstacles, but they may nevertheless lead to suppression of information even if the technical details of the Privacy Act actually permit release. Privacy officials use the acronym BOTPA 'Because of the Privacy Act' often with some irony to describe such situations where the Privacy Act is cited to defend suppression where a proper understanding of the Privacy Act indicates that it is actually permissible.[214]

Some data intended for the taskforce's MashupAustralia competition was only just rescued from being withheld from open licensing at the last minute because of the concerns of a relatively junior privacy officer. Yet the data was already publicly available and searchable on a government website where it continues to repose under the government's standard copyright licence 'all rights reserved.'

211 See 'The Theory of SPIN: Serial Professional Innovation Negation' on the taskforce blog at http://gov2.net.au/blog/2009/08/04/the-theory-of-spin-serial-professional-innovation-negation/ or http://tinyurl.com/yl8ncym.

212 http://gov2.net.au/blog/2009/07/23/official-issues-paper-released/ or http://tinyurl.com/log2om.

213 Tikka Wilson, Submission to *Towards Government 2.0: An Issues Paper,* http://gov2.net.au/submissions/.

214 See Office of the Privacy Commissioner, 'Top ten privacy issues', speech, 2007, p. 11, http://www.privacy.gov.au/materials/types/download/8562/6429 or http://tinyurl.com/yj7d3lk.

5.7 The architecture of innovation on the internet

In a sophisticated economy, much cooperation occurs between parties that never communicate directly with each other. Their cooperation is possible because common standards have been developed. The internet and world wide web are themselves the product of a wide array of evolving standards. The burgeoning complexity we see around us—and the modular way in which each service on the net depends on myriad other services—could not occur if cooperation was organised piecemeal, action by action, with each user seeking specific permission for each action they took.

Application programming interfaces, or APIs, on Web 2.0 platforms effectively provide those who would extend the functionality of those platforms *pre-approval* to do so. APIs publicly specify the technical requirements of operating on the platform and provide advance permissions to do so. Accordingly, developers who are independent of the platform owner are invited and enabled to build for the platform, which provides value for users and in so doing makes the platform more valuable. This *modus operandi* has been a key to the success of Web 2.0 platforms enabling developers to build a rich and growing menu of functionality on the platform.[215]

Why wouldn't the owners of these platforms want to stay in control, individually negotiating permission on each application that runs on them? Because they understand:

- the dynamism of the industry they operate in
- the impossibility of any one agent being in control in the sense of understanding what use the platform can or should be put to
- the need for those who will invest to develop the platform, and so add to its value, to know the terms on which they can do so, and have security that those terms will not be changed at the whim of the platform provider.

In seeking to use copyright to stay 'in control' of their PSI, governments have lost sight of the costs this has on the ultimate value of that PSI. This is a matter to which the report now turns.

Box 14: Innovation in open networks—Creative Commons, the next layer of openness

If you try to imagine what it would have been like to create Google before we had this stack of open standards, you would probably have had to pay millions of dollars to create the software on a proprietary operating system. It would have required a huge team of people taking many years. Since it was a 'search engine' it most likely would have been given to the phone company to design and run…This total project probably would have taken a decade and cost a billion dollars and would probably not even have worked properly.

In fact, the total cost of actually building and launching the first Google server was probably only thousands of dollars using standard PC components, mostly open source software as the base and connecting to the Stanford University network which immediately made the service available, at no additional cost, to everyone else on the Internet.

The open standards and the small pieces loosely joined had created an ecosystem of components and networks that dramatically lowered the cost of development, collaboration and delivery. This allowed people to innovate, launch, fail, connect, mashup and remix in such an efficient way and at such low

215 Of course this has been true of IT platforms since before the advent of Web 2.0. It was one of the keys to the success of Microsoft's operating systems.

cost, that the center of innovation moved from the research laboratories of the giant companies to the startup and venture capital scene in Silicon Valley.

Of course, there were startups and venture capitalists before the Internet, but the influence and scale of this new engine of innovation was unprecedented. The Internet continues to disintermediate and disrupt sector after sector by lowering friction and enabling interoperability …

The Internet has enabled us to technically connect and collaborate. But just as network software engineers were required to open communications between online users, we now need lawyers to sort out the copyright and content regulations between us so that we — businesses and individuals — can share, collaborate and build legally …

In the early days, those of us who were proponents of TCP/IP had to argue with regulators, lawyers, and technologists who, for a variety of reasons, did not support the standard. Creative Commons still has critics who do not yet understand the benefits of the network effects and collaboration that it enables. Like each new layer of the Internet stack, Creative Commons will soon become, in hindsight, an obviously necessary ingredient for collaboration, enabling yet-to-be-imagined innovations that will have a dramatically positive effect on business, society, and the environment.

Joi Ito, Creative Commons: Enabling the next level of innovation[216]

5.8 Licensing PSI as a national resource

To achieve a pro-disclosure culture that treats government information as a national asset, more effective management of Commonwealth copyright licensing is required. Copyright law provides economic incentives for creative expression by granting copyright owners exclusive rights to control certain uses of their work. Yet where governments produce or fund PSI the need for such protection is less convincing. As Professor Anne Fitzgerald puts it; 'since many government materials … are created in the ordinary course of activities … the traditional justification of copyright as providing an incentive to produce and disseminate new information is much less relevant'.[217]

Some jurisdictions have carved government information out from copyright protection. In the United States, federal government materials (produced by officers or employees of the US Government) are in the public domain and free of copyright.[218] In countries as diverse as New

216 McKinsey and Co, What Matters, 30 October 2009, http://whatmatters.mckinseydigital.com/internet/creative-commons-enabling-the-next-level-of-innovation or http://tinyurl.com/yapz9mf.

217 Government 2.0 Taskforce Project 4, *Copyright and Intellectual Property* by Professor Anne Fitzgerald, http://gov2.net.au/projects/project-4.

218 *Copyright Act 1976*, Section 105 states that '[c]opyright protection … is not available for any work of the United States Government, but the United States government is not precluded from receiving and holding copyrights transferred to it by assignment, bequest, or otherwise'. A 'work of the United States Government' is defined in s 101 as a work prepared by an officer or employee of the US Government as part of the person's official duties. However, there are exceptions to the general rule for certain works of the National Institute for Standards and Technology and the US Postal Service. http://www.wipo.int/clea/en/text_html.jsp?lang=EN&id=3923 or http://tinyurl.com/y9jnulb.

Zealand,[219] Japan,[220] Poland,[221] South Africa,[222] South Korea,[223] Taiwan[224] and Thailand[225] key government documents such as public laws and judgments are not protected by copyright.

At present, government copyright gives government officials the power to approve or disapprove a particular use and reuse of government information, and this may be on grounds unrelated to copyright concerns.

Authorising widespread distribution of PSI by copying and commentary on the policy statements of political leaders and government agencies, will contribute to better informed public debate. Allowing unfettered use and reuse of government data and information more generally can add to Australia's innovative capacity and economic prosperity.

At present however, typical Commonwealth copyright licensing statement permits only limited pre-authorised use of government materials. For example, members of the public were only permitted to do the following with the 2009 Budget:

> You may download, display, print and reproduce this material in unaltered form only (retaining this notice) for your personal, non-commercial use or use within your organisation. Apart from any use as permitted under the *Copyright Act 1968*, all other rights are reserved.[226]

Republication and adaptation of government material requires further permissions from the Commonwealth Copyright Administration Unit (CCA), which is more likely to grant the request than to deny it.

An Australian Government agency wishing to depart from the default Commonwealth copyright position will typically seek legal advice and consult with the CCA. A good idea or innovative passion can wane in the days it requires to resolve this. In the time that it takes to negotiate permission to use data, the need for the data, or the opportunity to find an alternative, may

219 *Copyright Act 1994 (NZ).* Section 27 excludes Bills, Acts, regulations, bylaws, Parliamentary debates, Select Committee reports, judgements of courts and tribunals, reports of Royal commissions, commissions of inquiry, ministerial inquiries, statutory inquiries. http://www.wipo.int/clea/en/text_html.jsp?lang=EN&id=3299 or http://tinyurl.com/ybje7l9.

220 *Copyright Law of Japan (1970 and later amendments).* Article 13 excludes the Constitution and other laws and regulations, state or local public entity notifications, judgements, decisions, orders and decrees of law courts, rulings and decisions of administrative judicial organs and translations of the above made by state or local public entities. http://www.wipo.int/clea/en/text_pdf.jsp?lang=EN&id=2620 or http://tinyurl.com/y9x6ka4.

221 *Polish Law of 1994 on Copyright and Neighbouring Rights.* Article 4 exclusions include official documents. http://www.wipo.int/clea/en/text_pdf.jsp?lang=EN&id=3500 or http://tinyurl.com/y8tmqsw.

222 *Copyright Act 1978 (South Africa).* Section 12(8) exclusions include official texts of a legislative, administrative or legal nature and official translations of such texts, speeches of a political nature or delivered in the course of legal proceedings. http://www.wipo.int/clea/en/text_pdf.jsp?lang=EN&id=4067 or http://tinyurl.com/y8jxkke.

223 *Republic of Korea (South Korea) Copyright Act (Act 3916 of 1989 and later amendments).* Section 1 (7) includes exclusions for Acts and regulations, public notices issued by the state or local public entities, judgements, decision, orders or ruling of courts , rulings and decision by administrative appeal procedures, official translations of the above, speeches in open session of courts, the National Assembly or local assemblies. http://www.wipo.int/clea/en/text_pdf.jsp?lang=EN&id=2743 or http://tinyurl.com/yd5jd8n.

224 *Taiwan Copyright Act, 2007.* Article 9 exclusions include the constitution, acts, regulations or official documents or official translations thereof. http://www.giprs.org/node/299.

225 *Thai Copyright Act B.E. 2537 (1994).* Section 7 exclusions include the constitution and legislation, regulations, bylaws, notifications, orders, explanations and official correspondence of the ministries, departments or other government or local units, judicial decisions, orders, decisions and official reports and official translations of the above. http://www.wipo.int/clea/en/text_pdf.jsp?lang=EN&id=3801 or http://tinyurl.com/ye6x4be.

226 http://www.budget.gov.au/2009-10/content/copyright.htm or http://tinyurl.com/y9fjr65. The taskforce notes that much government material is licensed under even more restrictive licensing terms that do not even permit personal and internal use. See e.g. the State of the Service Report 'Apart from any use permitted under the *Copyright Act 1968* no part may be reproduced by any process without prior written permission by the Commonwealth.' (http://www.apsc.gov.au/stateoftheservice/0809/report.pdf or http://tinyurl.com/y89wtnc). Maximally protecting 'all rights reserved' claims seems to be common on government websites.

have passed.[227] At the same time, the advent of the internet and digital technologies has created a tension with copyright law. Everything a computer can see it can copy, indeed arguably, it *has already* copied. Web 2.0 is characterised by interactivity, information sharing and collaboration. Instant copying, pasting, sharing, adaptation are characteristic of Web 2.0 phenomena such as social networking, video sharing, wikis, blogs, mashups[228] and folksonomies.[229] All of these activities implicate copyright rights.

As a general rule, copyright law requires people to ask permission before doing any of these things with others' material.[230] When permission for use of material is forthcoming, it may be granted on terms that hamper downstream use.

Railcorp in New South Wales reportedly threatened four developers who took sought to develop iPhone applications enabling Sydney commuters to check railway timetables on their phones.[231] Railcorp's copyright obliged users of their data to seek permission which was not granted. Responding to criticism, NSW Railcorp then released its data under a licence that gave it the power to approve apps and make suggestions for their improvement.[232]

Creative Commons (CC) is a development in copyright licensing which provides codified advance permissions in much the same way that an API provides permissions on a Web 2.0 platform. In so doing, CC maximises the extent to which users understand how they can use, copy and transform copyright works.

Since their initial release in 2002 CC licences,[233] available in varying levels of permissiveness, have become an international standard allowing copyright owners to pre-authorise the terms on which they allow others to use and/or transform their material.

Some argue that governments can draft their own licences around their specific needs maximising the government's control. However, on the contemporary internet this comes at a surprisingly large cost. The permissions codified into CC licences function as machine-readable standards. The alternative of governments designing their own bespoke licences would involve humans vetting each licence and driving up transactions costs, foregoing many of the self-organising possibilities of Web 2.0.

227 This occurred when Google sought permission to republish bushfire location information on public lands during the horrific Victorian bushfires of 2009. Their request could not be met by agency staff who felt that the only response they could give was a refusal unless Google was prepared to wait for the request to be escalated to heads of departments for consideration, by which time the need for the data was less desperate. (Information supplied to the taskforce by Google).

228 A web page or application that takes data and combines it either with other data or other web services to create something new. For example, a mashup may take data about the location of government services such as Medicare and Centrelink offices and then plot their locations and other associated data on a map.

229 A folksonomy is a system of classification derived from the practice and method of collaboratively creating and managing tags to annotate and categorize content. http://en.wikipedia.org/wiki/Folksonomy.

230 They can avoid this by bringing their proposed use within an implied licence. However Australia's limited exceptions such as fair dealing are unlikely to cover much of the remix and reuse done on commercial Web 2.0 platforms.

231 http://www.smh.com.au/news/digital-life/mobiles--handhelds/articles/how-railcorps-derailing-commuter-apps/2009/03/06/1235842625754.html?page=fullpage#contentSwap1 or http://tinyurl.com/yas7zvl.

232 'NSW public transit plan hits delay', *Australian Financial Review*, 29 Sep 2009 http://afr.com/p/business/technology/item_HeBer3hi5b9I9CGqmA8kWO or http://tinyurl.com/ya7chzb.

233 http://www.creativecommons.org.au/licences.

Box 15: Review of government copyright

It will be for the government to determine how it manages copyright in what we hope will be a uniform approach to disclosing more PSI. In doing so, we recommend that the government promote understanding of copyright along with the government's detailed position on open access. In selecting a licensing option, the government could identify and use a Creative Commons licence or develop a user-friendly licence that meets with the government's approval, without lengthy disclaimers.

Alternatively, before delegating powers to PSI managers, the government could revisit the regulation of existing Crown copyright and, more generally, copyright in materials which contain PSI. In doing this, serious consideration should be given to adopting the approach of the US Government to regulating Crown copyright. In the US, 'a work prepared by an officer or employee of the [federal] government as part of that person' s official duties' is not protected by US federal copyright law. Mirroring this in Australia could at least remove one layer of regulation that hinders the free flow of PSI and avoid the need to consider licensing options.

Submission by NSW Young Lawyers[234]

The taskforce has addressed the most commonly raised concerns about the use of Creative Commons licences by Australian government agencies that were raised in various submissions received in response to the taskforce's *Towards Government 2.0: Issues Paper*. These are included at Appendix D: Troubleshooting Concerns About Creative Commons.

5.8.1 The provision of licensing advice

As touched on in several areas of this report, issues of Copyright are now central to PSI. To date the Commonwealth Copyright Administration (CCA) has been located within the Attorney-General's Department (AGD) in large part for administrative convenience. It responds to public requests to use Commonwealth copyright material and provides Commonwealth agencies with administrative advice on the management of copyright.

Given the development of specific institutions to promote Government 2.0, such as the lead agency and the Information Commissioner, the current administrative functions of the CCA unit within AGD relating to pre and post licensing of copyright material should transfer to the proposed new OIC. Other administrative functions of the CCA unit should be reviewed to identify which of the functions should remain within AGD and those that should transfer to either the lead agency or the proposed new OIC.

5.8.2 Copyright law and cultural heritage

Finally, the issue of copyright law and Australia's cultural heritage deserves separate and special consideration in the context of Government 2.0. An understanding of Australia's cultural heritage and historical background can inform current decision making, strengthen representative democracy and promote a wiser discussion.

Where copyright in cultural collections is not a barrier, there are exciting possibilities in the use of tools such as Flickr, which is used by many major cultural and archival organisations to make photographic and video collections available more widely. The ability to use such tools to enhance accessibility is particularly important in the archival context. They can provide efficient access to public archival collections which would not otherwise be available due to the volume of material, funding or archival resource constraints.

Copyright law can be a major hindrance for archival institutions wishing to make their collections more accessible and useable. While archival bodies may own their physical collections as objects, they may not own all, or any, of the copyright that resides in them.

234 NSW Young Lawyers, submission to *Towards Government 2.0: An Issues Paper,* http://gov2.net.au/submissions/.

According to the *Copyright Act 1968,*[235] protection for unpublished works (for example manuscripts) will not start to expire until publication has occurred. Until published, documents which form a significant part of Australia's archival collections will be subject to copyright protection forever. The UK changed the law on this in 1988 by ending perpetual copyright in existing unpublished works. The rationale for protecting unpublished works under Australian copyright law requires closer examination.[236] Further, a recent decision by the Full Federal Court of Australia[237] raises a question as to the circumstances in which materials become published.

In 2006, the Australian Government announced its intention to conduct an inquiry into orphan works.[238] Despite the intention that section 200AB of the *Copyright Act 1968*, effective from 1 January 2007, would provide for flexible dealing, it has failed to realise any more certainty in this area. Further review of section 200AB is required to give it more meaningful purpose.

Cultural collecting institutions can take a risk management approach to dealing with copyright in their release of orphan works, but there would be many institutions that are reluctant to take such a risk. Tracking down copyright owners can be resource intensive and frequently, the solution is non-release. This runs counter to the pro-disclosure culture promoted by the FOI reforms and Government 2.0 and is especially regrettable for very old unpublished manuscripts.

The Australian Government's archival collection, held by the NAA, is a mixture of Crown and privately held copyright. In most cases, because of the age of the material, it is not practically possible to track down the owners of non-Crown copyright. The Commonwealth holds a significant quantity of this material in government records and it can be made available to the public under the section 57 of the *Archives Act 1983.* People who want to reuse it need to seek permission from the NAA to use Crown copyright and to also attempt to track down any private copyright owners.

Box 16: Commonwealth records released under the Archives Act

Commonwealth records released under the Archives Act are legally available, not just to the person who applied for access, but to the general public. The subsequent use of these records is regulated only through the government's exercise of its rights in copyright in the material.

To ensure that information is not used in an inappropriate manner those intending to publish information from [archival] government records are required to seek permission through the National Archives. Over years of granting publication permissions on behalf of agencies and of referring requests to agencies, the National Archives can cite only one instance in which permission to publish was refused on the grounds that the use was inappropriate. This would suggest that the requirement to obtain permission may be unnecessary, or that publicly available records could be reproduced under a licence which stipulated the conditions under which material could be reproduced, obviating the requirement for permissions to be sought in every instance. … If government copyright in Commonwealth records, both published and unpublished, is to be retained at all, it may be appropriate that it expires, if not earlier, at the point at which Commonwealth records become available for public access under the Archives Act.

Submission by National Archives of Australia[239]

235 http://www.comlaw.gov.au/comlaw/Legislation/ActCompilation1.nsf/0/2E3EEB3B6191AB60CA2574FF0081BA02?OpenDocument or http://tinyurl.com/ya5sx5y.

236 S Ricketson and C Creswell, *Law of Intellectual Property* (1999), LBC Information Services: Sydney [3.155].

237 The recent decision of the Full Federal Court of Australia in Copyright Agency Limited v State of New South Wales (2007) FCAFC 80, which held that the delivery of a survey plan of land by a surveyor to their client amounted to 'publication'.

238 An important category of PSI held by public collecting institutions is information for which the copyright is held by third parties who cannot be identified or located.

239 National Archives of Australia, Submission to *Towards Government 2.0: An Issues Paper,* http://gov2.net.au/submissions/.

Recommendation 6: Make public sector information open, accessible and reusable

6.1 By default public sector information[240] (PSI) should be.

- free[241]
- based on open standards
- easily discoverable
- understandable[242]
- machine-readable[243]
- freely reusable and transformable.[244]

6.2 PSI should be released as early as practicable and regularly updated to ensure its currency is maintained.

6.3 Consistent with the need for free and open reuse and adaptation, PSI released should be licensed under the Creative Commons BY standard[245] as the default.

6.4 Use of more restrictive licensing arrangements should be reserved for special circumstances only, and such use is to be in accordance with general guidance or specific advice provided by the proposed OIC.

6.5 The proposed OIC should develop policies to maximise the extent to which existing PSI be relicensed Creative Commons BY, taking account of undue administrative burden this may cause for agencies. To minimise administrative burden, the taskforce envisages that rules could be adopted whereby a large amount of PSI that has already been published could be automatically designated Creative Commons BY. This would include government reports, legislation and records that are already accessible to the public. Individuals or organisations should also be able to request that other PSI be relicensed Creative Commons BY on application, with a right of appeal should the request be refused, to the proposed new Information Commissioner.

6.6 Where ownership of the PSI data rests with the Commonwealth, data should be released under Creative Commons BY licence. Negotiation with the other party/ies will be required to ensure release under Creative Commons BY for PSI which is not owned by the Commonwealth, or is shared with another party/ies. New contracts or agreements with a third party should endeavour to include a clause clearly stating the Commonwealth's obligation to publish relevant data and that this be under a Creative Commons BY licence.[246] This policy should become mandatory for all contracts signed by the Commonwealth after June 2011.

240 The definition is: 'information, including information products and services, generated, created, collected, processed, preserved, maintained, disseminated, or funded by or for the government or public institutions, taking into account [relevant] legal requirements and restrictions'.

241 Provided at no cost in the absence of substantial marginal costs.

242 Supported by metadata that will aid in the understanding the quality and interpretability of the information.

243 The Semantic Web involves a vision of a machine-readable web, where intelligent agents would be capable of understanding data presented online by interpreting the accompanying metadata.

244 Not having limitation on derivative uses.

245 http://creativecommons.org/licenses/by/2.5/au/.

246 A consistent clause should be developed by Department of Finance and Deregulation and inserted as a standing requirement of all Commonwealth Contracts—similar to that used to ensure access and reporting by the Australian National Audit Office (ANAO).

6.7 Copyright policy should be amended so that works covered by Crown copyright are automatically licensed under a Creative Commons BY licence at the time at which Commonwealth records become available for public access under the *Archives Act 1983.*

6.8 Any decision to withhold the release of PSI, other than where there is a legal obligation to withhold release, should only be made with the agreement of, or in conformity with policies endorsed by the proposed OIC and consistent with the Australian Government's FOI policy, noting that:

6.8.1 in the case of structured data,[247] agencies must exhaust options to protect privacy and confidentiality before seeking an exemption[248]

6.8.2 agencies must proactively identify and release, without request, such data that might reasonably be considered as holding value to parties outside the agency.

6.9 The Australian Government should engage other members of the Council of Australian Governments to extend these principles into a National Information Policy agreed between all levels of government; federal, state, territory and local.

6.10 In order to accelerate the adoption of Government 2.0, in addition to any distribution arrangements they wish to pursue, agencies should ensure that the PSI they release should be discoverable and accessible via a central portal (data.gov.au) containing details of the nature, format and release of the PSI.

6.11 Within the first year of its establishment, the proposed OIC, in consultation with the lead agency, should develop and agree a common methodology to inform government on the social and economic value generated from published PSI.

6.12 The major agencies[249] under the *Financial Management and Accountability Act 1997* (FMA Act) should use the common methodology to report their performance in the release of PSI in their annual reports, commencing from the first anniversary of the establishment of the proposed OIC.

6.13 The proposed OIC should annually publish a report outlining the contribution of each agency to the consolidated value of Commonwealth PSI, commencing from the first anniversary of the establishment of the proposed OIC. The report should be published online and be accessible for comment and discussion.

6.14 Following government acceptance of the initial 'Value of PSI Report', the proposed OIC should consider the development of a 'lite' version of the common methodology for use by other FMA Act agencies.

6.15 The taskforce notes the proposed changes to the FOI Amendment (Reform) Bill 2009 to have the proposed OIC issue guidelines to support the future operations of the Act as described in the Explanatory Memorandum for Schedule 2, Section 8.[250] To ensure effective and consistent implementation of access to PSI these guidelines should give due consideration to the concepts outlined above.

247 'Any data kept in an electronic record, where each piece of information has an assigned format and meaning.' http://www.mgrush.com/content/view/70/33.

248 This would include, for example, the removal of specific fields or records. However, in considering appropriate treatments, agencies should avoid unduly compromising the potential value of the data that may be derived.

249 All departments of state and material agencies see http://www.finance.gov.au/publications/flipchart/index.html or http://tinyurl.com/yhkrbe2.

250 http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22legislation%2Fbillhome%2Fr4163%22 or http://tinyurl.com/ycqhp83.

Recommendation 7: Addressing issues in the operation of copyright

7.1 Agencies should apply policy guidance, or seek advice on a case by case basis, on the licensing of PSI either before its release or in administering licences after publication from the proposed OIC.

7.2 The functions currently performed by the Commonwealth Copyright Administration (CCA) unit within the Attorney-General's Department (AGD) relating to pre- and post-licensing of copyright material should be transferred to either the proposed OIC or the lead agency. Other administrative functions of the CCA unit should be reviewed to identify which of the functions should remain within AGD and those that should transfer to the proposed OIC.

7.3 It is recommended that the proposed OIC examine the current state of copyright law with regard to orphan works (including section 200AB of the *Copyright Act 1968*), with the aim of recommending amendments that would remove the practical restrictions that currently impede the use of such works.

5.9 How widely should PSI principles apply?

The taskforce notes the approach taken by the Victorian Parliament's *Inquiry into Improving Access to Public Sector Information and Data,* and particularly its recommendation that PSI be narrowly defined so that attention can be given to the PSI of core government agencies such as departments first, though the inquiry was sympathetic to extending the definition of PSI over time.[251]

In principle the taskforce disagrees. In absence of good reasons to the contrary, whatever information or content has been funded by the public should, be discoverable, accessible and useable as a public asset whether it has been generated by government departments or quasi government agencies. Accordingly the taskforce's recommendations for PSI apply to PSI held by publicly funded agencies of all kinds including universities, schools, hospitals and cultural agencies.

Nevertheless in practice there may not be much distancing the taskforce from the Victorian approach. Implementing the policy regime set out in this report across all publicly funded agencies will be a substantial undertaking. Accordingly it may be appropriate for there to be staged introduction of the policy.

5.9.1 Where agencies are charging for PSI

As several studies reported above have found, government revenue will often benefit more from taxes on the economic growth stimulated by open access to PSI than it will suffer where governments lose direct revenue from the sale of PSI. As reported above, Project 6 for the taskforce showed how in the age of the internet, taking transactions costs into account strengthens the case for open PSI even further.

This is an important, but not complete answer to the dilemmas that the issue raises. Firstly, even where zero pricing is the optimal economic policy from the perspective of national welfare, open PSI will not always generate higher net government revenues and here additional revenue

251 Recommendation 4, Economic Development and Infrastructure Committee. *Inquiry into improving access to public sector information and data,* Victorian Parliament, June 2009, http://www.parliament.vic.gov.au/edic/inquiries/access_to_PSI/ or http://tinyurl.com/nkbruu.

will have to be found. Those in charge of government budgeting are typically loath to take into account speculative revenue gains for fear of harming the rigour of the budgetary process. The revenue benefits from taxation of increased economic activity arising from open PSI take time to materialise. In addition, to fund its recent fiscal stimulus, the government adopted stringent fiscal targets in coming years.

Thus, if governments are to find alternative sources of revenue as they have done before, they will need evidence that the loss of revenue brings some commensurate benefit. As a result, marginal cost and zero pricing of PSI may need in some cases to be phased in as budgets permit.

Secondly there are a range of practical matters that require attention to make the transition to open PSI with data that is currently being charged for. The agencies earning revenue from sale of PSI will typically not be the agencies that reap the tax revenue from the additional economic activity stimulated by open PSI, creating a variety of frictions in the practical process of opening PSI. This will particularly be the case with state governments, which have much narrower tax bases, raising both the political and economic cost of generating any additional revenue and reducing the extent to which the states will capture revenue from any additional economic activity arising from opening up PSI.

For this reason the lead agency should work with relevant agencies to understand their circumstances and help them individually prioritise actions to move towards greater marginal cost pricing of their PSI. At the same time it should publicly report on progress in this area across government so as to maintain Australia's policy leadership in this area. It should also ensure that the Australian Government is well informed on any issues which are constraining state governments from authorising greater open access to PSI under their control.

While transitional issues must be acknowledged and properly managed they should not be used as an excuse for inaction. Further, anecdotal evidence suggests that in many instances the revenue raised from PSI charges net of the costs of administering PSI sale is a much smaller sum than the gross revenue collected. Indeed, it is not unusual for the net figure to be quite small or even negative, although sometimes this is not known to agencies. If this is the case, the argument for delay is even weaker.

Cultural agencies like the Australian Broadcasting Corporation (ABC) and Special Broadcasting Service (SBS), and some galleries and other cultural institutions, have well established business ventures from the sale and licensing of their content—including international licensing which may require restrictions on the distribution of their content.[252] Because such agencies are not lavishly funded they are always seeking to explore avenues within their charters for greater internal funding. This mindset can lead agencies to pay greater attention to the revenue raising benefits of selling content—together with the restrictive licensing this entails—than the broader costs of doing so, not just to their mission but more broadly still.

The taskforce has focused its energies on making recommendations to encourage a transformation in the use of information and data-rich PSI. In the meantime the lead agency should seek to have the costs and benefits better understood both within the agencies which generate content for sale and the broader community. There may be a case for such agencies to release more PSI, particularly when the cost of selling it and the scope for free distribution to stimulate greater interest in and sales of complementary products is taken fully into account.[253]

252 There may also be a variety of restrictions on the rights of cultural agencies to license the material having purchased it from third parties with their own ambitions to license it elsewhere. The taskforce does not envisage that its recommendation for all contracts for the provision of material to government which will become PSI should extent to third party 'content' contracted to agencies such as the ABC and SBS.

253 Bray, Paula, 2009, 'Open Licensing and the Future for Collections', Powerhouse Museum, Sydney, Australia at http://www.archimuse.com/mw2009/papers/bray/bray.html or http://tinyurl.com/yf7qb6m.

Some such as the ABC and the Powerhouse Museum in Sydney have made an excellent start in doing this and they are recognised as global leaders.

Once again however this should not be an excuse for inaction or for perpetuating business models which Web 2.0 is rendering obsolete. Some publishers have not just embraced the openness of Web 2.0, but have used the leverage it gives them to increase their audience and to drive lucrative new business models. Given its mission and its access to public funding, public sector agencies should be vigorous in exploring similar approaches. They may find themselves in the ideal position to explore what public goods might be built on the internet by public agencies with their own sources of funding.

Certainly openness and using the available tools to provide open access—freely licensed and at the marginal cost of distribution—must be a default position from which exceptions are argued. The onus is on cultural institutions to adapt to Web 2.0 including most importantly, taking advantage of the opportunities it offers.

Similarly some government research agencies like the Commonwealth Scientific and Industrial Research Organisation (CSIRO) seek to either sell or commercialise the intellectual property they help bring about. While it would be unwise for the taskforce to recommend any blanket rule, the Cutler Report found that research agencies are typically not particularly skilled at commercialising their IP portfolios. And releasing IP will often generate greater economic benefits than retaining private ownership, although it is often difficult for agencies to see this given that the economic benefits arising from in such a strategy may be more diffuse and serendipitous—and so unforeseeable. For these reasons, as with cultural institutions, research agencies should be required to discharge a strong burden of proof before retaining IP themselves.

5.10 Whole of government information publication scheme

To encourage the public to contribute ideas and expertise and to collaborate in policy development and service delivery, it is important that the community be as informed as possible. The information publication scheme is one way in which this can occur. A well informed community is, of course, also an essential driver for greater government accountability and transparency.

The terms of reference of the taskforce require it to identify policies and frameworks to assist the proposed OIC and other agencies in developing and managing a whole of government information publication scheme to encourage greater disclosure of public sector information.

Requirements for an information publication scheme arise in the context of proposals for amendments to the Commonwealth's *Freedom of Information Act 1982* (FOI Act). The Freedom of Information Amendment (Reform) Bill 2009 (FOI Reform Bill)[254] establishes an information publication scheme and sets out ten categories of information that agencies must publish. In addition, the proposed scheme also includes provision for an agency to publish other information at its discretion (guided by the objects of the FOI Act and guidelines to be issued by the Information Commissioner). Importantly, the protections of the FOI Act from actions for defamation, breach of confidence or infringement of copyright are extended to this discretionary publication (Division 2, Clause 90 of the FOI Reform Bill).

The FOI Reform Bill also requires agencies to publish plans showing how they propose to implement the scheme. Agency plans set out what information will be published through its scheme, how and to whom it will publish the information and how it will otherwise comply

254 http://www.dpmc.gov.au/consultation/foi_reform/index.cfm or http://tinyurl.com/d7ywkt.

with the scheme's requirements. The Bill gives the proposed OIC responsibility for reviewing the operation of the scheme in each agency, investigating compliance and reporting on the operation of the scheme.

In this case, Australia has limited examples of established practice. Most freedom of information legislation includes a range of documents, or information about documents, that agencies are required to publish. The extension of this basic requirement is the development of a comprehensive model publication scheme requiring agencies to maintain publications schemes approved by a Commissioner.

To date model publication schemes have been introduced only in the UK and Scotland and, in Australia, in Queensland with other states making moves to follow. The UK refined its initial publication scheme in light of early difficulties in implementation. The UK's current model publication scheme provides a useful model from which to draw lessons for Australia. There are differences between the UK model and the Australian Government's proposed publication scheme, particularly the wider publication requirements in the Australian model.

5.10.1 Discretionary publication scheme

A distinctive feature of the proposed scheme is the provision for agencies to publish information at their discretion, beyond the ten mandatory categories of (fairly standard) organisational and operational information that they must publish.

This has the potential to build an agency-driven proactive publication regime, with each agency tailoring its own publication schedule to suit its functions and client needs.

A significant advantage for an agency in using the discretionary publication provisions proposed in the FOI Reform Bill is that the protections of the FOI Act apply. Defences to actions for defamation, breach of copyright or infringement of copyright are extended to information published in good faith under the information publication scheme. There is a requirement, therefore, that the discretionary publication scheme be in accordance with the objects of the FOI Act and with guidelines issued by the Information Commissioner.

Guidelines issued by the Information Commissioner must be broad enough to support an agency-driven regime. This will allow flexibility for agencies to select material in accordance with their different size, functions and information holdings. It would be expected that an agency would make a decision about what and how to release information in collaboration with the Information Commissioner.

An agency will obviously consider information for which they know there is demand, and information that people might expect them to publish. However, the 'usefulness' of much information may not necessarily be evident to the agency. In addition, therefore, agencies need to consider mechanisms for people to tell them what they want. For example, an agency might set up internal mechanisms to engage its own staff in suggesting or passing on requests for information or data that might be published.

More effective would be a central facility for citizens, business and community groups to suggest information (including datasets) that they would like, even when they do not know which agency holds the data. The portal site, data.gov.au, recommended by this taskforce elsewhere in this report, should have a facility for people to suggest additional datasets that they want. The potential of such an approach was demonstrated when the beta site, data.australia.gov.au, hosted datasets made available for the MashupAustralia contest. The data.australia.gov.au site is a pilot, however, experience gleaned can be used to inform the development of the central portal for Australian public information datasets, providing a central place for people to access and request data. Data.gov.au should use the infrastructure and information management services developed by the Australian Government under the Australian Government Online

Service Point Program to allow simple discovery of datasets and for users to easily suggest datasets. The lead agency would need to work with relevant agencies to ensure that requests for release of data are met wherever possible.

The taskforce asked for suggestions for information that might usefully be released in a contest on IdeaScale.[255] Suggestions included much information that is already made available but at a cost, or under restrictive licensing.[256]

People can most effectively request publication of information when they know what information assets exist. The implementation of the proposed information publication scheme could further assist agencies in recognising their information assets and form the basis of an information register. Such a register would represent a core tool in improving the means by which others discover and locate data held. It would need to be based on types or classes of data that are named and described in such a way as to be meaningful to those outside the agency. In some cases, the register could include details of the reasons for release and non-release of data. It could also act as a 'check-list' for agencies in determining compliance with guidelines surrounding the release of PSI.

Apart from encouraging proactive publication, the publication scheme should also, therefore, assist the public to discover what information assets exist, and how they might get access to it.

5.10.2 Taskforce project report

The taskforce commissioned a report through its project fund to support the work of the taskforce and to contribute to its deliberations on the form and nature of the information publication scheme. The report, by Eric Wainwright and Dagmar Parer of eKnowledge Structures,[257] provides a comprehensive view of the Australian and international contexts and recommendations for an approach for an information publication scheme for the Australian Government. The report also makes suggestions for implementation of the publication scheme.

The report includes suggested content for initial guidelines to be issued to agencies by the proposed OIC. The report also suggested content for a model information publication scheme and suggested guidelines for agency information publication plans.

A number of 'quick wins' are identified to help agencies increase discoverability of seven categories of information already covered by publication and reporting obligations. These cover information in Annual Reports, documents required to be tabled under Senate Procedural Orders, and documents required to be listed under FOI Act Section 9 Statements.

Other aspects of the report are summarised in Appendix C.

255 http://gov2taskforce.ideascale.com/a/ideafactory.do?discussionID=8036 or http://tinyurl.com/ykkb2gs.

256 This reinforces the need for PSI to be released in accordance with the principles set out in this report, particularly that it be free, based on open standards, easily discoverable, understandable, machine-readable and freely reusable. See Recommendation 6.

257 Government 2.0 Taskforce Project 7, *Whole of Government Information Publication Scheme,* by Eric Wainwright and Dagmar Parer, eKnowledge Structures, http://gov2.net.au/projects/project-7.

Recommendation 8: Information publication scheme

8.1 The taskforce recommends that, in the development, management and implementation of a government information publication scheme, the proposed OIC, once established, take regard of the findings and recommendations contained in the report *Whole of Government Information Publication Scheme*, Government 2.0 Taskforce Project 7[258].

8.2 The taskforce supports the model for the publication scheme set out in the Freedom of Information Amendment (Reform) Bill 2009[259] and notes that the Bill incorporates complementary aims. To reinforce its support, the taskforce recommends information publication schemes be developed with the following explicit aims. To:

8.2.1 provide an overall and consistent statutory framework for information publication by all agencies

8.2.2 encourage the widest disclosure of useful government information consistent with the public interest, and thereby greater trust in government

8.2.3 guide agencies in overcoming attitudinal, technological and legal barriers to optimal information disclosure and use, and to improved public engagement

8.2.4 provide a planning framework to assist agencies in their overall information management

8.2.5 provide an integrated and simplified guide for agencies to meet their information publication and reporting obligations

8.2.6 provide clear and understandable guidance to the public on their rights to, and methods of, accessing and using government information, leading to improved service delivery and public engagement in policy development

8.2.7 enable the proposed OIC to monitor schemes, and encourage agencies towards achieving government pro-disclosure objectives through reference to exemplars, and reporting of unsatisfactory progress.

258 http://gov2.net.au/projects/project-7.

259 http://www.dpmc.gov.au/consultation/foi_reform/index.cfm or http://tinyurl.com/d7ywkt.

6 Open government—policy enablers

The previous two chapters considered two major aspects of Government 2.0. This chapter discusses a range of issues which typically apply to both digital engagement and open PSI.

6.1 Accessibility and Web 2.0 Tools

Even with the legislative requirements of the *Disability Discrimination Act 1992* and obligations as a signatory to the UN Convention on Rights of Persons with Disabilities, there remains a poor cultural understanding of the options for implementation of technology to meet the needs of people with disabilities. Applying Web Content Accessibility Guidelines (WCAG) guidelines is not as straight forward as it may at first appear. People with different disabilities have different access difficulties and good application of the guidelines for one audience may conflict with the best application for a different audience. Different organisations will interpret the guidelines differently and will do so in the context of their own accessibility policies. Software designers also apply the guidelines differently.

Because of the poor application of accessibility by some proprietary systems and the lack of development maturity in many third party systems, the use of Web 2.0 tools for Government 2.0 projects may present accessibility compliance difficulties. This situation is made more difficult by the pace of technology change, the vast choice of tools and the practice of the 'perpetual beta'. Tools may never be made accessible before being replaced by a host of new ones. As a result, consultation projects may suffer major delays, initiatives may be abandoned or severely weakened in functionality. The result is that access is denied for everyone.

Where user-generated content is included, it may be difficult to avoid inconsistencies in the application of the guidelines. An example is the online presentation of submissions to inquiries. These are often provided in a wide variety of formats, by organisations and individuals who do not have accessibility in the front of their mind and may not understand how to make such documents accessible. To make them accessible would require substantial resources and the time taken could make them less relevant by the time accessibility was delivered. Full compliance will mean that submissions may not be made public in a timely fashion or perhaps not at all, diminishing the value of the consultative process.

The implementation of WCAG 2.0 adds complexity to compliance. Even the application of WCAG guidelines is not a one-size-fits-all approach.

The aim of any publicly funded projects is, without question, good access for everyone. An approach based simply on compliance suggests that accessibility is something to be added on to projects. Engendering a culture of understanding and an integration of accessibility concepts into the core of the project is a better option.

Accessibility within online tools and services within government and the wider community is the ideal. Cultural change is required to promote understanding, a thoughtful approach to accessibility decisions, accountability for those decisions and a consideration of accessibility from the outset of online projects:

- Accessibility is a human issue, not a technology issue nor a compliance issue. Developing a deep understanding that accessible is best, and accessibility is the right thing to do for the audience, rather than because compliance is mandated.

- In some cases agencies' business requirements and time pressures mean they should be allowed some flexibility for non-compliance with accessibility—although even then they must maintain the aim of maximum accessibility compliance. This enables agencies to deliver time-critical and innovative engagement projects while maximising accessibility in the circumstances and providing alternative options for accessibility.
- There must be public accountability for these kinds of decisions. Decisions to initiate an online project without compliance must be subject to public scrutiny. Site visitors should know why the decisions were made, what the alternative measures for access are, and what the agency is planning to do to improve accessibility.

Such an approach will have significant positive effects:

- Agencies will expect Web 2.0 tool vendors and online service providers to improve their accessibility.
- Public servants will gain a deeper understanding of the requirements for accessibility, rather than the requirements for compliance.
- Software providers will build accessibility into their applications intrinsically if they better understand the interest and opportunities of the government market.
- Agencies will be accountable for their decisions, improving the quality of these decisions and ensuring maximum access for everyone within the scope and resources of the project.

Ideally, Government 2.0 should create an online environment which is accessible by nature rather than through compliance. Through the use and development of open source systems, the Australian Government has an opportunity to contribute to improving accessibility in the wider community.

To support the application of accessibility beyond compliance with guidelines, the taskforce has also recommended awards for agencies that recognise outstanding practice in the accessible use and impact of Government 2.0 tools to improve agency interactions with citizens, business and community groups.

Recommendation 9: Accessibility

9.1 Significant cultural change is needed to enable greater support for the adoption of accessible Web 2.0 tools, collaboration and online community engagement activities, and PSI delivery projects The taskforce therefore recommends that:

9.1.1 agency compliance with the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG)[260] as the minimum accessibility level for all online community engagement and online PSI provision is required. Data provided on the primary PSI site, data.gov.au, should be provided in full compliance with WCAG

9.1.2 where an agency is considering a Web 2.0 project where strict compliance with WCAG accessibility guidelines risks preventing a project from proceeding, AGIMO will provide guidance on options to facilitate maximum access for people with disabilities

9.1.3 where an agency elects to proceed with a project that is not fully compliant they must publish an online statement explaining site accessibility, together with an outline of where and why it does not meet a specific WCAG guideline, and what alternative options for accessible access were considered or are provided and plans for compliance within a reasonable timeframe

260 This recommendation avoids specifying which version of WCAG is being referred to as a means of ensuring the recommendation refers to the most current version of the guidelines mandated by the government.

9.1.4 a central register of accessibility compliance statements should be maintained on data.gov.au

9.1.5 in consultation with relevant agencies, the lead agency should establish awards for agencies that recognise outstanding practice in the application of accessibility principles and guidelines to Government 2.0 tools to improve agency interactions with citizens, business and community groups.

6.2 Government 2.0 and security

> Wisdom consists in being able to distinguish among dangers and make a choice of the least harmful.
>
> Niccolo Machiavelli, *The Prince*

In 2009, most Australian Government departments do not allow staff access to the most common Web 2.0 tools and many do not provide webmail access. Security is cited as one of the common reasons associated with these restrictions. Security concerns result in the lag in adoption of new internet tools generally.

The basis of information technology security in the Australian Government is described in the Information Security Manual (ISM),[261] published by the Defence Signals Directorate (DSD). This document, updated regularly, provides a broad set of recommendations for maintaining IT security in government agencies. The recommendations are based on a set of principles covering all aspects of IT security.

Compliance with all aspects of the ISM is mandated for Commonwealth agencies unless a specific waiver is granted. Many of the policies and practices outlined in the ISM are clearly well suited to agencies with very high security needs in the Defence, Security and Intelligence community. However these policies inhibit the operation of mainstream agencies and limit their capacity to respond quickly to technological change, innovation in the market place and associated opportunities and new business or government requirements. The application of the ISM is clearly inhibiting the broader use of Web 2.0 tools.

The taskforce recognises that security is an important consideration, quite obviously for agencies with high security needs but also for other agencies. There are few agencies for which an IT security breach enabling people to access confidential material would not be a serious matter. Nevertheless the take-up of Web 2.0 tools by Australian Government agencies is inhibited by risk-averse interpretations of the ISM.

The ISM acts to discourage agencies from using Web 2.0 by explicitly warning against the use of social networking sites and the use of blogs. It expressly prohibits the publication of any data on the web by a public servant unless '... it has been authorised for release into the public domain.'

261 http://www.dsd.gov.au/_lib/pdf_doc/ism/ISM_Sep09_rev1.pdf.

Following are some relevant extracts from the current edition of the ISM:

Accessing social networking websites

4.1.90. It is recommended that agencies prevent personnel from accessing social networking websites that pose a higher than normal security risk relating to the unauthorised release of government information or disclosure of personal information.

4.1.100. Websites that may pose a higher than normal security risk relating to the unauthorised release of government information or disclosure of personal information can include, but are not limited to, websites such as Facebook, Myspace and Twitter.

Posting information on the Web

4.1.93. Personnel posting information on the Web, especially in forums and blogs, need to remain cognisant of whether the information has been authorised for release into the public domain. Information that appears to be benign in isolation could, in aggregate, along with other information, have a considerable security impact on the Australian Government.

In the absence of guidance, agency officials will err on the side of caution in their consideration of the risks associated with Web 2.0 tools. They will potentially eschew proper consideration of the benefits that may accrue as a result of the view that the associated security risks are too high. Specific guidance is needed in order to assist agencies make informed, appropriate decisions about the IT-related security risks associated with the implementation of Web 2.0 tools.

Recommendation 10: Security and Web 2.0

10.1 The lead agency, in conjunction with the Defence Signals Directorate (DSD), should develop a Better Practice Guide (or 'how to' guide) to assist agencies in the effective, efficient and secure use of Web 2.0 tools and how to undertake associated risk assessment.

10.2 DSD should provide guidance to agencies on the appropriate mitigation treatments that could be adopted to address concerns or exposures identified in relation to the use of social networking and related tools. This guidance should take into consideration the different environments in which agencies operate the varying risk profiles that exist and the range of tools that may be used. DSD should update the Information Security Manual (ISM) accordingly.

10.3 Sensitive and National Security data requires special consideration in the context of PSI. To ensure consistency between PSI arrangements in the future and the proposed changes to the FOI Act, the proposed OIC should provide advice to agencies in relation to the treatment of PSI to enable its broadest possible release. Consistent with good practice, and the requirements of the Protective Security Manual (PSM), agencies must avoid the over classification of data so as to limit the need to review or pre-process data to enable its release.

6.3 Privacy and the release of PSI

Personal information generally falls outside the discussion about release of PSI. Few would want to see the personal details they gave to agencies available publicly online or featured in mashups. Indeed, in addition to breaching the *Privacy Act 1988* (Privacy Act), such a practice

would likely discourage people from using government services and undermine their confidence in Government 2.0. However, to ignore personal information in the Government 2.0 setting would be to severely limit the scope of efforts to release PSI and curtail the social and economic benefits that may flow on from its use.

The personal information governments hold is a massively valuable resource and so we must find ways of tapping it and releasing it in aggregated form which does not compromise privacy, as we do with the Australian Census. However, de-identifying data is not always a simple matter of removing a name. In its submission to the taskforce, the Office of the Privacy Commissioner cites the example of AOL who in 2006 released (what it thought were) anonymised search logs of 650,000 users. In the end, journalists were able to identify a number of users based on linkages between searches.[262] In the United States, it has been pointed out that 87 per cent of Americans can be identified by just birth date, five digit zip code, and gender.[263]

However even if obvious identifying details like name and address have been stripped, if the identity of the person can be ascertained from the remaining data the Privacy Act will apply, and agencies may breach the Privacy Act if they release the data to the public.[264] For these reasons, agencies may be tentative about releasing de-identified data, given the increasing sophistication of data mashups and matching and the subsequent risks of re-identification.[265]

A set of guidelines which draw together information and practical experience on de-identifying data would assist agencies to release data in a form that is fully de-identified.[266] Similar considerations apply to confidential data.

Recommendation 11: Privacy and confidentiality

11.1 To protect the personal information of individuals included in PSI, the Privacy Commissioner should develop guidance on the de-identification of PSI before it is released.[267]

11.2 To protect the commercial-in-confidence information of businesses included in PSI, the proposed OIC should develop guidance on the de-identification of PSI.

262 Office of the Privacy Commission, Submission to *Towards Government 2.0: An Issues Paper*, http://gov2.net.au/submissions.

263 Robert Gelman, *Public Record Usage in the United States*, quoted by Andrew Hayne, 'Privacy regulation and e-research' in *Legal framework for e-research: realising the potential*, ed. Dr Brian Fitzgerald, University of Sydney Press, 2008, p. 412, http://ses.library.usyd.edu.au/bitstream/2123/2668/1/LegalFrameworkFront.pdf or http://tinyurl.com/ye5c8gq.

264 Definition of 'personal information', *Privacy Act 1988*, s 6(1).

265 Note the relatively small number of data sets on the data.australia.gov.au website consisting of de-identified personal information.

266 The ABS regularly releases de-identified demographic data and has valuable experience to contribute. Information scientists at CSIRO are testing 'privacy preserving analytics'. These allow data to be de-identified in such a way that it is impossible to re-identify while maintaining the accuracy of the data. See CSIRO Media Release: 'Privacy Software to unlock health data gold mine', 1 August 2005, http://www.csiro.au/news/Privacy-Software.html.

267 The *Privacy Act 1988* provides for the Privacy Commissioner to prepare and publish guidelines on privacy under s 27(1)(e). The taskforce understands, however, that responsibility for this function would transfer to the Information Commissioner following proposed amendments to the Privacy Act and proposed new legislation to establish an Office of the Information Commissioner. In this event, responsibility for the preparation of guidance on de-identification of PSI as outlined in this recommendation should transfer to the Information Commissioner.

6.4 Information/records management

Good information and records management is an essential enabler of access to and reuse of PSI. Agencies need to know what information they have got, how important it is, how to find it and how to keep it for as long as it is needed. The importance of good recordkeeping as a prerequisite to the public's right to information is well argued in the recent Solomon Report on freedom of information laws in Queensland.[268]

A sound culture of information and records management becomes more critical as agencies move to adopt Government 2.0 tools and approaches. Such a culture relies on leadership at both the agency and whole of government level to drive agency-level policies and best practice. Agency head endorsement and support for information and records management initiatives is crucial to building an appropriate culture.

Box 17: The semantic web

The Semantic Web is an emerging suite of interrelated initiatives proposed by the inventor of the world wide web, Sir Tim Berners-Lee and sometimes referred to as Web 3.0. Berners-Lee's vision for the Semantic Web is of a network that uses intelligent agents to help users search and navigate through the overwhelming and bewildering superabundance of Web resources to find, understand and reuse what they need much more efficiently and accurately than is currently possible.

Providing sets of raw data without accompanying context (in the form of standardised human/machine-understandable metadata) limits the ability of people and computers to find, understand and reuse the information provided. For example, what does the data value '60' represent? Is it someone's age? A speed limit? When was the information collected? By whom? What are the units of measurement? Providing metadata in a standardised format also facilitates a precise, natural language search. For example, 'What are the Commonwealth import duties for a lathe purchased from Germany?' or 'What agricultural land south of the Lachlan River is under threat from soil erosion?'.

In Australia the AGLS Metadata Standard[269] (AS 5044) has been endorsed by all Australian Governments as the standard for describing government resources (information and services) to support their discovery in a Web environment. There are other relevant metadata standards as well for things like rights management, geospatial data, recordkeeping, digital preservation, etc, all of which can potentially be useful in a semantic web environment. There are of course costs associated with marking up data with semantic annotations. These costs increase with the degree of metadata provided for each element. A difficult-to-answer issue is, 'At what point do the costs of providing extra information exceed the benefits?'

As an emerging technology, some Australian Government agencies have experimented with the Semantic Web. For example, the Pharmaceutical Benefits Scheme lists of substances and Anatomical Therapeutic Codes[270] is updated monthly as linked data in RDF.[271] Based on these and similar international experiences, such as the US Government Semantic Web portal for linked government data,[272] it is clear that governments have a role to play in leading and encouraging the uptake of Web 3.0 technologies in support of greater innovation based on the reuse of public sector information and enhanced citizen/government interaction.

268 *The Right to Information: Reviewing Queensland's Freedom of Information Act,* June 2008. http://www.foireview.qld.gov.au/.

269 http://www.agls.gov.au/.

270 http://www.pbs.gov.au/substance.rdf and http://www.pbs.gov.au/atc.rdf.

271 Resource Description Framework, a formal specification of the Semantic Web http://www.w3.org/RDF/.

272 http://www.data.gov/.

6.4.1 Reuse and record integrity

Where the public accesses government information and records for potential reuse, original records should be stored and secured in systems that are designed to maintain the authenticity and integrity of those records. The concept of the original, authentic and reliable record should remain a fundamental principle. In the interest of accountability and transparency, government has an obligation to ensure that this principle is upheld at creation and maintained as the record is managed over time.

Reuse itself may generate new records that will need to be managed as records in their own right. For example, a government agency may decide to expose a draft policy on its website for citizen consultation: citizen comments or annotations will provide input into the final policy, therefore the annotations or comments need to be captured as public records.

6.4.2 Use of third party sites

The use of social web services and storage provided by third party providers, such as Flickr, YouTube and Facebook and the advent of cloud computing present a number of potential problems.[273]

In some circumstances the physical location of the storage site may affect how and whether Australian laws apply. This is a particular concern in the case of personal data if the implication is that protections set out in Australian privacy legislation do not apply or are more difficult to enforce. Compliance with requirements to conduct authorised destruction of records may be complicated by the technical difficulty of ensuring that all copies in all locations are destroyed as required.

There are also issues of particular concern in the Commonwealth context. The use of third party sites may present problems in exporting data to comply with records management requirements.

More importantly, however, is that of uncertainty over information ownership and retention over time. Under the property-based definition of Commonwealth Record in the *Archives Act 1983,*[274] any information created, managed and stored on third party sites in 'the cloud' may not be legally regarded as Commonwealth property nor, as such, as a Commonwealth record.

In other words the Commonwealth is likely to have no control over, nor ownership of these records. They may be destroyed without warning and without the Commonwealth having any recourse. If these records are not legally regarded as Commonwealth records, the public may have no right of access to the records under freedom of information or archives legislation.

6.4.3 Preservation of digital formats

PSI created in any format, including digital formats, often needs to be preserved for periods of time that extend beyond the life of the system of the software application in which they were created or disseminated. To ensure the ongoing useability of PSI it is important for agencies to use open file formats that comply with openly documented and interoperable standards. Failure in this area creates the risk that the information may become unreadable as a result of technological change.

The use of open file formats allows others to build tools capable of presenting or repurposing the information for as long as that information has value.

273 These and other issues relating to the preservation of Web 2.0 content are discussed in the Government 2.0 Taskforce Project 9 report, *Preservation of Web 2.0 Content* by Recordkeeping Innovation, http://gov2.net.au/projects/project-9.

274 Section 3 of the *Archives Act 1983* defines a Commonwealth Record as:

(a) a record that is the property of the Commonwealth or of a Commonwealth institution

or

(b) a record that is to be deemed to be a Commonwealth record by virtue of a regulation under subsection (6) or by virtue of section 22

but does not include a record that is exempt material or is a register or guide maintained in accordance with Part VIII. http://www.comlaw.gov.au/ComLaw/Legislation/ActCompilation1.nsf/all/search/FFAF1E0B63963261CA2572480026151A or http://tinyurl.com/yfgb9v9.

Wider use of open and documented standards could also facilitate the transfer of digital records to NAA for permanent preservation, as NAA uses open and publicly documented standards for its digital repository (see Box 18).[275]

Recommendation 12: Definition of Commonwealth record

12.1 The taskforce recommends that government agencies wishing to use third party sites for the purposes of collaboration, service delivery or information dissemination, ensure that copies of records so generated are retained in the possession of the Commonwealth such that they satisfy the definition of Commonwealth Record in the *Archives Act 1983*. The Australian Government reviewed the property-based definition of Commonwealth Record in the *Archives Act 1983*, with a view to replacing it with a definition that defines Commonwealth records as any information created or received by the Commonwealth in the course of performing Commonwealth business.

12.2 To enable and assist the discovery, sharing and reuse of PSI, agencies should deploy endorsed metadata standards such as the Australian Government Locator Service Metadata Standard (AS 5044) together with whole of government taxonomies such as the Australian Government's Interactive Functions Thesaurus (AGIFT) as outlined in the Australian Government's Information Interoperability Framework. Whenever not being able to meet such standards would appreciably delay the release of PSI, agencies should release non-compliant data until such time as they are able to comply with the standards.

Box 18: Digital records of archival value are to be preserved

The National Archives has determined that digital records of archival value, created in any format, are to be preserved and, accordingly, it has established a digital archive. The National Archives' digital preservation process is founded on the fundamental principle that good recordkeeping and archival systems provide access to complete, reliable and authentic records into the future. The records must be safe from unauthorised access, alteration and deletion.

The cornerstone of the digital archive is the National Archives developed software, Xena, developed in the open source environment. Xena (XML Electronic Normalising of Archives) converts digital records into a format that can be preserved and accessed regardless of future technological change.

The National Archives converts digital records into open preservation file formats that can enable access to their contents in the future. The open formats are based on standards, have full specifications that are publicly documented, and are interoperable with a range of software applications. As well as converting data into open formats, the National Archives' software also enables the data to be exported back to original formats and to access the information in the way it was originally presented.

The National Archives has avoided using proprietary (i.e. closed format) software to enable independent access and to avoid issues such as breach of patent and payment of royalties. The use of open file formats will allow others to build tools capable of presenting or repurposing records preserved by the National Archives.

Submission by the National Archives of Australia[276]

275 http://www.naa.gov.au/records-management/publications/agls-element.aspx, http://www.naa.gov.au/records-management/create-capture-describe/describe/agift/index.aspx and http://www.finance.gov.au/e-government/service-improvement-and-delivery/australian-government-information-interoperability-framework.html.

276 National Archives of Australia, Submission to *Towards Government 2.0: An Issues Paper,* http://gov2.net.au/submissions/.

6.5 Info-philanthropy and democratic accountability and engagement

Often the prime movers of improved democratic engagement come from outside government.[277] The third sector of not-for-profit community organisations, pioneers in a whole range of areas, including aged care, education and community safety, has been particularly active in pioneering Government 2.0, particularly in countries like the US and UK, which are leading the way on Government 2.0.

The UK's FixMyStreet helps people report local problems like graffiti, potholes and other matters requiring maintenance making their online reports easy and reporting local governments' performance in fixing them.[278] As a result it has become popular as a way for people to communicate with their government and has had over 55,000 jobs logged on it with a large number fixed.[279] A proof of concept Australian version was created at the GovHack day sponsored by the taskforce. If it is made fully functional 'It's Buggered, Mate',[280] would enable visitors to sketch out a local maintenance problem with public infrastructure on Google Maps, complete with diagrams and comments. These deployments of Web 2.0 tools by those outside government improve the interface between government and the community. Large additional benefits in democratic engagement as well as myriad other social and economic benefits can be brought about by the release of PSI and the adoption of Web 2.0 tools and approaches more widely within government.

Some important attributes of these new tools are worth emphasising:

- they can improve the efficiency of processes to identify and fix problems affecting people's lives
- they widen the range of knowledge enabling it to be harnessed more effectively to the common and shared ambition of quicker, more sustainable solutions
- they are fundamentally engaging, creating simple and effective ways for people to show they are interested and want to help. In many ways the larger ambitions of 'citizen engagement' are built on the foundations of these more prosaic opportunities for participation on practical matters
- the third sector has also pioneered sites which help the community engage by making it easy for them to inform themselves and to communicate with their governments.

Box 19: Third sector developments

In the UK the website WriteToThem[281] enables people to find out who their politicians are at every level of government and to write to them easily. OpenAustralia is a similar enterprise in Australia which is dedicated to similar projects and often adapts code from MySociety[282] projects. However it is often unable to get permission to republish material that for example in the US is in the public domain and is accordingly available without any restriction. The Australian site MyRepresentatives which is still in development would take a postcode or an address from anywhere in Australia and return corresponding representatives at all levels of government.[283]

277 See 'Mr Gruen goes to Washington'; http://gov2.net.au/blog/2009/10/03/mr-gruen-goes-to-washington/ or http://tinyurl.com/yk2xno6.

278 http://www.fixmystreet.com.

279 As at 09 November 2009 1545 there were 58,498 updates on reports, 1072 fixed in the past month and 699 reports in the past week.

280 http://its-buggered-mate.apps.lpmodules.com.

281 http://www.writetothem.com.

282 https://secure.mysociety.org/cvstrac/dir?d=mysociety or http://tinyurl.com/5dbphw.

283 MyRepresentatives was built as a proof of concept site during the taskforce's GovHack event, http://myrepresentatives.org/.

As Open Forum noted in its submission to the taskforce: 'People do not wish just to talk to government but to see proof they have been heard'.[284] Thus for instance the attraction of writing to representatives via the WriteToThem website is that it tracks responses and reports on politicians' performance. WhatDoTheyKnow[285] offers an easy interface through which around 13 per cent of all the UK's FOI requests to departments are now made and like WriteToThem it provides feedback on performance.[286]

The Recalled Products' website allows people in the European Union (EU) to access and search for the official safety record of products.[287] The recalled products site still in beta uses data from the European Commission's Consumer Affairs RAPEX web pages and allows keyword searches really simple syndication (RSS) and an email alert facility.

Given the importance of the third sector to Government 2.0, one important policy implication is the importance of removing any policy impediments to third sector participation in Government 2.0. It may be possible for organisations whose purpose is to build online systems for public good to receive Deductible Gift Recipient (DGR) and Tax Concession Charity (TCC) status for organisations. After a year of perseverance OpenAustralia has obtained DGR status, however lawyers advising it before it succeeded were sceptical that it would succeed suggesting lack of clarity in the law.

There are no categories that specifically support the provision of public goods online in the Australian Taxation Office (ATO) regulatory definitions. DGR and TCC status provides both tax advantages for the organisation and the capacity to receive grants and donations from philanthropic foundations and other donors.

Reducing the obstacles to the free flow of philanthropy to not-for-profit projects that improve the use of government data, or improve the democratic process, will clearly assist in the establishment of Government 2.0. Some areas of philanthropy, specifically sports, arts and rural and regional development have overcome barriers to philanthropy for deserving but not compliant projects through the creation by the Australian Government of a Specially Listed Deductible Giving Recipient Foundation. This foundation is able to receive donations from individuals, business/corporates, and philanthropic foundations and trusts such that they comply with the relevant tax and charity law, and meet all their legal requirements. This structure is able to give to non-DGR not-for-profit organisations, because of its special listing. The Australian Sports Foundation and the Australian Cultural Fund are examples of such organisations.

Consultants to the taskforce proposed the establishment of a Specially Listed Deductible Giving Recipient Foundation to support the initial development of info-philanthropy. One might define such a foundation's mission as assisting in projects of properly registered not-for-profit organisations which, in a way that is not party political or focused primarily on advocacy either:

- reuse data, including data of Australian governments for public benefit
  or
- engage citizens in projects that seek to enhance democratic accountability or the democratic process and the development of public policy.

It is anticipated that this foundation would be independently governed. It could be managed by one of the existing foundations to draw on their experience and administrative resources.

284 Open Forum, Submission to *Towards Government 2.0: An Issues Paper* http://gov2.net.au/submissions/.

285 http://www.whatdotheyknow.com.

286 The figure is even higher for FOI requests to the Home Office with 32 per cent of all requests being made using the WhatDoTheyKnow website; 'Fraction of FOI Requests Made via WhatDoTheyKnow.com Increasing Fast', 1 October 2009, http://www.mysociety.org/2009/10/01/whatdotheyknow-foi-fraction-up/ or http://tinyurl.com/y9fw8wv.

287 Recalled Products, http://recalledproducts.org/.

Establishing a philanthropic process to support online projects does not reduce the need for good governance, accountability or ongoing sustainability, but it does free people with good ideas to get on with the work of creating projects for public good.

Craig Thomler commented that 'the community also creates information that should come into government and be used as government uses PSI. Too much of the open data focus is outbound (data from gov to community). We also need to open up channels for community to get data to gov'.[288] Volunteers in the community who make online contributions to information assets are also info-philanthropists giving of their time and knowledge. Given this new frontier of volunteering it clearly makes sense to ensure that the things governments do to honour, support and encourage volunteering generally should be done with a view also to encouraging volunteers contributing online.

Recommendation 13: Encourage info-philanthropy

Australian policy makers should minimise obstacles to info-philanthropy being treated as an eligible activity to qualify for deductible gift recipient and other forms of legal status which recognise charitable or philanthropic purposes. Some of the most successful experiments in Government 2.0 have been fuelled by not-for-profits in leading countries such as the UK and the US. As part of their policy approach to recognise volunteers in the community, they should also ensure that online volunteers are appropriately recognised.

288 Craig Thomler comment on draft Government 2.0 Report, 15 December 2009, http://gov2.net.au/consultation/2009/12/07/draftreport/#318 or http://tinyurl.com/ydps5qg.

7 Innovation and the taskforce experience

The terms of reference call for the taskforce to advise and assist the government to build a culture of online innovation within government. The preceding chapters explore the myriad ways in which Web 2.0 tools and approaches can bring innovation to government. However succeeding at innovation is not always straightforward. If it were it would be more common, both within firms and government. The taskforce also sought to model an innovative approach to Government 2.0 itself and records its experience here for what it is worth.

7.1 Inquiries 2.0

The taskforce's terms of reference required it to consult 'in an open and transparent manner and use online solutions for its engagement wherever possible', something that was music to our ears. Particularly given the short time frame allowed us, we aimed to use Web 2.0 approaches to maximise the extent to which we could collaborate with the community which we helped build around us.

This model came to be called 'Inquiries 2.0' a concept that was proposed and developed in a series of blog posts and a speech.[289] The central concept involved making things as interactive as possible and, to the maximum extent we felt possible, inviting the public into our work. The taskforce began by setting up the taskforce blog, which became the primary medium by which it interacted with the community. Social networking sites such as Facebook and Twitter were also used, although they were less central to our activities.

The taskforce kicked off with a design competition for the taskforce logo. To emphasise the improvisational possibilities of Web 2.0, no prize was offered. This proved to be a controversial decision, with debate raging on both our own blog and elsewhere—for instance, on the popular political and cultural blog Larvatus Prodeo[290]—about whether we were exploiting designers. Given that one of our major objectives was to encourage and honour voluntary collaboration in getting to Government 2.0, and given that many taskforce members were themselves participating without remuneration we remained comfortable about our chosen course.

In the upshot we were very pleased with the quality of the winning design from Ben Crothers, who is an active Web 2.0 practitioner.[291] Ben described the ideas behind his design as follows: 'The idea behind the circles is … conversations and interactions popping up around the country, with the "water pools" evoking "ripple effect", harmonising with each other and rippling through each other. The colour implies variety, optimism and vitality',[292] a sentiment that is clear to many

289 See http://gov2.net.au/blog/2009/09/01/inquiries-2-0/ or http://tinyurl.com/y9ffkxm, http://gov2.net.au/blog/2009/09/06/inquiries-2-0-part-2-0/ or http://tinyurl.com/y9zbech, and http://gov2.net.au/blog/2009/10/23/inquiries-2-0-part-3-0/ or http://tinyurl.com/ydzsgw6. Also see http://www.cebit.com.au/2009/conferences/gov-2/speakers/nicholas-gruen or http://tinyurl.com/y9yttrz for the speech.

290 http://larvatusprodeo.net/2009/06/22/equal-pay-for-equal-work-unless-youre-creative-in-which-case-pride-is-enough/ or http://tinyurl.com/mk83ra.

291 http://gov2.net.au/blog/2009/07/10/congratulations-ben-crothers-designer-of-our-banner-and-logo/ or http://tinyurl.com/yeko7hv.

292 http://gov2.net.au/blog/2009/07/10/congratulations-ben-crothers-designer-of-our-banner-and-logo/ or http://tinyurl.com/yeko7hv.

when they see the design. Ben was very pleased to have his work given the prominence we could give it and was kind enough to also design the cover of this report—again without charge.

The taskforce released *Towards Government 2.0: An Issues Paper* in draft form for comment on the blog for several days before its official release (and later released its draft report for ten days on the blog before issuing this final report). We also tried to establish a practice which might be called the principle of 'minimum necessary direction'. Thus we tried to provide the community with direction which was as permissive as practicable and which yet met the need for us to meet a challenging schedule. Thus rather than indicate that comments on some document such as the issues paper or the draft report would not be accepted beyond a given deadline we provided a 'soft deadline' indicating that we would endeavour to, but could not promise to consider comments made after the relevant date.

This was part of a larger strategy of informality which is one of the cultural characteristics of Web 2.0. Those who are successful on Web 2.0 encourage the community to give of their best and this requires that the community be treated with respect. For this reason we did not follow existing template advice on setting up online consultation sites which suggested a long list of prohibitions and reminded readers of a blog not to defame or degrade others or to violate their privacy or commit any unlawful acts. Our blog adopted a single rule in its comments policy—'use your commonsense'. This was then supported by brief explanatory material. However this material was not in the form of a list of prohibited actions.

Our point was not just one of informality of manner. Such spare and yet straightforward instructions also invite reflection and individual responsibility, which itself helps to build the shared values of community. There was almost no need for comments on the blog to be moderated. There was no trolling—commenting to deliberately provoke others—or even of bad manners on the blog despite vigorous debate.

The taskforce initiated a process by which submissions would be effectively 'comments enabled', with each submission effectively constituting its own blog post, providing the author agreed. Intriguingly, simple things had not been considered until they were suggested by outsiders.

The Centre for Policy Development submission had also criticised the Henry Tax Review for the poor searchability of submissions on its website.[293] The taskforce agreed with the criticism—which was also a criticism of its own intentions until it considered the submission. Having made these observations on its website without being sure how to solve the technical problems they raised, the taskforce secretariat came up with a solution within twenty four hours.

This highlights an important finding of our work. Publicly 'outing' problems tends to speed progress on them as everyone focuses on finding a speedy resolution. We were fortified in our own decision to discuss our problem openly on the blog because we thought it likely that if we could not solve the problem, others in the community would come forward with suggestions and help. In this regard 'openness' is not simply a matter of ethical or political hygiene within government. It is a powerful way to ensure that things get done quickly.

In the process of implementing this suggestion a further idea arose to build a Government 2.0 WordPress plugin which would automate the process by which someone might make a submission and consider a set of permissions regarding making their submission comments enabled and so on. If the taskforce could commence the job the plugin would be available for anyone anywhere in the world to use.

Further ideas were workshopped on the second 'Inquiries 2.0' blog post. While to our knowledge none of the plugins suggested have yet been built the post stands as a record of ideas. The Chair is also in discussions with RMIT University about building a Government 2.0 plugin for WordPress incorporating these ideas after the taskforce's work has concluded.

293 Centre for Policy Development submission to *Towards Government 2.0: An Issues Paper*, p. 4, http://gov2.net.au/submissions/.

Even in the short period of its existence, aspects of the taskforce's modelling of Inquiries 2.0 proved infectious. Other inquires adopted aspects of our process without prompting from us. Thus the Management Advisory Committee project on Advancing Public Sector Innovation adopted 'soft deadlines' from the outset.[294] Further the Henry Review into Taxation revised the way it was hosting submissions to improve their searchability.[295]

By using the tools and practices of Government 2.0 to start implementing this new method of running an inquiry, the taskforce not only articulated its vision and suggested some practical ways to accelerate Government 2.0, but was also able to illustrate what it might look like.

Inquiries 2.0 demonstrated many of the benefits that other jurisdictions have reported, including:

- widening the mix of voices and ideas in discussions
- getting ideas and questions more quickly into the public domain for public response
- allowing an ongoing discussion to take place in an open and easily accessible online space which acted as a focal point of taskforce activities
- demonstrating an ability to learn by doing which meant that the taskforce was able to see the impact and potential of many of the ideas being discussed at the same time that it was recommending them in the report.

7.2 Failures and successes

As noted, the taskforce sought to use Government 2.0 approaches to inform its deliberations and to carry out its activities.

Some things could have been done better, and in many ways the process was an exploration of possibilities. Successes and failures began a chain of thinking and action about new ways of doing things, with not a few moments of regret that 'obvious' solutions had not been thought of earlier.

We were fairly criticised for not promoting our message sufficiently in the mainstream media. Our presence on Facebook was not well executed. We should have got some of our projects underway sooner. We were also unable to live up to our intention to provide three to four weeks for public consideration of our draft report. Problems with accessibility are outlined in a separate section.

Despite these shortcomings, in demonstrating the possibilities of an 'Inquiries 2.0' approach, the taskforce has provided a good model for those who wish to take it up for the future. We took great heart from the generous things said about our draft report by world leaders in the area such as Andrea Di Maio,[296] Tom Watson,[297] David Weinberger[298] and Andrew McLaughlin.[299]

294 The Department of Innovation project to investigate how to advance innovation within and by the public sector under the auspices of the Management Advisory Committee has adopted a soft deadline for submissions http://www.innovation.gov.au/Section/Innovation/Pages/AdvancingPublicSectorInnovation.aspx or http://tinyurl.com/nbx6jm.

295 Australia's Future Tax System Review (the Henry Review into Taxation) has improved the capacity of its site to assist people searching submissions. http://taxreview.treasury.gov.au/content/Content.aspx?doc=html/home.htm or http://tinyurl.com/ylmyrm4.

296 '[T]he best piece of work I have seen any government organisation (and most vendors and consultants) do about this topic.' http://blogs.gartner.com/andrea_dimaio/2009/12/08/australian-government-2-0-is-the-best-so-far/ or http://tinyurl.com/yefxb72.

297 Former UK Minister for Transformational Government, UK: 'This is a deeply impressive piece of work, very comprehensive with clear sign posting. The idea of info-philanthropy is an important point to make. A clear explanation of the serendipitous nature of knowledge sharing in networks is probably a global first for a government report.', email to the Chair.

298 'Personally, I think the draft—from its principled overview to its broad areas of application—is a blueprint for democracies everywhere.', http://www.hyperorg.com/blogger/2009/12/08/australian-government-2-0-taskforce-issues-draft/ or http://tinyurl.com/yeyu98j.

299 Deputy U.S. Chief Technology Officer, 'Rowdy applause from the US White House Open Government Initiative. The draft report is an impressive piece of work, assembling a vast trove of good ideas and sound analysis. We will study and learn.' http://gov2.net.au/blog/2009/12/07/draftreport/ or http://tinyurl.com/y8a8ohu.

7.3 Web 2.0 tools used

7.3.1 Blog

Over the course of the taskforce's lifespan, the blog hosted over 80 posts and over 1200 comments.[300] Comments were post-moderated, that is, they appeared automatically unless they were caught in an automated 'profanity and spam filter'. If this occurred, they were reviewed and released onto the blog if appropriate. However, moderation of comments was never a problem and the blog was a site for frank, friendly and respectful exchange of information and views, and for dialogue and debate.

7.3.2 Beta issues paper and draft report

The taskforce issues paper, *Towards Government 2.0: An Issues Paper*, was released on the blog site in beta. Later in the inquiry process a draft of the final report was also released in beta for public comment.

A consultation page was provided where people could attach comments to specific paragraphs of the beta issues paper and also the draft of this report. Submissions received in response to the issues paper were uploaded to the site.[301] A number of submitters also agreed to have a comment field enabled on their submission, to allow people to comment on the ideas raised. The draft report attracted 88 comments on the consultation page and another 42 comments on the regular blog.

7.3.3 IdeaScale

IdeaScale is a collaborative tool used to gather ideas and allow people to vote on them. The taskforce employed IdeaScale to facilitate the running of contests, using it to provide a space for structured brainstorming, nomination of Government 2.0 innovators and voting on ideas.[302]

7.3.4 Internal communications

In response to some difficulties with the standard internal collaborative space GovDex the taskforce reviewed its operations and decided that since it was not deliberating on classified material it should migrate to Basecamp, a commercial collaborative tool.

The taskforce held fortnightly meetings with members from a number of different locations around the country. Most of these were held using Cisco's high definition videoconferencing TelePresence system. As outlined in Box 20, this helped the taskforce save travel costs, carbon emissions and time.

Box 20: TelePresence: saving time, money and carbon

Much of the work of the taskforce has been conducted using Cisco's TelePresence video conferencing and collaboration technology.[303] As a relatively large group of 15 members and a secretariat team in Canberra, this allowed us to avoid the expense and other costs of face-to-face meetings and improve the productivity of our work over the life of the taskforce.

300 As of 30 November 2009.

301 http://gov2.net.au/submissions/.

302 http://gov2Taskforce.ideascale.com/.

303 http://en.wikipedia.org/wiki/Cisco_Telepresence.

The Economics and Research team from Cisco's global strategic consulting group, the Internet Business Solutions Group (IBSG), has estimated that, over the 6 months, the taskforce has saved $65,000 in travel costs, about 350 hours in time that would have been lost in travel and reduced our carbon footprint by about 14,000 tonnes of CO2 emissions. Calculations were based on a total of eight Telepresence meetings, removing the need to travel from Brisbane, Sydney, Melbourne and Adelaide, which is where our members were based, to Canberra which is where our face-to-face meetings were held. We assumed standard return economy air fares and estimated the flying time based on published schedules. The carbon savings were calculated using the TRX Airline Carbon Emissions Calculator for Qantas flights. Carbon savings were net of the energy and carbon used by the TelePresence units themselves.

Although these are broad and fairly conservative estimates of the value of adopting a virtual platform like TelePresence, they indicate the potential benefits of more widespread use of these kinds of technologies. And the value should also take into account the 'soft' benefits including making it easier to manage a work-family balance and being able to schedule a more frequent program of meetings which improves the interaction across a group of this size.

7.3.5 Twitter

The taskforce issued 63 tweets through its Twitter account,[304] had over 740 followers and followed 308 other Twitter users.[305] The taskforce generally used the hashtag #gov2au in its tweets, although also made use of the #GovHack and #mashupaustralia tags when relevant to Taskforce initiatives.[306] The taskforce used Twitter primarily as a broadcast medium to announce new initiatives and events, and often new posts on the taskforce blog. Several individual members of the taskforce and secretariat also had Twitter accounts of their own and sometimes 'tweeted' progress during community consultation events and taskforce meetings.

The #gov2au hashtag quickly became the hashtag of choice for people participating in the debate on Twitter. In all over the past 6 months there have been 3750 tweets using the #gov2au hashtag. While Twitter is not a platform for deeply argued debate, it is clear it was host to an active community that consistently considered Government 2.0 issues.

7.3.6 Facebook

The taskforce's Facebook page[307] had 110 fans.[308] While the page was not open to comments from other Facebook users, it did include a message which said:

> We've disabled posting on Facebook but not because we don't want to listen to you. On the contrary, we welcome comments one and all so please help us by placing your comment on our blog at http://gov2.net.au.

7.3.7 Independent conversations

While the taskforce continued to work in an open way, there were also conversations persisting that were not initiated by us, and sometimes did not even involve us. Some examples include:

304 http://twitter.com/gov2Taskforce.

305 As of 30 November 2009.

306 On Twitter a hashtag is a small string of text preceded by a hash character which indicates that a tweet is relevant to some given topic. Hashtags are used as searching tools, so that a user can mark a tweet as falling under a given topic and search for tweets featuring hashtags which match their interests.

307 http://www.facebook.com/Gov2TaskforceAustralia or http://tinyurl.com/ylhzr58.

308 As of 30 November 2009.

- Senator Kate Lundy's Public Sphere events which while they may have focused on different subjects, included a strong consideration of Government 2.0 issues and a format which was leading-edge Government 2.0 practice.
- Public Sphere events were also run in Queensland and NSW to focus on Government 2.0 issues at a state level.
- The Government 2.0 Google Group was in existence before the taskforce, continued its own conversation through the life of the taskforce and will remain a strong contributor to the debate.

7.3.8 Accessibility

Given its prominence as our main means of communication with the community we should have provided better accessibility on our blog.

While we did provide all taskforce-produced documents in many different formats, there were weaknesses on our site:

- The introductory video was not in an accessible format and no transcript was provided.
- The audio files from the public forums were never transcribed, though we did attempt this through crowdsourcing exercise which generated little enthusiasm, and despite indicating that we had one, our 'backup plan' to transcribe the recordings was overlooked.
- The CommentPress site for direct online commenting on documents was also not very accessible though we are unaware of any practicable way in which it could have been made so.

How would our own recommendations have performed for us?

The taskforce site had to be established quickly and had a very short time frame. We used third party tools (WordPress) which meant that it could be established in a matter of days rather than weeks or months. Using existing software was also very important to making the exercise a truly Web 2.0 one. Building special tools may have meant the site was delayed for several weeks and robbing us of a great deal of valuable community building, as well as credibility.

Following our own recommendations we would have created an accessibility statement and made this publicly available. This may have said:

- The CommentPress template does not fully comply with WCAG guidelines. Within the timeframe of the taskforce there are not the resources to repair this. People who cannot access the CommentPress part of the site are invited to actively comment on the documents that are provided in accessible formats. All comments added to the site will be aggregated weekly and provided in an accessible document.
- Video and audio on the site will all be provided with accessible transcripts within two weeks of any requests for them to be so transcribed.
- The output from commissioned projects will all be provided in accessible formats, and, where it is different, may also be supplied in the format provided by the supplier.
- Submissions published following our call for submissions will be published in the format they have been provided. People making submissions will be encouraged to provide their work in accessible formats.
- An officer on the secretariat is available to provide any content in an accessible format on request (contact details would be provided).
- This accessibility statement will be published on data.gov.au as soon as it exists.

7.4 The taskforce and PSI

7.4.1 MashupAustralia

Through its MashupAustralia contest the taskforce sought to provide a practical demonstration of how an open access approach to Australian PSI could be achieved and the benefits it can generate.[309] The taskforce worked with 15 Australian Government agencies and, through the Online Communications Council's Digital Economy Working Group, with state and territory governments to release over 50 datasets on licensing terms and in formats that permit and encourage use and reuse at the beta site data.australia.gov.au.[310]

7.4.2 GovHack

The taskforce's GovHack event in Canberra was a weekend of intensive and creative activity as around 150 web-focussed designers, developers and other experts built web applications and mashups in a 24 hour period from 30 to 31 October 2009.

Entrants came up with new ways of creating valuable public services from existing public information and also enjoyed the opportunity to interact with some of the public servants who manage the datasets. The members of the winning GovHack team got on so well that each discovered just before the presentations that the *other* members of their team weren't already good friends.

A summary of the MashupAustralia and GovHack contests is in Box 21.

Box 21: Hack, mash and innovate!

The taskforce invited web developers and designers to show why open access to Australian Government information is good for our economy and society by holding the MashupAustralia contest. Cash prizes of up to $10,000 were offered for 'excellence in mashing' and special prizes were offered for students and the 'data transformation challenge'.

To support MashupAustralia, the experimental site data.australia.gov.au was launched to host the 68 datasets made available for the contest by federal and state agencies under a Creative Commons Attribution 2.5 Australia (CC BY) licence. Datasets already available under CC BY or equivalent terms (such as the ABS catalogue) were also available to competitors.

One of the early lessons learnt was that most government datasets aren't available in 'mashable' formats, so the taskforce added a 'data transformation challenge' to the contest to reward entrants who put in extra effort to enhance datasets or convert them from proprietary and Web 1.0 formats like CSV into formats which more readily facilitated transformation on Web 2.0 like RDF, XML, JSON and KML.

MashupAustralia was greeted with overwhelming support from the web community and this enthusiasm was also evident in the 'hack' events that were held in Sydney, Melbourne and Canberra with the support of Google, Microsoft, Lonely Planet, OpenAustralia, CSIRO and others.

The taskforce also commissioned the organisers of the highly successful Web Directions Conferences to host a government-endorsed hack day in Canberra called GovHack at which over 100 developers collaborated on their mashups with support from international and local mentors, including hack day veterans Matthew Cashmore (Lonely Planet) and Tom Coates (Yahoo! US).

309 http://mashupaustralia.org/about/.

310 http://data.australia.gov.au/.

In addition to generating some high quality entries for MashupAustralia, GovHack also gave developers the opportunity to interact with some of the public servants who manage the datasets, and it was clear that there was much that these two communities can learn from each other.

In total over 82 entries were submitted for MashupAustralia, which is fantastic in a five-week timeframe and well on par with other mashup contests globally.

7.4.3 Creative Commons

The taskforce licensed its blog and the comments it elicited, its issues paper, draft and final reports under Creative Commons Attribution 2.5 Australia (CC BY) licenses allowing free distribution, reuse and transformation of our work.

7.5 Other forms of public consultation

A total of eight open public forums were held around Australia in August and September 2009. The Open Forums were attended by over 250 people, with each event attended by the taskforce Chair and at least one other Taskforce member.

In conjunction with the Open Forum events, the taskforce ran a series of roundtable events in each capital city (with two held in Canberra). At each roundtable event individuals from the public and private sectors were invited to meet with the taskforce Chair and other Taskforce members to share their views on the issues and challenges of Government 2.0.

Additionally the taskforce invited other, more traditional submissions to the taskforce through letters from the taskforce Chair to senior bureaucrats, government committees and Ministers across Australian governments.

7.5.1 International Reference Group

The taskforce drew on the expertise of Web 2.0 practitioners who have successfully undertaken similar work internationally by inviting key people to participate in an International Reference Group (IRG).

IRG members were drawn from a range of sectors including government—from CIOs to archivists, academia, private and not-for-profit sectors as well as bloggers and people making innovative use of Web 2.0 platforms, coming from the UK, Europe, Canada, Singapore, the US and New Zealand.

A list of the IRG members is available online.[311]

7.5.2 Government 2.0 seed projects

The terms of reference stated that the taskforce should work with the public, private, cultural and not-for-profit sectors to fund and develop seed projects that demonstrate the potential of proactive information disclosure and digital engagement for government.

311 http://gov2.net.au/blog/2009/10/23/inquiries-2-0-part-3-0/#irg.

The taskforce funded 17 projects and a number of contests using a project fund of $2.45 million which was established in partnership with Microsoft.[312] Project proposals were released for quote on the taskforce blog in three rounds of submissions, and proposals put forward included projects to research and report on particular elements of the Government 2.0 agenda. Consultants selected by the taskforce to undertake the projects were funded to look at issues ranging from enhancing the discoverability and accessibility of government information to exploring the use of social media for emergency management. A list of these projects is available at Appendix B.

7.5.3 Government 2.0 contests

7.5.3.1 Structured brainstorming

The first challenge that the taskforce set was to invite the community to suggest ideas and projects for the taskforce with the following question in mind, 'how can the Government 2.0 Taskforce best meet its terms of reference?' The taskforce offered a cash prize of $1,000 and the opportunity to put forward a project proposal based on the best brainstorming ideas. In response a total of 42 ideas were received, from which the taskforce selected two winning ideas, both of which were nominated by Brad Peterson—*Government Gazettes in XML*[313] and *Whole of government persistent URL resolver service*.[314]

7.5.3.2 Nominate a Government 2.0 innovator

The taskforce then asked the community to nominate recent examples of excellence in Government 2.0 from government agencies and individuals in Australia. After considering 24 nominations from all levels and sectors of government, the taskforce recognised Government 2.0 champions in three different categories:[315]

- **Large agency:** ABC Pool
- **Small agency:** Mosman Municipal Council
- **Individual:** Craig Thomler

The Government 2.0 champions will be invited to attend the eGovernment Forum and eGovernment awards[316] dinner at CeBIT in 2010.

7.5.3.3 Suggest a dataset

The community was asked to suggest datasets that could be made available under the open access to PSI principle for the MashupAustralia contest.[317] A total of 62 suggestions relating to government datasets were received, including proposals to improve access to government mapping applications, develop APIs for programmatic access to public datasets, release of historical and scientific image libraries, as well as local government registers.

312 The fund was provided by Microsoft and was made available to the taskforce for Government 2.0 projects and contests. Microsoft did not have a role in deciding which projects were funded but did manage the fund under the direction of the taskforce Chair.

313 http://gov2taskforce.ideascale.com/a/dtd/16792-5361.

314 http://gov2taskforce.ideascale.com/a/dtd/15293-5361.

315 http://gov2taskforce.ideascale.com/a/dtd/14545-5361.

316 http://www.finance.gov.au/e-government/better-practice-and-collaboration/e-government-awards.html or http://tinyurl.com/yh2pqo3.

317 http://mashupaustralia.org/open-access-to-psi/.

7.5.4 Not-for-profit PSI project ideas

The taskforce initiated a contest in partnership with Connecting Up Australia[318] inviting the community to develop ideas for using PSI in a not-for-profit setting, and offered a prize of $5,000 for a charity/not-for-profit organisation of the winner's choice, along with assistance from Connecting Up Australia to further develop their idea.

The contest was heavily promoted to the not-for-profit sector by Connecting Up Australia, and a total of 70 ideas were submitted.

7.5.4.4 Accessibility makeover challenge

The taskforce launched its last contest, the Accessibility makeover challenge in October 2009. With the assistance of accessibility experts Media Access Australia (MAA),[319] the community was invited to nominate government websites that have implemented Web 2.0 technologies and techniques for review. Four nominations were received and three of these—together with the taskforce's own blog and the government's social inclusion portal—were then posted on MAA's AWARe[320] website for two weeks to capture structured community feedback about their accessibility. Based on this feedback and MAA's own expert assessments, MAA prepared 'makeover action plans' for the following five Web 2.0 websites to provide the relevant government agencies with recommendations for improving their accessibility:

- Parliament of Australia—Live Broadcasting[321]
- Government 2.0 Taskforce[322]
- National Library—Newspapers[323]
- Prime Minister's Media Gallery[324]
- Social Inclusion.[325]

318 http://www.connectingup.org/.
319 http://www.mediaaccess.org.au/.
320 http://www.aware.org.au/.
321 http://webcast.aph.gov.au/livebroadcasting/.
322 http://gov2.net.au.
323 http://newspapers.nla.gov.au/.
324 http://www.pm.gov.au/Media_Centre/Multimedia.
325 http://www.socialinclusion.gov.au/Pages/default.aspx.

Appendices

A Terms of reference

The Government 2.0 Taskforce (taskforce) will advise and assist the government to:[326]

- make government information more accessible and usable — to establish a pro-disclosure culture around non-sensitive public sector information
- make government more consultative, participatory and transparent — to maximise the extent to which government utilises the views, knowledge and resources of the general community
- build a culture of online innovation within government — to ensure that government is receptive to the possibilities created by new collaborative technologies and uses them to advance its ambition to continually improve the way it operates
- promote collaboration across agencies with respect to online and information initiatives — to ensure that efficiencies, innovations, knowledge and enthusiasm are shared on a platform of open standards
- identify and/or trial initiatives that may achieve or demonstrate how to accomplish the above objectives.

The taskforce will advise government on structural barriers that prevent, and policies to promote, greater information disclosure, digital innovation and online engagement including the division of responsibilities for, and overall coordination of, these issues within government.

The taskforce will work with the public, private, cultural and not for profit sectors to fund and develop seed projects that demonstrate the potential of proactive information disclosure and digital engagement for government.[327]

In particular the taskforce will also identify policies and frameworks to assist the proposed new Office of the Information Commissioner and other agencies in:

- developing and managing a whole of government information publication scheme to encourage greater disclosure of public sector information
- extending opportunities for the reuse of government information, and considering the terms of that use, to maximise the beneficial flow of that information and facilitate productive applications of government information to the greatest possible extent
- encouraging effective online innovation, consultation and engagement by government, including by drawing on the lessons of the government's online consultation trials and any initiatives undertaken by the taskforce.

The taskforce will meet regularly, consulting in an open and transparent manner and use online solutions for its engagement wherever possible.

The taskforce will provide a final report on its activities to the Minister for Finance and Deregulation and the Cabinet Secretary by the end of 2009. The taskforce will disband on completion of its final report.

326 These terms of reference are on the taskforce website at http://gov2.net.au/about/.

327 More information can be found on the taskforce's project fund page, http://gov2.net.au/about/project-fund/.

Concordance of terms of reference with Government 2.0 recommendations

Terms of reference (see numbers above)	Government 2.0 Taskforce Report recommendations
Make government information more accessible and usable — to establish a pro-disclosure culture around non-sensitive public sector information	Central recommendation 2 Coordinate with leadership 6 Make PSI open, accessible and reusable 9 Accessibility 10 Security and Web 2.0
Make government more consultative, participatory and transparent — to maximise the extent to which government uses the views, knowledge and resources of the general community	Central recommendation 2 Coordinate with leadership 4 Encourage public servants to engage online 9 Accessibility
Build a culture of online innovation within government — to ensure that government is receptive to the possibilities created by new collaborative technologies and uses them to advance its ambition to continually improve the way it operates	Central recommendation 2 Coordinate with leadership
Promote engagement across agencies with respect to online and information initiatives — to ensure that efficiencies, innovations, knowledge and enthusiasm are shared on a platform of open standards	Central recommendation 2 Coordinate with leadership
Identify and/or trial initiatives that may achieve or demonstrate how to accomplish the above objectives	3 Improve guidance and require agencies to engage online 4 Encourage public servants to engage online
The taskforce will advise government on structural barriers that prevent, and policies to promote, greater information disclosure, digital innovation and online engagement including the division of responsibilities for, and overall coordination of, these issues within government	2 Coordinate with leadership 3 Improve guidance and require agencies to engage online 6 Make PSI open, accessible and reusable 7 Addressing issues in the operation of copyright 9 Accessibility 10 Security and Web 2.0 11 Privacy and confidentiality 12 Definition of a Commonwealth record 13 Info-philanthropy
The taskforce will work with the public, private, cultural and not for profit sectors to fund and develop seed projects that demonstrate the potential of proactive information disclosure and digital engagement for government	Central recommendation 6 Make PSI open, accessible and reusable 7 Addressing issues in the operation of copyright 9 Accessibility 10 Security and Web 2.0 11 Privacy and confidentiality 13 Info-philanthropy
In particular the taskforce will also identify policies and frameworks to assist the proposed new Office of the Information Commissioner and other agencies in	Central recommendation 2 Coordinate with leadership 4 Encourage public servants to engage online 6 Make PSI open, accessible and reusable 10 Security and Web 2.0
Developing and managing a whole of government information publication scheme to encourage greater disclosure of public sector information	Central recommendation 2 Coordinate with leadership 6 Make PSI open, accessible and reusable 8 Information Publication Scheme
Extending opportunities for the reuse of government information, and considering the terms of that use, to maximise the beneficial flow of that information and facilitate productive applications of government information to the greatest possible extent	2 Coordinate with leadership 6 Make PSI open, accessible and reusable

Terms of reference (see numbers above)	Government 2.0 Taskforce Report recommendations
Encouraging effective online innovation, consultation and engagement by government, including by drawing on the lessons of the government's online consultation trials and any initiatives undertaken by the taskforce	Central recommendation 2 Coordinate with leadership 3 Improve guidance and require agencies to engage online 5 Awards 6 Make PSI open, accessible and reusable 9 Accessibility 10 Security and Web 2.0 12 Definition of a Commonwealth record
The taskforce will meet regularly, consulting in an open and transparent manner and use online solutions for its engagement wherever possible	See chapter 7 of this report
The taskforce will provide a final report on its activities to the Minister for Finance and Deregulation and the Cabinet Secretary by the end of 2009. The taskforce will disband on completion of its final report	Delivered 22 December 2009

B Summary of Government 2.0 Taskforce projects

Using the funds made available to it via the project fund, the taskforce commissioned a series of projects designed to provide insight into key Government 2.0 issues through research, evaluation and case studies. In determining its priorities for using the project fund, the taskforce engaged with the online community to obtain feedback and ideas for projects that would help address its terms of reference.

The majority of these projects resulted in reports, which are summarised below. The outputs of these projects can be found on the taskforce blog.[328]

In addition to these projects, the taskforce engaged the services of a public relations consultant to assist with promoting the taskforce's draft report (Project 12) and funded the development of the planningalerts.org.au website by the OpenAustralia Foundation (Project 17),[329] which will provide improved citizen access to local government planning applications (the source code for this website will also be made available for reuse and adaption to other government scenarios under an open source license). The taskforce also requested quotes for a series of hypotheticals (Project 11), but decided not to proceed with this project due to logistical constraints.

Project 1: Enhancing the discoverability and accessibility of government information

Full report available at http://gov2.net.au/projects/project-1/

Hyro Australia provided long and short term recommendations about how to make government information easier for citizens to find and use, including a whole of government search strategy, enforcing standardised metadata, adoption of the WCAG 2.0 accessibility guidelines, a more customer focused and coordinated approach to online service delivery and greater use of Creative Commons licenses.

Projects 2 and 3: Identify key barriers within agencies to Government 2.0 and survey of Australian Government Web 2.0 practices

Full report available at http://gov2.net.au/projects/project-23/

E8 Consulting conducted a survey and interviews with a range of public servants about their experiences and perceptions of implementing Web 2.0 in government. The report concluded that there are significant inconsistencies in the levels of access that public servants have to Web 2.0 tools and a growing gap between their use at home and work. A variety of legal, technical and cultural reasons were cited for the restrictions on work-based access to Web 2.0 tools, but the report concluded that most of these could be addressed within existing policy frameworks through better education of public servants (particularly senior management) about the benefits, risks and practical uses of Web 2.0 in government.

Project 4: Copyright law and intellectual property

Full report available at http://gov2.net.au/projects/project-4/

Professor Anne Fitzgerald examined the broad policy rationale for copyright in relation to public sector information and found that there is a strong case to realign Commonwealth copyright policy based on the principles of open access and reuse which would facilitate complex flows of information between and within the public and private sectors. The report stated that this could be achieved without the need for significant changes to copyright legislation by repositioning Crown copyright to enable rather than restrict reuse, adopting copyright management practices

328 http://gov2.net.au/projects/.

329 http://planningalerts.org.au.

appropriate to the Web 2.0 environment (for example standardised open licenses which provide clear statements of users' permissions) and providing clearer guidance to agencies about the use of open licenses, and the meaning of 'publication' in the *Copyright Act 1968*.

Project 5: Early leadership in semantic web

Full report available at http://gov2.net.au/projects/project-5/

Semantic Transformations developed guidance for agencies about the semantic tagging of government websites and datasets. The report considers the challenge of not only semantically tagging government websites, but also how to move towards 'semanticising' government and thinking what this would mean for both government employees and end users. They also developed a supporting case study based on the Department of Climate Change website to demonstrate the practical application of this approach. It also provides guidance on what semantic tagging means for government employees and end users.

Project 6: The value of public sector information for cultural institutions

Full report available at http://gov2.net.au/projects/project-6/

Professor John Quiggin examined issues relating to the economic value and pricing of access to PSI, particularly in relation to cultural institutions such as museums and libraries. The report and accompanying technical paper found that most Australian cultural institutions have implemented their digitisation strategies as 'unfunded mandates', and in the face of budget constraints and a choice between providing comprehensive access based on cost-recovery and less-comprehensive free access, most have opted for some form of cost-recovery. The report argues that if transaction costs are greater than 20 per cent of the price charged, free (publicly financed) access will deliver greater social benefit, and recommended that agencies consider a strategy of 'differentiated information products' to provide a balance between free and cost-recovered access.

Project 7: Whole of government information publication scheme

Full report available at http://gov2.net.au/projects/project-7/

E-Knowledge Structures provided a framework for a whole of government information publication scheme to encourage greater disclosure of public sector information based on anticipated changes to FOI legislation in Australia and international best practice (particularly the UK and Queensland). The report recommended that the proposed new Office of the Information Commission develop and implement an Information Publication scheme that would provide guidance and support to agencies (particularly in relation to licensing and copyright), and monitor/report on their progress against the scheme's objectives. The report also identified the need for a whole of government search strategy to support improved discoverability and use of all agency information available to the public under the scheme.

Project 8: Online engagement guidance and Web 2.0 toolkit for Australian Government agencies

Full report available at http://gov2.net.au/projects/project-8/

Headshift developed a series of practical resources to provide guidance to government agencies using Web 2.0 tools and provided a recommendation for a toolkit of Web 2.0 technologies that agencies can use, based on principles of shared services and reuse. The report found that a diverse range of Web 2.0 technologies are already being used by government agencies and identified twenty-seven separate use cases for online engagement. The report also considered the government's existing investments in GovDex and concluded that it could be further leveraged as part of the toolkit to provide a shared services platform for agencies, particularly those with limited resources and/or technical capabilities for online engagement.

Project 9: Preservation of Web 2.0 content

Full report available at http://gov2.net.au/projects/project-9/

Recordkeeping Innovation examined the preservation and record-keeping challenges raised by the use of Web 2.0 tools by agencies, and concluded that a more expansive view of information management is needed and that clearer guidance needs to be provided to agencies about how to effectively capture appropriate records from social media and online engagement tools. To support these objectives, the report also suggested the introduction of more business focused definition of records under the *Archives Act 1983* and minimum standards for records management in contract with cloud computing vendors. The report also considered the challenges such as recordkeeping in crowdsourcing projects, co–authorship, engaging with 'the cloud' and the need for appropriate disposal of information and FOI proactive disclosure.

Project 10: Framework for stimulating information philanthropy in Australia

Full report available at http://gov2.net.au/projects/project-10/

Philanthropy Australia investigated the potential for taxation and other concessions to stimulate increased investment in 'information philanthropy' projects, including consideration of whether charitable status should apply to such ventures. The report concluded that the current Deductible Gift Recipient (DGR) arrangements do not adequately cater for information philanthropy, and recommended that a new 'information philanthropy' DGR category could be added to the legislative definition of charitable purposes, in line with recent changes to UK law and the Productivity Commission review into the not-for-profit sector.

Project 13: Government 2.0 governance and institutions: embedding the 2.0 agenda in the Australian Public Service

Full report available at http://gov2.net.au/projects/project-13/

Heuris Partners examined the need for organisational and governance reforms to embed the Government 2.0 agenda within the APS and concluded that cultural rather than technological change would be the critical success factor and that this should also influence the choice of a lead agency to mange this change. It also noted that Gov 2.0 required an APS shift towards and outward focused and tailored approach to meeting the needs of the Australian people. The report concludes that while elements of the Gov 2.0 relating to information and technology can be properly allocated to special purpose agencies, effective and timely delivery of the cultural and organisational change agenda needs the power, reach and coordinating capabilities of the Department of the Prime Minister and Cabinet as the lead agency.

Project 14: Social media for emergency management (Emergency 2.0)

Full report available at http://gov2.net.au/projects/project-14/ and additional information available at http://gov2em.net.au/.

NGIS investigated leading and emerging best practice in relation to the use of social media for improving location enabled information sharing between emergency management agencies and the affected community. The report showcased a number of useful examples and also provided a roadmap for future work, recommending the need for further targeted research and development, promotion and implementation trials in this area.

Project 15: ALRC family violence consultation pilot

Full report available at http://gov2.net.au/projects/project-15/

Headshift was engaged to assist the Australian Law Reform Commission to run an online engagement pilot with their stakeholders. This project provides a case study of how an agency can improve its online engagement capabilities by following best practice in the use and management of Web 2.0 tools and community management practices (based on the guidelines developed for Project 8). The report concluded that online consultation is an effective and adaptable engagement technique and such consultations require the right combination of planning, technology and technique to be successful.

Project 16: OpinionWatch analysis

Full report available at http://gov2.net.au/projects/project-16/

Social Change Online were engaged to use 'OpinionWatch' technology developed by Australia's Information and Communications Technology (ICT) Centre of Excellence (NICTA). This project applied sentiment analysis techniques to provide a fresh perspective on the trends in the views and comments presented to the taskforce through both formal submissions and a range of online engagement channels used by the taskforce.

Project 18: Whole of government video service scoping study

Full report available at http://gov2.net.au/projects/project-18/

Vquence provided a scoping study on the viability of a centralised whole of government video service for use by agencies and provide advice on the benefits, costs and risks of different implementation models. The study considered emerging international best practice and recommended a federated solution that would provide agencies with a range of flexible deployment options that would allow video to be published within their existing environments and on central services. The report also recommended adding video search and browsing capabilities to australia.gov.au.

Project 19: Online engagement review

Full report available at http://gov2.net.au/projects/project-19/

Collabforge undertook a review of the effectiveness of the online engagement practices, techniques and tools used by the taskforce and recommended that they lead to the establishment of a unique online community and recommended that a Government 2.0 community of practice be established to allow discussion to continue.

C Extract from Government 2.0 Taskforce Project 7: Whole of government information publication scheme

Government 2.0 Taskforce Project 7, *Whole of Government Information Publication Scheme* by Eric Wainwright and Dagmar Parer, eKnowledge Structures (2009). The full project report is available on the taskforce blog.[330] Findings and recommendations of the report are reproduced below.

Findings

- Present legislative and regulatory information publication obligations of Australian government agencies are complicated. Requirements vary for different categories of organisation, and they are being specified by a range of Parliamentary and government bodies. The complexity of obligations makes it difficult for agencies to comply fully or to demonstrate the extent of their compliance. The process for meeting some obligations is also outdated. Consequently, some obligations are not currently met, or are met to the minimum requirement, rather than positively supporting the government's goal of more open public disclosure.
- There is a risk that agencies will view the Information Publication Schemes as just another obligation to add to the present complex set of publishing obligations. It will be important for Schemes to integrate and streamline overall agency obligations if they are to receive agency support.
- Only three other government jurisdictions (the UK, Scotland and Queensland) have introduced publication schemes of a type analogous to that specified in the FOI Bill. The current UK model (closely followed by Queensland) offers many desirable features for an Australian Government implementation.
- The Commonwealth's introduction of Information Publication Schemes is similar to provisions enacted in Queensland and those being considered in New South Wales, and seems likely to be followed by similar approaches in other states.
- The Objects and definitions in the FOI Bill enable the Information Commissioner to ensure that all forms of information, and online consultation, engagement and transaction channels be encompassed within Information Publication Schemes.
- Experience in other government jurisdictions suggests that if an initial momentum for the introduction of schemes is to be achieved, and agencies are to be positive about their introduction:
  - high level political support is required initially
  - substantial initial support for agencies is required from the Information Commissioner
  - high-level management leadership is needed in agencies
  - phasing in of requirements needs consideration.
- The FOI Bill's requirement for agencies to produce a plan for how they intend to implement Schemes adds a significant oversight capability for the Information Commissioner. It also has the potential to lead agencies towards more integrated information management planning.
- The powers for the Information Commissioner under the IC Bill provide an opportunity for the commissioner to lead and promote a more integrated information management framework

330 http://gov2.net.au/projects/project-7/.

across the Australian Government, supporting agencies in improving public information management, dissemination and engagement. In particular, there is an opportunity to develop a whole of government focus for extending public use of government data.

- If agencies are to reduce the workloads associated with formal FOI requests, they will need to give early consideration to more proactive disclosure and the extended administrative release of information.
- Once Schemes have been developed by agencies, they need to be promoted strongly to the public via agency websites, and in other ways, if they are to influence public expectations and behaviour.
- The survey of current agency information disclosure practices suggests that if agency websites are to support the objectives of Information Publication Schemes, then most agencies will need to address the elimination of current barriers to public discovery and use of information accessible through those websites.
- If the intent of Information Publication Schemes is to be achieved optimally, a wide range of underlying agency information management issues will need to be addressed, from initial document and metadata creation processes through to use of third party engagement channels.
- While some specialist agencies have made much progress in developing services for the dissemination and use of government data, this area is not receiving the attention and resources it deserves, as a potential national economic contribution. Most Departments and agencies will not be able to progress this area of Schemes without clearer guidance on government directions.
- The discoverability of much important 'operational information' held on agency websites could be improved significantly in the short term by agency attention to the formats and metadata assignment practices for a small number of information types—notably material within Annual Reports, FOI Section 9 Statements, and Indexed Lists of Files.

Recommendations

- That the Information Commissioner draw on the UK and Queensland governments' general approaches to publication schemes content, in establishing guidelines for the Australian Government's implementation of information publication schemes.
- That the Information Publication Schemes should be developed with the following explicit aims, to:
  - provide an overall and consistent statutory framework for information publication by all agencies
  - encourage the widest disclosure of reliable and useful government information consistent with the public interest, and thereby greater trust in government
  - guide agencies in overcoming attitudinal, technological and legal barriers to optimal information disclosure and use, and to improved public engagement
  - provide a planning framework to assist agencies in their overall information management
  - provide an integrated and simplified guide for agencies to meet their information publication and reporting obligations
  - provide clear and understandable guidance to the public on their rights to, and methods of, accessing and using government information, leading to improved service delivery and public engagement in policy development

- enable the Information Commissioner to monitor schemes, and encourage agencies towards achieving government pro-disclosure objectives through reference to exemplars, and reporting of unsatisfactory progress.

- That a 'Whole-of-Government Information Publication Framework' be implemented, consisting of:
  - the Information Commissioner's Office which:
    - establishes and monitors Information Publication Schemes to support the Objects of the FOI Bill
    - issues guidelines, templates and other assistance to agencies in developing and implementing agency information publication schemes
    - monitors agency compliance with their schemes, and performance against their plans for delivering their scheme's objectives
    - collaborates with other agencies with responsibilities for information management, in clarifying responsibilities, minimising duplication of effort, and ensuring that agencies receive appropriate guidance and training opportunities. Over time, the collaboration could lead to a more integrated whole of government information management framework
    - ensures provision of a website covering current agency information publication requirements, with links to agency Information Publication Schemes and associated Plans
  - publicly-available agency information publication schemes and associated plans, covering all agency publication and reporting obligations
  - a whole of government search facility that supports the discoverability and use of all agencies' information available to the public
  - a service facilitating the use and reuse of government information, through appropriate licensing and copyright arrangements.
- That at an appropriate time after the appointment of the Information Commissioner, the Cabinet Secretary and Prime Minister jointly write to departmental secretaries and heads of affected agencies, indicating their responsibilities to promote open disclosure and public engagement under the new FOI Act, and requesting them to designate a senior executive as an 'information champion' responsible for developing an organisational climate towards open disclosure, and the implementation of the Information Publication Scheme and associated plan.
- That agencies be required to make available their information publication plans to the Information Commissioner and the public, at not more than two yearly intervals, and preferably annually, as a product of their corporate planning processes.
- That the Information Commissioner consider the guidelines proposed in Adjuncts 1, 2 and 3 to this report, as a basis for the commissioner's initial guidance to agencies.
- That implementation of schemes commence with portfolio departments, and that full implementation in other agencies be phased in over a further 12 months (i.e. up to 18 months after commencement of the Information Commissioner Act).
- That agencies not be required to consider datasets in their Schemes and associated Plans until after 1 July 2011.
- That when appropriate, the Information Commissioner examine options for extending Scheme obligations to Commonwealth bodies not currently defined as agencies under the FOI Act.

- That the Information Commissioner, through the Information Advisory Committee and such other mechanisms as may be desirable, establish discussions between the OIC and other government agencies and Parliamentary bodies, aimed at consolidating and streamlining the present information publication and reporting obligations of agencies.
- That agencies be required by the Information Commissioner to make available for the commissioner a copy of their current scheme and plan annually, by a date to be specified by the commissioner, so as to enable the commissioner to report to the minister on compliance and related matters.
- That an inter-agency working group led by the NAA be established to examine options for ensuring continuing access to 'non-current' information removed from agency websites.
- That any requirements in schemes which relate to personal information, while noted as encompassed, await new guidelines from the OIC following consideration of any new legislation arising from the forthcoming review of privacy protection.
- That agencies give attention to increasing the discoverability of seven categories of information covered by present publication and reporting obligations—information in Annual Reports, documents to be tabled under Senate Procedural Orders of Continuing Effect numbers 10,11,12,13 and 14, and documents required to be listed in FOI Act Section 9 statements.

D Troubleshooting concerns about Creative Commons licensing

Concern: The Commonwealth would no longer control the licensing of its own material[331]

Explanation: The US not-for-profit organisation Creative Commons Corp. is the licence steward for the CC licences. In this role, CC develops versions of the licences in close consultation with the community and key licence adopters, to reflect international legal and policy developments and community experience. The versioning process is lengthy and transparent, with drafts being posted online and discussed via mailing lists. Like other key stakeholders, the Commonwealth can participate in this process. Once a new licence version is finalised however, the individual licensor decides whether to change the existing CC licence attaching to their work. If they make no such election the original licence continues to apply despite the availability of later versions.

Concern: CC licences are irrevocable[332]

Explanation: CC licences grant the public a perpetual right to use the work, for the full term of copyright. The perpetual nature of a CC licence is seen by some government advisors as creating a risk. Even if there may be some risk to the government as a practical matter the risk is likely to be very small. Commonwealth revocation of copyright permission is in fact rare. Further the government's inability to revoke the licence gives downstream users and remixers' confidence in using licensed work consistent with its licence terms. This confidence is vital to achieve the economic, social and innovation benefits of government information discussed elsewhere in this report.

Concern: Absence of no endorsement or misleading use provision[333]

Explanation: An express 'no endorsement' provision has been drafted for inclusion in the Creative Commons Australian 3.0 licence version, which is currently being finalised.[334] It expressly prohibits a person who receives CC licensed material suggesting that they have approval, sponsorship or endorsement from the licensor, without written permission.[335] Even without this licensors also have some existing protection under existing Australian laws prohibiting misleading and deceptive conduct.

Concern: Third party copyright material[336]

Explanation: The issue has been raised that, if there is any third party owned copyright material included in a government document, the government agency would need to ensure that the third party was aware of the proposed licence for the government document. This is the situation with or without a CC licence. The only reason an agency may want to pay particular attention to this issue when using a CC licence is because it may represent a change in standard licensing practice and thus, warrant additional discussion.

Concern: Attribution stacking

Explanation: Concern has been expressed that the problem of 'attribution stacking' may occur where successive derivatives of Creative Commons licensed material build up. This concern has been raised by those in the open data movement to argue against the use of CC licences and in favour of a complete waiver of copyright (by a Public Domain Dedication or ccZero).[337] In the interests of rapid opening PSI, the taskforce has not made recommendations for Public Domain or ccZero release. In addition to the fact that doing so would likely raise more fundamental legal issues, attribution, including attribution stacking can play a helpful role in supporting data integrity through multiple chains of use and reuse. Technical and/or practical solutions, as evidenced by the free software and wiki communities, exist to address this concern.

331 Attorney-General's Department, Submission to *Towards Government 2.0: An Issues Paper*, para. 5 and 30, http://gov2.net.au/submissions/.

332 See id. para. 31; see also, Submission of the Copyright Agency Limited, p. 6; Submission of Australian Copyright Council, para. 95, http://gov2.net.au/submissions/.

333 See AGD Submission, para. 31.

334 See http://creativecommons.org.au/v3draft.

335 See http://creativecommons.org.au/v3draft.

336 See AGD Submission para. 31.

337 See e.g. http://sciencecommons.org/projects/publishing/open-access-data-protocol/.

Concern: **Enforcement**[338]

Explanation: To date, CC licences have not been considered by or enforced in an Australian court. However, in Jacobsen v Katzer (2008) the United States Court of Appeals for the Federal Circuit enforced an open source software licence, in a judgment that made it clear that the US courts will uphold open source and CC licences, even though they are applied to copyright materials distributed for no financial return. CC licences have also been enforced in the Netherlands and Bulgaria,[339] treated as valid in court cases in Spain and enforced in Norway.[340]

Concern: **Lack of simplicity for users**[341]

Explanation: CC licences have been variously criticised for being longer than the standard Commonwealth notice. However, government agencies have readily incorporated a CC licence notice within a standard Commonwealth copyright notice without unduly complicating it.[342] In addition the CC system allows agencies to make a simple statement indicating the CC licence applying to their material and then allows the user to read further if they wish. The licence notice links through to a 'Commons Deed' (a human-readable short statement of the key licence terms), which in turn links through to the Legal Code (the full, 'lawyer-readable' licence).

Concern: **Inability to customise or add conditions**

Explanation: It is correct that CC licences derive their benefit as clear and internationally recognised copyright licences by having standard terms, that are not customisable for an individual government agency (beyond choosing between the different licence conditions of NonCommercial, ShareAlike, NoDerivatives). This is necessary if they are to perform their role as machine-readable standards.

Concern: **The Commonwealth can draft its own licence to achieve the same ends**

Explanation: Any licence that can achieve the objectives of open access is to be welcomed and encouraged. There are several reasons, however, for being cautious about whether it is possible or useful to expend time and resources preparing a 'same but different' open access licence. Firstly, CC licences were launched in 2002 and, over seven years, the licence icons and permissions have become well-recognised and understood by the global public. CC licences are machine-readable and fully indexed by leading search engines.[343] Any specially drafted government licence will have to start afresh in terms of building community understanding and confidence about using and reusing government materials, which will have, at least, a delaying affect on the innovative potential of an open access approach. It is also unlikely a specially crafted licence will be machine-readable. Secondly, CC licences have evolved with the benefit of community and licensor/ee feedback to become finely tuned to give licensors appropriate protections whilst granting licensees effective and clear use and reuse rights. Any specially crafted government licence would lack the benefit of this extensive experience and thus, may not effectively achieve its objectives. Finally, any difference in licence terms as between a specially crafted government licence and a Creative Commons licence may lead to the creation of content ghettos. Until recently,[344] the 'same but different' nature of the licence terms that applied to Wikipedia meant that none of the content on Wikipedia could be remixed with wikis that were licensed under a Creative Commons Attribution-ShareAlike licence. Releasing Australian Government materials under a specially crafted licence may prevent Australian Government materials from being remixed with any material aside from other government materials that have been licensed under the same specially crafted licence, which would also limit its reuse potential.

338 See AGD Submission, para. 31.

339 See 'Creative Commons Bulgaria Licence upheld in court', Veni Markovski, 9 June 2008, at http://blog.veni.com/?p=494.

340 See 'Creative Commons License Honoured, US$ 2150 for Flickr Photo', on Gisele Hannemyr's 'Trails' blog, 15 October 2006, at http://heim.ifi.uio.no/~gisle/blog/?p=92.

341 See AGD Submission, para. 31; also Copyright Council Submission para. 95.

342 See http://www.ga.gov.au/copyright.jsp and http://www.abs.gov.au/websitedbs/D3310114.nsf/Home/%C2%A9+Copyright?opendocument#from-banner=GB or http://tinyurl.com/y9az2f5.

343 See http:// search.creativecommons.org.

344 See http://creativecommons.org/weblog/entry/15411.

E The OECD principles for public sector information

In April 2008 the Organisation of Economic Co-operation and Development (OECD) Council adopted the *Recommendation of the OECD Council for enhanced access and more effective use of public sector information.*[345] (Australia is a member of the OECD and was a participant in and a signatory to the Recommendation.) It recommends that member countries 'in establishing or reviewing their policies regarding access and use of public sector information…take due account of and implement the following principles, which provide a general framework for the wider and more effective use of public sector information and content and the generation of new uses from it.'

The thirteen OECD principles are:[346]

1. Openness. Maximising the availability of public sector information for use and reuse based upon presumption of openness as the default rule to facilitate access and reuse. Developing a regime of access principles or assuming openness in public sector information as a default rule wherever possible no matter what the model of funding is for the development and maintenance of the information. Defining grounds of refusal or limitations, such as for protection of national security interests, personal privacy, preservation of private interests for example where protected by copyright, or the application of national access legislation and rules.
2. Access and transparent conditions for reuse. Encouraging broad non-discriminatory competitive access and conditions for reuse of public sector information, eliminating exclusive arrangements, and removing unnecessary restrictions on the ways in which it can be accessed, used, reused, combined or shared, so that in principle all accessible information would be open to reuse by all. Improving access to information over the Internet and in electronic form. Making available and developing automated online licensing systems covering reuse in those cases where licensing is applied, taking into account the copyright principle below.
3. Asset lists. Strengthening awareness of what public sector information is available for access and reuse. This could take the form of information asset lists and inventories, preferably published online, as well as clear presentation of conditions to access and reuse at access points to the information.
4. Quality. Ensuring methodical data collection and curation practices to enhance quality and reliability including through cooperation of various government bodies involved in the creation, collection, processing, storing and distribution of public sector information.
5. Integrity. Maximising the integrity and availability of information through the use of best practices in information management. Developing and implementing appropriate safeguards to protect information from unauthorised modification or from intentional or unintentional denial of authorised access to information.
6. New technologies and long-term preservation. Improving interoperable archiving, search and retrieval technologies and related research including research on improving access and availability of public sector information in multiple languages, and ensuring development of the necessary related skills. Addressing technological obsolescence and challenges of long term preservation and access. Finding new ways for the digitisation of existing public sector information and content, the development of born-digital public sector information

345 http://www.oecd.org/dataoecd/0/27/40826024.pdf or http://tinyurl.com/59tafe.

346 Note the taskforce's observation at sec. 5.5 that it considers that the principle of timeliness should be given greater prominence in this list.

products and data, and the implementation of cultural digitisation projects (public broadcasters, digital libraries, museums, etc.) where market mechanisms do not foster effective digitisation.

7. Copyright. Intellectual property rights should be respected. There is a wide range of ways to deal with copyrights on public sector information, ranging from governments or private entities holding copyrights, to public sector information being copyright-free. Exercising copyright in ways that facilitate reuse (including waiving copyright and creating mechanisms that facilitate waiving of copyright where copyright owners are willing and able to do so, and developing mechanisms to deal with orphan works), and where copyright holders are in agreement, developing simple mechanisms to encourage wider access and use (including simple and effective licensing arrangements), and encouraging institutions and government agencies that fund works from outside sources to find ways to make these works widely accessible to the public.
8. Pricing. When public sector information is not provided free of charge, pricing public sector information transparently and consistently within and, as far as possible, across different public sector organisations so that it facilitates access and reuse and ensures competition. Where possible, costs charged to any user should not exceed marginal costs of maintenance and distribution, and in special cases extra costs for example of digitisation. Basing any higher pricing on clearly expressed policy grounds.
9. Competition. Ensuring that pricing strategies take into account considerations of unfair competition in situations where both public and business users provide value added services. Pursuing competitive neutrality, equality and timeliness of access where there is potential for cross-subsidisation from other government monopoly activities or reduced charges on government activities. Requiring public bodies to treat their own downstream/ value-added activities on the same basis as their competitors for comparable purposes, including pricing. Particular attention should be paid to single sources of information resources. Promoting non-exclusive arrangements for disseminating information so that public sector information is open to all possible users and reusers on non-exclusive terms.
10. Redress mechanisms: Providing appropriate transparent complaints and appeals processes.
11. Public private partnerships. Facilitating public-private partnerships where appropriate and feasible in making public sector information available, for example by finding creative ways to finance the costs of digitisation, while increasing access and reuse rights of third parties.
12. International access and use. Seeking greater consistency in access regimes and administration to facilitate cross-border use and implementing other measures to improve cross-border interoperability, including in situations where there have been restrictions on non-public users. Supporting international cooperation and coordination for commercial reuse and non-commercial use. Avoiding fragmentation and promote greater interoperability and facilitate sharing and comparisons of national and international datasets. Striving for interoperability and compatible and widely used common formats.
13. Best practices. Encouraging the wide sharing of best practices and exchange of information on enhanced implementation, educating users and reusers, building institutional capacity and practical measures for promoting reuse, cost and pricing models, copyright handling, monitoring performance and compliance, and their wider impacts on innovation, entrepreneurship, economic growth and social effects.

F Glossary

Many of the terms listed below have a variety of meanings. The definitions provided reflect the sense in which each term is used in this report. Many of these definitions owe acknowledgement to Wikipedia.

Application Programming Interface (API)	Interfaces that a software program implements in order to allow other software to interact with it, much in the same way that software might implement a user interface in order to allow humans to use it. APIs are implemented by applications, libraries and operating systems to define how other software can make calls to or request services from them.
Australian Government Locator Service (AGLS)	Australian Government Locator Service (AGLS) is the Australian Government metadata standard, developed to promote consistency of discovery of government resources. AS 5044, AGLS Metadata Element Set, is the product of collaboration between the National Archives and Standards Australia.
Blog	A blog (a contraction of the term 'web log') is a type of website, often maintained by an individual, with regular entries of commentary or news on a particular subject, or descriptions of events, or other material such as graphics or video. The ability for readers to leave comments in an interactive format is an important part of many blogs.
Broadband	Refers to high-speed internet access, either at the level of the individual internet connection or in the context of larger telecommunications networks.
Creative Commons (CC)	A not-for-profit organisation which releases a range of copyright licences known as 'Creative Commons licences'. These licences allow content owners to specify which rights they wish to retain in their works and which rights they are willing to waive.
Creative Commons Attribution 2.5 Australia Licence	A form of Creative Commons licence designed for use in Australia which allows users to copy, distribute and modify a work so long as they attribute it in a way specified by the content owner.
CC BY	See Creative Commons Attribution 2.5 Australia Licence
Crowdsourcing	Crowdsourcing is a distributed problem-solving and production model. Problems are broadcast to an unknown group of solvers in the form of an open call for solutions. Crowdsourcing may produce solutions from amateurs or volunteers working in their spare time, or from experts or small businesses which were unknown to the initiating organisation.
Data visualisation	A way of representing data through the use of graphics-based tools. Data visualisation could be as simple as plotting data on a graph, or could involve using online tools to create interactive graphics and visual-based applications.
Folksonomy	A folksonomy is a system of classification derived from the practice and method of collaboratively creating and managing tags to annotate and categorise content.[347]
Free software	Software released under a licence allowing users to modify and redistribute it as they wish. Free software is not necessarily given to users without charge: Richard Stallman coined the phrase that free software is 'free as in free speech, not as in free beer.'[348]

347 http://en.wikipedia.org/wiki/Folksonomy.

348 The Free Software Definition http://www.gnu.org/philosophy/free-sw.html.

Freemium	A business model involving giving products away to some users while selling it to others.
GovHack	An event sponsored by the Government 2.0 Taskforce and held in Canberra on 30 and 31 October 2009. It brought together a range of developers and encouraged them to create new mashups using government data.
Hacking	Not necessarily a negative term, hacking can refer to the act of building new applications or modifying existing ones with the goal of encouraging openness, sharing and collaboration.
Hashtag	Used on Twitter, a hashtag is a small string of text preceded by a hash character which indicates that a tweet is relevant to some given topic. Hashtags are used as searching tools, so that a user can mark a tweet as falling under a given topic and search for tweets featuring hashtags which match their interests.
Information Product	An item that has been derived from one or more sources of information to meet a specific purpose.[349]
Interoperability	Refers to the ability of two different systems to share data with one another. In an online sense interoperability can be encouraged through the use of open standards to facilitate data exchange between different systems or platforms.
Malware	Malicious software designed to infiltrate a computer system without the owner's informed consent.
Mashup	A web page or application that takes data and combines it either with other data or other web services to create something new.[350] For example, a mashup may take data about the location of government services such as Medicare and Centrelink offices and then plot their locations and other associated data on a map.
Metadata	Metadata is structured information that describes and allows us to find, manage, control and understand other information.[351] Metadata provides context to data and can make data easier to reuse and combine with other data. Metadata can also include information about the quality of the data.
Online consultation	Online consultations or e-consultations refer to an exchange between government and citizens using the internet. Generally, an agency consults a group of people to get their thoughts on an issue when a project or a policy is being developed or implemented. This enables governments to draft more citizen-centred policy.
Open source software	Open source software is built under a development process where the source code is freely available and can be modified and redistributed by users. It commonly uses what Eric S. Raymond described as a 'bazaar model', where software is collaboratively and openly developed online, as opposed to a 'Cathedral' model where development is centralised and not open. Open source software differs from 'free software' by emphasising this collaborative development model rather than the rights which should be associated with software.

349 Derived from http://www.walis.wa.gov.au/resources/WALIS_glossary.

350 For examples, see http://mashupaustralia.org/.

351 http://www.finance.gov.au/Publications/australian-government-technical-interoperability-framework/glossary.html.

Open standards	An open standard is one which is collaboratively developed, clearly defined and recognised by an independent body. Open standards are vendor neutral and encourage interoperability by not being confined to any one platform.
Peer production	Peer production relies on self-organising communities of individuals who come together to produce a shared outcome. In these communities the efforts of a large number of people are coordinated to create meaningful projects. Common examples are Wikipedia and Linux, a computer operating system.
Public Sector Information	The Organisation for Economic Co-operation and Development defines public sector information as 'information, including information products and services, generated, created, collected, processed, preserved, maintained, disseminated, or funded by or for the government or public institution'.[352]
RDF (Resource Description Framework)	The Resource Description Framework (RDF) integrates a variety of applications from library catalogues and world-wide directories to syndication and aggregation of news, software, and content to personal collections of music, photos, and events using XML as an interchange syntax. The RDF specifications provide a lightweight ontology system to support the exchange of knowledge on the Web.[353]
Remix/reuse	In an online context refers to the process of users taking data and modifying it to create something new. It generally requires that the original content be released under a sufficiently permissive form of copyright licence, such as Creative Commons.
RSS	A family of web feed formats, the most well-known being Really Simple Syndication, which provide a method for collecting, publishing and editing web resources from periodically updated web sites.[354] Many online services, applications, modern web browsers and mail clients are capable of receiving RSS feeds which receive new content when the original website is updated.
Semantic web	The semantic web is 'a web of data'. It is about common formats for integration and combination of data drawn from diverse sources, whereas the original Web mainly concentrated on the interchange of documents. It is also about language for recording how the data relates to real world objects. This allows a person, or a machine, to start off in one database, and then move through an unending set of databases which are connected not by wires but by being about the same thing.[355]
Social media	Online technologies and practices that people use to share opinions, insights, experiences, and perspectives.[356] Social media can take many different forms, including internet forums, weblogs, social blogs, wikis, podcasts, pictures, video, rating and bookmarking. Technologies include: blogs, picture-sharing, email, instant messaging, music-sharing, crowdsourcing, to name a few.
Social networking	Engaging in a social network service, i.e. a service which builds online communities of people who share interests and/or activities. Facebook and Twitter are examples of social network services which are widely used worldwide.

352 Organisation of Economic Co-operation and Development (OECD) Council, April 2008, *Recommendation of the OECD Council for enhanced access and more effective use of public sector information,* http://www.oecd.org/dataoecd/0/27/40826024.pdf, p. 4.

353 http://www.w3.org/RDF/.

354 http://www.w3.org/2007/eGov/IG/wiki/Glossary#R.

355 http://www.w3.org/RDF/FAQ and http://www.w3.org/2001/sw/.

356 http://www.w3.org/2007/eGov/IG/wiki/Glossary#S.

Structured data	Any data kept in an electronic record, where each piece of information has an assigned format and meaning.[357]
Syndication	Refers to the distribution of online content to places other than its original point of publication, for example through RSS.
Tweet	A micro-blog post (140 characters) on the Twitter social network site, or the act of posting on it. Each post is referred to as a tweet, and the act of sending a tweet is referred to as tweeting.
Twitter	Twitter is a free social networking and micro-blogging service that enables its users to send and read messages known as tweets. Tweets are text-based posts of up to 140 characters displayed on the author's profile page and delivered to the author's subscribers who are known as followers. Senders can restrict delivery to those in their circle of friends or, by default, allow open access. Users can send and receive tweets via the Twitter website, Short Message Service (SMS) or external applications. While the service itself costs nothing to use, accessing it through SMS may incur phone service provider fees.
User-generated	User-generated content refers to sites on which the public has been allowed, and encouraged, to make its content freely available. An example is YouTube which displays a wide variety of user-generated video content.
Web 1.0	Web 1.0 refers to an online era dominated by static websites with little interaction available. The difference between Web 1.0 and Web 2.0 could be characterised as the difference between a one-to-many broadcasting and many-to-many communication.
Web 2.0	A term describing a broad shift towards an online environment characterised by interaction, collaboration and user-generated content. Examples of Web 2.0 websites include social networking sites such as Facebook, Flickr, the online encyclopaedia Wikipedia and the video-sharing site YouTube.
Web 3.0	See semantic web.
Wiki	A website which allows users to edit content as a form of crowdsourcing.
World Wide Web Consortium (W3C)	The World Wide Web Consortium (W3C) is the main international standards organisation for the world wide web. The consortium consists of member organizations and maintains full-time staff working together to develop standards for the Web. W3C also serves as an open forum for discussion about the Web
XML (Extensible Markup Language)	Extensible Markup Language (XML) is a World Wide Web Consortium specification for encoding documents electronically that facilitates the exchange of a wide variety of data on the Web and elsewhere. XML contains both the data and a description of the data.[358]

357 http://www.mgrush.com/content/view/70/33.

358 http://www.w3.org/2007/eGov/IG/wiki/Glossary#X.

G Acronyms

ABC	Australian Broadcasting Corporation
ABS	Australian Bureau of Statistics
ACCC	Australian Competition and Consumer Commission
AGD	Attorney General's Department
AGIFT	Australian Government Interoperability Framework
AGIMO	Australian Government Information Management Office
AGLS	Metadata Standard AS 5044
ANAO	Australian National Audit Office
APS	Australian Public Service
APSC	Australian Public Service Commission
ATO	Australian Taxation Office
CC	Creative Commons
CCA	Commonwealth Copyright Administration Unit
COAG	Council of Australian Governments
CSIRO	Commonwealth Scientific and Industrial Research Organisation
DBCDE	Department of Broadband, Communications and the Digital Economy
DGR	Deductible Gift Recipient
DSD	Defence Signals Directorate
EU	European Union
FaHCSIA	Department of Families, Housing, Community Services and Indigenous Affairs
FMA Act	*Financial Management and Accountability Act 1997*
FOI	Freedom of Information
GILF	Government Information Licensing Framework
GIS	Geographic Information System
The taskforce	Government 2.0 Taskforce
ICT	Information and communication technology
ISM	Information Security Manual
MAC	Management Advisory Committee
NAA	National Archives of Australia
NLA	National Library of Australia
NMA	National Museum of Australia
NSW	New South Wales
NZ	New Zealand
OECD	Organisation for Economic Co-operation and Development
OIC	Officer of the Information Commissioner
OPSI	Office of Public Sector Information (UK)

OSDM	Office of Spatial Data Management
PSI	Public sector information
PSM	Protective Security Manual
RDF	Resource Description Framework
SBS	Special Broadcasting Service
SEC	Securities and Exchange Commission (US)
TCC	Tax Concession Charity
The Fed	Federal Reserve System, Central Bank of the United States
TRI	Toxic Release Inventory (US)
UK	United Kingdom
US	United States
WCAG	W3C Web Content Accessibility Guidelines

H Details of taskforce team

Fifteen members make up the Government 2.0 Taskforce.[359] They are:

Dr Nicholas Gruen (Chair)

Ms Ann Steward (Deputy Chair)

Mr Glenn Archer

Mr Sebastian Chan

Mr Adrian Cunningham

Prof Brian Fitzgerald

Ms Mia Garlick

Mr Peter Harper

Ms Lisa Harvey

Mr Martin Hoffman

Ms Pip Marlow

Mr Alan Noble

Dr Ian Reinecke

Dr David Solomon

Mr Martin Stewart-Weeks

359 Brief bios are at http://gov2.net.au/members/.