



GBIF Consultation Licensing of data within GBIF

This form is for responses to a consultation to gather input on proposed changes to the licensing of data within the GBIF network. The consultation document is available [here](#):

Please provide your response by completing the following and sending the completed form to licensing@gbif.org by 14 June 2014.

Thank you for your participation. You can follow the outcomes of this and other consultations, and view replies from other respondents, at www.gbif.org/newsroom/consultations

Name of respondent:	Steve Whitbread
Position/Institution:	Vice-chairman of the National Forum for Biological Recording
Type of response:	<input type="checkbox"/> I am responding on behalf of the following GBIF Participant: _____ <input checked="" type="checkbox"/> I am responding as an individual institution
Date of response:	14 June 2014
Public access to this response:	To support transparency and free discussion, all responses will be made public through the GBIF portal, unless otherwise requested. Please select one of the following: <input checked="" type="checkbox"/> Please share my response publicly through the GBIF portal <input type="checkbox"/> This response is in confidence. Please do <u>not</u> share it publicly.

Question 1:

The approach outlined would significantly clarify licensing and aims to promote fair use and citation via a set of community norms. However, data publishers would no longer be in a position to claim to copyright over data. Do you support GBIF taking this position?

NFBR exists to champion biological recording and the effective use of biodiversity information across the whole of the UK. The views here are presented on behalf of its Advisory Council which represents a broad cross-section of those involved with or dependent on the collection, management and use of biological records, or supporting activities.

In the continued absence of an effective national framework for biodiversity information, as called for by [NFBR](#) and others, the UK operates via a patchwork of independently evolving, under-resourced, ad hoc systems which are hugely dependent on the effort, support and goodwill of volunteers.

Whereas the Forum strongly supports the ambition of simplifying access to and use of data (as exemplified by the [Bouchout Declaration](#)), there are several options as to how this might be achieved. Whilst each of these would potentially result in some greater or lesser degree of less welcome consequences, GBIF's proposal, the rapid, untested and mandatory imposition of a Creative Commons C-0 waiver of rights as the only option, would be certain to maximise the negative.

Following the initial 2013 consultation, it would have been appropriate to have conducted a detailed appraisal of the licensing options and the possible combination of means by which those able to do so could follow the CC-0 route and by which those constrained from doing so might agree to a brief suite of optional terms and conditions.

Instead, the suggestion made by some of the respondents to that consultation appears to have persuaded GBIF to the view that any licences wouldn't be enforceable so, regardless of any consideration for those willing to provide access to data but unable to waive rights to it, CC-0 should be the only option. Waving the banner for Open Data, however welcome this might be where practicable, seems to have resulted in the very real difficulties this will pose for some being overlooked. In this regard, the present consultation is something of a disappointment'

It is worth commenting that in relation to the number of Data Publishers that GBIF proudly proclaims (609 according to the banner today, yet 777 according to the number of data search entries), the 32 respondents to the initial survey may well not be representative of the views of its Data Publishers as a whole. Secondly, organisations such as the UK's National Biodiversity Network (seemingly misnamed as the National Biodiversity Information Network in relation to endorsements of Data Publishers from the UK) are aggregate Data Publishers providing access to Data Sets supplied by a multiplicity of diverse organisations and individuals who are the actual data owners or (e.g. local record centres) possibly intermediaries themselves, with no title to the data they are able to provide in accordance with agreements to which they are bound.

We would suggest that (a) improving the frequency and quality of citation and (b) tracking data use - which would help to highlight the value of biodiversity information (and GBIF) to different sectors and for different uses (as well as showing where it was not being employed) - should be seen as priorities for GBIF during this process.

In contrast to GBIF's proposal, NFBR suggests that, whilst enabling those who wish to adopt CC-0 to do so, GBIF needs to (a) provide a somewhat wider set of Creative Commons licensing options, and (b) require its Data Publishers to adopt a consistent approach to their Data Rights Management which will be compatible with this.

This 'short suite' compromise would provide the required simplification and greater open data access whilst minimising the likely negative effects.

<p>Question 2:</p> <p>Do you believe that there are additional factors which should be considered at this time?</p>	<p>Creative Commons licensing appears to be well developed (by effective communities), offers a range of advantages – including (for the EU region) being INSPIRE-compliant. Attribution licensing (CC-BY) which enables data dissemination and re-use with the proviso that the owner is credited, or (CC-BY NP) is not available for commercial use should be investigated further. Whereas this might take more time to grapple with than the blanket CC-0 proposal, it is likely to achieve the stated objectives as well or better whilst avoiding the drawbacks that have already been identified or seeming to have no regard to those members of the GBIF <u>community</u> that it would affect.</p> <p>Moreover, improving access without impacting of data flow would benefit research, planning, conservation, environmental management, mitigation and adaptation.</p>
<p>Question 3:</p> <p>Do you foresee any substantial risk arising from this approach, in particular regarding the willingness of data holders to continue publishing through GBIF?</p>	<p>The probability is that there would be withdrawal of existing data from GBIF and/or the Data Publishers providing records, e.g. the NBN (Gateway) and fewer records being provided in future. Any suggestion that ‘there are so many records on the database that this wouldn’t matter’ would appear to miss the point and be dismissive of the concept of community that GBIF has worked hard to develop.</p> <p>Pursuing the CC-0 plan as GBIF has outlined is likely to damage the relationship it has with some of its Data Publishers (and theirs with their own providers in turn). This would be a misstep and one that could be avoided by taking the time to pursue alternative courses <u>and</u>, involving the community in these.</p> <p>Within the UK, some organisations, e.g. not for profit local record centres rely on the charges levied for commercial data searches to fund their operations including their involvement in and support of the local collection, validation, verification and validation of data.</p> <p>Enforcing Open Data at GBIF now will impact adversely on the quality and quantity of data which it receives in future - and on recording and biodiversity information supply in the UK.</p>
<p>Question 4:</p> <p>Are you interested in contributing to collaborative documentation on this topic?</p>	<p>We would be very willing to do so, in principle. The National Biodiversity Network Trust is probably best placed to act as a point of contact/collaboration for UK bodies.</p>