

Reuters fully supports the written submission of the European Publishers Council (EPC) of which it is a member. We would however like to expand on one aspect that is briefly touched on in the EPC submission.

We note with immense regret that HMT decided to exclude Crown Copyright and the regulations surrounding Public Sector Information from the Review, which we believe undermines the overall value of the Review.

By way of background, the Declaration that followed the special convened EU Ministerial Conference on Global Information Networks in Bonn in July 1998 recorded:

*"The public sector is the biggest single collector and producer of information content in all areas of public life, including government, administration, law, business and professional activities, employment, health, welfare, scientific research, transport, education and culture."*

The US had long recognised the benefits of liberalising official policy in this area, and its policies are:

*"based on the premise that government information is a valuable national resource, and that the economic benefits to society are maximised when government information are maximised when government information is available in a timely and equitable manner to all." (Executive Office of the President: Office of Management & Budget 1995).*

The US Government has also recognised the essential role that private sector publishers perform in delivering these benefits:

*"private, non-government information providers perform an essential public service in expanding the availability of information to the public. Government agencies cannot be expected to match the dynamism and creativity of information providers in transforming Government information into value consumer information products, especially given the robust nature of information technology developments. Consequently, non-government information distributors play an essential role in advancing information policy objectives." (US Electronic Freedom of Information Amendments 1996).*

Reuters gratefully acknowledges that-- as is stated in the Call for Evidence section "*Limitations of Review Scope*"-- HMG has already taken some important steps to facilitate re-use of certain classes of official information, and there is no doubt that these reforms have led to greater operational efficiencies in the manner in which some official data can be re-used by publishers. However, these actions have concentrated in areas for which HMT itself perceived little commercial potential for publication by official bodies. By contrast, HMT maintains the monopolist Government Trading Funds model for the most lucrative official data such as mapping, weather, hydrographical and other types of high value official content. This reservation of Crown monopoly, operating independently of normal economic conditions, distorts and inhibits private sector publishing in these most important areas. For example, the revenues of Trading Funds are obliged to grow at pre-set rates determined by HMT, irrespective of the prevailing conditions of the publishing market, and therefore result in distorted prices and other conditions that are targeted at achieving the externally set targets, rather than responding to the prevailing conditions and needs of the market and consumers. This inhibits re-use by private sector publishers, limits competition and therefore consumer choice. (see for example the article in The Guardian of 9th March 2006: "*Technology: Give us back our Crown Jewels: Our taxes fund the collection of public data-- yet we pay again to access it...*") We also commend the exhaustive review carried out on behalf of the European Commission: "*Commercial Exploitation of Europe's Public Sector Information*" in September 2000

The Gowers Review would therefore have had greater credibility and enduring effect if it had been permitted to take evidence on the implications of the management of Crown Copyright, which in a variety of ways continues to inhibit re-use of public sector information--the UK's most important content "raw material". The contrast in approach between the approaches of the US and HMT is well documented and could not be clearer, and accounts for much of the energies, creativity and success in US publishing. In summary, US policy making has been driven by the objective of maximising the availability of federal government information to citizens and businesses. In relation to the information originating from the Trading Funds, HMT's objective has been maximising direct income streams to government from the sale of official information.

In a modern knowledge-based economy, the way in which any country's largest and most important information raw material is managed is highly relevant to national competitive performance--not just of on-line publishers that would like to re-use it, but to the business sector as a whole as consumers of such data. Efficient management is also important to the attainment of important social and political objectives. Excluding Crown Copyright from the Gowers Review is a significant omission.

We hope these comments are useful.

Henry Manisty  
Head of Government and Regulatory Affairs  
Reuters