



InterPARES 2 Project

International Research on Permanent Authentic Records in Electronic Systems

Policy Cross-domain Task Force

RESEARCH DESIGN DISCUSSION DOCUMENT

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This document outlines the research design to be followed by the Policy Cross-domain Task Force (PTF) of InterPARES 2 (IP2). It has been developed in accordance with the SSHRC grant proposal and also takes into consideration work that will be undertaken concurrently by Domain and Focus Task Forces.

NOTE:

- 1. The document is updated following each Policy Cross-domain Plenary Meeting to reflect decisions taken by the team, and the ongoing work of the Focus, Domain and other Cross-domain teams. More detailed plans and updated timelines are included as the research progresses, as well as ongoing assignment of researcher responsibilities for individual activities and sub-activities warrants.**
- 2. The achievement of the objectives set out in the plan is dependent on continuing funding and support of the research work by participants.**

Scope and Expected Outcomes:

The Policy Cross-domain Team will be responsible for examining the key policy objectives and critical policy implications related to the creation, maintenance, appraisal and preservation of records studied by this project. The Policy Cross-domain Team will examine the formulation as well as barriers to the formulation of policies, strategies and procedures for the creation, maintenance, appraisal and preservation of the records generated in the technological environments studied by this project.

The expected outcomes of this research are papers outlining and critically examining existing standards, scholarly works addressing the research questions, and guidelines for developing policies, strategies and standards at the international, national and organizational level.

Policy Research Questions

- To what extent do policies, procedures, and standards currently control records creation, maintenance, preservation and use in each focus area? Do these policies, procedures, and standards need to be modified or augmented?
- Can an intellectual framework or frameworks be developed to facilitate the translation of policies, procedures, and standards appropriate to each focus group into different national environments, sectors, and domains?
- How can enhanced control over and standardization of records creation, maintenance, preservation, access and use be balanced against cultural and juridical differences and perspectives on issues such as freedom of expression, moral rights, privacy, and national security?
- What legal or moral obligations exist regarding the creation, maintenance, preservation and use of the records of each focus group's activities?
- What principles should guide the formulation of policies, strategies and standards related to the creation of reliable, accurate and authentic records in the digital environments under investigation?
- What principles should guide the formulation of policies, strategies and standards related to the appraisal of those records?
- What principles should guide the formulation of policies, strategies and standards related to the long-term preservation of those records?
- What should be the criteria for developing national policies, strategies and standards?
- What should be the criteria for developing organizational, industry and professional policies, strategies and standards?

Policy Methodologies

The Policy Task Force will research and analyze the existing policies, strategies, guidelines, and standards in each of the focus areas in relation to each of the domains, examine how they may apply to the digital environments under investigation, compare them to recognize commonalities and differences, and identify gaps, especially in relation to the new issues arising from the accessibility, use, manipulability and fragility of the types of records being studied. It will then examine the results of the case studies and of the work carried out in the three domains. On the basis of this analysis, and other independently conducted research it will articulate principles that should guide the development of policies, strategies and standards for the creation, maintenance, appraisal and preservation of the records in question and give them to the national and multinational teams for contextualization.

Research Design

The Policy Cross-domain research team proposes applying the following methods to the following research activities: interpretive analysis, case study analysis, critical legal theory (critical analysis of primary legal sources), narrative policy analysis (conducting interviews and analyzing primary sources when there is a tradition) including discourse analysis, comparative law, comparative policy analysis.

Q 1: To what extent do policies, procedures, and standards currently control records creation, maintenance, preservation and use in each focus area? Do these policies, procedures, and standards need to be modified or augmented?

Sub-research question

- What are the incentives for institutions and other stakeholders in each focus area to ensure appropriate controls over records creation, maintenance, preservation, access and use in the digital environment (e.g., legal, economic, moral, labor agreements?)

Methods

- Research and analyze existing policies, strategies, guidelines and standards in each focus group in relation to each of the domains.
- Examine how they apply to digital environments using case studies from the focus groups, in particular new issues related to accessibility, use, manipulability, privacy, security and intellectual property.
- Create a comparative table of policies, strategies, guidelines, and standards to recognize commonalities and differences, and to identify gaps

To locate/collect policies, strategies, guidelines and standards in each domain, use

- bibliographic searches for each focus group (e.g., journal articles, Web sites for the professional associations and industries of the focus groups)
 - Research assistants and researchers
- unpublished material from case studies
- interviews with stakeholders (narrative policy analysis)

For identifying and locating policies, strategies, guidelines and standards the following may be useful:

ISO 15489-1 Records Management ‘Regulatory environment’ and DIRKS methodology

DIRKS: A Strategic Approach to Managing Business Information. Copyright in the DIRKS manual is held jointly by the National Archives of Australia and the State Records Authority of New South Wales. Commonwealth of Australia 2000, Step C – Identification of recordkeeping requirements, <http://www.naa.gov.au/recordkeeping/dirks/dirksman/contents.html>.

Q 2: Can an intellectual framework or frameworks be developed to facilitate the translation of policies, procedures and standards appropriate to each focus group into different national environments, sectors and domains?

(Note: a framework may be defined as a flexible structure that can be adapted to different settings)

Methods

- Locate any ISO or international standards on the domains in the focus groups and look at the tools used to translate standards locally.
 - research assistants
- Compare examples of focus group policies, procedures and standards from different sample countries from the comparative table and develop an intellectual framework by extrapolating similar data
 - researchers and research assistants

Use:

Interpretive analysis.

Q 3: How can enhanced control over and standardization of records creation, maintenance, preservation, access and use be balanced against cultural and juridical differences and perspectives on issues such as freedom of expression, moral rights, privacy and national security?

Sub-research question

- What are the implications of privacy and security controls (e.g., encryption and digital signatures) that are implemented by records creators but controlled by other third parties (e.g., certification authorities) for the long-term preservation, access, and use of records created in the digital environment?

Method

- Locate international instruments that have been developed on freedom of expression, moral rights, privacy and national security (e.g., UN charters, Berne Convention on Intellectual Property, OECD and EU Directives on privacy, authentication standards) and consider how they have been or are being implemented in individual countries
 - research assistants and researchers

Q 4: What legal or moral obligations exist regarding the creation, maintenance, preservation, and use of the records of each of the focus group's activities?

Sub-research questions

What is the manifestation of "authorship" in records of each activity and its implications for the exercise of intellectual property rights and the attribution of responsibilities and obligations?

Are these new digital environments blurring the responsibilities and altering the legal liabilities of stakeholders, for example ownership and access?

What are the implications of licensing for long-term preservation of and access to records in the digital environment (of software, record contents and metadata)?

Methods

- Locate legislation, ethical codes for each of the focus groups
- Identify responsibilities of legal and moral persons in relation to the domains for each focus group.

Use

- Legal research tools and bibliographic searches
- Use ISO Records Management standard on regulatory frameworks and DIRKS methodology

Q 5: What principles should guide the formulation of policies, strategies and standards related to the creation of reliable, accurate and authentic records in the digital environments under investigation? What principles should guide the formulation of policies, strategies and standards related to the appraisal and the long-term preservation of those records?

Methods

- Examine results of case studies and of the work carried out by the three domains.
- Articulate principles to guide the development of policies, strategies and standards for the creation, maintenance, appraisal and preservation of the record in question for the national and multinational teams to contextualize

Q 6: What should be the criteria for developing national policies, strategies and standards?

Q 7: What should be the criteria for developing organizational, industry and professional policies, strategies and standards?**Method**

- Produce a set of criteria from the national and multinational team feedback for the development of policies, strategies and standards at the international, national and organizational level.

Revised Work Plan**Activity 1:**

Review and revise research questions. Identify possible methods. Draft, discuss and revise research plan.

Activity 2:

Identify a maximum of two questions that should be addressed by each Task Force case study in order to gather data for the purposes of comparative analysis by PTF, e.g.,

- To what extent do policies, procedures, and standards currently control records creation, maintenance, preservation and use in the context of your activity? Do these policies, procedures, and standards need to be modified or augmented?
- What legal, moral (e.g., control over artistic expression) or ethical obligations, concerns or issues exist regarding the creation, maintenance, preservation and use of the records in the context of your
- focus group's activity?

Activity 3:

Conduct literature reviews. Research and analyze existing policies, strategies, guidelines, standards and legislation in each focus group.

Activity 4:

Compare the results found in each focus group in relation to each of the domains and found nationally and internationally.

Activity 5:

Examine how they apply to digital and web-based environments using case studies from each focus group in relation to each of the domains found nationally and internationally.

Activity 6:

Create a comparative table of policies, strategies, guidelines, and standards to recognize commonalities and differences and to identify gaps related to the Policy Cross-domain research questions.

Activity 7:

Locate any ISO or international standards on the domains in the focus groups and look at the tools used to translate the standards locally.

Activity 8:

Compare examples of focus group policies, procedures and standards from different sample countries from the comparative table and develop an intellectual framework by extrapolating similar data.

Activity 9:

Locate international instruments that have been developed on freedom of expression, moral rights, privacy, and national security (e.g., UN Charters, Berne Convention on Intellectual Property, OECD and EU Directives on privacy, authentication standards) and consider how they have been or are being implemented individual countries.

Activity 10:

Locate relevant legislation, ethical codes for each focus group.

Activity 11:

Identify responsibilities of legal and moral persons in relation to the domains for each focus group.

Activity 12:

Examine results of case studies and of the work carried out by the three domains. On the basis of this analysis, articulate principles to guide the development of policies, strategies and standards for the creation and maintenance, appraisal and preservation of the records for each focus group for the national and multinational teams to contextualize.

Activity 13:

Using policy relevant materials, received from case studies and domain researchers, identify, evaluate and analyze the extent to which existing policies and infrastructure support or prohibit the long-term preservation of accurate and reliable digital records in the arts, government and scientific domains. (2004-2006)

Activity 14

Identify gaps in existing policies and policy infrastructure to insure the long-term accurate and reliable preservation of digital records in the arts, government and scientific domains. (2005-2006)

Activity 15

Produce a set pf criteria from the feedback for the development of policies, strategies and standards at the international, national and organizational level. Make recommendations relating to the development of new policies and strategies to promote and encourage the long-term accurate and reliable preservation of digital records in the arts, government and scientific domains. (2006).

Activity 16

Disseminate research findings via InterPARES Web site, conference papers and journal articles. (2004-2006)

Activity 17

Prepare Policy Cross-Domain Final Project Report (Dec 2006)