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The QUT Legal Research project proposes to contribute to the ANDS project by addressing the legal aspects of the management of research data which are relevant to each of the key elements of the ANDS structure:

- **Stewardship services:** Management of legal and licensing issues relating to research data is fundamental to the curation and management of digital data, particularly in the context of collaborative, publicly-funded research projects which seek to improve the mechanisms for data access among research groups. It is essential for researchers and data custodians (eg repositories) to have a practical understanding of a range of legal issues including ownership of intellectual property and other rights in data and databases, authorisation to use data assets owned by other parties, and restrictions applying to the distribution or use of data.
- **Federated Services:** An efficient federated data network demands a common understanding and uniformity of practice among participants with respect to the management of legal rights in data, so that practices are compatible not only among the various distributed research data centres in Australia but also with the practices of data centres in key overseas jurisdictions.
- **Outreach Services:** As the legal aspects of data management are complex and not well understood within the research sector, assistance is required to develop, through selected examples and case studies, effective strategies to deal with the legal aspects of data generation, access and use. Information about strategies for data management must be easily and freely accessible by researchers and data custodians throughout the federated network on a real-time basis. For this objective to be achieved, an appropriate range of web-based resources needs to be developed - including practical guides, toolkits, checklists and template documents – and ongoing legal and technical support is required to ensure that these information resources continue to be updated, useful and accessible for the duration of the ANDS project.

The QUT Legal Research project has completed a report, *Building the Infrastructure for Data Access and Reuse in Collaborative Research: An Analysis of the Legal Context of Research Data Access and Reuse* (June 2007). The report examines the broad legal framework within which research data is generated, managed and used and provides a basis on which to develop stewardship, federated and outreach services specifically targeted to the requirements of research centres and data repositories within the ANDS structure. As well as providing an overview of the operation of relevant laws (eg copyright, contract, privacy and confidentiality laws) in defining rights to access and use research outputs, the report describes and explains current practices and attitudes towards data sharing, and surveys international and national policies on data access and use. The report describes best practice strategies for research projects in organising, preserving and enabling access to and reuse of data.

The report's principal recommendations are of direct relevance to the management of research data within the ANDS structure:

- Further analysis of existing data access policies, principles and practices in Australia and overseas should be undertaken with a view to formulating template data access policies and principles for use in the Australian research sector.
- Data Management Plans (DMPs) should be developed to address how data is to be managed in accordance with relevant legal requirements. DMPs should address how research data and databases will be preserved and maintained in the long-term and how this will be funded, how data is to be made accessible to the public and who will be primarily responsible for the management of the database and data.
- Data Management Toolkits (DMTs) should be developed to assist researchers in collecting and dealing with data in accordance with the DMP, how to deposit data into the database and how to manage their data in accordance with regulatory frameworks applying in their area of research.