



**RECODE**

**WP 3: Legal and ethical issues in open access and data dissemination and preservation**

Rachel Finn  
Trilateral Research & Consulting  
14 January 2014

## Legal and ethical questions

- Should data related to sensitive cultural or religious sites be made publicly available over the internet?
- How much personal data should be released within a clinical data set?
- How should the legal and scientific community respond to a researcher who does not adhere to the terms of a license associated with an open data set?



## Objectives

### Legal and ethical issues in open access and data dissemination and preservation

1. Identify legal obstacles, barriers and solutions in relation to open access and data dissemination and preservation across Member States and third countries from the perspectives of a range of different stakeholders
2. Identify ethical obstacles, barriers and solutions in relation to open access and data dissemination and preservation across Member States and third countries from the perspectives of a range of different stakeholders
3. Use interviews with appropriate case study representatives to examine the ethical and legal issues identified by the work package in more depth
4. Conduct a workshop with a diverse array of stakeholders to validate the work package findings and identify elements of good practice



## Key partners involved

**Trilateral  
Research &  
Consulting**



The  
University  
Of  
Sheffield.



**eHumanities**  
Royal Netherlands Academy of Arts and Sciences



## Legal issues under consideration

- How might the impact of the following legislative measures impact open access to research data?
  - Intellectual property rights (copyright, trade secrets, database rights...)
  - Privacy and data protection
  - Open access mandates (PSI Directive and those related to publications)
  - Licensing (creative commons)



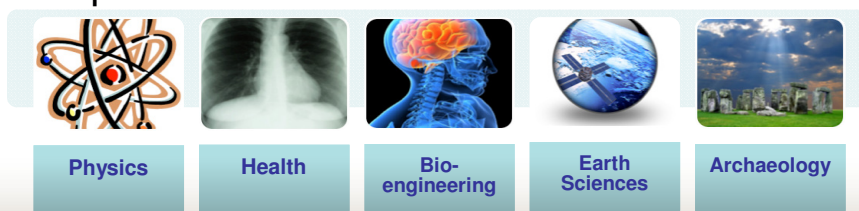
## Ethical issues under consideration

- Unintended secondary use and misappropriation
- Dual use
- Breaches of privacy or confidentiality
- Unequal distribution of scientific results
- Commercialisation
- Restriction of scientific freedom



## Progress

- First draft of the deliverable already produced
- Organising interviews with case study representatives



## Key outcomes

- Draft report
  - March '14
  - Circulated to workshop invitees
- Final report
  - May '14
  - Publicly available on RECODE website
  - [www.recodeproject.eu](http://www.recodeproject.eu)



## Workshop 3

### Ethical and legal issues in open access to research data

- 14 March 2014
- Hosted by:



- Amsterdam



## Questions

- Any questions?
- Key contacts
  - Rachel Finn, [rachel.finn@trilateralresearch.com](mailto:rachel.finn@trilateralresearch.com)
  - Mark Taylor, [m.j.taylor@sheffield.ac.uk](mailto:m.j.taylor@sheffield.ac.uk)



Crown House  
72 Hammersmith Road  
London, W14 8TH  
+44 (0) 207 559 3550

**Trilateral  
Research &  
Consulting**

