

# The Evolving Ecology of the Legal Information Market

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# | The Fate of the Information Society

- Vision since the 1960's
  - Ease to copy = deter investments
  - Strong regulatory framework required
- Increase the legal protections of IP
  - Longer copyright terms
  - Database protection
  - Anti-circumvention clauses (...)

# The Fate of the Information Society

- Led to privatization and commoditization of information that used to be shared
  - Patents on genetic structures
  - Rights over the results of sporting events
  - Rights over the pagination of official court reports

# The Fate of the Information Society

- But what about the positive objectives of the information society?

# The Fate of the Information Society

- Open Access more recent approach
  - More equitable distribution of information
  - Boost the distributed production of knowledge
- Put the old assumptions in question
  - Mass collaborative projects over the Internet
  - Draft treaty on Access to Knowledge

# The Fate of the Information Society

- But what about the incentive for investments?

# The Fate of the Information Society

- Need to reach a balance
  - Ownership & openness must influence and depend on each other
- Central role of government
  - Balance the potential for commercial exploitation with the expectations of citizens
  - Importance of public sector information

# The Fate of the Legal Information Market?

- Same old story
- Traditional publishers
  - Comes with a baggage of preconceptions and a dominant position
  - Commercial success is the only end
  - Maintaining the status quo is the key objective
- Legal information is a commodity that should be marketed



# The Fate of the Legal Information Market?

- LIIs and free access to law
  - Take advantage of lower barriers to entry
  - Improved accessibility is the only end
  - Altering the circulation of information is the key objective
- Legal information is a public good on top of which everyone should be free to build

# | The Fate of the Legal Information Market?

- Which of the two positions will ultimately prevail?
  - Probably none
  - A compromise is more likely
- What can we already learn?
  - Access is more and more taken for granted
  - Issues at stake are now the effectiveness of access / the reusability of data

# Effective Access

- Most governments promote the use of technologies to improve access to law
  - Mechanical reproduction of technique and approaches borrowed from the past
  - Preservation of technical restrictions that could be eliminated
- Free access is not full access

# Effective Access

- Potential technical restrictions
  - Editorial selection
  - Delayed updates / limitation on historical depth
  - Technical constraints (PDF, input fields, user sessions)
  - Proprietary formats



Ministry of  
Labour and  
Citizens' Services  
Queen's Printer

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# Revised Statutes and Consolidated Regulations of British Columbia

**Most of the Statutes and Regulations on this web site  
are NOT up to date.**

They are as current as the official printed consolidation as follows:

- Statutes (Instalment No. 16): **January 30, 2007** —
- Regulations (Instalment No. 71): **January 2, 2007** —

See [QP LegalEze](#) for all current Statutes and Regulations.

## STATUTES AND REGULATIONS

**Alphabetical Listing (No acts for the letters K, X and Z):**

**A | B | C | D | E | F | G | H | I | J | L | M**  
**N | O | P | Q | R | S | T | U | V | W | Y**

**PLEASE NOTE:** We are constantly updating this site. Therefore, we do not recommend using bookmark references, as file names change from time to time. We apologize for any inconvenience.

## IMPORTANT INFORMATION

Includes disclaimer and copyright information and details about the availability of printed and electronic versions of the Statutes and Regulations.

## RELATED LINKS

The Statutes may have been enacted, amended or repealed since the consolidation on September 15, 2003, and the following links will provide you with assistance in finding recent changes in the law.

**QP LegalEze**



## CURRENT STATUTES AND REGULATIONS

All current British Columbia Statutes and Regulations can be found in [QP LegalEze](#).

Public Access to [QP LegalEze](#) is available via:

- [Public Library Branches](#);
- [Government Agencies](#); and
- [B.C. Courthouse Libraries](#).

Day-passes available

# Effective Access

- Fragmentation of access
  - Absence of consolidation
  - Absence of standards
  - Impossibility to search jointly
- Web crawlers are often blocked on privacy grounds



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### Ricerca avanzata

Normeinrete ha trovato **6** documenti che soddisfano i seguenti criteri:

Ambito: **Leggi Statali**

Parole cercate nel testo: **RAPIMENTO, INTERNAZIONALE**

Consulta i risultati da **1** a **6**.

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#### 1. LEGGE 10 Gennaio 2004, n.7

Ratifica ed esecuzione del Memorandum d'intesa fra il Governo della Repubblica italiana ed il Governo della Repubblica democratica socialista di Sri Lanka a modifica del trattato di estradizione firmato a Roma il 5 febbraio 1873, fatto a Colombo l'11 agosto 1999.

**Materia:** Affari esteri

**URN:** urn:nir:stato:legge:2004-01-10;7

● **Versione:** 'Testo storico'

**Pubblicata in:** G.U. 21.01.2004 N. 16

**Testo reso disponibile da:** [Corte Suprema di Cassazione](#), [Parlamento](#), [Comune di Jesi](#)

#### 2. LEGGE 11 Marzo 2002, n.46

# Reusability of Data

- Most governments would promote personal, educational and non-profit reuse of legal information
  - Many still distribute it under legal conditions that make such reuse difficult
- Even effective access is not full access



# Reusability of Data

- Potential sources of legal restrictions on the reuse of legal information
  - Crown copyright
  - Exclusive agreements
  - State-run publishers business model
  - Integration with added value from the private sector



Ministry of  
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- pour l'ensemble des bases de jurisprudence (Constit, Jade, Cass, Inca, Capp) : 3000 arrêts
- pour la base Jorf : 2500 textes
- pour la base Legi : 400 textes (hors codes)
- pour la base Kali : 1000 documents (articles)

C'est donc seulement lorsque l'un de ces seuils est dépassé (sur 12 mois) que les extractions (et/ou réutilisations) doivent être couvertes par une **licence qui ne donne lieu au paiement d'aucun coût de mise à disposition**.

# Conclusion

- Many players now provide free access to legal information
  - States
  - Publishers
  - Civil society groups
- They have taken the baton from the LIIs while pursuing diverging objectives

# Conclusion

- Access is becoming less discriminating between players as more and more of them provide it



# Conclusion

- The mode of access is becoming the main battlefield
  - Quality
  - Added value
  - Reusability
- Only the players capable of providing one or more of those will prevail

# Conclusion

- All 3 elements require substantial investments
  - Sustainability is the key
  - Each LII must find its place in the legal information market
  - Otherwise states and publishers will ultimately take them over