**In this video I will discuss copyright and research data**

As I mentioned previously whilst not all research data is capable of copyright protection, its best to presume that research data is protected.

Increasingly researchers are publishing their data, some through journals. Publishing data draws attention to research and enables it to be verified and often reused.

Here is the name and abstract of a published dataset. Note that it is licensed with a CC BY Creative Commons licence. This means that the data is owned by the Australian Antarctic Data Centre, but others are free to use it as long as they acknowledge the creator.

When publishing data, we recommend that you attach one of the following two licences to your data. A CC BY or a CC BY NC or Non-Commercial. There is no need to register your licence, you just place your CC licence near the dataset as was done on the previous slide.

When publishing data, you may also wish to publish software at the same time so others can use and manipulate your data for their own needs. In such instances we recommend a BSD 3-Clause Software Licence which is the software equivalent of a CC BY licence. However before putting this licence on your software, you need to make sure that you have the right to both publish this software and put this licence on it. If you have made the software using open software you should contact the Information Policy Officer who can ensure that the open licences attached to each of these pieces of software permit you to publish and attach the licence you wish on your software.

Increasingly researchers are using data others have created, particularly from the internet such as social media sites.

Before using the data, you need to check that you have the legal rights to do this. Remember copyright protection is automatic and a copyright sign or statement is not required for protection to exist.

To check the copyright, there a number of different things to consider.

What are you intending to use the data for? Are you simply using it for your personal research or do you intend to publish part or all or this data?

Does the dataset have a licence? For example, it may have a Creative Commons licence which tells you how you may use the data. Or it may have a bespoke licence? If there is a licence does it permit your intended use?

If you intend to mix and join multiple datasets, do the individual licences of those datasets permit this? Are their licences compatible for you to publish the mixed data?

If the data is on a website, for example a social media website, what do the “Terms and Conditions” or policies of that website say about permitted use? Also be mindful that social media data will often contain many individual items (for example, images, videos and comments) whose copyright belongs not to the website but to each of those individuals that posted the items - though tweets in general are not considered long enough to attract copyright protection.

After your investigation, you may need permission or a licence from the copyright owner to proceed.

Contact the Information Policy Officer for assistance, particularly if you are text or data mining, and are intending to publish the generated data as the copyright issues can be complex.

Finally, let’s briefly consider sensitive data.

Data can be sensitive for privacy, cultural, commercial or other reasons.

Can sensitive data be published or shared? Well that depends on the individual circumstances in each case.

For example on the right hand side of this slide is an example of data that would be deemed sensitive as it contains personal information (such as an address, telephone numbers and details on dwelling occupation and ownership). But you may be permitted to publish the data after deidentifying it by removing the phone numbers and addresses.

What you can and cannot do with sensitive data will depend on your Ethics approval.

Can sensitive data be published or shared? Well that depends.

* Your Ethics consent form may permit:
  + publication of deidentified data or restricted or mediated access.

Note that Ethics consent is required for Social Media data

Here are my contact details and some sites you may wish to look at – particularly the pages on the Copyright website.

Remember I am only an email or phone call away if you need assistance.