

# Too Much Information ... Nor Any Drop To Drink

**Abstract:** Carl Clayton, Director, SINTO - the information partnership, writes that there is no shortage of legal information, yet for some people it can still be difficult to get access to the legal information they may need as citizens. Libraries in the Sheffield area have a strong history of co-operation but this cannot remove all the barriers.

**Keywords:** general public; legal information; access to justice; inter-library co-operation

## Introduction

In 2004 the House of Commons Select Committee on Science & Technology produced a report entitled *Scientific Publications: Free for all?*<sup>1</sup> It examined public access to scientific, technical and medical publications. During the hearings, a spokesperson for the publishers John Wiley stated that giving the public access to medical literature would lead to “people who may have illnesses reading this information, marching into surgeries and asking things”. Obviously the idea that people might want to ask their GPs informed questions about their treatment filled him with horror. The committee rejected this argument, stating that:

“It is not for either publishers or academics to decide who should, and who should not, be allowed to read scientific journal articles. We are encouraged by the growing interest in research findings shown by the public. It is in society’s interest that public understanding of science should increase. Increased public access to research findings should be encouraged by publishers, academics and Government alike.”

Clearly the same arguments can be applied to legal information. There are many who would be wary of allowing members of the public access to legal literature on the basis that “a little knowledge is a dangerous thing”. Most people who have a legal problem would not be



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helped by being given access to legislation and law reports - they need proper legal advice. Yet, at the same time we need to recognise that, in a democracy, everyone should have access to all forms of legal information if they need them.

In practice this can prove difficult. Most public libraries have a good collection of legal information in the form of consumer guides to the law and basic textbooks. However, few will have extensive collections of legislation and case law. They are unlikely to be able to afford the specialised on-line legal databases, nor will they have staff who specialise in legal information. These resources are more likely to be available in university libraries, so the first issue is how can the public get access to these libraries? Sheffield provides a case study

of how access can be organised, but first we need to look at the history of library co-operation in the city.

In the 1930s Sheffield was a thriving, if rather polluted, industrial city. It had a well-established municipal public library and a large number of steel making and engineering companies. Many of these companies had small company libraries or information services holding the specialised technical information that they required. In 1933 the City Librarian set up a Scheme for the Interchange of Technical Publications to enable these companies to lend each other copies of books, journals

and standards. This expanded to include the University of Sheffield and other libraries and became the Sheffield Interchange Organisation or SINTO. SINTO went from strength-to-strength, developing from an inter-library loan organisation into a more general library co-operative covering training, networking and strategic planning. Its name was changed to the Sheffield Information Organisation but it retained the acronym SINTO. It also expanded its geographical coverage to cover South Yorkshire and north Derbyshire. Today SINTO provides a wide range of services to over fifty libraries in all sectors. It runs a number of networking groups, including a Legal Information Group, which meet to exchange information and organise local activities. SINTO is funded by subscriptions and donations from its members, plus income from a programme of CPD events. The organisation maintains an office with a staff of two.

In the 1990s SINTO began to look at the issue of public access to academic libraries. Up to this time the price of books had been fixed by the Net Book Agreement, which meant that bookshops could not discount newly published books. Academic libraries were allowed a discount, but only if they agreed to allow members of the public to use their libraries. The ending of the NBA threatened to put an end to this, so an agreement was signed between Sheffield City Libraries; the University of Sheffield; Sheffield Hallam University; and the Sheffield College, to enable learners and researchers access to the libraries of the four organisations for reference and study. Roy Hattersley (whose mother, Enid, was a local councillor and Chair of Sheffield Libraries Committee) launched the Access to Libraries for Learners (ALL) scheme in 1996. Later the scheme was expanded to cover all public and academic libraries in South Yorkshire. As well as enabling access for local residents, SINTO promoted the concept of access agreements to other areas. ALL was one of the projects noted by the Library and Information Commission in its *Empowering the Learning Community* report<sup>2</sup> and this eventually led to the setting up of the Inspire scheme<sup>3</sup>. Inspire promotes access schemes throughout England and today there are over 3,000 libraries signed up to this project. Using the Find It! website,<sup>4</sup> members of the public can select an area and search for libraries holding information on any subject. For example, selecting Yorkshire and searching on Law produced six hits, including public, college and university libraries.

The existence of local access schemes such as ALL might appear to solve the problem of access to specialist materials were it not for one development. Increasingly, academic libraries provide materials in digital formats. This greatly improves access and usability for staff and students, but it also provides a barrier to public access for two main reasons. First, most digital publishers impose licenses which may restrict public access to walk-in users, or prevent access by non-university users altogether. Second, access is only available by logging

onto a computer and members of the public will not be able to get the required password. Neither of these problems is insurmountable, but it does require the university to spend time and effort on what for them is not a core activity.

This problem had been recognised by the Select Committee, and the Government referred the issue to an "expert group" which, in August 2006, produced a report *Access for members of the Public to Digital Content held in University and College Libraries*<sup>5</sup>. This identified the problems and produced a list of recommendations. These included:

- A UK register of publishers' licences, noting the terms and conditions for walk-in access.
- University and college libraries should always seek to secure the provision of walk-in access for members of the public.
- A programme should be initiated to establish a sector-wide approach to the provision of access for members of the public to the secure networks of higher education institutions.
- Funding for the Inspire project should continue, so that it can enhance its role in facilitating access to digital content in HE libraries.

If these recommendations were adopted, it certainly would help to achieve the goal of seamless, cross-sectoral pathways for learners across public, academic and national libraries. However, there is always the danger that this initiative will just be brushed under the carpet.

Another more fundamental criticism of this report is that it started from the position of considering how to improve access to digital content in academic libraries - but is this the best way of ensuring access to digital content for the public? Universities have a clear remit (and limited funding) for providing access for their own users. They have no obligation to meet the information needs of society as a whole. In any case, walk-in access to universities is an old fashioned approach to accessing digital material. If the public has a right to access this material, they should be able to access it directly - not have to travel to the nearest university. The report failed to consider (or was not given the remit to consider) how society as a whole could ensure access to specialist material, whether it be scientific, medical, legal or whatever.

It can be argued that it is the public library service and the British Library that have the responsibility of providing the general public with access to information. Public libraries are increasingly providing on-line 24/7 access to a wide range of electronic reference resources, but they are not funded sufficiently to provide access to more specialist databases. In any case, the level of demand for these specialist resources does not justify a subscription by any single library

authority. It would have to be done on a regional or national basis.

There are some signs of a change of thinking. Following a "Free our data" campaign by the Guardian, the Department for Constitutional Affairs has stated that there will be a level of free access to the Statute Law

Database. If, as a society, we think that it is right that people should have access to legal information, then society should provide that access, either by making it freely available or by ensuring that public libraries can afford to purchase it. Meanwhile librarians in South Yorkshire will continue to strive to remove the barriers to access.

### References

<sup>1</sup>*Scientific Publications: Free for All?* 10<sup>th</sup> Report of the House of Commons Science and Technology Committee. <http://www.publications.parliament.uk/pa/cm200304/cmselect/cmsctech/399/39902.htm>

<sup>2</sup>*Empowering the Learning Community*. Report of the Education and Libraries Task Group. Library and Information Commission, 2000.

<sup>3</sup>[www.inspire.gov.uk](http://www.inspire.gov.uk)

<sup>4</sup>[www.findit.org.uk](http://www.findit.org.uk)

<sup>5</sup>*Access for Members of the Public to Digital Content held in University and College Libraries*. Report by members of the Expert Group on Public Access to Digital Content in Academic Libraries. Research Information Network, 2006. [www.rin.ac.uk/public-access](http://www.rin.ac.uk/public-access)

### Biography

Carl Clayton BA, MCLIP, DMS moved to Sheffield to take up the post of Director of SINTO - the Information Partnership, in 1996. In this post Carl develops co-operation between library and information services of all kinds in South Yorkshire and the surrounding area. SINTO runs networking and training events and the South Yorkshire Access to Libraries for Learning scheme (now in partnership with Inspire).

He began his career at the Polytechnic of the South Bank and worked at Charing Cross Medical School and then Acton College. In 1989 he decided he needed a change of direction and went to work for the Library Association as a Professional Adviser specialising in academic libraries. This job developed his strategic view of the library and information profession and gave him enormous experience of the pleasures and pains of committee work.