

President's Message

Hi Everyone,

This is my first newsletter as President of Terra Nova Chapter. I'm looking forward to working with you on keeping our Chapter at the forefront of information management in the Province.

After a quiet summer we've gotten the fall off to a bang.

We have two upcoming seminars that will keep us on track with what's happening in Canada and around the world in our profession.

In the fall of 2003 we'll be putting off our biennial Seminar and Trade Show.

At the ARMA International Conference in New Orleans our Chapter was awarded the ARMA Canada Conference for 2005.

There's lots of work and lots of excitement in our future!

The Board of Directors and I are thrilled and terrified at the prospects that await us.

We're always available to talk to you about your chapter, so let us know what you'd like to see.

Talk to you later.

Sue



Congratulations!!!

**Terra Nova
Chapter**

has been awarded
the

ARMA Canada

Conference for 2005



Terra Nova Chapter

Presents

Converging Document Technology

Date: October 21, 2002

Time: 9:00 - 4:00

Location: Cahill Room, City of St. John's Annex

Speakers: Michael Cliff and Pat Richardson
of Tower Software

Fee: \$5.00 - Members; \$10.00 - Non Members

Please advise Carman Carroll of your attendance
carman.carroll@nf.sympatico.ca

Michael will discuss:

Strategic Drivers for Electronic Records Management
Benefits of Electronic Records Management
Estimated Return on Investment
Key success factors

In addition Michael will address the "**information continuum**" information management theory.

The information continuum is a conceptual framework for understanding the nature of information and information systems. The information continuum takes a holistic view of information systems with an emphasis on the evidentiary role of information. This approach focuses on preserving information in its original context.

Pat will discuss:

The **new and future role of the Information Manager**. What are the roles and responsibilities of the information manager in today's office environment and the relationship between information management and information technology.

Michael and Pat:

Access To Information - Planning and lessons learned at existing TRIM sites (UK).

DOCUMENT RETENTION - THE NEW CHALLENGES

TRIM Captura Customer Newsletter, September 2002

Several recent high profile cases have called into question the role of document retention policies in protecting companies from legal action over the destruction of records and documents. Previously the argument had been made if a corporation had a document retention policy, and it destroyed documents under that policy then the corporation would be protected from the accusation they had destroyed incriminating evidence in the event of subsequent legal proceedings; presuming that all legal requirements for document retention had been met.

Two recent cases however, one in Australia and one in the US have undermined this assumption. In both the McCabe v British American Tobacco case in Australia and the recent US v Arthur Andersen LLP case in the US the courts found that even though documents had been destroyed in accordance with a long-standing document retention policy, the destruction had still been illegal.

This raises significant issues for organizations both with, and without document retention policies. Most importantly, organizations now have to address the question of how they can ensure any document destruction, carried out under the auspices of a document retention policy will meet their new legal obligations.

Two recent cases have provoked this soul searching by records and document managers. In Australia, British American Tobacco (BAT) were found to have destroyed their documents illegally, and had their defence struck out (McCabe v British American Tobacco [2002] VSC 73) The court found that BAT's destruction of documents in accordance with their Document Retention Policy was not in fact lawful, and that

"the purpose behind the destruction of documents under the post-1985 document retention policy was to deny a fair trial to any plaintiff who later brought proceedings, and that the innocent purposes advanced by the company are merely employed in an attempt to hide that reality". 336 McCabe v British American Tobacco [2002] VSC 73 In essence, the judge ruled that BAT's document destruction had been perpetrated with the intention of destroying damaging documents, in a manner that would make it impossible for a plaintiff to get a fair trial, and further, that this destruction had occurred at a time when BAT had every expectation of being involved in proceedings in the future.

Thus the judge ruled "In my opinion the process of discovery in this case was subverted by the defendant and its solicitors Clayton Utz, with the deliberate intention of denying a fair trial to the plaintiff, and the strategy to achieve that outcome was successful. It is not a strategy with the court should countenance, and it is not an outcome, which, in the circumstances of this case, can now be cured so as to permit the trial to proceed on the question of liability. In my opinion the only appropriate order is that the defence should be struck out and the judgement be entered for the plaintiff, with damages to be assessed." 384[2002] VSC 73

The Arthur Andersen case is more complicated. Arthur Andersen LLP were found guilty of obstruction of justice, based on the destruction of documents related to the Enron collapse. The individual responsible for ordering the documents destroyed said his orders had been given to ensure the Enron Audit Team's compliance with the document retention policy. Arthur Andersen claimed the destruction did not comply with their policy, and thus, was the action of a single individual. Unfortunately for Andersen the jury



DOCUMENT RETENTION - THE NEW CHALLENGES

TRIM Captura Customer Newsletter, September 2002

were convinced that Andersen had in fact at the very least knowingly allowed the destruction to continue and, at worst, had actively encouraged it.

The case leaves unanswered whether or not the destruction did in fact comply with Andersen's document retention policy. Andersen's policy quite clearly states in paragraph 4.5.4 "In the event the Arthur Andersen Business Unit is advised of litigation or subpoenas regarding a particular engagement, the related information should not be destroyed."

The issue here is what exactly "advised of litigation or subpoenas" actually means. It is certainly possible to interpret this paragraph as allowing document destruction to occur right up to the point that the Andersen Business Unit is officially advised of litigation. This interpretation would mean that all the document destruction that occurred between October 12 and October 17, when Andersen found out the SEC was investigating Enron, would have been perfectly allowable. Even more generously one could interpret that to mean it is allowable to continue document destruction if the litigation does not directly involve Andersen, (as the SEC investigation did not originally) and until the subpoenas arrive. This action is allowable legally, but only if there is no risk any of the investigation may result in criminal charges, such as the allegations of insider trading levelled at the Enron board. In the event of a criminal case then any attempt to interfere with evidence is a crime, under the code governing obstruction of justice. The issue with this is the document destruction that was legal, suddenly becomes illegal; a difficult situation to navigate.

There are a few key lessons an organization needs to learn to ensure it can manage its corporate information and documents, in a way that will allow the timely destruction of out-dated,

or irrelevant information, while ensuring their destruction is completely legal.

- The corporate document retention policy needs to be clear, explicit, and circulated to all staff.
- The staff need to be adequately trained in compliance with the policy, and the policy has to be consistently enforced.

The easiest way to ensure the policy is consistently enforced is to implement an Electronic Document and Records Management System (EDRMS). An EDRMS, such as TRIM Context, can streamline the task of making sure the organization's staff comply with the Document Retention Policy. Using this kind of system, all the documents and records, including e-mails, are stored in the corporate EDRMS. When the time comes for the documents and records to be destroyed, or archived, they will be dealt with appropriately, without the need for general staff involvement. By ensuring the policy is consistently applied the organization can successfully defend itself from any allegation the document destruction was intended to destroy evidence, thus avoiding the fate of British American Tobacco, and Arthur Andersen.

ARMA Canada Conference 2003

You are invited to submit Proposals for Presentations at the ARMA - Canada Conference

ARMA - Canada's national conference is the premier educational event in Records and Information Management in Canada. **ARMA Conference 2003 will be held in Toronto, Ontario.** We invite you to help the ever-expanding information management community to **"EXPLORE THE POWER OF INFORMATION"** by sharing your cutting edge presentations with us.

This year we are pleased to announce that we have expanded our partnership initiatives to include not only **CIPS** (Canadian Information Processing Society), but also the **ACA** (Association of Canadian Archivists) and **CASLIS** (Canadian Association of Special Libraries and Information Services). One track has been designated for speakers from these associations to help promote our ongoing partnership and networking opportunities.

Speaker's Privileges

Conference 2003 will offer you a unique opportunity to share and promote your knowledge and skills with other information management and technology professionals.

ARMA will provide speakers with a complimentary full conference registration, which includes: all sessions, exhibits/trade show pass, receptions, three luncheons, *ARMA - Canada* Recognition Dinner, publication of your biography, and presentation in the conference proceedings on the *ARMA - Canada* Website.

Submission Process

To be considered for a presentation, your submission must be received November 30,

2002 and should include the following:

- A completed Application Form (www.arma2003.com/papers.asp);
- A biography, including recent speaking engagements (150-250 words);
- A 50-word synopsis of the topic you wish to present to be published in the pre-conference brochure; and
- An abridged electronic version of your synopsis for inclusion in the conference program, which will be published on the conference website. The synopsis should be 150-250 words in length and include three session objectives, session title, speaker name(s) and organization(s). Please submit your synopsis via e-mail to the Program Director at the address on the Application Form.

You may submit an application for more than one presentation.

Conference Proceedings

Selected speakers will be required to provide an electronic version of their presentation for inclusion in the conference proceedings, which will be posted to the ARMA 2003 Conference Website following the conference. Further information and guidelines will be sent to you if you are selected to be a Conference speaker.

The *ARMA* Conference 2003 Program Committee is looking for dynamic speakers and innovative topics that will help us explore our future in the Information Management Profession. The following are four general categories, with possible session topics under each category. These are suggested topics only. If you have any other topics that would fit within the parameters or promote the "EXPLORE THE POWER OF INFORMATION" theme and would benefit Records and Information Management, Archive, Library, or Information Technology professionals, please submit them for consideration.

Please preview our website at www.arma2003.com Bookmark this address so

ARMA Canada Conference 2003

that you can easily come back submit a proposal under the "call for papers" button.

www.arma2003.com/papers.asp

Professional Development

This category will address people issues, including the competencies that Records and Information Management professionals will need to survive and thrive in the rapidly changing electronic workplace of the 21st century.

- Core Competencies for RIM Professionals
- Lifelong Learning in a RIM Context
- RIM Educational Programs in Post-Secondary Educational Institutions
- Change Management
- Stress Management
- Career Planning for RIM Professionals
- Humor in the Workplace
- The Aging Workforce / Succession

Planning

- Records Management and Information Technology in Partnership
- Organizational Learning
- Leadership Motivation for RIM
- Career Planning
- CRM

Information Management

This category will address the information management issues that are confronting Records and Information Management professionals as a result of the rapidly changing workforce.

- Privacy, Access and Protection of Personal Information
- Authenticity of Electronic Records
- Electronic Evidence
- Business Recovery / Continuity

Planning

- Outsourcing / Contracting Out
- Project Management
- ISO Certification
- Knowledge Management
- Developing an RFP
- Functional Approach to Classification and Scheduling
- Using a Thesaurus as a RIM Tool
- Evaluating and Auditing RIM Systems/Programs
- Metadata
- Strategic Information Management
- Records Management vs. Document Control
- Implication of the enforcement of Federal Bill C-6 on January 1st, 2004
- Electronic Records Retention Schedules
- Marketing RIM

Toronto
ARMA Canadian Region
Conference
2003

ARMA Canada Conference 2003

Industry Specific

This category will focus on how the rapidly changing electronic workplace is affecting Records and Information Management in specific industries, governments, or business sectors. Case studies would be beneficial.

- Law Firms
- Colleges, Universities, Technical Institutes
- Governments (Federal, Provincial, Municipal, Aboriginal)
- Local Authorities (Health Authorities, School Boards, Planning Commissions, etc.)
- Energy Industry (Oil and Gas, Coal, Pipeline)
- Hospitals, Medical Clinics, Health Care Providers
- Utilities (Electrical, Natural Gas, Telecommunications)
- Non-Profit Agencies
- Financial Services (Banks, Credit Unions, Insurance Companies etc.)

Information Technology

This category will examine the information technology revolution underlying the rapidly changing electronic workplace, which records and information management professionals must come to grips with.

- E-Business and Information Management
- Managing Websites - a RIM Perspective
- Electronic and Digital Signatures
- Long Term Storage of Electronic Records
- Successful Integration of Records Management Software (case study)
- XML vs. HTML
- Electronic Document Management Systems
- Imaging
- Voice Communication
- Future Technologies for RIM
- Media Storage
- Intranets
- Electronic Records Management Software
- Electronic Document Management Software
- Knowledge Management Software
- DoD 5015.2 Certification
- Digital Amnesia
- Workflow Solutions
- Archiving Databases
- Data Security



Access to Information and Protection of Privacy Database

by Iris Power

Manager, Information Services
Dept. of Justice

On March 14, 2002 the **Access to Information & Protection of Privacy Act** (ATIPPA) was assented to in the Newfoundland and Labrador legislature. It will be proclaimed into force sometime in the near future. The new act was the result of recommendations made by the Freedom of Information Review Committee. It represents a commitment on the part of government to a more open & transparent public policy process. It is the role of the Department of Justice to oversee & coordinate the administration of the act. To that end an Access & Privacy Office was set up in the Justice Department. This office will facilitate the implementation of the Act through the training of Access and Privacy coordinators & the development of policies & procedures. In addition, the office will report to the House of Assembly, through the Minister of Justice on how well the Act is working once it is proclaimed.

Debra Downing, Cabinet Secretariat; Susan Duke & Iris Power, Justice worked together on this project. Our challenge was to create a database that would support the Access & Privacy office in its reporting & oversight functions but that would also serve as a case management system for the government departments that needed to track their requests from receipt to completion. We decided to use TRIM Captura because it was already being used for information management in Justice and Cabinet Secretariat and because it is an excellent tool for case & records management. It can handle paper & electronic documents and the workflow associated with them. Most importantly, we could build the database ourselves & make lots of changes easily while it was in development. Cliff Gunn, our TRIM guru, got us off to a good start with a demo database in May & we worked on it throughout the summer.

Each department has its own set of record types that can not be seen by other departments. The system has been set up very much like a file folder. The case file is your folder & the documents within the folder will be entered into the system separately & attached to the case file. Some of the different record types are fees,

extension required and final response. The Access & Privacy office can generate reports that show how well the Act is being followed. For example they can find out how many requests were received, how many were answered within the time lines specified by the act, whether or not there are extensions and what kinds of extensions are most often requested.

In addition to the development of the database there were a number of technical challenges to overcome. We needed to figure out the best way to share a government wide database to a number of people with different security rights & give them access to the Justice server. We needed to make sure that all the users had the right system specifications to run TRIM on their computers. At one point we discovered that Windows 95 didn't like long caption names when it ate the configuration files destroying a week's work.

Now the training manuals are ready & some of the first training sessions will start in October. All throughout the process the Access & Privacy Office and our IT divisions were of tremendous help. Cliff Gunn has been available to answer innumerable questions. Sue has, at various times, been stuck with the full burden of carrying this forward and she has done a great job. Thanks also to Debra, whose idea it was in the first place and whose greater experience in developing TRIM databases was a real boon.

ARMA International News

Rick Stirling Appointed Canadian Director

ARMA International President Juanita Skillman, CRM, FAI, has appointed Rick Stirling to fill the board position of Canadian Director vacated by Gisele Crawford, ARMA's newly elected president-elect. Stirling will serve through June 30, 2003.

Stirling has been the Canadian Region Manager since July 2000. Among his many accomplishments in the Canadian region, Stirling and the Canadian region team have been instrumental in forming alliances with the Canadian Information Profession Society, Canadian Association of Special Libraries and Information Services, and the Association of Canadian Archivists.

(Web Posted 8/16/2002)

ARMA Special Election Results

Terrence J. Coan, chair of ARMA International's Election Management Committee, announces that members have selected Gisele Crawford as president-elect for 2002-03. She will take office immediately and serve through June 30, 2003.

According to ARMA's auditors, Mayer Hoffman McCann, 1,950 out of 10,195 (19 percent) qualified voters participated in the special election conducted in July. (This percentage is up from 18% in the 2001 fall election.) Of the votes cast, Crawford received 1,011 (52 percent) and David McDermott received 939 (48 percent).

ARMA International to Launch Membership Campaign

Watch for details about the upcoming MemberFest, which will provide you with tools and incentives for sharing the benefits of ARMA membership with your colleagues! Participants will be competing for a laptop computer, domestic air travel, hotel stays, and annual conference registrations. All those who recruit at least one new regular member will become a member of the C.O.R.E. (Connecting Others through Recruitment and Encouragement) Club, receive

special recognition, and be invited to participate in a C.O.R.E. Club reception during the annual conference in Boston, 2003.

Membership Cards

Membership Cards are being distributed directly to all new members each month in place of certificates starting in August. Cards will not be issued to current members at this time. This is a pilot program and will be reviewed in one year. At that time the decision to issue cards upon renewal as well as for new members will be made. If a card is lost, a replacement can be issued for a \$5.00 fee. If your chapter would like to continue giving certificates, a template is available to fill in and print. You will find the link for the template located on the right side of the page. You may want to print the certificates on cardstock. Please direct any questions about member cards to Member Services at HQ.

(Web posted 8/9/2002)

TRIM Users' Group Meeting

Date: October 22, 2002

Place: 4th Floor, East Block
Confederation Building
Justice Boardroom A

Time: 1:30 - 4:00

Cost: Free

RSVP: By **October 18** to **Susan Duke** -
susanduke@gov.nf.ca

Agenda

This will be an “open session” for TRIM Users’ to provide updates on how they are using TRIM and pose questions to other users.

The new Access to Information Tracking Database will be demonstrated.

Michael Cliff and Pat Richardson of Tower Software and Cliff Gunn of Gunn Consulting will attend the meeting.

Terra Nova Chapter News

Membership Report

Our current membership is 33.

Our new members are:

Sheila Duff

Lisa Clarke

Judith Ryall

all from the Canada-Newfoundland Offshore Petroleum Board.

We have a prospective new member in Ben Stanley, brand new son of our Membership Director **Kim Hammond** and her husband **Todd Stanley**.

ARMA Canada Conference 2002

Calgary, Alberta

Two members of Terra Nova Chapter attended the conference in Calgary, Brenda Neary from Hibernia Management and Susan Duke as representative of the Chapter. This was a great conference that confirmed we're dealing with the same issues in information management regardless of location.

2003 Seminar and Trade Show

Our Chapter is beginning to plan for our biennial Seminar and Trade Show. If you have any program ideas or would like to serve on the planning committee please, contact a member of the executive. Don't be shy!

ARMA Canada Conference 2005

It's ours! The Leadership Committee of ARMA Canada has accepted Terra Nova Chapter's proposal to hold the conference in St. John's in 2005.

We're going to need lots of volunteers and ideas to make this the **best** conference that ARMA Canada's seen.

Attention all advertisers

Now you can advertise in our newsletter!

The ARMA newsletter is an ideal way for you to reach a very specific and targeted audience, and the cost is extremely affordable.

	Members	Non Members
Business Card	\$10.00	\$20.00
Quarter Page	\$25.00	\$50.00
Half Page	\$40.00	\$80.00
Full Page	\$50.00	\$100.00

Contact any of the members or the executive.

Alternatively visit our web site at www.armaterranova.org



VOLUNTEERS NEEDED

Your Executive has created the following Committees in the
Terra Nova Chapter:

Program Committee - Chair, Carman Carroll

Public Relations Committee - Chair, Vacant

Finance Committee - Chair, Jim Downey

Membership Committee - Chair, Kim Hammond

Consider volunteering as a way of supporting your Chapter.



PRESERVATION MANAGEMENT OF DIGITAL MATERIALS - A HANDBOOK

By Maggie Jones and Neil Beagrie

If you are in any doubt of the need for digital preservation, read this handbook. If you need education on the place of digital preservation in the larger scheme of access and management, and on the many issues it raises, use this handbook. And if you want a usable source of definitive references on just about every aspect of digital preservation, pop a copy of this handbook on your shelf. On the other hand, if you want a step by step instruction manual telling you how to preserve your collections, you won't find it here; but then, you won't find it in ready-to-use form anywhere. Such is the early state of our understanding of digital preservation; in this handbook, Jones and Beagrie do an excellent job of highlighting the limitations in the state of today's art, and of explaining as much as is explainable.

The calm, clear and comprehensive nature of this handbook is reassuring. It covers all the main issues, and all of the main options for addressing them, succinctly and in line with current thinking. Of course, "current thinking" is just that - only future generations will know whether we are getting it right. But by listing so many resources, the handbook gives its reader access to the most highly regarded research and writing on this topic, with few exceptions. If you read and understand what the handbook and its references have to say, you will be as fully informed as it is possible to be.

Nothing is perfect though. I found the handbook's format and spiral binding mildly irritating, for a start (although the binding allows the handbook to lie flat, it won't survive heavy use). And I suppose it is inevitable that a flowchart which unfolds to 95cm wide contains at least one error. Of course, it is a great irony that a publication on

this subject has to be

distributed in paper form at all; a digital version (which is due to have the great advantage of being maintained) is pointed to in the text, but is not yet live at the beginning of 2002, some months after publication.

I struggled a bit with the structure, and with the presentation of the structure. Much of the "meat" of the handbook - on preservation strategies - is squashed into just one long section, which occupies 15% of the substantive part of the handbook. And within this section, the headings and sub-headings are unclear; I had to re-read parts several times to understand their context. The structure here is further obfuscated by a confused categorisation of strategies: some which are essentially supportive in nature are presented as "secondary", a rather arbitrary notion which is ill -explained; and two strategies are described as not really being strategies anyway... These are not major problems though. I was able to see past such slight deficiencies to understand what Jones and Beagrie are trying to communicate to administrators and practitioners in any "institution at national, regional and local levels who are involved in or contemplating creation and/or acquisition of digital materials".

Review by Marc Fresko
(marc.fresko@cornwell.co.uk), EDM & ERM
Consulting Services Director at Cornwell Affiliates
plc. He has provided consultancy on digital
preservation since 1995.

<http://www.managinginformation.com/>