

Comment: a call for caution on open source

Lawrence Kogan questions the oft-heard claims that increasing the procurement of royalty-free ICT can provide long term savings for government

Lawrence Kogan

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In a recent Guardian Professional article, Government Takes Action on Open Technology, OpenForumEurope (OFE) president Graham Taylor revelled in the UK government's issuance of a January 2011 Procurement Policy Action Note that effectively reinstated, at least for the UK, the initial version of the European Interoperability Framework (EIFv1.0). This was despite its having been rejected by the European Commission and Council of the European Union in December 2010 in favour of technology and business model neutrality.

In stating that the UK government has not been open to lobbying pressure, it neglects the role of the Brussels-based OFE. Last year the New York Times reported that it has lobbied on behalf of US-based companies IBM, Google, Oracle and Red Hat – also known as IGOR – in quietly but unsuccessfully trying to shape the European Commission's EIF project. It has subsequently lobbied the UK government to express a

preference for royalty-free open source platforms, as both the UK government's January document and its March 2011 follow-up Government ICT Strategy clearly demonstrate.

Similarly, his justifications for government intervention are broad and obtuse. He claims that the government seeks to prevent vendor lock-in and to save taxpayers' money. It leaves readers with the impression that the government has been called upon to protect its citizenry from the evil hand of the proprietary IT industry and has been convinced of the necessity of imposing interoperability mandates on government agencies for the deployment of open standards compatible with free and open source software (FOSS) "wherever possible...made irrevocably available on a royalty-free basis".

It is also unclear whose interests the government has in mind. Is it those of men and women on the street, or UK-based software SMEs (many of which develop proprietary software products and interfaces). Or is it the people managing OFE's very large IGOR member companies? Are non-UK-based SMEs included?

UK government 'skunkworks' may potentially drive some SME projects. But least one recent study has concluded that the government's goal of saving money by pushing open source software, splitting IT projects into smaller components, and eventually placing up to 25% of IT projects with SMEs, may prove fleeting if not impossible to achieve in the short term. According to the study's authors, there are significant barriers to immediate SME uptake of government IT projects, including but not limited to the "perceived risk of SMEs, [the] complexity of UK interpretations of EU procurement rules, self-interest from gatekeepers to preserve lucrative status quos and an underlying belief that big is safe."

There are also questions about how this would fit into EU procurement regulations and possible extra-European international trade tensions that might arise as the result of any action.

Graham Taylor says that "it will be for other governments to follow the UK's lead and develop their own practical procurement processes and frameworks", and gives due deference to the Netherlands as being one of only two EU member states (Belgium being the other) that "are already there." In so doing, he indirectly refers to the Dutch government's Open Standards and Open Source Software (OSOSS) Programme. By 2007, this had evolved into an affirmative procurement preference action plan that strongly urged all Dutch federal ministries and subsidiary government bodies to use open source software based on open standards wherever possible. Is this what the OFE president now has in mind for the UK?

If so, it is highly recommended that both he and the UK Cabinet, before proceeding any further, prudently review and digest the lessons learned by the Netherlands Court of Audit.

At the request of the Dutch House of Representatives, during 2010 the Audit Court investigated "whether the phasing out of closed standards and the introduction of open source software would improve the operation of market forces and save costs for the government". In March 2011, it released the results of its investigation in a report, Open Standards and Open Source Software in Government. It "concluded amongst other things

that the potential savings the government could [realise] by making more use of open source software were limited", and that the "switch to open source software...does not necessarily... lead to cost savings" at all.

The Audit Court reasoned that, although there are no licensing or acquisition fees generally associated with open source software, there are other significant and accumulative fees. These include those relating to software implementation, management updates and maintenance. Moreover, in some other instances the switch to open source may even lead to "destruction of capital because the kingdom has many current licence agreements".

The Dutch Audit Court has spoken and issued a carefully worded warning that should not go unheeded. The UK coalition government should take considered note that the procurement of open source software buys neither governments nor taxpayers a cost- and indigestion-free lunch.

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