



RESPONSE TO OFCOM'S RESEARCHER ACCESS TO INFORMATION CALL FOR EVIDENCE

1. The OSA Network welcomes the opportunity to respond to this important consultation. We set out our response below and would also refer Ofcom to the detailed responses from expert organisations, including the Institute for Strategic Dialogue, Reset, Minderoo Centre for Technology and Democracy, Centre for Countering Digital Hate and the Ada Lovelace Institute, which we support.
2. We note the critical role played by the academic community and civil society researchers in ringing the alarm bells to government and policymakers over the past decade about the proliferation of online harms on social media and search services. It was this type of research, we believe, that prompted the UK government to kick start the process to legislate to protect users from online harms.
3. Access to high-quality data about online platforms, their design choices, the systems and processes they deploy and the consequences to users has always been limited and hard to access.
4. However, we note that even in the time since the Online Safety Act received Royal Assent, the situation for researchers has been rapidly deteriorating. Key examples of this include Meta shutting down access to Crowdtangle in August 2024,¹ as well as X significantly reducing access to its research API² (which was once the gold standard in the industry). This leaves the UK's work class researchers in a markedly worse position than they were *prior* to the passage of the Online Safety Act. Furthermore, litigation by platforms (who we note are amongst the wealthiest organisations in history) targeting research organisations is on the rise. As a consequence, there has been a chilling effect in the research community— just when we need it the most.

¹ <https://apnews.com/article/meta-crowdtangle-research-misinformation-shutdown-facebook-977ece074b99addb4887bf719f2112a>

² <https://www.forbes.com/sites/jenaebarnes/2023/02/03/twitter-ends-its-free-api-heres-who-will-be-affected/>

5. We note that civil society organisations and victims groups have been consistently calling for robust measures that mandate researchers access to study social media harm as far back as the Joint Committee on the Draft Online Safety Bill (2021). The Joint Committee’s final report highlighted the importance of such measures by noting the status quo “hinders progress in understanding online activity that creates a risk of harm, the way that services’ systems work, and how services’ systems could be improved to mitigate the risk of harm. It also limits the ability to scrutinise service providers and hold them accountable. This issue must be addressed urgently.”³
6. We welcome HMG’s inclusion of discrete provisions in the Data (Use and Access) Bill to go further than the Online Safety Act. However, we believe the provisions do not go far enough to ensure that both civil society and academic researchers are able to fully and freely activate the provisions.
7. The OSA Network firmly believes that any future data access regime should take a balanced and proportionate approach that seeks to capitalise on the strengths of both the civil society and academic communities. The regime should recognise the distinct offerings of both communities and conversely the unique requirements (in terms of funding, infrastructure, timelines etc) of the respective groups. The true metric of success of whether the UK has created a world-leading data access regime will be if both sectors are contributing to a growing evidence base that fosters a better environment for transparency of the online world.
8. The UK has the advantage of being able to learn from the implementation of the Digital Services Act and the work done by the European Data Media Observatory in mapping out how such mechanisms can work in practice.
9. Finally, Ofcom and HMG stand to reap huge benefits from a well-designed, properly resourced data access regime. Researchers create the record that is so critical for evidence-based policymaking and fostering a greater ecosystem of transparency. UK users — particularly the most vulnerable — only stand to benefit. Consequently, we strongly urge Ofcom to consider accelerating its timeline for publication of its final report in order to best support DSIT’s urgent legislative considerations. It is time to back our world-class research community.

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³ <https://committees.parliament.uk/publications/8206/documents/84092/default/>