



International Panel on the Information Environment

IPIE Submission to the UK DSIT

Researchers' Access to Information in
the Data (Use and Access) Bill

Technical Paper 2025.1



Submission to the UK Department for Science, Innovation and Technology

Researchers' Access to Information in the
Data (Use and Access) Bill

SUMMARY

This submission by the [International Panel on the Information Environment \(IPIE\)](#) sets out recommendations for the UK Government’s amendment to the Online Safety Act via the Data (Use and Access) Bill.¹ The purpose of this submission is to offer legislators guidance on the legislative text which will form the basis of the Secretary of State’s framework for implementation.

Specifically, this submission concerns the proposed Article 125: “Information for research about online safety matters”, in the proposed Bill.

The IPIE’s recommendations are summarized as follows.

- Recommendation 1: The Secretary of State’s discretion to set out regulations on the conditions of researchers’ access to information should be changed to an obligation.
- Recommendation 2: The Data (Use and Access) Bill should ensure that different interests concerning access to information should be weighted holistically.
- Recommendation 3: The Data (Use and Access) Bill should ensure that researchers’ access to information is affordable and fairly distributed, practical, and timely, with platforms, websites, and online services in principle bearing the costs.
- Recommendation 4: The Data (Use and Access) Bill should clarify and bolster implementation and enforcement mechanisms.

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INTRODUCTION

This submission by the International Panel on the Information Environment (IPIE) sets out recommendations for the UK Government’s amendment to the Online Safety Act via the Data (Use and Access) Bill. Specifically, this submission concerns the proposed Article 125: “Information for research about online safety matters” in the proposed Bill. The purpose of this submission is to offer legislators guidance on the legislative text which will form the basis of the Secretary of State’s framework for implementation.

The IPIE is an independent and global science organization providing scientific knowledge about the health of the world’s information environment. Based in Switzerland, the IPIE offers policymakers, industry, and civil society actionable scientific assessments about threats to the information environment, including AI bias, algorithmic manipulation, and disinformation. The IPIE is the only scientific body systematically organizing, evaluating, and elevating research with the broad aim of improving the global information environment. Hundreds of researchers worldwide contribute to the IPIE’s activities.

This submission draws on the IPIE’s technical reports and expert surveys, especially the Expert Survey of the Global Information Environment 2024 (“Expert Survey 2024”), which surveyed 412 researchers from 66 countries about the global information environment.² This submission also draws on the IPIE’s previous policy submissions, notably its submission to the OECD on its Draft Recommendation on Information Integrity³ and its submission to the UN Code of Conduct for Information Integrity on Digital Platforms.⁴

BACKGROUND

This submission is informed by the IPIE’s work on researchers’ need for access to online social media platforms to understand and study the health of the global information environment. We are concerned about the barriers to that access that are created by a lack of effective legal and regulatory measures nationally and a lack of coordination across jurisdictions.

The IPIE’s Expert Survey 2024 confirmed that access to data for research on the information environment remains a major challenge.⁵ The IPIE’s scientific experts have expressed concerns regarding the lack of access to platform data, which makes it difficult to study – and draw conclusions about – the information environment.

The IPIE therefore finds it imperative that online information platforms grant independent researchers access to data and systems so they can conduct and publish research on platform design, algorithmic recommendation systems, and content moderation procedures.

Our evidence echoes that of the British Academy, which found that “[l]imited access to data can create barriers to research on society’s most pressing challenges, such as understanding the impact of social media platforms on young people and children or tracking the spread of misinformation in crises or election campaigns”.⁶

Researchers’ access to information is therefore an essential pillar through which to reach the objective set out in Article 1 of the Online Safety Act, which is to “provide for a new regulatory framework which has the general purpose of making the use of internet services regulated by this Act safer for individuals in the United Kingdom”.

IPIE RECOMMENDATIONS

Recommendation 1: The Secretary of State’s discretion to set out regulations on the conditions of researchers’ access to information should be changed to an obligation

The IPIE welcomes the UK Government’s commitment to ensuring that independent scientists and researchers have access to the online information environment. Such access is vital for assessing online safety and the health of the UK’s information environment to fulfil the objective of the Online Safety Act as set out in Article 1 of the Act.

However, this objective can only be met if the conditions for researchers’ access to information about online safety matters are robust. We are concerned that the conditional language of Clause 125(2) of the Data (Use and Access) Bill may undermine the legislative intention in this regard. Clause 125(2) leaves it to the discretion of the Secretary of State to adopt regulations covering crucial elements such as the grounds by which applications will be assessed and approved, the procedures for those assessments, the technical format in which information will be made available, and any fees both in terms of the size and how they may be levied.

The IPIE recommends that the word “may” in Clause 125(2)(1) of the Bill be replaced with “should” so as to read: “The Secretary of State should by regulations require providers of regulated services to provide information for purposes related to the carrying out of independent research into online matters” (emphasis added to highlight the proposed change).

Similarly, in the first line of Clause 125(2)(2), the word “may” should be replaced with “should” so as to read: “Regulations under this section should (for example) provide for...” (emphasis added to highlight the proposed change).

IPIE Recommendation 2: The Data (Use and Access) Bill should ensure that different interests concerning access are weighted holistically

The IPIE is concerned that the proposed open-ended wording in Clause 125(2) of the Data (Use and Access) Bill may lead to researchers’ access being unduly and disproportionately balanced and restricted with other interests. We note with disquietude how social media platforms have previously denied researchers access to information by citing privacy concerns.⁷ We agree with the British Academy that the balancing act must be done holistically,⁸ taking into account the pressing need for research on the UK’s information environment.

IPIE Recommendation 3: The Data (Use and Access) Bill should ensure that researchers’ access to information is affordable and fairly distributed, practical, and timely, with platforms, websites, and online services in principle bearing the costs

We also urge the UK Government to ensure that researchers’ access to information is affordable and fairly distributed, practical, and timely. We advise the Government to consider the clearing house and other practical mechanisms proposed by the European Digital Media Observatory (EDMO)’s Working Group regarding the European Union’s regime for platform-to-researcher data access.⁹

The Bill should oblige the Secretary of State to devise a plan for how the necessary digital infrastructure will be adopted, which should include, to quote the British Academy, “hosting online platforms for access, providing large-scale compute

facilities, cloud and data storage repositories, permission-based access, accreditation, vetting researchers, and carrying out the appropriate auditing processes to track who is accessing data”.¹⁰

The Bill should also establish the principle that platforms, websites, and online services should bear the cost of ensuring researchers’ access to information. Only in exceptional circumstances, and to preclude vexatious requests for information, should researchers be asked to contribute to the cost, which should only be for an administrative fee.

Platforms should also be required to build easily accessible APIs with easy-to-use instructions that must be maintained at all times. This would ensure that there are no periods when access to information is denied and no time delays in accessing information. Failing to include these recommendations in the legislation could inadvertently allow for the erection of barriers to vital independent research being conducted.

Establishing this principle in the Bill is essential to ensure that costs are not used to defeat the objective of the Online Safety Act. Its absence could by default incentivize platforms, websites, and online services to cite disproportionate burden as a reason not to comply with the law. The principle would also ensure equality among independent researchers by securing equal access to researchers from institutions and research environments with less access to research funding.

Introducing a legal principle of making companies bear the costs of researchers’ access to information (as part of the normal costs of doing business) is therefore vital to ensure that independent scientists and researchers can research and understand the British information environment, contributing to the objective set out in Article 1 of the Online Safety Act.

IPIE Recommendation 4: The Data (Use and Access) Bill should clarify and bolster implementation and enforcement mechanisms

There is a justified concern in the scientific community that any legal right concerning researchers' access to information will be undermined by weak or maladapted enforcement provisions. This concern extends to the lack of obligations and resources which are needed to ensure that regulators enforce regulation, and to the risk that sanctions, such as monetary penalties, will not be meaningful enough to compel regulated services to comply with the law.

The IPIE therefore recommends that the first line of Clause 125(2)(3) of the Data (Use and Access) Bill be amended to reflect the legislative intention of meaningful enforcement. This line should therefore read: "Provision about enforcement under subsection (2)(j) [of Clause 125 of the Bill] should ensure that enforcement is meaningful, proportionate, and timely, and may include..." (emphasis added to highlight the proposed addition). The IPIE furthermore endorses the British Academy's recommendation that the effective data sharing agreements and data access protocols that are needed should be strengthened in the Bill.¹¹

REFERENCES

¹ Bill 179 2024–25 <https://bills.parliament.uk/bills/3825>

² International Panel on the Information Environment. 2024. *Expert Survey on the Global Information Environment 2024: Searching for Solutions*. SFP2024.1. Zurich, Switzerland: IPIE.

³ International Panel on the Information Environment, *IPIE Submission to the OECD on its Draft Recommendation on Information Integrity*. Technical Paper 2024. Zurich, Switzerland: IPIE.

⁴ International Panel on the Information Environment, *IPIE Submission to the United Nations: UN Code of Conduct for Information Integrity on Digital Platforms*. Technical Paper 2023.1. Zurich, Switzerland: IPIE.

⁵ International Panel on the Information Environment. 2024. *Expert Survey on the Global Information Environment 2024: Searching for Solutions*. SFP2024.1. Zurich, Switzerland: IPIE, p. 2.

⁶ The British Society, *Data as a Tool for Researching the Digital World: Summary Brief* (October 2024), p. 8.
<https://www.thebritishacademy.ac.uk/publications/data-as-a-tool-for-researching-the-digital-world/>

⁷ Ibid

⁸ Ibid

⁹ European Digital Media Observatory, *Report of the European Digital Media Observatory's Working Group on Platform-to-Researcher Data Access* (31 May 2022).
<https://edmo.eu/edmo-news/edmo-releases-report-on-researcher-access-to-platform-data/>

¹⁰ The British Academy, *Data as a Tool for Researching the Digital World: Summary Brief* (October 2024), p. 11.

<https://www.thebritishacademy.ac.uk/publications/data-as-a-tool-for-researching-the-digital-world/>

¹¹ Ibid

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ABOUT THE IPIE

The International Panel on the Information Environment (IPIE) is an independent and global science organization providing scientific knowledge about the health of the world's information environment. Based in Switzerland, the IPIE offers policymakers, industry, and civil society actionable scientific assessments about threats to the information environment, including AI bias, algorithmic manipulation, and disinformation. The IPIE is the only scientific body systematically organizing, evaluating, and elevating research with the broad aim of improving the global information environment. Hundreds of researchers worldwide contribute to the IPIE's reports.

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