

## **Government mistaken in focusing on Gold as route to full open access**

### **Business, Innovation and Skills Committee of the House of Commons**

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The Government's commitment to increasing access to published research findings, and its desire to achieve full open access, are welcome, says the Business, Innovation and Skills Committee in a Report published today. However, whilst Gold open access is a desirable ultimate goal, focusing on it during the transition to a fully open access world is a mistake, says the Report.

The Report calls on the Government and RCUK to reconsider their preference for Gold open access during the five year transition period, and give due regard to the evidence of the vital role that Green open access and repositories have to play as the UK moves towards full open access.

The Report recommends that:

- The Government take an active role in promoting standardisation and compliance across subject and institutional repositories [paragraph 25]
- RCUK reinstate and strengthen the immediate deposit mandate in its original policy and improve the monitoring and enforcement of mandated deposit [paragraph 31]
- The Government and RCUK revise their policies to place an upper limit of 6 month embargoes on STEM subject research and up to 12 month embargoes for HASS subject research [paragraph 50]
- The Government mitigate against the impact on universities of paying Article Processing Charges out of their own reserves [paragraph 64]
- If the preference for Gold is maintained, the Government and RCUK should amend their policies so that APCs are only paid to publishers of pure Gold rather than hybrid journals to eliminate the risk of double-dipping [paragraph 77]

### **Commenting on the Report, Adrian Bailey MP, Chair of the Business, Innovation and Skills Committee, said:**

"In a fully open access world, the benefits of Gold open access may well outweigh those of Green open access. We are not yet in an open access world, however, and the key to the success of open access policy is how we get there. The Government and RCUK have given insufficient consideration to the transitional period and the vital role of the Green route. The evidence suggests that the cost of unilaterally adopting Gold open access during a transition period are much higher than those of Green open access. Current UK open access policy risks incentivising publishers to introduce or increase embargo periods. On the other hand, we saw no evidence that short embargo periods harm subscription publishers. At a time when the budgets of universities are under great pressure, it is unacceptable that the Government has issued an open access policy that will require considerable subsidy from research budgets in order to both maintain journal subscriptions and cover article processing charges. It became increasingly evident during the course of our inquiry that some elements of the scholarly publishing market are dysfunctional. The Government's open access policy risks making the situation worse, causing longer embargoes, restricting access, and inflicting higher

costs on UK higher education institutions."

Amongst the Reports other conclusions and recommendations are:

- The Government should work to introduce a reduced VAT rate for e-journals. We do not accept that the Government has done enough to date and urge it to seek a derogation on this point [paragraph 79]
- Non-disclosure clauses should not be used in publishing contracts that include the use of public funds. If their use persists, the Government should refer the matter to the Competition Commission [paragraph 80]
- BIS must review its consultation processes to ensure that lessons are learned from the lack of involvement of businesses, particularly SMEs, in the formation of open access policy [paragraph 91]

**Adrian Bailey said:**

"The estimated economic benefits of full open access are substantial – the Government has estimated that lack of access to research costs UK Small and Medium Enterprises alone €525m per year. We are not convinced, however, that the Government is doing everything it can to encourage a functional open access market. The fact that VAT currently applies to e-journals but not to print journals creates a clear disincentive for online access. The Government does not consider it worthwhile to pursue a reduction in VAT with the European Commission. We disagree and urge it to do more.

Non-disclosure clauses severely limit the negotiating power of universities over subscriptions costs. If dialogue does not resolve the problem, the Government should refer the matter to the Competition Commission. Given the benefits to business of open access, the lack of involvement of the broader business community and particularly SMEs, in the formation of open access policy is regrettable. Lessons must be learned so that this does not happen for future policies."