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The Nature of Public Debate

Consultation Paper 140

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Background

This consultation paper is presented as the first stage in the development of new Party policy in relation to the nature of public debate. It does not represent agreed Party policy. It is designed to stimulate debate and discussion within the Party and outside; based on the response generated and on the deliberations of the working group a full policy paper will be drawn up and presented to Conference for debate.

The paper has been drawn up by a working group appointed by the Federal Policy Committee and chaired by Daisy Cooper. Members of the group are prepared to speak on the paper to outside bodies and to discussion meetings organised within the Party.

Comments on the paper, and requests for speakers, should be addressed to: Jonathan Everett, Policy Unit, Liberal Democrats, 8 – 10 Great George Street, London, SW1P 3AE. Email: policy.consultations@libdems.org.uk

Comments should reach us as soon as possible and no later than Sunday 29th September 2019.

Further copies of this paper can be found online at www.libdems.org.uk/policy_papers

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1. Context

1.1.1 Our democracy, and the nature of public debate within it, is being subjected to extraordinary, and in some cases unprecedented pressures. State-backed disinformation campaigns are being used to try to sow chaos and undermine democracy. Shadowy private companies and powerful social media organisations are using, or allowing the use, of people's personal data in controversial and sometimes illegal ways to make it possible. The peddling of fake news stories by a wide variety of other actors is distorting debates across a wide front from politics to medicine and science. Hate speech is proliferating and targeted attempts to intimidate both minorities and elected representatives are being orchestrated on social media. We are witnessing acts of violence against anyone who seems different, and have seen the murder of Jo Cox as well as increasingly angry and confrontational rhetoric towards other – usually female – MPs. The entire concept of public service broadcasting and what it means to maintain 'balance' in public and political debate is being challenged as never before. A huge question mark hangs over the institutions and processes that have been developed over many years to promote and preserve the integrity and legitimacy of our democracy.

1.1.2 The challenges in all this are huge. State-backed disinformation campaigns have become more prominent in the geopolitical struggle for power and influence on the international stage. Social media companies have become massively influential new centres of unaccountable power. Online echo chambers are ghettoising public debate and amplifying social division. Election rules and procedures are being tested, perhaps to the point of refusal of one side or another to accept the outcome of an election and a pursuant constitutional crisis.

1.1.3 At a more profound level still, it is becoming clear that fake news stories are part of a wider effort not only to change views on individual issues or to influence particular events but to undermine the idea that there are shared facts and trusted non-partisan experts. A world where the two sides of a debate cannot even agree on the most

basic facts is never going to be a world in which public debate flourishes. This has other dangerous consequences too: scientific understanding and expertise are being undermined to an extent that, for example, the anti-vaccination movement now poses a serious threat to public health.

1.2 Our Approach

1.2.1 We want a future where facts are distinguishable from lies and where citizens are supported, educated and empowered to spot the difference. We want a pluralistic media environment where journalists have the resources they need to find the truth and to hold the powerful to account. We want the unaccountable centres of power impacting our democracy to be made more transparent and accountable. We want a future where controls over the use of personal data are strong and transparent enough to prevent its misuse. We want civility in public discourse protected and violence and intimidation to be met with the full force of the law. We want election procedures and rules upheld robustly and quickly and stronger powers and penalties made available when there is wrongdoing. We want the liberty of our citizens preserved, and the integrity of our democratic institutions and processes upheld. We understand that the very foundations of our democratic way of life are under threat and it is our view that a defence of those foundations is now of utmost importance.

1.3 Policy Themes

1.3.1 The consultation paper draws on all this work to highlight four policy themes in particular. These are:

- The tone of public debate – and how this impacts on individuals' experience of taking part in it – and what can be done to improve it.

- The power and role of media corporations and the big social media giants and what can be done to limit their power whilst making what they do and how they do it more transparent.
- The integrity of our election procedures and practices and what can be done to strengthen them.
- Fake news and disinformation – including that spread by state actors – and what can be done about it while providing more effective support to news organisations striving for objectivity and balance.

2. Debate between individuals

2.1 Our objective

With the rise of social media, public debate has been democratised: Every individual can speak their mind at any time and potentially reach large audiences. While problems with civility and polarisation in public debate are nothing new, these seem to be exacerbated by the online environment. We want to protect and empower individuals in this new environment. Our aim is to develop policy proposals that will encourage and promote:

- Empowered individuals: we must protect freedom of expression and the right of citizens to enjoy privacy while ensuring that vulnerable people and minority groups are protected.
- Responsible individuals and institutions: individuals understand and respect the legal limitations on what can be said online, and institutions are transparent and actively exercise their duty of care.
- Privacy: strong data protection and transparency over how data is used.

2.2 The experience of the individual online: Challenges, evidence and potential solutions

2.2.1 Interactions online have increasingly been subject to coarsening. We believe that people should be able to use pseudonyms in online debate: it is useful for those in positions of responsibility (such as teachers and social workers) to have online accounts that are not easily identifiable, as well as for some members of other minority groups (for example, trans people who are in transition). However, we also acknowledge that the feeling of anonymity can mean that people feel less social pressure to restrain from abusing others. In global conversations facilitated through social media, individuals can feel

vulnerable when using these platforms if moderation of them is ineffective or if they cannot easily block abuse. Hate speech and online abuse have proven difficult to prosecute: while laws against abuse and hate speech would, in principle, be sufficient to pursue offenders, enforcing these online has proven difficult as this needs the cooperation of social media platforms. Establishing the extent of harm is often difficult. Protection from online harm and adequate tools for enforcement of laws against hate speech would help improve diversity and inclusion of marginalised groups in the mainstream public debate.

2.2.2 As liberals, freedom of speech is hugely important to us. However, we understand that free speech has limits, some of which are legally imposed, and some of which are socially imposed. One person's socially acceptable free speech can be unacceptable to another which poses problems in a global conversation where many different cultural norms clash on the same online platform. This makes it worrying that social media platforms like Facebook can now, de facto, impose social norms – often, due to our shared language, American norms – in a way that restricts freedom of expression and promotes exclusion: eg, the blanket ban on photos that show nipples is insufficiently nuanced to take into account acts of protest or breast-feeding and can lead to persecution of transgender people and people from gender minorities. Heavy-handed self-regulation that intends to protect individuals from harm can be detrimental to freedom of expression as social media platforms err on the side of caution, or in accordance with a corporate philosophy which may not reflect British values or liberal values.

2.2.3 The issue is further complicated by the fact that online spaces can be shared by both adults and children. Children should be able to use social media sites without being shown inappropriate material. However, this is not a simple matter. As detection of inappropriate content on social media sites – eg, hate speech, violent content or pornography – will increasingly be filtered by algorithms that can be manipulated by ill-meaning groups rather than human moderators, there is an even greater danger that subtleties and plurality may get lost. There is a balance to be struck between protecting individuals and

protecting freedom of expression and it is important to get this balance right.

2.2.4 The business model of most social media platforms also presents a problem. Facebook and Twitter rely on monopolising their users' attention. These platforms are 'designed for virality' as their revenue is based on advertisements. The challenge is that racial hate and gendered abuse can be just as viral as cat videos. The very design of social media platforms leads to increasing polarization, abuse and echo chambers. It also leads to diminished choice between social media platforms for individual users.

2.2.5 With virality as the main driver behind decisions by online platforms, individuals do not have the opportunity to shape and configure their online experience. Decisions on what content and which ads we see are based on algorithms – fed with the data that the online platforms hold about us – that are predicted to evoke the strongest emotions in us. Ad libraries, where all adverts from an organisation can be seen together (in particular for political ads), are a way to ensure greater transparency but these are not yet compulsory. To tackle the problem of algorithmic transparency a key challenge is AI auditing: regulators need to gain the skills to do this and they need to be able to hold on to technical talent, according to the Open Rights Group. Privacy in the ad market is difficult to regulate, given that ad providers can merge data from different actors.

2.3 Potential responses

2.3.1 Our response to these challenges will emphasise empowering individuals and promoting transparency. While we consider the increasing prevalence of fact-checking platforms to be positive, it is also important to empower individuals to fact-check stories themselves and use any information given to them by social media companies to make informed choices about their online behaviour. Liberal Democrat education policy has most recently been set out in policy paper 128 *Every Child Empowered: Education for a changing world* (2017): this

advocates a broad and balanced curriculum set by an Independent Education Standards Authority. We agree that the state should not be interfering in the curriculum, however there is a strong case for including digital and data literacy, with a primary focus on the critical thinking around individuals digital and data (as opposed to just technical proficiency) as part of children's educations. So, we would include these as part of the curriculum for life advocated in that paper.

2.3.2 There is a case for making social media platforms more accountable for their content. This has been attempted in Germany and France which have both introduced new laws against hate speech. In the UK, the government's Online Harms white paper by the government also takes steps in this direction. While it is right to try and protect children from harmful material, we have concerns about the approach of the white paper, which repeatedly discusses the regulation of "illegal and unacceptable content" without ever being clear on what is meant by "unacceptable content": of course illegal content should be regulated, but we are concerned that this approach does not recognise the conflict with the principles of free speech.

2.3.3 Addressing the problems caused by the business models of social media companies is far from straightforward. We want to work towards a system where there is a real multiplicity of platforms between which users have a real choice). This is far from where we are at the moment: platforms are effectively monopolies in their area and – if people want to maintain access to their networks – there is no real option to abandon one platform for another. In addition, the nature of social media platforms in particular is that users will normally move to those platforms that have the most users. With transparency as a main liberal principle, the policy group will aim to work towards effective policies for encouraging social media platforms to be more transparent and to provide more opportunities for individuals to tailor their online experience. One way to do this would be to strengthen individuals' ownership of their data and improve portability between platforms (owning ones own data and having the freedom to transfer it). This notion requires individuals to be media-, data-, and algorithm-literate.

There is also a role for ensuring that graduates in science, technology and computing subjects have had training in ethics.

- Question 1: What, if any, further legal limits on freedom of speech should there be to support individuals to take part in public debate?*
- Question 2: To what extent do you think that greater transparency and empowering individuals to tailor their experiences would improve the situation? What would you suggest we propose to help empower people tailor their online experience?*
- Question 3: To what extent do you think that people currently have an effective choice between social media sites? How could this be improved? Are there any analogous industries?*
- Question 4: To what extent do you think that the increased personalisation of news and other content is problematic? Does it lead to polarisation?*
- Question 5: How might we support people to critically engage with news?*

3. The role of the media

3.1 Challenges facing mainstream media

3.1.1 The environment for robust, civilised and well-informed public debate is heavily reliant on the provision of high quality, accurate news and trenchant opinions from the mainstream media – national and local newspapers and their online websites, digital only news websites – such as BuzzFeed and Huffington Post – and national broadcasters.

3.1.2 But the growth of digital rivals, with much more powerful advertising platforms and news feeds that aggregate content from many sources, has created a crisis in the newspaper industry. The advertising on which its business model traditionally depended has been shrinking, in many cases together with readership. Big news corporations have responded to this by moving their titles online and they still account for around 80% of all online news. This has had a particularly devastating effect on the more trusted, local and regional, newspapers. This has crippled the local newspaper industry and curtailed investigative reporting, particularly of regional and city politics. The problem was recently considered by the Cairncross Review, which has proposed a series of measures to support local reporting.

3.1.3 Public trust in the industry has never fully recovered from the phone hacking scandal, and has been further diminished by the perception that, in a desperate search for revenues, papers are becoming increasingly shrill and partisan, while using cheap clickbait to drive online traffic, and refusing to develop a robust self-regulator. This makes it more concerning that ownership is so highly concentrated and that the industry's regulatory framework is feeble, despite the recommendations of the Leveson inquiry to strengthen regulation with a backstop regulator to ensure that the press are operating effectively.

3.1.4 Broadcasters, themselves also under threat from online subscription services and advertising platforms, can sometimes follow the press in their news agendas and judgements. There is also concern

that on major political issues, such as Brexit and climate change, the contribution of broadcasters to public debate may have been compromised by false balance – presenting opposing viewpoints as equally valid rather than weighing evidence objectively.

3.1.5 There is a special role for public service broadcasting – especially the BBC – to provide an objective source of news. In a world where people are increasingly accessing tailored newsfeeds it is vital that there is a source that is shared and trusted by the population as a whole. This is challenging and particularly so in a highly polarised environment: rebutting false claims of interviewees in real-time requires interviewers to be very well-briefed, which means teams of researchers working behind the scenes. With tight budgets, it is perhaps understandable that the BBC seeks balance more than it does objectivity – as this flawed approach of balance just means finding someone with a contrary view to be interviewed as well. Nonetheless, we take the view that with the BBC, we may not realise what we have lost until it is gone: we believe that the BBC is an important part of the trusted news sources we would want for British citizens.

3.1.6 Liberal Democrats have a fundamental belief in freedom of expression, freedom of the media, dispersion of power and the free flow of information around the world. But these core underpinnings of democracy need to be set in the context of other liberal principles, including the need for transparency and institutional integrity.

3.1.7 This means that standards of editorial decency and accuracy need to be upheld robustly. For newspapers this is best achieved through effective independent self-regulation, or ‘co-regulation’ as it is often called. Many, like the Open Rights Group are calling for the same system of co-regulation to the large social media sites too. Broadcasters however, with their larger reach and requirement for a licence to operate, require statutory regulation. The ownership of traditional media organisations, both print and broadcasting, and any cross-ownership between them, needs to be kept under the scrutiny of

competition authorities to ensure that public debate benefits from a broad plurality of media views.

3.2 Challenges facing new media

3.2.1 Social media platforms have emerged as immensely powerful global communications channels over the past 20 years in a near unregulated environment. But governments are beginning to question this regulatory *laissez faire*, amid controversies over the platforms' market power, content, and use of users' personal data.

3.2.2 It is important to distinguish between questions of market power and those of content – though the two are clearly related. Issues of market power, and the potential for abuse of customers (the advertising industry) or suppliers (consumers providing their data to the platforms) are primarily the responsibility of anti-trust regulators. Given the global reach of the platforms, and their domiciles in the US, the regulators bearing most responsibility for market structure are those in America – the Federal Trade Commission and Department of Justice – along with the EU.

3.2.3 At a UK national level, anti-trust government action might more realistically include seeking to remedy any local market anti-competitive behaviour or to levy fees on behalf of citizens providing content to platforms for the monetisation of their data.

3.2.4 Internet companies have lobbied hard in the past to be excused any formal role in policing content on their sites. However, following a series of scandals, Mark Zuckerberg, Facebook's CEO, has said internet companies should be accountable for enforcing standards on harmful content – with those standards to be set by governments.

3.2.5 We must also consider the implications of technology companies moving into news. These organisations hold huge amounts of data about personal interests and preferences and can provide a highly personalised service: in short, there is a risk that the big tech

companies will become the gatekeepers of what constitutes news. As people are increasingly getting their news from voice-activated devices in the morning rather than the radio or television, this means that there is a risk that we lose a shared sense of the news agenda in a way that may negatively impact the national conversation.

3.3 Potential responses

3.3.1 The working group is looking at a number of ways to tackle these problems in the context of traditional media:

- Transparency and fairness in news organisations. Any reports paid for by advertisers should be clearly labelled as such. Any correction of an error should receive the same prominence in a newspaper or broadcast as the original report. Experts cited in support of a viewpoint should, where relevant, have their political orientation and sources of funding explained.
- There should be financial support, through an independent institute, for media organisations that hold local democratic institutions to account: the precise manner of this support needs to be carefully considered as the current arrangements (including through the Local Democracy Reporters scheme) are failing.
- In line with our 2017 general election manifesto, and in light of the Press's failure to engage in effective independent self-regulation, we should seek to ensure delivery of genuinely robust and independent self-regulation.
- Ofcom should launch a full assessment of media plurality – extending to the large technology companies – including a review of the 'fit and proper persons test, and whether it and the Competition and Markets Authority have appropriate powers to deal with concentrations of influence in the digital economy.

- We have considered whether to extend the use of the ‘assets of community value’ designation for local or regional newspapers so that when they are at threat of closure, the local population has the opportunity to buy it before it is sold off.
- Make digital and data the fourth pillar of education: helping individuals critically assess the viewpoint of a particular publication, website or author, the likely veracity of news reports and merits of opinion-pieces and promoting critical thinking skills.
- Encourage social media companies, and digital educators including universities, to teach ethics training.

3.3.2 The working group is looking at a number of ways to tackle these problems in the context of social media giants:

3.3.3 As Liberal Democrats we believe in freedom of expression as a fundamental underpinning of democracy, so it is vital that any move to regulate new media companies does not set the UK out on a path of state-sponsored censorship. Yet the immense value of the communications forums provided by internet platforms needs to be balanced by regard to the public good and the risk of abuse of their instant, powerful reach. We think that the model of regulation recommended for the press by the Leveson inquiry (co-regulation) might also work for social media companies: so that social media companies should appoint their own regulator but that the independence and effectiveness of this regulator should be periodically monitored by a backstop body to ensure that regulation is effective for the public.

3.3.4 It is unrealistic and undesirable to expect social media platforms to routinely take down or correct ‘fake news’ or misinformation. What is fake or maliciously misinformed lies partly in the eye of the beholder. Expecting platforms to act as ‘truth police’ at the behest of a state-sponsored regulator could set us out on a slippery

path towards censorship – and set a precedent that might be emulated by the governments of less democratic states. The best corrective to ‘fake news’ is a robust response by other online users.

Question 6: Should we adopt a single model of co-regulation (as already proposed for traditional news corporations), for new media and technology organisations?

Question 7: How can we most effectively support local and investigative reporting? Do you think designating them as assets of community value would help the situation?

Question 8: How should balance be understood in the context of public service broadcasting? How can we best support the BBC to enable it to provide a more objective service?

4. Public debate during election periods

4.1 Challenges

4.1.1 The nature of public debate is thrown into sharp relief during elections. Elections are what party political campaigners live for: mobilising hundreds of thousands of people to use their vote, articulating visions of a better future, delivering messages of fear, hope and trust. All in the hope of winning more seats and use that power to make a positive difference. But for liberals, the last few years have been a wake-up call.

4.1.2 First, in 2015, no charges were brought against the Conservatives despite evidence of inaccurate spending returns relating to the use of battle buses. It highlighted the complexity of the current law in terms of national versus local spending limits and the Electoral Commission's inability to do anything about breaches that fail to reach a criminal threshold. The Electoral Commission was roundly criticised as "unfit for purpose".

4.1.3 Second, in 2016 there were the public EU referendum campaign messages. The most notorious example of this was the £350m NHS claim on the side of a red bus, which at the time was questioned by the Office for National Statistics and was publicly dropped almost immediately after the votes were counted. In a general election this is perhaps not as problematic – there would be someone to hold responsible for the false promise and they could be removed at the next election. But in the context of a referendum there is no obvious way to hold politicians – particularly unelected political figures – to account for their false promises.

4.1.4 Third, in the aftermath of the 2016 EU referendum result, there were revelations of hidden campaigning: dark ads and dark money. Thousands and thousands of adverts were published that had been promoted to Leave.EU voter prospects and seen by almost no remain voters at all. There remain serious questions about the size and

source of campaign donations. The role of social media organisations, especially Facebook, started to be questioned.

4.1.5 Fourth, all of these new issues compounded the existing ones surrounding the mainstream media, especially the press where the so-called press regulator took so long to adjudicate over claims of inaccurate and misleading reporting, that claims published during a General Election were not adjusted with a correction, or apology until after the election had taken place.

4.2 Potential responses

4.2.1 Online campaigning is becoming increasingly important for reaching voters, but there are still issues with the mainstream media. No-one can categorically prove what the impact of online campaigning is or exactly how many people switch their voting intention because of it, though the correlations are instructive. And the majority of people involved in politics aren't abusing the systems, so we should protect political volunteers whilst seeking to toughen up any systems or rules. In many respects, we know the principles of public debate during elections they just need to be applied to the digital age.

4.2.2 As liberals, we believe in free speech. Rather than censorship, our instincts are for radical transparency. It is a good thing that politicians have the opportunity set out what they stand for, make election pledges, and invoke feelings of hope, trust and even fear. We need institutions to have sufficient powers such that they genuinely concern those who might otherwise consider themselves above the law. And we need new rules that match the interactive, hidden and fast-paced nature of online political campaigning. We have considered a few ways that we might do this

4.2.3 **Designating elections as something like Critical National Infrastructure (CNI)?** A CNI is an element of infrastructure, which – if lost or compromised – would have significant impact on the functioning of the state. Elections are a process rather than infrastructure, but we

could create a similar designation that would require the government to identify a lead department to ensure that protective security is in place for critical assets. The responsibility for the protection of existing CNI IT networks, data and systems from cyber-attack sits with the UK's new National Cyber Security Centre (NCSC), but there is currently no evidence that the NCSC will have the skills to monitor foreign interference in elections. Such a designation could facilitate that. Would this help protect our elections from foreign interference?

4.2.4 Giving the Electoral Commission (EC) teeth? In reality the EC has powers to only monitor election spending – nothing else. And its investigation and enforcement powers mean it can only give parties and campaigners a 'slap on the wrist'. Some regard small fines as an overhead of winning. We are considering a series of new powers including:

- To act as the 'spin police', adjudicating on inaccurate and misleading claims by political parties and campaign groups.
- Powers like the ICO which can issue fines as a percentage of annual worldwide turnover.
- Sanctions such as imposing penalties or exclusion on those involved in serious and/or repeated breaches during elections or referendum.
- Requiring online platforms to share traffic analysis during elections.
- Powers to perform physical unannounced spot-checks on campaigns where there are reasonable grounds to believe there could be a serious breach.

4.2.5 Radical real-time transparency on donations and spending. How could we introduce this so that it empowered journalists and campaigners to scrutinise large donations and spending

during an election, in real-time, whilst not overloading volunteer agents and organisers? Could we use thresholds or look at applying real-time reporting to national spend rather than local? How could we make this work to increase transparency without undue / unrealistic burden on volunteer agents and organisers?

4.2.6 Digital imprints: To end 'dark ads', the ERS proposes that the 'imprint' requirement – where materials must show who produced them and on whose behalf – to online political advertising. Other evidence givers raised the prospect that some online adverts could soon be automatically generated through AI / machine learning, rather than by a campaigner physically reviewing the success of an online ad. We have also looked at whether we can prevent adverts coming from abroad during election campaigns.

4.2.7 Other measures that we are considering include:

- A stronger requirement on online platforms to not facilitate illegal activity.
- Requiring all PR and strategic communications companies to be transparent about which campaigns they are working on, both at home and abroad.
- Expanding Electoral Commission powers so they can intervene or stop someone acting illegally in a campaign if they live outside the UK.
- An easily-searchable public database of all online political ads so anyone can see what is being advertised to who.

Question 9: Is there a way to amplify non-partisan factual corrections of claims made by politicians during elections and referendums in a manner that people are likely to respect and pay attention to? How could it be required?

- Question 10: What is the right way to give the Electoral Commission more teeth? How can we incentivise them to target the most serious offenders, rather than just more smaller offenders?*
- Question 11: Is there merit in the idea of designating elections as something like critical national infrastructure?*
- Question 12: Would radical real-time transparency on donations and spending help? Is it realistic to ask this of election agents?*
- Question 13: Should we propose digital imprints that cover who produced them, on whose behalf, and – in addition – how they were generated (eg manually or by AI)? Is there anything else we can do to raise awareness around political adverts?*

5. The poisoning of public debate by hostile actors

5.1 The problem

5.1.1 One way in which hostile states might seek to influence public debate is through the use of ‘fake news’. While the term ‘fake news’ initially had a clear meaning – news stories that deliberately present false information – since the term was adopted by Donald Trump in his presidential campaign, it is no longer that useful. The term also narrowly specifies the problem as being the falsity of the news story, whereas the issue is in fact more complicated than that.

5.1.2 The evidence that we have taken suggest that news stories that contain false information are just one aspect of the problem of foreign interference in democracy. To be sure, the tactic can be powerful: in 2014 Russia sowed the seeds for its invasion of Ukraine with a series of entirely invented news stories that were designed to make the Russian-speaking inhabitants of East Ukraine feel under threat. The evidence suggests that this sort of entirely invented story is a relatively small part of the problem in the UK. There is, however, an important lesson that we can draw from it. Ukrainian journalists sought to combat the invented news stories through fact-checking them and this was not effective. This is because, very often, the falsehoods in a news story are not actually an important part of the key message of the story – the intention is to manipulate emotion, eg by spreading fear – and focussing solely on combatting the falsehoods does not always respond to the actual emotional message.

5.1.3 We must properly understand how news and public discourse is manipulated and what the purpose of this manipulation is. The think tank Demos has identified four types of objectives that hostile actors – state or individuals – might have in manipulating public debate:

- **Altering the perceived level of support for policies or individuals:** the intention here is to make ideas and individuals appear to be more mainstream than they actually are, which

might encourage people who would not otherwise have supported them to do so. This objective can be pursued through false amplification of arguments or news or through criticism of opponents.

- **Reducing participation of opponents:** this is intended to reduce the prominence of opponents and to discourage their participation in the democratic process. Here a key tactic is targeted harassment to drive people either from social media or from public life. Examples of this type of approach might be the abuse levelled at women involved in the gamergate controversy, the abuse of trans equality campaigners online or the harassment – online and in the streets – of anti-Brexit politicians by far-right activists.
- **Reducing faith in channels of communication:** the purpose here is to make people reluctant to use particular forums, in order to coordinate and undermine meaningful discourse. Tactics used to achieve this include posting vast quantities of spam, posting graphic content designed to inflame rather than inform and incentivising malicious reporting of opponents' posts.
- **Reducing the quality of information:** the aim here is to blur the line between fact and fiction and change the criteria by which claims are assessed as true or false. The aim is not necessarily to spread false information but more to throw the question of what should be trusted into such a state of confusion that objections and other views can be summarily dismissed.

5.1.4 Russia has developed a reputation for carrying out this sort of informational attack. They use cross-media approaches to disseminate misinformation: taking advantage of new technologies and platforms but also relying on broadcast media – Russia Today and Sputnik – to spread misinformation. The objective is not merely to affect the results of individual elections/referendums – it is to destabilise its rivals more generally. Russia is involved in all manner of informational

manipulation and the chief aim is to stir up tensions: in the UK this hasn't primarily been around Brexit, the focus instead is around Islam and terrorism; in Italy they agitate both for and against feminism simply to cause chaos. It is important to understand that the objective is destabilisation and chaos and our response needs to do more than simply aim to correct the falsehoods that Russia – and others – spread.

5.1.5 This could have profound negative effects on democracy. When it comes to elections, people will doubt the legitimacy of the vote and fear that foreign interference may have played a crucial role in the outcome. If this happens in repeated close elections/referendums people will be discouraged from voting and we risk mass disenfranchisement. In terms of the quality of public debate, we risk a scenario in which minority voices are suppressed, fringe voices are falsely amplified and objective facts lack any force.

5.1.6 The way in which social media works can exacerbate this situation. Part of this is the way in which social media prioritises content that gets a reaction – meaning that stories intended primarily to provoke and divide gain undue attention. Another issue is the way in which social media means that people cultivate communities of people that they agree with to amplify each other's voices – when people do engage with an opposing view it is frequently one that is either clearly absurd or deliberately inflammatory.

5.2 Potential responses

5.2.1 There are a number of different types of policy response that we could recommend to respond to these challenges.

- While fact-checking does not deal with the full extent of the problem, we must seek to protect a role for trusted and independent fact-checkers. We must be aware though that this can only be a small part of the answer: fact-checking can be too slow to respond effectively to the fast-pace of online discourse

and the precise veracity of the claim is not always what is really at issue.

- Informational attacks are often carried out by either people operating under a false identity or by automated bot accounts. One way to curtail this sort of interference might be to work with social media companies to ensure that there is a real person associated with each account. The working group is reluctant to go further than that – requiring people to operate under their own identity – because there can be good reasons for people wanting to appear under an assumed identity.
- We should also work with social media companies to ensure that they are dealing appropriately with targeted and vexatious complaints about people: this is a common tactic to attempt to silence minority voices and we need to protect those groups and encourage them to stay engaged in debate.
- The complexity of the threat posed by foreign states and the speed at which tactics are evolving, means that government alone is not well-suited to tackle it. In the same way that we might designate elections as something like critical national infrastructure to promote a joined up approach, an effective general approach also requires the building of a coalition across government, the military, technology and civil society with the aim of predicting, identifying and taking precautions against the use of these tactics.
- In the longer-term it is important that everybody understands the way in which social media works and in which hostile actors might seek to manipulate it to undermine democracy. A programme of digital literacy might be an effective way to tackle the problem.
- Another longer-term goal could be to have a new international ‘Geneva Convention’ to govern hostile actors, ‘online warfare’ and

international conflict in cyberspace. As in conventional warfare, the threat of international sanctions could have a deterrent effect.

Question 14: How can we promote fast and effective fact-checking?

Question 15: Are there ways to encourage or require social media companies to ensure that real people are posting from an account?

Question 16: Is a new international treaty, to govern hostile actors including hostile states, desirable?

The Nature of Public Debate Policy Working Group

The members of the working group who have prepared this consultation paper are listed below.

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Remit

The Federal Policy Committee (FPC) set up this group to research and understand the issues around the developing challenges to high quality public debate, and to develop policies in response to them which communicate our values and will attract supporters.

FPC asked the group to particularly look at the following areas:

- The problem of 'fake news' and its use in shifting the basis of discussion for political objectives
- The role of facts and truth in public debate, and how promoting their central importance can be balanced with freedom of speech
- The role and meaning of public service broadcasting and the concept of 'balance' in the current climate of attitudes to truth and opinions
- The manipulation of news and information as a tool of state warfare, including to undermine countries' basic political structures
- The role and proper regulation of social media companies
- The challenges as well as the opportunities arising from widespread accessible online reporting of events by individual citizens, including the challenges they potentially pose to the 'reporting restrictions' regime
- Extremely hostile online behaviour in debating public issues, especially towards minority groups
- Citizens' control over their personal data in debating public issues online
- The viability and future role of conventional journalism in reporting and campaigning on issues of public concern
- What a liberal approach to promoting open and fair public discussion and debate should be in these circumstances
- Whether and how the UK's public democratic structures and institutions should change in response to these challenges
- Whether and how TV debates between political party leaders during election campaigns should be organised and made a formal part of the campaigns

