[GB] Parliamentary committee report on tackling fake news and interference in elections in social media

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Julian Wilkins
Wordley Partnership

The House of Commons Digital, Culture, Media and Sport Committee (the Committee) has published its Disinformation and 'fake news': interim report (the Report). A further, substantive report will be published in autumn 2018. The Report's remit expanded from the phenomenon of fake news distributed through social media to also include other activities which, unless addressed, would endanger the future of democracy. The Committee took account of events such as evidence of election influencing through the Russian state-sponsored manipulation of social media and, similarly, attempts by private companies to influence elections and law-breaking by certain UK Leave campaign groups during the 2016 EU Referendum.

The Committee recommended that the term 'fake news' be rejected and replaced by "misinformation" and "disinformation"; this should give consistency of meaning across platforms and assist in the drafting of regulation and enforcement. Furthermore, the Committee recommended that the government use the rules given to Ofcom under the Communications Act 2003 to set and enforce content standards for television and radio broadcasters, including rules relating to accuracy and impartiality, as a basis for setting standards for online content. Ofcom's plans are expected this autumn.

The Report noted that the law was lagging behind a fast-changing technological landscape and the Committee recommended a move to more principle-led regulation to enable a more nimble adaptation to changing technology. The Committee recommended the formation of a working group of experts to collate and define standards to combat misinformation and help the public verify the authenticity of information.

In relation to data protection, the Report recommended an increase in the powers and size of the Information Commissioner (ICO), including its technical capability, a measure considered necessary and which could potentially be funded by a levy on tech companies like Facebook and Google. According to the Report, the ICO should be empowered to audit the algorithms and security of social media companies to ensure responsible conduct; moreover, social media companies must accept responsibility for content that appears on their sites. The Committee refuted assertions, such as those from Facebook, that they are technical

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platforms, considering that they are more akin to publishers. The Committee recommended that a new category of tech company be formulated which tightens tech companies' liabilities and which is not necessarily either a "platform" or a "publisher".

The Committee supported the UK's Electoral Commission's (EC) suggestion that all electronic campaigning should have easily accessible digital imprint including the identity of the publisher and funder. It also supported empowering the EC to compel organisations to provide information during the investigation of a possible electoral law breach. Moreover, it recommended that the EC establish an advertising code for social media during elections.

Social media companies' terms and conditions concerning an individual's data were considered long, complicated and confusing, so greater clarity and simplicity was deemed necessary to highlight a user's rights over his or her own data. It was recommended that a professional, global code of ethics be developed by tech companies, in collaboration with the UK and other governments, academics and other interested parties, to determine acceptable practice, including when evolving new technologies and algorithms. The Committee observed that tech companies acted like monopolies and the government needed to give this consideration. The Committee recommended levying social media companies to fund digital literacy as part of the education curriculum, including subjects such as how to identify fake news and how to ensure responsible use of social media.

Finally, the Committee advised the UK and other governments to share information on risks, vulnerabilities and best practices in order to counter Russian interference in elections. It also endorsed the 16 July 2016 interparliamentary meeting of the Atlantic Council to maintain the integrity of a nation's election process and an individual's data.

House of Commons Digital, Culture, Media and Sport Committee, Disinformation and 'fake news': Interim Report, HC 363, 29 July 2018

https://publications.parliament.uk/pa/cm201719/cmselect/cmcumeds/363/363.pdf

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