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**Democracy and  
Public Debate**

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## **Executive Summary**

The quality of public debate has declined significantly in recent years, with growing polarisation, hostility and rejection of traditionally accepted norms of behaviour. This has especially been the case online, with incitements to violence, misinformation and harmful content spreading at an alarming rate.

Our rights and freedoms, especially the right to free speech, need to be protected online, whilst also being balanced with the need to prevent the spread of harmful content that could jeopardise democracy and cause harm to others.

But this is not just a problem online. Our traditional news media has also undergone a decline in recent years, with local journalism diminishing, and trust in the quality of established news outlets also falling.

Our education system in England has also failed to keep up with the pace of change, focusing on traditional materials rather than those that meet the challenges of the digital age. This especially affects older generations who did not grow up with the internet and are currently not offered any lifelong education in this area.

Like climate change, the challenges to public debate are international as well as domestic. A video or image can travel around the world in seconds, affecting us all. The lack of global regulation has facilitated the spread of harmful materials and contributed to the worsening in the quality of public debate.

In the UK, the legitimacy of our elections is also being challenged, with malpractice by political actors becoming normalised. It risks diminishing faith in democratic institutions, reducing participation in political debate, and jeopardising the viability of liberal democracy.

The current state of affairs is not sustainable. Democracy around the world is under threat from these trends, even in countries with long established democratic traditions. To combat this, the Liberal Democrats will:

- Protect our rights and freedoms online.
- Encourage improvement in the range and quality of news and fact checking services available.
- Introduce lifelong education and critical thinking skills about social media and the news into the English curriculum.
- Improve domestic regulation of social media platforms and work with our partners abroad to achieve better global regulation.
- Protect our democracy from online threats at home and abroad
- Increase the transparency and fairness of our elections.

# **1 Introduction**

## **1.1 Introduction**

1.1.1 The quality of our public debate, the shared conversations between citizens over public affairs, has undergone a marked decline in recent years, which in turn is undermining our democracy. Discourse is increasingly polarised, and as a society we have lost a set of shared truths and facts around which we can base political debate.

1.1.2 In this paper, we set out distinctly liberal and forward-looking solutions to these challenges, which will significantly improve the quality of our public debate and safeguard our democracy. We will put individuals first, ensuring that their rights are protected online and giving them the skills and knowledge to engage in productive public debate. We will ensure greater fairness in the social and traditional media, with proper regulation and funding for public goods, as well as encouraging greater social media competition to drive up quality.

1.1.3 We also support a radical, internationalist approach to the regulation of social media platforms and to tackle the spread of misinformation around the world.

## **1.2 The Challenges to Public Debate and Democracy**

1.2.1 The decline in the quality of public debate has happened in tandem with the rise of very large social media platforms, whose advertisement and data-based business models rely on keeping individuals online and engaging with as much content as possible. As several of these companies have themselves admitted, showing hateful, opinionated, polarising and conspiracy-theory promoting content makes for more engagement and higher returns, undermining the quality of public debate and social cohesion.

1.2.2 Social media platforms also make extensive use of users' personal data, frequently without fully informing their users. Personal data is extracted and then sold on to third parties, who can exploit it for political ends. This has become relatively commonplace over the last decade, with our electoral rules and public awareness failing to keep up. This has in turn eroded democracy, with firms like Cambridge Analytica using personal data to influence political outcomes with little public knowledge.

1.2.3 Over the past decade, the role of large social media companies has shifted from neutral platform to publisher, and in some cases, from publisher to censor. In Facebook's case, internal documents released by whistleblower Frances Haugen revealed that the company had even developed methods to reduce the rate at which specific political groups—groups chosen by Facebook— would be permitted to grow. In effect, Facebook has demonstrated the power to manipulate freedom of online assembly. The question we face now is not whether social media content should be regulated. Social media platforms already regulate and censor online speech. The question is: who do we trust most to do the regulating? Should Facebook and other Very Large Online Platforms (VLOPs) be allowed to keep this power, or do we want an arms-length body to make these decisions?

1.2.4 The focus on keeping users engaged has been shown to make social media addictive, as exemplified in Francis Haugen's testimony in the US Congress and before the UK Parliament. Social media recommendations have been shown to lead to unhealthy and self-destructive habits among children and adults, not least because they are promoting content on eating disorders or self-harm.

1.2.5 It would be wrong to attribute all of the decline in the quality of public debate to social media companies. National newspapers have adopted increasingly partisan and polarising positions, sometimes disregarding truth or ethics in their reporting. Local journalism has undergone a severe contraction, due partly to loss of advertising to social media. This means that local issues often go ignored or underreported,

undermining public trust in local politicians and institutions, and preventing them from being held to account.

1.2.6 Public education has also failed to keep up with the pace of change online. Whilst younger generations who grew up with social media are relatively well informed about the digital public square, many older generations are not, allowing them to be easily manipulated by divisive but engaging content. The public are also unaware of many new and emerging technological threats, which often seem like science fiction to older generations.

1.2.7 While misinformation and propaganda is not new to politics, it is well documented how social media has been weaponised in recent years. Hostile states, notably Russia, have made use of online means to sow distrust and political division to undermine democracy, not just in the UK but across the world.

1.2.8 Our electoral laws are also no longer fit for purpose, coming from a pre-internet time when most political actors followed the written and unwritten rules. They have failed to provide transparency and fairness in our elections, permitting the widespread use of unfair practises with minimal repercussions for the perpetrators.

### **1.3 The Liberal Democrat Approach: Creating the Digital Public Square**

1.3.1 To address these challenges, we propose a holistic, forward looking and distinctly liberal approach to enhance the quality of our public debate. Our proposals are built around strengthening individual rights and freedoms online, proper regulation of social media platforms, improving the quality and regulation of news, lifelong public education, increasing competition in social media, strengthening our electoral rules and an internationalist response to regulating social media and combating global misinformation.

## **1.4 Defending our Rights**

1.4.1 The individual and their rights are at the centre of Liberal Democrat values, and are essential for healthy public debate and democracy. We will defend the right of all citizens to speak, write, worship and associate freely online, provided they are not causing harm to others. We will also protect the right of citizens to privacy in their online lives, and to have greater control over the digital data that platforms have amassed about them.

## **1.5 A Modern and Forward Looking Approach to Regulation**

1.5.1 Social media and much of the online world remains a regulatory 'wild west' with regulators and lawmakers lagging behind the pace of change. We will meet the challenge of new technology with a new, genuinely independent regulator of the content distributed by social media platforms. The regulator will ensure that platforms' decision-making processes and policy implementations are more transparent and that the rights of users are effectively upheld online. To combat the negative externalities of online misinformation, the regulator will also oversee a levy on very large social media platforms, which will fund the provision of accurate and trustworthy information, through a variety of channels.

1.5.2 The paper draws a distinction between Very Large Online Platforms (VLOPs -see glossary for definition), which will be subject to enhanced reporting requirements and regulation compared to Small and Medium Platforms. This paper is primarily concerned with the regime surrounding VLOPs. These are defined as having registered users of 10% of the UK population. This is in line with the EU Digital Services Act.

1.5.3 The paper considers two key processes relevant to the quality of public debate which platforms use when presenting information to users:

a) content recommendation, which is automated on most social media platforms and uses machine-learning based algorithms to decide what material is presented to individuals. As most algorithms are trained to

maximise engagement and time spent on the platform, they can increase polarisation and the spread of misinformation in society by presenting users with content likely to provoke an emotional and extreme response.

b) Content moderation, using a combination of automated and human intervention to check whether content complies with the platform's community rules and guidelines.

1.5.4 The paper calls for regulatory oversight of both processes, as set out in Chapter 3 on Social Media regulation. (para 3.3.4)

## **1.6 Promoting a Diverse and High Quality News Ecosystem**

1.6.1 A diverse and high quality news ecosystem, from local journalism and fact checkers to national broadcasters, is essential to a healthy public debate. We will revitalise local journalism through a new fund, and bring about proper regulation of the national newspapers in line with the Leveson Inquiry. We will also strengthen the independence of the broadcasting regulator, so that television and radio stations have a greater buffer against political pressure.

## **1.7 Lifelong Education as a Right**

1.7.1 We believe education is a right for everyone - not just when young but throughout peoples' lives. We will reform our school curriculum and roll out a lifelong education programme in England to raise the knowledge and skills required to participate effectively in public debate. Investment in critical thinking skills will encourage greater scepticism about misinformation, conspiracy theories, and other harmful content. Citizens will be more able to debate their points of view on the basis of shared facts and understanding.

## **1.8 Fair Competition and Consumer Choice**

1.8.1 A competitive market economy is at the core of Liberal Democrat values. But it can be difficult for new entrants to the social media market to gain traction, because of the powerful network effects established by the very large incumbent platforms. This means great power is wielded by just a few companies over users' online lives. We will enact a series of measures, domestically as well as with our partners abroad, to encourage greater competition and give users more choice and greater control over their online activities.

## **1.9 An Internationalist Response to Global Problems**

1.9.1 Social media knows no borders, so we propose an internationalist response to the two global challenges of global social media regulation and online misinformation. We will review the UK-EU Trade and Cooperation Agreement and work constructively with US regulators to strengthen the market regulation of social media platforms. As regards content, we will also push for a global treaty to counter disinformation online, supplemented by an annual conference and fund to protect the quality of electoral information in the UK and around the world.

## **1.10 Securing Free and Fair Elections**

1.10.1 While social media has certainly played a role in harming public debate, irresponsible elected officials making divisive and demonstrably wrong statements as a means of grabbing the attention of voters, or slandering their opponents, have greatly contributed to polarisation. We will increase transparency and accountability in our elections, by strengthening the rules that govern them, so that citizens' trust can be restored in our democracy.

1.10.2 As Liberal Democrats, we promote the Kennedy Commitment, which calls on everyone in the public sphere to "publicly challenge and denounce derogatory, untrue, or hateful messages on social media. To

disagree well and treat my political opponents, journalists and the public with respect. Run an honest campaign that does not permit character defamation, libel, or slander against political opponents.”

## **1.11 An Ongoing Challenge**

1.11.1 Although this policy paper sets out many practical and effective remedies to the problems facing democracy and public debate, it is important to note that the situation is highly volatile, changing on an almost daily basis. For instance, during the writing of this paper, whistleblower Frances Haugen made serious accusations about Facebook and its inner workings, while US President Joe Biden gained support from world leaders for a global minimum corporation tax rate, which would significantly impact on the taxes raised from social media companies.

1.11.2 Where possible, we have attempted to incorporate and respond to new policies as they have occurred, and learn from the mistakes and successes of other governments. Despite this, the fluid regulatory and business environment means that some of the policy recommendations in this paper will likely need revisions over the coming years, in response to new policies being produced in the US and the EU. However, we believe the principles and values underpinning this paper - liberal commitments to individual freedom and empowerment, internationalism, fairness between large and small actors and the support of lifelong education - are core to restoring healthy public debate and safeguarding our democracy.

## **2 The Digital Bill of Rights**

### **2.1 Policy Proposals**

2.1.1 In government, the Liberal Democrats will ensure our rights and freedoms are upheld online, by passing a Digital Bill of Rights. This will uphold our:

- Right to lifelong education and information.
- Right to participate online on clear and just terms.
- Right to access the internet through a Citizen's Wifi service.
- Right to privacy from private companies as well as the state.
- Right to ownership and control of personal data.
- Right to free expression online.

### **2.2 Introduction**

2.2.1 Human rights are the cornerstone of a healthy public debate, but our current system does not uphold them online as well as it should, with our existing laws largely reflecting a pre-digital age. This has meant that many people are excluded from online public debate, or do not have their rights fully protected, in a way that is frequently unfair and unjustified.

2.2.2 As Liberal Democrats, we believe in safeguarding a fair, free and open society, in which no one shall be enslaved by ignorance or conformity. To achieve this, our current human rights and data laws need to be updated for the digital age.

### **2.3 Digital Rights**

2.3.1 To promote healthy public debate online, we will codify our rights into a single Digital Bill of Rights, comparable in scope to the 1998 Human Rights Act. The current Act, based on the European Convention on Human Rights, was written in a pre digital age. For instance, Article 10 states that:

2.3.2 *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of **broadcasting, television or cinema enterprises.***

2.3.3 Clearly, this reflects the pre-internet age, before information and ideas were shared online. The new Digital Bill of Rights will fill in the digital blanks in the existing Human Rights Act, as well as guaranteeing six main rights essential to facilitating a healthy public debate. These are:

## **2.4 The Right to Education and to Evaluate Information**

2.4.1 We believe that education is a fundamental right, not just during childhood but throughout our lives. This includes education about public debate, the digital world, and our human rights and responsibilities. With a good education, citizens will be able to evaluate information and reach their own conclusions, rather than accepting information at face value. Not only is this good in and of itself, it will also help strengthen the quality of our public debate online, as participants will have a better understanding and appreciation of other points of view.

2.4.2 The policies we will enact to deliver this right in England can be found in the Education chapter. This includes an offer of life-long digital education to all citizens - including critical thinking skills and the study of social and traditional media - and public awareness campaigns on new and emerging technologies.

## **2.5 The Right to Participate**

2.5.1 Every individual has the right to participate in public debate online, which also means being able to participate in their own way, rather than having to strike a Faustian bargain with social media platforms in order to participate. This means giving as much flexibility to users as possible. As part of the assumed “contract” between platform and user, individuals

must have visibility as to how their data is being used and have the ability to stop their data being shared without permission.

2.5.2 Individuals will be able to employ a “reset button” that deletes all information about activity from the social media platforms and websites they use, whilst still retaining their account. This allows the user to start with a blank slate regarding content recommendations and can be used when the individual feels that the social media platform frequently pulls them into unhealthy or unwanted content. Users will be able to choose which kind of data should be reset in the process.

2.5.3 Freedom of expression should be enjoyed by all without discrimination. Debate about ideas should be encouraged but users should be able to participate in online debate without being silenced by abuse on the grounds of their identity. Social media platforms should ensure systems and processes are equally, effectively and transparently implemented and that users are provided with appropriate and effective tools to keep themselves safe.

2.5.4 We will give users the right to modify the parameters of the algorithms used by very large platforms when selecting content recommendations. Users will be able to switch off streams based on their previous choices. This means that very large social media companies must present users with an alternative content recommendation system that is not based on measures of engagement or vitality. Very large platforms will be required to provide an option that is not based on profiling. Users may want to see content that is in chronological order rather than automatically selected to maximise user engagement. This will slow the spread of polarising and divisive content that is highly engaging but not necessarily beneficial for the quality of public debate.

2.5.5 Finally, the individual should be able to review easily how their data is used by platforms to make content recommendations, which third parties their data is shared with and what kind of categories social media companies assign them to. Individuals should be able to prohibit sharing of

their data with third parties such as data brokers. They should also be given the tools to amend recommendations. All these features should be easy to find through the individual's account with the platform and should be subject to an annual review. This would be similar to the renewal of an insurance policy, providing an opportunity to challenge inertia about platform settings.

## **2.6 The Right to Access**

2.6.1 In order to fully participate in public debate online, people must have access to the digital public square, which we believe all citizens should have as a right. Without universal access, many voices are excluded from public debate, disproportionately those from marginalised groups.

2.6.2 To ensure all have access, we will create a Citizen's Wifi service, available in all public realm spaces, enhancing the proposals in the Policy Paper *A Fairer Share for All*. This would be based on the CambWifi project being undertaken by councils in Cambridgeshire. Secure wifi would be provided free in all public places including libraries, council offices, children's centres, sheltered housing, leisure facilities, community centres, Park and Ride sites, open spaces, city and market town centres, and village halls.

## **2.7 The Right to Privacy**

2.7.1 All individuals have a right to privacy consistent with public safety. This is both a legal right under Article 8 of the Human Rights Act, and a moral right we support as Liberal Democrats. At the moment, many of our laws focus on upholding this right against state surveillance, without considering the ability of the private sector to invade our privacy.

2.7.2 This lack of privacy has helped damage the quality of our public debate, and had serious implications for democracy. The use of large scale data harvesting by political actors in order to shape democratic outcomes has now become commonplace, with laws failing to keep up. The actions of

Cambridge Analytica and its connections to the Trump and Brexit campaigns, involving large scale data harvesting, clearly demonstrate this.

2.7.3 The need for privacy is also vital to ensure that marginalised voices are heard in online debate. Appropriate anonymity is vital, particularly for women, ethnic minorities, people with disabilities and LGBTQ+ people, who are disproportionately subject to online harassment and abuse. It is also vital for whistleblowers, who require anonymity to ensure they can report wrongdoing without fear of reprisals. By ensuring that their privacy is upheld, they can participate without fear of abuse.

2.7.4 We will strengthen our rights to privacy, building on existing human rights and GDPR laws, to safeguard people online, and prevent the worst abuses of data privacy.

## **2.8 The Right to Ownership**

2.8.1 We believe people have a right to own their data, and to receive fair compensation for its use by others. Currently, individuals are frequently uncompensated for their data and lack control over it, undermining the quality of public debate by giving power and control to large corporations rather than individual citizens.

2.8.2 We have looked at the creation of a “Digital Wallet”, a means of providing individual compensation for the use of data by social media platforms. Although the technology exists for micropayments, there is little financial value to the individual, with some studies indicating it might be as low as £5 per person per annum.

2.8.3 Instead, we propose a collective fund, in the form of a levy to support digital education, and measures to improve the overall quality of debate, such as fact checkers and stronger local news media. This is discussed in greater detail in section 3.8.

2.8.4 We will also strengthen the ability of individuals to port data from one platform to another. This is already a right under GDPR rules, but it is currently difficult to enforce. By strengthening this right, we will be giving individuals real ownership and control over their data.

2.8.5 We will also strengthen users' control of their data use by third parties, giving them a right not to share their data and requiring an opt-in to do so, rather than an opt-out as currently common. Automatically reserving the right to share data with third parties by platforms cannot be part of regular terms and conditions.

2.8.6 We will also include the right for users to have all their data removed from a platform and be forgotten in perpetuity. This will prevent, for instance, blackmail or the exploitation of things people may have shared during childhood. This will be essential as younger generations, whose whole lives have been online, are entering the public square. The new regulator, the Communications Standards Authority, will work with law enforcement and social media companies to prevent this right being abused by criminals and those seeking to harm others online.

2.8.7 We believe that by creating real choice and better control over data, individuals' participation will hold more value for both the platform and society as a whole.

## **2.9 The Rights to Freedom of Expression**

2.9.1 Freedom of expression is a cornerstone of liberal values, as well as a legal right under the Human Rights Act. The Liberal Democrats will always defend the right to speak, write, worship, associate and vote freely, in a way consistent with public safety. However, freedom of expression has come under strain in recent years, especially with regards to online debate, with social media platforms taking on the role of deciding what is acceptable free speech and what is not.

2.9.2 The Digital Bill of Rights will replicate Article 10 of the Human Rights Act for the digital public square, to protect individual rights of expression online. This will prevent private sector censorship, not just state censorship as is currently the case.

2.9.3 For example, all users who are deplatformed have a right to know why they have been denied access to a platform, with their content removed or their account suspended. They will be able to find out easily on what basis the decision was made, and if they believe the social media platform has incorrectly applied its own rules they will have the opportunity to challenge it.

## **2.10 Individual Responsibilities**

2.10.1 As well as safeguarding our rights and freedoms online, there are also individual responsibilities that need to be upheld, to ensure a positive and safe online environment. Whilst we strongly support free expression, it cannot be unfettered when it causes significant harm to other members of society.

2.10.2 As such, individuals have a responsibility to avoid actions on social media that harm others - be it hate speech, incitement to violence, or disinformation about medical treatment. If they fail to act accordingly, they can expect to have their offending material removed, and in extremis face having their accounts removed.

2.10.3 Just as we believe social media platforms have a responsibility to enforce rules fairly, they must show fairness to the victims of abuse by having and enforcing appropriate rules. As well as giving those removed from social media the right to appeal if they believe rules have been incorrectly applied, so too will victims and complainants be able to appeal any decision that they believe fails to enforce the standards and consequences for behaviour set out in a platform's terms of service.

2.10.4 As part of our education reforms, we will teach citizens about these responsibilities. Citizens will also have the opportunity to appeal decisions made to delete their content or accounts, if they feel that their behaviour was in line with accepted standards of conduct in the platform's terms and conditions.

## **2.11 Conclusion**

2.11.1 Our current human rights and privacy laws are not fit for purpose in a digital age. This has meant that many individuals are often excluded from the digital public square, be it from lack of access, lack of education, having their rights suppressed by others from abuse and online harassment, or another barrier. This is harmful to the quality of public debate, excluding many voices from the conversation whilst amplifying others with access.

2.11.2 In order to ensure that our rights and freedoms are upheld online, a Liberal Democrat government will codify them into a single Digital Bill of Rights, which would expand the Human Rights Act into the digital square, as well as adding provisions specific to the online world. To enforce these rights, we will create a new regulator, the Communications Standards Authority, and a new specialist court, the Communications Court, to oversee the regulator and provide citizens with redress.

## **3 Upholding our Rights and Regulating Social Media and Broadcasting**

### **3.1 Policy Proposals**

3.1.1 To uphold our rights online and to rein in the regulatory “wild west” of social media, the Liberal Democrats will:

- Split Ofcom into two regulators, the Office of Communications Infrastructure (OfCI) and the Communications Standards Authority (CSA) covering communications infrastructure and communications content respectively.
- Ensure the political independence of the CSA, with the Commissioner for Public Appointments directly overseeing the nomination and appointment process and parliament giving approval.
- Create a new Communications Court, which will provide judicial oversight of the regulator and give citizens a means of redress.
- Introduce a levy on very large social media companies, to fund policies to combat societal harms which occur on their platforms.

### **3.2 Introduction**

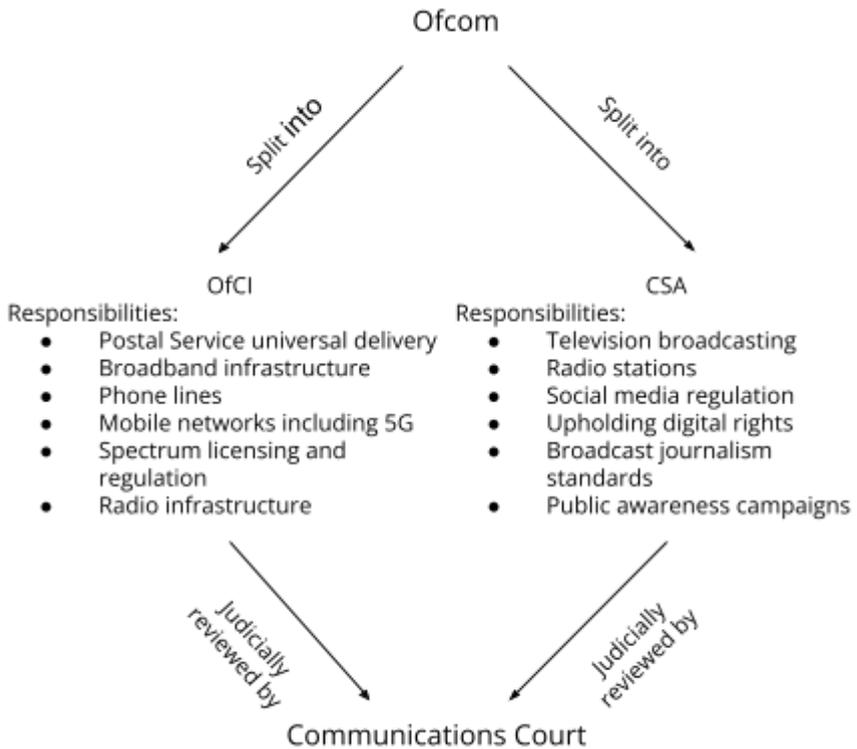
3.2.1 Social media and online content is currently a regulatory “wild west”, largely subject to self regulation and not bound by the same rules and means of redress as conventional media. This lack of regulation has helped facilitate the rise of polarised and divisive public debate in recent years. At present, the content that is posted and shared on social media is regulated solely by private companies, who determine what is and is not acceptable for the digital public square.

3.2.2 As Liberal Democrats, we believe that private companies have a right to set their own terms of service, though they must have responsibilities when doing so to remove illegal content, to protect

freedom of expression, and to uphold a duty of care to their users. It follows that any regulation of content needs to be light touch and free from interference by the government of the day.

3.2.3 We believe that to ensure political neutrality, responsibility for content regulation needs to be vested in a new regulator, senior appointments to which will be overseen by the Commissioner for Public Appointments.

3.2.4 To this end, we will split Ofcom into two new regulators, the Communications Standards Authority (CSA) to regulate online and broadcasting content, and the Office of Communications Infrastructure (OfCI) to regulate communications infrastructure. We will also establish a new Communications Court, to provide judicial oversight of the regulators and provide citizens and companies a means of redress, if they disagree with the regulators' decisions.



### 3.3 The CSA's Remit

3.3.1 The CSA would have a wide ranging remit, covering both the regulation of social media platforms and the traditional media regulation currently undertaken by Ofcom. This would include upholding impartiality rules on broadcast media and receiving complaints about broadcasting standards. In addition to these powers, the CSA would take on responsibility for regulating all social media platforms and upholding our digital rights online.

3.3.2 The CSA will undertake a variety of actions to ensure that all social media platforms do their part to promote a healthy public debate, whilst also ensuring they have sufficient freedom to innovate.

3.3.3 Social media platforms have an important role to play in securing the safety of their users in the synthetic environment they have created, as one would expect of any company. A statutory duty of care on all social media platforms to prevent well-defined harms, based on clear evidence, would have a similar safeguarding effect as it does on landowners and employers. The CSA should oversee its effective implementation to protect people.

3.3.4 The CSA will regularly audit the governance and policies of VLOPs and will have the power to audit and assess processes around content curation and content recommendation at any social media company, if required. This remit will include reviewing their publicly known governance procedures, data privacy policies, content moderation policies and deplatforming rules. Where their policies are inconsistent with the Digital Bill of Rights, the CSA can mandate changes to their policies.

3.3.5 As regards platforms' commercially sensitive use of algorithmic decision-making and the strategies used to keep users on the platform, the regulator will in the first instance rely on ensuring social media companies have robust processes in place to provide that users are treated fairly, prevent the dissemination of illegal or harmful content, and to protect the privacy of individuals and their ability to modify content ranking mechanisms. Primarily regulating processes rather than outcomes in this way has a precedent in the regulation of algorithmic trading by the Financial Conduct Authority. The CSA will expect platforms to carry out regular self-assessment of governance structures, deployment and testing systems of new algorithms including for unintended consequences, continuity arrangements, security, and compliance.

3.3.6 Regarding content moderation policies, the regulator would have access to external and internal documents specifying community guidelines

and their implementation. The regulator would also be able to assess the effect of automated content moderation and, in severe cases, require the social media company to improve, for example by demanding more manual content moderation.

3.3.7 Since the effect of recommendation engines on societal polarisation and spread of misinformation is vastly under-researched, the regulator must be equipped with technical talent and resources to carry out research activities that aim at measuring unintended consequences such as polarisation, for example through standard data sets and metrics as are already in use to measure algorithmic bias.

3.3.8 The CSA would also administer a mandatory “UK kitemark” scheme for all very large social media companies that want to operate in the UK. In order to be eligible, companies will have to demonstrate that minimal policies, governance and frameworks to prevent harm and protect users’ rights are in place before a platform can operate in the UK.

3.3.9 Finally, the CSA would play a role in public awareness and education campaigns, and preventing misinformation during elections, as part of its role in upholding our right to education and information.

## **3.4 CSA’s Powers**

3.4.1 To properly enforce its responsibilities, the CSA would have significant powers in addition to those already held by Ofcom over broadcasters.

3.4.2 The CSA would require robust complaints systems for individuals and groups who feel their rights have been violated by a social media platform. The CSA would have the power to demand a detailed explanation of how a decision had been made, and whether this was consistent with declared company policy and its previous rulings.

3.4.3 Social media platforms would be required to deploy a full range of sanctions exercised proportionately, depending on the seriousness and persistence of the abuse or harm suffered. Sanctions could for example include the deletion of content, restrictions on sharing, affixing warnings against content and temporary or permanent suspension of membership of a platform.

3.4.4 Although taking down harmful content on a day to day basis will fall to the social media platforms, the CSA will review their processes and make recommendations for improvements where necessary. For illegal content, these recommendations will be compulsory and the CSA will be able to order the material to be taken down if platforms have not already done so.

3.4.5 The CSA will be able to issue fines on companies which have failed to comply with its rulings or violated users' rights. In the event of regular failures, the CSA could revoke a platform's kitemark and prevent them from operating in the UK.

### **3.5 Governance**

3.5.1 The CSA would be more independent from the government than Ofcom is currently. The Commissioner for Public Appointments would directly oversee the nomination and appointment process for senior staff, with parliament having the power to either accept or reject the proposal. The Commissioner would ensure that the board's representation includes members of civil society with relevant expertise.

3.5.2 This genuine arm's length relationship with the government of the day will mean the CSA is better able to uphold standards of public debate than Ofcom currently does. Its political neutrality will grant it greater legitimacy and prevent it being used as a tool of government for pushing a political agenda.

### **3.6 OfCI**

3.6.1 The OfCI would take on the powers currently held by Ofcom that are not assigned to the CSA. The OfCI's responsibilities would primarily cover infrastructure regulation, overseeing telecoms services like broadband infrastructure, phone lines, mobile networks, spectrum licensing and regulation, and the Post Office's universal delivery requirement.

### **3.7 Communications Court**

3.7.1 To ensure independent oversight of the regulators, a new Communications Court (the Court) would be established. Similar to the Competition Appeals Tribunal, the Court would be staffed by experts and specialist judges in the field of digital technology and communications, and hear appeals against the regulators.

3.7.2 The Court will provide judicial oversight of the regulators' decisions, giving both social media users and the companies the right to redress. In extremis, the Court would have the power to change decisions by the regulators, issue fines and provide other means of redress where users' rights had been violated. For instance, it may issue a ruling on a de-platformed user, requiring the social media platform to restore their account if the reasons for their suspension were not in line with terms of use policy, or went against the Digital Bill of Rights.

### **3.8 Funding and Levy**

3.8.1 As is currently the case with Ofcom, the CSA and OfCI will be funded by a statutory levy set by Parliament on those it regulates - social media platforms and broadcasters, and infrastructure providers respectively. The regulators will have the right to request that the levy's rate be altered, if they require more funding to meet their objectives.

3.8.2 In addition, the regulator will be responsible for the administration of a special levy on very large social media companies which will be used to counter the social harms prevalent on platforms, such as spreading

disinformation. This will be analogous to the gambling levy paid by betting companies. The additional money will fund a variety of mechanisms to redress harms, including lifelong education, public awareness campaigns and counter-disinformation activities, as outlined in the rest of this paper.

3.8.3 The levy will be based on a fixed methodology for very large social media platforms that operate in the UK. With the introduction of a “UK kitemark” system for large platforms, this will be straightforward to administer. The levy will be based on a percentage of advertising revenue raised in the UK. To give an illustrative example, a 0.5% tax on forecast UK social media advertising revenue in 2024 could raise £100m.

### **3.9 Conclusion**

3.9.1 The UK’s digital and social media space is currently a regulatory “Wild West” without a dedicated regulator. This has allowed poor practises to become commonplace, with social media platforms providing the space for misinformation and other harmful content to spread. It has also meant that individuals rights can be violated by social media companies, with little ability to seek redress. All of this has contributed towards the decline in the quality of public debate.

3.9.2 The Liberal Democrats exist to build and safeguard a fair, free and open society, where individual rights are upheld. By creating a new, specialised and truly independent regulator, together with a new court to provide oversight and a means of redress, we can ensure that our fundamental rights, outlined in the Digital Bill of Rights, are upheld online.

## **4 Quality of News and Information Provision**

### **4.1 Policy Proposals**

4.1.1 In government, the Liberal Democrats will encourage improvement in the quality of the UK's news and information provision, enhancing the quality of public debate, by:

- Requiring very large social media platforms to negotiate fair compensation to news providers whose content appears on their sites.
- Applying the same rules to online news outlets as traditional news providers.
- Funding local journalism and independent fact checkers with a levy on very large social media platforms.
- Implementing the recommendations of the Leveson Inquiry in full and commissioning Leveson 2.

### **4.2 Introduction**

4.2.1 Access to good quality information is both an essential part of democracy and public debate, as well as a right under the Digital Bill of Rights. As news outlets provide the majority of people with their information about public affairs, ensuring we have a healthy news ecosystem is vital to a healthy public debate. Currently, our ecosystem is falling short. The national press is increasingly partisan, misinformation is widespread, and once trusted, impartial news sources are now viewed with suspicion. Individuals have limited ability to seek redress for inaccurate reporting. Local journalism is in decline, with much of the advertising that sustained it now being channelled to social media.

4.2.2 A Liberal Democrat government will support the maintenance of a free, diverse, responsible and well-resourced Fourth Estate, whether that takes the traditional form of national and local newspapers and

broadcasters, or 21st century web-only models, such as news sites or fact-checking sites.

### **4.3 Social Media and the News**

4.3.1 Social media has revolutionised the sharing of news and information online. This has enriched public debate in many areas by giving a platform to those who previously had none, but it has also undermined traditional media.

4.3.2 Traditional news outlets have been financially undermined by social media platforms which have attracted most of the advertising revenues on which newspapers rely and re-publishing much of the news industry's content without paying for it. This has in many cases led to further deterioration in the quality of news, with increasing 'clickbait' headlines to maximise traffic.

4.3.3 To redress this, we will legislate for very large platforms to negotiate with content providers for news used on their websites and provide appropriate compensation, such as on a pay per click basis. Platforms and news providers will be able to go to independent arbitration if agreement cannot be reached.

4.3.4 It is important that this framework does not have perverse outcomes. These might include entrenching the dominance of major news providers at the expense of smaller, innovative rivals; unrealistically requiring that platforms compensate individual bloggers; stifling the free flow of news by preventing platforms from communicating knowledge that a news item exists, if not its specific content; or restricting the flow of information among not-for-profit educational or scientific communities.

4.3.5 The legislation, which draws on the EU Copyright Directive, will therefore require platforms to negotiate, either individually or collectively, with all news content providers incorporated specifically as such that apply editorial judgement and make significant investment in the production of content. Blogging will not be covered. These requirements notwithstanding, to ensure the maximum communication of news, there will be exemptions for hyperlinks from platforms to news items and brief summaries or quotations from them. Scientific and academic journals will also be exempted from this legislation. We will also review existing copyright law more widely and ensure it is fit for purpose in the digital age.

## **4.4 Press Regulation**

4.4.1 Alongside the problems thrown up by social media, traditional news outlets, especially newspapers, have also contributed to the decline in the quality of public debate. The Leveson inquiry of 2012 into the newspaper phone-hacking scandal showed that sections of the press had little regard for decency, privacy, fairness, accuracy or the law. There has been little improvement since then in many news outlets.

4.4.2 Newspapers and their websites have traditionally self-regulated themselves. The Leveson Inquiry recommended major reforms to press regulation, including statutory regulation, independent from government. Subsequent Conservative-led governments have failed to implement this, resulting in a hybrid system. Some newspapers are regulated by the Independent Press Standards Authority (IPSO), a self-regulatory organisation that has proven ineffective, some use their own system, whilst only one regulator is regarded as Leveson compliant, the Independent Monitor for the Press (IMPRESS).

4.4.3 This mix of regulation is ineffective and fails to deliver high quality public debate. A Liberal Democrat government will implement the

recommendations of the Leveson Inquiry in full, together with commissioning Leveson 2 into relations between the press and the police. The precise terms of the second inquiry may need adjusting in view of changing circumstances in the decade since Leveson reported.

4.4.4 We would also ensure that the regulation of printed press and online news websites are the same - ensuring a level playing field between older and newer forms of news, as well as increasing the accountability and transparency of online news sources.

## **4.5 Local Journalism and Fact Checking Fund**

4.5.1 Whilst major news outlets' finances have been undermined by social media, local news has undergone a catastrophic decline since the Great Recession. This has proved harmful for public debate and democracy, as citizens are less informed about their local affairs and less able to hold their local officials to account.

4.5.2 We would revive local journalism through a fund, to be levied on very large social media companies by the CSA and allocated to news organisations by an independent body. This would be based on the 2019 Cairncross Review, which recommended the creation of a new centre of journalistic excellence, which would distribute private and public finance to public interest, high quality journalism. This would also have responsibility for distributing funds under the BBC's Local Democracy Reporter Scheme, which currently gives most of its funding to three large regional publishers.

4.5.3 Part of this fund would also go towards independent fact checking organisations. These civil society organisations would combat misinformation by political actors and other public figures, providing objective and impartial information on their claims. At the moment, fact-checkers are generally only resourced to check high profile claims. This would allow them to respond to claims made at all levels, from district councils to government ministers. Funding would only go to fact-checkers who have been independently verified as impartial upholders of facts, and

accredited to an appropriate umbrella organisation, raising the visibility of legitimate fact-checkers at the expense of politicised ones, such as the “fact checker” established by the Conservative Party in the 2019 General Election.

## **4.6 Public Service Broadcasting**

4.6.1 Unlike print media, the UK’s broadcast news has traditionally been objective and balanced, due to Ofcom’s Section Five requirement that broadcasters’ output reflects due impartiality and accuracy. However, the impartiality and trust of broadcasters has been questioned in recent years, both for fair and unfair reasons. We will strengthen broadcasters’ impartiality, guaranteeing every citizen access to balanced sources of information.

4.6.2 The impartiality of broadcasters in the UK is coming under increasing threat, with voices, typically on the right of politics, calling for the abolition of existing rules. The US offers a warning of the risks of relaxing impartiality rules for broadcast media. When the Federal Government did so, it gave rise to Fox News, widely regarded as a prime fomenter of social division in America and a leading spreader of misinformation. The arrival of declared partisan broadcasters, such as GB News and the promised Murdoch TV news channel, only increases the need to create robust defences of impartiality that can cover all broadcast news.

4.6.3 As explained in section 3.3, we will remove broadcasting regulation from Ofcom and place it with the CSA. Unlike Ofcom, the CSA will be completely independent, preventing the government of the day installing their chosen candidates into senior positions and pushing the government’s agenda onto broadcasters. The CSA will review Section Five impartiality rules to ensure they are fit for purpose in a digital age. It will be vigilant in enforcing them, with powers to hit offenders with commercially significant penalties, up to and including shortening, suspending or revoking their licences.

## **4.7 Conclusion**

4.7.1 A strong supply of accurate and timely information is essential to democracy and healthy public debate, as well as being a right under the Digital Bill of Rights. It provides knowledge that underpins informed debate in the public square and helps hold the powerful to account.

4.7.2 We will ensure that news outlets are both properly compensated for their content used by very large social media platforms as well as fairly self-regulated, at arms length from government. We will enhance the wider news ecosystem, by funding local journalism and fact checkers, ensuring a diverse range of news sources and information is available to all citizens. We will also strengthen impartiality rules for broadcasters, with a new independent regulator and a review of impartiality rules as they currently stand.

4.7.3 However, the provision of information alone is insufficient to ensure high-quality public debate. Citizens must also possess the right skills to interpret and evaluate information, and that requires education.

## **5 Education**

### **5.1 Policy Proposals**

5.1.1 In government, the Liberal Democrats will significantly improve our education system, enhancing all citizens' knowledge of the digital public square. We will do this by:

- Reforming the school curriculum in England and making critical thinking skills integral, starting at primary school level. This will include the study of traditional media and news, social media and disinformation.
- Introducing life-long learning for all citizens in England about the digital public square and how to navigate it. This will include learning about how social media operates, the use of personal data, how information spreads online and what rights and responsibilities users have online.
- Introducing public awareness campaigns about emerging threats, collaborating with the private and not-for-profit sectors, to best inform the public.

### **5.2 Introduction**

5.2.1 The growth of digital technology, online threats and the use and proliferation of personal data online over the past two decades has dramatically outpaced the public's knowledge and understanding of them. These new challenges have been seen most prominently with the rise of "fake news", new technologies and information asymmetry between social media companies and their users. This in turn has harmed the quality of our public debate and put democratic norms at risk.

5.2.3 As liberals, we believe there is a delicate balance to be struck between preventing state censorship and surveillance of what people say or do online, whilst also seeking to combat online harms that pose risks to

people's lives, rights and our democratic processes. We believe the best way to prevent people falling prey to online misinformation is public education, which is a lifelong right under the Digital Bill of Rights.

### **5.3 Critical Thinking Skills**

5.3.1 Whilst misinformation has been around for years, from ancient leaders smearing their rivals to claims the EU will ban prawn cocktail crisps, the problem has grown significantly over the past decade. Online conspiracy theories and fake news spread on social media have led to incidents of violence, such as the storming of the US Capitol Building, and have undermined trust in democracy and public figures.

5.3.2 To combat misinformation, we will introduce critical thinking skills into the curriculum in England, with a particular focus on the news, both real and fake, traditional and online. This will start, with age appropriate materials, at primary school level. Students will be equipped with skills to critically assess claims, undertake research so they can self-fact check, understand how news is made and how to spot fake news. Critically, media literacy education should enable children, at a young age, to question the motivation behind a message - political, commercial, or otherwise.

5.3.3 Finland introduced these skills across their curriculum in 2016, including in art, statistics, history and language studies, as part of a wider initiative against Russian disinformation. Since then, they have been consistently ranked as the European country most resilient to fake news, according to the Media Literacy Index. We will roll out critical thinking skills among all relevant compulsory subjects, with appropriate materials for different ages. We will also incorporate aspects of media studies into English Language classes

5.3.4 As an illustrative example, in Finland, students are taught both how to do statistical analysis and how statistics can be misused, whilst in the UK only the former is taught. Under a reformed English curriculum, students would be taught to fact check statistics, put them in a wider context and

consider for what purpose they are being utilised, rather than accepting the immediate narrative that is presented. For instance, the weaponisation of crime statistics against minority communities.

## **5.4 Lifelong Learning**

5.4.1 Alongside reforms to under-18s education, we will also enact a programme of lifelong education, to which all citizens in England will have access as a right. This will include the critical thinking skills outlined above, as well as education about users rights and responsibilities online, how the digital world and social media companies operate and any other skills and knowledge they might require in order to navigate the digital public square.

5.4.2 A significant part of this programme will address the asymmetry of knowledge between social media platforms and their users, which results in users' data being used in ways they have no way of knowing about or consenting to. A 2008 study by two Carnegie Mellon scholars estimated it would take 76 working days to read through all the privacy and consent forms that the average person encounters online each year. It would involve significantly more time today.

5.4.3 A Liberal Democrat government is already committed to providing every adult in the UK with a £10,000 "skills wallet" for education and training over their lifetime with approved education and training providers. We will require any such course to offer a module on digital skills. However, the greater challenge will be to reach individuals not engaging in formal education and training. To help them, we will offer short courses, either viewable in interactive online form, or available face-to-face at local libraries. These courses will be overseen by the CSA and funded out of the special VLOPs levy. The CSA, out of its own budget, will also be responsible for disseminating, via social media, brief information segments that raise awareness of online issues. Again, we will draw inspiration from Finland, which conducts regular digital education campaigns. For instance, in 2019 the Ministry of Justice led a campaign against online hate speech during an annual Media Literacy Week.

5.4.4 This will give citizens a better understanding of their rights and responsibilities, and empower them to demand higher quality services, greater transparency and accountability from social media companies and other firms using their data. This in turn will help drive up the quality of services on offer and raise awareness of the threat to democracy through the misuse of personal data.

## **5.5 New and emerging threats**

5.5.1 Alongside traditional and lifelong education, we will also introduce public awareness campaigns on emerging threats to public debate as well as “unknown unknowns” that are yet to appear. For example, video manipulation technologies, or “deepfakes”, will soon pose a fundamental challenge to the integrity of public debate, as it will be possible to make videos of anyone saying anything.

5.5.2 We will roll out public awareness campaigns on emerging threats to ensure that people understand the threat these new phenomena pose, in a similar fashion to public health campaigns. These must be regular and intensive, according to the severity of the threat posed.

5.5.3 Identifying challenges shall fall to the CSA, working with the tech sector, and delivered in collaboration with the private and not-for-profit sectors in order to achieve the broadest possible reach. This will be funded through a levy on VLOPs, outlined in section 3.8, as they provide the platform for these threats to spread.

## **5.6 Conclusion**

5.6.1 Our current education system in England, which focuses almost exclusively on young people, has failed to keep up with the pace of change in the digital world and support a healthy public debate. Misinformation is spread online, polarising public debate and driving our society apart, whilst

the public remain under informed about new and emerging threats and their online rights.

5.6.2 As liberals, we believe that everyone has a right to education throughout their lives, and a right to form their own opinions. A high quality, lifelong education, which encourages critical thinking skills and the ability to evaluate information, will drive up the quality of our public debate, and build a society in which no one is enslaved by ignorance.

## **6 Social Media Market Structure**

### **6.1 Policy Proposals**

6.1.1 In government, the Liberal Democrats will seek to enhance competition between social media platforms and services, driving up the quality of public debate. We will do this by:

- Reviewing and re-negotiating the UK-EU Trade and Cooperation Agreement, with a view to closer cooperation with EU regulators, and closer regulatory alignment.
- Proactively working with the U.S. authorities, notably FTC, FCC and Department of Justice, to find a common position for global issues.
- Enhancing the powers of the Digital Markets Unit (DMU) within the Competition and Markets Authority (CMA), which will act in close cooperation with the CSA to implement both ex-ante regulation and ex-post competition law.
- Passing legislation to further facilitate data portability, network interoperability and transparency in social networks.

### **6.2 Introduction**

6.2.1 The current social media market structure is not conducive to healthy public debate. The social media market is characterised by a high degree of concentration and, in most countries, dominated by a small number of very large companies. Whilst these companies compete fiercely with each other and do not act as monopolies, they have enormous power over the control and use of online content. So far, attempts to break up this market structure, or at least ease market entry by smaller competitors, have largely failed.

6.2.2 We propose a distinctly liberal approach to the challenges presented by the current social media market. As these companies are global in their reach, we propose an internationalist approach, working

closely with the Body of European Regulators for Electronic Communications (BEREC) and other EU institutions, as well as US authorities. To the extent that the UK can act independently, we propose measures to enhance competition and consumer power, which will drive up demands for higher quality services.

### **6.3 A Global Market with Global Solutions**

6.3.1 Social media platforms are run by a small number of large, mostly U.S. based companies such as Google, Apple, Facebook and Amazon, and their respective subsidiaries. These platforms at best allow, at worst facilitate, misuse of data and the spread of harmful content online, damaging the quality of public debate and democracy.

6.3.2 Although these companies are very powerful, they lack many of the qualities that define traditional monopolies because they tend to compete fiercely with each other, although within their “walled gardens” they may engage in anti-competitive behaviour. They present a new challenge to antitrust regulators which are engaged in debate in many Western countries on how best to respond. Given the global reach of these companies, effective regulation requires international cooperation. On its own, the UK will not be able to have much of an impact, other than deterring inward investment.

6.3.3 In order to effectively regulate the social media market, the UK will have to cooperate closely with EU and U.S. authorities, such as the EU Commission and the U.S. Federal Trade Commission (FTC), Federal Communications Commission (FCC) and Department of Justice. Furthermore, the UK will have to ensure that relevant legislation, such as data protection and portability rules, will remain closely aligned to EU rules, such as the GDPR and the upcoming Digital Markets Act.

## **6.4 Domestic Competition**

6.4.1 Despite these challenges, the UK does have many domestic tools to improve the social media market. This includes rigorous market investigations and, where necessary, the strict implementation of remedies. Product market definitions will be reviewed to accurately describe emerging data markets. In merger control cases, particular scrutiny will be given to market power derived from data monetisation potential other than just advertising.

6.4.2 In the UK, regulatory reform will help this process. Responsibility for enforcing UK competition rules will fall within the remit of the Digital Market Unit (DMU), an integral part of the Competition and Markets Authority. The newly created CSA will work closely with the DMU, providing technical expertise and input where appropriate.

6.4.3 We recognise that there is a high barrier to launching competitive social media platforms due to the network effects of existing platforms. Being able to port data from one platform to another with minimal friction could at least mitigate some of the inertia associated with changing platforms. This would include data that constitutes the “emotional bank,” such as pictures, and it would also mean that users could automatically search for contacts that they had on the previous platform. In practice, this would include standardising data schemes and file formats across different social media platforms. Data portability is currently a right under GDPR rules and will be strengthened by the Digital Bill of Rights.

## **6.5 Conclusion**

6.5.1 Whilst social media has allowed many people to get their voices heard, the current social media market structure is not conducive to a healthy public debate. A few large companies, with control over large amounts of users personal data, wield tremendous power over our society and what is shared online.

6.5.2 The solution is a distinctly liberal approach, combining an internationalist and collaborative approach to regulation, predominantly with the European Union and the United States, together with promoting greater competition domestically. Together with the Digital Bill of Rights outlined earlier, the Liberal Democrats will create a fairer social media market, where power is the hands of consumers, rather than the large corporations.

## **7 Misinformation during Elections**

### **7.1 Policy Proposals**

7.1.1 A Liberal Democrat government will safeguard our rights, freedoms and democracy during elections, as well as helping secure democracy around the world. We will do this by:

- Enhancing transparency in our elections, through accessible information on party manifestos, spending and social media adverts.
- Revising and clarifying the powers of the Electoral Commission and police, to ensure fairness in our democratic processes and the imposition of meaningful sanctions when the rules are broken.
- Pushing for a global convention or treaty to combat disinformation and electoral interference, supplemented by an annual conference and Global Counter-Disinformation Fund.

### **7.2 Introduction**

7.2.1 Misinformation and emerging online threats present a major challenge to the integrity of elections both in the UK and across the globe. They risk diminishing faith in democratic institutions, reducing participation in political debate, and discrediting legitimate electoral outcomes. The UK has failed to take the initiative on this, relying on the “Good Chap” theory of politics to get by. Consequently, our elections remain vulnerable, with threats looming from ever more advanced technologies.

7.2.2 As Liberal Democrats, free and fair elections are a cornerstone of our belief in what constitutes a good, democratic society. Democracy goes beyond merely holding elections every few years; Russia has many elections, but it is not a democracy. Elections need to be safeguarded from modern anti-democratic practises and emerging threats, to ensure fairness

and trust. This requires both domestic reforms, and an internationalist response from democrats around the world.

### **7.3 Transparency in UK Elections**

7.3.1 In recent years, there has been a decline in the trust and transparency of elections in the UK. This has been caused by a combination of new technologies and political actors no longer following the unwritten, and in many cases, written rules of legitimate political activity. In order to ensure fairness in our elections, we will introduce a package of measures to improve the transparency and accountability of political actors operating in the UK. This will build and expand on proposals in the 2019 Manifesto.

7.3.2 With the rise of social media, political actors have made ever greater use of microtargeted online adverts. Unlike traditional election materials, the public no longer all see the same broadcasts, debates and manifestos, but have messages targeted directly to reflect their interests and values. This is problematic, as citizens are no longer having a 'shared conversation' during elections, but only hearing messages in their own silo. There is also a lack of transparency over adverts, as it is often not clear who they are on behalf of, who paid for them or even if they are adverts at all.

7.3.3 We will create an easily-searchable database of all political ads broadcast within the United Kingdom. All online ads will have to be registered in the database, along with regularly-updated information on their audience, spend, and source of financing. This will allow the public, journalists and civil society groups to hold political actors to account, by scrutinising their claims and pointing out inconsistent messaging. For instance, a political party may target anti-housing development adverts at older voters and pro-development adverts at younger ones; without increased transparency it would be difficult to discover this.

7.3.4 Recent elections have also shown that our current rules around campaign financing and spending are not fit for purpose. We will legislate for radical transparency on donations and spending, so that journalists and

campaigners are empowered to scrutinise donations and spending during an election, whilst not overloading agents and organisers. A nominated official from each party or candidate should be responsible for filing a regular update on their party's expenditure so that journalists and the public can hold them to account. This will include total spend as well as a breakdown of where and what the money is being spent on.

7.3.5 Finally, we will ensure that all party manifestos are available in one place, so that the public can easily compare parties' proposals, without needing to go through a third party source of information, which may not be impartial. This will include the manifestos in full, as well as a side by side comparison by topic area.

7.3.6 All of this information will be hosted on a single portal, which will likely be termed *accountability.gov*, ensuring easy access for the public. It will be well publicised ahead of and during elections, to ensure maximum levels of engagement.

## **7.4 Strengthening the Electoral Commission**

7.4.1 It has become clear in recent years that the Electoral Commission and the police lack the necessary powers to enforce good conduct during elections. The Commission currently only has powers to monitor election spending, and its investigation and enforcement powers mean it can only give parties and campaigners a 'slap on the wrist' which is often priced into parties' campaign strategies. We will revise the Political Parties, Elections and Referendums Act 2000 and the Representation of the People Act 2000 to enhance and clarify the Commission and police's powers in this area, to ensure transparency and fairness in our elections.

7.4.2 We will have the Electoral Commission mandate account verification from all official campaign accounts so that citizens can be confident of the officiality of online information. This reduces the risk of impersonation and will help the public separate official sources from

impersonators who may produce deepfakes or other disinformation to discredit the candidate.

7.4.3 As a widely-trusted source, the Electoral Commission will take a lead on countering misinformation in our elections, working with the police and the CSA. This will include a dedicated counter-misinformation unit to combat high-risk, high-profile verifiably false claims in a politically impartial manner. It could deploy posts or ads targeted to audiences of disinformation spreaders, and potentially work with social media companies to display fact-based electoral information to users to rebut disinformation.

7.4.4 We have chosen to reject a more draconian approach to malpractice in elections, such as making lying a punishable offence, on both practical and liberal grounds. On the former, it may be hard to define lying with sufficient legal clarity, and on a range of issues lies and matters of opinion may be hard to distinguish. For instance, one might claim nuclear power is good or bad for the environment, depending on your point of view. Furthermore, as liberals, we believe in free speech. In a democracy, the best antidote to lies is the truth, not heavy-handed intervention by state agencies.

## **7.5 Countering Global Disinformation**

7.5.1 Like climate change, disinformation doesn't stop at the border. With ever increasing digital connectivity, content that is harmful to our democracy can come from anywhere across the globe. As liberals, democrats and internationalists, we believe in promoting democracy, elections and healthy public debate abroad for its own sake, not just for the benefits it brings to the UK.

7.5.2 We propose that the UK take the lead on combating disinformation around the world by advocating for the creation of a Global Counter Disinformation Convention or Treaty, which will provide an international basis for the obligations states have on counter-disinformation. This will be

supplemented by a global Counter-Disinformation Conference to coordinate international efforts and provide an opportunity to benefit from the sharing of international best-practice.

7.5.3 Going beyond words, the UK, working with other signatories to the Treaty, will launch a new Global Counter-Disinformation Fund to position the UK as the world's leading backer of electoral integrity. The fund should connect UK expertise with democratic processes worldwide, and equip political parties, journalists and civil society organisations overseas to effectively rebut electoral disinformation.

7.5.4 As part of our efforts to make the world safer for democracy, we will renew the UK's commitment to international election observation missions. They are a key instrument in the fight against global electoral misinformation, and will help promote democracy around the world, creating a virtuous cycle. A Liberal Democrat government would bolster its support for such missions and end the current practice of selectively abstaining from missions deemed lower-priority. This will have both practical and symbolic value, showing the UK's commitment to democracy in all countries, not just the "high-priority" ones.

## **7.6 Conclusion**

7.6.1 Our democracy, and democracy around the world, can be best safeguarded by a package of distinctly liberal measures: transparency and openness in elections and an internationalist approach to combating misinformation and promoting democracy.

7.6.2 These modern and forward looking measures will meet the challenges of the 21st century, where the threats to our way of life come not from traditional weapons of war, but from misinformation, unscrupulous political actors and the manipulation of information. Together with the other measures outlined in this paper, the Liberal Democrats will protect and enhance our democracy, as well as promoting liberal values around the world.

## **8 Conclusion**

8.1.1 This paper sets out a holistic and distinctly liberal approach to the challenges our democracy and public debate face, ranging from misinformation online to the decline of local journalism. By enshrining our rights online, introducing proper regulation of social media platforms and news outlets, enacting lifelong education about the digital public square, encouraging competition in the social media market, working with our partners abroad to combat misinformation and regulate tech giants, and strengthening our electoral rules, we can enhance the quality of our public debate and safeguard our democracy into the future.

## **Appendix/Glossary**

**Algorithms:** A mathematical recipe that is usually encoded in a computer. In the context of social media recommendation and content moderation systems, the algorithms used are often based on machine learning in which the algorithm gets trained using data and hence “learns” an optimal solution to a problem based on new data (semi)autonomously. We note that social media companies often use layers of different algorithms for any automated decision.

**Deepfakes:** A video of a person in which their face or body has been digitally altered so that they appear to be someone else, typically used maliciously or to spread false information.

**Disinformation:** False information deliberately and often covertly spread (as by the planting of rumours) in order to influence public opinion or obscure the truth. This would include state propaganda spread online.

**Misinformation:** This includes all incorrect or misleading information that is circulated, although there may be no harm intended. This would include everything from simple errors to misleading information about medicines.

**Ex-post Regulation:** Remedial regulation for past events. This involves addressing market failures as they arise, such as breaking up a monopoly to enhance competition. Most regulations fall under this category.

**Ex-ante Regulation:** Prospective regulation for future events. This would involve preemptively preventing market failure by shaping behaviour through regulatory intervention. This could involve preventing a monopoly from emerging in the first place.

**Leveson Inquiry:** A judicial public inquiry running from 2011 to 2012 into the culture, practises and ethics of the British press following the News International phone hacking scandal.

**Leveson 2:** A proposed inquiry recommended by the first Leveson inquiry into the relationship between the press and the police.

**Public Debate:** The serious discussion of public issues in which all citizens can participate. This can range from newspaper articles on climate change to an exchange of comments on social media about education.

**Social Media Platform:** This paper defines a social media platform as one which “provides services or tools that allow, enable or facilitate users to share or discover user-generated content or interact with each other or third party commercial businesses online.”

The paper makes a distinction between Very Large Online Platforms (VLOPs) and Small and Medium Platforms (SAMPs). Very Large Online Platforms are defined as those with more than 10 percent of the UK population as registered users. As outlined in the paper, they will be subject to substantially more demanding regulation than Small and Medium Platforms. This definition is derived from the EU Digital Services Act.

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## **Democracy and Public Debate**

### **Policy Paper 141**

This paper has been approved for debate by the Federal Conference by the Federal Policy Committee under the terms of Article 7.4 of the Federal Constitution.

Within the policy-making procedure of the Liberal Democrats, the Federal Party determines the policy of the Party in those areas which might reasonably be expected to fall within the remit of the federal institutions in the context of a federal United Kingdom.

The Party in England, the Scottish Liberal Democrats, the Welsh Liberal Democrats and the Northern Ireland Local Party determine the policy of the Party on all other issues, except that any or all of them may confer this power upon the Federal Party in any specified area or areas.

The Party in England has chosen to pass up policy-making to the Federal level. If approved by Conference, this paper will therefore form the policy of the Federal Party on federal issues and the Party in England on English issues. In appropriate policy areas, Scottish, Welsh and Northern Ireland party policy would take precedence.

**Working Group on Democracy and Public Debate**

Note: Membership of the working group should not be taken to indicate that every member necessarily agrees with every statement or every proposal in this paper.

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