

ELECTORAL MATTERS COMMITTEE

Inquiry into the Impact of Social Media on Elections and Electoral Administration

Melbourne—Thursday, 19 November 2020

(via videoconference)

MEMBERS

Mr Lee Tarlamis—Chair

Mrs Bev McArthur—Deputy Chair

Ms Lizzie Blandthorn

Mr Matthew Guy

Ms Katie Hall

Ms Wendy Lovell

Mr Andy Meddick

Mr Cesar Melhem

Mr Tim Quilty

Dr Tim Read

WITNESSES

Professor Ben O'Loughlin, Director, and

Dr Sofia Collignon, Deputy Director, New Political Communication Unit, Royal Holloway, University of London.

The CHAIR: I declare open the public hearings for the Electoral Matters Committee Inquiry into the Impact of Social Media on Elections and Electoral Administration. I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands each of us are gathered on today, and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the broadcast of these proceedings.

I welcome Professor Ben O'Loughlin and Dr Sofia Collignon from the New Political Communication Unit, Royal Holloway, University of London. I am Lee Tarlamis, Chair of the committee and a Member for South Eastern Metropolitan Region. The other members of the committee here today are Bev McArthur, Deputy Chair and a Member for Western Victoria; the Honourable Wendy Lovell, a Member for Northern Victoria; Andy Meddick, a Member for Western Victoria; and Dr Tim Read, Member for Brunswick.

All evidence taken by this committee is protected by parliamentary privilege. Therefore you are protected against any action in Australia for what you say here today. However, if you repeat the same things outside this hearing, including on social media, these comments may not be protected by this privilege. While you are covered in Australia under parliamentary privilege for any comments you make today, you should note that Australian law cannot give you the same protection with respect to the publication of your evidence in the jurisdiction you are giving evidence from. All evidence given today is being recorded by Hansard. You will be provided with a proof version of the transcript for you to check as soon as it is available. Verified transcripts, PowerPoint presentations and handouts will be placed on the committee's website as soon as possible. I now invite you to proceed with a brief opening statement, which will then be followed by questions from the committee. Thank you.

Prof. O'LOUGHLIN: Thank you for the invitation. We have both got a couple of points to make. Just to say, the New Political Communication Unit has been around for over a decade. We have been researching media and politics in many different countries and so it is great to have the chance. Over the last year I have been in Brussels at the Royal Academy working on disinformation and democracy in Europe more broadly, so we have got some different perspectives to bring. So I think it is best if Sofia goes first and then I will come in with anything after that. Thank you. Over to you, Sofia.

Dr COLLIGNON: Thank you very much, Ben. Thank you very much for inviting us to be here today. Just very briefly I have some points to make. Some of my research focuses on the study of candidates, campaigns and abuse, harassment and intimidation of political elites, and I mainly have taken a comparative perspective. Based on my previous research, one of the key things that we have found before is that there is a very fine line between misinformation, smear campaigns and intimidation. While misinformation is as old as democracy itself, social media is increasing its volume, its reach and the speed at which it is distributed. Due to the variety of social media, misinformation can damage the reputation of a candidate beyond repair very quickly and instances of hate can escalate also at a surprising speed—not only candidates but also public officials, so the issue does not improve once a candidate has been elected.

Online harassment and intimidation and smear campaigns are difficult to typify as they often do not even refer to one single action but a series of linked events that happen across different social media platforms. Accessibility of the technologies of information makes it easier for everybody to generate negative fake content and distribute it. There are important variations on the causes and consequences of negative campaigns and advertisements. They depend on how the candidates and politicians face a coordinated smear campaign and the type of politician that is being targeted. But we need to take into account this diversity in causes, consequences and effects and to create creative solutions to attack online abuse that not only are preventative or reactive but also change the way that we interact with each other online. Over to you, Ben.

Prof. O'LOUGHLIN: Thanks, Sofia. So just a couple of points. First to say, you may be aware of this but we have found researching this in the EU that committees that report that filter bubbles are a problem are generally factually wrong. The filter bubbles—the evidence that people are spending most of their time talking about politics only in a certain social media space or only on a certain website is very low. Most of social media is exposing people to a range of views, a range of perspectives, a range of different party political positions. Most of the evidence for the last five years shows this and yet it seems that many journalists and even some policymakers seem to think that filter bubbles are actually much more of a problem than they are. This leads some citizens to start thinking, 'Oh, this person I disagree with must be in a filter bubble, therefore I can never really have dialogue with them because their standards of evidence or their faith in how things work is of a different kind'. And so this exacerbates antagonism, if you like. If it is possible to report on the role of political ads on social media in politics without stoking up this sense that filter bubbles are coming or are already here, it would be both factually correct and good for democracy, because otherwise if we exacerbate the notion of filter bubbles, then dialogue begins to break down. And we have seen this happening in a few countries.

The second point I want to make is that we have just been extremely concerned about the lack of technological literacy of electoral authorities. This is partly generational in that there seems to be a notion that digital media has arrived and therefore we must focus on digital media, whereas the power or the strength of digital media for most citizens that we have done both qualitative and quantitative research with is that it interacts with old media. So in the US elections we have just seen the amount of spending on television advertising which then gets passed on to YouTube or onto party political platforms and begins to move around. The way in which this political communication or the way in which political ads move is the interaction both of digital and traditional media. And so I would hope that whatever committee findings you reach about social media and political ads, it takes into effect how social media-based political ads interact with or move onto television, move onto radio, get reported, criticised, then move back, and how the conversation keeps moving. Because for most citizens in different countries that is how we have found they engage with and interact with political ads. So we will stop there, and any questions are most welcome.

The CHAIR: I will go to the Deputy Chair, Mrs McArthur.

Mrs McARTHUR: Thank you, Chair. And thank you for your presentation. We had a witness before—well, a group of witnesses actually, academics—who suggested that anonymity was essential in social media, yet many of us know that anonymity is the major problem that many of us face in social media. Politicians cannot generally hide behind anonymity but our abusers can. What is your view on whether social media platforms should have to have the details of the accounts that they provide a platform for?

Dr COLLIGNON: So here in the UK as well one of the main problems is that social media companies take a long time to respond to complains. Once a complaint has been made they do take a long time in actually identifying who the perpetrator is and to allow the unanonymisation of accounts—if they do so at some point, because they are within their rights to decline the petition. So it is true that people hiding behind anonymity tend to be way more aggressive towards politicians because basically they do not think that they can be identified and basically they would not be saying all the things that they say face to face. So while anonymity gives people the flexibility and the freedom to say whatever they want—like, for example, maybe I have an account which is not necessarily political or is my personal account and is different from my professional account—I think making it easier for social media companies to identify in a second degree who the perpetrator is is essential to actually decreasing the volume of abuse and intimidation.

Mrs McARTHUR: Thank you. And how do you suggest that this call for regulation can assure the population, the public, that the regulators will be independent and unbiased? Because if a government appoints them, well, governments are not unbiased or independent. They come from a position, so will naturally usually appoint those that might be favourable to their position, and those taking the position usually like to keep their jobs. So if we are going to regulate this space, how do we regulate the regulators?

Dr COLLIGNON: One of the key things about regulation is that we need to be very much aware of the fact that it is easy to go into over-regulating the social media space. I think that is tricky because for social media companies who take a light touch, I mean, some of the time it is not like they are taking a light touch; they are taking a view or a philosophical stance about what they are doing. If we are going to regulate social media companies, we need to be very much aware of that, but as for how to ensure that, I think that there are solutions that can come together with regulation. One is to have an informal registry of who are the abusers so people

can refer to that. The second thing is: I am not sure that it is in the public interest to be all the time prosecuting social media companies, but more to convince them to take a proactive approach about it, and perhaps a code of conduct for social media interaction should come first before more regulation. And doing campaigns—

Mrs McARTHUR: Because in the end they are answerable to their shareholders, not the general public.

Dr COLLIGNON: Yes, and I am not sure that fines are actually working, to be fair.

The CHAIR: Thank you. Is it also fair to say that it is a combination of both? There are a number of things you can do there. There are steps you can do, whether it is legislation or regulation, in terms of some elements to deal with some aspects of it, but there are also elements you can do around transparency, putting in place a number of elements with platforms where they have to be more transparent about things, which then sets in place information out there so you can actually see what is happening, which you cannot currently see and you may suspect is occurring, but over time it paints a picture about what needs to happen. If the social media platforms are not addressing it, then you know because that information and evidence is now there and available for all to see and they are not addressing it that you have to step in and either regulate or legislate, because they have not stepped in and done that and you have that evidence to back that up. One of those things is, for instance, an ad archive, a real ad archive that captures all data in real time, is searchable and has the demographic breakdowns of what the ads are, how much has been spent, who is paying for them and basically how many hits they have had. So that way it becomes a research tool to see how people are utilising it and who is being targeted but also about what other problems that has created, whether it is societal, who is misusing it and those sorts of things. So then if the social media platforms are not addressing the issues, you know that legislators need to step in and address it.

Prof. O'LOUGHLIN: Yes. I think what you have hit the nail on there is that ad archives send a signal. If you make it mandatory within your democratic system that the mainstream political parties at least, or those that are getting more than 1 per cent, must put their social media ads and their television ads into an archive, then there is a certain standard, and if a party is refusing to do that, then they can be shamed or they can be called out on it. You can use international comparisons to say, 'Hang on, it's working in this country but you're refusing to go along with it, so are you saying that you don't want to be part of a normal democratic system? Because this is happening now'. There is the problem that—I am sure you are aware of this—if you get the main parties' ads onto the archive and make that searchable, there are still political ads by other actors that are not official. But those are so diffuse and there are so many that I think there is no way to archive them in any systematic way. But if you build a conversation around the main parties' ads and make them comparable to the public—and that is not always easy, because it seems like something that is a bit distanced from them, but if it is a website, they can easily check and where journalists link to it quite often—then it sets a certain standard. So we would really encourage that that archive would move ahead.

Although Beverley's point about the partisan lines and the way in which a government might not want that if they are the ones who are breaking some of the rules, that is something where you are going to have to build a consensus, and that might take a couple of years, but in the long run it is worth it. Thanks.

The CHAIR: Mr Meddick.

Mr MEDDICK: Thank you, Chair. And thank you, Doctor and Professor, for presenting for us today. I want to explore a rather different line if I can. We have heard a lot of presentations from individuals. We have heard a lot of presentations that talk about misinformation. It is misinformation that I want to go down the line of, but it has largely been around this misinformation being spread by individuals or parties—so political parties—or players in the digital space that are wholly and solely within the digital space.

I am curious as to what thoughts you might have on how we deter where we have, say, an individual media owner who owns enormous amounts or almost has a monopoly of media in a particular country, where they also deliberately spread misinformation because they own traditional media platforms as well as digital media platforms. What can be done to prevent that? And I am talking in a partisan sense here as well. We have had in this country for instance at different stages people who have been on either side of politics who have had almost monopolies in that instance, and it has not been good for democracy in my opinion that misinformation has been spread on either side. So I am curious as to what thoughts you might have on how we prevent that.

Dr COLLIGNON: That is actually a very interesting question. One of the things I have found in my research recently is that at the beginning, when we think about misinformation, we think about a specific party spreading it. But sometimes it is just emerging organically from the population, so the availability of the technologies of information make it easy for certain groups to create a deep fake or just to start spreading it. So on the one hand we have things that emerge from the party's campaign that actually can be easily identified. On the other hand we have things that emerge from the public. It is not only about identifying them but also about curtailing freedom of information and of action. So I think that one of the key things is, yes, to make it easier for people to get access to the original source, and for that it comes back to the social media platforms, when they have to release who it was. I mean, they do keep a record, right; there is a digital footprint. It is more like the victim cannot get access to it very easily. So I think if it has been reported, it needs to be easier for the police and the victim to actually get a right to reply and to also have the power to take down the ad or the information more easily than is being done now.

Something that has been working in the UK is improving digital citizenship or creating a code of conduct among citizens. This is difficult because it takes a different approach. So it is not reactive and it is also not about legislating it, but it is about convincing people and that will take a long time. It is not a thing that will happen from one election to the other. We see that, for example, when political leaders take a stance on something, people tend to follow. So if parties can agree on a code of conduct between them on certain types of behaviour during elections, then it becomes easier to actually influence people and change how people think about these types of things. A lot of them, they just do not think that circulating fake news is actually meddling with elections, so for some of them it is just literally circulating information, and also because the line is not that it is fake or true; sometimes it is just misleading.

Mr MEDDICK: I guess I am going down the path of where the media owner controls that information and generates that information or that misinformation themselves, rather than taking it from the public context where it has been organically generated as a rumour, you might say. Rather the media owner themselves is the generator of that rumour—that misinformation.

Dr COLLIGNON: Yes. For that case, for example, fines can work, and then of course legislation can be of much more use.

Mr MEDDICK: Great; thanks so much.

Prof. O'LOUGHLIN: I would just add that it might be something for the Labor Party maybe to think about for the next time they are in office—how to stop media monopolies, how to use competition law to stop this problem emerging in the first place, because this has happened over decades. Again, you can do this from below through Labor but also through international comparisons and international pressure to show that actually this is a really abnormal situation and that in many democracies competition law stops that kind of monopoly and therefore stops leaders feeling that they can project disinformation without being held to account for it. So it is a long-term structural problem in the economy that has to be resolved, I think, to have that political benefit—it is scary really.

Mr MEDDICK: Yes, it is. Thanks very much for that.

The CHAIR: Ms Lovell.

Ms LOVELL: Thank you very much. Thank you both for your presentation. I am just wondering how you feel about the social media platforms themselves becoming censors, so self-appointed censors where in the American election they were putting badges on things or comments on things to comment about whether they thought these were true or not true. They are not regulated in any way, but they just appoint themselves as the censors of the commentary.

Prof. O'LOUGHLIN: Sofia, you can come in on this as well. It is really problematic, because when you hear Mark Zuckerberg talk about the community on Facebook and who he will appoint and then how this appointment process has happened in the last 18 months or so, there is no connection to national politics in any country, or it is pretty rare—it might happen a little bit in America. So there is a need for social media corporations to be given a sense that the communities they are building are not just transnational and one big community of users, that they are part of national communities. But that is quite a hard culture shift, given where these companies are based and the kind of Californian ideology that still informs them. So I am not quite

sure how that could happen, because you have got organisations like the OSCE that are supposed to maintain standards of democracy across where democracies exist, but they are so small that they cannot put pressure on Facebook or Twitter or whoever. That for me is the problem.

Maybe you can put pressure in Australia or in Victoria on any social media company that has offices there and who will come to your meetings and will come to the committee to have a local team or a local committee that they appoint with you that is transparent and open, but I think without that local connection and without getting them to understand why that local connection is really important, we are not going to see any progress on this.

Mrs McARTHUR: I will just butt in there. The good news is we have got their email addresses today; we are moving forward.

Prof. O'LOUGHLIN: Yes, because we found in Brussels that we have conversations about how democracy is not quite working because of social media and you will have Google and you will have Facebook in the room, but the solutions they are recommending are not nationally focused, they are not a specific election focus, they are not state focused. So at least you can begin the conversation with them there.

Ms LOVELL: I think it is very difficult because obviously they are based, as you say, in California. How do you have regulation that covers them that suits the UK, that suits Australia, that suits European nations and the US as well? But in the absence of any international regulation over them they have now appointed themselves as the censors and are actually making the commentary themselves, which is again dangerous because they do rely on advertising dollars and they could be influenced.

Dr COLLIGNON: It is true because assuming neutrality is of course false, right? They rely on algorithms and mining information about everybody and they can sell it, and the moment that they can sell it they also have interests. I think the approach that Facebook has been taking is consistently different from the approach of Twitter. For example, Twitter has been more proactive on flagging false information and also preventing political ads to be circulated there—of course not if people circulate them, but more ads that can be paid. I think this is a very interesting question also given the fact that they are transnational, and if I want to comment on an Australian election, it does not really matter if I am in the UK or not, they cannot prevent me from doing it, and the standards can be different in different places. So it is true that homogenising perhaps the expectations on legislation across different countries can be something that definitely needs to be pushed in the future.

The CHAIR: Thank you. Dr Read.

Dr READ: Nothing from me, Chair. I think, looking at the time, we should keep moving.

The CHAIR: All right. On that basis, can I thank you for your submission and your presentation today. It has been very insightful and helpful for the committee. There may be some additional questions that we may come up with subsequently and there were some committee members who could not attend today as well, so maybe if we could potentially submit some questions offline as well, we would appreciate your assistance with those. That would be very helpful for us.

Prof. O'LOUGHLIN: Thank you for giving us this chance late in the day for you, and I am sorry about the technical trouble earlier.

The CHAIR: Not a problem.

Prof. O'LOUGHLIN: These are big, meaty questions, and it is great that we can engage with them and start thinking how to act on them.

The CHAIR: Absolutely, and again, thank you for your time.

Dr COLLIGNON: Thank you very much.

Prof. O'LOUGHLIN: Thanks.

Witnesses withdrew.