



Select Committee on Democracy and Digital Technologies

Corrected oral evidence: Democracy and Digital Technologies

Tuesday 3 September 2019

10.35 am

Watch the meeting

Members present: Lord Puttnam (The Chairman); Lord Black of Brentwood; Lord German; Lord Harris of Haringey; Lord Holmes of Richmond; Baroness Kidron; Lord Knight of Weymouth; Lord Lipsey; Lord Lucas; Baroness McGregor-Smith; Lord Mitchell; Baroness Morris of Yardley.

Evidence Session No. 2

Heard in Public

Questions 12 - 30

Witnesses

I: Ms Susannah Storey, Director General for Digital and Media Policy, Department for Digital, Culture, Media and Sport; Ms Sarah Connolly, Director for Security and Online Harms, Department for Digital, Culture, Media and Sport; Ms Natalie Bodek, Deputy Director for Elections, Cabinet Office; Ms Michelle Dyson, Director of Qualifications, Curriculum and Extra-Curricular, Department for Education.

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Examination of witnesses

Natalie Bodek, Susannah Storey, Sarah Connolly and Michelle Dyson.

Q12 The Chairman: Good morning. I am required to read out a kind of police caution. As you know, this session is open to the public, a webcast is being broadcast live and will subsequently be available on the parliamentary website. A verbatim transcript of your evidence will be taken and put on to the parliamentary website. You will have an opportunity to make minor corrections for the purposes of clarification or accuracy. Perhaps you will now introduce yourselves and the session will begin formally.

Natalie Bodek: Good morning. I am the acting deputy-director for the Elections Division in the Cabinet Office.

Susannah Storey: I am the director-general for digital and media at DCMS and on day two of my job.

Sarah Connolly: I am the director of security and online harms in DCMS.

Michelle Dyson: I am the director of qualifications, curriculum and extracurricular in the Department for Education.

Q13 The Chairman: Thank you. What work have the Government done on the effect of changes in digital technologies on trust in democratic processes and institutions?

Natalie Bodek: The advent of digital technology presents great opportunities and threats to our democracy. That is why we have established a Defending Democracy programme to tackle this specific issue. The programme was set up to bring together in one place government expertise from across a range of departments and disciplines and to co-ordinate our response.

The purpose of the programme is to promote the integrity of the electoral system and defend it from any hostile activity while maintaining the public's confidence in our democracy. It is a cross-government programme that is being led and co-ordinated by the Cabinet Office, and it was set up in 2018.

It is structured under four main pillars: protect, strengthen, respect and promote. The protect pillar is about securing our democratic processes, systems and institutions from any external interference that could, for example, include cyber-type attacks. The strength pillar is about reinforcing our electoral integrity. For example, it looks at making sure that our regulatory frameworks are as robust as they can be. The respect pillar is about securing free, open, fair and secure democratic participation in our democracy, and the promote pillar is about promoting open and fact-based discourse.

That is a flavour of the programme. It has brought together the existing package of work to enable us to co-ordinate our activity better, and

Ministers have announced a programme of new measures that they will take forward in May. That gives an overall flavour of how the Government are co-ordinating the work in this space.

In terms of trust in our democracy, last year the Electoral Commission issued a report which suggested that three-quarters of the public have a high level of confidence and trust in our democratic processes. Obviously, we can do more, and Ministers are very cognisant of the need to boost our security and resilience in this space.

Susannah Storey: This is obviously a huge issue. As you know very well, many different parts of government are involved in different aspects of these overall areas. As Natalie has said, the Defending Democracy programme is a big part of the Government's work to bring together the various strands of the things that are going on. The Online Harms White Paper published by DCMS in April is one of the key things that we might want to go into a little more.

Sarah Connolly: I echo particularly Susannah's comments about the Online Harms White Paper. There is work in that which is very applicable to this space. We can also talk a little about the work we have been doing with some social media companies, particularly on the promote that Natalie was talking about.

The Chairman: Michelle Dyson, do you have anything to add?

Michelle Dyson: No.

Q14 **Lord Harris of Haringey:** Perhaps we can talk about the Online Harms White Paper. When it first appeared, I have to say that I was rather impressed with much of its content. How in practice do you see what is set out in the White Paper tackling public harms as opposed to private harms, in particular public harms to democracy?

Sarah Connolly: Thank you for the question. It was a work of love to get the White Paper out, and we are pleased with it. For the benefit of your colleagues, the principles of the White Paper turn essentially on a duty of care that companies will have to protect users online, which will be enforced through an independent regulator.

One of the harms set out in the White Paper is tackling disinformation. As with all White Papers, we are consulting on it. The consultation finished on 1 July, and my colleagues, along with others in the Home Office, have spent the summer combing and going through the various responses. They are just beginning to get to the stage where we have some of the consultation responses.

However, this is the consultation phase, and that consultation was deliberately formed for a slightly peppermint White Paper: not entirely green and not entirely white. 18 questions were asked, a number of them about how the White Paper will happen in practice. Some of the questions were also about scope, including disinformation.

The slightly unsatisfactory answer to your question at the moment is that we are working through the detail. The White Paper as it stands includes disinformation, and there are some suggestions about increased transparency that we think will help enormously in this space. but we are still in the consultation phase.

Lord Harris of Haringey: I appreciate that we are still in the consultation phase, but as someone who was clearly the midwife for the paper — or whatever phrase you want to use to describe the difficult birth of the Online Harms White Paper — the focus of most of it is on individual harm. That is clear and there is a lot of good stuff about it.

Does that naturally read across to wider public harm? Perhaps I may take the example of disinformation being a harm. It is clearly a harm to me as an individual if something convinces me that there is some magic bean that will cure my cancer, but it is slightly different from disinformation that affects lots of people and changes the tenor of debate. I am interested in exploring some of the thinking that is no doubt implicit in the document itself.

Sarah Connolly: The White Paper was constructed to focus deliberately on individual social harms; the previous set of Ministers were very keen that it would be narrow in scope and would focus on those individual harms. We think that tackling individual harms will have a net benefit for the wider public.

If you are tackling individual harms, the aggregate will help the public. But some of the answer here actually goes back to Natalie's point about the wider Defending Democracy programme and the wider work on disinformation in which we have tried to focus on tackling the actors involved in spreading disinformation and the environment that enables it. That is where the White Paper would be helpful with regard to social media platforms in particular — we know they are where some of this disinformation is spread — actively taking more of a role, as well as some of the audience they reach.

Other parts of the White Paper that we may want to talk about later deal with media literacy and encouraging people to think again about what they are seeing. Out with the White Paper, the Cabinet Office has done some work particularly in pilot campaigns on trying to encourage people not to spread disinformation that they see online without question.

Lord Harris of Haringey: I appreciate that all of this is still out for consultation, but do you see the Government setting out a framework, or the framework for things like disinformation in fact being set by the regulator?

Sarah Connolly: It is still out to consultation, but the White Paper as it stands says the latter. It would be for the regulator to set the detailed framework for the companies.

Q15 **Lord Mitchell:** Continuing on the same issue, does the White Paper

intend to encourage social media platforms to remove content that would not otherwise be illegal?

Sarah Connolly: I am speaking on the record, so for the duty of care I would set out the caveat again that this is all out to consultation. The duty of care requires companies to take more responsibility for the harmful content and behaviour that is on their platforms.

I should caveat that slightly by saying that this is absolutely not about imposing excessive regulation. However, every company within scope will need to fulfil the duty of care, which means that illegal material should be taken down because it is already illegal: that is, it is already illegal to have it up and we expect it to be taken down.

With legal but harmful material, we want companies to have systems and processes in place that are risk-based and proportionate to the platform. A comments page on a shopping site, for instance, would be likely to pose a quite different level of risk from a social media site that is aimed at fomenting dissent.

There are two different kinds of risk profiles in that. The White Paper is fundamentally about systems and processes rather than individual bits of content, and it will be for an independent regulator to decide exactly how that will work. However, we would expect the regulator to work with the companies to understand their risk and thus determine what a proportionate response looks like.

Lord Mitchell: Okay. I would like to give my impression, which is not even to do with this Government but with all governments, vis-à-vis social media. We are dealing with a category of organisation whose method of doing business is basically to shoot first and ask questions later. They run very fast and it is hard for the Government to keep up with them. Yet when it comes to the issues that all of us are dealing with, they are almost passive in their innocence and their ability to deal with them.

I just wonder about your views on dealing with the Facebooks, the Twitters and the Googles, whoever it happens to be. Do you feel that we are being firm and strong enough to entrap them — that is the wrong word — to prevent and contain them as much as we would like to do?

Sarah Connolly: I spend a great deal of time particularly with tech giants and the major social media platforms, so I will say a number of things.

The first is that the measures we have set out in the White Paper, although they are still out for consultation and subject to new ministerial views, are genuinely world-leading. No other country has done this in the way that we have done it. Some countries have done bits of it, but this total and holistic systems approach is new. Certainly in my conversations with these companies I have found that they have indicated that they will comply with the law. The White Paper gives us the opportunity to do something that no one has done before, which is really important.

Secondly, for the most part, these are quite young companies and they have gone on this journey. I have certainly seen the huge benefits that they bring. Given my job title, I am sometimes apt to forget that, but they do bring huge benefits. The larger ones in particular have understood over a period of time that, having built something, it can be used for nefarious purposes, and they have done quite a lot of work in this space to try to be more responsible.

However, the measures set out in the White Paper present an opportunity, assuming that Ministers wish to stay on this path, potentially to make real strides forward.

Lord Mitchell: I have a quick comment, if I may. I have often found when dealing with these companies, particularly American ones, that they will stick to the letter of the law, as you have indicated, and anything legal they will pursue. Sometimes they do not put a moral compass on it because they have responsibilities to their shareholders. That is one of the reasons why, whenever I see terms like 'voluntary codes' or whatever, I become very nervous, because these companies are not interested in voluntary codes. There have to be absolutely cast-iron statutory responsibilities.

Sarah Connolly: The reason previous Ministers were so keen on the advantage of a duty of care was because it allows for flexibility. It makes the letter of the law about having a duty of responsibility to users rather than taking a single line. It builds in flexibility, which was the intention.

Lord Lucas: This area has proved to be very difficult for existing strategies. To speak of my recent experience, "The only good Tory is a dead Tory", is allowable, but the woman is an adult human female who gets a visit from the police. In circumstances where it is clearly difficult for the structures that we have in place to discriminate on the basis of harm as an idea, do we expect them to work online?

Sarah Connolly: The answer is in two or perhaps three parts. As I have said, where something is illegal, whether it be hate speech or threats of violence, that is currently illegal.

There is, I think, a question about enforcement. I know that my Home Office colleagues are doing some work to encourage and work with the police on online enforcement issues. Again, going back to the White Paper, its measures would contain that kind of duty of care. Depending on the harms, the White Paper as it stands includes a list of sets of harms, dependent on consultation, and it will be for the regulator to set what it thinks it is reasonable for companies to do in that space.

One of the things that we mention in the White Paper is terms and conditions, and companies' own terms and conditions. Often, if the companies are alerted they will take it down. At least, they will need to have processes in place to do that under the current duty of care.

Thirdly, we also commissioned work from the Law Commission, which is looking at online abuse and whether the laws in that space are the right kind of laws or whether we need to think about more in this space. The one that is particularly interesting relates to aggregated abuse and whether we should think about lots of people piling in. The Law Commission is conducting a mid-review at the moment that will conclude in 2021. We are talking to it so that we can make sure that, as we think about the development of the White Paper and the next steps, we take its learning as we go.

There is work in progress which I hope will tackle some of that.

Q16 Lord Knight of Weymouth: This is my first public session of the Committee, so I should be clear about an interest in respect of my work at Tes Global, where I manage a sharing platform for teachers globally.

In the context of that work, I am aware of the copyright directive and Article 13, which will require us to filter content for copyright. Is there any thinking as to how we could use the same process and requirement on platforms to filter for the sorts of issues that Lord Mitchell has been asking about?

Sarah Connolly: Just to be clear, are you asking about the technologies for filtering or the legal framework?

Lord Knight of Weymouth: Companies will have to have processes. If they are large enough to afford some kind of magical black box to filter for copyright content, that will be lovely, or they will employ people, or they will do a combination of the two.

Sarah Connolly: In terms of filtering, or hashing in the case of child abuse images, there is an interesting distinction between material that is illegal and there is enough data and understanding of what it looks like, and things that are a bit more contextual. If I can exemplify, with terrorist content or child abuse images there is a large amount of material, so people know what it looks like and it is relatively straightforward.

The same is true of things like nudity; there are algorithms for flesh tones. It is the same sort of tech that is used for copyright, so once you know that something is copyrighted you can tag it, hash it, search for it and take it down, and technology will do a great deal of that work for you.

Hate speech is quite a good example of things that are greyer. It might be a racial slur; it might be a re-appropriation of language. It is quite difficult to tell, and at the moment it is very difficult for the technology to tell. It really needs human eyes on to understand the wider context.

Certainly most of the tech giants are investing in quite a lot of that. They have a real problem with volume, which is true of quite a lot of the tech companies in this space. The sheer number of uploads and amount of material that is looked for is difficult. You are right that that is also true

of copyright, but the problem, of course, is the amount of data that they have and the need for eyes on in slightly different contexts.

That is a very long way of saying that, yes, it will help for some, and there is quite a lot of investment and thought going into what that looks like. Child abuse and terrorist images are front and centre of this approach, and they are explicitly called out as two things that we want to tackle first in the White Paper. Quite a lot of the rest is more nuanced and there is more difference.

Q17 Baroness McGregor-Smith: You talked a lot about a risk-based approach. Could you explain what the tech giants are actually doing about this risk-based approach and how much money they have spent developing it already?

Sarah Connolly: I am afraid you would need to talk to the tech giants to get details of their approach. I can certainly talk about how we envisage the White Paper's risk-based approach, if that would be helpful.

Baroness McGregor-Smith: I did not know whether, when you said that you had conversations with them, they had actually shared their thinking with you and how they were going to develop these supposed risk-based-approach ideas.

Sarah Connolly: We talk to them in a fairly regular dialogue, which is focused in particular at the moment on the White Paper development and things that they are doing. I would not wish to speak for them, but I am very happy to give you a sense of our risk-based approach as it is set out. It will be for the regulator to decide. Without wishing to be boring, again this is subject to consultation and new ministerial views, which we are yet to work through with them.

The previous administration certainly had the idea of almost a three-pronged, risk-based approach. One is the size of the company; you would expect a tech giant to do more than an individual who has just created a clever app in the garage, so you would expect the size and the ability to throw resources at it.

The second is the kind of harm. As in the previous question, we would expect companies in scope to do much more, faster and more thoroughly on child abuse, hate speech and terrorist imagery, because they are the more egregious ones.

The third is the nature of what the company does. You would expect a company that is entirely focused on children, that is totally aimed at younger people, to have more processes and systems in place to protect children than a platform that advertises it as quite a punchy conversation between consenting adults on a particular topic. What the company does also matters in this space.

Baroness McGregor-Smith: My concern is that it is nearly impossible for these companies to manage the development of risk-based systems on technology that is moving so quickly, together with the advent of AI.

Therefore, the amount of guidance that you can give them, and the regulator that is being set up can give them, could take us years and years. A decade on, we could still be having a conversation about what this really means. The challenge will be speed, and I am interested in whether they have committed significant sums to address this issue, because it will cost significant sums to address it.

Secondly, in any of your conversations with them, have you heard, and will it come out later, what the investors actually think? These companies are guided only by what their investors will say, and I doubt that those investors will be very happy if significant sums are spent on things like this. It is something to consider, particularly with a new regulator being set up, because unless investors are on-side I want to see how much of what you are saying can actually be delivered.

Susannah Storey: DCMS is obviously interested in a range of things, including online harms and being one of the safest places to be online, but also in being a successful place for tech businesses to operate in. We look at some of those factors in our wider work, but we would have to come back with any specifics about their investment. We do not have those today.

Q18 Baroness Kidron: In a way, my question builds very specifically on some of the things that you have just raised — the question of encryption. Over the last few months, we have heard the companies — specifically Facebook but also, behind them, Mozilla and Google — talking about end-to-end encryption and their users having greater privacy.

I have a rather extraordinary quote from Mark Zuckerberg here: "Encryption is a powerful tool for privacy, but that includes the privacy of people doing bad things. When billions of people use a service to connect, some of them are going to misuse it for truly terrible things like child exploitation, terrorism and extortion".

I put that on the record, because my question is how the White Paper will address that. There are two separate issues here. One is the timing. We understand that by the end of the year these services will be moving very rapidly to this new tool. Also, it knocks out some of the systems which Sarah has already referred to; things like PhotoDNA may be incompatible with the new systems.

I want your general view on it, but I also want to ask very specifically whether this is the sort of area where regulation and government can step in and say, "You cannot innovate in ways that roll back the protections that we already have on things like cSCAN, disinformation and so on, because all this will be happening in private".

Big question, I know, but if you can unpick it a little, that would be great.

The Chairman: Incidentally, Sarah, would you like to chip in on this?

Baroness Kidron: Yes.

Susannah Storey: Yes, why do you not start on this and I will fill in?

Baroness Kidron: Sorry, I should have cut my question into pieces, but have a go. I know you are up for it.

Sarah Connelly: On encryption, it is the Government's position that strong encryption is a good thing, and a good thing for a whole set of businesses and measures. Just to be very clear about that, encryption in and of itself is positive, and there are plenty of reasons for that. Obviously, there are challenges where companies are changing, you are right; Facebook's announcement is the big one at the moment. There are absolute challenges where illegal material in particular cannot be accessed, and that is a matter of concern. We would hope to have conversations with companies going down that route to try to find a middle ground, a way through that situation.

The question about the Online Harms White Paper is one of the questions that we have consulted on. As it stands, we have proposed a differentiated approach for companies. I will take WhatsApp as an example. The idea is that we would not require eyes on the content, but we would require a systemic approach to apply to things like user complaints and the processes around it. So it is a slightly differentiated approach as it stands, but, again, it is out for consultation, and I think we all recognise that this area is particularly difficult.

Baroness Kidron: I understand that this is a conversation, I really do, but are you comfortable with that emphasis on user reporting and withdrawing some of the technical solutions that we have for what are very possibly less good technical solutions?

Sarah Connelly: Sorry, just to be clear, the user reporting was an example. It is not just that. As it stands in the White Paper, the idea is that although there would not be eyes-on content, there would be a wraparound of other measures—transparencies redress various other things—which we hope would help. But there is a constant conversation about technology and, as the technology grows and changes, about what that means in particular for illegal content in this space.

Susannah Storey: These are such difficult issues, and we will be very interested in your thoughts. That is one of the reasons why it is good to have this conversation. Obviously, the backdrop is changing all the time. We hope to respond to the consultation later this year and then get on with this, because we have been one of the first Governments to put forward these kinds of measures. However, as you say, it is extremely complex and the backdrop is fast-moving.

Baroness Kidron: One last thing. I hear you loud and clear that we want positive solutions and technological solutions. However, there is some concern in this area that AI is being overpromoted and is not yet in a position to deal with this, and that reducing what we have is the sort of thing that we are looking for government leadership on.

Susannah Storey: Yes. These are the issues that we will obviously talk to our new Ministers about and will go from there.

Q19 **Lord Harris of Haringey:** I move from encryption to anonymity.

Sarah Connelly: Seamlessly.

Lord Harris of Haringey: As I understand it, the White Paper suggested that the codes of practice, which presumably will be generated by the regulator, should include steps that companies should take to limit anonymised users abusing others. Did the Government have any steps in mind that might be considered, or were they just passing it over?

Sarah Connelly: I think the White Paper says that a company needs to take responsibility, and it is particularly focused on tackling abuse online, including anonymous abuse.

This goes a back a little to the wider steps in the White Paper. We would look to the companies to take steps to identify users—again, it is a specific consultation question—and we would seek an independent regulator to work with companies on that. It is worth being clear that the police have a set of powers that allow them to identify individuals who attempt to use anonymity and who are doing something illegal currently. However, we recognise that that particular issue of anonymous abuse online is problematic—the White Paper recognises that—and, depending on the outcome of the consultation and the new ministerial preferences, we will take a look.

Lord Harris of Haringey: Facebook is introducing, or has, a real-names policy. I have no idea whether it is any more effective than its age policy. Is that part of the consideration of an expectation on social media companies to have a means of verifying the identity of people, even if at that stage you can still post something anonymously, but the company could still find out who you are or knows who you are?

Sarah Connelly: It is an incredibly complex issue that is fraught with a whole set of problems, some technological and others to do with human rights and whether you want individuals, whistleblowers or whoever, to have an anonymous space to speak freely. It is something that we are thinking very carefully about in the context of the next steps of the White Paper, and we will wish to discuss it with new Ministers.

Lord Harris of Haringey: I will make one more probe into this, although no doubt you will give the same answer.

Twitter allows you to mute or not to receive things from users who have not provided a telephone number, not necessarily to you but to the company. Could more be done to highlight that and therefore enable people not to hear people who have not provided any indication of their identity to anyone? For example, if a tweet is from some anonymous troll who you suspect is from a basement in Russia or whatever else it might be, or from some sad individual who has 400 different identities, you can flag that up and say, "This is a completely unverified user", so that people know that it is drivel and have a mechanism to block it.

Sarah Connolly: Depending on conversations with new Ministers, there is a set of these, and that might be one, but it slightly goes to your first question, which is that there are different approaches for different companies that may be more appropriate. It is one of the really thorny issues that we collectively need to work through really carefully.

Lord Harris of Haringey: We had some very thoughtful evidence from Baroness O'Neill of Bengarve, who drew a distinction between the rights to anonymity. A journalist's anonymous source is at one end of the category, but if we as citizens are engaging in public discourse we should be required as part of public debate to say it openly and in public as opposed to — the phrase she used — hiding behind a hedge and throwing stones.

Do you think there is a way of defining what is part of public debate and public discourse as opposed to the more specific needs for confidentiality and anonymity that might be required for whistleblowers?

Sarah Connolly: It is a really interesting idea and something that we would likely want to consider, depending on ministerial views. But, if I may, I would say that it speaks rather to the desire to have this debate and to continue to talk and to seek expert views.

Lord Lucas: Would you allow the Government's Verify service to be used for these companies to establish that a person is real — that they are using their real name and that they have only one account, for instance?

Sarah Connolly: We are looking at a whole set of options. We have not considered that in detail, but it is certainly an interesting idea.

The Chairman: This may be a suggestion, but I went through the paper and there is nothing in the online parts of it that relates to human moderation. This is an unregulated space, yet it is already clear that it is causing quite a few issues. Should it not be regulated—in which case, how do you protect people who are in quite low-paid jobs in a workplace that at the moment is just a commercial workplace? That is an unfair question, but there is nothing in the Online Harms Bill that even addresses this issue.

Sarah Connolly: You are right: there is nothing in the Online Harms White Paper on it. This is not an area that I know a huge amount about, but we have done a little work, particularly with groups like the Internet Watch Foundation, which is obviously very focused on protecting their human moderators. I know that some of the tech giants also think about how they can protect their people. It is not something that we have thought a huge amount about, but it is a very fair question.

The Chairman: It is nice that you use the term "duty of care" quite a lot in the Bill, but the idea of rolling out a duty of care as an obligation to tech companies to look after their own staff does not seem to be such a terrible stretch.

Q20 **Lord Holmes of Richmond:** When do the Government expect to issue

their response to the White Paper, or indeed the slightly pepperminty paper as it has been described?

Susannah Storey: Later this year.

Lord Holmes of Richmond: Do you have anything more to add?

Susannah Storey: No.

Sarah Connelly: It was published in the spring.

Susannah Storey: The consultation responses were back by 1 July and they are now being gone through. Later on this year we hope to come back on them.

Lord Lipsey: Would that timetable still hold if there is an election?

Sarah Connelly: I suspect that would depend on existing and new Ministers.

The Chairman: This is a very worthwhile discussion, because without any doubt at all this is a huge issue for us.

Lord Harris of Haringey: I am sorry, but perhaps I may follow up on the question that was not about the election.

I remember asking the previous Secretary of State—I appreciate that there is now a new Secretary of State—whether it was the intention to try to legislate in the next parliamentary session, although at the time there was no indication of when that might start. Let us assume that there is a parliamentary session which starts next month or perhaps the month after. Would it still be the aim to try and bring legislation forward on this if that is what Ministers want to do?

Sarah Connelly: If that is what Ministers want to do. We are in ministerial hands.

Susannah Storey: It is definitely on our list as a key priority, because the Online Harms White Paper is such a big part of the DCMS agenda.

The Chairman: We shall move on to the structure of government.

Q21 **Lord Knight of Weymouth:** How are the different departments, in particular those being represented today — I know that the Home Office is not represented, which I am definitely interested in as well — co-ordinating their activities on supporting democracy in the face of the challenges being posed by technology?

Natalie Bodek: I mentioned at the outset that we have the Defending Democracy programme, which brings together the existing package of work across government. That is led by two main co-ordinators: the Deputy National Security Adviser and the Director-General of Governance and Domestic Affairs. They report to the Minister for the Cabinet Office, who delegates the day-to-day oversight to the Minister for the Constitution.

It is thus led by the Cabinet Office but is co-ordinated over quite a large number of departments, which I will name: the DCMS, which is represented here today; the Home Office; the Northern Ireland Office; the Foreign Office; MHCLG; and DfID. We also work with the National Cyber Security Centre and the Centre for the Protection of National Infrastructure. We are working across a large number of departments to bring together the existing activity and structuring it under the pillars that I mentioned at the outset to create a sense of co-ordination of the work.

Also, on the operational delivery of elections, we set up an election cell at the 2017 general election and another one at the European parliamentary elections. Again, the purpose is to bring together the relevant expertise in government and to invite the Electoral Commission and the police to interact with us so that we can bring together all the perspectives of what is happening on the ground. The Electoral Commission has valued that hugely, because it was able to feed in its insights from returning officers about what was happening and to get a sense of whether there was a threat level and what it might be, along with which messages might need to be communicated.

Lord Knight of Weymouth: It is impossible not to ask this. If we suppose that an election takes place fairly soon, do you think that such a cell would be established again?

Natalie Bodek: I think it is highly likely that we would roll forward that approach in the future.

Lord Knight of Weymouth: Is there any sub-committee of the Cabinet at the ministerial level which discusses these things?

Natalie Bodek: I think it is being dealt with through a programme structure that reports to the National Security Council.

Lord Knight of Weymouth: I think the last pillar that you mentioned earlier was a rich debate full of fact. The question whether we have anything like that is quite contentious. So it is a National Security Council issue.

Natalie Bodek: As it is part of the election cell, I believe that media monitoring would take place and has taken place in the past. The election cell provides an escalation point for any issues within government.

Sarah Connelly: I will respond in part because Natalie has been in post for a fortnight, while I have been in post for slightly longer. Natalie is absolutely right that the structure is with the two directors-general. That feeds up through the National Security Council and the Defending Democracy programme. Those are the Cabinet Office structures that will feed into the National Security Council.

You asked specifically about the fourth pillar: promoting a fact-based and open discourse online. I am the SRO for that. It is worth saying that it is specifically online and that we are working particularly with the big social

media platforms, which are very well placed to identify what is happening, particularly where it is co-ordinated in authentic behaviour, and to remove it.

We are having those conversations. It is a fairly nascent piece of work, partly because the tech is fairly nascent, but we are working in quite a co-ordinated way across Whitehall. It is one of the more co-ordinated things that I have seen in my 15 years as a civil servant. There is a lot of co-ordination and active monitoring. However, it is worth saying — indeed, across all this work — that I do not think we believe, and the Defending Democracy programme is clear about this, that it is just about government effort in this space. It is incredibly important that we have academics and experts along with civil society and other voices in the space. It needs to be about the whole of society.

Lord Knight of Weymouth: Finally, just to help us, let us take the threat of a foreign actor wanting to interfere in our democracy through online activity. How would that be monitored across government in terms of using your relationship with the technology companies?

Sarah Connolly: I should be really clear that there has been no evidence of any successful foreign interference in UK democratic processes. We have a set of different departments that have monitoring capabilities and they make up more or less the list that Natalie set out, including the Home Office, the Cabinet Office and DCMS. A team looks at this and pulls it together, which includes a conversation with some of the social media companies. As I have said, they are very proactive and good at spotting these things. They have no interest in co-ordinated inauthentic behaviour on their platforms, because for the most part their business is about connecting people and they do not want it on them. They are very good at taking it down for commercial reasons which have then been expanded.

We have a unit, which sits in my team, that talks to the workspace and social media platforms to understand what they are seeing. As I said, it is nascent work, and it is very much dependent on trust. It is work in progress, but there are base structures in place to try to have those conversations, pull it together, and then escalate it up through the Defending Democracy work.

Lord Lucas: With all these different people, organisations and points of view involved in this, are you using digital democracy software like Delib to manage the conversation, or have you not considered that?

Sarah Connolly: We have not considered it. We are at the beginning of pulling it all together, but thank you. That is terribly useful.

Lord Harris of Haringey: This is a very small point. You talk about escalating the issues up to the National Security Council. I had understood that, following the change of Prime Minister, the sub-committee structure under the National Security Council had not yet been reconstituted. If that is the case, does it present an issue, because

presumably it would not necessarily have gone to the full National Security Council?

Susannah Storey: We will have to come back to you on that. We are confident about the way the programme is working and who it reports to in the Cabinet Office, and we can come back to you on that specific connection point.

Q22 **Lord Black of Brentwood:** I have a couple of questions about regulators, the first of which is about the Information Commissioner, who obviously has an important policy and enforcement role in this area. The accountability and responsibility structures of the ICO are almost Kafkaesque in their complexity. I am sure it is the result of legislation, but why does the ICO need to report to the DCMS and not to an independent management board like the Electoral Commission?

Susannah Storey: As I understand it, the requirements on the ICO are set out in legislation. It is a corporation sole, so it has no statutory obligation to have a board, although it has a management board. However, basically because of its role as a national supervisory authority, it needs to be set up on that basis. There is a management agreement between the DCMS and the ICO, but in effect the Information Commissioner is independent.

Lord Black of Brentwood: But as I understand it it is the Information Commissioner's responsibility to ensure that the ICO's policies are consistent with those of the Secretary of State. In the last six years, we have had, I think, five Secretaries of State, and depending on what happens in the next month we might have an entirely different Secretary of State with an entirely different set of policies. Does that make her life difficult when trying to produce cogent policies in this area, or do you think the system works well?

Susannah Storey: You would have to ask her whether her life is difficult. What tends to happen is that, regardless of changes of Secretaries of State, there is a legislative backdrop which sets the obligation for various regulators, including the ICO. So the change of Secretary of State per se would not necessarily change her obligations, but I am sure that you might be taking evidence from her in due course.

The Chairman: Can I follow up on that? This is partly advice, and partly a question. The Government are making a terrible mistake in not ensuring that the ICO has a separate board, for two reasons. First, I do not know whether you have been following what happened recently in Ireland, where Helen Dixon, the ICO, fined the Government for improper use of information. That caused quite a hoo-hah. Try to imagine a situation where you are fining your own Secretary of State. It is not very good idea.

The other thing is that when you look across the piece at the other regulators, they all have management boards and chairs. Would it not be a very good idea to have a linked group of chairs who were prepared to

take responsibility and deal with government on behalf of the ICO and Ofcom, and so on? It would be a much more coherent structure, and much safer for the Government.

In the present situation, it is one slip — sudden death between you and the ICO. You will lose a very good ICO because of a disagreement, and you will not have the capacity to wrap it around something that is a lot more coherent and sustainable. I am expressing a view here, but having looked at that world for a long time and at what happened recently in Ireland, I think the Government would be well advised to revisit this.

Susannah Storey: It is an interesting perspective. Obviously, being very new in the role, I am not aware of any particular shortcomings of the ICO based on its government structure, and as I understand it the structure is a requirement of the legislative backdrop. But we can definitely look at it.

Lord Holmes of Richmond: Just to push on that point, I was interested in how much discussion there has been in the department as to whether the ALB is the right structure. Considering the seriousness of the work of the ICO, and indeed the increasing scale and extent of it, is the ALB the right structure, what kind of discussions have there been, and are there any ongoing discussions and thoughts around the level of budget for the ICO?

Susannah Storey: I am not aware of any concerns from the DCMS about the ICO, but we can definitely take it offline and reflect. As you know, when you look across the range of government bodies and regulators, there is a huge array of different structures, which does not necessarily affect their function. I am not aware of anything. I do not know whether you are.

Sarah Connolly: No.

Lord Harris of Haringey: On a related point, does DCMS set the budget for the ICO, because there are some regulatory bodies where the budget is set by Parliament as opposed to the department which they might be monitoring? In some cases, the conflict of interest for some regulators is even worse in the sense that part of their remit is to scrutinise what that department is doing. Who sets the budget?

Susannah Storey: We think it is the DCMS, but again we will have to come back on that.

Q23 **Lord Black of Brentwood:** The second question relates to the profusion of regulators in this area. We have Ofcom, the Advertising Standards Authority, the CMA, and of course the ICO, which we have just been talking about. Where you get a large number of regulators, that always causes issues. What are the Government doing to ensure that there is co-operation between these regulators and that difficult cases do not fall between the gaps, and, I guess, to ensure that there is a consistency of policy?

Susannah Storey: Certainly one of the things I have noticed, coming into this job, is that there are a lot of different parts in the jigsaw. One of the things that DCMS is thinking about is how all these related aspects work through the regulators. We have in general experienced good co-operation between, for example, Ofcom and the CMA, or the Advertising Standards Authority and Ofcom. So we are not aware of any particular problems, but you are absolutely right; we are thinking about the online harms regulator and where we put that. One of the things the Government will want to think about is where makes most sense, depending on the powers which that regulator will have. I do not think we want to add any more thinking on that.

Sarah Connolly: Just two things. There was a specific question in the consultation about the regulator, who it should be and how we should constitute it. We had exactly the same thought as you: that we run the risk of a profusion of regulators that are sort of in this space.

Secondly, we are working closely, particularly with Ofcom and the ICO, on what any new regulator, as a result of the online harms White Paper, might look like. We are trying to make sure that we get to exactly your question about making sure that there is no space for things to fall between the cracks.

Lord Black of Brentwood: With the best will in the world, a new regulator being established is possibly three or four years away, depending on when legislation happens, and setting up a new regulator takes time. Is thought being given to incubating a new regulator in Ofcom?

Sarah Connolly: There were three options in the White Paper. One was an existing regulator, the second was a new regulator, and the third was an existing regulator for now while we perhaps consider in the longer term the regulatory landscape as a whole. So yes.

The Chairman: To echo Lord Mitchell earlier, in my experience, certainly successful large tech companies are very good at spotting the gaps between regulation. Therefore, allowing any gaps to occur would be foolish, and it would be advisable to have some back-up process.

Q24 **Baroness Morris of Yardley:** Perhaps I could open this little group of questions on education. Could you outline for us where work in this area sits in the national curriculum? When you go through the national curriculum and look at the programmes, you can see it in physical health and mental well-being, in citizenship and relationships and in computing. It would be helpful to know from your point of view in developing this area of the curriculum where you see it fitting, or where it fits at the moment.

Michelle Dyson: You are completely right that it does not fit into one place; rather, it fits into a number of different ones. Also, different schools take different approaches to it. In June, we put out some online safety guidance. We had looked at all the different types of harm that we

know about and that we want teachers to teach children about. We included a section on disinformation, and we said, "This is the content we want you to teach, and these are the subjects within which you might want to teach it".

We are deliberately not being prescriptive, and it is very much a subject for the CE list. As I say, we are deliberately not being prescriptive about which subject it should come under, because what is important is that people teach the content rather than the label that they put on it. For example, last week I spoke to a head teacher who takes citizenship really seriously. I asked him, "Do you do citizenship lessons in your school?" He replied, "No, absolutely not. I have no hours labelled 'citizenship'". However, he set out for me in an email all the different limbs of citizenship and precisely how they are covered within the curriculum in his school and in the extracurricular sphere through debating, the Duke of Edinburgh award et cetera. He was confident that the children in his school are getting a good citizenship education, even though there are no lessons labelled "citizenship".

Baroness Morris of Yardley: Okay, so you make sure that it is in the national curriculum, which is one of the levers you can use to ensure that it is covered. Do you worry about the fact that at secondary level more than half of all pupils are now in academies rather than maintained schools and do not have to do this? What are the levers for making sure that this happens in most of the schools in the state system, which are academies?

Michelle Dyson: The really big lever is Ofsted. A new Ofsted framework came into effect this month, and you will all know how much attention schools pay to Ofsted. There are four judgments on which the overall judgment about the school is based. One of those judgments is new and is on personal development. This new judgment starts by saying that what is required is that, "the provider prepares learners for life in modern Britain by equipping them to be responsible, respectful, active citizens who contribute positively to society". The handbook that underlies that applies to schools and absolutely expands on what you would expect in a citizenship curriculum. It talks about fundamental British values, knowing about our constitution and the rule of law, volunteering and so on. We now have a powerful new lever that will apply to all schools.

- Q25 **Baroness Morris of Yardley:** Moving on to the citizenship agenda, I was on the previous committee that worked on this issue and made some major recommendations. I know that the education world was not a happy place as regards the Government's approach to citizenship at the moment. Yesterday, I looked through some of the national curriculum requirements in this area, and they were all about the harms. DCMS talked about the harms of online learning. I am trying to think of an analogy. It was almost like when books were invented; the guidance given to schools was, "Beware. Children might read things that will cause them to come to harm". There was not an awful lot about the opportunity to become active citizens, so there is a question to be asked about the

buzz.

That brings us back to citizenship, because the old citizenship agenda before 2010 — this is a bit historical — was much more proactive about a citizen being part of the wider group. It was about “me as part of us”, if I may call it that: “What is my role and what are my responsibilities in the society in which I live?” I think it is fairly true to say that the present approach to citizenship is far more about resilience: “How do I become better and achieve more? How do I get better grades and get to university?”

I am not decrying that, but the whole thread or strand of citizenship being a crucial part of education for active democracy has shifted in the past few years and taken us away from that, so you end up with a curriculum that says, “Beware, it can do you harm”, not, “Rejoice. You are the generation that can have a wonderful opportunity in democracy as you grow up”.

I am trying to tease out the balance here. Do you share some of the concerns that we have picked up on when we go into schools?

Michelle Dyson: I am really interested in your reflections on this. When I look at our citizenship curriculum, I do not see that. I see it talking about active citizenship, volunteering, et cetera, and that is reflected in the Ofsted judgment.

Baroness Morris of Yardley: Volunteering is not actually about getting into nitty-gritty of the political system. You start with the good person rather than anything else.

Michelle Dyson: Okay, that is fair enough, but the curriculum talks about acquiring, “a sound knowledge and understanding of how the UK is governed, its political system and how citizens participate actively in its democratic systems of government ... develop a sound knowledge and understanding of the role of law and the justice system in our society and how laws are shaped and enforced”. That is what schools are required to teach.

Baroness Morris of Yardley: That is the nuts and bolts of the constitution.

Michelle Dyson: It is the knowledge that I am referring to.

Baroness Morris of Yardley: That is the knowledge. What is missing and has been squeezed out — I do not say this in a prejudicial way — is the activism. I know many people who know about the nuts and bolts of the political system and do not do a thing beyond being able to write an essay about them. They are not what I would call active political citizens. The point I am trying to make is what turns that into excitement about changing the world or whatever you might want to do.

Michelle Dyson: Do you feel that my point on the personal development aspects of the Ofsted framework helps with that, because it talks about equipping people to be active citizens who contribute positively? It gives

lots of examples of how schools might do that, but it is not overly prescriptive. Ofsted is largely leaving it to schools to demonstrate how that is being done.

Baroness Morris of Yardley: That has been a good move and it will be very interesting to see how the emphasis that Ofsted has put on this works out.

Michelle Dyson: Good.

- Q26 **Lord German:** Can I tease out a bit more on what my colleague has called the nuts and bolts? The department did some work on political literacy. Although you may have a different interpretation, political literacy to me means being able to take part and being encouraged to take part.

Your report found that citizenship teaching was the area teachers felt least confident about, and that was part of their training. Perhaps you could tell us what has happened recently, reflecting not just on the issue on which your own funded research took place, but on citizenship in the Citizenship and Civic Engagement Committee work that reported on all these issues and found that it was in a very poor state. Where are you now? What has happened, and certainly what has changed in the training of teachers?

Michelle Dyson: On where we are now and what has changed, I take your point, but I think there are some healthy signs. The numbers taking citizenship GCSE were up by around 10 per cent this year. Although we do not have citizenship at A-level, the politics A-level was also up by around 10 per cent, which shows that people are more interested in this area.

On the training of teachers, we are doing a lot on training teachers in computing. We have a huge programme on that which will cover the digital literacy aspects of this subject. More generally, we have a new curriculum coming forward in September 2020 on relationships and sex education that will be compulsory for all schools. We are doing a huge amount in this area with a programme worth up to £6 million to support teachers to implement it.

The boundary between relationships, sex education and citizenship is blurry and they do not obviously sound like the same thing. However, they both have a lot of online content. Our primary school curriculum for citizenship has relationships and sex education in it. My 15 year-old son was set this question for his citizenship homework: "Can you design a new relationships and sex education curriculum?"

These things are slightly fluid. The new curriculum on relationships and sex education and all the training of teachers that we are doing for that purpose is a huge opportunity to train them on citizenship as well. One of the things we will be doing as part of that is looking at new resources for teachers for the purposes of relationships and sex education. We are certainly interested in looking at new resources for citizenship as a part of

that. That new curriculum coming in is an opportunity to up capability, I guess, on citizenship.

Lord German: You have used a personal experience. Many of us here go into schools and talk to young people, and ask 17 and 18 year-olds the education question: "Do you feel confident about going out to vote?" Inevitably, young people say that they have not had enough education. Teachers feel that they lack confidence in that, because they see themselves straying into the party-political environment.

We have separated out the party-political environment and the job that we as politicians do from the nuts and bolts of how it all works. If teachers do not feel confident, how will they be able to move forward in being able to use whatever technology comes before us in promoting democracy as opposed to the methodology that inevitably ends up as "how we do it"?

Michelle Dyson: I agree that we need to make sure that teachers feel confident. We need to give them resources that help them to feel confident with that. Some good resources have been created by Parliament. The DfE has a website that we jointly own with the Home Office. It is called Educate Against Hate and is primarily an anti-extremism website, but it has some great citizenship material on it, including the Parliament material, and it gets a huge number of hits from teachers.

One of the issues in this whole area is that people can create great materials, but if they are not used it does not work. I give that as an example. In the first quarter of this year, we had 50,000 or 60,000 hits from teachers on that website, which is probably 10 per cent of all teachers, and huge numbers of downloads of materials. So they are there. With the relationships and sex education curriculum, which people are quite anxious about and are talking a lot about, there is an opportunity to draw attention to this, provide materials and direct teachers to where those materials exist, and help them to feel more confident.

Lord German: Can I end with just one slightly different comment? Now that we have four different administrations looking after this country in this particular space — and teachers move between them — is there any collaboration with the other administrations in the United Kingdom to look at this particular issue about our democratic base, which affects us as a country?

Michelle Dyson: That is a good point. Not to my knowledge, but it is a good thought. Thank you.

The Chairman: Looking at Northern Ireland, it might be a very good idea indeed.

Michelle Dyson: Yes.

Lord Knight of Weymouth: Putting the homework of 15 year-olds to

one side, who is advising the Government on this curriculum area? Clearly, it is complex; you have agreed that it could go in different buckets, as Baroness Morris set out. I am interested in, for example, computer science and teaching the ethics of whether you create some of these things when you are engineering software. I am interested in whether the personal development stuff from Ofsted that you related to us specifies online specifically. There is a whole raft of things that it is quite hard to find your way around, and you need some advisers who are advising you, I hope, on that. Who are they?

Michelle Dyson: I mentioned briefly our big computer science programme, which aims to train one teacher in every secondary school — that is 8,000 teachers by 2022 — both in subject content and pedagogy: how best you teach children. We have set up the National Centre for Computing Education, we have three organisations that are part of that, and we work closely with them. We have top academics involved in that; we can give you their names, if that is helpful. That is on the computer side.

On Ofsted, which I regard as an important development, it has experts; it has done a huge amount of work on this new framework, and it has had expert groups working on all those. I do not know who was in the expert group on personal development, but I would expect that there would be one.

Lord Knight of Weymouth: Generally, I think it is emerging that the Committee is a bit concerned about things falling between gaps, and about co-ordination across government. Is there any evidence at all that those advisers are talking to each other and ensuring that we are getting some consistency for our young people in being educated on these things?

Michelle Dyson: Your question is about co-ordination between—

Lord Knight of Weymouth: If you have wonderful academics on computer science and people who perhaps are advising on personal development in Ofsted, you will perhaps also have people advising you on the citizenship curriculum. We want to know that gaps do not emerge between them because they are not talking to each other.

Michelle Dyson: I do not know whether they are talking to each other. An important thing that we did in the summer was online harms guidance from the DfE, which, as I said, got into moving away from thinking about this through subjects and into thinking more about the harms that we want teachers to teach about.

I know that that does not quite answer your question about whether different people are speaking to each other, but it goes to the question about seeing this through the prism — in that case — of online harms, rather than seeing it through the different silos of the curriculum as we have designed it.

I do not know whether people are speaking to each other, but there has been nothing like preparing for this Committee to bring all this together and see its coherence.

Lord Knight of Weymouth: I am glad that we add value. One final thing. With the phrase “online harms” and wanting to teach that—

Michelle Dyson: It is actually called online safety. That is my mistake.

Lord Knight of Weymouth: The obvious worry is that with the vibe that, “We shouldn’t have mobiles in schools”, and online being harmful, are we getting the balance right in teaching in schools that there are positive as well as negative things about creating and consuming online?

Michelle Dyson: Online is clearly such a feature in schools today that you cannot take it away. Teachers use it all the time; they use it as part of their lessons, and so on. I take your point; you can push too far in one direction, but pulling away from it altogether will not happen.

Q27 **Baroness Kidron:** I am probably following on from my colleagues, but from a slightly different perspective.

One of the things I do in my daily life is teach data literacy to young children in schools, and I am struck by one thing. They always say the same set of things. One is that they do not want to talk about personal stuff to the computer teacher; the people they can talk to about personal stuff do not understand computers and online digital forces, and they find a lot of what happens in the e-safety bit very negative and that it pushes the responsibility for resilience on to them personally.

What has been interesting about data literacy as a way forward is that they come out saying, “I’m confident. I see that there are other players. The tech companies and Government have a responsibility, and I too have a responsibility”, and they come out in a very different place. I think I am winding my way back to Baroness Morris’ point that if you do not have a place in which this is seen holistically — that data and systems that are driven on data are now the big driver of our world — you need a literacy which political and information literacy, safety and so on then sit on top of.

My final point is that as I leave any school the teacher always says, “I had no idea about any of that”. That is true of adults in society more generally, but there is that gap too. Perhaps the voices of children on how and what to be taught, and who might teach them, should be heard. Almost without exception they find it very engaging, because it is indeed the currency of their life.

Michelle Dyson: That is really interesting. We are trying to make great strides in equipping teachers to be digitally literate, hence our big computing programme. I hear your message that this needs to go wider.

I should also say on the previous point, and indeed on your point about it being too negative, that the academics who are leading on our computing programme are very enthusiastic about the power of computers and how

exciting that is: "If you understand this, the world opens up to you". They say that in a way I cannot possibly understand, but I can totally get the enthusiasm for it. We want to teach teachers to teach all this stuff on a strong evidence base and in a really engaging way so that it is not all just about scary things.

Lord Lucas: I will come back to one of the points made by Baroness Morris about the importance of activism.

By and large, schools do not have within them the experience of what it is to be activists and how it works. Would you look at providing schools with a collaborative platform that enabled this sort of thing so that they could look at what other schools are doing and learn from them? They could then build up their own expertise without having to source everything themselves from zero.

Digital democracy software is available that would do that. Perhaps I may also pick up on what Lord Knight said. If you want a forum where groups of expert bodies get to understand where each is coming from, again that kind of software would provide a very good environment in which to do that, because it enables you to interact with what other people are thinking and saying in your own time rather than being deluged by a series of messages.

Michelle Dyson: That is an interesting thought, thank you. As we think about how to implement our relationships and sex education curriculum — I appreciate that that is not exactly what you are talking about, although it can pick it up — we are looking at how platforms can make that available. I am not sure about the level of sophistication that you are talking about, but it is a really good challenge and I would like to take it away.

The Chairman: We will take three more observations rather than questions.

Baroness Morris of Yardley: How are you getting feedback about how successful the new initiatives are, especially as regards trying to fit this area of skill and body of knowledge across the curriculum? What is the feedback on their success? I think it is really tough, because once it has been spread across the curriculum it becomes tough to get any feedback. You are not testing it because it is not a core subject, and lots of people will still not do it despite the Ofsted framework. If Ofsted inspectors do not make this a top priority, it will come second to the core subjects. Given that, what is your own feedback mechanism on its success?

While I do not wish to open another line of questioning, I want to refer to something that struck me earlier, although I forgot to mention it. Do you also have responsibility for this area of work in adults who are not teachers? They are also citizens who need to be democratically engaged. Where does the responsibility lie for adult education in this very important area?

Michelle Dyson: On the first point on feedback — it is really important — my best answer is that Ofsted will be doing some deep dives as it rolls out the new framework. I hope that it will do a deep dive in the area of personal development.

Baroness Morris of Yardley: Are you rolling those out again, because they have not done those examinations for years?

Michelle Dyson: Ofsted is saying that it is going to do them again. Given the importance of personal development in the way the framework has been set up, I hope there will be one, because that will be our best mechanism for feedback. I am not responsible for adult education. However, while that does not answer the whole of your question, the DFE is setting up a new set of qualifications for adults with little digital literacy. These will be free adult qualifications alongside English and maths, which will help although it may not be the complete answer.

Baroness Morris of Yardley: Are you saying that responsibility for adult education lies somewhere else in your department?

Michelle Dyson: Yes, but I think that these new qualifications are really important.

Q28 **Lord Mitchell:** We have talked about online harms as far as children are concerned, but of course there is the whole area of fake news and children's ability to discern what is fake and what is not. Online deception is going on all the time.

Perhaps you could restate what is being done to teach the teachers? I heard Baroness Kidron's comment about teachers saying that they do not understand. What is being done to help them to understand? If I take nothing else out of this Committee, it is finding out what a sock puppet is. I thought I knew it all, but that was a new one on me. There is the whole area of switching and deception that is going on and whether young people are aware of the problem, even if they may not be able to recognise it.

Michelle Dyson: On whether they are aware of the problem, the online safety guidance that I have already mentioned talks about misinformation and fake news. We are telling teachers that they must teach children about these issues in whatever subject it may be done in.

The bigger issue is how we identify whether our teachers are equipped to teach this. The answer is our big computing programme, not because it teaches specifically about fake news — I do not know whether it does or does not — but because it is more about equipping teachers generally to understand how computers and algorithms work so that that can be passed on to the children. If you understand generally how computers work — that it is not magic, that what is spewed out is a result of algorithms that have been created by people, and that those algorithms can be manipulated — you are in a much better position to spot fake news. This is a big issue, and people all around the world are struggling with it.

Susannah Storey: In the Online Harms White Paper we have also committed to developing a new online media literacy strategy focused on harms that include disinformation. The idea is to take a co-ordinated strategic approach that is aimed not just at children but at young people and adults, recognising the point made by Baroness Kidron that it is not just for children because responsible adults also need to understand the harms in this space.

We are currently consulting a set of stakeholders, including from news and broadcast media. We have tried to take lessons as broadly as we can. The BBC in particular has some quite good material in this area. We are doing a bit of a sweep to look at what there is now, and we have just published an invitation to tender for some analysis into existing media literacy initiatives along with an evaluation of how good they are. The idea is to pull all of that together and publish something comprehensive in the new year.

Lord Harris of Haringey: I had been going to ask this question and you have almost answered it. Would it be possible to have a note on the various initiatives which the Government are taking on raising the digital media literacy of adults as opposed to children?

Susannah Storey: We have not provided a written response to the Committee, but we are going to do so. Perhaps we can sweep some of these things in that.

Lord Harris of Haringey: Thank you.

The Chairman: Michelle, you have been very patient. I do not want to sound like someone saying, "What have the Romans ever done for us?", but I want to make one last point.

Only three years ago, I first heard the phrase "post-truth" — that we are in a post-truth society. It strikes me that getting young people to understand the implications of living in a post-truth society and the degree to which they have to investigate their own sources of information is incredibly important. That has to start with teachers.

Can I assume that that has been taken on board in the department? We are not living in the world we were living in even four years ago. We are in a post-truth environment, which puts enormous new responsibilities on to teachers helping young people through it.

Michelle Dyson: I absolutely hear what you say. I would not see it as totally new. We are teaching children to look at things critically. We have a really good syllabus in history and English literature. Our new GCSEs are all about looking at sources critically — who wrote them, et cetera. You might say that that is part of the old world, but that critical thinking is also very relevant to what you have asked me about.

Do I think we are as good as we need to be on, as you put it, the post-truth society? No. It is a huge challenge, but we are doing a lot. Like every other country in the world, I imagine, we are struggling to keep up.

I know that I have gone on quite a lot about our computing programme, but it is important. I cannot tell you how many countries we have been contacted by — probably well over 10 or 12 across the world — because of how they regard what we are doing. You said that your online harms paper is world leading. This is too, although that phrase is slightly overused.

We are doing a lot. I am sure we are not doing as much as we need to. We will be interested to see what recommendations come from this Committee on what more we need to do.

The Chairman: Democracy is in our title and it is fundamental. At the weekend, I heard Lord Hennessy being interviewed. He said something extraordinarily important about education. He said that our democracy has always relied on the “good chap” ethos and that that ethos appears to have died.

How do we address that with young people, who cannot rely on the same assumptions that I, and most of this Committee, was brought up with? Unfortunately, like it or not, you guys are very important. You are going to have to provide a platform and framework that deals with a post good-chap environment, or recapture it.

Q29 **Lord Lipsey:** For a long time there has been a consensus that if you see a political advert online it should say what you are seeing and who has placed it. Nothing has actually happened, so we seem to be about to have a general election in which nothing will be in place. Why is this taking so long?

Natalie Bodek: The Government have now consulted on and committed to bringing forward a digital imprints regime later this year. We have had one in place for a long time on all printed political campaigning material.

As to why it has taken so long, it is going through all the usual policy processes. There is a need to consult with stakeholders and the Electoral Commission and to do things in a thoughtful and evidence-based way. We take this incredibly seriously. It is about the safeguards surrounding our democracy, so it is right that it is done in the right way.

Lord Lipsey: Yes, but our democracy is in peril every day this is not in place.

To broaden the question, online political advertising is extraordinarily free, partly because there are no restraints on it because the Advertising Standards Authority steers completely clear of it. Do you not think there is a need for government to do more to place additional requirements on online political advertising, particularly on the way it uses stratified bases to target sections of the electorate?

Susannah Storey: There is a series of different bits of legislation and rules underpinning the way political parties can advertise, depending on the media they are using. There are no plans to change that at the moment, but we note your point.

Lord Lipsey: It is not only what political parties are doing. In fact, it is very much not what political parties are doing. It is what other actors are doing, sometimes in cahoots with political parties, sometimes not.

Susannah Storey: Yes, but the way data is used is governed by the Data Protection Act. Looking across the broad spectrum of legislative frameworks and regulations, there are robust rules in place.

Lord German: Can I try a straightforward yes or no question on the government response to the recommendations in the Electoral Commission's digital campaign report from 2018? As of 23 May 2019, the Government say they are still reviewing the Commission's report. Do they intend to respond?

Natalie Bodek: We are still reviewing those recommendations. The Government have committed to a consultation on electoral integrity, looking at foreign donations and strengthening any loopholes in the existing regime on the campaigning framework. The Government may take forward some of the Electoral Commission's recommendations in that consultation, but unfortunately I cannot confirm that today because it is still with Ministers for a decision.

Lord German: At some point, would we expect the Government to say that they are in favour of and taking forward these recommendations and finding an alternative way of dealing with them, so that there is a comprehensive response to them? A significant number of recommendations were made that have a big impact on the democratic functions in our country.

Susannah Storey: You may at some point want to talk to our Ministers about their views on this. All we can give you today is the position as we understand it.

Baroness McGregor-Smith: The Government announced on 5 May that they would be releasing their consultation into electoral integrity. When will it be released?

Natalie Bodek: Unfortunately, I am not able to confirm the timing of that today. Ministers have not taken a decision on exactly when that will run. The decision is with Ministers, who are being presented with advice on what should be included.

Baroness McGregor-Smith: So no indication of time at all?

Natalie Bodek: Ministers have not yet taken a decision, so I am unable to tell you today when that will be.

Baroness McGregor-Smith: That concerns me, and it is why I asked the question. They need to speed up and make a decision about when; it would be good to get it done.

Susannah Storey: It is useful to hear your thoughts. As we are preparing our written response to you, we will talk to Ministers and go

from there.

Baroness McGregor-Smith: It is not a very difficult decision to make, so it would be positive to get it done and get it out there now.

Lord Mitchell: I have been in the House of Lords for 20 years, but I have an entrepreneurial background and understand that it works differently in politics and government. However, a series of answers to our questions seem to have a slightly plodding feel. We have big issues and real dangers facing us, but everything seems to be put on the back burner, being consulted on and reviewed. I have tremendous frustration that issues that should have been dealt with yesterday are not dealt with as immediately as they should.

Susannah Storey: I am not sure that I agree. It is important to consult on a number of things, including the Online Harms White Paper, which was a huge, broad and important area of policy. When we get consultation responses we have to consider them thoroughly, so it is not unreasonable that we have not responded in early September when the consultation closed in July.

Baroness Morris of Yardley: Parry is absolutely right. I am not sure I know the answer, because I understand the difference in culture, but it strikes me that the way Governments have always done things may not be appropriate for this bit of the world. I understand that it might take time to adjust but is any active preparation or thought going on how Government needs to change to accommodate this fast-moving world, rather than the public getting squashed in between and not being helped? It cannot go on like this. It is always going to be a year to publish the report: six months to sort out the responses and another six months to wait for ministerial sign off, with a gap over the parliamentary recess.

It is just not relevant in this digital world. What thinking has been done on how you do this sort of activity in a democracy? I am not sure I know the answer, but I would be reassured if someone was thinking about it.

Susannah Storey: If we were to look across the broad spectrum of everything Government does, some things happen very fast. In my previous role I worked for nearly three years on EU exit, and the amount of things that we had to go through on that—

A lot of ground has been covered, even if you have your own views on the overall position. But it is always a balance, is it not? If we are designing policy on complex issues that cover harms, the need for companies to be able to operate, individuals and corporates, it is important and fair that we take some time to get views in and reflect on them. But we absolutely do not want to take so long that life has moved on.

Baroness Morris of Yardley: You have to learn to reflect more quickly. It is as simple as that. There is a genuine problem here for Government in general, not just in this area. But I will not go on about it.

Baroness McGregor-Smith: I have huge respect for the challenges you face. I come from the private sector, which does things very differently, but I understand how Government operates. It strikes me that one thing you could do is look at the things that you could move more quickly on, and have a priority list. There are certain things that are now so urgent that the traditional approaches will not help. By the time you have done your consultation and recommendations, and you have gone out and done whatever you have done and passed legislation, we will be five years behind where we really need to be again, and we will all be starting again.

It would be a positive thing to consider prioritising the things that are so urgent that they cannot wait any more. I go down this list and when I look at some of them, I say, "We should have probably done that five or even 10 years ago". Also, what you could help us with is, what else is coming? That prediction of what is coming next, and the fact that we will be catching up so much, unnerves me, and then there is another whole range of things that could affect us. I would certainly consider that across the piece. Any form of prioritisation and urgency would be helpful, just to try to help the frustration.

Susannah Storey: Yes, we hear you, absolutely.

The Chairman: There is an interesting point here. I do not want to drag Europe into this, but if you look at the manifesto of Mrs von der Leyen when she got the job as President of the European Commission, her first 100 days are full of things — exactly as Baroness McGregor-Smith is saying — that ought to have been done, largely in the technology area. It is a fascinating document and well worth looking at. She has 10 targets for the first 100 days, and they are all things that all of us, collectively, would say, "Wow! Haven't we done that?"

Here we have someone who is arriving in a very big job, I think in October or November, who at least seems to have gripped this, or who intends to grip this. I wonder whether we are treating this, exactly as Lord Mitchell said — this is not a criticism of you — with enough urgency, or whether we are actually getting further and further back as these other businesses move extraordinarily rapidly.

Lord Mitchell: Also, Chairman, in life, 90 per cent is all right. You do not have to go for 99 per cent or 100 per cent, especially if there is so much urgency and the detriment of getting it wrong is so great.

Susannah Storey: We understand. As a Civil Service, we are trying to cover as much ground as we can, but obviously our new Secretary of State in the DCMS and other Ministers have been in post only since the end of July, so we are still within their first 100 days, and we are actively talking to them about all these issues.

Lord Harris of Haringey: When your Ministers come before us, which will happen when their 100 days will be over, you can prepare them and tell them that we have lots of questions.

Q30 The Chairman: There are two further questions, one from me and one from Lord Lucas. I will read this out and then contextualise it. Do the Government accept that their guidance on the pre-election period may have a chilling effect on organisations that should be informing the public during this time? By organisations, I think we mean you. It was put to us — I have to say that I did not realise this — that the moment an election is called, all information systems close down, I think with the exception of the Treasury. Therefore, assurances made during the election period cannot be checked against Civil Service facts; the system literally closes down.

Does that not have a chilling effect on the very information systems that we are describing here, because you can run an election and it is a fact-free zone. I will give an example. I had dinner last night with Lord Currie, who made a point about the ASA. If you put the words on a bus “£350 million will go to the NHS” it is not challengeable. If you put the words, “Persil washes whiter”, you have to remove it, because it is not a verifiable fact. How have we trapped ourselves in a situation where we can go into an election without an ability independently, through the Civil Service, to confirm or challenge apparent facts?

Susannah Storey: The purdah guidance, which is usually what governs the pre-election period, is very well established. Obviously, if an election is called, the Cabinet Office will issue any guidance. I am not sure that we think it has a chilling effect; do you want to add anything from a Cabinet Office perspective, Natalie?

Natalie Bodek: The guidance is based on long-held principles that civil servants should not be competing with campaigners for the attention of the public, therefore essential government business can continue but the Civil Service, arm’s-length bodies and NDPBs go quiet, with all but preplanned statistical announcements, for example, so no new policy initiatives are made. That has been a very long-standing approach.

I think you are asking whether the Civil Service should have a role in fact checking during the campaign. Perhaps the others on the panel can comment as well, but that would put the Civil Service in quite an awkward position, and it has not tended to be the approach taken. I know that there have been lots of calls for a kind of truth commission in the past, but that is not considered to be a role for the Civil Service.

The Chairman: I can well accept that that might have worked in the past. Do we accept the notion of the post-truth society, because if you cannot check the facts, who can? If the public cannot trust you, who can they trust? As I say, it means that we are going into a period that is a fact-free zone, and that is an election that will determine the Government of this country. This is a really serious issue.

Lord Harris of Haringey: Has there not been a degree of purdah creep over the past decade or so in the sense that you have just articulated very clearly the role of civil servants and what statements can be made on behalf of the Government during an election period, but that has now

spread into all sorts of other areas? There are restrictions on what an organisation that receives some element of public funding can say, even though that might be only a small proportion of its funding.

All these things are now bound up in the purdah rules. Do you understand the argument that it has a chilling effect on public debate if, for example, you are a charity that works with the homeless, receives a chunk of government money to do things, but is then not able to say something about the position of the homeless during an election period?

Susannah Storey: We understand the point. The purdah periods are usually relatively short, and the point of the guidance, as Natalie has said, is to stop new announcements coming out. I am not sure that we think that this will have a chilling effect for a matter of weeks, but obviously we hear what you are saying. We note your points and we will reflect on them further.

Natalie Bodek: The principles in the guidance are not meant to about chilling comments made by the media, academics or others.

The Chairman: I think Lord Harris accepts that, as do we all, but that may well be the actual effect as opposed to what is intended.

Lord Lucas: What are the Government doing to support technological innovation to enhance democracy?

Natalie Bodek: I can talk to a couple of positive examples in the elections and electoral registration space. The Register to Vote digital website was introduced in 2014 and has been widely regarded as being a success and an exemplar of digital delivery for the Government. It consistently receives more than 90 per cent user satisfaction ratings. Around 75 per cent of overall applications are done online.

We have seen huge spikes in the run-up to big national polls, with significant spikes in registration online and the majority of applications being made in this way. It has changed the landscape of electoral registration and has arguably made it a lot more accessible to people. It has made us less dependent on an annual canvass where you get a piece of paper through the door and you had only that one opportunity to get yourself on to the electoral roll.

While it may not have been the only opportunity you would have had, it was in my opinion the main notification to people that they needed to get themselves on to the register. Now, they can do that in a matter of minutes. It has become a lot more accessible. For the 2017 general election, some 93 per cent of the 2.9 million applications submitted between the day of the announcement of the poll and the registration deadline were made online. That gives the statistics on how much of an impact online registration has had. It has been a popular and successful innovation.

Another thing being brought forward by the Government is how they can modernise the annual canvass of electors. This is when people are

contacted between July and the autumn to confirm that they are still resident at their address or whether they have moved. At the moment, this is a very outdated and heavily paper-based prescriptive process that results in people being sent a lot of paper reminders and then door knocking, which is all very expensive.

We are trying to modernise that by moving towards a data-led process. Rather than having electoral registration authorities spending time and resources confirming the 80 per cent of the population who have not actually moved and are still living in the same place, those resources can be redirected towards the 20 per cent for whom changes are likely. We will match the electoral register against DWP data, which is part of the data that we are already using as a part of the online Register to Vote website, so we will know that it works because it has been tested and it is accurate. That data match process will enable electoral registration officers to target their activities on where changes are likely.

I hope that is not too technical or confusing an explanation, but it is an example of where we are using data to try to modernise a process. We are also opening up the ways in which the electoral registration officer can contact electors. It does not have to be done just using paper and knocking on doors; it could be through email, text messaging and on the telephone. That arguably will also have some benefits for certain electors and hopefully will be more engaging for those electors who ignore the piece of paper coming through the post box.

Lord Lucas: There is quite widespread use of digital democracy software by local authorities, in particular in their consultations. Have you conducted a study of what they are doing, how they could do it better and how central government could make use of that sort of process?

Natalie Bodek: Would you mind giving an example of what you mean by digital democracy?

Lord Lucas: There is a company that has a suite of programs which, as I say, are widely used by local authorities for their consultations. They provide a forum that makes it easy for people to express their views and to access a common set of data in order to play around with budgets to see whether if more was spent on one area, where would it be taken away from and so on. It is widely used by local authorities, and it is a British company which is making real progress in how to redo democracy in a digital world.

There may well be other companies doing this too. I am also interested in whether you looked at what happened in the Irish referendum on abortion and all the consultation processes surrounding that. Did you draw any conclusions about the ways in which we might move to improve our democracy by making use of digital systems?

Natalie Bodek: That is very interesting, and I am happy to take it away and look into it.

On the actual mechanics, we have been more tightly focused on the electoral management software systems that are used. Actually, the ways in which they can be attached to electors are currently quite limited in legislation. I think you are referring to the use of digital technology in terms of wider consultation and other kinds of democratic engagement. I do not believe that a study of the use of that kind of technology by local authorities has been undertaken, but you have made an interesting point and we will certainly look at it.

The Chairman: You have all been very kind and generous with your time. Perhaps I may make one point. In responding to us, the purpose of this Committee is to try to make your lives genuinely easier in convincing your political masters. There are things to be done and ways in which to do them. Obviously, we will receive a lot of recommendations, but they are intended to provide a platform for you to be able operate from within your own departments. This is not a negative exercise; it is intended to be an entirely positive one, and I think that you could help us to make it even more positive if you would be prepared to do so. But for now, thank you very much. This session has been a pleasure.

Susannah Storey: The session has been very helpful to us and we will make sure that we follow up on the points that have come up in our written responses. Thank you.