

Election Monitoring

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UK General Election 2019: Digital disruption by the political parties, and the need for new rules

Compiled by

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Demos
Full Fact
Global Witness
Institute for Strategic Dialogue
Open Rights Group
Privacy International
Who Targets Me

With support from Digital Action

This briefing brings together the findings of a group of eight organisations who monitored the UK's digital landscape leading up to the General Election.

It provides overwhelming evidence that current regulations are not fit for the digital era.

In this briefing you will find:

1. Background
 2. Evidence from 2019 campaign
 3. Recommendations for reform of the rules governing election campaigning
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Introduction

Evidence from the 2019 General Election shows that the need to overhaul the system of electoral administration has gone from urgent to critical.

It has been nearly two decades since the UK's electoral laws were last updated. In those twenty years the internet has fundamentally changed political campaigning. The Information Commissioner's Office, the Electoral Commission and parliamentarians on the DCMS Select Committee have in the past few years recognised that the current UK electoral regulatory framework is no longer fit for purpose in countering digital threats to democracy. Yet Government has failed to prioritise reform.

This briefing brings together the findings of a group of eight organisations who monitored the UK's digital landscape leading up to the General Election. The examples given are a partial snapshot of what happened, given the limited data available to civil society, journalists and researchers. Yet the evidence that there is demonstrates that social media and other communications technologies enable and in some cases incentivise problematic behaviour by political parties and other interests when they are unconstrained by regulation.

Transparent, fair and accountable? The evidence

In the early weeks of the UK General Election campaign, Privacy International with the support of Demos, FairVote, Institute for Strategic Dialogue, Open Rights Group and Who Targets Me called on thirteen UK parties to commit to a transparent, fair and accountable campaign. This short report looks at evidence gathered by civil society of failures across many parties to follow these recommendations.

Transparency around data processing, how voters are engaged, and what data parties hold on voters:

- > The way political parties processed voter data was often erroneous and not accurate. Open Rights Group developed a tool to help people request access to all personal data held on them by 13 political parties. Those who received their results often felt that the political parties had come to highly inaccurate or vague conclusions about their political beliefs. This faulty compartmentalisation of voters may exclude portions of the population from the democratic debate.
- > An example of data use that emerged was the Labour Party was using voter data in each constituency to rank the electorate based on keyword issues such as “NHS”, “austerity” “immigration”. The data was used to develop and prioritise canvassing strategy.
- > The parties are not transparent about the data they hold on voters: Open Rights Group, on behalf of three individuals, sent a pre-action letter to three main political parties, Labour, Liberal Democrats and the Conservatives, over data processing. (In the event that the letter is not sufficiently replied to, litigation will be considered.) The three individuals had requested their data held by the parties, yet:
 - > Labour’s response to the data request was “unintelligible”
 - > Liberal Democrats failed to provide a response for where third-party data was sourced
 - > The Conservatives seemingly guessed the age of individuals based on personal name and address information

Transparency about how people’s data is collected and the source

- > The Conservative Party created a Google ad to drive internet traffic to register for a postal vote via the Conservative website, but it was unclear what was being done with the data collected
- > The Conservative Party may have already broken data protection laws by creating surveys and online games to harvest voters’ personal data.

Providing meaningful transparency in political advertising, political messaging, ensuring that the public can easily identify if a message is of a political nature, who is behind the message, and how the message was targeted.

- > Ad archives by social media platforms lacked transparency about the criteria used to target online messages, and parties refused requests to provide this information voluntarily. This made it challenging to scrutinise ads. In addition, just 48 hours out from polling day, Facebook’s Ad Library was infected by a bug resulting in the temporary disappearance of 74,000 adverts, worth around £7.4 million.
- > Analysis of Facebook’s Ad Library by Who Targets Me in the initial weeks of the campaign indicated that the three main political parties used voters “as lab rats in a giant experiment”, testing different highly-targeted messages with varying degrees of subtlety to see what resonated most with voters.
- > Analysis by Full Fact found that both of the main parties have used political ads to target voters during the campaign which include exaggerated and misleading claims.

- > The Conservative Party doctored a video of a Brexit Shadow Secretary seemingly unable to answer a question about Britain's exit from the EU.
- > The Conservative Party reskinned its press office Twitter account which made it appear to be an independent fact-checking group that of an impartial fact-checking group.
- > The Liberal Democrat party repeatedly presented poll findings and results from previous elections in misleading ways to attempt to present their party as front runners and suppress the vote for other parties, as did Labour on at least one occasion.
- > Claims of voter fraud from support groups and parties stoked and galvanised anti-Muslim sentiment.
- > A network of activists linked to Hindu-nationalist party BJP targeted pro-Conservative/ anti-Labour messages in 48 Labour-Conservative marginals. Social media accounts tied to this campaign also promoted anti-Muslim messaging.
- > The Conservative party bought adverts which purported to link to the Labour manifesto, but directed users to a Conservative run website.

While much of the focus is rightly on online messaging transparency, this election also saw evidence that some offline tactics to influence voters have similarly limited transparency. Full Fact reported that political campaign leaflets designed to look like newspapers were rolled out by mainstream political parties. This was widely criticised as “undermin[ing] and damaging trust” in local media outlets, which are integral to upholding democracy.

Timely information on expenditure for online activities, including paid content and including third-party contractors

- > Third party groups with opaque funding arrangements were found in multiple instances to be pushing messages that align with particular parties. Who Targets Me found that groups such as Capitalist Worker, Working4UK, and Campaign against Corbynism - all of which have opaque funding and origins - spent heavily, especially in the final days. OpenDemocracy uncovered systemic abuse of the electoral system by third party campaigns pushing political content. A former Cambridge Analytica consultant and Vote Leave strategist registered a company “3rd Party”, and pushed ads seeking to split the anti-Conservative vote.
 - > The company spent between £2,400-£3,192 in four days reaching over 200,000 impressions with Green Party messages, including in some constituencies without any Green candidates.
 - > They spent £5,214 in total, running anti-Liberal Democrat and pro-SNP ads in Scotland, pro-Brexit ads in Belfast and anti-Labour ads about Grenfell in Kensington
- > ISD found instances of third party use of disinformation tactics, including
 - > Bot-like activity in discussions around political parties and policies;
 - > The spamming of disinformation and conspiracy theories by hyper-partisan actors on Facebook;
 - > Networked activity originating from and targeting minority communities;
 - > The crowdsourcing of disinformation material smearing Jeremy Corbyn following the London Bridge terror attack;
 - > Online harassment of key political figures;
 - > The creation of biased independent polling organisations; and the widespread dissemination of hyper-partisan news sources across activist groups.

Conclusion

The need to make electoral reform a legislative priority has gone from urgent to critical with this election. The current rules allow a ‘race to the bottom’ in deploying dubious tactics in political campaigning, eroding the public’s faith in our democratic institutions and electoral integrity.

Safeguarding the fairness and accountability of election campaigns cannot be left to the political parties or the social media platforms. As the Oxford Internet Institute underscored in their report on disinformation during the General Election, malign influence techniques typically used by illegitimate actors are now being democratised and adopted by mainstream political parties. This emergence of this trend has also been echoed by Institute for Strategic Dialogue, who highlight malign tactics used by grass-roots actors and support-groups.

We are calling on the incoming UK Government to prioritise electoral reform.

In doing so, we point to concrete proposals for how this might be done.

- > **Demos, DotEveryone** and others underlined the need for urgent reform in evidence to the House of Lords Democracy and Digital Technologies Committee.
- > **Full Fact** have highlighted the recommendations made by DCMS Select Committee, the Electoral Commission, and the Committee for Standards in Public Life to update electoral law.
- > **ISD** recommend that legislation covering electoral campaigning is updated to cover current practice, including ensuring that social media campaigning is fully transparent and held to similar standards as other forms of media. In addition to this, they recommend that all parties commit to signing a voluntary code of practice around ethical campaigning covering activity which is not illegal but that may contribute to undermining trust in politics, elections and democracy.
- > The **Oxford Technology and Electoral Commission**, as part of the Oxford Internet Institute, have proposed a set of immediate, short and long-term recommendations to adapt current regulatory frameworks for the digital age.
- > **Privacy International** have made recommendations on steps to be taken to ensure transparency, fairness and accountability on transparency and fairness to the Information Commissioner, the House of Lords Committee on Democracy and Digital Technologies and the All Party Parliamentary Group on Electoral Campaigning Transparency. These include updating electoral law and ensuring data protection law is robustly implemented and enforced.
- > **Who Targets Me** have recommended rules to protect against last minute manipulation. With a media blackout on election day, there are no means to counter late surges in online spending and messaging by parties, candidates and non-party actors. They recommend election day advertising should be strictly limited to ads that get out the vote or help them to vote, run by registered political parties and candidates.

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