

Foreign Interference through Social Media Submission

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Introduction

The Australia Institute welcomes the opportunity to make a submission to the Select Committee on Foreign Interference through Social Media.

Our submission concerns the first and second term of references:

use of social media for purposes that undermine Australia’s democracy and values, including the spread of misinformation;

responses to mitigate the risk posed to Australia’s democracy and values, including by the Australian Government and social media platforms;

The Australia Institute has a growing body of work on the use and misuse of social media and its impact on Australian democracy.

In addition, the Australia Institute also does significant work on threats to the electoral process, the public’s right to fair and full information and social cohesion.

Attached are three Australia Institute reports: *We can handle the truth*, released in August 2019 for submission to the Joint Standing Committee on Electoral Matters (JSCEM), *Distorting the public square* (November 2019), and *Like a virus* (May 2020).

We can handle the truth gives examples of successful political advertising regulation in Australia and around the world, and includes polling showing which models of truth in political advertising reform Australians prefer, and case studies from South Australia.

Distorting the public square discusses social media issues that came to light during the 2019 Australian federal election, including misleading advertising and the targeting of ads.

Like a virus analysed over 25.5 million tweets over 10 days and found 5,800 accounts that were coordinated to spread misinformation and disinformation about COVID-19 – particularly the “China bioweapon conspiracy theory”. Research suggests that there is a sustained, coordinated effort to promote this theory by pro-Trump, Republican and aligned networks of accounts.

The Institute hopes this information is of assistance to the Committee and would welcome the opportunity to discuss research findings in further detail at any Committee hearing.

Coordinated disinformation

Research released by the Australia Institute in 2020, in conjunction with the Queensland University of Technology, has found coordinated COVID-19 misinformation and disinformation on Twitter, for either commercial or political purposes.

*Like a virus*¹ used the Twitter Streaming API to collect tweet and retweet data, analysing the results to determine bot-like behaviour relating to retweeting coronavirus-related content. Suspicious behaviour, such as accounts retweeting a tweet within one second of one another, are likely to be “bot” (computer-controlled) or hybrid accounts.

The report systematically identified ten “clusters” of bot-like co-retweet networks and analyses their behaviours and potential motivations. It found that even commercially oriented bot networks can amplify political disinformation when hashtags overlap.

In some ways, the spread of COVID-19 disinformation mimics the outbreak of the virus itself, with the disinformation amplified and given authenticity by the wider fringe community that spreads it after it has been introduced by the inauthentic actors.

The report identified four ways governments, non-government actors and technology platforms could address coordinated disinformation campaigns:

Increased detection and mitigation. Our analysis demonstrates that such behaviour can be detected by technical means, and most social media platforms are using detection tools and suspensions to a greater or lesser extent. Independent critical investigation by scholarly social media researchers is crucial in this context, both to develop new and innovative detection approaches and to track and evaluate the activities of the platform operators themselves.

Digital literacy. While there are a number of digital media literacy initiatives in train, there is a significant need for further funding and institutional support for such initiatives at all levels, and for all age groups.

Mainstream media. Media outlets should be encouraged to reduce click-bait conspiracy theory coverage, which puts substantial new audiences in contact with mis- and disinformation. Coverage of official responses to this content also needs to be cautious not to contribute to the spreading of conspiracy theories.

¹ Graham, Bruns, Zhu, & Campbell (2020) *Like a virus: The coordinated spread of coronavirus disinformation*, https://www.centreforresponsibletechnology.org.au/pro_trump_accounts_coordinated_spread_of_china_bio_weapon_covid_conspiracy_theory

Scholarly research. Studies such as this draw on advanced computational methods and forensic qualitative analysis of large-scale, real-time social media data. Such work requires secure funding and access to data. Data access is increasingly constrained by the leading social media platforms.

Social media and truth in political advertising

Regulatory framework²

Despite the size of the social media platforms and their domination of the online advertising markets, the regulatory framework surrounding political advertising on social media is almost non-existent – especially in contrast to strict election advertising rules for other forms of media.

The ACCC Digital Platforms Inquiry report finds that few of the laws, regulations and codes that apply to news media – like journalistic codes of ethics, broadcasting licensing conditions, telecommunications regulations and peak body self- and co-regulation – apply to the social media platforms. Social media is not subject to the broadcaster election blackout.

Social media platforms allow advertisers to engage in “micro-targeting”, which uses complicated combinations of personal data to personalise advertising messages. Micro-targeting can and has been used to amplify fringe views and discriminate against vulnerable groups.

Ad libraries/databases³

The development of Internet ad libraries (including the Facebook Ad Library, Twitter’s Ad Transparency Centre and Google’s Transparency Report) demonstrate that it is possible for political ads to be recorded in a publicly accessible database. These libraries have already led to important journalism on political ads.

In practice, each of these libraries is lacking – but their existence shows the principle is sound. Government regulation may be needed to guarantee that these databases of political ads are up-to-date, complete, accessible and easy to use.

The public are also entitled to know how ads are being targeted to users. The ad libraries provide some information on targeting, but not full details like which interests or affiliations

² Guiao (2019) *Distorting the public square*, pp. 3–8, <https://australiainstitute.org.au/post/public-supports-tighter-social-media-controls-over-elections/>

³ Browne (2019) *We can handle the truth: Opportunities for truth in political advertising*, pp. 25–30, <https://australiainstitute.org.au/report/we-can-handle-the-truth-opportunities-for-truth-in-political-advertising/>

are targeted by a particular ad or what activity leads to a person being identified as having that interest.

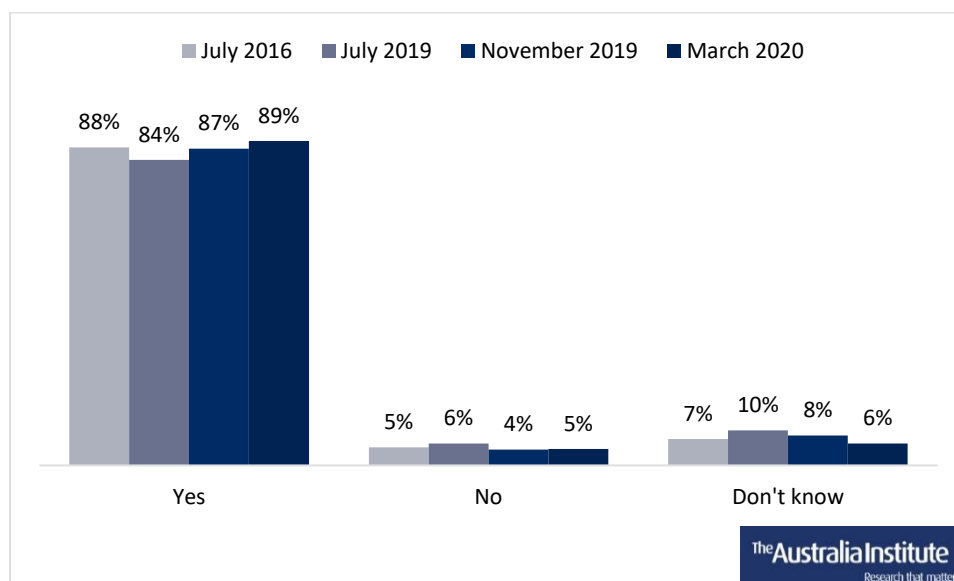
Public opinion

The Australia Institute has asked Australians their position on truth in political advertising laws in previous polls: July 2016 (post-election), July 2019, November 2019 and March 2020.⁴ The three most recent polls used an identical question; the July 2016 poll asked a similar question that reflected the political situation at the time.⁵

Support for truth in political advertising laws was high in all four polls.

- There was some partisan variation in 2016, with 94% of Coalition voters and 78% of Labor voters in support.
 - There is little partisan variation evident between Coalition and Labor voters in 2019–2020 (between 1 and 3 percentage points).
- The most recent poll, March 2020, saw the highest portion of Australians saying that Australia should pass truth in political advertising laws (89%). This is a 5 percentage point increase from July 2019, and roughly equal to the result from July 2016.

Figure 1: Should Australia pass truth in political advertising laws?



Source: The Australia Institute (2020) *Polling - Truth in political advertising*, <https://australiainstitute.org.au/post/29-prominent-australians-call-for-truth-in-political-advertising-laws-by-next-election/>

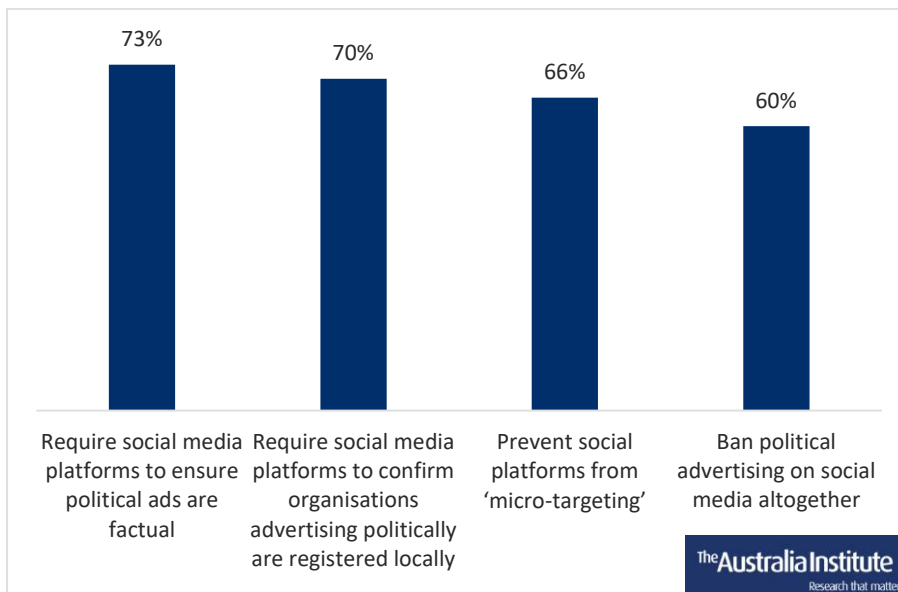
⁴ Browne (2019) *We can handle the truth: Opportunities for truth in political advertising*; The Australia Institute (2016) *Truth in Political Advertising*, <https://australiainstitute.org.au/post/truth-in-political-advertising/>

⁵ In 2016, the question was: “Should the Senate pass ‘truth in political advertising’ legislation so that political parties and candidates can be fined for false and misleading advertising in the same way companies are?”

Most Australians support greater controls on political advertising on social media platforms:

- Three in four (73%) say that social media platforms should be required to ensure political ads are factual.
- Seven in 10 (70%) say social media platforms should be required to confirm organisations advertising politically are registered locally.
- Two in three (66%) say social media platforms should be prevented from “micro-targeting”.
- Three in five (60%) say political advertising on social media should be banned altogether.

Figure: Support for political advertising on social media regulations



We can handle the truth has further polling on attitudes to political advertising and media in general, though not social media in particular.⁶

⁶ Browne (2019) *We can handle the truth: Opportunities for truth in political advertising*, pp. 31–36

Recent developments

Since our attached reports were written, there have been some significant developments in the areas of social media and truth in political advertising.

ACT passes truth in political advertising legislation

In August 2020, the ACT Legislative Assembly passed truth in political advertising laws based on the existing South Australian laws, with the unanimous support of the Assembly's Labor, Liberal and Greens members. The amendment was proposed by Greens MLC Caroline Le Couteur. The laws will come into effect in time for the 2024 ACT election.⁷

The laws establish an offence for misleading political advertising and empower the ACT Electoral Commissioner to request that the person who placed the advertisement not disseminate it or retract it in stated terms and in a stated way. The laws are limited to electoral material that requires authorisation, and do not burden publishers any more than existing rules about defamation or offensive material do.⁸

Speaking to her amendment, Le Couteur said:⁹

Unfortunately, in Australia there is no shortage of examples of false or misleading electoral advertising. While not perfect, the South Australian system has worked well there for decades and has been upheld as constitutionally sound by the full bench of the South Australian Supreme Court.

ACT Attorney-General Gordon Ramsay pointed to the normative function of such laws, saying:¹⁰

I also note that, even though this provision will not be commencing prior to this election, I hope that the commitment of all three parties in support of this particular provision will at least morally and ethically bind each of the parties to support it.

Leader of the Opposition Alistair Coe similarly said:¹¹

⁷ ACT Legislative Assembly (2020) *Hansard (27 August)*, <http://www.hansard.act.gov.au/hansard/2020/links/download.htm>

⁸ Le Couteur (2020) *Electoral Amendment Bill 2018 | Supplementary Explanatory Statement*, pp. 2–3, <http://www.legislation.act.gov.au>

⁹ ACT Legislative Assembly (2020) *Hansard (27 August)*

¹⁰ ACT Legislative Assembly (2020) *Hansard (27 August)*

¹¹ ACT Legislative Assembly (2020) *Hansard (27 August)*

The Canberra Liberals will be supporting this amendment. We agree that there is a need for truth in electoral advertising. I understand the need for this legislation, from personal experience; that is, I and others have been the victims of fake social media posts and many other issues along the way. There should be a level of accountability when something demonstrably false is disseminated. It severely undermines public confidence in the Assembly and its members.

Ramsay and Coe indicated that they thought there may be practical issues with implementation that would need to be addressed with the Electoral Commissioner after the 2020 election. However, it is not clear at this point which issues they thought existed.

Support for national reform

The 2019 Labor campaign review, chaired by Craig Emerson and Jay Weatherill, made a strong recommendation for truth in political advertising:

We recommend spending caps and truth in political advertising legislation based on the South Australian model be investigated and pursued in the Australian Parliament.¹²

A joint submission to JSCEM from Independent MP Zali Steggall and Liberal MP Jason Falinski called for truth in political advertising laws to be investigated:

In order to help combat the confidence-deficit in democracy, taking a clear stand against misinformation is critical.

Whilst the South Australian example gives a good indication as to what is possible; any provision in favour of truth in political advertising must balance concerns related to freedom of speech. A Commonwealth law would need to be designed so as to ensure it does not breach the constitutionally implied freedom of political communication. ...

In order for Australia to keep up with international best practice and build confidence in our democratic systems we strongly urge that the Joint Standing Committee on Electoral Matters investigates options to ensure truth in political advertising.¹³

A submission from the Australian Greens also called for truth in political advertising:

The Greens recommend amendments to the Commonwealth Electoral Act 1918 (Cth) in line with the current South Australian model, making it an offence to authorise or

¹² Emerson & Weatherill (2019) *Review of Labor's 2019 federal election campaign*, p. 64, <https://alp.org.au/media/2043/alp-campaign-review-2019.pdf>

¹³ Steggall & Falinski (2019) *Submission 123*, pp. 4–5, <https://www.aph.gov.au/DocumentStore.ashx?id=a8c3470a-24a0-4045-b738-d3875b47cd6a&subId=670947>

publish an advertisement purporting to be a statement of fact when the statement is inaccurate and misleading to a material extent. However, we recognise that the AEC is neither willing, nor well placed, to enforce such provisions.

We therefore recommend that an independent body be established to implement new 'truth in political advertising' laws. The ACCC has expertise in making determinations in relation to misleading statements in commercial advertising.¹⁴

In December 2020, JSCEM published its 2019 election report. Dissenting reports from the Greens and the Labor Party discussed truth in political advertising.

The Greens dissenting report recommended that the Government refer to JSCEM an inquiry into appropriate legislative responses to truth in political advertising.¹⁵

The Labor Party dissenting report found that: "to protect our electoral system and democratic institutions, there needs to be legislation for truth in political advertising, not simply the adaptation of existing regulation or voluntary codes of conduct". The report also called for more consideration to be given as to which body should be responsible for regulating truth in political advertising.¹⁶

Queensland state election

The Queensland state election on 31 October 2020 saw further complaints of disinformation campaigns on social media.

Most prominent was a "death tax" advertising campaign from Clive Palmer's United Australia Party (UAP), which academics at the Digital Media Research Centre at Queensland University of Technology (QUT) say could be considered "disinformation". The UAP spent about \$160,000 on Facebook advertising in October.¹⁷

¹⁴ Australian Greens (2019) *Submission 112*, p. 7, <https://www.aph.gov.au/DocumentStore.ashx?id=f454d75f-63d0-45de-950b-dca567aad1b5&subId=670810>

¹⁵ JSCEM (2020) *Report on the conduct of the 2019 federal election and matters related thereto*, pp. 194–195, https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters/2019Federalelection/Report

¹⁶ JSCEM (2020) *Report on the conduct of the 2019 federal election and matters related thereto*, pp. 202–203

¹⁷ Dennien (2020) *How the Queensland election was run and won on social media*, <https://www.brisbanetimes.com.au/politics/queensland/how-the-queensland-election-was-run-and-won-on-social-media-20201104-p56bda.html>

During the election campaign, the Labor Party wrote to Facebook to complain about the UAP “death tax” ads and to Twitter to complain about Clive Palmer’s tweets on the same topic.¹⁸



The Queensland election campaign featured one of the country’s first political “deepfakes”: a “fake press conference from Pannastacia Alaszczuk” from Advance Australia. A deepfake is an AI-generated simulation of a person doing or saying something they did not do or say. In this case, since the ad is clearly identified as a manipulation, it is not disinformation in itself – but it is worth noting since there are concerns that deepfake technology could be used to spread convincing disinformation in the future.¹⁹

“Deepfakes”

The existence and use of “deepfakes” is concerning, particularly as the technology becomes convincing, widely accessible and affordable.

However, the same risks that arise with a deepfake are present with other kinds of fraud and deception. Examples abound of times when simple video or audio manipulation has been used to make a person appear to answer a different question to the one they were actually asked, appear to slur their words or appear to laugh at something inappropriate; it has also been used to make a gesture look more aggressive than it actually was. Simple photo manipulation has placed a presidential candidate at an anti-war rally he never attended. Fake news text and astroturfing social media posts do not require any audio or visual content, let alone manipulated content, to be convincing.²⁰

¹⁸ Pollard (2020) “*Outrageous lies*”: Labor complains to Facebook and Twitter over Palmer party death tax claim, <https://www.abc.net.au/news/2020-10-16/qld-election-2020-labor-complains-says-uap-death-tax-claim-a-lie/12774238>

¹⁹ Advance Australia (2020)  **BREAKING**  Watch this fake press conference from Pannastacia Alaszczuk now!, <https://www.youtube.com/watch?v=JPilrpCH5cE>; Dennien (2020) *How the Queensland election was run and won on social media*; Wilson (2020) *Australia’s First Deepfake Political Ad is Here and it’s Extremely Cursed*, <https://www.gizmodo.com.au/2020/11/australias-first-deepfake-political-ad-is-here-and-its-extremely-cursed/>

²⁰ The examples in this paragraph are based on real incidents outlined in the following sources: Adjer, Patrini, Cavalli, & Cullen (2019) *The State of Deepfakes*, <https://sensity.ai/mapping-the-deepfake-landscape/>; Brandom (2019) *Deepfake propaganda is not a real problem*, <https://www.theverge.com/2019/3/5/18251736/deepfake-propaganda-misinformation-troll-video-hoax>; Frum (2020) *The Very Real Threat of Trump’s Deepfake*, <https://www.theatlantic.com/ideas/archive/2020/04/trumps-first-deepfake/610750/>; Light (2004) *Fonda, Kerry and Photo Fakery*, <https://www.washingtonpost.com/archive/opinions/2004/02/28/fonda-kerry-and-photo-fakery/15bdc6ed-c568-49fc-bddd-ac534c426865/>; Parkin (2019) *The rise of the deepfake and the threat to democracy*, <http://www.theguardian.com/technology/ng-interactive/2019/jun/22/the-rise-of-the-deepfake-and-the-threat-to-democracy>

A policy, like Facebook's, that is limited to AI-generated fakes will fail to capture most misleading content, including some of the most dangerous misinformation.²¹

Rather than focus on particular technologies or forms of fraud, Australia should address the broader issues of false and manipulated information and multimedia; a political culture that is too permissive of misleading and deceptive claims; and untruthful political advertising.

Some progress from digital platforms

Twitter has banned political ads on its platform, although not issue ads.²² It has also begun labelling tweets that are potentially misleading or that glorify violence, with a link to more accurate information. This approach has been criticised as involving ambiguous messages²³ and as being opportunistic and limited.²⁴

Twitter has deleted or hidden some tweets containing misinformation, including tweets from Donald Trump and his son Donald Trump Jr with misinformation concerning COVID-19. Donald Jr's Twitter account was suspended until he deleted the tweet.²⁵ Facebook has also deleted COVID-19 misinformation posted by Donald Trump, although less frequently than Twitter has done.²⁶

Around the 2020 US presidential elections, Twitter labelled 300,000 tweets as containing disputed content that could be misleading (0.2% of related tweets). Only 456 were "restricted", meaning that they cannot be shared, liked or replied to. Most of the people who viewed the tweets did so after they were labelled. Labelling a tweet as disputed

²¹ Sophos (2020) *Facebook bans deepfakes, but not cheapfakes or shallowfakes*, <https://nakedsecurity.sophos.com/2020/01/08/facebook-bans-deepfakes-but-not-cheapfakes-or-shallowfakes/>

²² For details, see Stewart (2019) *Twitter is walking into a minefield with its political ads ban*, <https://www.vox.com/recode/2019/11/15/20966908/twitter-political-ad-ban-policies-issue-ads-jack-dorsey>

²³ Journalist Sarah Frier points out that the wording of Twitter's warning is ambiguous: Frier (2020) *The wording of Twitter's notice at the bottom doesn't make it sound like a warning about the tweet -- it makes it sound like a warning about mail-in ballots.*, <https://twitter.com/sarahfrier/status/1265400975554011136>

²⁴ Manavis (2020) *Twitter fact-checking Donald Trump's tweets is performative and nothing more*, <https://www.newstatesman.com/science-tech/social-media/2020/05/twitter-fact-checking-donald-trumps-tweets-joe-scarborough-obamagate-jack-dorsey>

²⁵ Gartenberg (2020) *Twitter forced Donald Trump Jr. to delete tweet spreading COVID-19 misinformation*, <https://www.theverge.com/2020/7/28/21344967/twitter-donald-trump-jr-delete-tweet-misinformation-masks-hydroxychloroquine>

²⁶ BBC News (2020) *Trump Covid post deleted by Facebook and hidden by Twitter*, <https://www.bbc.com/news/technology-54440662>

appeared to reduce how often it was shared.²⁷ Among those labelled as disputed or misleading were several tweets from Donald Trump.²⁸

Facebook sometimes adds labels with links to more detailed information prepared by its fact-checkers below posts on election topics. However, these labels were added to posts by then Democratic candidate Joe Biden without misinformation as well as to posts by Donald Trump that made unfounded claims.²⁹

Following the 2021 riot in the US Capitol, social media companies took unprecedented action. Donald Trump's accounts were banned or restricted on Twitter (permanently suspended), Facebook and Instagram (suspended at least until inauguration day) and Snapchat (until it decides to lift restrictions). Social media platforms have also banned other accounts and types of post, for example Twitter suspended 70,000 accounts associated with the "QAnon" conspiracy theory.³⁰

At the time of writing this submission, it remains to be seen whether this represents a permanent change in approach by social media platforms, and what the implications and consequences of the policy might be.

²⁷ Conger (2020) *Twitter says it labeled 0.2% of all election-related tweets as disputed.*, <https://www.nytimes.com/2020/11/12/technology/twitter-says-it-labeled-0-2-of-all-election-related-tweets-as-disputed.html>

²⁸ Conger (2020) *How Twitter Policed Trump During the Election*, <https://www.nytimes.com/2020/11/06/technology/trump-twitter-labels-election.html>

²⁹ O'Sullivan & Cohen (2020) *Facebook begins labeling, but not fact-checking, posts from Trump and Biden*, <https://www.cnn.com/2020/07/21/tech/facebook-label-trump-biden/index.html>

³⁰ ABC News (2021) *Twitter blocks 70,000 QAnon accounts in wake of US Capitol riot*, <https://www.abc.net.au/news/2021-01-13/twitter-blocks-70000-qanon-accounts-after-us-capitol-riot/13052622>; McElroy (2021) *Social media platforms line up to boot Donald Trump in wake of US Capitol violence*, <https://www.abc.net.au/news/2021-01-10/social-media-platforms-that-have-banned-donald-trump/13045730>

Conclusion

This is the right time for an inquiry into the use and misuse of social media for political ends, and we look forward to seeing the results of the Select Committee’s inquiry.

Laws that protect against misleading advertising, shine a light on “dark” ads and prevent “micro-targeting” will serve to reduce interference in our elections, whether it is foreign or “home grown”.

Australia Institute research shows that there are coordinated disinformation campaigns taking place on Twitter, with the deliberate purpose of spreading disinformation about COVID-19 (and other political topics). These bad actors are detectable, and platform operators have the tools to identify and suspend them – if they have the will to do so. The mainstream media must also take responsibility for how it frames and raises the profile of conspiracy theories, and further funding and support for digital media literacy and scholarly research is needed.

While any media can host misleading and inaccurate political advertising, social media is not subject to many of the laws, regulations and codes that apply to news media. Digital platforms also allow for advertising to be micro-targeted, which is not possible for conventional media. Micro-targeting allows for political messages to be tailored to specific targets, and limits scrutiny and accountability since most of the public never see the message. Social media platforms have recently taken more action on misleading content, although these efforts are still limited and risk backfiring when they fail to distinguish between accurate and inaccurate content.

Truth in political advertising laws are supported by most Australians, and have operated successfully in South Australia since 1985. The ACT has recently adopted similar laws, and calls for national laws are growing. Complaints of misleading advertising have been a routine feature of recent elections. These laws would help to address one source of misinformation on social media in a fair and consistent way.