



NUJ submission to the Labour Party consultation on fake news

February 2017

Introduction

The National Union of Journalists is the representative voice for journalists and media workers across the UK and Ireland. The Union was founded in 1907 and has 30,000 members. We represents staff, students and freelancers working at home and abroad in the broadcast media, newspapers, news agencies, magazines, books, public relations, communications, online media and as photographers.

The NUJ code of conduct was first established in 1936 and it is the only ethical code for journalists written by journalists. The code clearly states that a journalist should “strive to ensure that information disseminated is honestly conveyed, accurate and fair”. All members joining the NUJ commit themselves to abide by this code and to promote it as the basis for ethical journalism. The Union operates a disciplinary procedure that allows complaints to be considered against members who are thought to have contravened the code.

Fake news

There is nothing new about fake news – examples of it appear throughout recorded history. Today’s moral panic does, however, display some novel features.

Established news organisations are experiencing an existential crisis with audiences dwindling and revenue and legitimacy squeezed. Their response has been to reduce costs and thereby the quality of their product at exactly the time that it is under the most intense scrutiny.

Long-existing concentrations of media ownership have resulted in a narrowing of editorial stances. This has exacerbated a crisis of legitimacy as some readers and viewers have become cynical about editorial policies that tend to favour only particular views of society.

Social media has created an eco-system in which news, and that which pretends to be news, is shared almost instantly and is directed by algorithms that create belief-affirming bubbles. This has allowed malign forces to manufacture falsehoods in an attempt to affect the course of events. It has also enabled perfectly reasonable satire to be mistaken for actual facts.

Some politicians and others in authority have exploited this backdrop to try and delegitimise news organisations and their product.

Why is fake news a problem?

Democracy vests power in the hands of the populace. It is vital that the broad population are able to understand events and decisions that affect their lives to enable them to make informed decisions. Widespread belief in falsehoods undermines this.

Media industries and quality journalism are vital pillars in our information-dependent economies. Allowing foundational institutions of this sector to falter risks losing standard setting, training and reference points for a vast, semi-dependent sector.

How much of a problem is fake news?

The emblematic story on which today's concerns rest is an analysis by BuzzFeed of engagement with stories in the closing weeks of the US presidential election¹.

Critically, this shows that false news stories enjoyed a greater engagement than those that were true.

There is also a wealth of academic evidence showing that people gravitate to stories that support what they already believe, that social media creates unchallenged environments of affirmation, and that some news consumers more profoundly believe falsehoods even when they have been debunked (the backfire effect).

There is also contested evidence of the use of fake news for political benefit. Among the widely discussed possibilities are that pro-Trump forces, or the Russian state, actively created false news to support a Republican victory in the presidential race. Many on the English left believe that there is an active campaign to discredit Jeremy Corbyn in the mainstream media, some of it based on the propagation of deliberate falsehoods. A considerable body of Scottish nationalists hold a similar view in respect of the 2014 referendum.

Summary of NUJ proposals:

Basic principles

Learning about the importance and usefulness of news should be part of everyone's civic education. As well as valuing bona fide information, this should include the ability to evaluate the quality of news and understand the steps that one might take personally to verify information. Critical evaluation should also include appreciating the benefit of seeking out and understanding widely divergent viewpoints.

What can government do?

- Incorporate new education into the national curriculum
- Actively promote a healthy, pluralistic media economy, to include:
 - treating established titles as community assets
 - preventing any further concentration of media ownership (and encouraging the breaking up of monopolies)
 - surcharging internet service providers to create a local news fund from which might be bred hyperlocal news providers

- establishing funding arrangements to ensure the future of the BBC as one of the world's most respected and comprehensive public service broadcasters
- taking steps to ensure that social media providers are transparent and responsible in the discharge of their duties, particular given they are now some of the biggest publishers of content that exist.

What can social media platforms do?

- Commit to creating algorithms that promote quality, truthfulness and diversity
- Create systems where news sources can be crowd assessed and rated
- Make the operation of entirely bogus news sites more difficult
- Develop a fund to create quality news content by a myriad of minor players. This fund might also support some of the emergent third-party fact-checking services.

What can the established media do?

- Accept and actively work towards a more pluralistic media landscape
- Incorporate the protection and promotion of media freedom and ethical journalism into the core of their operations and provide a simple system of redress should these principles be ignored
- Actively utilise news production methods that emphasise veracity – to include:
 - consumer access to journalists
 - access to arbitration where readers believe that reporters have violated codes of conduct
 - adding a requirement to report ethically in employment contracts (including a conscience clause)
 - a committing to staffing levels, agreed with staff, to ensure that there are sufficient journalists engaged to guarantee quality
- In return existing media should be allowed the ability to bid for help with the costs of news gathering from the above-mentioned funds.

What can journalists do?

- Actively pursue methods to make veracity integral to what they produce
- Campaign in newsrooms for sufficient staffing levels and employment conditions that visibly promote quality reporting
- Feel protected by collective bargaining, and a conscience clause, to robustly defend their ethical principles and standards as well as their industrial terms and conditions.

NUJ proposals in full:

What government can do?

- 1) Actively promote a healthy, pluralistic media economy

Government figuresⁱⁱ show that the creative economy was worth £84 billion to the UK economy in 2014 and was growing at twice the rate of the general economy. The news media is an important element of the creative economy. This is in part because as the most established branch of the commercial creative

economy it is a vital provider of skills, training and experience. Established media brands such as the BBC, ITV, Sky and our great national newspapers are also global brands that significantly contribute to Britain's world reputation for robust integrity.

The principles of this support should be supporting existing institutions, resisting further concentrations of ownership or control, and actively seeking out initiatives to encourage increased rates of enterprise formation.

2) Build international alliances to put pressure on social media platforms

A vibrant media in which it is easy to distinguish truth from falsehood should be a component of all modern democracies. Some of the responsibility for facilitating this lies with social media behemoths such as Facebook. Encouraging such companies to take responsibility will require international partnership. The UK government should initiate the formation of such partnerships through existing international organisations.

3) Treat established titles as community assets

The Localism Act 2012 enables local councils to determine "community assets" within their communities. This power should be extended to local media thereby removing the fate of well-beloved titles to be summarily shut by media groups. By extending this power, it would provide an opportunity for new owners to come forward – including community stakeholders.

4) Prevent further concentration of media ownership (and encouraging the breaking up of monopolies)

There is much research that shows falling trust in the media. That conducted by Edelman last yearⁱⁱⁱ for example shows the number of people who say they trust the UK media fell from 35 per cent to 24 per cent over the course of last year. Not only this, but levels of trust in Britain are in the lower median (for both government and media) compared to other countries. The relative heterogeneity of outlook is one cause of distrust in the media – something that becomes particularly pronounced when society is faced with bitterly-contested binary choices such as the referenda on EU membership and Scottish independence.

The government should adopt a positive policy to encourage media diversity, in particular opposing any further concentrations of ownership of either print or broadcast media.

5) Surcharge internet service providers to create a local news fund from which might be bred hyperlocal news providers

There are long-established models of collecting revenue from distributors to compensate originators. That operated in the UK by the Performing Rights Society is a good example. The Performing Rights Society collects revenue from commercial premises where recorded music is played via radios and televisions. This money is then distributed to performers, composers and publishers.

A similar scheme could be applied to internet service providers to create a significant fund that could provide critical additional funding for the media. This should be dispersed in line with the previously

mentioned requirement to encourage plurality and diversity. This could be administered using the same model as that developed by the various 'collecting societies'.

- 6) Establish funding arrangements to ensure the future of the BBC as one of the world's most respected and comprehensive news organisations

The role of the BBC as the bulwark that supports the UK's broadcast media cannot be overstated. It is training academy, standard setter and commissioning hub for the industry, as well as being among the world's most important media organisations and public service broadcasters. Tempting as many find it to find fault with aspects of its output, this should never detract from its importance, nor the need to ensure that it retains this vital role.

The BBC is also the UK's most-trusted source of news^{iv} and is considered fair and impartial by the overwhelming majority of people in the UK. As such it is an exemplar of fair and balanced journalism (periodic issues notwithstanding). For this reason alone, cuts in funding that erode journalistic resources should be resisted, as should privatisation by stealth and outsourcing that little by little reduces the BBC's capacity for effective and comprehensive reporting.

- 7) Ensure that social media providers are transparent and responsible in the discharge of their duties

Social media is a fast-growing source of news for an increasing proportion of the population^v. A quarter of 18-24 year olds say that it is their most important source of news. It has already overtaken television news in this group. Technological change is inevitable: keeping the driving source of news selection secret is not. A clear statement of the desirability of transparency from government would be a good start.

What social media platforms can do?

- 1) Develop technologies that help users distinguish truth from falsehood

Companies such as Facebook have become critical elements of human infrastructure, just as railways, airlines roads did in earlier eras. Given their effective monopoly positions it is perfectly reasonable to expect of them high levels of social responsibility. Promoting truth over falsehood is a tenant of everyday morality and all major religions – expecting social media companies to embrace this is hardly unreasonable.

This is not the place for a precise technological prescription. Possible options could include, however, cross-partisan indexing of news, which would check stories against a 'heat map' of opinion and giving preference to those stories that are shared across the political divide. Crowd assessment of news quality might also be a means to help readers distinguish high quality information sources.

- 2) Develop a news fund

The profitable social media giants should also be encouraged to create a fund to benefit quality news origination by a myriad of traditional and minor players. This fund might also support some of the emergent third-party fact-checking services.

What the established media can do?

1) Accept and actively work towards a more pluralistic media landscape

Incorporate the protection and promotion of media freedom and ethical journalism into the core of their operations and provide a simple system of redress should these principles be ignored.

Actively utilise news production methods that emphasise veracity – to include: consumer access to journalists; access to arbitration where readers believe that reporters have violated codes of conduct; adding a requirement to report ethically in employment contracts (including a conscience clause); a commitment to public interest journalism; and, a committing to staffing levels, agreed with staff, to ensure that there are sufficient journalists engaged to guarantee quality.

In return existing media should be allowed the ability to bid for help with the costs of news gathering from the above-mentioned funds.

2) Rededicate itself to quality journalism

Most of Britain's established media produces news of outstanding quality – one of the reasons that UK news brands are trusted around the world. However, the possibility that standards might slip and reputations lost are ever present.

The boundaries separating editorial from advertorial should be clear and unbreachable. In the local and provincial press clear labelling achieves this. A few cases in national newspapers have caused issues in recent times.

Peter Orborne, for example, made specific allegations about practices at The Daily Telegraph – suggesting that commercial considerations had influenced editorial decisions^{vi}. Recent revelations about articles secretly sponsored by the Chinese government appearing under the bylines of retired politicians and public servants also do little for reparations of editorial integrity.

Avoiding such issues requires, among other things, sufficient resources and properly remunerated staff to maintain standards.

3) Actively work to create greater trust in the media

A well-worn adage from retail has it that the greatest number of returns are received by those shops with the most responsive customer service departments. It is a lesson from which the media might well learn.

Lord Justice Leveson's suggestion for a binding system of arbitration for members of the public who feel that reporting has not met established good practice should be adopted. Whatever mechanism delivers this, an inexpensive, independent arbitration procedure would do much to enhance the reputation of newspapers and magazines in particular and the media in general. It also has the potential to save modestly-resourced publications from potentially catastrophic legal bills.

What journalists can do?

Journalists perform a uniquely challenging role. Without professional privilege or special access to data, they provide the means by which we understand the world around us.

Practitioners should be given the professional space to pursue methods in their own work to make veracity integral to their product. This could include creating stories in multi-media formats to open source material (such as recorded interviews) for inspection; deeper engagement with readers via personal access and opportunities for interaction; and a willingness to subject their work to arbitrated critical scrutiny.

Journalists, and the NUJ, have led campaigns in newsrooms for sufficient staffing levels and employment conditions that visibly promote quality reporting.

A well-organised union provides a counter-balance to the power of the editors and proprietors. It can limit their excesses and gives journalists the confidence to raise their concerns. The collective can tackle stress and bullying and defend principles of journalistic ethics as well as dealing with the bread and butter industrial issues of pay and terms and conditions.

The NUJ's role in defending journalistic ethics in newsrooms occurs daily, although for the most part issues are resolved informally. Self-organised journalists have shown a willingness to make such campaigns very public, however. In 2001 and 2004 the NUJ chapel at Express Newspapers complained to the Press Complaints Commission (PCC) about the racist and inflammatory reporting in the papers on which their members worked. Few would wish issues to reach this level but it demonstrates how, when there are structures in place to give them the confidence, journalists themselves are the most dogged defenders of professional standards.

Proposals to be resisted:

Creating a register of journalists or an official kite mark for 'real news' would be a dangerous and retrograde step. It would beg the obvious question, who determines what is real news? It would create a requirement for a complaints and appeals structure and would be at odds with the long-standing expectation that the public should be allowed to make up its own minds about the veracity of news. The NUJ robustly resisted this proposal for a register of journalists when it was mooted by Paul Dacre during the Leveson Inquiry and will do so again.

ⁱ https://www.buzzfeed.com/craigsilverman/viral-fake-election-news-outperformed-real-news-on-facebook?utm_term=.kfxggaXKd#.msRlI20qA

ⁱⁱ <https://www.gov.uk/government/news/creative-industries-worth-almost-10-million-an-hour-to-economy>

ⁱⁱⁱ <https://www.theguardian.com/politics/2017/jan/16/britons-trust-in-government-media-business-falls-sharply>

^{iv} http://downloads.bbc.co.uk/aboutthebbc/insidethebbc/howwework/reports/pdf/bbc_report_trust_and_impartiality_report_may_2013.pdf

^v <http://www.digitalnewsreport.org>

^{vi} <https://www.opendemocracy.net/ourkingdom/peter-oborne/why-i-have-resigned-from-telegraph>