

Written Representation 39

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Submission by the senior editors of Channel NewsAsia to the Select Committee on Deliberate Online Falsehoods

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INTRODUCTION

The use of disinformation as a tool by both domestic and foreign parties, with the aim of public influence, is a serious issue which is of paramount concern to all societies.

We agree with the point made in the Green Paper issued by the Ministry of Communications and Information and the Ministry of Law that “deliberate online falsehoods” (DOFs) aim “to attack public institutions and individuals” and “to sow discord amongst racial and religious communities, exploit fault-lines, undermine public institutions, interfere in elections as well as other democratic processes, and weaken countries.”

Fundamentally, the conflation of these DOFs with the popular and wider use of “fake news” also threatens the credibility of the mainstream media, ultimately leading to the loss of trust between the mainstream media and the public.

The threat posed by DOFs is, however, not a new phenomenon.

What is new and more recent is the emergence of new platforms such as social media, which have broadened the impact of such disinformation in terms of speed and reach. The Select Committee has invited the public to submit its views on DOFs, on issues related to the motivations behind the spread of these falsehoods, including the measures that can be taken against their spread.

SUBMISSION OUTLINE

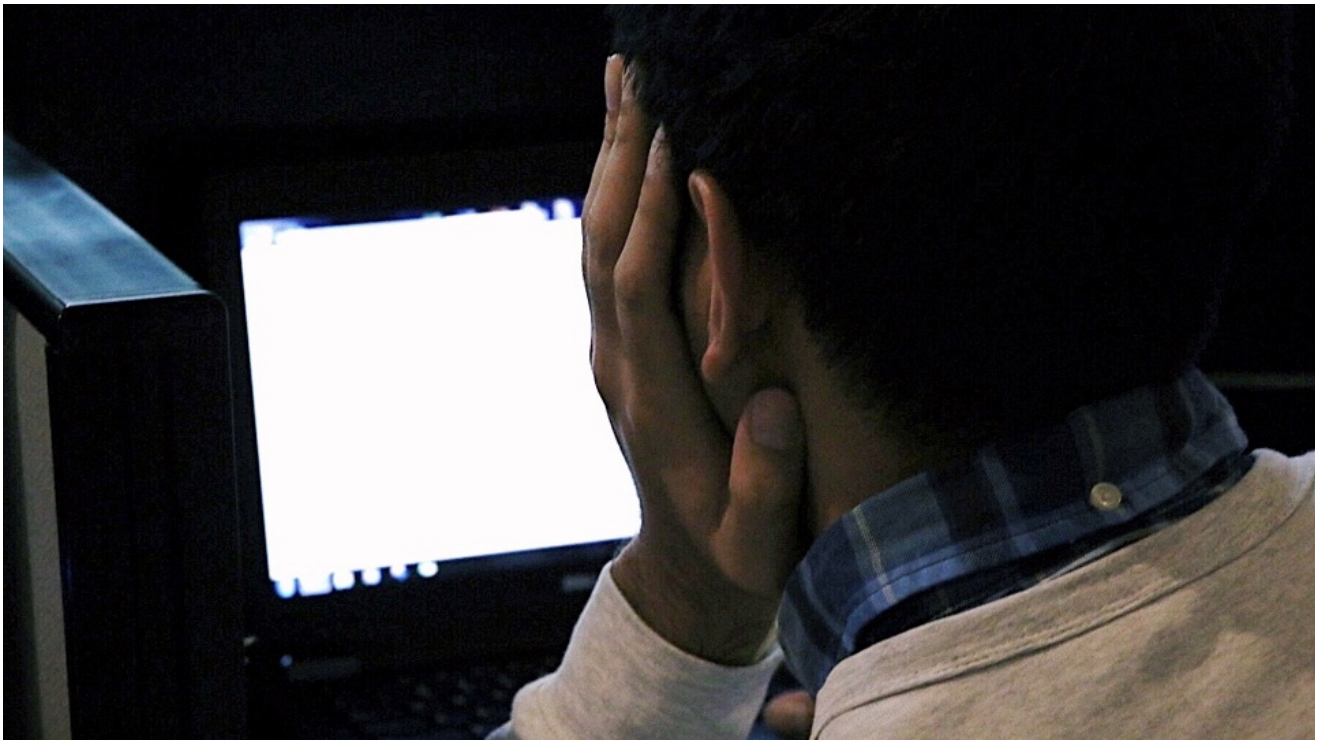
This submission from the senior editors of Channel NewsAsia will address the following, with the aim of contributing to possible solutions targeted at DOFs:

- i. What is a deliberate online falsehood
- ii. Who decides on what a DOF is, and what should be done, and
- iii. The role that the mainstream media can play



DEFINING A DELIBERATE ONLINE FALSEHOOD

The Green Paper has not set out specific definitions of DOFs. As outlined above, however, the public at large has come to equate DOFs and other related examples of online content as “fake news” in general.



A DOF, however, must meet at least three minimum criteria.

- i. First, the piece of content in question must be proven to be **false**, i.e. predicated on a fabrication and not based on fact. It should not apply to any form of comment, opinion or analysis that is fundamentally based on fact, even if they are perceived to be skewed or misguided by specific groups.
- ii. Second, the content (whether text, photos or videos) must reside **online**, and should include not just websites, blogs and social media posts, but also include plain text sent via messaging apps, SMS and other future messaging platforms. It should also include so-called “ephemeral” social media platforms (e.g. Snapchat), which deliver “impermanent” content. The Select Committee should also address “self-destruct” and “secret chat” capabilities in messaging platforms, and consider all related privacy concerns in so doing.



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- iii. Third, and perhaps the most significant challenge is in determining that the online falsehood was created and circulated **deliberately**, as opposed to a genuine error that was circulated inadvertently. This speaks to intent.

It is proposed that for a piece of content to be labelled a DOF and to attract potential regulatory corrective measures, it would have to have had the intent to achieve any of these objectives:

- influence democratic processes
- compromise national security
- undermine the judiciary
- affect racial or religious harmony
- manipulate financial and economic outcomes

Another important element in defining DOFs must be its reach (e.g. the target audience of the originator of a DOF), or frequency (e.g. the number of posts/articles):

- i. E.g. an individual or organization, with limited reach, which makes one post on one occasion may not necessarily need to be addressed as a DOF in terms of definition, and as it relates to consequent remedial action.
- ii. In other words, there should be thresholds with a combination of metrics to determine reach and frequency to decide what a DOF is, and whether and how to address it.

In this regard, where necessary, other areas of so-called “fake news” which may not meet such thresholds in specific instances, e.g. hate-speech and defamation, can and should be dealt with under existing legislation and policy. Where gaps exist that such legislation cannot sufficiently deal with specific instances of DOFs, the Select Committee should identify these gaps, and explain why existing tools are inadequate.



WHO DECIDES WHAT QUALIFIES AS A DOF AND WHAT ACTION SHOULD TO BE TAKEN

“Fact checking” council

It will be useful to establish a “fact checking” council, committee or body made up of diverse representatives to assess and thereafter designate DOFs as specifically defined. This council should be independent, transparent and be able to react to emergent DOFs quickly.

It should include Singaporean representatives from academia, NGOs, civil society, including from the legal community, and other social groups that are representative of Singapore society. Its mandate must include identifying a DOF and thereafter recommending appropriate remedial actions.

As a crucial tool of public trust, the work, findings and recommendations of the council must also be open to public scrutiny.

Examples

Internationally, there are various examples of how such “fact checking” bodies have been organised. In Australia, “RMIT ABC Fact Check” was established to look into “fake news”, misinformation and “fearmongering”, and is funded jointly by RMIT University and the national broadcaster ABC. It is accountable to the Australian Parliament.

The screenshot shows the RMIT ABC Fact Check website. At the top left is the logo with the text "RMIT ABC Fact Check". To the right are navigation links: "About", "RMIT", "Archive", and "Contact". Below the logo is a red "Breaking news" banner with the headline "Joyce has faced sustained pressure to step down after revelations of an affair with a former staffer" and navigation arrows. The main content area features a photograph of a man in a suit and glasses, with the word "Wrong" written in large black letters below it. To the right of the photo is a "Contact" box with the text "Send us your tip-offs, or let us know what you think." Below that is a "CONNECT WITH FACT CHECK" section with icons for Facebook, Twitter, YouTube, RSS, and a purple icon. At the bottom right is the RMIT UNIVERSITY logo and the text "RMIT University".



In Europe, the European Commission has appointed a 39-member expert High Level Group (HLEG), which includes representatives of civil society, social media platforms, news media organisations, journalists and academia.

It is proposed that the body established in Singapore not include representatives of the mainstream media. It is important that in conducting its work, the fact checking body must also be able to independently assess news and information, including that which is published by the mainstream media.

The body should be appointed by and accountable to Parliament.

Once a DOF has been identified, the body should decide on the remedial actions to be taken by the appropriate enforcement agency, depending on the scale of the DOF, and the platform(s) through which it was conveyed.

These will include:

- compulsory take-downs
- corrections issued to platforms
- ordered clarifications by the source
- public education efforts aimed at addressing specific DOFs

Where new legislation is considered, the views of relevant stakeholders must be sought and considered in advance.



ROLE OF THE MAINSTREAM MEDIA

The mainstream media can play two roles:

- i. To report on DOFs that have been identified by the independent fact-checking body. Remedial actions, where proposed, will also be reported extensively and appropriately. It should be noted that such reporting by the mainstream media is likely to give the DOF (even if debunked) greater reach and visibility. This is unavoidable, but necessary.
- ii. In this regard, a second and long-term role that the mainstream media will play is to inoculate, i.e. raise public awareness of the existence and dangers of specific DOFs.

Channel NewsAsia will continue to be an accurate, credible and trusted source of news and information. Capabilities and newsrooms must continue to be strengthened, to address the problem of DOFs through maintaining trust in the mainstream media via high-quality journalism, fact-checking and in-depth reporting.

As social media and search engines have increasingly recognised the role that they play, Channel NewsAsia looks forward to working with them, and all other partners in in addressing the issue of DOFs and strengthening public trust in high-quality journalism. Through its news platforms, Channel NewsAsia will, as part of its reporting, also strengthen our capabilities to detect, and where appropriate, independently report on deliberate disinformation as part of regular news coverage.

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