

## Written Representation 12a

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### **3 problems with where the Select Committee on fake news is going with public consultation**

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The latest announcement by the Select Committee on fake news to [encourage more submissions](#) to assist with its study on “deliberate online falsehoods” should have encouraged many. More views are better than fewer, as it gives more diversity of opinions. Right?

Committee chairman Charles Chong has noted that the [scheduled public hearing later this year](#) – over two weeks of around eight hours per day – would need more views than the 22 submissions the Committee received so far. Chong then went on to call on tech giants Facebook and Google to submit their views, as the “news organisations and online platforms” would likely have some pointers for the government.

“It’ll be interesting to find out how they vet and fact-check this information and the rigour of the measures that they take to verify the accuracy of such information,” Chong was quoted by *Channel NewsAsia* as saying.

Chong’s Committee member and party colleague, Rahayu Mahzam, was also quoted as having tried to encourage her friends to submit proposals. “It doesn’t have to be a well-researched paper. An experiential account can be useful for us to identify a range of views too,” she was quoted by *The Straits Times* as saying.

This latest announcement is clearly full of problems, and there are three reasons for it.

#### **Quantity over quality?**

Perhaps 22 submissions are really insufficient for a two-week hearing, but to ask as Mahzam did for any kind of contribution defeats the purpose of a proper consultation. For sure, a diversity of views is beneficial to any public consultation process, but the Committee needs to remember that it will, in all likelihood, use these submissions to consider the implementation of laws that could have a serious impact on people’s lives.

With Mahzam putting a well-researched paper on equal footing as an “experiential account”, the Committee appears to be suggesting that it is willing to sacrifice quality for quantity. Is this the best way to contemplate legislation?

Indeed, this quality-quantity dilemma raises a problem for the Committee to consider. If it receives 100 anecdotal “experiential accounts” from people who believed they have been misled by misinformation, compared to 10 well-researched papers on how public education is preferable to legislation, drawing in examples from diverse sources, which would the Committee weigh in more heavily on?

For instance, the speech made in Parliament by [Nominated Member of Parliament Mr Kok Heng Leun](#) provided many good pointers for taking the issue forward. Most notably, Mr Kok was one of those who spoke about the Select Committee but was not included in it. Will the Committee be including his views as a “submission”, if it is truly seeking diversity of opinions?

Public consultation cannot be forced. This is further exacerbated by the fact that submitters might be required to present at the hearing, which might be a put-off for many reasons. Of the 22 submitters who did pitch in, it would be prudent for the Committee to appreciate the effort and, for lack of a better term, make do with what they have. Even if there is a lack of diversity, the

Committee should accept that they represent the views of those who have put in the effort to think the matter through.

Instead, it would better serve government transparency and inspire public confidence if the Committee were to be open about the submissions it does receive, seeking permission from submitters to publish their entries anonymously, to ensure that its decisions are open to scrutiny and above reproach. In this case, having fewer submissions is a boon, not a bane.

### **Who's the actual stakeholder?**

Chong has also taken the rather odd step of inviting the likes of Facebook and Google to pitch in to the consultation process. This is odd since the Committee could have just as easily invited them directly – both companies have representative offices in Singapore, so how hard can it be to knock on their doors?

Moreover, the steps taken by both companies in the face of misinformation have already been widely publicised. Facebook has swung from [having users determine the trustworthiness of the content they read](#), to [providing links to "related articles" to diversify content](#). Google has considered technical solutions ranging from [fact checking tools](#) to [refining its search algorithms](#).

None of these efforts have been fool proof – if by that we mean a complete eradication of misinformation – but a clear signal arising from them would be that countering misinformation depends on user savvy and public education. Why not ask Google and Facebook specifically about the success of these initiatives?

Chong's classification of Facebook and Google as "news organisations and online platforms" is also problematic, not least because both [Facebook](#) and [Google](#) have persistently denied that they are news entities, [problematic as their defence are](#), but also because such international entities would not likely be affected by such new legislation, compared to the many local news websites and individual bloggers who do have a vested interest. Unless the government can guarantee that any new legislation will not affect these local players, shouldn't the Committee be encouraging all these local entities to submit their views instead?

### **The truth is... already out there?**

And finally, the Committee's call for more submission, particularly from foreign experts, is worrying. Mind, we should encourage an external eye to give a fresh perspective to the problem, or to even say if there is even a problem to begin with. But given the various studies and views that have been published and are easily available with an online search, why is there still a need for such a call?

Take for instance the [debate that is currently going on in the UK](#) warning about the politicised meaning of "fake news", or the [criticism in both France and Germany](#) against fake news legislation as a tool of political manipulation. There is even [resentment in the Philippines](#) about how political showmanship and lies are misleading journalists. Shouldn't the Committee already be seeking out such published material, if diversity and international perspectives is what it seeks?

In essence, the success of the public consultation is less about exactly how many or diverse the submissions are. Instead, what the Committee should be aiming for is to engage those who would likely be impacted by the end result of its deliberations; make full use of what it receives; do some digging and analysis on its own; and be ready to publicly defend any position that it makes out of the process.

The last thing we want is for a group of human letterboxes to decide on legislation based on a poorly conceived consultation process. A Select Committee that does that has already failed us and should cede its responsibilities to a more informed and engaged body.