

**COMMITTEE ON STANDARDS IN PUBLIC LIFE
324th MEETING HELD
AT 10.00 ON THURSDAY 16 MAY 2024**

MINUTES

Present: Doug Chalmers CB DSO OBE (Chair)
Rt Hon Lady Arden DBE
Rt Hon Dame Margaret Beckett GBE MP
Rt Hon Ian Blackford MP
Ewen Fergusson
Baroness (Simone) Finn
Professor Gillian Peele

Professor Mark Philp, Chair, Research Advisory Board

Lesley Bainsfair, Secretary
Nicola Richardson, Senior Policy Adviser
Amy Austin, Senior Policy Adviser
Lesley Glanz, Executive Officer
Maggie O'Boyle, Press Officer¹

Professor Kate Dommett, University of Sheffield and Dr Sam Power,
University of Sussex (for part of the meeting, outside of formal
business)

The Chair welcomed Professor Kate Dommett, Professor of Digital Politics in the Department of Politics and International Relations at the University of Sheffield, and Dr Sam Power, Senior Lecturer in Politics in the School of Law, Politics and Sociology at the University of Sussex, who joined the meeting for a discussion about the risks of misinformation during campaigning.

Professor Dommett and Dr Power covered three main areas: the pre-existing legislative context around misinformation; potential solutions for preventing misinformation; and the barriers to legislative reform. They made the following points:

Misinformation is little regulated in existing electoral law – the most relevant legal framework is Section 106 of the Representation of the People Act 1983, which makes it an offence to make false statements relating to the character or conduct of a political candidate unless there are reasonable grounds for doing so. However, Section 106 is rarely used.

There are rules around misinformation in commercial advertising, overseen by the Advertising Standards Authority, whose Code of Conduct requires adverts to be

¹ Maggie O'Boyle provides part-time press support to the Civil Service Commission, the House of Lords Appointments Commission, the Advisory Committee for Business Appointments, and the Office for the Commissioner for Public Appointments and the Committee on Standards in Public Life.

legal, decent, honest and truthful, and who have referral and enforcement powers. However, the ASA does not regulate political advertising. Although there may be genuine reasons for this exemption – for instance, that political advertising is part of normal democratic processes – there might be value in revisiting whether the exemption of political advertising by the ASA continues to be appropriate. However, there are political sensitivities around this.

The main intervention to prevent the spread of misinformation tends to be Codes of Conduct, which although sometimes criticised as being “toothless”, can be a useful first step for putting in place clear expectations for campaign conduct. .

There was a distinction between actors that fall within existing accountability systems, for instance, political candidates, and malign actors who might spread misinformation outside of elections, and for whom Codes of Conduct would not work. This meant that a multifaceted response to preventing misinformation was necessary.

Specifically, the importance of increasing transparency interventions, such as digital imprints and warning labels flagging misinformation by official fact checkers was noted. However, there were several limitations to this. For example, any imprints or labels need to be clear and give the public the right information to increase trust and confidence in what they are being told. There was also little consistency around what is being done about transparency online, which is often at the discretion of social media companies who utilise different approaches.

On behalf of the Committee, the Chair thanked Kate and Sam for taking the time to speak to the Committee and sharing their expertise.

1. APOLOGIES

John Henderson CB

2. REGISTERS

Members were asked to let the Secretariat know of any changes to the register of interests which had been circulated.

3. MINUTES AND MATTERS ARISING

The minutes of the meeting held on 18 April 2024 were agreed.

Chair’s update

Looking ahead to the general election, members discussed how best to remind political parties and potential parliamentary candidates of the need for civil debate and the Nolan Principles.

Members noted that the summary note of the March 2024 AI Seminar had now been circulated to external participants for comments with the aim of publishing the summary on the CSPL website at the end of the month.

Members noted that the Chair had hosted an informal meeting of the Chairs of Independent Offices. The group would meet again in July.

Members noted an update from the Cabinet Office on transparency commitments made in response to CSPL's 2021 report [Upholding Standards in Public Life](#).² The government had fulfilled one commitment when publishing updated Transparency Data guidance for [Ministers](#)³ and [Senior Officials](#)⁴ in April 2024. The new transparency obligations on Ministers, DGs, Directors and SROs, including stricter guidelines on meeting reporting, came into effect at the end of March 2024, and that data will be published by the end of June 2024. The minister Alex Burghart [said to PACAC in October 2023](#)⁵, that the government hopes to have the single transparency data platform in place by the end of 2024.

Members noted that the Committee had received one FOI request since the last meeting; the reply had been published on the Committee's website.

The Chair reported that he had been interviewed by the Telegraph on 8 May.

4. ACCOUNTABILITY REVIEW

Members noted the update on the review on accountability within public bodies.

5. ANNUAL REPORT

Members agreed the draft annual report. The annual report would be published in July.

6. CURRENT STANDARDS ISSUES

No discussion.

7. FORWARD AGENDA

The Committee noted the forward agenda.

8. AOB

British Election Study

² <https://www.gov.uk/government/publications/upholding-standards-in-public-life-published-report>

³

https://assets.publishing.service.gov.uk/media/6604110bf9ab41001aeea39c/2024_04_02-Ministers-Transparency-Guidance.pdf

⁴

https://assets.publishing.service.gov.uk/media/660d56ee758315001a4a499c/2024_04_02-Senior-Officials-Transparency-Guidance.pdf

⁵ As part of PACAC's inquiry: *Lobbying and influence: post-legislative scrutiny of the Lobbying Act 2014 and related matters*

<https://committees.parliament.uk/committee/327/public-administration-and-constitutional-affairs-committee/news/197876/pacac-to-question-cabinet-office-minister-on-the-effectiveness-of-the-lobbying-act-2014/>

Members discussed the British Election Study (BES).⁶ Professor Mark Philp would pursue with the BES leadership team the idea of including some questions in the Study, so as to improve the Committee's research base.

Communications Update

The Committee noted the monthly dashboard overview of CSPL's website for April 2024.

Date of Next Meeting

Thursday 20 June 2024 at 10.00.

CSPL Secretariat
May 2024

⁶ The BES is a non-partisan, objective independent study providing data and research into British general elections. <https://www.britishelectionstudy.com>