

# Response to CMA: Proposed Decision – Google SMS Designation

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This submission responds to the Competition and Markets Authority (CMA)'s proposed decision to designate Google under the Strategic Market Status (SMS) regime. I am submitting this response as an individual deeply concerned about legal compliance, freedom of speech, safeguarding, digital rights, and the sovereignty of the Scottish and British people.

## 1. Legal and Ethical Foundations

The proposed SMS designation must reinforce the primacy of UK law, especially the Equality Act 2010, the Human Rights Act 1998, the Investigatory Powers Act 2016, and the Data Protection Act 2018. These statutes protect the rights to privacy, freedom of expression, and protection from discrimination, which must be foundational to any regulatory framework. There is mounting evidence that dominant platforms such as Google are engaging in ideologically motivated censorship, compelled speech through biased autocomplete and content moderation algorithms, and discrimination based on belief, sex, or political alignment.

## 2. Freedom of Expression and Ideological Neutrality

Google's dominance in search and digital advertising markets gives it gatekeeping power over public discourse. Designation under the SMS regime must explicitly prohibit the use of market dominance to suppress dissenting views on lawful matters including gender ideology, immigration, Christianity, and political criticism. Any use of algorithmic systems that de-rank or demonetise content based on belief or lawful opinion must be independently auditable, transparent, and challengeable. The right to receive and impart lawful information must not be infringed by opaque moderation practices.

## 3. Consumer Rights and Adult Autonomy

Adults must have the right to access lawful content, including pornography and other sensitive materials, without ideological filtering or digital paternalism. Google's manipulation of app store access, ad eligibility, or search indexing to enforce contested moral standards undermines personal choice and discriminates against adult users. SMS designation must safeguard the right of adults to access legal material without being profiled, nudged, or shamed by biased platform policy. This includes ensuring that content filters or safety tools remain opt-in rather than compulsory or covert.

#### **4. Discrimination and Profiling**

There is credible concern that Google's systems use Smart Data, predictive analytics, and behavioural signals to infer protected characteristics such as sex, religion, sexual orientation, or political opinion – often without consent. This inferred data is then used to deliver or withhold content, manipulate search visibility, or monetise engagement. Such practices breach the principles of fairness, transparency, and lawfulness under UK GDPR and the Equality Act. Regulatory oversight must include the right to full explanation, correction, and opt-out from such profiling, and mechanisms for individuals to challenge ideological classification or targeting.

#### **5. National Sovereignty and Devolved Powers**

Any remedies or obligations imposed on Google must be sensitive to devolved legal competence. Scotland's democratic institutions must retain full control over educational, legal, healthcare, and safeguarding matters. UK regulators must ensure that international tech platforms are not allowed to override devolved priorities or impose ideological conformity inconsistent with Scottish law. Furthermore, CMA must guard against foreign interference in digital infrastructure, ensuring that sovereignty is not undermined by supranational standards or unaccountable governance models.

#### **6. Enforcement and Redress**

The SMS regime must include robust mechanisms for redress by individuals, small businesses, and belief-based communities. This includes fast-track appeals, legal remedies for deplatforming or monetisation loss, and enforceable duties on transparency and fairness. Regulatory obligations must not be reduced to tick-box exercises or internal grievance channels – real accountability must be felt.

I support firm regulatory action against digital monopolies but caution that the approach must prioritise civil liberties, lawful dissent, and national sovereignty. I urge the CMA to adopt remedies that uphold legal rights, protect belief and sex-based equality, and empower individuals to control their own data, choices, and digital lives.