Executive Summary

The advancement of information technology and online platforms, has enabled people across the globe to have new ways to connect to each other, gather and spread information. In an era of information expansion, the spread of "fake news"[1] has become an increasingly serious issue in many regions of the world. It influences people's behaviour and choices and can create public panic[2] and social division. The decline in collective trust is significant.

Many international authorities have taken action to limit the spread of fake news. The European Union published an EU–wide Code of Practice on Disinformation for online platforms, Singapore and France passed laws on disinformation; other countries have promoted fact-checking initiatives and media-literacy education.[3]

In Hong Kong, the topic of "fake news" has recently been attracting a growing level of attention. There are also disputes about the meaning of "fake news" and with many different interpretations. The Government has yet to provide a clear definition for the term. Scholars believe that the term 'fake news' has developed its own, loaded meaning that is inadequate to describe the complex phenomena of information pollution.

"Fake news" generally refers to a phenomenon of information disorder that is inter-connected with concepts such as disinformation and misinformation. They all refer to false information that is spread with or without the intent to cause harm to individuals or society. In Hong Kong, there was widespread disinformation during the social incidents of 2019 and the outbreak of Covid-19. In the 2021 Policy Address, the Hong Kong

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[1] "Fake News" does not have a clear definition. It refers to false, inaccurate, manipulative and misleading information that goes well beyond "news" generated by media organisations. This study uses the terms "fake news", "false information" and "disinformation" interchangeably to refer to the same issue.

[2] In the early days of the Covid-19 outbreak, panic-buying of rice and toilet paper was sparked by rumours of supply shortages in Hong Kong. See https://www.rfa.org/cantonese/features/hottopic/fear-02172020092046.html

[3] The Research Office of the Legislative Council Secretariat has studied international measures to tackling online disinformation. See https://www.legco.gov.hk/research-publications/chinese/2021in14-measures-to-tackle-disinformation-in-selected-places-20210623-c.pdf

A Study on the Rise of Fake News

Government stressed that tackling fake news and safeguarding cyber security are issues that need to be addressed. It is now considering the possibility of legislative intervention to regulate online disinformation and is conducting a study to examine the experience of other countries.

The proposal to legislate against fake news, though, raises concerns about free speech and Press freedom in Hong Kong. Although the Hong Kong Government has no current plan or timetable, regulating fake news is a highly sensitive issue where more in-depth discussion is needed before any decisions can be made, and any consensus can be reached. Topics that should be covered include: how fake news might be defined, what legal and non-legal measures should be considered, ensuring the right balance between regulation and protecting freedom of speech.

This study's points for discussion and recommendations, are based on information collected through a literature review, an online poll of 740 Hong Kong youth (aged 15 to 34), 10 case-interviews of youth who are frequently exposed to disinformation, and 5 interviews with scholars and experts.

Major Discussion

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1. **"Fake news" is a vague and ambiguous term with diverse interpretations. To facilitate the discussion, the term "disinformation" is used to clearly identify the main issue.**

To begin, there is a need to clarify the basic ideology and concepts. Experts in this study indicated that the term "fake news" in academic research refers to the phenomenon of misinformation and disinformation, and it incorporates numerous meanings that people utilise to condemn and attack sources. As a result, academic researchers tend to refrain from using the term in their discussions.

According to the online survey, the vast majority of the 740 youth participants (94.6%) had heard of "fake news". A great majority of whom agreed that "misleading true information" is considered "fake news", indicating that the younger population has a fundamental understanding of

the phenomena. Simultaneously, the respondents highlighted a common societal habit in which individuals mistake facts as commentary, consider jokes and sarcasm as "facts", and criticise opposing viewpoints using the term "fake news".

Since the term "fake news" is so ambiguous, it is not possible to adequately reflect the complexity of the subject, and is difficult for the general population to identify the real issue. Therefore, the study recommends the Government should avoid using the phrase when communicating with the public and enacting legislation. A replacement term such as "false information" or "disinformation" would be more direct and clearer in political settings.

2. **Over 60% of the respondents had encountered misinformation in the previous six months. Most of the misinformation came from social media and personal communication platforms; raising the awareness as to how serious an issue it has become.**

The rapid development of technology and social media has undoubtedly increased convenience to communication and the dissemination of information. It has, however, also facilitated the spread of false information. 66.2% of the respondents had been exposed to disinformation in the previous six months (83.9% from social media or personal communication platforms: 54.1% from the internet; 38.4% from discussion forums); of those, 41.2% and 29.2% respectively said they had encountered disinformation at least once a week, and had forwarded inaccurate information to others without verifying the source.

The survey result shows that 67.6% of the respondents tend to think that disinformation is a serious problem. Some expressed that they were exposed to disinformation in recent years and believe that it has emerged with the rise of social media platforms and diversified telecommunication.

The study also reflects that numerous young respondents are frequently exposed to disinformation. They often come into contact with inaccurate information on social media, personal communication platforms, the Internet, and discussion forums. Also respondents acknowledge the

seriousness of disinformation, indicating it has intruded into personal life and society. Therefore, there is a need for different stakeholders in society to address the matter.

3. **Politics and the pandemic were the topics where respondents encountered the most misinformation in the previous six months. Disinformation is closely related to the public's trust in social institutions, which become more prominent during times of social unrest.**

Among those who had experienced disinformation, political (74.1%) and pandemic (73.3%) disinformation were the most frequently encountered. When the youth shared their personal experiences in case interviews, they generally cited examples related to Covid-19 and the 2019 Anti-Extradition Amendment Bill Movement. As to the respondents' perspectives on the causes of the disinformation phenomenon, the most commonly cited reasons were due to low levels of trust in the Government (53%) and serious social divide (50.9%).

In recent years, Hong Kong society has become polarised due to the challenges of social events and the pandemic, which have aggravated social tensions. In a polarised political environment, individuals tend to decide whether information is true or false based on their heightened beliefs and create information to consolidate their perspective. In turn this encourages the spread of disinformation.

The level of disinformation is a reflection of a society's conflicts and difficulties; misinformation and social confrontation exacerbating societal upheaval. Easing social tensions and re-building trust in society, will help to reduce the amount of disinformation.

4. **Experts and youth respondents were sceptical about using legislative measures to deal with misinformation. The concern was that such an approach would further disrupt Hong Kong. As there is not yet a consensus on this issue, the Government has responsibility to evaluate every legislative detail.**

According to interviewed scholars and experts, it is a worldwide trend to use legislative approaches to regulate the spread of disinformation. However, the objectives, methods, and regulations vary according to the unique social context of each country. The issue of false information spans a wide spectrum of sensitivity and complexity, with many stakeholders having serious concerns about regulation.

The survey shows the youth are almost equally divided on the use of legislative measures to regulate disinformation; 39.3% agreeing and 38.9% disagreeing. The interviewed youth expressed their concerns about legislation: 71.8% regarding freedom of speech; 66.4% restriction of the Press; 53.3% misuse of power.

Some respondents who supported legislation shared concern they would be held liable for unintentional publishing and sharing of false information. Some who oppose are worried that Press freedom will be affected by ambiguity and lack of transparency in the enforcement of any law. The interviewed scholars and experts voiced a number of concerns about legislative provisions, including how to define the law's scope and boundaries, who constitutes fake sources, and challenges that will develop during implementation.

Resorting to the use of law is one of the options to alleviate the spread of "fake news", but as can be seen from overseas experience, legislation alone has not been enough to solve the problem. Although many interviewed youth are regularly exposed to false information and believe that it is a serious concern, they also have reservations about legislation; society must handle legislation carefully.

5. **Fact-checking can help reduce the spread of disinformation. Although many new fact-checking organisations have emerged in recent years, most respondents are not sufficiently aware of them. There is the need to improve the awareness and mechanics of fact-checking.**

Fact-checking has been developing rapidly across the world during the past decade. In Hong Kong, there are fact-checking initiatives introduced by the community or promoted by academia. The University of Hong Kong and Hong Kong Baptist University have both established their own fact-checking

organisations though, according to the interviewed scholars and experts, most of the fact-checking organisations in Hong Kong have a small workforce, and the checking procedure is inefficient. Therefore it makes the tracking of false information slow, and unable to keep up with network changes.

According to the survey, 70% of the youth interviewed said they would check the authenticity of a source, and only 20% of them had used local fact-checking organisations. In the case interviews, many respondents said they had not heard of, or had contacted, local fact-checking organisations. They also raised multiple questions including: how the organisations operated, how neutral their responses were, their funding sources, and how useful they were.

The concept of fact-checking is becoming popular. While most young people have a basic awareness of it, the newly formed fact-checking organisations and processes are still in their infancy, and there is a lack of knowledge and participation among the youth.

6. **As society currently has limited education about and awareness of misinformation, media campaigns and information literacy education can be used as long-term and basic solutions.**

In recent years, many countries and regions have begun to emphasise and promote Media and Information Literacy (MIL). This refers to developing a range of information-processing skills, including media-literacy, information-literacy, and ICT skills. It also advocates the strengthening of each internet-user's ability to judge and analyse information in order to independently verify the truthfulness of sources.

Currently, MIL is exclusively promoted in school programmes with no policy to introduce MIL to the whole of society. The survey showed that 90% of the youth believe education is a necessity to increase knowledge about and awareness of social media. Despite this over 65% (67.6%) of the interviewed youth have not yet encountered or participated in any media or information education events. Many also acknowledge the current education system does not promote the issue.

In order to reduce the spread of disinformation in the long term, various interviewed scholars and experts mentioned the importance of MIL education and the need to strengthen awareness of it throughout society. Some scholars pointed out that the digital education promoted in Primary and Secondary schools is heavily focused on the acquisition of programming skills rather than on how to receive and use information.

The goal of MIL education is to reduce the spread of false information. The Government should consider how to establish a comprehensive and systematic MIL education and to promote it across different areas of society.

Recommendations

The cause of disinformation is complicated with no short cuts in dealing with it. Based upon the findings and discussion earlier, this study proposes multiple strategies to tackle disinformation, including: legislation, strengthening the self-regulation of online platforms, develop fact-checking organisations and promoting media-literacy and information-literacy education.

1. **Strengthen internet-company and social media-platform regulations without criminalising individuals.**

   There are many issues to be considered when it comes to legislation such as: how to define its scope and legal boundaries, the means for deciding on the veracity of any information, who should be regulated, how to balance legal restrictions and protecting freedom of speech. Considering overseas' experience, this study recommends the following legislative proposals:

   (a.) **Focus on harmful and illegal content. Opinions, criticisms, satire/parody should not be covered.**

   (b.) **The Government should avoid deciding what is constituted as false. Instead, a committee of independent scholars, experts and fact-checking organisations should be formed, allowing for appeals to the Courts.**

(c.) Do not criminalise individuals, so as to protect the free flow of information, freedom of speech and freedom of the Press.

(d.) Impose regulations that strengthen the supervision of internet companies and platforms. Clearly-understood legal liabilities should be established for social-media companies to act against harmful or illegal content on their sites. The Government can also consider establishing a regulatory body and a monitoring mechanism to require internet companies to submit an annual self-assessment report on the level of disinformation on their sites and the implementation of corresponding countermeasures.

2. Conduct sufficient legislative explanatory and consultation work; provide the consultation document in the form of a White Bill.

Using legislative measures to deal with disinformation is highly controversial with both successful and unsuccessful examples in different jurisdictions. This study shows that youth are divided about such legislation. The Government should leave sufficient time for its explanatory work and consultation process to achieve a consensus on any measures.

This study recommends that before the Government drafts the bill, major stakeholders should be contacted such as: communication scholars, professional fact-checkers, media agencies, journalists and internet companies. The Government should also provide the consultation document in the form of a White Bill, in order to address the various concerns of the public.

3. Improve the Government's communication capabilities through the establishment of Public-Private fact-checking programmes to enhance the authorities' competence to identify, verify, and clarify inaccurate information.

During the pandemic, the Government provided constant updates on how to tackle the virus. However, some LegCo members criticised the messaging as confusing and leaving the public unsure of what to do. To prevent the public from being confused, the Government should

announce relevant policies and measures only after careful additional attention to the uniformity, completeness, and accuracy of messages. The study recommends that the Government should take advantage of technology to effectively deliver messages and improve its responsiveness to public opinion by establishing a transparent, user-friendly information platform.

Many Asian governments have established fact-checking mechanisms to tackle rumours and inaccurate information. The study recommends the establishment of more such projects and rumour-clearing platforms through cooperation with credible media or fact-checking organisations. This would enable improvements in the monitoring of widespread false information and accelerating the clarification process.

4. Encourage and subsidise academic institutions to establish more fact-checking organisations, and actively utilise digital tools such as Big Data and Artificial Intelligence to support the development of fact-checking programmes.

Fact-checking is emerging worldwide, yet such practices in Hong Kong are still in their infancy and encounter challenges such as limited funding, insufficient manpower, time-consuming screening processes, and an overall lack of awareness. To maintain the independence of fact-checking organisations, this study recommends that the Government should fund academic institutions to help promote a fact-checking culture, while encouraging online platforms to join with fact-checking organisations in raising public awareness about the risks and social repercussions of misinformation.

In the same way that the Hong Kong Government has been promoting the development of innovation and technology, it can increase research & development resources to encourage university and technology companies to develop digital tools. An example of this, "謠言捕手" in Taiwan is a fast screening platform for false information established by a public research institution. The platform efficiently supports fact-checkers to monitor, track, and filter suspicious messages.

5.   **Develop a strategy to improve media-literacy; Allocate resources and encourage society to initiate educational programmes in schools and communities.**

This study recommends that the Government should establish a task force to coordinate and formulate strategies to enhance Media and Information Literacy (MIL) for the public by actively cooperating with academic institutions, media organisations, educational institutions, and NGOs. Resources should also be allocated to Primary, Secondary, and early childhood education to nurture MIL from a young age. Moreover, improvements should be made to the learning framework and materials to encourage schools to offer MIL courses. Training should also be increased for educators about how to implement MIL education.

The vision of the MIL strategy is to develop a healthy media-based society. There have previously been many attempts at MIL projects in the community, such as online-platform fact-checking and media organisations, and NGOs. In reference to public education, this study recommends encouraging existing organisations and platforms to promote and extend educational programmes within the community, to ensure MIL becomes a civic movement in Hong Kong.