

Government review of Social Media following the riots

1 Introduction

As a member of PICTFOR (formerly PITCOM), Intellect has been asked by the Rt.Hon. Alun Michael MP, Chairman of PICTFOR, for comments on the government review of social media – specifically ‘whether social media needs greater regulation’.

Alun Michael posed four questions, of which two apply to Intellect. (The other two are relevant to other MPs or those more directly affected by the riots). The two questions we have focussed on are:

- *How best can MPs and Peers, across Party, contribute to intelligent public debate?*
- *And how can we co-ordinate informed debate that can help Government and Parliament in looking for the right way forward?*

It would not be appropriate, nor has there been time, for Intellect, as the technology trade body, to present a series of immediate conclusions and recommendations on this high profile and multi-dimensional issue.

In this response we have concentrated on providing facts about the technology, and just as importantly, calling for the gathering of evidence, for a (more) informed debate.

We have asked ourselves, what does ‘regulation’ mean in this context? If this issue was placed in an OFCOM context, it could include licensing, content and the ability to regulate operation. It seems doubtful if licensing is feasible for social media. This response has therefore concentrated on content and the live operation of social networks.

This is an important issue and we take it seriously. We have a history of working with government on a large number of developments where the use of technology has affected civil society, sometimes in unexpected ways, and some good and some bad. Technology is neutral and has been and is used for good and bad. Clearly, Intellect believes that in the end the use of technology has enhanced our fellow citizen’s lives.

Intellect believes that any consideration of ‘greater regulation’ needs to address a three way balancing act between:

- How the rioters ‘co-ordinated criminality and stayed one step ahead of the police’

VS

- How the police ‘used social media to track trends and detect crimes’

VS

- The wider public policy issues of restricting the use of communications systems, including what is possible and practical to-day and what might be desirable after legislative change

In response to the PICTFOR questions we see a need for an investigation centred on the triangle of questions outlined above, what the real evidence is of use by all parties during the riots and finally the practical aspects of taking any action. Some of the detail is outlined below. Rather than a major public enquiry, evidence taking by The House of Commons Home Affairs Select Committee seems to be the right scale.

Intellect would be delighted to assist PICTFOR, the Select Committee or the Home Office on the technology aspects of any investigations they may undertake.

2 Evidence

Any inquiry needs evidence. Specific data is needed on

- How did the rioters use Social Media and what happened as a result?
- What content was 'taken down' -ie removed, including volumes etc
- How did the police benefit?
- What are the public policy issues and what would be the effect of restricting Social Media

It is understood that instant messaging services and social networks were used to instigate and organise criminal activity during the riots. A number of people have already been charged for offences based on evidence gathered from social media services. Equally it is known that the police used social media to track activities. Any enquiry needs specific details.

3 Current Powers and Capabilities

The police already have the power to request information from Communications Service Providers via The regulatory Investigative Powers Act' (RIPA) to prevent or detect crimes. RIPA was established in 2000 to regulate a wide number of investigatory powers. The Act sets out ways that government bodies, including the police, are allowed to carry out surveillance; it includes accessing any communications data, listening to phone calls, and intercepting an individual's e-mails. It is possible that RIPA is too slow to cope with the events we have recently experienced. More data is required.

4 Known benefits of Social Networks for communities and police

Social media is a communication tool able to rapidly build networks and allow individuals to communicate in real-time:

- In the aftermath of the riots social media was used to bring previously un-connected people together to clean up the streets, donate clothes and furniture, and raise thousands of pounds for victims.
- Throughout the disturbances Internet users collated tweets to create a 'London Riots Map' on Google. It quickly created a vital source of location based information by plotting disturbances on a map and warning people to avoid specific areas.
- In many cases social media was far quicker to deliver breaking news than traditional media sources. Accredited journalists readily used social networks to provide real-time updates on the riots as they happened, and 'citizen journalism' was widespread as a source of information.

Social media also proved itself to be a valuable intelligence tool for the police:

- The Metropolitan Police's acting deputy commissioner Tim Godwin, told the Home Affairs Committee on 16 August that whilst the Met did consider temporarily closing networks during the riots, in addition to the legality of such actions being questioned, it is also clear that intelligence gathered from social media services of criminal activities was a useful tool in fighting crime.
- *"The legality of closing [social media services] is very questionable and additionally it is also a very useful intelligence asset"* Tim Godwin, Acting Deputy Commissioner, Metropolitan Police. The Deputy Commissioner went on to say *"We used Twitter a lot and other social media sites [during the riots]."*
- The police were able to use intelligence gathered from social media services to discover that the Olympic Site, Westfield Shopping Centre, and Oxford Street were being targeted by rioters. Assistant Commissioner Lynne Owens stated in the same hearing that *"We were able to secure all those places and indeed there was there was no damage at any of them. We were able to respond because of our live-time monitoring of Twitter and BBM"*.

5 Practical Issues

If the government wants to restrict access to social networks and their 'content', there appear to be four ways of approaching this:

- Monitoring content and the networks taking down 'inappropriate' updates
- Restricting access to the mobile network
- Restricting access to the fixed line network
- Taking actions against the social network itself i.e. ultimately the servers

Taking down updates and content

This needs to be a joint operation involving the police and the networks and undoubtedly already happens. Take down criteria are needed, both from the networks and the police. If manual intervention is required during periods of intense activity, such as occurred during the riots, there may be a problem of keeping up with developments. If the Government wants to follow up this point, statistics are needed.

Mobile Networks

It is relatively simple operationally to shut down a base station, on receipt of an appropriately authorised instruction from the government. However, in an urban area, because coverage between adjacent base stations overlap, it would be necessary to close down four of five, or even more base stations, to isolate a densely populated urban area. It should be noted that base stations have a feature called 'Dynamic Transmitter Power Control'. In an urban area where there are overlapping base stations and therefore relatively low power output the base stations have the capability of increasing their output power, thus reducing the affected area with no cover.

Shutting down a mobile base station cuts off both voice and data capability. About 15% of the population have no fixed lines and removal of mobile access would remove 999 emergency access from those without access to a fixed line.

Fixed Line

Shutting down part of the fixed line network would be an extreme action. If both voice and data were taken down, then clearly 999 access would be lost for those relying on their fixed line.

In theory it might be possible to take down broadband only, by removing access to the DSLAM (Digital Subscriber Line Adapter Multiplexors) but to our knowledge there is no well ordered process to achieve this. DSLAMs can be compared to base stations, but are not stand alone units.

The Social Network itself – The Servers

The servers, which run the network and provide the high function and interfaces for these networks can be located anywhere. If abroad there would be jurisdictional issues. Even if solvable the time taken in dealing with foreign courts and governments makes this impractical. If some or all of the servers are located in the UK and action was taken against them, other UK geographical areas and non-UK locations would be affected.

Some countries appear to have an infrastructure that enables all sorts of activities by the state, such as barring access to certain websites, filtering, and mass monitoring. UK has very limited capability to do this and only for relatively small volumes.

In conclusion on the practical aspects, if there are plans to regulate access to social media, there are a huge number of practical issues that need to be addressed, leaving aside the wider policy issues.

Facebook already has a dedicated team working with the police to remove postings which promote illegal activity or make threats of violence. In extreme cases users can even be banned from using the social network altogether.

6 Conclusions

Intellect, as the technology trade body will be very happy to assist with any review of social media following the riots. This needs to be focussed around the three questions we have identified in section