Full Fact discussion of the internet and the Inquiry

Summary

Regulation exists to limits abuses of power but new and converging platforms are changing the landscape of who is powerful in the media. We provide data on who is powerful online. We discuss some consequences of new technology in terms of trust, privacy, and the replacement of human editorial decision-making with computer algorithms. We talk about the urgent need for cross-media regulation. The last two sections discuss what the Inquiry should do next and, finally, how it should address parts 2 a and b of its terms of reference.[1]

Premise

Regulation exists to prevent powerful people abusing their power, often at the expense of less powerful people. When working out what to regulate, asking 'who is powerful?' is useful.

Three powers to watch out for when communications technology changes

1. Freedom of expression
2. Access to public platforms
3. Command of mass attention

The internet has changed access to public platforms massively, just as the advent of the printing press did. Access to public platforms *used to be a scarce commodity*. Now, it is available to almost anyone.

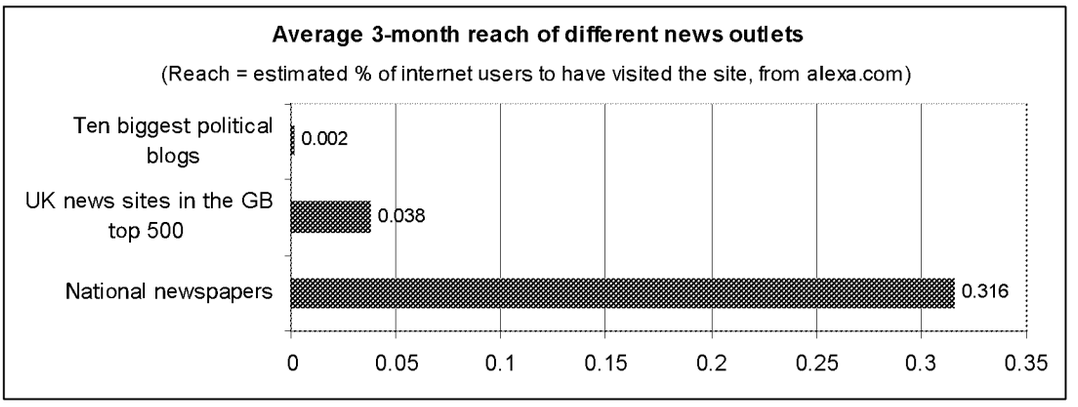
However, command of mass attention *remains a scarce commodity* and probably always will. As it always has, this power continues to confer wide influence on society.

[1] This document an effort to help inform deliberation about how the Inquiry should approach the challenges raised by new technology. Save for the few specific recommendations, it is not primarily meant to present Full Fact policy.

Who is powerful online?

Four categories of online publisher platforms, from smallest to largest:

1. Individual bloggers
   have a tenth of the audience of
2. Top online-only news outlets (usually specialist like MoneySavingExpert.com)
   have a tenth of the audience of
3. National newspapers
   have a tenth of the audience of
4. New media giants (Google, Facebook, Yahoo, Wikipedia, Microsoft etc.)



Data[2] from Alexa, based on automated monitoring of an unbalanced sample of internet users. Detailed traffic comparison with data would not be secure but other data we have seen confirms this high-level analysis.

To put these figures in context Google UK, which is likely to be visited by most UK internet users, is estimated to have a reach of 3.085 per cent. The order of magnitude difference is apparent at every level.

The missing player in this summary is the BBC. Alexa ranks it as the world's 44th biggest and the UK's 5th biggest website, with a 3-month reach of 2.168 per cent.

[2] • Ten biggest political blogs: order-order.com, conservativehome.blogs.com, ukpollingreport.co.uk, liberalconspiracy.org, leftfootforward.org, politicalscrapbook.net, politicalbetting.com, eureferendum.blogspot.com, labourlist.org, timworstall.com (based on the political blogs with the highest Alexa 3 month reach from the Total Politics magazine top 50 blogs vote)

• UK news sites in the GB Top 500: moneysavingexpert.com (independent), pistonheads.com (Haymarket), theregister.co.uk (independent), sportinglife.com (Sky), zdnet.co.uk (CBS), racingpost.com (private equity investors), thisismoney.co.uk (Associated Newspapers). We have excluded MumsNet and similar as being discussion rather than news sites but they arguably fit in the group, as being of a similar size and wielding clout.

• National newspapers: Daily Mail, Guardian, Telegraph, Sun, Mirror, Independent, Express, Times. The Times reduces the average because of its paywall.

Political impact

Each of these types of outlet is capable of using its clout for political ends. All other things being equal, the larger its audience, the greater its influence.

The political campaigns of the national press hardly need to be drawn to the Inquiry's attention.

Very recently the really huge online destinations showed their leverage with their audience via a blackout by top 10 sites that included Google and Wikipedia This was in protest at US bills which would have created a mechanism for denying access to certain kinds of websites. To give a sense of the power of this move, Tumblr, a blogging platform using this technique generated 87,000 telephone calls to Congress in 24 hours.[3]

Back in the UK, watchers of politics were fascinated by the MumsNet chats with party leaders at the last election[4] and MoneySavingExpert's recent campaign for compulsory financial education in schools[5] attracted more than 100,000 petitioners, a debate in Parliament, and a response from the Prime Minister.

Each of these events represent early examples of publishers who have come up online-only from tiny websites flexing their muscles in national politics.

There is clearly a tipping point. Once a publishing entity is big enough, it is powerful. Sooner or later those publishers realise that and they flex their muscles. Conversely, those that are not that big, are not that powerful.

Blogs are not too small to have political influence, though it tends to be on politics rather than policy (on who is up and who is down, rather than on decisions government makes). In July 2011 Guido Fawkes, the largest political blog, launched a petition for the popular cause of restoring capital punishment. By mid-January it had received 26,000 signatures.[6] An opposing petition had received 33,000.[7] This is a far cry from the great million-signature newspaper or even pressure group petitions. When Guido has had political influence it has tended to be through exposing information which has been picked up widely rather than by influencing its readers. The resignation of Downing Street adviser Damien McBride for conspiring to smear political opponents and the widespread speculation about William Hague's sexuality are examples of its impacts in that fashion. It is striking that although McBride's

[3] http://staff.tumblr.com/post/12930076128/a-historic-thing

[4] Details and summary of press coverage at http://www.mumsnet.com/media/mumsnet-election. They report that "Rachel Sylvester in The Times wrote: '[…]next year's poll will be the Mumsnet election.' She quoted Deborah Mattinson, Mr Brown's pollster, who said: "Mumsnet is totemic of the modern mothers who will be the key political battleground at the next election."'"

[5] http://www.moneysavingexpert.com/news/banking/2012/01/prime-minister-responds-to-financial-education-calls

[6] http://epetitions.direct.gov.uk/petitions/138

[7] http://epetitions.direct.gov.uk/petitions/1090

emails were leaked to the blog, it gave them to the Sunday papers to publish in order to see McBride "removed from politics".[8]

Bloggers

Any free society must have a threshold that must be reached before it is prepared to limit speech. In the US it famously a threshold was put forward of a "clear and present danger" of "substantive evils that Congress has a right to prevent."[9] In the wider Europe nowadays the threshold is set by Article 10 ECHR: prescribed by law and *necessary in a democratic society* for one of various enumerated purposes. The point is, there is a threshold.

We submit that bloggers will almost never be above it. Blog audiences are almost always too small; the platform too open; the range of voices too wide; and the level of interaction too great for state intervention to be necessary at this level. It is a relatively free and undistorted marketplace of ideas.

Although some high-profile criticism has been aimed at blogging[10] its strengths have been recognised too. For example, the Economist recently ran an editorial headlined "A less dismal debate" praising the impact of blogs on economic debate in bring attention to academic work and providing a platform for discussing potential solutions to current problems.[11]

Accordingly we believe that Justice Brandeis's approach in Whitney v California would be right in the context of blogs: "If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence."

In accordance with our goal of securing the availability of trustworthy information for public debate, Full Fact believes that everyone, from bloggers to newspapers, has the same or similar civic responsibilities to their audiences and fellow citizens. We think good bloggers will correct factual inaccuracies just as good journalists will and for the same reasons. But not all civic responsibilities should be translated into legal duties. Below a threshold of power the right tools for upholding those responsibilities are social expectations and the self-control of the publisher.

This approach has found some pragmatic support from media lawyer Mark Thomson in oral evidence (24 Nov 2011, Morning, p.49):

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[8] http://order-order.com/2009/04/18/labourgraph-doing-downing-streets-dirty-work-again/

[9] Oliver Wendell Holmes, dissenting, in Abrams v. United States, 250 U.S. 616 (1919)

[10] For example, the Telegraph reports that Andrew Marr described it recently as "too angry and too abusive," going on to say: "A lot of bloggers seem to be socially inadequate, pimpled, single, slightly seedy, bald, cauliflower-nosed, young men sitting in their mother's basements and ranting. They are very angry people." 'Andrew Marr attacks "inadequate, pimpled and single" bloggers' *Telegraph* 10 Oct 2010, http://tgr.ph/arnB4d

[11] 'A less dismal debate' *The Economist 31 Dec 2011, http://econ.st/t1fxmA*

> "My view is that on those small websites, best ignored until they reach a critical mass of attention in a newspaper. If you run around trying to worry about every single blog on the Internet, you'll end up sort of paranoid and mad, and that's not worth it."
>
> "LORD JUSTICE LEVESON: I don't want to get myself into that position."

Intrusion by blogs

Blogs are capable of intruding just as anyone else is, though perhaps less completely than organisations with bigger and better resources. The Inquiry has received helpful practical evidence about this:

> Ian Hislop (17 Jan 2012, Morning, p.36): "stories tend to get going still in Britain when they hit the newspapers rather than when they've been on the blog, when they're taken from the blogosphere and put in newspapers, because at that point they are tested, supposedly." As summarised by counsel, "the very fact that a story enters a newspaper gives it a level of credence." This is probably true but it also almost certainly gives the story an audience far bigger than it has had before. Both these factors are important.
>
> Hugh Grant (21 Nov 2011, Morning, p.61): "if a story is in a — on a newspaper website, it will scatter much faster than if it's just on someone's blog or it's a tweet or something like that."

Again, there appears to be a practical tipping point here. We suspect that all or almost all blogs fall below it, although some may not. We discuss where to draw the line later. Those falling below the line will be subject only to the general law (including any amendments the Inquiry may recommend). Above the line privacy codes and regulation may have their place.

The largest sites: platforms and algorithms

The largest sites are not really publishers but platforms.

- Google search is a platform for finding content on just about any website
- Twitter is a platform for anybody to share their own thoughts
- Wikipedia is a platform for anybody to help create a collaborative encyclopaedia

So long as they are neutral platforms for others' content the potential power of their audience share is limited because it is fragmented into millions of parts. Put another way, they—currently—operate more as mediums than as publishers in their own right.

However, if they make centralised editorial decisions about what their audience sees (beyond housekeeping necessary on any large open platform) that would make them of central interest to the Inquiry in recommending a future regulatory regime.

We suspect that the Inquiry would be ill-served by focusing on what such platforms are doing at the moment because it is a very rapidly moving target. Instead, it will be important first to get a sense of what developments are technologically possible and second, to work out where the lines of principle can be drawn between neutral platforms and content publishers, or whatever other distinctions seem appropriate.

A particularly difficult issue is where the content of sites is determined not by their editors, nor by their users, but by algorithms. The workings of those algorithms are often trade secrets. Some algorithms, like twitter's top tweets, do simple things like showing what is popular among the audience. Others, like Google News, involve what are *effectively* editorial choices, from determining placement to summarising documents. Often the results are tailored to the individual user.[12]

Certainly anything that is determined by editorial judgement should not be misleadingly presented as neutral carriage or the product of a content-neutral algorithm but these platforms (and the algorithms they use) may very soon be the major determinants of our media experience. That raises far deeper questions about regulation, such as:

- Do users need transparency about how these algorithms work generally?
- Should any connection between advertising and non-advertising content placement either have to be declared, or simply be banned?
- Is there a need for a 'universal service obligation' to ensure that personalisation does not totally erode a shared public arena of debate (an experience known as bubbling)? If so, how should it work and what should it cover? For example, should there be a cap on the proportion of news content that may be personalised, either at election time or generally? Should there be an obligation of transparency about personalisation or an obligation to provide a readily-accessible opt-out?
- Do platforms that carry others' content have an obligation to carry relevant corrections (we think yes)? Should this be enforced by law?
- As algorithms increasingly move into creating and not just placing content what safeguards are needed, and does regulation have a role in providing them?

[12] Google search results are personalised to you by default, for example. Yahoo reveals that its home page Content Optimisation and Relevance Engine (CORE) serves 700 million users over 400,000 stories in 13 million combinations, every day. It credits that personalisation for a 300 per cent increase in its click-through rate (http://test.visualize.yahoo.com/core/). We presume that other publishers, especially the national media, have noticed and will follow this trend soon if they have not already.

- What should be the relationship of algorithmic content to existing restrictions on speech relating to libel, advertising, elections, incitement etc.?

The top sites using these tools are already dominant media players themselves,[13] and we expect the tools will spread quickly among other publishers. Therefore we think the Inquiry needs to take evidence about these issues and ponder what further questions arise if its recommendations are to have any shelf-life at all because

Richard Desmond gave the Inquiry his view that editors' front page choices do not significantly affect circulation. Be that as it may, he will not fail to act on the evidence that personalisation algorithms, often learned from e-commerce, significantly improve traffic and click-through rates and therefore advertising opportunities and ultimately profit.

Access to public platforms and privacy

Nowadays someone who cannot keep a secret, certainly cannot put the genie back in the bottle. Even if that secret is the subject of a privacy injunction, if it is interesting to the public it will be shared in a way that is both impractical to restrict, and difficult retrospectively to trace and sanction.

There are two possible responses to this situation:

1. Live with it, accepting that in this respect society has simply changed.
2. Create a criminal offence (for whatever class of cases seems appropriate) and be prepared to enforce it.

We doubt option 2 is a runner other than for narrow classes of cases.

Therefore, a further question arises of whether newspapers should be able to report something that is already widespread knowledge through other media. Privacy is not our area of expertise so that is not something about which Full Fact can usefully comment.

Access to public platforms: an opportunity

One of the effects of the new found ease of access to public platforms has been that certain public bodies have been able to throw open their work to the public.

[13] The latest published figures show that, other than search, the third largest sender of UK traffic to newspapers' sites in May 2010 was algorithmic aggregator newsnow.co.uk, beaten only by facebook.com and, at number 1, news.bbc.co.uk, whose links are provided by another aggregator called Moreover (http://www.bbc.co.uk/news/10621663). Newspaper Marketing Agency, *Newspapers Online Analytics*, May 2010 http://www.nmauk.co.uk/nma/uploads/18169/Noa_May_10.ppt

- Parliament, particularly with Hansard and broadcasting (and the independent TheyWorkForYou.com for text and BBC Democracy Live for video)
- Legislation.gov.uk
- Government, which publishes everything from white papers to press releases and transcripts of press conferences
- Office for National Statistics and official statistics producers generally
- Academic research is increasingly freely available online
- The Supreme Court, with video, judgments and its exemplary press summaries of judgments

The decline of court reporting has long been lamented. It has been rued repeatedly during the Inquiry. Through our work we understand why, and what a gap is being left as this staple journalism declines. Nonetheless, it is not coming back. It is therefore essential that the rest of the court system, and particularly the criminal courts, stop being the glaring exception and start to follow the examples given above.

Factchecking sentencing remarks is currently all but impossible even when they become a subject of national controversy. Several papers recently ran stories like 'Muslim women not used to drinking walk free after attack on woman'. It was an eye-catching claim that we wanted to factcheck.[14] Unfortunately, the judiciary was unwilling or incapable of commenting on the reported version of events, or on what was said by the judge in his sentencing remarks. Sentencing is constantly under heavy scrutiny and criticism and it seems to us that sentencing remarks should be recorded and published online. That would not replace traditional court reporting but it would improve on the growing vacuum in this area. Open justice in this century must mean more than merely being able to walk into the courtroom.

The more direct access to official sources is made easy, the greater the social pressure for good journalism. Moreover, having official and primary sources available online provides a foundation from which assessable and trustworthy journalism can be built up.

Access to information and building trust

Onora O'Neill's seminal fourth Reith Lecture[15] deserves to be read in full on this topic. Her central point, and a founding influence on Full Fact, is that: "In judging whether to place our trust in others' words or undertakings, or to refuse that trust, we need information and we need the means to judge that information." The information (in this case, claims from and in the media) are online. As we have just

[14] See http://fullfact.org/factcheck/Muslim_women_spared_jail_for_attack_because_not_used_to_drinking-3179

[15] Onora O'Neill, *A Question of Trust: Trust and Transparency*, 2002

seen, the primary sources with which one can judge that information are often online too. But at the moment, journalism that links to its sources is exceptional.

As Baroness O'Neill warns:

> "Paradoxically then, in the new information order, those who choose to make up information or to pass it on without checking its accuracy, have rather an easy time. Positions are often maintained in the face of widely available and well-authenticated contrary evidence. Supposed sources proliferate, leaving many of us unsure where and whether there is adequate evidence for or against contested claims. … Proponents of views on these and countless other points may not heed available evidence and can mount loud and assertive campaigns for or against one or another position whether the available evidence goes for or against their views. As the quantity of (mis)information available rises, as the number of bodies with self-conferred credentials and missions and active publicity machines increases, as the difficulty of knowing whether a well-publicised claim is a credible claim increases, *it is simply harder to place trust reasonably*. Milton asked rhetorically 'Who ever knew truth put to the worse in a free and open encounter?'. Today the very prospect of a 'free and open encounter' is drowning in the supposedly transparent world of the new information order."
>
> "*We place and refuse trust not because we have torrents of information (more is not always better), but because we can trace specific bits of information and specific undertakings to particular sources on whose veracity and reliability we can run some checks.* Well-placed trust grows out of active inquiry rather than blind acceptance."
>
> "So if we want a society in which placing trust is feasible *we need to look for ways in which we can actively check one another's claims.* … In an information order in which 'sources' borrow promiscuously from one another, in which statistics are cited and regurgitated because they look striking or convenient for those pursuing some agenda, in which rumour can readily be reprocessed as news, active checking of information is pretty hard for many of us. Unqualified trust is then understandably rather scarce." (emphasis added)

However, she holds out the hope that "Where we can check the information we receive, and when we can go back to those who put it into circulation, we may gain confidence about placing or refusing trust."

If the media routinely linked to the sources of its claims it would be a powerful incentive for accuracy not just for the media but among all who seek to get their views into the media. Baroness O'Neill made the case for this kind of "assessability"

herself in her Reuters Memorial lecture last year[16] and we believe that it is widely agreed that this would be a good thing. It is beginning to happen in some quarters.

If the Inquiry were to recommend that this should become standard practice, that could prove the foundation for building well-earned trust and overcoming the suspicion that hinders so many of our public institutions.

Converging media, diverging regulation

Tony Blair summarised the current situation well in his Reuters speech on public life:

> "The regulatory framework at some point will need revision. The PCC is for traditional newspaper publishing.
>
> "OFCOM regulate broadcasting, except for the BBC, which largely has its own system of regulation. But under the new European regulations all television streamed over the internet may be covered by OFCOM.
>
> "As the technology blurs the distinction between papers and television, it becomes increasingly irrational to have different systems of accountability based on technology that no longer can be differentiated in the old way.
>
> "How this is done is an open question and, of course, the distinction between balance required of broadcasters but not of papers remains valid. But at some point the system is going to change and the importance of accuracy will not diminish, whilst the freedom to comment remains." [17]

The time for that revision of the regulatory framework is *now*.

The current situation is ridiculously fragmented.

- The PCC offers some oversight of most newspapers.
- Newspaper podcasts belong to the PCC, presumably, as well as relevant blogs and tweets. Others are unregulated.
- Online video-on-demand belongs to Atvod (but of course not YouTube, the biggest host of video in the world, because Atvod only covers 'on-demand programme services', the meaning of which is arcane).
- TV and Radio belong to Ofcom, except that
- Radio stations that only broadcast over the internet are unregulated
- Broadcasters' websites are unregulated. Ofcom does not do the internet, and the PCC does not do broadcasters, so the sites fall between these archaic cracks.

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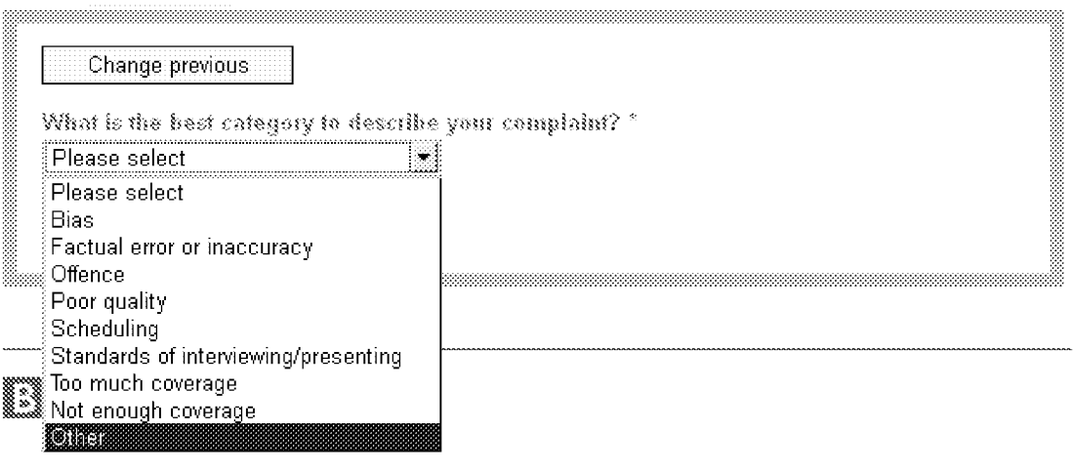
[16] Onora O'Neill, Reuters Memorial Lecture *The Rights of Journalism and the Needs of Audiences*, 21 Nov 2011 http://reutersinstitute.politics.ox.ac.uk/fileadmin/documents/presentations/The_Rights_of_Journalism_and_Needs_of_Audiences.pdf

[17] Tony Blair, Reuters speech on public life, 12 June 2007 (the 'feral beasts' speech)

- The BBC stands entirely aloof with a creaky cross-media complaints system that is at best incapable of handling the load on it and which makes no apparent distinction between serious complaints about accuracy or bias and audience feedback about programming.



From the point of view of the audience, the status quo is indefensible. If Alan Rusbridger's hints about newspapers starting to offer television programming are realised, it will get worse pretty quickly.

In contrast, the ASA simply explains on its website that it is "the UK's independent regulator of advertising across all media, now including marketing on websites."

If the advertising regulator need not put up with such nonsense, why should the content regulator?

Even in content, the need for convergence is increasingly being recognised in law. Recital 11 of the Audio-Visual Media Services Directive (2010/13/EU) recites:

> "It is necessary, in order to avoid distortions of competition, improve legal certainty, help complete the internal market and facilitate the emergence of a single information area, that at least a basic tier of coordinated rules apply to all audiovisual media services, both television broadcasting and on-demand audiovisual media services."

That tier of necessary coordination is apparently thought extensive enough to cover incitement to hatred, which is addressed by Article 6 of the Directive.

As Mr Blair observed, the special status of traditional broadcasting as a balanced outlet probably remains tenable for the time being. However, it needs to be put on a more secure footing than the old saw about television being a more influential medium than others because distinctions between media and formats will all soon become irretrievably blurred.

What the Inquiry should do next

Talk to:

1. The heads of some of the middle-tier online news outlets. Ask them:
    a. What standards they work to
    b. How they deal with complaints
    c. How they would feel about regulation and who it should cover
    d. Who generates the content on their sites, what determines its placement, and how that might change in the future
    e. Whether they believe it would be possible for a site to reach their size without a formal structure, employees etc.
    f. Under what circumstances they conduct campaigns (both MumsNet and MoneySavingExpert list examples of campaigns they have conducted on their sites)

2. The technical leaders at national media websites. Ask them:
    a. How convergence does and will affect their work
    b. What prospects they see for converged regulation
    c. Who generates the content on their sites, what determines its placement, and how that might change in the future

3. Representatives of top websites. Ask them:
    a. Who generates the content on their sites, what determines its placement, and how that might change in the future
    b. If they generate content, what standards they work to
    c. How they deal with complaints
    d. What they are prepared to say about how their algorithms work, and any limits they would apply to what they should do
    e. How they would feel about regulation and who it should cover
    f. Whether they do, or could, facilitate corrections from upstream publishers
    g. Under what circumstances they conduct campaigns

4. The other content regulators. Ask them:
    a. Why they all exist
    b. Whether the multiplicity is awkward, considering some of the gaps like broadcasters' websites
    c. What prospects they see for converged regulation
    d. What the advantages and disadvantages of converged regulation are

5. The Oxford Internet Institute, if the Inquiry wants more information on internet usage habits etc. Their Oxford Internet Surveys (OxIS) are the standard source.

6. A media lawyer who can advise on what provisions exist in domestic, European or international law that might constrain the creation of a fully-converged regulator. Publish the advice received.

What the Inquiry should do finally

Three, we hope readily acceptable, recommendations are suggested above, which we summarise here for convenience:

1. Gaps in the trend of making public information available online need to be filled as soon as possible. From our perspective as an independent factchecking organisation, the Judiciary in particular needs to catch up.

2. The media, politicians and other powerful participants in public debate need to start facilitating people's desire to be able to check claims for themselves, by identifying, linking to and sharing their sources of information wherever possible. That, as Baroness O'Neill persuasively argued, is a pre-requisite to restoring the trust that has so destructively been lost by both the media and politicians.

3. Efficient mechanisms for distributing corrections, not just from the original publisher but through networks of publishers, will be vital from now on because the speed at which information now moves. Mistakes will always happen so having such mechanisms in place must start to be seen as an intrinsic part of accuracy.

There are three main tasks we believe the Inquiry's report needs to take up to address the implications of new technology upon the Inquiry's task of making recommendations for a new, more effective, policy and regulatory regime:

1. It must point the way towards defining the scope and principles of law and regulation based on content, not the medium or format it appears in. Underlying the question of the scope of regulation, we imagine, will be some assessment of, or proxy for, how powerful different publishers are.

2. It must protect and succour journalism, not just professional journalists. New access to public platforms offers the opportunity for every citizen who so wishes to do journalism that serves others. It would be a backward step if the regulatory system, or libel or other laws, made journalism only the province of recognised journalists.

3. It must identify and resolve on a principled basis the novel questions raised by new types of outlet made possible by new technology, including the rise of content platforms as opposed to publishers and content algorithms supplanting or supplementing human judgement.

Each of these tasks requires clear thinking about a wide range of difficult questions of principle. We believe the Inquiry will do a great service if it can provide "a reasoned discussion of the issues which we hope will contribute to a high standard of public debate on matters which are of deep concern to the public"[18] as well as a coherent set of proposals for public policy. Specific policy proposals will need to be updated as changes in society and technology take place but a strong set of underlying principles will always remain useful. To date the Inquiry process has been made more difficult by the lack of consensus on basic concepts let alone the complex questions. It has been common for people to use similar or identical terms at cross-purposes (statutory, independent and other types of regulation; freedom of expression, speech, the press). The Inquiry's Part 1 report could mark a seminal point in improving public debate of these issues.

We are grateful to the Media Standards Trust for pointing out the New Zealand Law Commission's December 2011 issues paper entitled 'The News Media Meets New Media'. It attempts to make some of the sort of distinctions we talk about above, such as: scope of regulation (para 6.113); principles of regulation (para 6.56); and requirements of effective regulation (para 6.71). Impressive as the work is, it concentrates on what rather than why. As we have suggested, we feel that is something the Inquiry might usefully do differently.

[18] The task set for itself by the Warnock Committee, which also had to make recommendations on controversial issues in the face of rapid technological change. Its adherence to the approach of clarifying the underlying principles as well as making specific proposals may help to explain why its work remains the basis of the law 27 years later. *Report of the Committee of Inquiry into Human Fertilisation and Embryology* (Cmnd. 9314) 1984