

Defending Democracy – Policy Exchange Speech

For an elected politician, the second American president John Adams was strikingly pessimistic about democracy. 'Remember...it never lasts long', he once warned, but 'soon wastes, exhausts and murders itself.

'There never was a democracy yet that did not commit suicide', he said.

President Adams made this glum pronouncement in a letter written in 1814. With the benefit of 200 years' hindsight we can agree he was quite wrong that democracy has a death-wish.

We all want ours to prosper. And that's why we can't afford to be complacent about the state of democracy either. Because liberal, open societies like ours need to look after ourselves. Especially now, when democracy across the world is under threat.

We are witnessing what Freedom House describes as a democratic recession, with their Freedom in the World Index showing a decline for the fifteenth consecutive year. Autocratic states are seeking to strengthen their grip on power by silencing criticism. The UK stands as a beacon for the idea that strong governments do not stifle genuine political debate – we thrive on it. We must stand against those who seek to undermine the international institutions and rules-based systems that the UK champions at home and around the world.

The values and ideals that have fostered widespread peace and prosperity – a system of governing and living that has people's freedom and choices at its heart and – let's not forget – a system that can even remove the government without resorting to a civil war or coup d'état. All these are seen by autocratic regimes as an existential threat.

Those adversaries favour control, corruption and conformity. We fight for freedom, responsibility, enterprise and tolerance. They have a vested interest in democracy failing. And these regimes are increasingly brazen in advancing their objectives and undermining ours.

Over hundreds of years of our own history, we have developed our democracy into the one where we all have a say, where it is possible for all of us to register to vote, to make our choice, to campaign, or indeed to stand to represent our community. One where the government is accountable and the people's decision matters. One where people can trust the institutions that are here to serve them.

And as stewards of this rich heritage, we want British democracy to continue to thrive. We will keep the UK's democracy modern, secure, transparent, and fair.

The Integrated Review recently set out our work and aims very clearly in this

regard. To be open also requires us to be secure: protecting our people, our homeland and our democracy is the first duty of any government. Our record of standing up to threats is robust and we continue to do so now, alongside our partners. As we saw at the recent G7 summits, it is crucial for us to work together to protect our democracy and strengthen the rules-based international system.

A large part of this also starts with what we are doing at home. So today I'm going to explore how we're doing that through the Defending Democracy programme, and through upcoming legislation announced in last month's Queen's Speech.

May 2021 elections

I'm going to touch first on the elections we've just seen this year. I don't know what you were up to in the run-up to the May elections this year, but even as most MPs and all kinds of other politicians and their teams across Great Britain were pounding the socially-distanced streets, my particular job was to make sure the elections could happen at all.

There were successful elections for local authorities, mayors, Police & Crime Commissioners. Scotland and Wales also held parliamentary elections – all in all, the largest and most complex sets of elections for years, with many of them having been delayed for a year by the Covid pandemic.

Free and fair elections are of course the cornerstone of any democracy. To deliver them safely and securely in 2021 we had to work hard to get the right measures in place.

On a personal note, as Dean kindly referred to, you may know I've been having treatment for breast cancer and indeed that's why I can't be with you in person today. So I knew first-hand how some people would prefer to vote by post or by proxy, and that people needed confidence that polling stations were safe too.

Success owed much to the vaccine programme, our social distancing measures, and to the Government's faith that elections are a vital part of the fabric of the nation, not a nice-to-have. Presiding Officers and Returning Officers were provided with around £32million in extra funding. Week by week we kept watch and supported them to succeed. For example, we helped ensure that polling stations had enough staff and we are hugely grateful to the thousands of volunteers who helped run the polls. I would like to thank all Returning Officers and their teams for their great feat of public service.

Now when the Twitter hashtag 'dogs-at-polling-stations' begins to trend and labradoodle retweets overtake Laura Kuenssberg, you know it must be polling day. I was delighted that once again, our healthy, resilient democracy can prevail even in the most challenging circumstances.

So those behind the scenes deserve our gratitude, because they enable citizens to choose. It's also vital that the government backs their role with the right legislative and policy framework.

In particular, the work to protect our democracy is supported through the Defending Democracy programme, which I initiated and was announced in 2019 to draw together expertise and support a whole-of-government approach.

So today I want to explore the good progress we are making against our long-term objectives, and announce some further policy measures that will be introduced through the new Elections Bill unveiled in the Queen's Speech.

There are four core elements to our Defending Democracy programme: to strengthen the integrity of UK elections; to protect our democratic processes and institutions, including from interference; to empower British citizens to have their say and respect open debate; and to promote a healthy information environment by tackling disinformation.

Starting with the integrity of UK elections. This is of course based on transparency and fairness. That is why we are introducing a new law on electoral integrity which will include reforms to political financing, campaigning and advertising.

Campaigners will need to register if they are spending over £10,000 across the UK on political campaigning during a regulated election period. We are also bringing in tighter rules to reduce the risk of ineligible overseas involvement by ensuring that campaign spending can come only from sources that have a genuine and legitimate interest in UK elections.

Today I am providing a statement to Parliament setting out the details of this regime. By providing these clear rules – and a shared understanding of those rules – will help ensure that voters can make an informed choice and benefit from a level playing field.

Our reforms to online and digital campaigning will increase transparency, and make it harder for those who seek to influence the electorate to do this without declaring who they are. Regulation to date has not kept pace with the exponential growth in online political campaigning. Voters do not always know who is promoting the material, or on whose behalf.

That is why our new digital imprints regime will require those behind online political adverts and other digital campaigning material targeted at the UK electorate to declare themselves, all year round, wherever they may be in the world. Our new regime will strengthen public trust and ensure voters are informed about who is behind a campaign, empowering voters to make decisions.

Following the public consultation we ran last year, we have expanded our proposals to go even further by requiring that all paid-for digital political advertising include an imprint, regardless of who has promoted it, and whether it's election time or not, thus providing even greater levels of transparency to online campaigning. Proportionate and effective enforcement of these rules will also be crucial, of course, to ensuring these new rules deliver for voters. So we are also empowering the relevant authorities to access the information they need, including from social media companies, to investigate suspected offences. Through these proposals we will be introducing some of the most comprehensive digital imprint rules in the

world.

Tackling electoral fraud is another top priority. The 2014 election scandal in Tower Hamlets – where the mayoral contest was declared void after corrupt and illegal practices – exposed vulnerabilities in our system that leading international election observers and the Electoral Commission agree are a security risk. We have put in place a range of measures to ensure the security of our system, and we are now building on this work with our plans to introduce photo identification in polling stations.

This is the sign of a Government dedicated to upholding electoral integrity. The suggestion from critics that my motive is to stop people from voting, would be laughable, if it wasn't so dangerous for public trust. We made sure that, on the 6th of May, people affected by coronavirus could get an emergency proxy vote up until the evening of polling day. That allowed them still to have their say in the election without having to leave home – hardly the action of a government looking to shut down democracy.

What our plan, to introduce photo identification in polling stations in Great Britain, will do, is clamp down on crime. Stealing someone's vote is a crime. We know that not everyone has a passport or a driving licence, which is why a broad range of identification will be accepted and free Voter Cards will be available from local authorities to those who need them. And our experience in Northern Ireland, where people have had to show identification to vote since 1985, and photo identification since 2003, has been positive. Evidence shows that voter identification does not impact voter turnout and it has been operating there with ease for decades. It has helped tackle fraud and improved voter confidence. Indeed, data from our pilot evaluations in 2018 and 2019 show that the requirement to show identification increased voter confidence.

Defending Democracy's second area of focus is to protect UK democracy against cyber, personnel and physical security threats, including from foreign interference. This includes protective security measures, targeted briefings to ensure awareness of threats, and running a cross-government Election Cell to coordinate security preparations and responses for elections. To these we have added cyber programmes.

But we are also updating our laws to counter the evolving range of state threats. We know that elections are a key battleground – and that political parties, campaigners, and elections infrastructure can all be a target. Autocratic states thrive on disruption and uncertainty. The pandemic is just one of a number of issues that will affect both the threat we face and the Government's response. So our antagonists will be looking to undermine the UK by exploiting frailties, widening divisions in our society, and ultimately seeking to corrode the confidence and trust that is so integral to our system of democracy.

Our security services and law enforcement agencies need to be able to respond. That is why we have just published a consultation on the Government's legislative proposals to counter state threats, which will provide the tools and powers needed to disrupt hostile activity, protect

sensitive data, and safeguard our intellectual property.

We are seeking to modernise existing counter espionage laws to reflect the modern threat and legislative standards. These proposals will create new offences, tools and powers to detect, deter and disrupt hostile activity targeting the UK. And they will improve our ability to protect official data. We are also seeking views on Official Secrets Acts reform, as well as the creation of a Foreign Influence Registration Scheme which will be an important new tool to help combat espionage, interference and protect sensitive research.

Moving now to encouraging respectful debate, it is a sad fact that the volume and vicious nature of the abuse and intimidation aimed at those in public life too often deters talented people from entering a career of service, and risks corroding the core civic values we hold dear. The same goes for the media, and the vital role of journalists in reporting on our democratic processes and holding the government to account. It can be worst of all for women and people from minority backgrounds.

But it matters to all of us. Our politics are peaceful. Democracy should not be dangerous. And voters deserve better.

The Government has already taken action to address intimidation and safety of candidates and representatives. We have updated electoral law to ensure local candidates can choose for their home address to not be made public; the local authority area appears on the ballot paper instead. We have also worked with the Law Officers to publish new guidance from the Crown Prosecution Service on the laws on intimidation, and the wide range of areas in which intimidation can be prosecuted under existing laws.

But we're committed to doing more. That is why we have published, in draft, the Government's ground-breaking Online Safety legislation. Our plans will hold tech companies accountable with a legal duty of care, meaning they would need to have robust systems and processes in place to tackle illegal content, including illegal online abuse. The message is: 'Carry out your duties – or face enforcement action.' The Bill includes measures to make sure people can express themselves freely and participate in robust online debate – which supports a thriving, inclusive democracy.

Criminal law also has a key role in dealing with online abuse and must be fit for purpose. The Law Commission is examining ways to deal more effectively with co-ordinated harassment and abuse carried out by groups of people, and will publish their final recommendations this year.

Separately, through my Elections Bill we are also working to protect everyone against political intimidation, all year round but especially at election time. The Bill will introduce a new electoral sanction, so that somebody convicted of intimidating a candidate, future candidate, campaigner or elected representative will be banned for 5 years from standing for and holding elective office. That's on top of their punishment for the original intimidatory offence, which might be a fine or imprisonment, depending on the severity of the crime. Voters do not expect to see violence at elections in

our country and this measure helps voters, as well as activists, go about their democratic choice and activities in peace.

And turning, finally, to misinformation and disinformation, which we are working hard to tackle, and which many people are rightly concerned pose a threat to public safety, national security and ultimately our democratic values and principles.

Misinformation and disinformation – in all its many guises – goes back centuries. Now we have to address 21st century online chicanery. The UK is doing this in two ways: first, through a cross-government Counter Disinformation Unit to lead the fight against online misinformation and disinformation. And secondly, through legislation.

We welcome moves by social media giants to clue users up about what kind of content they're reading but it's clear more needs to be done. Again, the new Online Safety Bill will play an important role, backed up by Ofcom as regulator; in requiring the largest companies to address disinformation and misinformation that could cause significant physical or psychological harm to an individual. Companies face significant sanctions for failing in their duties.

The UK government is clear-eyed about the new global realities. Defending democracy – like tackling COVID and other challenges – requires international cooperation and collaboration. That's why I wanted to speak to you, as we proudly conclude hosting the G7 in Cornwall. Among a series of commitments to support open societies around the world, members recently announced they would be strengthening the Rapid Response Mechanism – a valuable multi-national forum for identifying and responding to diverse threats and evolving threats to our democracies. As part of this, we will be working with international partners, including NATO.

And taken together, the seven more um of our long-term thinking and approaches – the result of a great deal of work across government – supports the intent behind the Constitution, Democracy & Rights Commission manifesto commitment to look at how our democracy operates, and restore and uphold public trust in our institutions.

After the COVID 19 pandemic, just as the government is focusing on renewing and rebuilding our NHS, our education system and our justice system, so we are renewing the democracy that underpins everything else on which our country is founded.

This has been my pride as the Minister for the Constitution across nearly a decade: to ensure that the foundations are sound, and to enable my fellow citizens to make their choices. As I look back at the last year in particular – nationally, and indeed personally, I know what resilience and determination are. I want to bring those deeply-held values to bear as we keep our democracy modern, secure, transparent and fair. And that Dean, is what will help all of us in this country enjoy a better way of life, now and in the future.