

The Sylvans

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Motion: social media executives should be personally liable for their algorithms

Contents:

1. Detailed transcript
2. Analysis of the outcome

Transcript:

The motion is social media executives should be personally liable for their algorithms. It's now time to go straight into our speakers. The first speaker.

The first speaker

So I'm not sure, I'm actually pretty sure that, like some of you, at least you are a smoker or a heavy smoker. In the past during your life? Yeah. Now if you have or if you have not, I have here a couple of advertisements from the 40s and the 50s about tobacco products. In one, it says, "Not one single case of throat irritation due to smoking Camels." There's a doctor in the picture. In the other, there's two kids, or one kid and a mom saying, "Happy birthday, Dad. We know what you want, and that's always buy Chesterfield." You can circulate this in case you wish to grasp the point that I'm trying to make: that what today seems ludicrous, right back in those days, was pretty normal and accepted. We went from that to now, not overnight, but through a journey, and that journey was made of arguments and lawsuits.

It may surprise some—it did to me at least—that the first argument that was proposed to convince tobacco companies of taking liability for what they were doing was about the danger of smoking. So like, cigarettes are bad. You shouldn't be proposing cigarettes. But then there was always a very strong counter-argument that passed at the beginning of this, which was: well, everyone has free will. No one is forcing you to smoke. I'm offering the cigarette, then it's up to you to pick it up and smoke or not, right? And that's why the debate eventually evolved from the danger of cigarettes, which was taken for granted, to the addiction that they gave to people. So all of a sudden, people started to take for granted that cigarettes were bad, but people started to argue that maybe cigarette companies knew that they were addictive, and actually the formula that they were using to create the cigarettes was engineered to increase addiction.

And that is the argument that eventually pushed things through. In 2006, USA versus Philip Morris, they found out that there were very, very strong liabilities attributed to the management of these companies. First in wilful misconduct; they knew cigarettes were creating an addiction. They were hiding and manipulating nicotine levels. They were providing false statements. They basically engineered the product, cigarettes, to meet their purpose, as in being addictive, and for that, they were eventually prosecuted. What I'm trying to argue as a start here is that business opportunism has always been there, right? It shouldn't surprise us. We shouldn't take it for granted. It's always a risk, and it's a risk that I believe we need to be very carefully managing.

Now flash forward, 2026. There's a 19-year-old in California. Their name has not been disclosed—I thought I noted it down, but I didn't. Doesn't matter. She's trying to argue a case against Snapchat, TikTok, YouTube and Facebook. Snapchat and TikTok have effectively settled already, but YouTube (so Google) and Facebook remain on the stand. She is arguing that the exposure to social media by these two companies created in her an addiction, which in turn triggered health problems. And on that basis, she's trying and trialing in court. Actually, curiously enough, Instagram wasn't there. But I'm not here to argue her use of social media; what we're discussing tonight is relevant. We are trying to understand whether management of these companies should be personally liable for their algorithm.

I think the best place to start about this is trying to understand together what an algorithm actually is. Many of you may know, for those of you that are not really familiar, it's basically like a giant prediction machine. It's a formula that is engineered to guess what you're going to watch next. When you're watching something on YouTube, you're scrolling on Instagram—for people familiar with the tools—it's basically engineered to guess what you're going to watch next. And it's going to do that not necessarily on the basis of what you're going to like. It's going to do that on the basis of what you're going to be attracted to. And that's important. I'll come back to that, but remember it for now. The algorithm tries to emphasise what you're going to be attracted to, not necessarily what you like, and it does it by providing you effectively based on what you've watched before. Some use demographics, but they basically build a profile of you, and based on that profile, it offers you content that they believe you may be attracted to. That's the first place to start.

So what we've learned so far is that there's an algorithm which is engineered to attract your interest. It's the property of companies which have management, and there's a legal case going on in the US trying to trial these companies for a potential link between the way they build this algorithm, addiction that that algorithm creates, and health problems deriving from that addiction. Some more facts: in arguing what's the link between the algorithm and the harm, we need to understand how our body processes its own information. So what actually happens when you're looking at Instagram, you're scrolling through YouTube, is that the algorithm tries to put in front of you some valuable and unpredictable form of rewards. What you're being shown are supposedly valuable and unpredictable to you, because that's the way your brain is wired to

increase its interest levels. That in turn creates a spike in dopamine, which is some form of a chemical messenger that tells your brain "again, again," so it triggers repeated behaviour.

The excessive and repeated behaviour due to the dopamine stimulation to your brain brings you to have more "wants." Now, remember what I said before: not necessarily more "liked," but more "wants." You're not necessarily happy in doing that, but you're craving it more and more. And this craving causes in turn a reduced sensitivity to everyday rewards and repeated behaviours, which in turn could have negative outcomes such as anxiety, depression, sleep disturbance. Again, the difference is wanting versus liking it; craving versus happiness. This is what, in industry terms, is called engagement. You need to be engaged, because when you're engaged, you repeat and you increase your engagement.

So let's recap some facts so far. We have companies' own algorithms. These algorithms are predictive machines. They profile you in order to maximise your engagement. An increase in engagement produces an increase in detachment to everyday rewards. You find those rewards engineered to produce in your brain much more dopamine levels than your everyday activities made, and there's a person in the US now trying to argue that that should carry liabilities for the companies owning this algorithm. Now, here is where I believe the facts end. Here comes what my personal experience, what your personal experience may bring to the table. I really hope to hear many of you argue in their own case, so that we all can try and share what our point of view is. But to me, it doesn't sound particularly healthy when, say, kids are watching the phone for a productive time. Me personally, when I found myself scrolling Instagram, YouTube, sometimes I go into—I mean, the only way I can find these trends—you scroll and scroll and scroll and all of a sudden you go like, "Oh, wow, this half an hour passed. What did I do in the past half an hour?" And I literally just scrolled.

So whether people are gonna argue about the scientific of the connection being harmful or not, I don't think it takes a scientist to argue that excessive exposure to social media could be harmful. But we're not discussing about content. Social media can be positive. It can be a positive source of information regarding anything you could be interested in life. Could give you exposure to people everywhere in the world sharing their own ideas. Content on social media is not necessarily bad. I'm not arguing that, not at all. I'm arguing against craving—the possibility that these algorithms are supposedly engineered to increase our crave for content. And an engineered crave, I believe, carries responsibility, and with responsibility is some form of liability for the companies that own these products.

Now, when we talk about liability, there's clearly a limitation. I'm not trying to go around what the topic of today is. Topic of today is personal liability, so we shouldn't forget that, not at all. Let's bring this to the table. Because I think if we're gonna end up with a better knowledge about this, then we should dig into that. So first of all, what should the liability be from the court? They should be liable under the law. We should make sure that the algorithm conforms to what the law dictates. And the law in the UK as well as in the US, by the way, when it comes to directors of companies—so senior executives, the same people mentioned in the statement tonight—they are already (because you still need to prove it in court; clearly, we're not an autocratic society)

prosecuted personally for gross negligence and wilful misconduct. That's how we protect ourselves from people in responsibility positions just committing crime for the sake of it.

It's important to understand that if executives—like it happened with the tobacco companies I mentioned before—if they knew what was going on beyond reasonable doubt; if they knew about the fact that the algorithm purposely creates addiction, and that addiction can be linked to harm, that is per se prosecutable personally under current laws already, and we shouldn't get rid of it. There should be clearly knowledge, there should be intent there should be denial. I will not be arguing for witch hunting, not at all, but everyone should be prosecutable under the law.

Now, there are other things that I believe are very important, which include, for instance, proper disclaimers and age restrictions, which is how we are dealing today with tobacco companies already. Proper disclaimers, as in—you may be aware, I mean in the UK, I don't think you can even show cigarettes in the tobacco shops, and when you buy one, I think it either has a very dull colour, or at least has a very big disclaimer on it that basically shows somebody's picture and says "You're gonna die if you smoke." So I think something like this might be proper in a shape or form to be decided. And age restrictions: in Australia, they're already implementing a ban for under 16-year-olds on the use of social media. That's something that is being discussed today. But it's important to remember that linking both these things to personal liabilities of executives is a little bit of a delicate matter. I think we should be very careful in any instance to distinguish what the company should be liable for (and I believe proper disclaimers and age restrictions should be on the company side) and what the executives, the managers, could be liable for. In my view, that should remain gross negligence and wilful misconduct, especially if it is found out, like it was with cigarettes, that they were aware that the algorithm produced a craving, so an addiction. Not only that, but that they supposedly encouraged that algorithm to be structured to increase that form of addiction, calling it engagement.

In the end, the principle that I will try to defend tonight is that we should retain freedom for companies to produce something that does not harm necessarily. So I'm not arguing that they should stop doing it altogether, that it is bad, that it is horrible, that these people are bad people. Not necessarily; we should investigate clearly. But I think we should retain, as a society, freedom for companies to produce something that does not harm necessarily—like, I don't know, poison. Okay, I started going tomorrow to produce poison, please. I couldn't do it. Right? Doesn't make any sense. But social media, per se, is not inherently bad. The abuse of social media could be bad. But companies should retain the freedom to produce something that does not harm necessarily, but does it consequentially. But we should at the same time enact forms of education and fair control to prevent abuse and always, always refer to the rule of law to punish misconduct, even personally, if wilful misconduct or gross negligence can be proven. I mean, these people are not above the law, neither should they be. I'll leave you with that for now. I hope we're going to have an engaging conversation tonight. Thank you. To the first speaker, over to the second speaker.

The second speaker

I find the first speaker's arguments quite interesting, because it talks about social media executives should be personally liable for the algorithms. It doesn't specifically mention addiction. Social media causes another big issue, which I interpreted this question to mean, is the content it's sharing with the world. And I think the biggest example of that is Brexit. Brexit, as you may know, was hotly contested, and The Guardian very well out there, they found the bad boys, and they found it was Cambridge Analytica using social media to understand people's personalities, and they can manipulate what people are seeing to influence politics, decisions just anything important in this world. So I think about putting the executive in personal liability... yes, in some ways, but there is a much bigger issue here. Why is social media consistently called the bogeyman?

It's always TikTok as well. I mean, TikTok is worse than Facebook. For some reason, I can't understand why. And why is Facebook better than Snapchat? I get really confused. Everyone likes to find a bogeyman. So I have to... I'm rewriting speech as I go to fight addiction.

So, yeah, why is TikTok the bogeyman? I don't know if you know the recent news in the United States, but TikTok is now in America—whoo hoo. Is American ownership good? I'm not quite sure. But anyway, they seem to be celebrating, and Ellison is now a shareholder. And there's now some social media saying, "Oh, it's already been censored. Wow, look, all these left-wing viewpoints are being censored. They got no views or no likes." No, that's misinformation. Again, they had a power outage. So no one—so left wing, right wing, sport—no one got any views. So what happens is, the biggest issue right now in society is the amount of misinformation going on that is really harming and causing a massive division in our society. And not only as you can talk about the addiction, but also for the younger people. I can imagine, if I were younger, 13 years old, looking at some of this nonsense, you'd be believing it, and you wouldn't know how to fight it.

So I actually don't think this... I'm against this proposal. Not because social media is great, not because it's got a wonder, not because I think the algorithm is wonderful, but the picture is much bigger than pointing a finger at the bogeyman of social media. All this comes from what I will call the biggest bogeyman: the media itself.

The BBC. Wow. We paid taxes for the BBC. The Guardian: for over 200 years, a bastion of independent news. Independent, let's define that a second. Wow. This independent organisation is worth 1.5 billion pounds. It's got some serious power, some serious clout behind it. Very recently, just before—well, not so recently, just before the recent election—to help persuade voters, they said... because of the economic situation, I have to read this precisely so I'll quote it properly rather than paraphrase it. According to the Childhood Trust, 9% of parents responded that their children avoid self-harm because of the economic situation. And also, most of those had suicidal tendencies. It's pretty bad, isn't it? Two days later, The Mirror picked that up. The Independent picked it up: "One in 10 children in the UK have suicidal tendencies due to the economy."

Well, it's not true. It's just not true. It's a lie. They know the Childhood Trust says it's actually much less than 3% where parents had concerns. Actual self-harming is much, much less, and self-harming and then suicidal thoughts are even much, much, much, much lower than that. So the problem is the media is just constantly lying and missing, spreading misinformation. Now that one is a deliberate lie, quite small, so it goes under the radar.

They've actually used three techniques. The other one is tyranny as well. Now, anyone in this room who believes, raise your hand, who believes women should have a safe space? Do you believe in safe spaces for women? Yes, yeah. Anyone raise your hand. Okay, about half the room. Some people don't. I do. I personally believe. I also think men should also have safe spaces as well, but no, they don't. And this is the BBC, because there's an organisation called "Men in Sheds" where we can do some woodwork. I'm actually a member, finally, doing woodwork to make planters for all the parks. And it's a men-only club. But the BBC says it is immoral. They went on a tyrannical campaign and badgered them, and now some of the clubs are forced to accept women, and half the members of those clubs have left. So not only does the BBC and The Guardian spread deliberately shared misinformation, they actually impact on the tyrannical campaign.

The third tactic that the media all use now... see what happens is, when this goes in the main media, it gets shared in social media, which is a connection, because actually, when you see most of this stuff on social media, it's actually just repeating the media. Someone has their opinion of what they saw in the media. And the third one is lies by omission. They will tell you something, but forget to tell you the rest of the story. And from this lie, from this little bit of the story, you'll influence your vote in one direction. I like one example. I'm not a Boris Johnson fan—you will shoot me for saying this—but Partygate. That did not really happen. That photo? The only fact, if you look at all the stories, they're all hearsay, actually. From somebody that was there: there were six people. Yes, they had wine after work. They live and work in 10 Downing Street. That was not an issue that has caused a political chaos we have in this country, because Boris Johnson had to resign and then we had that powerhouse of Liz Truss. Whoa. That was good for our economy, good for our world reputation. And for those who don't know, I work in international finance. I work with Chinese investors and UAE investors. They are hurt and angrier than I am about what's happened to this country and what the media is doing to this country. But all that fiasco, all that noise, all that complaining by the legacy media to get their readership just to get people engaged, is literally harming our country—harming our country much more than any social media is.

So, yeah. Basically, the addiction is true. I have three daughters now. For some reason, I can easily control my daughters with a phone. Very easy. When I did it at two years old, had a phone, my friends were like, "What are you doing?" Very easy. "You play with that phone for no reason, you lose it." So if I see at the dinner table their phone and they pick it up, bing—they've lost it. So if they need to do something on it, it's there and they can use it, but they don't have this instinct, this compulsion to keep picking up the phone.

And I used to work in education and special needs—or SEND and all these different terms was my speciality. Parents were like this. Every one example (I don't talk about like a physical problem with a brain issue, I mean, we talk about social, talk about software)—it's all parenting, all of it. Every single child that I "fixed"—that's the word they use over there—was from working with the parents. Every single one. So if I can raise my kids not to be addicted to the phone, other people can. Like yesterday, I went to a church, a young church. Yes, I was probably the oldest person there. And afterwards, we went to dinner, and there were lots of young 'uns at the table. Most of the young 'uns had their phone, put it down. One, she literally had to pick up the phone every minute. So she was definitely addicted, just like the first speaker, I would say she will be a poster child for the first speaker in his speech here. But the others can handle it. Why can't she? It's her issue. And was she actually on social media? Well, she was on WhatsApp and messaging apps, but she wasn't scrolling. No.

So why does social media—let's say Facebook, Mark Zuckerberg—why does Mark Zuckerberg himself have to pay for this? What's happening to some of our children? I totally agree with it. I think it's horrible what's happening to our children. But why does he have to pay? There are two reasons. We are people. We are animals. Let's face it, sometimes the way I eat, or some people eat, right? You see the animals. But we have an instinct. We have our first thing is to survive. Everything is bad, everything's a danger, and everything is "them." I don't need to change, but "they" need to change. And the second thing in our instinct is we often bring down the successful people. Look at Mark. I mean billions. He was just a college dropout, and what the bleep? He's got a few billions. And there's so many of these college dropouts now earning billions. Let's bring them down. Let's knock them down a bit. Why should they profit? Also, look, there's this poor girl at the dinner table yesterday. She's addicted to her phone. She should pay.

Changing this law would open to "lawfare," which I believe that the example that you mentioned is lawfare. It's just a lawyer, because the law says that you can try it on. You can sue two people. As I'm not so successful now, but one time in Asia, I was pretty successful, and watching people see you successful... Holy Moly, whoa. The lawyer says, "Ding, ding, ding, ding." And over there it was a green paper. Oh, God, I hate green paper, right? It's sued again for what? Just trying it on. They get a lawyer, probably no win, no fee. They just try it. So poor Mark Zuckerberg, I don't really believe that, so forgive me, but poor Mark Zuckerberg. The ticket is mentioned somewhere. We are literally getting all these legal documents, trying it on, trying it on, trying it on. That's not fair. That is not fair. I actually think generally, some of our laws need to be made, tightened up to protect people, to prevent lawfare. Lawfare is literally killing our business. And if you know what's going on in the patent industry now, it's ridiculous. Some places, if you use Wi-Fi, if your company or your hotel use Wi-Fi, you have to pay someone 10,000 pounds because they've got a patent on Wi-Fi in that area.

That's a bit of a paraphrasing what's going on, but it's happening. If we have this law, literally every single exec, every manager of every social media company, will be literally receiving these green papers. It's not fair. Parents control your kids. I can, you can. And another thing is, so this devil algorithm that gets people engaged—and engagement is a euphemism for addiction, actually agree with you there—what about gaming? What about the gaming industry?

And look at this. Show you here. If anyone's interested, I'm on Duolingo. I'm not practising my Chinese on Duolingo. I got a streak of 40 days. Woo hoo. I got like 14,000 golden coins. Wow. It's not learning. It's good I'm practising so I'm not forgetting it. But don't pretend for one second I'm good at education. So I've written books. There's no learning there at all. This is pure addiction, pure gaming. And I'm addicted. I'm buzzing around playing this thing.

What about gambling? Has anyone watched football recently? Not me, but basically, they've all got, like, Bet365, or bet this, or don't there, and Paddy Power. I don't know what it's called, but they're just gaining addictive behaviour. Before, in the good old days, you had to go to Ladbrokes so it's when it's open from like eight o'clock till eight o'clock, and they kick you out so you can save your money. Now they can get you 24 hours a day, all addicted. So if you are going to punish companies for addiction, don't pick on the bogeyman, poor TikTok. It's literally like the whole tech industry is there to get people addicted and engagement, but we can control it. I've managed to keep my house. I haven't given my house to Duolingo. You can control yourself. Support: there is support there to control yourself, and parents can control their kids so they will not be addicted. So that's my position. Thank you.

Moderator

Thank you to the speaker. Thank you to both of our main speakers. We definitely have a debate tonight with different views, and we'll hear even more as we go. We will move to the floor speeches. As I mentioned earlier, they're up to five minutes. Everyone and anyone is welcome to come up. If you would like to, a few bits and pieces on the rules for floor speeches: I will give you a two-minute card when you have two minutes remaining and a finish card, and at that point we need to stop, because we have a lot of people here tonight. We want to get through everyone. During the floor speeches, you may raise your hand in the audience to ask a question. If the speaker takes the question, then you can ask a question. You can't make a long statement. If the speaker doesn't want to take the question, then you just need to let them go, because they have the floor. So is anyone keen to get going and jumping in? Yes, a member of the audience, please stand up.

A member of the audience

So I wanted to make a point about you feeling the need to train your child from two years of age. Evidently, it shows that you agree that it's addictive. And your position and ability to train your child comes from, frankly, a privileged position where you have time to do that. You're at home when the child's around, you have resources to buy a phone for the child at two years old, and a lot of families don't have the ability to do that. So that's the first point, showing that your ability to have personal control over the situation is due to circumstances that many people don't have.

Secondly, you mentioned that Mark Zuckerberg has billions, and why should we blame him for that? But I think he has 260 billion, around which, just as a comparison (so it's hard to conceptualise in seconds): 1 million is 11 and a half days, and 1 billion is 37 years. So that's how much difference is in a million and billion. He has 260 billion. So to assume that he's not

prioritising profit over personal well-being in this situation is naive. And just to back up the fact that Facebook as a specific example (Meta in general, he owns Meta now) does prioritise profit over well-being, is from I think it's called Project Mercury. It was in 2020. It was an internal investigation within Meta Facebook, particularly into the consequences of Facebook, and it was shut down internally within one week because it showed that... I think it was two weeks of quitting Facebook. Within two weeks, each user reported less depression, less social comparison and less anxiety, and that research was shut down internally. So yeah, that shows that they are prioritising profits, I would say, to the extent that the first speaker mentioned, which is warranted of personal liability. And it's not just "everyone's doing it so it's fine." It needs to more be like everyone should be liable for the situation. Sorry, she has the floor. But if that is your point, that's agreeing that people of social media, the executive, should be liable. It's even like more doubting everyone should be liable. I also agree. People at home, Bet365, whatever, it should have repercussions.

A member of the audience

Hi. I want to thank the opposition for his entertaining presentation, but I thought that today we're talking about social media accountability, and why is the BBC on trial? I'm a little bit confused. So the thing is, social media and the accountability should go to the CEO, right? Responsible for that. And I don't want to particularly be picking out Zuckerberg, but there's another case in 2017 or 2018 that they had an internal study about those beauty filters that they use on Instagram. How many of you use Instagram? Yes, okay, it's usually younger generations, they love it. And the beauty filter is supposed to make them look good, look better, right?

So they internally, they had to do a study, because there were a lot of pushback from the parents on the audience—I mean, from the users, parents saying that this is really, really bad for their kids. After the study finished internally, then their management told him, "Please take it out." So I think they took it off for a period of time. And then Zuckerberg found out that, well, that actually reduced the children, the young people's engagement on using their product. So he put it back. So now you got this respect... and there were so many studies, tons of them. The US has collected on social media, TikToks, you know, all these companies that mentioned before. There are literally hundreds of thousands of documents on these companies that a lot of their internal memos showing that they knew of the harm that is done on young people, especially young people.

And we all know that our frontal cortex doesn't fully develop until we are 25 or older, right? So any of the people who are under 25 or under is very, very easy to be influenced by social media. And also, if something is addictive, you can't control it most of the time. It's not that easy, saying "I can control it" in your case. Yeah, maybe there are always outliers. There are always people who think that they have willpower, but all depends on a lot of biology, right? So let's not get into that. Let's get back to these cases where we know addiction is bad and there are so many facts to show that is harmful to young people. There's a book written by Jonathan Haidt. It's called The Anxious Generation. I'm sure you have heard about that. And it's actually collected data for

over two decades and many, many studies. Jonathan Haidt, by the way, is a very well-known psychiatrist, and also a professor at, I believe it's Virginia Tech, one of those US universities.

Anyway, so in that study, first of all, it's to show a strong correlation between social media and the mental health for kids. And then he proved it, with the causality was also identified. So it's not only you got the causal effects, you also have the correlation. All right. Now, the one more thing that I want to mention is that the US now has several cases against the CEOs, and one of them is coming up in June in California. What they want to do is that the plaintiffs are actually the states plus the schools. You know, how much is it costing the schools to have to help to cope with these children with mental problems because they are on social media? Some of them are on social media 24 hours a day, or whenever they are awake. So the addiction is so invasive and it is so bad for the kids. But these CEOs are thinking, "Well, I want engagement. I want to make sure that my bottom line is met." So I don't know what to say. We have to make sure that they understand it's harmful for the young people and they have to pay for it. They should be responsible for it. Responsible by making sure that they pay for it. I think they can only understand when you hit their pocket. Okay, that's all I have to say.

A member of the audience

Evening. Everyone raises some interesting points this conversation. So many points. Actually, I want to touch on the lawfare thing, which actually isn't really related to the debate, but I think it's good: no win, no fee, because that means that those who can't afford legal services have an opportunity, and then the lawyers won't represent it unless they have some form of chance of winning. So the plaintiff prosecution would have some sort of strong case. I'm disagreeing with the lawfare thing.

I'm generally in favour of the proposition. Should be right. Should the CEOs, the C-level, be responsible, liable, accountable? Yeah. I mean, there are lots of areas where they already are accountable. You know, when chemical companies dump toxic waste into our rivers and turn frogs into Godzillas, right? We expect the C-level to be responsible and accountable. After WorldCom and Enron, we had Sarbanes-Oxley to ensure that the financial information that is submitted to authorities is valid. So there are plenty of laws in place to prosecute the C-level and the owners of these social media companies. It's likely going to be more important because it's going to get worse with AI. I mean, you've seen all the AI slop, you've seen misinformation right? Echo chambers. I think social media is responsible for the state we're in. Actually, I think it's so divisive that it is causing harm. And when harm is caused to society, then the perpetrators of harm should be liable in some way, shape or form.

We used to have, you know, the BBC, we had a watershed moment. So we've always kind of had controls. We've always had some sort of idea of what is right and wrong and what our children should be exposed to and shouldn't be exposed to. So we had a control in place. So we did have values: what is right and wrong.

It also raises the topic of sovereignty. One of the issues that we don't have control over social media is because it's American tech, and we are incredibly dependent, as you're all aware, on American tech. You know, pretty much 80% of it is hosted on Amazon, Microsoft, Google—they're hyperscalers, their cloud services. And yeah, we're super dependent on it. So we don't have the sovereignty, the power to actually make these laws. We did try, as part of Europe, the Digital Services Act. But then, just to show how much power we lack, we've had Trump threatening us, and we have had to, because of the security issue with Ukraine and other things, we've had to climb down on enforcing laws that we think are quite appropriate.

We also had controls in the US, so Congress was supposed to be in control, right? That turned out to be non-existent and probably no clothes. The Supreme Court was supposed to be in control, but the Supreme Court decided that the President, the executive, could pretty much do anything and not be convicted of a criminal act. So I think the argument for "Should we do it?" Yes, I think it's based on values. "Can we do it?" I think that's a much more difficult thing, because it's social media. We no longer have sovereignty over it. We've lost control. So our proposition wins, but the feasibility of it is quite difficult. And I think we're learning that we are... I think Europe is becoming aware that we now need to decouple from the United States. It's not going to be easy, but I think ultimately we need to do that for our own independence and sovereignty so that we can implement the values to law, as the proposition has suggested.

A member of the audience

It helps if you put the volume up in the microphone. Aggressively on stage. It made me feel so intimidated. I was actually going to play all day, which is Kanye West's song, because that... if you manage to hear that, it was somebody complaining about Kanye West when he performed at Glastonbury. I personally do not think that this is a social media problem. I think it is, as this gentleman said (can't remember what his name is, right?), it is other people, because that was on the BBC. And the Kanye West song, I played it the other day; that particular song had 9 n-words said in it, okay? The year before that, Jay-Z was on and he said it, and I phoned up the BBC and somebody with that same tone of voice, it just so happened, told me basically, what was I talking about? Why was I complaining? And he... okay, yes, it may be past the watershed, but it's actually the criminal act, right? And if it's thought that it's okay just because black people are saying it, it's not. But also this woman says she felt intimidated because they were all dressed in black, right? So people, it goes on. And then somebody mentioned Brexit, about the algorithms. Then think about how the media reported about Brexit.

Okay, now, one of the things to do with this algorithms, I have about three Twitter accounts. There's one I use often, and since Elon Musk's taking it over, you know what's been on my thing for the past six... that's on my page, what comes up in the last six to 12 months? Everything to do with what the far right wants to say. And unfortunately, I engage. So therefore, because I'm engaging with it, I'm making it worse. I only realise that in the last two weeks: I'm making it worse. So therefore I get more of it. I prefer to see fashion and things about, you know, maybe love and empowerment and inspiration and black issues, right? And yes, race does come in it, but I do not want to see that man who's standing on there—yes, that's where I saw it, the man

with the four teeth saying "you're taking our women," right? That's not what I want to see. Now, and as we can see, technology doesn't always work. Those searches should be louder.

Okay? Now, somebody mentioned women. Oh, yeah, by the way, I'm raising funds for cancer research, doing two challenges. I found this because of the algorithm, because it came up on my Facebook, right? Unfortunately, the second one I'm doing is dance. So I would have only been doing one, because this is squats, and I'm not the exercise person, right? Jesus Christ, 100 a day. No, it's not funny. When I practised it, I did it in two minutes, 40 seconds. Now it's taking me longer, right? So I think BBC's watershed has been blurred, and maybe it's because you can watch iPlayer. It's something song I play... you can watch it at any time. I suffer with insomnia, right? I can stay up 36 hours. And while I'm watching television, why that? Because I don't want to watch Netflix, right? I am playing games, and I'm playing games, I'm watching... I'm even following films with subtitles, right? Where I spend more time watching them, because I have to keep rewinding because my head's in my game, so I'm missing the show because I can't read the subtitles.

Oh, by the way, anybody in this room who's in their 50s, I just want you to realise that you are to blame for why this is happening. Because phones came out when you were at school. You made mobile phones be what they are, because instead of sending notes around the class, you were sending text messages. And then since then, right, the phone industry is expanding, and it's like we want everything now, because, you know, phones was a brick. We want everything now. We want more. I want a phone to be as soon as possible, because if I'm out dancing, I want to be able to slip it in my bra, right? In fact, when I first had a mobile, I left mine home. Someone said, "How can you go and leave your mobile at home?" I'm going from A to B. I'm meeting my friends. I don't need my phone. One night when the music was so bad, I'm so glad I brought my phone, because I was able to play games while my friend starts... anyway.

Sorry. I sort of half made some notes. Parenting. It's got nothing to do with if you've got money or not, because some parents who have money do not look after their children. It's nannies that look up and always send them off to boarding schools, right? I don't know. As far as I'm concerned, you can't just blame them. You can't just blame social media, because at the end of the day, it's also how we react. I remember in the noughties, right? I used to do Facebook, play a game on my computer, send an email, and be watching TV, and I was doing that all at the same time, right? And I was relaxed. I think we need to have some control. I know I've got an addictive personality. I never realised it until I realised how I do things. It is not necessary about smoking. I also worked for a temping gaming commission, the one in Holborn. You don't know how much power they actually have not to get rules changed to stop them from doing what they're doing. So maybe we need to look at how the world is, who's got the money right, who is really in control, who is doing what, where. And maybe it's the people who've got the tech money that provides you all, right? And I remember, I'm just gonna say this quickly, I used to go into schools and do workshops with them, young people, so sometimes about business and different things, self-confidence. And I turned up late, and I just said to him, I said, "I now understand why you're late, because I was actually playing games, and so therefore I overslept." So yes, it is addictive. The algorithm is there, but we are humans first. We can't

control gambling as has been said. But anyway, I'm not really certain who I'm going to vote for, because I think they're both right. Thank you.

A member of the audience

Good evening. I think first of all, I want to slightly establish the statement of today, not the statement, but the statement that I'm going to defend. The topic we arguing today is saying that the social media executives should be liable for the algorithm. I want to highlight two points here. Is, first, should, not are, which means that we argue here whether from some moral or ethical value point of view, they should be liable, not whether on the current system, they're liable or not. And second of all, it's not about content. It's not about what social media do in moderation. It's specifically for the algorithm harm that it does. And I want to start by establishing the facts about the harms.

A lot has been mentioned about the mental issues, mental health issue that algorithm causes: anxiety, addiction. But there is also a lot of evidence that the way algorithms work actually does damage to the way we think. We can see 40% decrease in productivity. The teens and schools establish showed 31% higher loss of focus in academic classes, and it's physical. Scientists did research, and the MRI shows that specific areas that the way our brain responds to stimuli is now prioritising the short-term emotional response rather than long-term rational. Which means that we prioritise short-term dopamine effects rather than more rational responses.

And yeah, I think that we can argue whether adults are responsible for themselves, whether the adults can figure it out and balance their addictions. However, what I want to highlight specifically is that the executives made a lot of choices to target kids and teens while knowing the facts. First of all, the research that I'm mentioning has been known for at least a few years, and as we know, they deploy features really quickly. And if they would have really cared, they would have done this. But moreover, there are numerous courts, leaked court documents and lawsuits, we can see internal documents that show that they made the choices to actually keep engaging the students, and I actually prepared some of them. First of all, the Project Mercury that has been mentioned is, I think, as a big example of that, is really similar to what was happening with cigarettes. The parallel is just obvious: that research shows that there is harm, and they're like, "No, let's keep it under the rug."

Moreover, TikTok determined that habit formation for viewing is formed at 260 videos; under 35 minutes, an average user is likely to become addicted to the platform. They know how short it takes. Moreover, internal documents say that... Mind, one of the workers pointed out that minors do not have executive function to control this screen time while young adults do. But project manager responded, "Our goal is not to reduce the time spent." The Meta documents also show people discussing they are basically "drug pushers" that trigger intermittent dopamine releases in young users, leading to addictive cycles. And a product designer using an internal email quotes, "The young ones are the best ones, and you want to bring people to your service young and early." And then 2024, the court documents revealed that acquiring new teen users is still mission critical to the success of Instagram. This shows a pattern of targeting, knowing,

targeting and harming young children. I don't think we... I think this is more than enough to establish that the social media executives should be liable for what they do. Should be liable for their orders, not necessarily... I agree that we can discuss adults can deal with the addiction. We not banning, we not prosecuting the gamblers, but because social media are still available for minors, and because the choice was made to target specifically them, I think we should hold them accountable. And I want to finish on the last quote that I like the most. One employee allegedly put it: "One of the things we need to optimise for is sneaking a look at your phone under your desk in the middle of chemistry." And I think this is just outrageous. Thank you.

A member of the audience

How are we all doing? Good, lively debate. My name is Charlie, and I thought I'd come from this from a different angle, because I actually didn't expect any of these arguments to come up here. My goal when I came here tonight was have a glass of wine, but also explain why I thought that the UK and how we are creating laws to actually make executives personally responsible is actually working, and there's proof happening about that.

Like for example. One example is YouPorn is a website, and it's very famous for actually having lots of revenge porn on it. And whenever the people say, "Hey, I don't want to be naked on this website, I intended to send that to my partner," they get a stony face. They don't respond. There's been documentaries about it, and it seems to be a bit of a coincidence that the—was it the 2023 online security law that we made in the UK?—came to effect in early 2026 around the same time that YouPorn said, "Hey, we're going to stop serving the UK because it worked." The... they essentially did what many tech industries do, and work their fines that they know they get through that because of their bad algorithms into their profit margin. So, "Hey, we can come up with an algorithm. It's gonna make us money. The fine is less than profit. So let's continue." Oh, wait, the UK has figured it out that actually I might go to jail or I might be personally held responsible. We'll change things.

Another example that's been in the news is Grok and X, where people can create or ask, essentially an AI, to create porn or revenge porn, and then distribute it on social media platforms in the UK. Suddenly, that's become an issue, and Grok has actually had to respond to it and actually change how Grok works in the UK compared to other countries. So this is like more evidence that this law is actually working here in the UK. In the USA, the law is a bit different, whereas, compared to the UK, because they can say, "Hey, you've created this, now you have to take it down." Whereas in the UK, it's like, "No, you're not allowed to create it in the first place. The fact that you created it is illegal." When you say that, like freedom of speech, you can create it, you've got some time to take it down.

On top of that, Facebook, Google, Grok, many AI and social media platforms have more staff per capita in the UK to actively take down requests quicker. Because the executives are literally more scared about this stuff staying online longer. So there's evidence that it's actually working here.

So also that stealing. If I was to steal from anyone here, I'll be held responsible. However, in the USA, we've seen that the algorithms and the AI training, which is currently affecting Instagram, Facebook, a lot of our social media, how they target us, were trained on stolen material, stolen books. And there's an email chain going from Mark Zuckerberg saying, "Oh, don't worry about it. We'll just do it," because he's not personally liable in the USA yet. In the UK, he's able to then continue that stolen material into what is affecting our society. Australia's been able to manage... social media by kind of restricting it creating laws, and we are currently doing that ourselves, and the evidence shows that it works. So why stop now? Why can't we just continue creating laws that actually hold this responsibility to executives? Thank you.

A member of the audience

Okay, I have quite a lot to say. I'm gonna try and be concise. So the debate topic is social media executives should be personally liable for their algorithms. So we are focusing on the algorithms, which I think could actually include AI, which is a very, very complex mix of different algorithms.

So firstly, yes, I think in principle, the idea of an executive being liable ultimately for what their company does isn't completely alien. We have it in other areas of the law. The criminal law does sometimes go behind what's called the "corporate veil," which is where directors are not liable for what their company does. Social media platforms do profit from what happens on their platforms. They have a massive reach. And I think in the context of social media, they're not necessarily just a neutral platform, like a chalkboard somewhere where someone writes something and something happens. The owner of that chalkboard isn't necessarily liable for what's on that chalkboard. For instance, in the context of social media with the extensive reach, maybe there should be some liability, or at least some responsibility that needs to be applied to the companies, if companies aren't ultimately doing that, to actually make that responsibility bite the CEOs, the managers.

But my concern is, what actually are we making them liable for? There's been a lot of talk about how misleading, or negligence or addiction, but what is it actually that's making this conduct criminal? Because something being criminal is a pretty high standard. We don't just make anything criminal in this country, thankfully. Is it the effects of the algorithm? Is it what actually happens in the real world? The one that really pulls on my heartstrings is the story of Molly Russell, who I think was a teenage girl who committed suicide. And the inquest found that she was going on social media, on Instagram or Facebook, or whatever it was, and because she expressed suicide tendencies, or had like posts which in effect glorified suicide for a 14-year-old girl—I think that was her age—to be seeing that, it pulls on your heartstrings and the worst possible thing happened to her. So is it because of that effect? Is it because of the content? Are we actually really concerned about the content which those algorithms are, in effect, amplifying or augmenting?

Is it simply the content that we're concerned about, or is it because it's being amplified that we're concerned? Is it because the algorithms don't have enough guardrails in them? Came up

recently with Elon Musk's Grok AI. He in effect put no guardrails into his AI system such that it could, for instance, make women naked or make them wear bikinis. Most AI systems like ChatGPT, you can't do that. They put in safeguards to prevent that happening. Is it because the guardrails don't prevent criminal content being created?

In the context of criminal conduct? So, for instance, content on Twitter or X which is inciting hatred or inciting violence. And the one that comes to my mind is what happened a year and a half ago, following the Stockport murders and the riots we had after that, which was not just disinformation, but also there was content being put on X which was inciting people to go out and be violent. That content is illegal. Is it the algorithms which augment that content that we're concerned about?

In the context of criminal conduct, I think it's a bit easier, yes, and we actually already have it. We have the Online Safety Act, which someone's already spoken about regarding social media platforms. And actually, ultimately, the directors, if they fail to do what they're meant to do, can be held criminally liable if they don't put in the sufficient systems in place to make sure their algorithms don't keep churning out more and more of the illegal content, building it up, sending it out to more and more people.

In the context of children as well, I think the discussion is a bit different, because there is a wider social responsibility towards children. And again, the Online Safety Act actually protects, puts in place responsibilities on social media platforms with respect to what is called harmful content, but only for children. So social media platforms now need to have age verification checks, and that is coming. It's having some effect. Someone's already spoken about it for some of the porn websites, and there are other online companies that had to have been fined. And Ofcom is actually biting them quite hard, because they're not putting in those systems. But outside of children and criminal conduct or criminal content, I'm quite concerned about what it is that we're actually complaining about, and what it is that we're telling social media platforms that they need to do, and ultimately their executives need to do, to fix. Because if we just don't like it, if it's unpopular, even if it's inaccurate, does that in itself mean it shouldn't be on the platform? Or does it mean that it shouldn't be amplified? So we have an issue of it being amplified more on the platform.

AND I mean, there's a danger if we start putting in place, sort of trying to prevent algorithms putting forward certain information that we don't like, or the popular view is unpopular. It is a general tenet of free speech that all speech, subject to some limitations, needs to be allowed. And if we don't think that speech is criminal speech—so if we don't think it's hate speech, if it's not inciting hatred, for instance, or it's not racist abuse, or if it's not sexist, very extreme sexist abuse, or actually what was happening with Grok, making an AI system make children and women naked (and obviously anyone naked is can actually be a criminal offence)—outside of that, I'm concerned that we're just putting in limits, or we're talking about putting in limits, which ultimately is going to be making a social media platform... so you're putting Elon Musk in charge of regulating what is and what is not okay. Thank you.

A member of the audience

I'm going to speak against the motion, and that's how I voted at the start, but I do want to say that I was kind of a bit on the fence at the start. I thought it was a difficult subject and I thought my mind would be changed halfway through it. It was. I think I'm in favour of the motion because of something that one of the guys I'm with tonight, an earlier speaker, said. Basically, the "it works" argument. Basing his YouPorn case, and that speaker's argument, that it's possibly a bit lazy. Can it... could that have adverse consequences? Could you maliciously define Tom, Dick and Harry in the street as a social media executive and have them banged up when because some clever lawyer makes an argument that he's a social media executive? I don't think so. I don't think that's likely to happen. I think we're very clear who we mean by social media executives: board level, a handful of companies like TikTok, and your TikTok, your Elon Musk, you've got Mark Zuckerberg, you've got the CEO of Microsoft who'd be liable for anything selling LinkedIn. So we're talking about a handful of people at the very top. It's a very narrow pyramid. So I think what has mainly swayed me has been the "here's what works," the "it works" argument.

In terms of there being two parts of establishing and punishing the crime, there's who committed it kind of that, and what is crime. Social media executives should be liable for anything their algorithms, for any harm that's caused, that is a provable criminal offence, and where you can prove that that social media algorithm caused the crime to be committed above and beyond the person's own responsibility. So I don't know, I might urinate... my name is Privacy Hedge because I saw five consecutive videos on Twitter, because I'm formally interested in that. I don't think I could blame Twitter in a court of law, just based on the wisdom of the jury. So I think we should just allow that to take its course. And I just think common law precedent would kind of hold its own on that one perfectly fine, without having to make new criminal offences.

I'd also... but I like, I kind of like to spend most of my five minutes really doing something I don't like. I get annoyed when I see other people do it, but I have to do this because I'm going to widen the scope of the debate beyond social media. Because I think social media is slightly old hat. I think we're... I think social unfashionability will be the end of social media. But everything else? I think the cat's out the bag on we all know that it's bad for us. We all feel guilty about time spent on it. I haven't used Facebook since 2016; the same will go with LinkedIn. And as Elon Musk said, there's nothing more sad than posting on LinkedIn, right? So I think we'll just, we'll just edge ourselves beyond the era of social media, naturally.

I think the most dangerous algorithms going there are ones that are done in government and by finance companies and credit cards and banks. I think some excellent reading I'd recommend for everyone is Cathy O'Neil's Weapons of Math Destruction, which is a kind of 10 years old now, but it's basically the worst, the most lazily designed algorithms practised in the most unfair ways, in the most acute industries. One of them, I think, an American state used postcode-based high crime statistics about algorithms to keep people to deny people parole. So it was awful because it was such an unfair way to use an algorithm. And also the algorithm was essentially biased; the inputs were the outputs. And I think social media companies, and all

companies, are responsible for their algorithms being fair, defensible, challengeable, run on correct data and data that's been advertised for the purpose. We have GDPR for that, so that they're definitely responsible for that. And I think finance, governments and anyone selling a product to a lot of people and using their algorithm in a way that will deny them finance they need to run a business, keep them in prison where they haven't done anything wrong, should be absolutely responsible for that algorithm in the most effective way. Agree with my friend from earlier there, is to hold the person's response at the top responsible for doing here. That brings it back to the "it works" arguments. So that's why I'm in favour.

A member of the audience

I've never actually done social media before. I've never owned a Facebook or a Twitter account or anything like that before. I think that the internet generally probably does more good than harm, I would say. But I think that social media, I would say, it's one of the evils of the 21st Century. I think it does more harm than good generally, but obviously we have it, so I think we need to try and find a way of working around it. Now, the thing is, about social media executives being accountable for the algorithms. Now, I think that social media should have some sort of accountability, but the thing is: who is going to be doing the accountability? Who is going to be policing the social media?

So who's going to be policing it? What are their invested interests? Who's funding them, and what are their political affiliations? So, for example, when Joe Biden was the US president, he actually had a disinformation czar. Who was actually saying, "Oh, this is disinformation. That isn't disinformation." Turned out that this disinformation was actually a registered Democrat.

A lot of people are sort of lamenting the idea of when Elon Musk and these billionaire oligarchs came and started taking over Twitter and having more control over social media. But the thing is, social media has not been benevolent before that, because these algorithms, what they actually do is that they alter political discourse. They can actually manipulate elections that can be used to even topple governments, because the social media is actually controlled by Silicon Valley, which is actually a tool used by some arm of the American state. And what's actually happened is that social media has been used to bring down governments, for example, the Arab Spring in 2011, 2010-2011, overthrowing these dictatorships, sometimes secular dictatorships, which has actually led to more instability in that region. In 2014 you have these so-called NGOs, non-governmental organisations, that have been using social media to topple governments in, say, Ukraine, 2014, the overthrow of a democratically elected government, which led to instability and led to this current war that we're seeing right now in India.

India is actually one of the biggest Facebook users in the world. And what these so-called NGOs have been doing is they've actually been trying to sort of interfere with elections and trying to interfere in the political discourse in India. Obviously, India is a huge country, the most populous country in the world, so that's a bigger nut to crack. But you have actually been using these NGOs that have actually been trying to sort of manipulate the political discourse there. And the thing is, because what the social media is actually being doing is that they, because

they're being used by the American state, they're trying to topple all these governments or trying to unseat them, whether it's in India, whether it's in other countries, because they have these economic nationalist governments trying to go against the interests of the American state. This is also the reason why Russia and China don't have Facebook and Twitter, because they see it as... obviously, they don't have free speech and free press, and they don't have democracy, but also they see as a threat to their political leadership. So going back to the actual motion, should social media executives be accountable? I think they should, but the problem is, I don't think that they will actually be able to be accountable, because whoever is in charge, they're going to basically serve the interests of the ruling elite of one country or another country. I think it's a very difficult motion. I think I'm probably going to abstain in this one. Okay, thank you.

A member of the audience

I think I'm thoroughly lost. So it's about four speakers ago, and I was going to build on the question raised by that speaker as to what exactly is going wrong that you could take legal action against. Now, the proposer gave quite a good example of a problem of tobacco. Tobacco is addictive. Tobacco companies want you to try when you are a young child or young man or girl, and so you get addicted, and then you have to go on buying the bloody things. You don't get governments clamping down on that. Instead, what governments do is put a huge tax on the tobacco leaf, and they cash in on it as well. It's not a very good omen, is it, for this particular motion?

I also would doubt that the algorithm is relevant to the problem. What you have got to do is to define what is wrong. Now, the nearest I get to this, I don't have time to play around with these social media things. It's enough to do with my emails. I'm running several organisations, and that can take an hour at a time. What are the nearest I perhaps get to it is I'm a member of a number of organisations like the Royal Astronomical Society. If you want to go to one of their meetings, you've got to reserve a place, and that goes through a separate company, and they've now taken to emailing me every day and give me a whole list of things that I might want to go to. Well, I don't have to open it, and I've never gone to any of them that they have given to me. I suspect I should probably close it down than the domain.

You've got to define what is going wrong now. It is actually quite complicated, an issue. Most of these companies really are limited liability companies. Limited is a warning to you. It is quite difficult to frame anything that will make the company liable for anything. Things like copyright and so on, would be a civil action. You could do that, but assuming you find a way of bringing the company in and its particular directors, you've got to be able to state what it is that's harming people? Easier to say, "Well, can I sue if I am think I'm being damaged?"

Now, the nearest I get is this platform where I reserve a place in a meeting like the Royal Astronomical Society. It sends me all these things that I might want to do. I can't really complain because I don't have to open the bloody thing. I can get rid of it completely. It's difficult to see... I could sue them for what? And the same thing, doesn't that apply to the social media? If they're giving me other things I want to do, I don't have to open them. I don't have to... I can get rid of

them completely. I believe the social media things, if you respond, people then may respond to what you've responded and so you get a great big chain developing. Well, where can you say I've been damaged, that I could mount a case for damages? What harm has been done to me? A defence would always be, you don't have to open it. You don't have to go on with it. If you do, are you not liable anyway because you can stop it? There you are. I haven't heard anything from what people from the floor or the proposers have actually said as to what harm can you come to? I'll go on listening, but if I don't hear it, I can't vote for it.

Will you take a question? Any parallels in Roman times that you know?

No, I had thought of that one because I know these people here want to hear about that. There were no electronics at all. Communication had to be by voice, so that gets a bit difficult.

A member of the audience

Okay, the proposition and opposition expense and the floor debate has spent most of their time talking about the supposed and potential harms of social media, and this is a necessary part of their case. But under English law, it's actually already established that if you provide a product and that product is harmful, and it caused people harm and they're not aware of it, and you breach your duty of care owed to your consumers, you can be sued for that. So the example would be a specialist in housing people who've got sick from that, it's possible they could get some compensation.

The crucial thing there is, is that where that product was provided by a company, where it has been contracted through a company, it is the company that is liable, not the directors, and not the shareholders. This is a fundamental principle of English law of separate legal personality. And so you could sue the company to kingdom come, but you don't go after the directors. And I think it's useful to explain why we have that as a principle. The reason we have it is it allows and encourages entrepreneurial activity. For business owners and people who run businesses, you can try to start a business, try new products, get a bit of debt, and if it goes badly, you'll lose your investment in the company, but you won't lose the shirt off your back. Your house will be fine. You can go on and try again with another company. Maybe people won't invest in you, because they'll think that you're a bit of a crook and you're quite dodgy, you probably not very good with their money, but you yourself will be fine.

Now, the proposition gave a few examples of where this doesn't apply. He gave two examples: gross negligence and wilful misconduct. Now I, as I said, the professor did an excellent job describing the harms of social media, but with these two ways that you can get around separate liability, he did not define them. He did not explain what they were, and he did not explain how they were fulfilled in this particular aspect. Now, and on that basis, given the debate is on personal liability for executives, I think his case falls apart because he's not shown how the directors themselves should be personally liable. I think if you were to define these terms, you would focus on intention. Have the executives (in which I'm using directors as a shorthand, but

as pointed earlier, they're not actually the same) have the directors intended to cause people harm? I don't think they have.

When Zuckerberg invented Facebook, he was not conspiratorial thinking, "I'm gonna curse all childhood now, for years to come, by addicting to the social media." No, he wants to make money, and he wanted to connect people. I'll take professional data. He wanted to connect people and make a buck. The purpose of Facebook is not to cause harm. It is to link people together, and it may cause harm, but that's a separate point. I just touch briefly on liability in two forms. You can be civilly liable for something and criminally liable for something. If you're civilly liable to something, you owe compensation to the person you form harm to. So if I crash into your car, and that was through my negligence, I will owe you compensation. Compensation to put to fix your car.

Now it could be the case, and just for that, I think the liabilities into the company itself is perfectly fine here, and we don't need anything more. Someone mentioned before about how Zuckerberg has 200 billion—I don't know that figure off top my head, I'm sure it's right, but it's smaller than how much Facebook as a whole is worth. That's probably in the trillions. If you want to get money to get to compensate for harm has been caused to people, sue the company. And if anything, by suing the company, you actually get Zuckerberg vicariously. Because if you sue Facebook Meta to kingdom come, bring the share price of Meta down, given that Zuckerberg owns Facebook, you're also going to attack his wealth. But if you sue Zuckerberg directly, not only is it less to sue, if you sue Zuckerberg, given that Facebook doesn't own Zuckerberg, you're not attacking the wealth of Meta. So in that sense, it's actually far better to sue the company. So expanding liability to the director is just unnecessary and not helpful.

Now, the second type of liability is that of criminal. Now, again, I think the proposition is failed to explain what actual crimes have been committed by the directors personally. And I think to go back to this, he would have to show that there is intention on behalf of social media executives to cause harm. And I think this is just not the case. And I think it was previously given an example of if you dump toxic waste into a river, that person should be criminally liable for causing the harm which inevitably flows from that. And I think that principle... but it's different from social media, because while dumping toxic waste into a river inherently causes harm, and there's no other purpose (the intention surely must be to cause harm), social media is not like that. Social media does not inherently cause harm. I think in some sense this is a moral panic similar to how we had for gaming around 10-20 years ago. Yeah, I was addicted to gaming. I played far too much. I should have been reading, probably playing Call of Duty and Grand Theft Auto, probably not the best for my mental health wise, but I enjoyed it, and it was actually a good social experience to meet people through gaming and social media has a similar facility. Is it inherently bad? No. And I think people have talked about addiction and given examples of other addicting substances, such as alcohol and tobacco. If I smoke a cigarette and I get lung cancer, A) I can't sue Philip Morris for that, and B) I certainly can't sue or go after Mr. And Mrs. Philip Morris criminally for giving me cancer. I'm the one who smokes it, and the same applies for Guinness. And therefore I think that the same should apply for social media. We have a

principled English book: Separate legal liability should not be broken here. The harm hasn't been proved. Thank you.

A member of the audience

Right. Thank you very much. Thanks very much. I am supporting the first speaker, not that he needs support. I thought the argument was good. I thought the example of smoking was perfect. I think that in years to come, we're going to look back at this time and we're going to look back and say, "How the hell did we allow this to happen?"

The executives in social media companies, Instagram, TikTok, whatever they are, are laughing at us. And they are laughing at ours, because we have lawyers saying, "Technically, they're doing nothing wrong." In fact, they are having a tremendous effect on society. I don't care what effect they have on me. You know, I've got Instagram, I've got TikTok, I've got whatever. I don't go through them. I only engage with them in order to receive information only. And I'm too old to be really influenced by what they say. I am much, much more concerned about the effect that it has on young minds, which I think is significant, and we can ignore that at our peril, and that's why the executives need to be held to account.

Executives, directors, whatever—it's semantics, really. If I put something in a newspaper and I look at it and I don't like it, I can go to the Press Complaints Commission. The Online Safety Act came in recently, and that's supposed to protect our children. But any halfway tech-savvy 12 or 13-year-old will get onto a VPN within about nanoseconds and say that "I'm in Germany, and I'll look at whatever I want to look at."

I too, have children. I've sat at the dinner table and, you know, I think that I brought up my kids pretty well, but I wasn't with them 24 hours a day. They had their phones 24 hours a day. They could be watching anything that they wanted to.

I tell you what I'm going to do tomorrow. Tomorrow, and you are the first people to know this, okay? I am launching a new teenage magazine, yeah, and it's going to be great, right? I haven't decided on a name so ideas welcome. On pages one to four, I'm going to have music and fashion. On pages five to 10, I'm going to have pornography. Whatever you want, is going to be on pages five to 10. On 11 to 15, it's going to be gambling for children, and I'm going to put some little sneaky thing in there to make sure that they spend their pocket money on certain things. On pages six to 22 I'm going to have personal ads where I can ask 13-year-old girls to contact me while I pretend to be a 14-year-old boy. On pages 23 to 30, I'm going to have a reader section where they can send in ugly photos of their friends. I'm just going to put them through something called Grok, and I'm going to sexualise that image, and I'm going to print it in the magazine. And then on pages 31 to 33 I'm going to have teenage suicide corner.

So to those of you who are against the motion, would you allow your child, your niece, your nephew, your cousin, or whoever to read my new magazine? And how long do you think it would take before the authorities, the government, decided to pull my magazine right? On that,

my question is: is your view this? It should be the social media companies that change the algorithms for everybody so that there isn't the equivalent of your magazine on, say, Instagram? Or is it not in the same way that we have for cigarettes and alcohol and gambling? No, the state ought to be, authorities, as you say, prevent the children going on to social media. Children can't buy, shouldn't buy alcohol. We do have laws for cigarettes. You have to be sixteen to buy cigarettes. If you're a newsagent, you sell it, then you can be fined, okay? In the same way, I am the publisher. I am responsible for the information which is being pushed out to my audience. In the same way that TikTok are responsible, Mark Zuckerberg is responsible. Elon Musk is responsible. They are organisers of this information. They are generating their wealth from this, and we are sitting back and ignoring this, ignoring it. We're all having these philosophical arguments. And you know, this is the most dangerous thing to be happening, apart from Donald Trump. Okay? Thank you very much.

A member of the audience

Mr. President, or shall I call you Your Honour, because tonight it sounds more like a court of law in a debate in society. I want to get back to basics. I'm a basic speaker. I like to speak the truth, the whole truth, and nothing but the truth.

Now I think the first speaker brought an interesting point that I want to clarify: there's no smoke without fire. Now, symbolically, metaphysically, fire is the symbol of knowledge. And who controls the knowledge controls the people. And of course, recently, the last 24 hours, 48 hours, documents have been released through social media, otherwise about the goings on of the establishment, whether it's the establishment of the media giants, whether it's the Associated Press or The Times or the BBC or the House of Lords or Zuckerberg and the lot. That's still the establishment. They're all connected. And I don't think the issue is a legal one. It's a political and social, ethical one.

And what else does harm in our society controlled by the media and the establishment? There was that famous book about the 1914-18 war (I'm sure a previous speaker will correct me if I'm wrong, being our local historian) that both sides of the conflict also controlled the media of both sides. So there again, propaganda is nothing new.

What else do the establishment control? Of course, they control the arms industry. And what more harm do arms do? They control what else? The wheel. The invention of the wheel, and what damage does that do? How many car crashes are there, etc, plane crashes? That does harm. And then, of course, distribution of resources. How many starving people are there in the world? Famine, poverty and the rest of it. They are not concerned with whether we have social media control or not. They just want something in their stomachs.

And of course, if we're talking about what was the attitude when William Caxton and all the rest of them produced the printing press and allowed people to read what the establishment were up to? And of course, we had the Lord Chamberlain at one time censoring what could be done in the arts, and that's going back a bit. So what are you banning? It isn't a legal argument,

although I agree with a previous speaker, there is a question of personal responsibility and duty of care. I'm not quite sure he's... there was a law brought in after, I think, the King's Cross disaster, about corporate responsibility, which does go after personal directors. If the lawyers agree with me, my understanding... and of course, if we start battling things, what's next? Or controlling things? They might come knocking at our door and start controlling debating societies.

Moderator

Okay, okay, we've got to vote. Anyone else like to come up?

Right? I'm going to go very, very briefly, and then anyone else can come after me. So I just wanted to add one piece to this debate, which is, there are actually industry, there's at least one industry, if not more, who have where they've put in place additional regulation beyond the base, you know, directors being responsible. In certain cases, we've had the lawyers explain, when can individuals inside of a company be held personally liable? In the financial services industry, of which I've been a part in the UK for 20 years, that was put in place after the financial crisis. Remember all the banks that got bailed out with all of our tax money, and all the anger at the banking executives who got off completely scot-free? Well, the FCA put in specific legislation in financial services, which is called the Senior Managers and Certification Regime, blah, blah, blah, blah, blah. What it did was define executive roles in financial institutions, specific definition of executive roles with particular function and particular responsibilities. And if you are one of those people, you are personally liable. You're liable for damages. You can also be put in jail for those activities.

I've recently become... it's called an SMF. I'm part of a very small firm, but I hold the executive responsibility for risk and compliance within that firm. If something goes wrong for one of our clients, I could go to jail or I could be fined directly. Now there haven't been a huge number. There have been very few cases where that's actually happened, but I'll tell you, it definitely focuses the mind, the minds of those executives. Big institution, big banks. I've seen it. The executives are all over everything. They hire armies of lawyers to protect them, and so some of these things can be papered over by lawyers. And you know, is there really true accountability? You know, it hasn't really been tested yet. If there's another banking crisis, it will be, and that's a good thing for smaller firms that don't have the protection of armies of lawyers. It really focuses the mind, and it definitely makes a difference. Does it go far enough? Again, it's untested, but I feel it myself. So that is a case where an industry where it can do real time to people, individuals, as well as potentially society at large. The government in the UK have put specific provisions in about executive accountability. And actually, a member of the audience was the one who put forth the idea for this motion. That was what she had in mind, because she is part of that industry. So I wanted to bring that point up because it's relevant to me, and it was that was part of the original idea of the motion. That doesn't mean you should vote for it, but take that in the round with all the other elements. Anyone else like to come up and speak?

A member of the audience

Thank you very much. Thank you to our debaters here so and thanks to everybody. I've really enjoyed tonight's debate, and it's made me kind of vacillate a bit. I think the point that you made, sir, that actually, I think this goes beyond it being a, you know, a legal issue here. I mean, I understand, or, I mean, I don't understand the legal complexities. I wouldn't, you know, say that I did. But I think that, you know, the law can be changed, the new laws, you know, new legal instruments can be created. I think, you know, should we need to? There could be a workaround. And I agree with you that it probably isn't the most tightly worded motion either, perhaps on the one... not that you said that, but I mean, that was my interpretation of it, that you know, when you think about the term executive, actually, you know, how do we define that particular group of people?

But I think if you take all of that, all the technicalities aside, actually, I think what we have is growing evidence of health harms being created because of social media or the algorithms that we know are designed to be addictive. And I think that the parallel that you brought, the first speaker, with big tobacco, which was around suppressing knowledge of the harms, I think, is really key here. Because actually, that's what that... that is what has changed our whole, you know, the way tobacco is in society now. You know, the prevalence of smoking has gone down, you know, for lots of other reasons as well, but it is because the tobacco industry has been held to account. Now, as knowledge with these harms accrued, harms, sorry, accumulate, then I think we do need to have methods to be able to hold up these big, you know, giant Goliath corporations, multinational corporations, to account as well.

And we don't have those checks and balances and constraints at the minute. And maybe, actually, and because, you favoured speaking to someone in the break, and actually, yeah, we could fine companies. Thank you. We could fine companies. But, you know, really, even touch the sides. They're so rich, so actually, maybe we do need this personal liability clause in order for people to really have skin in the game. And for order, for in order for those people really at the top, the ones who are making the decisions on what the algorithms should contain and what information should, you know, get suppressed, what research findings don't make it out into the public domain... be holding them accountable. And if by making them personally liable with the threat of jail, you know, and other consequences, is the way we do it, then I am in favour of the motion. Thank you.

Moderator

Any other... anyone else like to come up? Any final speakers? Okay, so we've exhausted the floor speeches. A very wide range of contributions, as we normally expect. We will come back to our main speakers, who have been sitting here patiently and have the unenviable task of trying to summarise this wide-ranging discussion. Turn it off to the second speaker first, and then the first speaker. They have about five minutes, and then we'll take the bell.

The second speaker (Closing)

Thank you very much for your competitions, especially these two people over here. I think you answered my point very, very well, actually, precisely. Addiction. Someone says recapitulate addictions. Actually, everybody's addicted to something. If you choose what to be addicted to... [Chinese phrase: bie fang tai duo yan]. That means, don't put too much salt. I learned that just on the train coming here, right? I'm actually addicted to Duolingo. It's not that bad. I'm going to have better and better Chinese. So what we have to do as parents, we do have to control our kids. We have to show how much social media to use. But once again, other people mentioned this point, which I should have made in my first time, is the actual algorithm itself isn't actually the problem.

It's the production line. Someone said it's the content that is really harmful, and that content comes from the main media. So it's wrong in the main media is actually spreading this. Social media is so harmful, therefore we need to have put checks in place, such as this motion, to control the big damage that social media is causing.

But this will not fix the problem. If we go now, bang, suddenly there's a new strike in just outside Washington, DC. I forgot what place that all the data centres are and they're serving Facebook's gone. Kids will all be back to being addicted to the television. They'll be binge watching Netflix. My sister's addicted to Duran Duran, having the posters on the wall. Just going back a bit. Teenager. You were a teenage girl quite relatively recently, right? You know you're addicted to some things, right? Doesn't matter. You will be addicted to something. Got to make sure, if you're going to be addicted to something, let's make sure it's not so harmful. That's where we need to control the media from their misinformation. That's my point there.

Also, the point here is very good, you mentioned lawfare. To correct you here, lawfare is not suing someone and you get a lawyer for free and then you... it's like a no win, no fee. Lawfare is you just attack somebody with a part of pay, is like a form of extortion. I've been on the end of it eight times, to let you know. I've won all eight times, in fact. Now the last five times, I didn't, didn't even worry me too much. I know what to do, but the first three times is really scary. Takes a lot of thinking, you can't work, cost a lot of money.

And this has to stop. This is my biggest fear, actually, of this law. Not so much. We don't need to fix the problem with this law because, as our lawyers have said, it's not clear. And yes, Tom, Dick and Harry, they should be scared, and they will be. They can't sleep at night. They say, "I'm really, I'm worried for Tom and Dick and Harry, actually, I can't sleep for them." We will see enough. We, Tom and Harry, are like the normal executives, just like a normal... just like the C-suite. So what? The chief guy of marketing: is now he in trouble? Is he liable? Who is liable? Also the algorithm gives me good stuff. Last night, I made a lentil curry that was on the algorithm. There you go. Actually, I don't really like vegetarian food, but this was fantastic. I'm going to make it again. I also made my own naan bread. It was lovely. And also "A Day in the Life," that Beatles song is possibly the pinnacle of song creation. That was wonderful. That was delivered to me by the algorithm. There is a lot of good stuff on the algorithm, so we shouldn't be banning it.

Also the other point, the other thing is the law. There are already plenty of laws now to go after the company, and someone made my point, as well as what I wanted to make earlier was, if I was this gentleman here, if you go against Facebook, and Facebook needs to pay you 500 million pounds, wow, that's going to affect the share price. That's gonna affect Mark Zuckerberg. And if you've... I mean, you say Mark Zuckerberg has got 200 billion. He does, he doesn't. If you hit his share price, he's gonna get a margin call. Basically all his money, all his house, everything he's got is from debt, which is borrowed money based on the value of his company. So if you hit the share price of his company, holy crap, he'll be living every... living like King's Cross Station, right? Because he's got a massive margin call. So hey, we already have laws now that allow us to hit the companies, and you will actually hit the directors and shareholders and all stakeholders very effectively with current legislation. So that's why I'm saying we don't need extra. We should actually hit the problem of the content of the algorithm delivery and, for example, laws, right? It's like four... supposing a teenager jumped in a car with a joyride, went up near M1, drove 100... one drove 150 miles an hour up the M1, hit a post, died. What, do we sue the M1? Do we sue Ford? Do we sue the Ford executives? No. He shouldn't have done that. We should have laws, yeah, let's say banned social media before 16. Yeah, that could be the one. Yeah, and VPNs, yeah, okay, you can. Just because you can get a VPN doesn't mean you should.

There are many other ways, much better ways of solving this issue. This is such a serious issue and it's affecting us. And there's other thing that's not been mentioned that I thought about. Someone mentioned about my children. In 1995 I became a principal at the school, and my point there is, obviously to educate the children. And luckily, in those days, the internet was actually fantastic. I could get the UK's Department of Education Information. I could just like, download everything easily. And in there, I found there was a serious problem with young children. Their brains are not dense anymore. So if someone calls you dense, you should say thank you, because someone with a dense brain is actually more intelligent. So I did the whole curriculum at my school to make my kids as dense as possible, and you can do that through language. So this is not a new problem. Do not kid yourself that social media is causing a problem for young kids, and it's a new issue. This has been going on for 20, 30 years. Thank you.

The first speaker (Closing)

So I'm not sure how many of you have watched the movie from 2005. It's called Thank You for Smoking. Well, if you haven't, you should. Yeah, seriously. Or don't, please. I mean... imposing way... but with Aaron Eckhart is... I love the accent, but basically it's about a lobbyist, yeah, a lobbyist for tobacco, for big tobacco, and he has a son. I don't remember how old is the son, like, let's assume eight years old. And there's a scene in the movie where he basically needs to go to his kid's school, you know, in one of those days where you basically need to tell the other kids what your job is. And he's been in trouble, right? Because he's basically in front of, like, eight-year-old kids, and he needs to explain what a tobacco lobbyist is. And before him, there's a firefighter. He comes out of the class, like, dressed like the firefighter, and after him, a pilot is going to speak. So, you know, he's in trouble, and he gets in and when he's asked, you know,

what to do, and he says, "Well, I'm a lobbyist for cigarettes." Then one of these eight-year-old kids raises his hand and says, "Well, my mom said that cigarettes are bad for you." And he goes on for five minutes trying to undermine her mother's authority, not being a scientist or a researcher of some kind, comparing cigarettes to chocolate and trying to argue that you know, like, you shouldn't take other people's word for things, and you should be able to decide by yourself, right? And exercise your free will and take responsibility for what you do on whether things are right or wrong?

Now, clearly, again, you should watch the movie, because I believe it's like a comedy, per se, but helps you think. And there's two things that, you know, like, I want to take out of that. One is that, you know, there's an argument for everything, and that's the beauty of this debate in society. At the end of the day, you can always argue against or pro anything at all. Yeah, even if that, you know, like some people will say, "Oh my God, that's appalling." It doesn't matter. Arguing is important. And the second one is that I totally agree. You know, like, we should take responsibility for finding out by ourselves on whether something is right or wrong. We should take responsibility in our own houses to educate our own kids to the right behaviours. We shouldn't assume that society takes this responsibility away from us, right? So that we can sleep better at night. That's not the way it works, yeah?

But we live in a society, and the society is based on a social contract, and the social contract assumes that together, we thrive as a community, but at the same time, we reap the rewards of being together, but we need to manage the risk and take responsibility. We do that through the rule of law, the rule of law that promotes responsible behaviour and punishes misconduct when these misconducts could harm society.

Now, someone argued before that, you know, like, my argument could be against promoting business entertainment? No, no, I'm a huge fan of promoting business entertainment. I only believe that promoting business and promoting entertainment should be done within clear frameworks and guardrails that protect not harming society, without witch hunting. I'm not interested in like pointing fingers to rich executives just because they're rich. I'm not trying to say, "Oh, we should go after them because they have plenty. They could share some. No harm done." No, that's not the point, right? It wouldn't be fair. I actually cheer their success. I want them to get richer to a certain extent, but they should be accountable to society for what they do, as much as everyone else. They should be able to exercise their authority, their business, their ingenuity, their entrepreneurship, within reasonable guidelines and principles.

Now, if they are guilty... if they are guilty, then they should be prosecuted. And I do apologise. It is true. As mentioned previously, it is absolutely true. I didn't spend much time trying to explain what wilful misconduct or gross negligence ought to be. And you know, like, I'm not sure I will have the time to do now, nor the capacity to be honest as a non-lawyer. But at the very basic level, let's assume that wilful misconduct is effectively having the knowledge of doing something which is not allowed, the intent and the denial in carrying it. And the gross negligence as exercising extreme carelessness in your job, something akin to turning your head away when things get done, not seeing, not doing what you paid for.

Now, if they are found guilty, then they should be prosecuted. But an important thought that I want to leave you with in closing my speech is this: I'm not arguing for them to be convicted. Well, not necessarily, at least. Justice, the rule of law, right? A reasonable trial should determine whether they should or should not. That's not the point. The point before tonight is whether they should be liable, not guilty. We're not jury and judge. Liable meaning carrying legal responsibility for what they do and face the enforceable consequences if proven guilty, as much as anyone else. It is their own product. At the end of the day, their own product. I'll leave you with that. So the thought remains this for me: liability, not conviction. Vote for the motion. Thank you.

Moderator

Thank you again to the two main speakers for their excellent contributions and framing the debate tonight. We will now move straight into the vote. Let me repeat the motion, if I can pull it up. The motion states: social media executives should be personally liable for their algorithms. All those in favour of the motion, please vote by raising your hand.

Okay, if you want to vote, you're going to have to shout, I can't see you online. All those against, raise your hand please.

Three and the previous speaker voted against as well. Okay, so we have a clear... Ah, sorry, abstentions. Oh, I don't even call abstentions now, because a speaker always asks for them. Any abstentions? Apologies. I did miss that. That is very important. 1, 2, 3, 4, 5... okay. Bye, yeah, she hasn't said what she's voting. So this one I can't count. We have a clear result by vote of 19 in favour, four opposed and six abstentions (from another speaker as well). The motion has carried.

Analysis of the outcome powered by AI

Analysis of the debate: social media accountability

Motion: Social media executives should be personally liable for their algorithms

Result: The motion **carried**.

Summary of the debate:

The debate on **social media accountability** centred on whether the biological impact of algorithms warrants piercing the corporate veil to hold individuals responsible. The Proposition secured a victory by successfully drawing a parallel between big tech and the tobacco industry. They argued that just as cigarette manufacturers were eventually held liable for engineering addiction despite knowing the health risks, social media executives should face consequences

for algorithms designed to trigger dopamine spikes and compulsive behaviour. The Proposition maintained that liability should not mean automatic conviction but rather accountability for 'wilful misconduct' and 'gross negligence' where harm is known and ignored.

The Opposition attempted to frame the issue as one of personal responsibility and parental control, suggesting that 'addiction' is often a failure of discipline rather than a product defect. They argued that the true source of societal division is legacy media misinformation rather than algorithms and warned that personal liability would lead to 'lawfare', stifling entrepreneurship and clogging the courts with frivolous claims. The Opposition maintained that existing laws allowing for corporate fines were sufficient and that targeting individuals was unfair.

Key factors driving the result:

- **The Tobacco Analogy:** The comparison to the tobacco industry provided a strong moral and legal framework that resonated with the audience. It shifted the debate from 'content moderation' (which involves free speech issues) to 'product safety' and consumer protection.
- **Evidence of Intent:** Audience members bolstered the Proposition's case by citing specific examples, such as the 'Project Mercury' leaks and internal Meta documents. These suggested that executives are aware of the mental health harms their products cause to teenagers but prioritise engagement metrics over safety. This undermined the Opposition's argument that the harm is accidental or solely the user's fault.
- **Ineffectiveness of Corporate Fines:** A persuasive argument emerged from the floor regarding the financial sector, noting that the 'Senior Managers and Certification Regime' in the UK effectively focuses executives' minds by threatening personal jail time. The consensus grew that multi-billion dollar companies view standard corporate fines merely as the cost of doing business, making personal liability necessary for genuine behavioural change.
- **Child Protection Focus:** While the Opposition focused on adult politics and media bias, the Proposition and supporting audience members kept the focus on the biological vulnerability of children. The argument that minors lack the executive function to resist engineered addiction made the 'parental responsibility' defence seem insufficient.

Ultimately, the room concluded that the freedom to innovate does not include the freedom to engineer addiction without consequence. The motion **carried** as the audience agreed that the 'corporate veil' should no longer shield executives who knowingly profit from algorithmic harm.