

# Three reasons why online political advertising remains largely unregulated in the UK



**Junyan Zhu** and **Kate Dommett** ask whether attempts to regulate online political adverts have been hindered by the particular characteristics of digital technology or by wider political factors. Presenting new interview data, they identify three barriers: political reticence, logistical challenges and conflicting policy proposals.

Online political advertising has become a familiar phenomenon in recent years.

Arising with it are public concerns over data privacy, transparency, misinformation and the role of big tech in the democratic process. In response to such concerns, the European Commission has recently published a [proposal](#) aiming to improve the transparency of online political advertising practices.

Whilst the regulation of online political advertising in the UK has been advocated by civil society groups and government bodies – including the Electoral Commission, the Centre for Data Ethics, and the Department for Digital, Culture, Media and Sport – to date the government has not proposed substantial reform. Indeed, proposals focused only on the creation of [a digital imprint regime](#) in the Elections Bill that intended to help voters understand who has created and paid for specific adverts.

The question thus remains: what has been hindering the progress of regulatory actions in the UK? Is it the case that policymakers are facing technological challenges? Is it political barriers that are hindering reform? Or a combination of both factors?

To answer this question, [we interviewed](#) 23 professionals from UK regulatory bodies, government departments, the European Commission, civil society groups, professional advertising associations, academic institutes and think tanks. Our analysis showed unanimous agreement that online political advertising should be regulated and a widespread belief that the current lack of regulation was problematic. For example, the misuse of digital techniques in online advertising was argued by one interviewee to pose ‘a real risk to meaningful democracy’. Asking our interviewees to reflect on their experiences of the regulatory debate, our research identified three major barriers to regulation: political reticence, logistical challenges and conflicting policy proposals.

First, we found reticence and lack of action from both politicians and existing regulatory bodies despite some being vocal about endorsing reform. Evidently, introducing change was never a top priority in any electoral reform agenda. There appeared to be a common lack of will amongst politicians to take initiatives on this matter. There were also few political incentives for regulators to take on this agenda, with the Advertising Standards Authority [explaining](#) that ‘the independence of the system could be damaged by rulings for or against political parties’. Moving forward, the regulation of online political advertising will have to overcome challenges in relation to collective action problems and short-term self-interest for political actors.

Second, we identified a number of logistical challenges that hindered the regulation progress. A prominent one is how to define ‘online political adverts’. This task may initially seem easy, but what counts as a political advert is far from self-evident. At the moment, we do not have a clear definition or scope of oversight. As one of our interviewees noted, ‘if they’re going to regulate political advertising, they need to define it’. Another major challenge comes from the characteristics of the online sphere. Its speed and scale make it very difficult for regulatory efforts to keep up with the amount of content on various platforms in real time. Our analysis suggests it is essential for politicians and regulators to gain an in-depth understanding of how online techniques and platforms work. And that will be a positive step towards making changes with platform companies.

Third, we identified conflicting policy proposals that frustrated regulatory efforts. We discerned two very different proposals amongst our interviewees for the specific form of regulation needed. There was a lack of consensus on whether regulatory reform should prioritise advancing greater transparency measures (e.g., targeting information, finances, sponsorship) or adopting content moderation (e.g., regulating misleading claims). We found notable disagreements on the importance of the former and the viability of the latter approach. This suggests that despite calling for regulation, there isn’t a clear vision for what exactly should be done to regulate online political advertising. The absence of a concrete plan with wide external support makes it even more difficult to press political parties and politicians to act on this matter.

Taken together, our research reveals the existence of technological and political barriers in the regulation of online political advertising. We argue that digital technologies have brought additional challenges for regulation, but the lack of progress is also caused by political factors. We hope these insights will inform current debates on the regulation of online political advertising.

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Note: the above draws on the authors' [published work](#) in *Policy & Internet*.

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