

# Political Affairs Digest

*A daily summary of political events affecting the Jewish Community*  
**Scottish Council of Jewish Communities**  
**SCoJeC**

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## Home Affairs

### Labour Party

#### **Jeremy Corbyn statement on Ken Livingstone's suspension**

Ken Livingstone's comments have been grossly insensitive, and he has caused deep offence and hurt to the Jewish community.

Labour's independently elected National Constitutional Committee has found Ken guilty of bringing the party into disrepute and suspended him for two years.

It is deeply disappointing that, despite his long record of standing up to racism, Ken has failed to acknowledge or apologise for the hurt he has caused. Many people are understandably upset that he has continued to make offensive remarks which could open him to further disciplinary action.

Since initiating the disciplinary process, I have not interfered with it and respect the independence of the party's disciplinary bodies. But Ken's subsequent comments and actions will now be considered by the National Executive Committee after representations from party members."

<http://press.labour.org.uk/post/159226729504/jeremy-corbyn-statement-on-ken-livingstones>

### Office of the Chief Rabbi

#### **The Chief Rabbi's Statement on the Labour Party and Ken Livingstone**

This was a chance for the Labour Party to show that it would not tolerate wilful and unapologetic baiting of the Jewish community, by shamefully using the Holocaust as a tool with which to inflict the maximum amount of offence.

Worryingly, the party has yet again failed to show that it is sufficiently serious about tackling the scourge of antisemitism.

The Labour Party has failed the Jewish community, it has failed its members and it has failed all those who believe in zero tolerance of antisemitism.

<https://www.facebook.com/ChiefRabbiMirvis/posts/1157097804419352>

## Supreme Court

### **Essop and others (Appellants) v Home Office (UK Border Agency) (Respondent) Naeem (Appellant) v Secretary of State for Justice (Respondent) [2017] UKSC 27**

Mr Essop is the lead appellant in a group of 49 people ... They were required to pass a Core Skills Assessment (CSA) as a pre-requisite to promotion to certain civil service grades. A report in 2010 established that Black and Minority Ethnic (BME) candidates, and older candidates, had lower pass rates than white and younger candidates. No-one has been able to identify why this is. The appellants issued claims alleging that the requirement to pass the CSA constituted indirect discrimination on the grounds of race or age. The Home Office argued that section 19(2)(b) of the Equality Act 2010 required the appellants to prove the reason for the lower pass rate. The Court of Appeal agreed, upholding the decision of the Employment Judge. ...

Mr Naeem is an imam who works as a chaplain in the Prison Service. Before 2002, Muslim chaplains were engaged on a sessional basis only, because it was believed that there were too few Muslim prisoners to justify employing them on a salaried basis as some Christian chaplains were. Mr Naeem worked on a sessional basis from 2001 but in 2004 became a salaried employee. At this date the pay scheme for chaplains incorporated pay progression over time. The average length of service of Christian chaplains was longer which led to a higher average basic pay. Mr Naeem argued that the incremental pay scheme was indirectly discriminatory against Muslim or Asian chaplains, resulting in lower pay in a post where length of service served no useful purpose as a reflection of ability or experience. Mr Naeem's claim was rejected by the Employment Tribunal which found that the indirect discrimination was justified. ... The Court of Appeal held that it was not enough to show that the length of service criterion had a disparate impact upon Muslim chaplains: it was also necessary to show that the reason for that disparate impact was something peculiar to the protected characteristic of race or religion. ...

The Supreme Court unanimously allows the Essop appeal. ... The disadvantage in Essop was that members of the group failed the CSA disproportionately and the appellants suffered this disadvantage. However, a candidate who fails the CSA because he did not prepare or did not turn up for or finish the CSA has not suffered harm as a result of the PCP in question and in such a case it is open to the respondent to show that the causal link between the PCP and the individual disadvantage is absent. The Essop appeal is therefore allowed and the claims are remitted to the Employment Tribunal.

In Mr Naeem's case the reason why the pay scale puts Muslim chaplains at a disadvantage is known. It is because they have on average shorter lengths of service than Christian chaplains. The Court of Appeal was wrong to require the reason to relate to the protected characteristic. ... In this case the incremental pay structure affected all chaplains in the Prison Service and this did put the Muslim chaplains at a disadvantage compared with the Christians. ... The Employment Tribunal found as a fact that six years was the most required for newly appointed chaplains to have the skills and experience for reward at the top of the scale, but that in the circumstances the disadvantage suffered by Mr Naeem was no more than was necessary as the transition to a new shorter pay scale took its course. This was the correct test. It is not open to the courts on an appeal to disturb that finding, even if there were alternative means to reduce the disadvantage more quickly which could have been considered. Mr Naeem's appeal is therefore dismissed.

***To read the full press release see***

<https://www.supremecourt.uk/cases/docs/uksc-2015-0161-press-summary.pdf>

***To read the full judgment see***

<https://www.supremecourt.uk/cases/docs/uksc-2015-0161-judgment.pdf>

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## House of Commons Written Answers

### USA: Israel

**Gavin Shuker** [69381] To ask the Secretary of State for Foreign and Commonwealth Affairs, what discussions he has had with the US Administration on the potential move of the US Embassy from Tel Aviv to Jerusalem.

**Tobias Ellwood:** The Foreign Secretary discussed a range of foreign policy issues, including the Middle East Peace Process, with the US administration during his visit to Washington on 21 and 22 March.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2017-03-28/69381/>

### Gaza: Fuel Poverty

**Gavin Shuker** [69615] To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent discussions he has had with the Palestinian authorities on fuel shortages in Gaza.

**Tobias Ellwood:** We are deeply concerned by the fuel shortages in Gaza and the serious impact on the humanitarian situation, including by disrupting the delivery of basic services and undermining already vulnerable livelihoods. Addressing Gaza's energy shortfall is critical. We are in regular discussion with the Palestinian Authority, as well as with the Government of Israel, on this topic to encourage improved coordination and an increase in energy supplies.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2017-03-28/69615/>

## House of Lords Oral Answers

### Balfour Declaration

**Question tabled by Baroness Tonge:** To ask Her Majesty's Government what plans they have to commemorate the centenary of the Balfour Declaration.

**Lord Warner:** My Lords, on behalf of the noble Baroness, Lady Tonge, and at her request, I beg leave to ask the Question standing in her name on the Order Paper.

**The Minister of State, Foreign and Commonwealth Office (Baroness Anelay of St Johns):** My Lords, we will mark the centenary of Balfour with pride. The Prime Minister has extended a guest of Government invitation to Prime Minister Netanyahu to visit the UK on the centenary. We are proud of our role in the creation of Israel. However, we recognise that the declaration should have called for the protection of political rights of non-Jewish communities in Palestine, particularly their right to self-determination. This is why we support a two-state solution.

**Lord Warner:** First, I am sure that the whole House wishes the noble Baroness, Lady Tonge, a speedy recovery, and recognises the huge contribution she has made on Palestinian matters. I thank the Minister for her reply. She recognises, I think, that there was a conditionality on granting in the terms of the Balfour Declaration the establishment in Palestine of a national home for the Jewish people. That conditionality was very clear, as the declaration states, "it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine".

Does the Minister agree that successive British Governments, both under the British mandate and subsequently, have failed to deliver that declaration protection to the Palestinian people? Furthermore, should we not mark the centenary with a gracious

apology from the British Government and Parliament for the suffering that that failure has caused and try to make amends ...

We have waited a long time, my Lords—with a clear commitment to recognition of a viable independent Palestinian state?

**Baroness Anelay of St Johns:** First, my Lords, I send my good wishes to the noble Baroness, Lady Tonge, and wish her a strong and full recovery. The Balfour Declaration was an historic statement and one for which the United Kingdom has no intention to apologise. We are focused on encouraging the Israelis and Palestinians to take steps which bring them closer to peace. That is the whole thrust of government policy which has underwritten the work of this Government, the coalition Government, and the Labour Government before that. We continue to carry that work forward. With regard to recognition, perhaps in the future, of Palestine as an independent state, bilateral recognition does not deliver reality. We will make sure that we recognise a Palestinian state when we judge that it is in the best interests of peace and a lasting negotiated solution between Israel and the Palestinian Authorities to do so.

**Lord Collins of Highbury:** My Lords, I associate myself with the remarks of the Minister about the noble Baroness, Lady Tonge. I also welcome the commitment again to the two-state solution, which the Opposition have supported historically. The most important thing we can achieve, 100 years after the Balfour Declaration, is to ensure that peace talks commence. Can the Minister tell us how she can put direct pressure on both parties to start talking to each other rather than firing rockets at each other?

**Baroness Anelay of St Johns:** My Lords, that point is extremely well made. I assure the noble Lord and the House that we are making our best efforts to encourage both sides to come to the table for discussions. When my right honourable friend the Foreign Secretary visited Israel and the Occupied Palestinian Territories, he made just those points. When I had discussions last week in New York with Nikki Haley, who is a member of the President's Cabinet, I too made those points, and we agreed entirely that it is important that we all work together to get the interested parties to the table to talk, not fire weapons.

**Lord Leigh of Hurley:** My Lords, at the 34th session of the Human Rights Council in Geneva on Friday last week regarding Israel, Her Majesty's Government expressed regret that neither terrorism nor incitement was a focus of that council's meeting. Syria's regime butchers and murders its people on a daily basis, but it is not Syria that is a permanent item on the council's agenda. Since 2007, it has been only Israel—the one country in the Middle East that protects human rights for women and gays, among others. Therefore, I welcome the Minister's statement that, if things do not change in the future, Her Majesty's Government will adopt a policy of voting against all resolutions concerning Israel in the Occupied Territories and Palestine. What steps have been taken to encourage our European partners to adopt the same principled and even-handed statements? I declare my interest.

**Baroness Anelay of St Johns:** My Lords, we are in active discussions with like-minded partners to support the council in addressing the fact that there appears to be a disproportionate focus on Israel in the council, which we believe hardens positions on both sides.

**The Lord Bishop of Worcester:** My Lords, will the Minister accept that there is grave concern about facts on the ground tending to suggest the impossibility of a two-state solution?

**Baroness Anelay of St Johns:** My Lords, the right reverend Prelate raises a vital issue. Announcements such as the one made last Friday by the Israeli Government about building a new settlement in the West Bank—the first such government decision there for over 25 years—make one worried that it is becoming more difficult for negotiations that could lead to a two-state solution, and it is necessary to ensure that they do not proceed with such settlements. ...

**Baroness Northover:** My Lords, the Minister referred to the Balfour Declaration, which

says that nothing should be done, “which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine”, and I welcome that. However, with the tinderbox in the Middle East, is it not even more urgent than ever that the future of Israel and the Palestinians is taken forward, and does that not mean reversing rather than expanding the settlements?

**Baroness Anelay of St Johns:** Yes, my Lords.

**Viscount Waverley:** My Lords, given the increasing vacuum from the United States and the concern expressed by Arab partners, is it now realised that Israel can become a strategic ally in the common cause of combating terrorism and Islamist extremism?

**Baroness Anelay of St Johns:** My Lords, I think it is incumbent on all those who believe in peace around the world to do exactly that, and I hope and expect that Israel would be part of that work.

<https://hansard.parliament.uk/lords/2017-04-03/debates/632A5268-21B5-4F91-884A-B339C52A0109/BalfourDeclaration>

## House of Lords Written Answers

### Israel: Palestinians

**Baroness Tonge** [HL6186] To ask Her Majesty’s Government what representations they have made to the government of Israel concerning reports that Palestinian children living in the occupied West Bank and Gaza needing hospital treatment outside Gaza cannot be accompanied by a parent unless that parent is aged 55 or older or is subject to a security check.

**Baroness Anelay of St Johns:** While we have not raised this specific issue, we have consistently urged the Israeli Government to ease movement and access restrictions in the Occupied Palestinian Territories (OPTs), most recently on 13 March. We are also supporting the UN Access Coordination Unit to work with the Israeli Government, Palestinian Authority and aid agencies to help facilitate humanitarian access in the OPTs.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-20/HL6186/>

### Basil al-Araj

**Baroness Tonge** [HL6187] To ask Her Majesty’s Government what representations they are making to the government of Israel regarding the killing of the activist Basil al-Araj.

**Baroness Anelay of St Johns:** We have not raised this issue with the Israeli authorities.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-20/HL6187/>

### Israel: Palestinians

**Baroness Tonge** [HL6219] To ask Her Majesty’s Government what discussions they have had at the UN regarding the report by the UN Economic and Social Commission for Western Asia which stated that Israel practises apartheid against Palestine.

**Baroness Anelay of St Johns:** The UK does not endorse the Economic and Social Commission for Western Asia report. The British Government has not engaged the UN in discussions about the report, and it has been withdrawn by the UN.

The situation on the ground demonstrates the urgent need to make progress towards peace. The UK remains committed to the two-state solution as the best way to bring peace and stability to the region.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-21/HL6219/>

### Israel: Palestinians

**Baroness Tonge** [HL6220] To ask Her Majesty's Government, in the light of reports of the shooting of Ibrahim Mahmoud Matar by the Israeli police on 13 March, what representations they are making to the government of Israel regarding the killing of Palestinian suspects who have already

**Baroness Anelay of St Johns:** We have not raised this issue with Israeli authorities.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-21/HL6220/>

### Israel: Palestinians

**Baroness Tonge** [HL6221] To ask Her Majesty's Government whether they have received reports of tear gas and rubber bullets being used in schools in Abu Dis in March.

**Baroness Anelay of St Johns:** Yes, we have received a report on this issue from our Consulate-General in Jerusalem.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-21/HL6221/>

### Israel: Palestinians

**Baroness Tonge** [HL6222] To ask Her Majesty's Government what recent representations they have made to the government of Israel about the treatment of Palestinian child prisoners; and what assessment they have made of whether that treatment has improved during the last year.

**Baroness Anelay of St Johns:** The Minister for the Middle East and Africa raised this issue with the Israeli Ambassador to London on 1 March. Officials from our Embassy in Tel Aviv also regularly raised this issue with the Israeli authorities, most recently on 9 March 2017. We welcomed progress made in recent Israeli policy amendments.

However, the UK continues to have strong concerns about continued reports of ill-treatment of Palestinian minors. Embassy officials meet with the Israeli authorities on a regular basis to advocate for the end of night-time arrests and summons, consistent access to lawyers and parents for all minors, and implementation of other protection measures.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-21/HL6222/>

### Israel: Bedouin

**Lord Hylton** [HL6267] To ask Her Majesty's Government, further to the Written Answer by Baroness Anelay of St Johns on 14 March (HL5738), what response was received when the Parliamentary Under Secretary of State for the Foreign and Commonwealth Office raised the issue of the possible demolition of houses and the village school of Al Khan al Ahmar in the Occupied Palestinian Territories with the Israeli Ambassador to the UK on 1 March.

**Baroness Anelay of St Johns:** The Israeli Ambassador said no action could be taken to demolish Khan Al Ahmar without following due process and endeavoured to raise the issue with his Government. The Foreign Secretary also raised the UK's grave concerns about demolitions, including the village of Khan Al Ahmar, with Prime Minister Netanyahu during his visit to Israel on 8 March.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-23/HL6267/>

*The answer referred to above can be read at*

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-01/HL5738/>

## Scottish Parliament Motion

**S5M-05049 Jackson Carlaw: UK Government Condemns UNHRC Israel Bias** – That the Parliament thanks the UK Government for condemning the United Nations Human Rights Council's (UNHRC) stance against Israel; notes that the government is putting the UN body "on notice" and will vote against every motion on the Israel-Palestine conflict unless the body ends its "disproportion and bias" against the Israeli state; understands that this resolute statement follows a UNHRC resolution on "the occupation of Syria's Golan", which sought to focus on democratic Israel and not on what it considers the hand-choppers and throat-cutters of Assad's Syria; condemns what it sees the UNHRC's selective focus on a nation of 8 million in a world of 7 billion; acknowledges that, since its foundation, the UNHRC, has adopted 135 country-specific resolutions, of which 68 are against Israel, and is of the view that justice is blind and impartial but that a selective focus on Israel is neither.

<http://www.parliament.scot/parliamentarybusiness/28877.aspx?SearchType=Advance&ReferenceNumbers=S5M-05049>

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## Foreign Affairs

### House of Lords Written Answer

#### Religious Freedom

**Lord Alton of Liverpool [HL6375]** To ask Her Majesty's Government why no reference to (1) targeted and persecuted religious minorities, or (2) the fundamental human right of freedom of religion and belief, is made in the goals specified in the Department for International Development policy paper, *Agenda 2030: Delivering the Global Goals*.

**Lord Bates:** While there is no specific reference in the DFID Policy Paper, the UK's commitment to Leave No One Behind encompasses a broad range of discriminated and marginalised groups - age, sex, disability, race, ethnicity, origin, religion or economic or other status, such as language, LGBT, migratory status or geographic location. Leave No One Behind means tackling the root causes of extreme poverty and exclusion for different groups – including on the basis of religion – by ensuring opportunities for all, both now and in the future. It commits the UK to set a of actions to ensure that; people who are furthest behind, who have least opportunity and who are the most excluded will be prioritised.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-03-28/HL6375/>

"*Agenda 2030: Delivering the Global Goals*", referred to above, can be read at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/603500/Agenda-2030-Report4.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/603500/Agenda-2030-Report4.pdf)

"*Leaving no One Behind*", referred to above, can be read at <https://www.gov.uk/government/publications/leaving-no-one-behind-our-promise/leaving-no-one-behind-our-promise>

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## **Relevant Legislation** \*\* new or updated today

### **UK Parliament**

#### **Arbitration and Mediation Services (Equality) Bill**

<http://services.parliament.uk/bills/2016-17/arbitrationandmediationservicesequality.html>

#### **Assisted Dying Bill**

<http://services.parliament.uk/bills/2016-17/assisteddying.html>

#### **Lobbying (Transparency) Bill**

<http://services.parliament.uk/bills/2016-17/lobbyingtransparency.html>

#### **Promotion of Israeli-Palestinian Peace (United Kingdom Participation)**

<http://services.parliament.uk/bills/2016-17/promotionofisraelipalestinianpeaceunitedkingdomparticipation.html>

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## **Consultations** \*\* new or updated today

#### **\*\* closes in 5 days**

#### **Adoption and Children (Northern Ireland) Bill** (closing date 10 April 2017)

<https://www.health-ni.gov.uk/consultations/adoption-and-children-northern-ireland-bill>

#### **Caste in Great Britain and Equality Law** (closing date 18 July 2017)

<https://www.gov.uk/government/consultations/caste-in-great-britain-and-equality-law-a-public-consultation>

#### **Workplace Diversity (Wales)** (closing date not stated)

<https://www.surveymonkey.co.uk/r/wtucdiversity>

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