

Political Affairs Digest

A daily summary of political events affecting the Jewish Community

Scottish Council of Jewish Communities

SCoJeC

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Muslim Council of Britain

Lord Blencathra (Crossbench) [HL5196] To ask Her Majesty's Government whether ministerial approval was given before Home Office officials met with the Muslim Council of Britain (MCB) to discuss the possibility of Home Office re-engagement; if so, which minister approved that meeting; and what were the names of the MCB members whom officials met.

Baroness Williams of Trafford: Through its work to tackle and challenge extremism and prevent people from becoming radicalised, the Government meets with a wide range of organisations in order to safeguard individuals, families and communities from the harmful impacts of extremism and radicalisation. These organisations must be prepared to show leadership, point to solutions and challenge and confront extremist and terrorist ideologies and narratives whatever form they take.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-01-29/HL5196/>

UK Parliament House of Commons Home Affairs Committee

Inquiry: Hate crime and its violent consequences – evidence session

Q172 Sam Smethers (Chief Executive of The Fawcett Society): ... people in public life today are dealing with an unprecedented volume of hate against them on a regular basis. ...

... we seem to have a no-holds barred kind of approach to the thresholds for this stuff now. Some things that people feel free to tweet, they would not say to someone's face, they would not say in a letter, and they would not probably even put in an e-mail. ... We have now lots of evidence that women are being particularly targeted, certainly black and ethnic minority women are being very heavily targeted. We have to be alive to the fact that this is very real and the risk of crossover between the online world and the offline world is also very real. ...

Loretta Trickett (Centre for the Study and Reduction of Hate Crimes, Bias and Prejudice, Nottingham Trent University): ... We have seen, certainly in the last 10

years since I have been working in hate crime, that we have gone backwards in some ways, because hate crime is on the rise. We are seeing it very close to home, across Europe and elsewhere globally. As Sam said, it is about the capacity for identifying what we should tolerate and what we should not tolerate. I think these are pressing times for hate crime. We are trying to do a lot with legislation, but sometimes that legislation is not effective to tackle all the variants that we see. ...

Neil Chakraborti (Director of the Centre for Hate Studies, University of Leicester):

... What concerns me most about the escalating level of hate crime we are seeing is that to a large extent it is experienced by people who often find themselves in very marginal positions within society. These are people who often have very little faith in authority, people who find themselves in positions where they have very little economic mobility or political clout, and people who are very unlikely to report their experiences. ...

Q173 Professor Chakraborti: ... I would like to see the police and other partner agencies developing reporting processes through meaningful consultation with diverse communities, rather than imposing third-party reporting processes or police reporting processes that do not really work—they are not accessible for victims or for witnesses—and consulting with diverse communities and saying, “What would work for you? What would make reporting more accessible?” ...

Dr Trickett: ... we are talking about sometimes very marginalised communities, many of whom the police have not much exposure to, because the police have much less exposure to hate crimes. I know we are saying there is a lot of it but they have a lot less exposure to hate crime than more traditional forms of offending ... There are some issues around that. One is the police understanding how hate crimes manifest and how they impact on not only the individual but also on wider communities. ...

Mark Walters (Co-investigator of the Sussex Hate Crime Project, University of Sussex): ... A lot of the criminal justice responses and policing of hate crime pivots on the legal framework we have, and at the moment there is a disparity in protection of different types of hate crime within the legal framework. We have specific criminal offences, such as racially and religiously-aggravated assault, for example, which are substantive offences in the criminal law. Then we have other types of hate crimes, such as sexual orientation, transgender or disability-aggravated crimes, which are only dealt with at sentencing. Then you have other crimes that can be aggravated by gender identity or age, which can be dealt with under sentencing guidelines as a form of aggravation.

You have a hierarchy of hate and a disparate way in which the law treats different types of hate crime. That has resulted in different levels of response to different types of hate crime. Until we get parity and a single legal framework through which we can deal with hate crime, we are going to have differences in the way in which different types of hate crime are treated. Even if we have parity in protection, that is not necessarily going to equate to parity in enforcement of the law. ...

Q174 Naz Shah (Labour): ... it has been suggested that aggravated offences should be extended to include other forms of hate crime beyond those based on race and religion. Do you believe this is a good idea and what impact is it likely to have? ...

Professor Walters: ... The big difference is that if you have criminal law offences, that has a real impact on our criminal justice system and the way in which those types of offences are treated. If you have racially-aggravated offences, for example, the criminal justice system is more likely to treat those more seriously because the police have to gather evidence so the CPS can prove in court that a particular offence has been committed. The hostility makes up a substantive element of the crime.

If you do not include, for example, sexual orientation or disability within the Crime and Disorder Act 1998, you are prosecuting only a basic offence, which then becomes aggravated at sentencing. It means that a lot of the hostility is filtered out of the system, because the police are not necessarily required to gather the evidence to prove it in court. ...

Q175 Professor Walters: ... It also has symbolic messages. If you say that one hate crime should be dealt with in the criminal law, and another at sentencing, one has a higher penalty range than the other and you are sending out a message that the hate crimes that fall under sentencing provisions only are less serious—less important. ...

Professor Chakraborti: ... The only caveat I would say is that this is just one part of the solution for delivering justice to victims. We know now there is mounting evidence to suggest that victims of hate crime do not always want the conventional criminal justice response. There is not overwhelming demand on the part of victims to get caught up in a slow, intimidating, incomprehensible criminal justice system. Longer sentences can be entirely appropriate in some contexts, but it is not always the right solution. Evidence suggests that restorative interventions, more of a focus on education interventions, and programmes of rehabilitation inside and outside of prison, can have really powerful effects, not just on offending behaviour but also in what victims want from the justice system. ...

Q178 Dr Trickett: ... the general public is still quite ignorant about what hate crime is. I think that is the message we need to get out there, because they think it is about extreme hatred. ...

... there needs to be an understanding about what the hate crime legislation is built on. It is about hostility and prejudice and what sorts of behaviours might fall under that ...

Q180 Professor Chakraborti: ... [There are] three themes that we have noted as working particularly well in hate crime campaigns in different contexts. One is campaigns that focused on bystander intervention, so campaigns that took the focus away from the individual victim per se exclusively and acknowledged that this is not just a problem for victims and not just a problem that the police need to find a solution to, but it is a wider societal problem that we all need to respond to collectively. ...

We have also seen campaigns work quite well when they reach within and across different communities, so rather than relying quite tokenistically on engagement with so-called community leaders, extending beyond that and engaging with the real diversity that makes up different parts of the country. ... We know that victims come from so many different communities, so many different walks of life, but often most victims do not even recognise that term “hate crime”, even if they are encountering hate crime on a very regular basis. ...

The third one would be success story campaigning. Often campaigns that have just an alarmist message do not work. What seems to work quite well among some victims and some witnesses is success stories, so a positive outcome from reporting a hate incident or a positive outcome from a prosecution. ...

Q184 Sarah Jones (Labour): Dr Trickett, you were talking earlier about training for the police in dealing with hate crimes. Can you talk a bit more about what that training should be and whether or not you think there should be specialist hate crime officers or that everybody should be having the same level of training?

Dr Trickett: ... I think all officers need to be trained on hate crime. One of the issues that we face at the moment is that some of the more workshop-based training has been largely sacrificed because of austerity measures, because you have to take officers off duty to do that sort of training. ...

... it is very difficult for police forces to be able to continue good practice if they do not have somebody in post as a hate crime manager. The reason for that is that often hate crime gets lost, whether you are looking at training or at particular examples of when hate crimes occur within the realm of policing in a particular city. ...

Professor Chakraborti: ... training should not be confined solely to police officers or to specialist hate crime officers. I agree that all forces need hate crime officers, but investigating officers for individual cases often are not hate crime officers; they are police officers who lack any kind of specialist training on hate crime. If we want those investigative officers to show the compassion, empathy and sensitivity required in hate crime cases, we need to think about hate crime training rolled out in a more

systematic, widespread manner than it is currently.

We also need to go beyond the police and recognise that victims of hate crime are often labelled as vulnerable or as an antisocial behaviour problem and not necessarily as a hate crime victim. Therefore practitioners from a whole range of agencies—local authorities, housing, education—all need an in-depth understanding of hate crime. ...

Professor Walters: ... We did a large survey of about 3,000 LGBT and Muslim people across the country and we asked them about their confidence levels in the police and the criminal justice system. There was such high support for police services to have a specialist procedure and a specialist police officer who deals with hate crime. That is really important. I know one police force, for example, that has just abolished its hate crime force lead. That is worrying because it is important for community confidence in the police to know that there is specialist knowledge and that people are being trained in that force. ...

Q188 Professor Chakraborti: ... we have to exercise caution when we say what is good practice and what is not. Sometimes police forces are wary of saying that they are doing good things, because if you are doing good things you will have high numbers of hate crime occurring in your local police force area. That is a success story, because you are encouraging victims to come forward and share that, but the way in which it is interpreted and reported by some sections of the media might be construed as if you are failing because you are not tackling hate crime in your local area. ...

Q189 Rehman Chishti (Conservative): On the reporting and recording, what practical measures can be taken to improve reporting of hate crime? I know organisations like Tell MAMA deal with the issues of Islamophobia and hate crime in that. How successful has that been and what more can be done to address the issue of reporting?

Professor Chakraborti: I think Tell MAMA is an example of really good practice within the context of Islamophobic hate crime and encouraging greater capacity within communities, but it is confined to one strand of hate crime. There is poor practice in relation to most strands of hate crime up and down the country, primarily because very little is done locally to engage in dialogue with local communities about how they would like to report. ...

Q190 Professor Chakraborti: That model works well because it is well known, it is well publicised and it works on one particular strand. That is an advantage for Tell MAMA. I think the disadvantage of coming up with a generic reporting structure is that what works well for certain victims might not work as well for others, so I think reporting structures and processes need to be tailored for particular communities. That is certainly what has worked well for Tell MAMA and the Community Security Trust as well. That works well, so they are pockets of good practice. ...

Q196 Rehman Chishti: ... you have given us the figures and the percentage of successful prosecutions for disability hate crime [0.2%]. To see how the criteria apply in relation to religiously-aggravated hate crime and racially-aggravated crime, what are the percentage figures on that? ...

Professor Walters: Race is 4% and religion is 1%. ... there were an estimated 13,000 reported cases of religious-based hate crime, resulting in 185 cases with the declared uplift—so still really bad, still really low, but just a little bit better. Disability is by far the worst. ...

Q199 Tim Loughton (Conservative): If one takes anti-Semitism and somebody is vehemently anti-Semitic, we do not say that because a person is Jewish and not disabled they are not more vulnerable. That characteristic is not a vulnerability, is it? They are trying to inflict harm on somebody on account of them being a type of person—be it race, religion, gender, disability—that they have a problem with. ...

Dr Trickett: ... if somebody is demonstrating some sort of religious hostility or racial hostility, you will usually have some evidence of language there, whether it be online or offline. There will be something that you can refer to as hostility. ...

What we need to look at is what the baseline offence is and then apply for an uplift tariff. The uplift tariff says that if you have targeted somebody on the basis of prejudice, your motivation in targeting that person needs to be taken more seriously and the impact on that victim might be harsher. I would be reluctant to say we are looking at tailoring a punishment here, if you are talking about anti-Semitism and tailoring that to disability. I do not think that is doable because then we will not have parity of punishment. ...

Q200 Professor Walters: ... I was involved in an anti-Semitic case, with a victim and an offender. The offender was convicted of racially and religiously-aggravated harassment. They went through a restorative justice process as part of their penalty. The family did not want the offender to pick up litter. They did not want him to go out and paint the school or something. They wanted him to do a study on the effects that the Holocaust had on the Jewish people. He was supervised by the offending manager for two weeks, and he had to come back and present that to the family. He had to provide a reflection in his document. He went through the chronology and then the reflection was, "I had actually no idea that being anti-Semitic had this kind of impact. I did not know that all of these people died during the Second World War". Who knows whether that had a genuine impact on his life moving forward, but it is probably going to have a better chance at doing that than sending someone to prison for an extra two weeks or, quite often if it is a fine for a public order offence, giving them an extra £20 on top of the £50 fine. ...

Q216 Tim Loughton: I am surprised at the defence of free speech against clamping down on some of this stuff. There is a world of difference, surely, between somebody who expresses anti-Semitic views personally against an individual or anti-Muslim views, as happened in the case of the terrorist who was jailed last week for mowing down Muslims coming out of a mosque after prayer—there were tweets or Facebook posts saying, "Shame that he didn't take out more of them" or whatever. That is very clear violence and incitement to violence against an individual or a group of individuals. At the same time there is people's right to express comments about, "The Government are unduly influenced by the State of Israel or are doing far too much to accommodate Muslims in this country" or whatever. They may be distasteful views but those people have a right to express them and be challenged. That is not a hate crime. It becomes a hate crime at certain points of it. ...

To read the full transcript see

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/hate-crime-and-its-violent-consequences/oral/78160.html>

UK Parliament Joint Committee On Human Rights

Inquiry: Freedom of speech in Universities – new written evidence

UK Lawyers for Israel

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/human-rights-committee/freedom-of-speech-in-universities/written/77785.pdf>

Baroness Deech

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/human-rights-committee/freedom-of-speech-in-universities/written/77794.pdf>

Professor Jonathan Rosenhead

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/human-rights-committee/freedom-of-speech-in-universities/written/77831.pdf>

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Israel

House of Commons Written Answer

Palestinians: Overseas Aid

Ben Lake (Plaid Cymru) [126305] To ask the Secretary of State for International Development, if she will increase aid to the Palestinian Authority to £25 million as in the financial year 2016-17.

Alistair Burt: DFID is currently carrying out a Resource Allocation Round to confirm the 2018/2019 and 2019/2020 budgets, following the November 2017 budget, and as such does not have a confirmed allocation for support to the Palestinian Authority (PA). Finalised official figures for the current financial year (2017/2018) will be released in due course. The UK remains committed to supporting Palestinians and is working closely with the PA to help build the institutions of a sovereign future Palestinian state needed for a viable two-state solution. In particular the UK is supporting the PA to deliver essential health and education services.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-02-02/126305/>

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Foreign Affairs

House of Commons Written Answer

Hezbollah: Weapons

Neil Parish (Conservative) [126183] To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent assessment his Department has made of Hezbollah's ability to manufacture weapons.

Alistair Burt: We are aware of reports that Hizballah is manufacturing weapons in Lebanon, which would constitute a direct contravention of UN Security Council Resolutions 1559 and 1701. We condemn the threat that such activity poses to regional stability.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-02-01/126183/>

House of Lords Written Answer

Religious Freedom

Baroness cox (Crossbench) [HL5401] To ask Her Majesty's Government how they assess partners' commitment to UK Partnership Principles and to promoting freedom of religion or belief when determining the funding of governments and organisations.

Lord Bates: In determining UKAid funding to governments DFID assesses their commitment to each of four Partnership Principles. One of the Principles is commitment to human rights, which includes freedom of religion or belief. Evidence of lack of commitment to the Principles would influence choices on the level and the manner of aid provision. DFID contractual and grant arrangements used for organisations other than governments include specific clauses to prevent any discrimination against protected characteristics, including religion or belief.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-02-06/HL5401/>

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Relevant Legislation ** new or updated today

UK Parliament

European Union (Withdrawal) Bill

<http://services.parliament.uk/bills/2017-19/europeanunionwithdrawal.html>

Marriage Act 1949 (Amendment) Bill

<http://services.parliament.uk/bills/2017-19/marriageact1949amendment.html>

Organ Donation (Deemed Consent) Bill

<http://services.parliament.uk/bills/2017-19/organdonationdeemedconsent.html>

Scottish Parliament

Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill

<http://www.parliament.scot/parliamentarybusiness/Bills/105269.aspx>

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Consultations ** new or updated today

Introducing 'opt-out' consent for organ and tissue donation in England (closing date 6 March 2018)

<https://www.gov.uk/government/consultations/introducing-opt-out-consent-for-organ-and-tissue-donation-in-england>

Promoting Organ Donation and Transplantation in Northern Ireland (closing date 9 March 2018)

<https://www.health-ni.gov.uk/consultations/promoting-organ-donation-and-transplantation-northern-ireland>

Electoral Reform (Scotland) (closing date 12 March 2018)

<http://www.gov.scot/Resource/0052/00529431.pdf>

Human Rights (Scottish Parliament) (closing date 16 March 2018)

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/106453.aspx>

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