

# 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

### House of Lords Oral Answers

#### Religious Hate Speech

**Lord Pearson of Rannoch (UKIP):** To ask Her Majesty's Government whether section 29J of the Public Order Act 1986 remains in force, and if so, what is the basis in statute for the offence of religious hate speech.

**The Minister of State, Home Office (Baroness Williams of Trafford):** My Lords, Part 3A of the Public Order Act 1986 relates to hatred against persons on religious or sexual orientation grounds. Section 29J provides that Part 3A should not be interpreted in a way that prohibits discussion or encouragement to cease practising of particular religions or beliefs. There is no criminal offence in the UK of hate speech.

**Lord Pearson of Rannoch:** My Lords, I thank the Minister for her reply. However, I fear that we are on our way to losing our freedom of speech in this area. I repeat a question I put a year ago, which the Government refused to answer: namely, whether a Christian who proclaims that Jesus is the only Son of the one true God can be arrested for hate speech if a Muslim feels insulted and complains to the police. By the same token, can a Muslim be arrested for preaching the supreme divinity of Allah if a Christian takes offence? Secondly, can the Government assure your Lordships that they will not follow a new judgment from the Strasbourg court, which upholds Austria's criminalisation of a lady who said that Muhammad was a paedophile? Or are we to have a new blasphemy law that prohibits discussion of Islam?

**Baroness Williams of Trafford:** My Lords, the noble Lord asked me a hypothetical question in an unspecified situation. The CPS and the police agreed definition of hate crime is used for the purposes of identifying and flagging only. The definition is: any criminal offence which is perceived to be motivated by hostility or prejudice based on a person's actual or perceived disability, race, religion, sexual orientation or transgender identity. When flagged as a hate crime, the police will be satisfied that an offence has been committed and will then investigate evidence in support of the appropriate charge, as well as the aggravated element of hostility. It would not be appropriate for me, as I have just said, to confirm whether this is an example which would constitute a hate crime. That would be an operational decision both of the police and the CPS based on

the specific circumstances.

On the Austrian situation, the judgment does not raise any issues which require any further consideration by this Government at this time.

**Lord Rosser (Labour):** I was hoping that the noble Lord, Lord Pearson, was going to tell us that, like Mr Farage, he now found UKIP so awful that he, too, was leaving its ranks. Section 29J of the Public Order Act 1986, which was added, I understand, by this House during the passage of the Racial and Religious Hatred Act 2006, states:

“Nothing in this Part shall be read or given effect in a way which prohibits or restricts discussion, criticism or expressions of antipathy, dislike, ridicule, insult or abuse of particular religions or the beliefs or practices of their adherents, or of any other belief system or the beliefs or practices of its adherents”.

In the light of those references to “insult or abuse”, do the Government intend to reconsider the appropriateness of those two words in Section 29J in the current climate, which seem to conflict to some degree with the objective of the Racial and Religious Hatred Act 2006 and its protection for individuals from hatred and the fear of violence and harassment?

**Baroness Williams of Trafford:** My Lords, we need to be careful to balance the two issues. I know why the noble Lord picked “insult” and “abuse” because they sound quite strong words, but insult and abuse and hatred are quite different things. I take the noble Lord’s point: on the face of it, they seem quite strong words.

**Lord Paddick (Liberal Democrat):** My Lords, I was the police spokesperson after the 7 July bombings in 2005 in London when 52 innocent people lost their lives. I was asked in a press conference whether I felt that it was the result of Islamic terrorism. I said that I thought that the phrase “Islamic terrorism” was a contradiction in terms. I went on to say that I believe that the UK is a much better, more law-abiding country because we have a strong Muslim community. I believe that now as much as I did then. Does the Minister agree?

**Baroness Williams of Trafford:** I do agree with the noble Lord that the conflation of Islamism and Islamic is widespread. Not only should we understand where the two terms come from—Islamism, of course, comes from the collapse of the Ottoman empire—but that Islam itself is a peaceful religion and Muslims in this country contribute to the variety and diversity of our country.

**Lord Singh of Wimbledon (Crossbench):** My Lords, does the Minister agree that all faiths should be treated equally, and does she deplore the present practice of resources going to those who shout the loudest? There are no comparative statistics on hate crime for different faiths.

**Baroness Williams of Trafford:** I agree with the noble Lord that all religions should be treated equally. The premise of some of our hate crime legislation absolutely underpins that equality in society. No one should feel that hate should be meted out on them because of their religion, the colour of their skin, their sexual orientation or their disability.

**Lord King of Bridgwater (Conservative):** Does my noble friend agree that there is now far too much hatred in the world, affecting all ages, such as the tragic incident that occurred recently with the Syrian refugee? The total pervasiveness of social media is an opportunity to spread hate in different directions. Will she comment on the approach that could be taken to tackle that particular challenge that we now have?

**Baroness Williams of Trafford:** My noble friend raises an important question about the proliferation of hate crime online; of course, what is a crime offline should also be a crime online. We will be taking our online harms White Paper through Parliament shortly. He is absolutely right to point out the case of that poor Syrian boy, but I should also like to point out that sometimes out of such awful situations comes great kindness. I understand that the British public have raised a lot of funds for that family to support them through the terrible time that they have had.

## House of Lords Written Answer

### Hate Crime

**Lord Ouseley (Crossbench)** [HL11673] To ask Her Majesty's Government what assessment they have made of the rise in hate crimes recorded by the police in England and Wales in the last five years, and the implications for community cohesion of such a rise; and what steps they will take to counter this trend.

**Baroness Williams of Trafford:** Police recorded hate crime has more than doubled over the period 2012/13 to 2017/18. This increase is thought to be driven largely by general improvements by the police in how they record crime, as well as better identification of hate crimes, willingness of victims to come forward, and a genuine increase in these offences around certain events. Better recording is an important part of how to tackle hate crime and support victims.

The independent Crime Survey of England and Wales meanwhile shows a welcomed downward trend in the actual incidence of hate crime. Latest data shows a 40% reduction between the combined 2007/08 to 2008/09 and combined 2015/16 to 2017/18 surveys.

However, this Government recognises that there is no room for complacency given the impact of hate crimes on victims, their families and wider communities. The Hate Crime Action Plan refresh published in October 2018 sets out a comprehensive plan for tackling the issue. This includes work under 5 key themes: preventing hate crime by challenging beliefs and attitudes; responding to hate crime within our communities; increasing the reporting of hate crime; improving support for victims of hate crime; and building our understanding of hate crime.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-11-21/HL11673/>

The Crime Survey referred to above can be read at <http://www.crimesurvey.co.uk/en/index.html>

The Hate Crime Action Plan referred to above can be read at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/748175/Hate\\_crime\\_refresh\\_2018\\_FINAL\\_WEB.PDF](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748175/Hate_crime_refresh_2018_FINAL_WEB.PDF)

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## Holocaust

### House of Commons Oral Answer

#### Prime Minister's Questions

**Bob Blackman (Conservative):** Yesterday, London students heard from the renowned holocaust survivor Hannah Lewis, who described the horrors of Europe's darkest hour. As we celebrate the festival of Hanukkah, does my right hon. Friend agree that there could be no better place for the national holocaust memorial and learning centre than alongside this Palace of Westminster, to stand as a permanent memorial to the horrors of the ultimate of antisemitism?

**The Prime Minister:** I commend Hannah for the contribution she is making and has made over the years in bringing home to people the absolute horrors of the holocaust. I commend the work of the Holocaust Educational Trust, which does

important work up and down our country. I absolutely agree with my hon. Friend that there is no better place for the holocaust memorial and learning centre to be than right next to our Parliament. What is important is that this is not just a memorial; it is a learning centre and it will be educating young people and others about the horrors of man's inhumanity to man.

<https://hansard.parliament.uk/commons/2018-12-05/debates/AE0D2D86-28E1-40CC-A4E5-4DAC25733B52/Engagements#contribution-AE860669-9BC1-4929-A3B3-4F0F994C2E86>

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## Israel

### House of Commons Written Answers

#### Israel: Palestinians

**David Lammy (Labour)** [196083] To ask the Secretary of State for Foreign and Commonwealth Affairs, whether he has made a recent assessment of the ability of the United States to continue to be an honest broker in Israeli-Palestinian peace talks; and if he will make a statement.

**Alistair Burt:** We welcome President Trump's desire to bring an end to the Israel-Palestinian conflict. We agree on the importance of the US' bringing forward detailed proposals for a viable peace agreement that addresses the legitimate concerns of both parties. We continue to believe the best way to achieve this is through substantive peace talks between the parties leading to a two-state solution based on 1967 borders with agreed land swaps, Jerusalem as the shared capital of both states, and a just, fair, agreed and realistic settlement for refugees.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-11-27/196083/>

#### Palestinians: Overseas Aid

**Matthew Offord (Conservative)** [196174] To ask the Secretary of State for International Development, what steps she has taken to ensure that funding allocated by her Department from the public purse does not find its way into the hands of terrorists in the Palestinian Territories.

**Alistair Burt:** The UK has a zero-tolerance approach to fraud and robustly controls against the diversion of aid. We have strong controls in place to monitor spending, including due diligence assessments, annual financial audits of project spending and regular field visits; all to ensure that UK aid reaches the intended beneficiaries. DFID complies with UK and international counter terrorism legislation and DFID funding agreements commit partners to understand and comply with international counter terrorism legislation.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-11-27/196174/>

### House of Lords Written Answers

#### Israeli Settlements: Hebron

**Lord Hylton (Crossbench)** [HL11648] To ask Her Majesty's Government, further to the Written Answers by Lord Ahmad of Wimbledon on 9 November (HL11297 and HL11254), what discussions they have had with the government of Israel about the compatibility of the construction of an apartment block in Hebron with Israel's obligations under international agreements.

**Lord Ahmad of Wimbledon:** While we have not discussed this specific plan with the Israeli Government recently, we regularly raise our concerns about illegal settlement activity. As I made clear in my earlier response in October last year, the previous Foreign Secretary issued a statement expressing concern about the approval of 31 construction permits in Hebron for the first time in 15 years. The Government's position on settlements is clear. They are illegal under international law, present an obstacle to peace, and threaten the physical viability of a two-state solution.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-11-21/HL11648/>

*The answers referred to above can be read at*

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-11-05/HL11297/>

*and*

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-11-05/HL11254/>

*The statement referred to above can be read at*

<https://www.gov.uk/government/news/foreign-secretary-statement-on-settlement-units-in-the-west-bank--2>

### **Israeli Settlements**

**Lord Hylton (Crossbench)** [HL11649] To ask Her Majesty's Government whether they will make representations to the government of Israel about the introduction of settlers into the Occupied West Bank and the implications of this for (1) Israel's compliance with international law, and (2) establishing a comprehensive peace agreement.

**Lord Ahmad of Wimbledon:** The Government's position on settlements remains clear: settlements are illegal under international law, present an obstacle to establishing a comprehensive peace agreement, and threaten the physical viability of a two-state solution. We will continue to raise our concerns with the Israeli authorities.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-11-21/HL11649/>

### **Israel: Gaza**

**The Marquess of Lothian (Conservative)** [HL11657] To ask Her Majesty's Government what action they are taking to support the ceasefire in Gaza agreed on 13 November.

**Lord Ahmad of Wimbledon:** We urge restraint from all parties and welcome the return to calm in recent days. We strongly support the mediation efforts of the international community led by Egypt and the UN and urge continued talks aimed at finding an enduring peace in Gaza. In order to protect civilians it is crucial that a ceasefire is agreed and maintained as part of a political process that sees the Palestinian Authority return to Gaza, and that restrictions on the Gazan people and economy are lifted.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-11-21/HL11657/>

## **Foreign and Commonwealth Office**

**Alistair Burt:** UK condemns Hizballah tunnels into northern Israel. This is a blatant disregard of UN resolutions, threatening Israel and Lebanon's stability. UNSCR 1701 must be implemented. UK supports Israel's right to defend itself.

<https://twitter.com/AlistairBurtUK/status/1070419400363307008>

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## Foreign Affairs

### House of Commons Written Answer

#### Turkey: Islam

**Nigel Dodds (DUP)** [196115] To ask the Secretary of State for Foreign and Commonwealth Affairs, what representations he has made to his Turkish counterpart on the effect on non-Muslims of the rapid incorporation of Islam into that country's education system.

**Alan Duncan:** Religious education is compulsory in Turkey's education curriculum and generally amounts to around two hours a week. Christian and Jewish children can apply for exemption from these classes. We have discussed freedom of religion issues with the Turkish authorities and are in dialogue with minority religious communities in Turkey.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-11-27/196115/>

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## Other Relevant Information

### European Council

#### **Council Declaration on the fight against antisemitism and the development of a common security approach to better protect Jewish communities and institutions in Europe**

The Council of the European Union ...

1. Invites the member states to adopt and implement a holistic strategy to prevent and fight all forms of antisemitism as part of their strategies on preventing racism, xenophobia, radicalisation and violent extremism,
2. Calls on the member states that have not done so yet to endorse the non-legally binding working definition of antisemitism employed by the International Holocaust Remembrance Alliance (IHRA) as a useful guidance tool in education and training, including for law enforcement authorities in their efforts to identify and investigate antisemitic attacks more efficiently and effectively,
3. Calls on member states in particular to increase their efforts to ensure security for Jewish communities, institutions and citizens,
4. Calls on member states to reinforce protection of Jewish communities and institutions as appropriate by seeking or enhancing cooperation between the local and/or national law enforcement authorities and the respective Jewish community based on established good practice in several EU Member States, as well as using this base for seeking new and innovative ways to further improve the cooperation,
5. Invites the member states to provide for the financing and implement the necessary security measures of Jewish communities, institutions and citizens,
6. Invites the member states to make use of the financial support provided by the European Union's financial instruments for the protection of public spaces,
7. Calls on the member states to take appropriate measures against hate crimes and incitement to violence or hatred against Jewish people and to fully implement the Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law and the Council conclusions of 6 December 2013 on combating hate crime in the European Union, and ensure effective investigations and prosecution,
8. Invites the member states to make use of the Key Guiding Principles of the EU

High Level Group on combating racism, xenophobia and other forms of intolerance published in December 2017 in order to improve the recording of hate crime by law enforcement authorities,

9. Invites the member states to participate in the ongoing training of national law enforcement and criminal justice authorities provided by the FRA and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in order to improve their ability to record and collect hate crime data, including on antisemitism, and support civil society organisations to complement the collection in order to better measure the extent of antisemitism affecting Jewish citizens,
10. Reminds the member states to promote common values and general principles of the European Union as stipulated in Article 2 TEU, through education and culture, in line with the Paris Declaration adopted 2015<sup>9</sup> and based on the Council Recommendation on promoting common values, inclusive education, and the European dimension of teaching<sup>10</sup>, and in this context promote education on the Holocaust as well as on education on the role of Jewish institutions, communities, and citizens in today's Europe,
11. Invites the member states to introduce training about all forms of intolerance, racism and hate crime, in particular antisemitic prejudices and hate crime into their school curricula, into vocational training such as for people working in the field of security and justice as well as into the curricula of integration courses,
12. Invites the member states to strengthen support for intercultural and interfaith work involving Jewish communities and institutions, and to encourage in particular the exchange between children and young people of different faiths and backgrounds, including through the use of European instruments such as E-Twinning and Erasmus+,
13. Calls the member states to emphasise the importance of Holocaust remembrance and education for all, as well as research. Without prejudice to national competence, this requires freedom of research, adequate curricula as well as adequate education and training on the Holocaust and antisemitism for teachers, people working in the field of security and justice and could be taken into consideration as part of general integration measures,
14. Invites the Commission to present in the context of its overall strategy against racism, xenophobia and other forms of intolerance, further measures combating and preventing all forms of antisemitism and to this end work closely with the Member States, including with regards to the protection of Jewish institutions, communities and citizens,
15. Invites the Commission to continue focusing on antisemitism as part of the work of the EU High Level Group on combating racism, xenophobia and other forms of intolerance and to continue developing, in close consultation with the Member States and with the support of the FRA, EU standards for data collection and analysis regarding antisemitism and other forms of hate speech and discrimination within the European Union,
16. Invites the Commission to pay particular attention to illegal antisemitic hate speech as a topic to be discussed within the Code of Conduct on combating hate speech online and to include also content that advocates antisemitic terrorist offences in the context of the EU Internet Forum. The European Internet Referral Unit at Europol should be fully used to detect and refer such terrorist content to the relevant Internet service providers,
17. Will enhance coordination of the work of the Council in preventing and combating antisemitism, among other by exchanging best practices.

**To read the full declaration see**

<http://data.consilium.europa.eu/doc/document/ST-15213-2018-INIT/en/pdf>

## European Commission

### **Joint statement by First Vice-President Timmermans and Commissioner Jourová welcoming the Council Declaration on the fight against Antisemitism**

Today the Council unanimously adopted a declaration on the fight against antisemitism and the development of a common security approach to better protect Jewish communities and institutions. First Vice-President Frans Timmermans and Commissioner for Justice, Consumers and Gender Equality Vera Jourová welcomed this declaration in a joint statement:

"In times of growing antisemitic hatred, the unanimous adoption of the Declaration on the fight against Antisemitism by the 28 EU Member States sends an important signal to the Jewish community; the EU and each of its Member States stand by their side to guarantee their safety and well-being. We will combine our efforts at European and national level to ensure that Jewish Europeans can build a common future for themselves and their children in Europe, together with all Europeans.

This declaration invites Member States and the Commission to take concrete steps to better protect the Jewish community in Europe and to continue their fight against Antisemitism. We cannot have a common fight without a common definition of what we are fighting against. Member States are called to use the International Holocaust Remembrance Alliance's definition of Antisemitism as a guidance tool, which would be an important step in the fight against Antisemitism.

The European Commission stands firm against any form of Antisemitism, and will continue working hand-in-hand with Member States on this important issue." ...

**To read the full press release see**

[http://europa.eu/rapid/press-release\\_STATEMENT-18-6686\\_en.htm](http://europa.eu/rapid/press-release_STATEMENT-18-6686_en.htm)

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

### **UK Parliament**

#### **Holocaust (Return of Cultural Objects) (Amendment) Bill**

<https://services.parliament.uk/Bills/2017-19/holocaustreturnofculturalobjectsamendment.html>

#### **Marriage Act 1949 (Amendment) Bill**

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

#### **Online Forums Bill**

<https://services.parliament.uk/Bills/2017-19/onlineforums.html>

#### **Organ Donation (Deemed Consent) Bill**

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

#### **Palestinian Statehood (Recognition) Bill**

<https://services.parliament.uk/Bills/2017-19/palestinianstatehoodrecognition.html>

### **Scottish Parliament**

#### **Human Tissue (Authorisation) (Scotland) Bill**

<http://www.parliament.scot/parliamentarybusiness/Bills/108681.aspx>

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## Consultations

\*\* new or updated today

**\*\* closes in 4 days**

**Reform of the legal requirements for divorce** (closing date 10 December 2018)

<https://consult.justice.gov.uk/digital-communications/reform-of-the-legal-requirements-for-divorce/>

**The future of civil partnership in Scotland** (closing date 21 December 2018)

<https://consult.gov.scot/family-law/the-future-of-civil-partnership-in-scotland/>

**2021 Census: Outputs Strategy Consultation for Northern Ireland** (closing date 9 January 2019)

<https://www.finance-ni.gov.uk/sites/default/files/consultations/dfp/2021-census-outputs-strategy-consultation-for-northern-ireland-document.pdf>

**Extremism in England and Wales** (closing date 31 January 2018)

<https://www.gov.uk/government/consultations/extremism-in-england-and-wales-call-for-evidence>

**Racial harassment in higher education** (closing date 15 February 2019)

<https://www.equalityhumanrights.com/en/inquiries-and-investigations/racial-harassment-higher-education-our-inquiry>

**Draft guidance to challenge bullying in schools** [Wales only] (closing date 15 February 2019)

<https://beta.gov.wales/draft-guidance-challenge-bullying-schools>

**One Scotland: Hate Has No Home Here** (closing date 24 February 2019)

<https://consult.gov.scot/hate-crime/consultation-on-scottish-hate-crime-legislation/>

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