



Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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Public Bill Committee Debates

Higher Education (Freedom of Speech) Bill (*First Sitting*)

col 8 The Minister for Universities (Michelle Donelan): Dr Ahmed, you have previously discussed a soft censorship approach. Can you explain what that is and the impact that you think it will have or that it is having on universities?

col 9 Dr Arif Ahmed MBE, Reader in Philosophy (also Fellow of Gonville and Caius College) at Cambridge University: ... Hard censorship ... means universities actively suppressing certain kinds of speech by enacting certain kinds of regulation. ...

Soft censorship is where there is not any regulation, but people know—people sense it themselves, because they know that if they say this, or they say that, or if they present these views, they will be regarded adversely. If they are a student, they might be ostracised. It might make difficulties for their academic career. ...

Michelle Donelan: ... The existing legislation ensures that there is a duty to protect free speech and this legislation goes further in terms of promoting free speech. Do you think that is vital to changing the culture on campus?

Dr Ahmed: Yes, I do. Obviously the Bill itself does not go into great detail as to what it means by the word “promote”, and I think that is sensible, because it may mean different things in different institutional contexts, but it could mean, for instance, things like events at induction for students, so that people are made aware in ways that they are not now made aware ... just how essential freedom of speech and freedom of thought is to the very functioning of the university, and indeed to being able to function as an adult in a healthy democracy.

It could mean things like making it central to decision-making processes at all levels of the university, so that when we make decisions, we do not just think about the equality and diversity implications of this planned decision ... but that it becomes just as reflexive that we think about the free speech implications of a measure. ...

col 10 Michelle Donelan: ... At Cambridge, you successfully put forward the amendment, which I am sure everybody around the table is aware of, altering the requirement of “respecting” to “tolerating”. Why do you think that amendment was needed?

Dr Ahmed: ... The reason for the concern was that the use of the word “respect” and the requirement for respect in that context meant respect for all kinds of ideas and identities as well. That would preclude, for instance, mockery. It would preclude views that give offence to people who hold religious views. ... For instance, I teach the work of David Hume. David Hume was about as offensive in his mocking of religion as anyone was in the 18th century. Would I be able to teach that, because his views were certainly disrespectful towards religion?

Another point, of course, is that whether something counts as respectful depends on how willing the person you are disrespecting is to take offence. So, more sensitive people will end up with a kind of veto. ... The effect would be absolutely to strangle any form of rigorous academic discussion over the most important things in life. ...

Emma Hardy (Labour): ... On the issue of academic freedom, I want to turn to what the Bill does and does not say. I am looking at the evidence submitted by ... Professor Ross Anderson. His concern is around changing the wording in the Bill from “freedom within the law to question and test received wisdom” to “freedom within the law and within their field of expertise”.

I have concerns that a Bill that is allegedly intended to promote academic freedom could in fact limit academic freedom if you are limited to defining what is your field of expertise. ... The other point in the Bill which concerns me ... is that it talks about academics and not academic staff or those working within the university. They seem to be exempt from coverage under the Bill, as are visiting academics. ...

col 11 Professor Kathleen Stock OBE, Professor of Philosophy at University of Sussex: ... the difference between academic freedom and freedom of expression, assuming there is one, can only be in principle grounded in expertise. That is what makes the difference between the person who has freedom of expression generally and the person who has special protections as an academic. To put it briefly, that is because academics are perceived to have a certain authority, so their authority should be rigorously tested. They should not be able to get away with just saying, “It is just like this, and you have to accept my word for it.” ...

Dr Ahmed: ... there are difficulties around defining a field of expertise. ... if you take Professor Richard Dawkins, one could argue that theology is not his area of expertise. Many theologians would argue that it is not even his area of competence. ... Nevertheless, we would certainly want a Bill that protects his freedom to muse about religion as he likes. ...

col 18 Charlotte Nichols (Labour): I am interested ... around the distinction between academic freedom and freedom of speech. ... I wonder, in relation to remarks made by the Secretary of State when the Bill was first announced, whether you think there is a limit to academic freedom versus freedom of speech and where that limit should be drawn. Holocaust denial was given as an example. To declare an interest, I am Jewish, so that is something that I am interested in. ...

And if you think there should be a limit in the Bill, or are you saying that in an absolutist context there should be absolute freedom of speech?

col 19 Professor Stock: ... I think this sits within wider sets of laws about speech. ... The vast majority of the instances that we are talking about are perfectly within the law but are still being censored and having adverse consequences. I acknowledge that there are some kinds of speech that are criminal and should not be allowed in universities. I think the law is quite well set up to deal with things like that. I understand there is already a legal precedent on holocaust denial. ... If we adopt entirely or orient our attitude towards those examples, and if we are extra cautious because of these possibilities, we really lose a lot in the middle ground. ...

Dr Ahmed: ... the Bill as I understand it says free speech within the law, and therefore makes reference explicitly to existing legislation. The Bill therefore does not protect

anything that is already illegal. ...

col 23 Michelle Donelan: ... You have spoken in the past about the erosion of free speech. How exactly do you think that the Bill will tackle that?

Trevor Phillips OBE: It is a short Bill, which perhaps begins to close some gaps ... the central proposition, which is that there should be some regulatory apparatus and guidance, is valuable. ... if the university authorities had been doing their jobs properly, behaved like grown-ups and taken responsibility for what is happening on campuses, this would not be necessary.

However, what in the last three to five years we have seen example after example of where university authorities have essentially abdicated their responsibility to protect their own academics and students. ...

col 24 ... Twelve years ago, when I was in public office as chair of the Equality and Human Rights Commission, I tried very hard to get a university or some other research body to do some work on the academic success of children of Chinese heritage. For two years we offered money. No institution would take up that research project because they said—I had this from three or four of them—that it would stigmatise other ethnic groups. ...

Michelle Donelan: ... The Bill is designed to protect lawful free speech, but some Opposition commentators have argued that it would protect unlawful free speech. Could you both clarify whether you share that view or whether you believe that the Bill would protect only lawful free speech?

Professor Nigel Biggar CBE, Regius Professor of Moral and Pastoral Theology at Oxford University: My view is that the Bill would protect lawful free speech. The law as it stands prohibits speech that would incite violence or racial hatred or hatred against people for their religion and so on, and the Bill would not change that. We have already heard concerns about holocaust denial. Under the law as it stands, in the light of European Court of Human Rights case law, holocaust denial is not unlawful; it is just that if you give expression to such a view and you are denied a platform or suffer some detriment, you cannot claim the protection of the law. It is a delicate position. I do not think this Bill is going to protect unlawful speech. ...

Trevor Phillips: I do not really see what in the text of the Bill would produce that result. I think you would have to construct a very outlandish scenario for that to happen. ...

col 25 Lloyd Russell-Moyle (Labour Co-op): ... I am interested in who does the judging of where the limits of free speech are. You could say something controversial, something that somebody thinks is Islamophobic or antisemitic. In your view it might not be and you have the right to express that view, but surely there is a right to a backlash and for people to express their distaste for distasteful views. There is a right to offend, but there is also the right to be offended. How do you stop a chilling effect when stopping people's right to express their distaste?

Professor Biggar: Of course people have a right to express distaste of any views they wish. My own view is that universities ought to be in the business of teaching future citizens to express their passionately held views civilly, rationally and robustly, without abuse. ...

col 26 But it is not just a matter of people expressing their distaste ... it is the use of political means to apply political pressure—not rational but political—and it is the use of aggressive abuse.

Lloyd Russell-Moyle: How do you limit people applying political pressure? ... what is the regulator actually checking? That the university has not restricted other people's political expression?

Trevor Phillips: There is no right to a backlash. In common law there is a right to protest ... The issue here is of culture and resilience. ...

Alongside the legislation, there has to be a programme of action to protect diversity of opinion within the higher education sector. ... The regulator is not a censor; it is there to

moderate behaviour, and there are different ways in which that regulator might moderate behaviour. Some of it will be by prohibition and law, but most of it, for every regulator, is through guidance, encouragement, comparison, publication of best practice, and so on. ...
col 27 Personally, I am a bit less concerned about the issue of meetings not being held and so on, and far more concerned about the extent to which academic and intellectual inquiry is being curbed by a culture that says “This thing will be controversial and too much hassle. ...

One practical step that might be embodied in the guidance, if not in the legislation itself, is that the default position in universities when it comes to meetings in particular is that they should always be open to all members of that community, so that every point of view is open to challenge. ...

col 32 **John McDonnell (Labour):** ... my point is about the contradiction in this legislation. We could have legislation that forces the student union to give a platform to the Chinese Communist party to advocate the genocide of the Uyghurs.

Trevor Phillips: I do not think that there is anything in the legislation that will force a student union to do that. What I would agree with is that it is entirely possible that a group of three students might decide that they want to do something like this on campus. ... I am afraid that I have to say that if that is what happens, that is what happens. The student union can say, “Well, you can’t do it on our premises”—I think that is fine.

John McDonnell: It cannot under this legislation. Under this legislation, that would be challengeable.

Trevor Phillips: I do not think that the legislation will compel any part of a university to agree to let anybody speak on its premises. ...

The student union can say, “No, we’re not having it”, but, ultimately, if a group of individuals—academics and so on—say, “We want to have this person from the Chinese embassy speaking to explain what they are doing in Xinjiang”, I cannot in all conscience agree that it is a university’s duty somehow to prevent that happening. ...

To read the full transcript see

[https://hansard.parliament.uk/commons/2021-09-07/debates/4085bdb0-00ed-4f76-8e84-09c35fd099b2/HigherEducation\(FreedomOfSpeech\)Bill\(FirstSitting\)](https://hansard.parliament.uk/commons/2021-09-07/debates/4085bdb0-00ed-4f76-8e84-09c35fd099b2/HigherEducation(FreedomOfSpeech)Bill(FirstSitting))

Higher Education (Freedom of Speech) Bill (Second Sitting)

col 38 **Professor Stephen Whittle OBE, Professor of Equalities Law at Manchester Metropolitan University:** ... My main concern about the Bill is that it will provide an additional chilling effect overall, not to speakers but to potential protesters. It will result in people who want to express an alternative viewpoint, who are not speakers and do not have that opportunity to participate in the event, to have a voice on the platform, having no way of expressing that without appearing to challenge somebody’s right to free speech. ... If we exclude any one group by making them a potential wrongdoer, we are going to close down those conversations. ...

col 39 Academic freedom is always problematic, because we are always in a situation where some opinions are considered so off the wall and out of the water that we really do not feel that this thing should be voiced within academia. We can think of far right movements and extreme left movements. They connect extremist Christian views and extremist Islamic views, and we have to sit and make a reasonable judgment about what is acceptable. Is it acceptable to have somebody who espouses views that I might consider extremely fascist or Nazi views within a university setting? I would say probably not, but we have to have the conversation and assess what that speaker is saying. If, for example, somebody who clearly denies the holocaust wishes to speak at a university, I would think that was not acceptable. There are certain historical facts that are sacrosanct and you cannot say that they do not exist, unless you have extremely good evidence to the alternative. It is always a balance—looking at what we consider as a society to be

acceptable speech within the notion of freedom of speech and academic freedom. ...

col 43 Universities already have an obligation in relation to freedom of speech. This creates an obligation on them to stop other people's freedom of speech, and that is the problem. It will narrow freedom of speech overall. It is a fine balance, but I don't think stopping student protests or external anger about what academics do is going to make, a, academics feel any safer or, b, improve our freedom of speech. ...

The Minister for Universities (Michelle Donelan): Do you think it would be useful at this moment in time to clarify that the Bill does not prevent protest of free speech? ...

Professor Whittle: It does not appear to, but combined with other legislation that has come in and the whole idea of what universities can do? What can a university do to stop people saying, "We don't want this speaker."? Can they stop it on Twitter? No. Can they stop it on Facebook? No. But they can stop it on the ground within the space of the university. I actually think that that is a much more valid place to hear student protests than on Twitter. ...

Emma Hardy (Labour): ... the Secretary of State verbally promised that the right to lawful free speech will remain balanced by important safeguards, but the University of Cambridge is suggesting that that should be in the Bill, and the Bill should present greater clarity on where the line is drawn between existing legislation around harassment and what the Bill proposes. ...

col 44 **Professor Whittle:** The Equality Act provides little protection for anybody who feels that their rights are being disturbed by somebody else's freedom of speech.

For example, if somebody is speaking and they are antisemitic, unless it directly relates to that person, unless they have some sort of standing, the Equality Act cannot protect them as such. The Bill is interesting in that you do not have to have any standing to use the potential new provisions within it. I think that that is equally problematic, because it means that literally the butcher down the road could decide that they do not want the speaker, or could make a complaint that a speaker had had their freedom of speech challenged.

I think that that is very problematic, but I accept that it should be absolutely clear in the Bill that this is not about stopping legitimate student protest. There is a difference between legitimate and illegitimate protest, and illegitimate protest is always illegitimate in my view and should never be perpetrated, except in the direst circumstances. Legitimate protest, which includes shouting, making a noise and being an irritating bloody nuisance is just part and parcel of academic life. ...

col 48 **Matt Western (Labour):** ... One of the areas I want to explore with you is around the tort. There seem to be widespread concerns about what this will mean and the implications it will have for universities and student unions. ...

Smita Jamdar, Partner and Head of Education at Shakespeare Martineau: ... the tort is designed to enable people who feel that their right to freedom of speech, as defined in the legislation, has been infringed to go to court and argue their cases. ...

In relation to the statutory tort, there is not any threshold level of harm that anyone has to show. Ultimately, for a remedy, any tort requires some form of damages, but that would not necessarily stop people from bringing claims simply to make the point. ...

Kevan Jones (Labour): ... if you get individuals who are well financed this could lead to a lot of expense for the universities. ...

A group of students could on the face of it just be students, but they might have financing behind them that we and other people do not know about so that they could pursue a freedom of speech claim to push an agenda that might, for example, be in the interests of the Chinese Government. That would not only involve a lot of cost, but would clearly be financed by some very deep pockets, so it could lead not only to that agenda being pushed but to a lot of expense for the universities. ...

col 49 **Smita Jamdar:** ... I cannot see anything that would stop that kind of funded

litigation. Ultimately, you can try to seek clarification about where money has come from to fund litigation, but there are always ways of passing money through so that it comes from the pockets of the claimants in the first instance. So, yes, we would not necessarily know who was funding the litigation, or to what end. ...

col 50 Michelle Donelan: I would be interested to know whether you think there are currently clear routes for individuals to seek redress where they do have their freedom of speech infringed on and restricted.

Smita Jamdar: The main route that you would see a student, for example, going through would be by way of judicial review. ...

col 51 Is judicial review expensive? In comparison with the kind of litigation you could get into if you are dealing with a statutory tort—where there are days of witnesses giving evidence, assuming it goes all the way to trial—judicial review is not expensive. ... That said, currently, if a student was unhappy with an internal process of a university they could also go to the Office of the Independent Adjudicator ... The OIA would look at that because they can look at any act or omission on the part of a university. I do not know who you have spoken to about this, but I have not seen via the OIA's own case studies many examples of people raising issues around free speech through them. That does make me wonder why that is not happening because that is a free and perfectly acceptable route through which to bring the kind of issues that people might wish to complain about. ...

col 55 Lloyd Russell-Moyle (Labour Co-op): ... This Bill puts a liability on student unions ... They are, of course, very often financially perilous bodies, relying on money from their parent institution.

Is there a danger that this provides a chilling effect for trustees, such as myself and others across the country, to allow students to exercise their full autonomy? For example, what I mean is that we have the Conservative society, the Labour society and so on, which are all autonomous in their organisation within the student union, affiliating to the student union. Is there a danger that if one of them suddenly decided that they did not want a speaker to come along, we would then have liability for those students' autonomous actions?

Smita Jamdar: The answer to that has to be potentially, yes. It would very much depend on what the relationship between the group in question and the student union was: whether it was a formal society of the student union, or a more informal gathering. This morning I heard a suggestion that student unions could make a decision at an institutional level about certain events, but then the individuals would still be free to go to the university and say, "We want to hold this event even though the student union has not allowed us to."

On the face of it, because the duty is to secure freedom of speech within the law for students, rather than societies as a whole, you could find that you were caught between what was essentially an internal dispute on the part of a society about whether a particular speaker was or was not welcome to speak at that society. I know that purists would say, "If one person wants this person to speak, we should allow it." But there are resource issues for student societies and rules about their own internal operation about how decisions are made. I do not think the legislation recognises that nuance. ...

col 56 Lloyd Russell-Moyle: Universities often lease out their venues and spaces for external conferences and meetings. Those meetings might well include their students and academics, but they are effectively external activities. Those conferences might invite and disinvite whoever they wanted, depending on whether they were political or academic conference. Would the university then start having to have regard to every single external organisation that was using their buildings?

Smita Jamdar: Only if the speaker fell within the definition of "visiting speakers"—the problem here is that there is an absence of a definition. If you read "visiting speakers" in the context of the preceding subsections, you would clearly read it to mean people invited by staff of the provider, a member of the provider or students of the provider, rather than

an external organisation that is using the premises.

Lloyd Russell-Moyle: But the external organisation might include staff, so the staff might have done the inviting but not in their staff role. ...

col 61 Thomas Simpson, Associate Professor of Philosophy and Public Policy, University of Oxford, and Associate Fellow at Policy Exchange: ... most institutions will have some kind of prevailing culture—it may have a political orientation or it may emerge in different respects, so on non-political issues. What is at stake then is whether those who have the majority viewpoint see themselves as entitled to take action against those who have the minority viewpoint, or differ from the culture in some important respect. ...

col 62 The question is whether those who do not conform to the majority viewpoint feel a freedom and a permission to speak publicly, and whether they are welcomed in doing that, and my experience has been that that cannot be freely assumed in all the situations that it should be. ...

col 63 Michelle Donelan: Some commentators have said that legislation is not the answer. ...

Thomas Simpson: I think they underestimate the power of law to shape culture. This is a cultural issue within the sector, but I think the law will influence how that culture evolves over time. ...

col 68 One of the things that really strikes me is often overlooked in this debate is the structural similarity between discussions around free speech and discussions around other forms of discrimination. We have rightly been thinking very seriously about racial discrimination in the past year and a half in particular, and one of the features of that debate is that people who may not themselves be subject to discrimination on those grounds are often cautious or outright sceptical that there is a problem here, whereas those who are subject to it, or at risk of being subject to it, are often very clear that there is a problem here. There is an asymmetry of perspectives.

col 72 At the moment, the crucial question is the position of those involved in university leadership and administration. At the moment, if someone says something controversial, even reprehensible, a group of people on social media organise a campaign against the person, but for a university administration making a decision on whether to allow the event to go ahead, whether to rescind availability of premises, whether to allow this person to stay in post or whatever it is, their incentives are, “I am concerned for the reputation of the institution and what I am seeing is a lot of outrage on social media; that is what I am seeing.” The incentives are to give way to that and that is what we have seen. That is the presenting issue in these high-profile controversies.

What we need is to change the incentive structure for individuals in that, and not just change the incentive structure but affirm through legislation and through, as it were, the public speech of Parliament that academic freedom matters. When this happens, it will allow people to hide behind the legal duty. The conversation is such now that even speaking in favour of academic freedom makes one liable to accusations of being a reprehensible person and what a horrid attitude it is that you are hiding. Even universities feel that pressure, I think. The danger is that we just carry on in the current trajectory, which is that events do not go ahead and people hold their tongue. ...

col 78 Fiona Bruce (Conservative): Do you think the duty to take reasonably practicable steps to secure free speech is adequate ...?

Dr Bryn Harris, Chief Legal Counsel at Free Speech Union: The Government and their lawyers have perhaps missed some opportunities to bring greater clarity and perhaps have not been as ambitious as they could have. “Reasonably practicable” steps largely replicates the wording of the 1986 duty. The problem is that in that interim there have been very few cases where the courts have considered the meaning of that. One ambiguity is if a court were asked to consider what “reasonably practicable” steps means. There is a

possibility that they would say it is pretty much for the university's discretion to decide what is reasonably practicable, and the court will simply insist that it not be irrational ...

Another ambiguity is that obviously since 1986 the Human Rights Act has become law, which means that this duty now sits alongside the section 6 duty of the Human Rights Act that a university must not act incompatibly with the article 10 right to freedom of speech, so I think that there is a bit of a missed opportunity to say how the two duties sit alongside each other. Do they essentially mean the same thing or does the Bill superimpose a positive duty—the Human Rights Act says that you must refrain from incompatible acts, and then the Bill says further that you must positively take steps to secure freedom of speech?

col/ 79 Fiona Bruce: The word “reasonable” qualifies it, so that for example if security costs were a quarter of a million pounds those steps probably would not come within the clause, but if security costs are modest to ensure that an event goes ahead then the university should take those steps.

Dr Harris: ... that is possibly how it might be interpreted. This has been litigated in the case of Ben-Dor, where it is perhaps contestable whether the court was right to say that the amount that it would have cost was an unreasonable amount. Ideally, what we would see here is an elaboration of what “reasonably practicable steps” means. You could say it shall include a duty to cover such security costs as are necessary to enable an event to take place safely. ...

Fiona Bruce: In your evidence, you say that you “believe Parliament should decide, in this Bill, how this conflict is to be resolved”—the conflict being that between whether provocative speech is free within the law or conduct having the effect of harassment. ...

Dr Harris: ... It will create borderline cases where it is difficult for the university to know whether in allowing an event to go ahead they may open themselves up to liability for harassment. ...

It says that you must secure free speech as the law defines it. The Bill does not amplify or further define the right to free speech. I think that there is a conflict there. ... there is a danger of universities responding by being completely risk averse—becoming simply anodyne ... We have these two incommensurate values: the prevention of offence related to protected characteristics and protection of free speech, and I think it is for MPs to decide how we reconcile those two values. I do not think we should outsource the decision to universities. ...

To read the full transcript see

[https://hansard.parliament.uk/commons/2021-09-07/debates/f6cefce3-0b1a-4917-a767-a6bc7c1e4b7e/HigherEducation\(FreedomOfSpeech\)Bill\(SecondSitting\)](https://hansard.parliament.uk/commons/2021-09-07/debates/f6cefce3-0b1a-4917-a767-a6bc7c1e4b7e/HigherEducation(FreedomOfSpeech)Bill(SecondSitting))

House of Commons Written Answers

Antisemitism

Bambos Charalambous (Labour) [41130] To ask the Secretary of State for Housing, Communities and Local Government, what steps his Department has taken to tackle hate crime towards the Jewish community in the UK since the lifting of covid-19 restrictions.

Luke Hall: Antisemitism has absolutely no place in our society, which is why we are taking a strong lead in tackling it in all its forms. We are clear that victims should be supported and the individuals who carry out these heinous attacks must be brought to justice. We are providing £14 million this year for the Protective Security Grant to protect Jewish schools and community buildings and we have encouraged the adoption of the IHRA definition of antisemitism across universities and local authorities.

<https://questions-statements.parliament.uk/written-questions/detail/2021-08-18/41130>

The following two questions both received the same answer

Higher Education: Antisemitism

Karen Bradley (Conservative) [38256] To ask the Secretary of State for Education, what steps he is taking to promote (a) adoption and (b) implementation of the International Holocaust Remembrance Alliance working definition of antisemitism across higher education institutions.

Universities: Antisemitism

Christian Wakeford (Conservative) [903339] What steps his Department is taking to tackle anti-Semitism on university campuses.

Michelle Donelan: There is no place in our society, including within higher education (HE), for antisemitism. The International Holocaust Remembrance Alliance (IHRA) definition is an important tool in tackling antisemitism. Adopting the widely recognised definition sends a strong signal that HE providers take these issues seriously.

My right hon. Friend, the Secretary of State for Education, wrote to the sector in October 2020, calling upon leaders to adopt the IHRA definition. He repeated this message in May 2021, reinforcing the government's expectation that providers adopt the IHRA definition, stressing the even greater importance of doing so in light of increased number of antisemitic incidents recorded (as a result of the conflict in the Middle East). We are aware of over 100 HE providers which have now adopted the IHRA definition. This includes over 80 universities.

In his February 2021 strategic guidance letter, the Secretary of State for Education also asked the Office for Students (OfS) to undertake a scoping exercise, to identify providers which are reluctant to adopt the definition. On 29 July 2021, the OfS announced they intend to publish a list of HE providers who have adopted the IHRA working definition of antisemitism in autumn 2021, alongside resources for providers.

The decision on adoption of the definition rests with individual providers, but the government will continue to urge them to adopt the definition and ensure that HE is a genuinely fulfilling and welcoming experience for everyone.

Adoption of the IHRA definition is only a first step, and while the government considers that adoption of the definition is crucial, it is not enough on its own. That is why I will continue to work with the sector to ensure it better understands antisemitism and does more to end it.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-22/38256>

and

<https://questions-statements.parliament.uk/written-questions/detail/2021-09-06/903339>

The Secretary of State for Education's letters, referred to above, can be read at

<https://twitter.com/GavinWilliamson/status/1314506646115278848>

and

<https://www.officeforstudents.org.uk/media/48277145-4cf3-497f-b9b7-b13fdf16f46b/ofs-strategic-guidance-20210208.pdf>

The Office for Students announcement referred to above can be read at

<https://www.officeforstudents.org.uk/advice-and-guidance/student-wellbeing-and-protection/student-safeguarding-evaluation-and-resources/our-position-on-antisemitism/>

Antisemitism: Prosecutions

Bambos Charalambous (Labour) [41129] To ask the Attorney General, what steps his Department is taking to ensure that the CPS has adequate resources to prosecute hate crime against the Jewish community (a) on social media and (b) in communities across the UK.

Lucy Frazer: I know the CPS recognises the serious impact hate crimes have on

peoples' lives and will always seek to prosecute where there is sufficient evidence to do so, regardless of the offence or how it is committed. Their efforts have led to a continued rise in successful sentence uplifts for recorded hate crime, which this year reached its highest rate yet at 79.1% of cases.

Each CPS Area also has a Deputy Chief Crown Prosecutor as a strategic hate crime lead and nationally there is a hate crime lead at Chief Crown Prosecutor level. A network of dedicated Hate Crime Coordinators operate across all 14 CPS Areas, providing experience and expertise on matters relating to hate crime and supporting front line prosecutors to secure sentence uplifts.

The CPS directly engages with communities affected by hate crime to ensure a greater awareness of the law and how it is applied. Within the Jewish community, the CPS sits on the cross-government antisemitism working group with the Community Security Trust, Board of Deputies, and Jewish Leadership Council. The CPS External Consultation Group on hate crime provides a further community perspective on prosecutorial activity.

<https://questions-statements.parliament.uk/written-questions/detail/2021-08-18/41129>

Israel and Palestinians: Education

Robert Halfon (Conservative) [40856] To ask the Secretary of State for Education, what steps his Department is taking to ensure that educational initiatives in (a) schools and (b) universities promote peace between Israelis and Palestinians.

Nick Gibb: The conflict in the Middle East has caused grave concern around the world. The Department is committed to tackling all forms of hate and prejudice and promoting tolerance throughout the education system.

On 28 May 2021, my right hon. Friend, the Secretary of State for Education, sent a letter to schools regarding the increase in antisemitic incidents, with advice on teaching about the conflict. The letter reminded schools of their legal duties on political impartiality. When political issues are brought to the attention of pupils, schools should offer them a balanced presentation of opposing views. The letter also stated that schools should not present materials in a politically biased way, and signposted reputable organisations that schools could work with to teach about the conflict in a balanced manner:

<https://twitter.com/GavinWilliamson/status/1398374786871537664>

The Department is developing further guidance on political impartiality in schools that we hope will serve to reemphasise these points across the curriculum and help to ensure that educational initiatives in schools are appropriate.

More broadly, schools play an important role in supporting pupils to understand the world, teaching about respect for other people and for differences. Through the 'Educate Against Hate' website, resources have been made available to provide teachers, head teachers and parents with the information, guidance and support they need to challenge radical views.

Regarding higher education, on 14 May 2021, the Secretary of State for Education sent a letter to all universities reinforcing the Government's position on antisemitism and urging the adoption of the International Holocaust Remembrance Alliance definition of antisemitism.

<https://questions-statements.parliament.uk/written-questions/detail/2021-08-18/40856>

The Educate Against Hate website, referred to above, can be read at

<https://educateagainsthate.com/>

Schools

Peter Dowd (Labour) [41908] To ask the Secretary of State for Education, what estimate he has made of the number of pupils whose choice of school is limited to a faith school; and what steps he will take to ensure pupils have access to a non-faith school.

Nick Gibb: Faith schools have played a longstanding and important role in our education system. Faith schools are popular with parents, with many being high performing and are more likely to be rated good or outstanding by Ofsted than non-faith schools.

The Department has not made an estimate of the number of pupils whose choice of school is limited to a faith school.

Parents are able to express a preference as to the school they would like their child to attend and, subject to very limited exceptions, local authorities and school admission authorities must comply with that preference.

The vast majority of parents are offered a place at a school of their choice. In 2021, 98% of parents received an offer from one of their top 3 choices of primary school, while 93.4% received an offer from one of their top 3 choices of secondary school.

<https://questions-statements.parliament.uk/written-questions/detail/2021-09-03/41908>

Schools: Food

Andrea Jenkyns (Conservative) [38333] To ask the Secretary of State for Education, what steps his Department is taking to increase the number of non-Halal and Kosher meat options in schools.

Vicky Ford: The government sets out the required minimum standards for school food in the School Food Standards to ensure that children are served healthy, nutritious meals at school. The standards do not specify food requirements in terms of cultural and religious needs, including the type of meat used. The relevant regulations are available at:

https://www.legislation.gov.uk/ukxi/2014/1603/pdfs/ukxi_20141603_en.pdf

School governing boards are responsible for setting their school food policies as head teachers, governors and their caterers are best placed to make decisions about their school food policies. The government expects schools to act reasonably, providing choices that take account of cultural, religious, and special dietary needs, and to work with parents in making appropriate arrangements. Schools should consult with parents when making changes to school food provision and ensure parents have access to information on the food provided.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-22/38333>

Hospitals: Food

Andrea Jenkyns (Conservative) [38334] To ask the Secretary of State for Health and Social Care, what steps his Department is taking to increase the number of non-Halal and Kosher meat options in hospitals.

Edward Argar: The 2020 Hospital Food Review and expert panel is now in place and a programme of work has commenced to implement its recommendations. This will include the sourcing of food.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-22/38334>

The Review referred to above can be read at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/929234/independent-review-of-nhs-hospital-food-report.pdf

Meat: Labelling

Greg Knight (Conservative) [38147] To ask the Secretary of State for Environment, Food and Rural Affairs, what plans he has to require labelling of meat to show animals slaughtered without prior stunning; if he will make an assessment of the potential merits of introducing more detailed food labelling to promote animal welfare, including the method of slaughter; and if he will make statement.

Victoria Prentis: There are currently no regulations that require the labelling of meat with the method of slaughter, but where any information is provided voluntarily

it must be accurate and not misleading to the consumer. The Government expects the industry, whether food producer or food outlet, to provide consumers with all the information they need to make informed choices about the food they eat.

The Government has committed to consult on what can be done through labelling to promote high standards and high welfare across the UK market. We will shortly launch a call for evidence to assess the impacts of different types of labelling reforms for animal welfare, including method of slaughter. This will feed into the Government's wider work on food labelling to ensure that consumers can have confidence in the food they buy and to facilitate the trade of quality British food at home and abroad.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-22/38147>

Hamas

Theresa Villiers (Conservative) [41744] To ask the Secretary of State for the Home Department, if she will add the political wing of Hamas to the list of proscribed terrorist groups.

Damian Hinds: The Government does not routinely comment on whether groups are, or are not, being considered for proscription. The Government keeps the list of proscribed organisations under review.

<https://questions-statements.parliament.uk/written-questions/detail/2021-09-03/41744>

Downing Street

Prime Minister's Rosh HaShanah Message (video)

<https://twitter.com/BorisJohnson/status/1434885265152258050>

Department for Education

Education Secretary speech at Universities UK Annual Conference

... To address some other important matters, I'd first like to thank the many universities who have already signed up to the International Holocaust Remembrance Alliance's definition of antisemitism. I am very pleased that over 80 universities have signed up already, up from about 30 a year ago.

And for those who have not yet done so, I'd ask you to reconsider and to do so quickly. The dreadful spike in antisemitic incidents on campus earlier this year demonstrates just how important this is – and it goes without saying that there is simply no excuse for antisemitism or any other forms of racism anywhere but least of all in a university.

More broadly, although our universities are, in the main, fantastic communities, we would all admit that, like anywhere in society, they are not perfect. Whether it is the antisemitic incidents I've just mentioned, the use of non-disclosure agreements to silence victims of sexual assault, or increasingly casualised workforce or inadequate teaching provision for disabled students, there are genuine injustices which we should strive to put right. ...

To read the full transcript see

<https://www.gov.uk/government/speeches/education-secretary-speech-at-universities-uk-annual-conference>

Ministry of Housing, Communities and Local Government

New £1 million fund to help faith groups support communities

A 'new deal' between faith groups and government to capitalise on efforts to help

communities during lockdown is being forged today ... thanks to a new £1 million fund. From delivering food to front line workers and vulnerable members of society, supporting those who were lonely or isolated and helping vital information get to those who needed it most, faith groups have been instrumental in supporting communities throughout the pandemic.

Now faith groups will be able to apply for a share of the £1 million Faith New Deal Pilot Fund for projects providing innovative solutions to issues such as food poverty and poor mental health.

Projects combating loneliness and isolation, providing debt advice and helping those who were unemployed during the pandemic get back to work are set to benefit from the new pilot.

Faith groups have used their trusted position at the heart of the communities they serve, innovating to overcome challenges quickly and utilising their already well-established volunteer networks.

The funded projects will build on this good work, strengthening relationships between public bodies and faith groups by supporting faith-based initiatives to tackle social issues and boost COVID-19 recovery.

To read the full press release see

<https://www.gov.uk/government/news/new-1-million-fund-to-help-faith-groups-support-communities>

Faith New Deal Pilot Fund prospectus

<https://www.gov.uk/government/publications/faith-new-deal-pilot-fund/faith-new-deal-pilot-fund-prospectus>

Scottish Parliament Motion

Annie Wells (Conservative) [S6M-01014] Celebrating Rosh Hashanah, Jewish New Year – That the Parliament wishes all those celebrating Rosh Hashanah, which begins at sunset on 6 September and ending at nightfall on 8 September 2021, a "Shana Tova"; understands that Rosh Hashanah is the Jewish New Year and one of Judaism's holiest days; notes that the festival begins on the first day of Tishrei, the seventh month of the Hebrew calendar; understands that Rosh Hashanah commemorates the creation of the world and marks the beginning of the Days of Awe, a 10-day period of introspection and repentance that culminates in the Yom Kippur holiday, also known as the Day of Atonement, and notes that many will be celebrating the Jewish New Year by attending synagogue, after which many will return home for a festive meal steeped in symbolism and tradition, and to spend time with family and friends while reflecting on the year before, the one that has past, and the year ahead to start afresh.

<https://www.parliament.scot/chamber-and-committees/votes-and-motions/votes-and-motions-search/S6M-01014>

Scottish Government

First Minister's Rosh HaShanah Message (video)

<https://www.facebook.com/watch/?v=383863649951443>

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Israel

See also the House of Commons written answers 40856 and 41744 “Israel and Palestinians: Education” and “Hamas” included in the Home Affairs section above.

House of Commons Written Answers

The following two questions both received the same answer

International Fund for Israeli-Palestinian Peace

Steve McCabe (Labour) [36518] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, with reference to the Answer of 5 July 2021 to Question 22172, for what reason he has not approached his US counterpart to discuss collaboration on the international fund for Israeli-Palestinian peace.

Steve McCabe (Labour) [36519] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, with reference to his Answer to Question 22172 on 5 July 2021, what plans he has to discuss the merits of potential collaboration on the international fund for Israeli-Palestinian peace with his US counterpart.

James Cleverly: The UK government shares the objective of increasing understanding and dialogue between Israelis and Palestinians. UK officials remain in close contact with the US Government regarding the International Fund. The US is at a very early planning stage, and once more information is available, we will consider options for collaboration.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-20/36518>

and

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-20/36519>

The answer referred to above can be read at

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-25/22172>

Israel: Arms Trade

Emma Lewell-Buck (Labour) [37483] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, whether any licences issued for the export of arms to Israel have been revoked as a result of the violence in that country and the neighbouring Palestinian Territory in May 2021.

James Cleverly: The Government takes its export control responsibilities very seriously and operates one of the most robust arms export control regimes in the world. We consider all export applications thoroughly against a strict risk assessment framework and keep all licences under careful and continual review as standard. The Government will not grant an export licence if to do so would be inconsistent with the Consolidated EU and National Arms Export Licensing Criteria.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-21/37483>

Jerusalem: Palestinians

Zarah Sultana (Labour) [41327] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, pursuant to the Answer of 9 July 2021 to Question 25803 on Jerusalem: Palestinians, whether the Government has taken diplomatic steps to oppose the eviction of Palestinians in the East Jerusalem neighbourhood of Silwan.

James Cleverly: The UK regularly raises the issue of forced evictions from their homes with the Government of Israel. The Fourth Geneva Convention, which applies to all occupied territories, prohibits demolitions or forced evictions absent military necessity. The UK is clear that in all but the most exceptional of circumstances, evictions are contrary to International Humanitarian Law. We

monitor the situation in Silwan closely, and officials regularly visit and attend related court hearings. We continue to urge Israel to cease such actions.

<https://questions-statements.parliament.uk/written-questions/detail/2021-08-18/41327>

The answer referred to above can be read at

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-01/25803>

Israel: Bedouin

Zarah Sultana (Labour) [41319] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what representations he has made to his Israeli counterpart on the demolition of 27 structures in Humsa - Al Bqai'a, the northern Jordan Valley, including residential units and animal shelters.

James Cleverly: The UK regularly raises the demolition of Palestinian property with the Government of Israel, most recently on 13 July, over the repeated confiscation and demolition of donor-funded assistance and structures at Humsa al Bqai'a. We continue to monitor the situation in Humsa al Bqai'a closely. Officials from the British Consulate General in Jerusalem visited on 19 July, releasing a joint statement with our likeminded partners urging Israel to halt settlement construction, demolitions and confiscation of Palestinian property.

<https://questions-statements.parliament.uk/written-questions/detail/2021-08-18/41319>

Palestinians: Elections

John Howell (Conservative) [38227] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what representations he has made to his Palestinian counterpart on the postponement of nationwide elections.

James Cleverly: We are disappointed that elections in the Occupied Palestinian Territories have been postponed. The Palestinian people should be allowed to enjoy their democratic rights - and Israel must allow voting for Palestinians in East Jerusalem, in line with the Oslo Accords. We urge further work towards genuine and democratic national elections for all Palestinians, which is crucial to the establishment of a viable and sovereign Palestinian State. To this end, we call on all Palestinian factions to seek common ground and to work together to pursue a positive path towards democracy.

We continue to encourage the Palestinian leadership to work toward strong, inclusive, accountable and democratic institutions, based on respect for the rule of law and human rights.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-22/38227>

Nizar Banat

John Howell (Conservative) [37483] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what representations he has made to his Palestinian counterpart on the death of Palestinian journalist Nizar Banat.

James Cleverly: We continue to call upon the Palestinian security forces and the Palestinian leadership to undertake necessary reform and to demonstrate their respect for Palestinians' human rights, including by delivering swift and transparent investigations into Nizar Banat's death and the policing of subsequent protests.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-22/38226>

Palestinians: Overseas Aid

Karen Bradley (Conservative) [38255] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what steps he is taking to ensure that UK aid is being used to promote the values of human rights, democracy and press freedom in (a) the West Bank and (b) Gaza.

James Cleverly: Every Israeli and Palestinian has the right to live in freedom,

prosperity, and security. UK Aid helps promote the values of human rights by providing humanitarian and protection assistance in Gaza, including support to the UN Relief and Works Agency for Palestinian refugees. The UK is working with the Palestinian Authority (PA) - and with Palestinian civil society - to make the security sector more accountable to its citizens, ensuring complaints of mistreatment or arbitrary detention are properly investigated. Our Transparency and Accountability programme is working to help the PA become more accountable to its citizens. Our Conflict Security and Stability Fund is supporting women and girls and people with disabilities to advocate for their rights and provided services to support victims of gender based violence. We work only with implementers and partners that have strong safeguards in place, which reduces risk and ensures the maximum impact of UK aid for Palestinians.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-22/38255>

Palestinians: Education and Teachers

Steve McCabe (Labour) [36522] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what estimate he has made of the total amount of UK funding that has contributed towards the salaries of carefully vetted teachers and education workers in the Palestinian Territories since 2017.

James Cleverly: The FCDO's programme spend is publicly available on devtracker. UK funding to the Palestinian Authority since 2017 to support the salaries of carefully vetted teachers and education workers is available here:

<https://devtracker.fcdo.gov.uk/projects/GB-GOV-1-300050/transactions>

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-20/36522>

Hamas

John Lamont (Conservative) [37558] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what recent assessment he has made of Hamas's military capabilities.

James Cleverly: It is the longstanding policy of successive British Governments that we do not comment on intelligence matters.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-21/37558>

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Foreign Affairs

House of Commons Written Answer

Afghanistan: Religious Freedom

Lyn Brown (Labour) [40795] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what steps he is taking to ensure the rights of (a) Shia Muslims, (b) Sikhs, (c) Hindus, (d) Christians, (e) Sufi Muslims, (f) Bahá'ís, (g) Jews, (h) other religious minorities and (i) non-religious people...

Nigel Adams: We are clear on the need for a political settlement which will provide for an inclusive government and the peace and stability Afghanistan needs. Minister for Human Rights, Lord (Tariq) Ahmad of Wimbledon, addressed the UN Human Rights Council on 24 August to underscore the UK's commitment to protecting the human rights of all Afghan people, including all ethnic and religious communities, and holding the Taliban to account.

The UK led work on the recent UN Security Council resolution, demonstrating our

Relevant Legislation ** new or updated today

UK Parliament

Assisted Dying Bill

<https://bills.parliament.uk/bills/2875>

Charities Bill

<https://bills.parliament.uk/bills/2877>

Education (16 to 19 Academies) (Religious Character) Bill

<https://bills.parliament.uk/bills/2946>

Education (Assemblies) Bill

<https://bills.parliament.uk/bills/2878>

**** Higher Education (Freedom of Speech) Bill**

<https://bills.parliament.uk/bills/2862>

Committee Stage

[https://hansard.parliament.uk/commons/2021-09-07/debates/4085bdbe-00ed-4f76-8e84-09c35fd099b2/HigherEducation\(FreedomOfSpeech\)Bill\(FirstSitting\)](https://hansard.parliament.uk/commons/2021-09-07/debates/4085bdbe-00ed-4f76-8e84-09c35fd099b2/HigherEducation(FreedomOfSpeech)Bill(FirstSitting))

and

[https://hansard.parliament.uk/commons/2021-09-07/debates/f6cefce3-0b1a-4917-a767-a6bc7c1e4b7e/HigherEducation\(FreedomOfSpeech\)Bill\(SecondSitting\)](https://hansard.parliament.uk/commons/2021-09-07/debates/f6cefce3-0b1a-4917-a767-a6bc7c1e4b7e/HigherEducation(FreedomOfSpeech)Bill(SecondSitting))

Israel Arms Trade (Prohibition) Bill

<https://bills.parliament.uk/bills/3025>

Marriage Act 1949 (Amendment) Bill

<https://bills.parliament.uk/bills/3017>

Marriage and Civil Partnership (Minimum Age) Bill

<https://bills.parliament.uk/bills/2900>

Nationality and Borders Bill

<https://bills.parliament.uk/bills/3023>

Online Safety Bill (Draft)

<https://www.gov.uk/government/publications/draft-online-safety-bill>

Palestine Statehood (Recognition) Bill

<https://bills.parliament.uk/bills/2942>

Northern Ireland Assembly

Organ and Tissue Donation (Deemed Consent) Bill

<http://www.niassembly.gov.uk/assembly-business/legislation/2017-2022-mandate/primary-legislation---bills-2017---2022-mandate/organ-and-tissue-donation-deemed-consent-bill/>

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Consultations

** new or updated today

**** closes in 5 days**

Domestic Abuse Act statutory guidance (closing date 14 September 2021)

<https://www.gov.uk/government/consultations/domestic-abuse-act-statutory-guidance>

Higher Education (Freedom of Speech) Bill (closing date not stated, but no later than 23 September 2021)

<https://www.parliament.uk/business/news/2021/july/have-your-say-on-the-higher-education-freedom-of-speech-bill/>

Dispute Resolution in England and Wales (closing date 30 September 2021)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1008174/dispute-resolution-call-for-evidence.pdf

Equality and Human Rights Commission Strategic Plan for 2022 to 2025 (closing date 30 September 2021)

<https://www.equalityhumanrights.com/en/our-work/our-strategic-plan-2022-2025-have-your-say>

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The Scottish Council of Jewish Communities (SCoJeC) is Scottish Charitable Incorporated Organisation SC029438