



# Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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## Home Affairs

### House of Commons Debate

#### Higher Education (Freedom of Speech) Bill: Second Reading

*col 47* **The Secretary of State for Education (Gareth Williamson):** ... Fear of censure is deeply saddening and has a chilling effect and spread on campuses. There continue to be too many reported instances where students or staff have been silenced or threatened with a loss of privileges or even dismissal for airing views or opinions that others disagree with. ...

The Government have been clear that the Bill protects lawful speech only. Unlawful speech on campuses will not be tolerated. To be clear, nothing in the Bill encourages higher education providers or students unions to encourage baseless or harmful claims or bad science on campus. ...

**Kevan Jones (Labour):** ... what data is the Secretary of State using? If he looks at the Office for Students' data for 2017-18, he will see that the instances he referred to amount to 0.009%. In an entire year, there were 17 cases among more than 500 academic institutions. What data is he basing his claims on? ...

**Gavin Williamson:** ... we are talking about principles and the need for people to feel able to speak freely and challenge ideas. One of the great challenges we face on campuses up and down the country is that so many people are concerned they cannot speak out and give their views because they may be censored by those academic institutions. ...

*col 48* What we hoped we would see is universities across the country taking further action, but what was so saddening was that so many people contacted me directly to express their concerns about being able to speak freely on campus at the universities where they worked. ...

As we look at how we protect free speech, we should all be appalled that a report by King's College London only two years ago found that a quarter of students believed that violence was an acceptable response to inflammatory speech. The same report showed that a similar proportion of students were beginning to keep their beliefs and opinions to themselves because they were too scared to disagree with their peers. ...

*col 49* We are strengthening the legal duties that exist and ensuring that robust action,

including imposing fines, will be taken if they are breached. The central core of the Bill is clause 1, which amends the Higher Education and Research Act 2017 to extend the duties of higher education providers relating to freedom of speech and academic freedom. ...

As we actively protect students from racism, antisemitism and other forms of discrimination, higher education providers will have to take responsibility and reasonably practicable steps to secure lawful freedom of speech for their staff, members, students and visiting speakers. ... It will mean a change in ethos as well as culture. ...

Students unions must not be allowed to silence or intimidate other students within a university. That is why clause 2 requires students unions and providers to take "reasonably practicable" steps to secure lawful freedom of speech for their members, students, staff and visiting speakers.

As now, the right to lawful free speech will remain balanced by the important safeguards against harassment, abuse and threats of violence as set out in the Equality Act 2010, the Prevent duty and other legislation, none of which we are changing. This is not an ideological effort; it is about fundamental fairness and common sense. ...

*col 50* The OFS will have a more direct route to regulate the freedom of speech duties under clause 5, which requires the OFS to set new registration conditions relating to freedom of speech and academic freedom. ...

As I have said, it is vital that students unions are also doing their bit to ensure freedom of speech on campus. Clause 6 extends the regulatory functions of the OfS so that it can effectively regulate and enforce the new freedom of speech duties that we are placing on students unions. The OfS will monitor compliance and have the power to impose fines. ...

**Lillian Greenwood (Labour):** When I heard the Universities Minister discussing this matter on the radio some time ago, she suggested that these proposals in the Bill could enable holocaust deniers to seek compensation. Do the Government really want to protect people like that and those sorts of repugnant views? Why is that the Government's priority?

**Gavin Williamson:** As the hon. Lady will know, it is absolutely clear that this Bill will never create a platform for holocaust deniers. She is probably familiar with the Public Order Act 1986, the Equality Act 2010, which was introduced by the Labour party, and the Prevent duties introduced in 2015. If made an Act, this legislation will never create the space to tolerate holocaust deniers.

There is at the moment no direct way for anyone to complain about freedom of speech matters other than for students against their higher education provider. This scheme will provide a route to individual redress for all students, staff and visiting speakers to back up the new strengthened freedom of speech duties provided in the Bill for providers and students unions. ...

*col 51* The scheme will be overseen by the newly created position of director for freedom of speech and academic freedom within the OfS. The director will oversee the various free speech functions of the OfS, including compliance and enforcement. ...

**Kate Green (Labour):** I beg to move an amendment, to leave out from "That" to the end of the Question and add: "this House declines to give a Second Reading to the Higher Education (Freedom of Speech) Bill, notwithstanding the need to ensure legal protections for freedom of speech and academic freedom, because the Bill is a hate speech protection bill which could provide legal protection and financial recompense to those seeking to engage in harmful and dangerous speech on university campuses, including Holocaust denial, racism, and anti-vaccination messages."

*col 52* ... the Government's Minister for Universities ... acknowledged that holocaust deniers could be protected under this Bill. If the Minister responsible for this legislation believes that the Bill protects or could protect holocaust deniers, that should be a sufficient reason for any Member of this House to oppose it.

It is right, as the Secretary of State said, that we have laws to prevent hate speech, but is not at all clear that they will prevent the kind of harmful speech that will be protected under

this Bill. It may not always be the case that there is a victim of harassment as prescribed under the Equality Act if, for instance, there is a meeting to discuss holocaust denial at which only those who support those horrific views are present. ...

Not only could holocaust deniers have their right to speak on campus legally protected, but if they feel they are denied their right, they could take universities and student unions to court to seek financial recompense. ...

*col 54* ... if a university did not want to provide a room to holocaust deniers, would the proposed speakers be able to seek compensation through the tort created by clause 3? ... Would it be lawful to advertise such a meeting? ... Does he believe that a university should be liable under the Bill if it seeks to stop the spread of dangerous misinformation from guest speakers? What about those seeking to spread conspiracy theories or to sow division in our communities? Does he really believe not only that this kind of harmful, hateful, divisive speech should be legally protected on campus, but that those seeking to peddle it can take a university to court for interfering with their right to do so? ...

*col 55* I think it will also mean that the campus will not feel like a safe space for some students. If it is possible for people to come on to campus and assert their right as holocaust deniers to have a meeting room, albeit perhaps to discuss the issue privately, the campus will not feel like a welcoming and safe space for Jewish students. ...

*col 57* Let me start with an easy problem: the extent of the Bill. It applies to registered higher education providers and to student unions, and immediately we appear to hit a gap in coverage. Oxford and Cambridge colleges are not included in the register kept by the Office for Students. Does that mean that if a violation of free speech takes place in a building owned by, say, Balliol college, Oxford, instead of by the University of Oxford, it is not within the scope of the Bill? Or if it takes place in a pub in the city of Cambridge owned by the university, and someone is removed from the pub for offensive but legal speech, could they take legal action against the university? ...

*col 58 Carol Monaghan (SNP):* ... The law prohibits speech that incites murder or violence, stirs up racial or sectarian hatred or is defamatory or malicious, but, as I said, it does not prohibit speech that others might find upsetting or offensive. There is always going to be a challenge in correctly balancing that, but in a democracy it is important that those who hold views that may differ from one's own are allowed to voice them.

Healthy debate on challenging topics has long been an important component of university life, but recently that has come under threat. According to the recent Joint Committee on Human Rights report on freedom of speech in universities, student societies should not stop other student societies holding their meetings: the right to protest does not extend to stopping events entirely. ...

*col 61 David Davis (Conservative):* ... The Bill is to correct a small—I grant you, it is small—but extraordinarily important symbolic aspect of this modern McCarthyism, namely the attempt to no-platform a number of speakers ...

Managed free speech is a very hard idea to promote, pursue and make work. Modern communications are a major force for either good or evil. We should make sure that we facilitate the right one, and this Bill is just the first step in that important process. ...

*col 63 Lilian Greenwood:* ... The issue that this Bill seeks to address is not on anyone's list of priorities. It is a sledgehammer to crack a very small nut, while other important issues in the sector and outside it are not being addressed. ...

Freedom of speech, and the free exchange of ideas in pursuit of truth and knowledge, is absolutely central to our universities' whole purpose, but where is the evidence that there is a problem? ...

**Rosie Duffield (Labour):** ... Of course, academic freedom and freedom of speech must also be balanced. Students and staff have to feel safe from hate and prejudice. Recently, the all-party group against antisemitism, of which I am a vice-chair has written several letters to the vice-chancellor of Bristol University to condemn the views expressed by one

of their staff. Holocaust denial is not a legitimate opinion or a valid point of view. Perhaps those who think so have missed the testimony of survivors or the very real evidence that still exists on the sites of those atrocious acts of evil. So, too, must we be allowed to dissect our past role in the repulsive histories of slavery and colonialism. Those facts must be taught in an honest and unfiltered way in order for us to view them from where we are now and in the context of our society today. ...

*col 76* **Danny Kruger (Conservative):** ... To rebut what has been said by Opposition Members, the Bill does not allow hate speech. Hate speech is illegal. The Bill does not protect Holocaust denial, which is not protected speech. Under the ECHR, Holocaust denial is not protected speech. If a Holocaust denier is no-platformed, they would have no right under the Bill to sue or challenge the university. ...

*col 81* **Zarah Sultana (Labour):** ... As a young Muslim growing up during the war on terror, I was sharply aware of my community being scapegoated and subjected to surveillance. Before arriving at university, I knew that many British Muslims were treated as second-class citizens. As a student, I quickly learned that this treatment extended to the university campus and that basic democratic rights and freedoms were not afforded to everyone equally.

For students and staff who are Muslim, for staff on precarious contracts and even for student activists, freedom of speech and academic freedom are routinely restricted and denied. Those freedoms are not threatened by over-sensitive students or by academics researching the British empire; they are threatened by this Government's policies, such as the Prevent duty, which the human rights group Liberty has said is the single biggest threat to freedom of speech on campus.

Under Prevent, students have been policed and treated as suspicious and extreme simply for taking part in mainstream debates on topics such as British foreign policy, Palestine and Kurdistan. Research has shown that one third of Muslim students feel negatively affected by Prevent, and I know that many students, including some of my constituents, are afraid to take part in political debates or even to organise events on campus. If the Secretary of State for Education is really concerned by "the chilling effect...of unacceptable silencing and censoring", then he should start by addressing the main sources of that chilling effect in the Home Office and his own Department. ...

*col 87* **James Daly (Conservative):** ... Two examples have been given of abhorrent behaviour—abhorrent statements that could be made on a university campus that would mean that a university may well open itself up to litigation. The first is holocaust denial. Clearly, none of us wants to hear holocaust deniers or see them on university campuses. The Secretary of State—at the Dispatch Box today, on a previous occasion before the House and in any number of interviews that I could read out verbatim—has said quite clearly and categorically that this legislation cannot be used to justify the spread of holocaust denial or any other form of antisemitism on our university campuses. When a court interprets legislation, it interprets the intention of Parliament. The intention of Parliament is clear. The Secretary of State has said that no university can justify welcoming or allowing on to its campus anybody who is going to talk about holocaust denial. ...

The second type of behaviour that has been mentioned—the only other example that Opposition Members could put forward—is anti-vaxxers. ...

What this Bill does do, which nobody has mentioned, is put universities under a duty to make whatever efforts are "reasonably practicable" to ensure that free speech happens. ...

*col 96* **Bell Ribeiro-Addy (Labour):** Free speech is not an absolute right. No rights are absolute in a society, because all rights come with responsibilities to others. We legislate for those responsibilities in this House. The right to live free from hate is not up for debate and it never should be. That is not stifling freedom of speech; it is exercising our human rights and defending those of others. The Bill wants to stop that. We do not expose fascist beliefs by debating them. We do not give fascists a platform to give more oxygen to their

hate. If we do, we are saying that their views hold the same value as ours, and that is not true in a civilised society. ...

**col 98 Alex Sobel (Labour Co-op):** ... As somebody of Jewish descent whose family members came from the war generation in eastern Europe, I feel strongly that the slippery slope we are going down is one that Government Members may not be able to control. I am not saying that they are like this themselves, but other forces in society will take advantage of and utilise this type of legislation in a way that the Government will cease to have control over. It will create a runaway train effect. I do not want that to happen in this country; people like me and others in this Chamber would find it a difficult country to live in. ...

During my time at the University of Leeds ... the two most notorious new faces of the British far right made our campus the site of their race war. Their story tells me all I need to know about why this Bill should never reach the statute book. During my year on the executive of the Leeds University union, supporters of Claire Fox, now Baroness Fox, of *Living Marxism*, established a free speech society to remove the students' "no platform for racists and fascists" policy in the name of libertarianism ...

Two unknown first-years joined the society and when the adherents of Baroness Fox graduated, those two took over the society and stepped up their activities on campus. ... The two people involved were Chris Beverley and Mark Collett—now two of the most notorious fascists that this country has seen. ...

**col 99** The issue came to a head in Collett's and Beverley's attempt to overturn the "no platform for racists and fascists" policy at the general meeting of the students union. ... Many, many Jewish students, as well as the campus rabbi and I, spoke against the attempt to remove the policy. Collett and Beverley were the only ones to speak in favour—and in a highly inflammatory way. Their attempt was overwhelmingly defeated.

It had been clear for some time to all on campus who Collett and Beverley really were, but the mask slipped for everybody everywhere that day. If the policy had passed, Collett and Beverley would have invited figures such as Nick Griffin and David Irving, this country's leading holocaust denier, on to campus under the auspices of free speech. ...

My point is that if this law had been in place, the student union and the university would never have taken any action against these radical, far-right fascists, whose only intent is erasure of diversity on the planet: the erasure of people like me ... That is why people need to be really careful about how they use free speech. Free speech is something that we all defend—we all talk about pluralism—but it can also be a cover for something much deeper and much more unpleasant ...

**col 100 Christian Wakeford (Conservative):** ... In recent years, we have seen a growing concern of harassment, abuse and intimidation on our university campuses, from blatant antisemitism espoused by lecturers, to imposing security costs on Jewish student societies, to no-platforming external speakers.

Not all students and staff feel able to express themselves on campus without fear of repercussions, particularly the Jewish students. During the latest round of violence between Israel and Hamas, Jewish students faced antisemitic abuse and even death threats almost on a daily basis. A Jewish student at Glasgow University was told to go and gas herself and a Jewish student at UCL was sent a picture of herself photoshopped under a guillotine. The National Union of Students blamed Israel for the rise in antisemitic incidents, before backtracking. It is absolutely abhorrent that our universities have failed to protect our Jewish students and that students do not even feel protected by the NUS.

**Charlotte Nichols (Labour):** I am interested in the specific examples that the hon. Gentleman is giving, because surely this Bill would actually promote and protect the right of people to make exactly the kinds of abhorrent remarks that he is talking about, making Jewish students less safe on campus. How does he reconcile this aspect of his speech with his support for the Bill?

**Christian Wakeford:** I thank the hon. Lady for her intervention, but I disagree with her. ... It should be a source of shame for all of us and for every university that Jewish societies often keep their event locations secret due to concerns about the safety of students. We simply cannot turn a blind eye to the fact that our Jewish students do not feel safe on campuses here in the United Kingdom. Last year, Bristol's student union asked for a fee of £500 to safeguard the former ambassador Mark Regev. This is not an isolated incident. It should not be down to students to provide security themselves. As I have said before, universities have not just a moral obligation but a duty to ensure that all students are protected. This must extend to securing events and putting a stop to no-platforming once and for all. It is not just pro-Israel speakers who have been no-platformed. Indeed, a former Home Secretary was previously no-platformed from speaking at events as well.

It is absolutely crucial that the Government commit to ensuring that the Bill does not become a shield for those who wish to endorse poisonous views, including, as has been mentioned many times, holocaust deniers and far-right or far-left extremists. Universities must be a safe space for all students and institutions must take their duty of care seriously. After a great deal of encouragement from the Secretary of State and others, over 100 institutions have now adopted the International Holocaust Remembrance Alliance definition of antisemitism. This is a crucial step in ensuring that universities take accusations of antisemitism seriously.

*col 101* While the IHRA definition is now being adopted, I am encouraged that the Bill gives some teeth to implementing it, because far too often we see a lack of implementation. Again, I refer hon. Members to what is going on at Bristol University.

Just last month, the University of Warwick assembly passed a motion to challenge the IHRA definition of antisemitism. The university—I hope that the shadow Minister will address this—has failed to condemn the motion, despite calls from Jewish students to do so. The Union of Jewish Students rightly asked: “How can they claim they want to fulfil their moral duty to protect all members, which includes Jewish students, when this motion clearly disregards the wants and needs of Jewish students?”

I therefore ask the Minister what further steps the Government are taking to ensure that the definition is not only rolled out across all institutions but fully implemented. What more can be done to ensure that academics face disciplinary action for making remarks or supporting motions considered to be antisemitic under the definition? I refer again to Professor Miller in that regard. Lastly, will the Minister join me in condemning the incident in which the University of Bristol sought to impose security costs on a student society for daring to invite the former ambassador for Israel, and can she confirm that the Bill will help to stop repeat incidents of that nature? ...

*col 103* **Taiwo Owatemi (Labour):** ... As it is crystal clear what the Bill will fail to do, I will focus on what it will actually do. First, it introduces a new mechanism that will allow hate-filled individuals to sue a university if they feel their opinion has not been adequately heard, which will allow extremists, racists and holocaust deniers to have a voice and a much-craved platform on our campuses. Overwhelmingly, student unions and research bodies are telling us that if this Bill is passed as drafted, universities will spend much of their time and resources fighting against such individuals ... With the threat of a lawsuit hanging over a university's head, there will be a new incentive to narrow, not widen debates. Universities will avoid inviting certain speakers to campus altogether ...

Empowering those who peddle hate speech will not help protect free speech ... Free speech is the right to say whatever one likes and the ability to think without constraints. It does not matter if one's opinion is unpopular, because free speech is essential to democracy. Hate speech is when somebody takes that right and abuses it so that they can bully, demonise and subjugate others, which is what the Government will end up promoting. ...

*col 104* **Charlotte Nichols:** ... The star of David around my neck was a gift ... on the

occasion of my bat mitzvah. It was bought from a market on the site of the former Jewish ghetto in Poland, and I wear it proudly—not only as a symbol of my faith, but as a reminder of the millions killed because they were like me. Even if Ministers try to row back from their declaration of guaranteeing platforms for holocaust deniers, will they now come up with an official list of what hate speech is protected and what is not? Will their hierarchy of hatred allow denial of the Srebrenica genocide, the 26th anniversary of which was yesterday, or will they accept that giving fascists the legal protection to demand restitution from the courts is a terrible idea?

Fascists incite hatred and oppose our right to live in a non-violent democratic society. We are not obliged to accept their bile or their attempts to fundraise and recruit when given a platform. When Nick Griffin was given a seat on a “Question Time” panel, the British National party reported 3,000 new membership applications and raised thousands of pounds. That platform did not allow his views to be challenged; it validated them and grew the cancer of extremism that he represents.

What academic merit is there in the denial or distortion of the Holocaust, or in the kind of ideology that saw a Member of this House killed? How many more people have to be murdered before we realise that these are not ideas that can be debated away? My grandfather Edward Nichols, of blessed memory, did not go to fight Hitler in the marketplace of ideas. That generation had the right idea, and we must do so too.

Communities, including university communities, are not obliged to welcome violent, degrading or dangerous lies from genocide deniers or virus deniers. ... This is a tawdry piece of vice-signalling to groups who wish students were not so in favour of social equality. This is a bad Bill that offers nothing to students or to society. ...

*col 105* Rightly, we do not have an absolute right to freedom of speech in this country, be it in respect of our libel laws, the criminalisation of hate speech, the Government’s push to have universities adopt the International Holocaust Remembrance Alliance definition of antisemitism or universities’ statutory duties under the Prevent strategy. ...

*col 106* **Mary Kelly Foy (Labour):** ... Aside from being problematic morally, it is not clear how this legislation will work in practice. Durham University has told me that it still does not know how it will fit in with its existing duties. For example, the university subscribes to the IHRA definition of antisemitism, but now could be compelled to host holocaust deniers or face sanctions. Alternatively, speech around gender identity that might be allowed under this legislation could be in violation of the university’s policies on equality and trans rights. The university could therefore be forced to break its own codes of conduct, which are designed to protect staff and student welfare, or face fines. ...

*col 107* **Paul Blomfield (Labour):** ... As the Universities Minister acknowledged on Radio 4, this is a Bill that empowers holocaust deniers and other purveyors of hate speech by giving them the powers to make vexatious complaints against universities. ...

*col 108* **Catherine West (Labour):** Despite finding no time to legislate for social care reform or employment rights, the Government can find time to protect antisemites and people whose only aim is to cause deep hurt and offence. These are clearly the wrong priorities for us as a Parliament and for the country. ...

Jewish families have contacted me as a constituency MP, very worried about the welfare of their children and young people in universities where they have faced abuse. I do not believe that the current Bill seeks to address that issue. In fact, it could make it worse. I have also had briefings from the organisation Tell MAMA, which has explained how Islamophobic attacks have happened against students on university campuses. I am not sure how this Bill would address those sorts of concerns. ...

*col 110* **Sarah Owen (Labour):** ... Prevent is the real block on freedom of speech on campuses, but it is mentioned only briefly in the Bill’s 21 pages. Given how students, and Muslim students especially, feel that their freedom of speech is being restricted on campus by Prevent, I hope that the Government will change the Bill to help all students to feel more

welcome on campus. Seriously: how can a Government talk about free speech when they actively seek to criminalise young people who talk and share opinions on issues that we should all be talking about, from Palestine to plastics in our oceans?

The Government simply cannot have it both ways or take people for fools. This Bill is not really about freedom of speech though, is it? It is about stoking a culture war. It is about enabling those who profit from hate, silencing young Muslim students and students who care about climate change. ...

**col 118 The Minister for Universities (Michelle Donelan):** ... we believe that standing up for free speech is a key responsibility of any democratic Government, we believe that students and lecturers should not be silenced, and we are prepared to stand up for free speech and not just make tokenistic soundings regarding its value. ...

**col 119** Numerous studies have shone a spotlight on the problem, but they only document the tip of the iceberg ... Think for a moment about those who feel too afraid to speak out for fear of repercussion, and feel that they have to self-censor. ...

I want to be very clear: this Bill only protects lawful free speech. Harassment, racism, discrimination, hate crimes, and incitement of violence or terrorism will have no place on our campuses or in our society. ...

**col 120** Some Members have asked how the Bill will interact with the Government's work to combat antisemitism. Antisemitism is abhorrent and will not be tolerated in our universities, which is why we have encouraged more than 100 higher education providers to sign up to the International Holocaust Remembrance Alliance definition. Regarding the specific question of holocaust deniers, any attempt to deny the scale or the occurrence of the holocaust is morally reprehensible and has no factual basis. In many cases, those who deny the holocaust have links to neo-Nazi extremism, antisemitic violence and intimidation. There are numerous reasons why someone who denies the holocaust should not be invited to speak on campus, and nothing in the Bill gives them a right to a platform.

**Kevan Jones:** ... what is to prevent a holocaust denier who has been denied the opportunity to speak at a university from using the legal framework in the Bill to sue that university? The legal action might not get anywhere, but the university would have to spend a lot of time and effort defending itself. ...

**Michelle Donelan:** ... The European Court of Human Rights has held that holocaust denial is not protected speech under article 10 of the European convention on human rights and as such is intolerable in a democratic society. I will put on record again, just as my right hon. Friend the Secretary of State did before, that there is no place in universities for an extremist views that masquerades as fact but is complete fiction while grotesquely seeking to misinterpret global history in a deeply offensive way. To be absolutely clear, the Bill does not override the existing duties under the Equality Act regarding harassment and unlawful discrimination. The public sector equality duty, the Prevent duty, hate crime and, of course, criminal law may apply. ...

**col 121** My hon. Friend the Member for Bury South (Christian Wakeford) raised the issue of security costs resulting from no-platforming, and cited the example of the Israeli ambassador. Higher education providers should not be no-platforming by the back door. The Bill is clear that reasonably practical steps should be taken to secure freedom of speech for visiting speakers, and I expect the Office for Students guidance to make it clear that this applies to security costs.

The Bill will protect numerous views that are alien to me and to many in this Chamber, but it is not only naive but dangerous to suggest that defending the right of a view in any way endorses a specific view. ...

Universities should not be echo chambers but petri dishes of new, thought-provoking ideas, concepts and visions. That is why this Government are making good on their manifesto commitment to tackle the pattern of self-censorship and its chilling effect by protecting and bolstering free speech and academic freedom. ...

**To read the full transcript see**

[https://hansard.parliament.uk/commons/2021-07-12/debates/3E5A48AD-72E6-420A-910A-9F1863983743/HigherEducation\(FreedomOfSpeech\)Bill](https://hansard.parliament.uk/commons/2021-07-12/debates/3E5A48AD-72E6-420A-910A-9F1863983743/HigherEducation(FreedomOfSpeech)Bill)

## House of Commons Oral Answers

### Hate Crime Legislation: Law Commission Review

**Christine Jardine (Liberal Democrat):** If she will make it her policy to implement the recommendations of the Law Commission's review of hate crime legislation. (902505)

**The Secretary of State for the Home Department (Priti Patel):** All forms of hate crime are completely unacceptable and the UK has a robust legislative framework to respond to it. We are absolutely clear that the cowards who commit these hateful acts should feel the full force of the law. We will of course work with the Law Commission on its review of hate crime legislation.

**Christine Jardine:** I welcome the Secretary of State's comments about the complete unacceptability of hate crimes. The dictionary defines misogyny as "dislike or contempt for", or indeed, "prejudice against" women. Every year, tens of thousands of women in this country face emotional and physical violence, often prompted by exactly that sort of prejudice. Making racially and religiously motivated crimes aggravated offences has helped the police to tackle them, but the law does not provide the same protections against gender-based hate crimes, so does the Home Secretary agree that, if the Law Commission recommends improvements in those areas, they should be a matter of priority?

**Priti Patel:** First, let me acknowledge the points that the hon. Lady has made. She is absolutely right about hate crimes, misogyny and crimes against women in particular, and some of the most appalling and corrosive attitudes against women that we have seen across our society for too long. On the Law Commission report, we are waiting for its findings. I can give her and the House every assurance that we will work with the Law Commission. Alongside that important point, we will be publishing very soon—in the next few weeks, in fact—our strategy on violence against women and girls. I want to go on the record to emphasise that any form of violence, oppression, sexism or hatred against women and girls is thoroughly unacceptable and this Government are absolutely adamant in dealing with it.

<https://hansard.parliament.uk/commons/2021-07-12/debates/FF621C76-1743-4D3B-AE18-710F6B50FDDD/HateCrimeLegislationLawCommissionReview>

*Information about the Law Commission review referred to above can be read at <https://www.lawcom.gov.uk/project/hate-crime/>*

## House of Commons Written Answer

### Hate Crime: Ethnic Groups

**Navendu Mishra (Labour) [28353]** To ask the Secretary of State for the Home Department, whether each police force collected information on the race or ethnicity of victims of hate crime prior to the collection of that information under the Government's experimental pilot to disaggregate religious hate crime data under its 2016-2020 Hate Crime Action Plan.

**Victoria Atkins:** Information on the race or ethnicity of hate crime victims has not previously been collected centrally by the Home Office but will be during 2021/22. Individual police forces will collect a range of data for operational reasons.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-06/28353>

## House of Lords Written Answers

### Pupils: Protest

**Baroness Sheehan (Liberal Democrat)** [HL1495] To ask Her Majesty's Government what assessment they have made of reports that schoolchildren in the UK have been punished for taking part in pro-Palestine protests.

**Baroness Berridge:** The Government is aware that many young people will have a strong personal interest in the Israeli-Palestinian conflict. Schools should ensure that political expression by senior pupils in school is conducted sensitively, avoiding disruption or an atmosphere of intimidation or fear for other pupils and staff.

On 28 May 2021, my right hon. Friend, the Secretary of State for Education, wrote to schools to remind them of requirements on political impartiality and their responsibility to deal with antisemitic incidents with due seriousness. This followed a reported increase in such incidents in school during the recent conflict, including the expression of antisemitic views and bullying towards Jewish pupils and teachers.

All schools should set clear, reasonable, and proportionate expectations of pupil behaviour in line with the Department's guidance on 'Behaviour and discipline in schools', published in 2016. It is for individual schools to develop their own best practice for managing behaviour in their school.

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-28/hl1495>

*The letter referred to above can be read at*

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

*The guidance referred to above can be read at*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/488034/Behaviour\\_and\\_Discipline\\_in\\_Schools\\_-\\_A\\_guide\\_for\\_headteachers\\_and\\_School\\_Staff.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/488034/Behaviour_and_Discipline_in_Schools_-_A_guide_for_headteachers_and_School_Staff.pdf)

*The following three questions all received the same answer*

### Charities: Religion

**Baroness Burt of Solihull (Liberal Democrat)** [HL1674] To ask Her Majesty's Government what steps they will take to prevent religious organisations that promote intolerance and harmful messages from becoming registered charities.

**Baroness Burt of Solihull (Liberal Democrat)** [HL1675] To ask Her Majesty's Government how they intend to prevent religious organisations that promote misogyny from becoming registered charities.

**Baroness Burt of Solihull (Liberal Democrat)** [HL1676] To ask Her Majesty's Government what consideration they have given to removing the advancement of religion as a charitable purpose.

**Baroness Barran:** To be registered as a charity, institutions, including religious organisations in England and Wales, must meet the legal test for charitable status set out in the Charities Act 2011. This requires the institution to have a wholly charitable purpose for the benefit of the public. The advancement of religion has long been recognised as a charitable purpose.

The requirement for public benefit has to be demonstrated with evidence. Any benefits that the charity provides must be weighed against any detriment and harm. An example of activity by an organisation which would be considered as detrimental or harmful includes encouraging or promoting violence or hatred towards others, or unlawfully restricting a person's freedom. An organisation's public benefit will be affected where there is evidence of significant detriment or harm from what the organisation proposes to do, or practises, which outweigh the benefits of the organisation carrying out its aims.

The Charity Commission, as the independent regulator of charities in England and Wales, is responsible for assessing if an institution meets the legal test for charitable status. The Charity Commission takes a robust approach to registration, demonstrated by the fact that it registered on average 60% of applications received in 2020-2021.

There are currently no plans to change the legal test for charitable status.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-05/hl1674>

and

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-05/hl1675>

and

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-05/hl1676>

### **Charities: Churches**

**Baroness Burt of Solihull (Liberal Democrat)** [HL1673] To ask Her Majesty's Government what steps they are taking to ensure that the excepted status for church charities will end in March 2031.

**Baroness Barran:** DCMS officials will work with the Charity Commission and representatives of the excepted church charities to develop a comprehensive plan to phase the excepted church charities onto the register of charities in a manageable way over the extension period, which will end in March 2031.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-05/hl1673>

## **Home Office**

### **Home Secretary to ban extreme right-wing terrorist group, The Base**

Priti Patel has ... taken action to outlaw the extreme right-wing terrorist group, The Base; a predominantly US-based militant white supremacist organisation seeking to establish a white ethno-state.

The group was first formed in 2018 and shares many of its aims and ideologies with Atomwaffen Division and its alias National Socialist Order, which the Home Secretary proscribed earlier this year. ...

Home Secretary Priti Patel said: We continue to take robust action against evil white supremacist groups, who target vulnerable people across the world to join in their hateful ideologies and their sick promotion of violence.

I am committed to making it as difficult as possible for these organisations to operate in the UK, both by banning them and increasing the penalties for membership or support, in order to protect the public and our national security.

Proscribing organisations aid the police in its work to disrupt all forms of terrorist groups who threaten our national security. This action also sends a strong message that The Base's ideology and their actions are unacceptable and won't be tolerated in the UK.

The Base has celebrated and promoted the use of violence in an attempt to establish a fascist, white ethno-state by means of a 'race war', and members are known to have engaged in weapons and explosives training. ...

**To read the full press release see**

<https://www.gov.uk/government/news/home-secretary-to-ban-extreme-right-wing-terrorist-group-the-base>

## **Welsh Senedd Written Answer**

### **Non-stun slaughter**

**Adam Price (Plaid Cymru)** [WQ82794] Will the Minister confirm that non-stun slaughter

is not permissible in Wales outside of the agreed religious exemptions?

**Minister for Rural Affairs and North Wales, and Trefnydd:** I can confirm non-stun slaughter is not allowed in Wales outside of the permitted religious exemptions.

<https://record.senedd.wales/WrittenQuestion/82794>

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## Holocaust

*See the Second Reading Debate on the Higher Education (Freedom of Speech) Bill, included in the Home Affairs section above.*

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## Israel

*See also the Second Reading Debate on the Higher Education (Freedom of Speech) Bill, and the Lords written answer HL1495 “Pupils: Protest”, both included in the Home Affairs section above.*

### House of Commons Written Answers

#### Jerusalem: Armed Conflict

**Abena Oppong-Asare (Labour)** [508] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what discussions he has had with his international counterparts on the situation in East Jerusalem.

**James Cleverly:** The ongoing violence across Israel and the Occupied Palestinian Territories is deeply concerning and must stop. We call on all sides to reduce tensions, restore calm and avoid provocation. The Prime Minister has called for an urgent de-escalation of tensions. The Foreign Secretary delivered a message of de-escalation in his calls to Israeli Foreign Minister Ashkenazi on 16 May, and with Palestinian Prime Minister Shtayyeh on 12 May. We have also engaged the UN Security Council, calling for measures to reduce further violence.

As the Prime Minister and Foreign Secretary have made clear, this cycle of violence must stop, and every effort must be made to avoid loss of life. We urge all sides to refrain from any kind of provocation so that calm is restored as quickly as possible.

The UK will continue to support that goal.

<https://questions-statements.parliament.uk/written-questions/detail/2021-05-11/508>

#### Jerusalem: Palestinians

**Julian Sturdy (Conservative)** [25192] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what steps the Government is taking to safeguard the human rights of Palestinian households (a) threatened with or (b) undergoing eviction in the Silwan area of East Jerusalem.

**James Cleverly:** The UK continues to engage with the Israeli government on human rights issues in the context of the occupation. We repeatedly call on Israel to abide by its obligations under international law and have a regular dialogue with Israel on legal issues relating to the occupation. 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/2021-06-30/25192>

*The following two questions both received the same answer*

#### **Palestinians: Children's Rights**

**Fleur Anderson (Labour)** [29143] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what recent assessment he has made of the adequacy of children's rights in the Occupied Palestinian Territories.

**Fleur Anderson (Labour)** [29144] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what recent progress he has made with his international counterparts on helping to support children's rights in (a) Gaza and (b) the West Bank.

**James Cleverly:** The UK continues to engage with the Israeli government on human rights issues in the context of the occupation, including the treatment of children. We repeatedly call on Israel to abide by its obligations under international law and have a regular dialogue with Israel on legal issues relating to the occupation. We also continue to stress the importance of the Israeli security forces providing appropriate protection to the Palestinian civilian population, in particular the need to protect children.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-07/29143>

and

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-07/29144>

#### **Islam Wael Fahmi Dar Nasser and Mohammad Said Hamayel**

**Caroline Lucas (Green)** [26099] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, pursuant to the Answer of 29 June 2021 to Question 20364, what representations he has made to his Israeli counterpart on the deaths of Mohammad Said Mohammad Hamayel and Islam Wael Fahmi Dar Nasser.

**James Cleverly:** We repeatedly call on Israel to abide by its obligations under international law and have a regular dialogue with Israel on legal issues relating to the occupation. In instances where there have been accusations of excessive use of force, we urge the Government of Israel to conduct swift and transparent investigations. We continue to stress the importance of the Israeli security forces providing appropriate protection to the Palestinian civilian population, in particular the need to protect children, and urge restraint in the use of live fire.

<https://questions-statements.parliament.uk/written-questions/detail/2021-07-02/26099>

*The question referred to above can be read at*

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-22/20364>

## **House of Lords Written Answers**

### **Israel: Palestinians**

**Baroness Janke (Liberal Democrat)** [HL1471] To ask Her Majesty's Government, further to the Written Answer by Lord Ahmad of Wimbledon on 21 June (HL766), whether they will now answer the question put, namely, what assessment they have made of the proportionality of the government of Israel's recent military actions in Gaza.

**James Cleverly:** We repeatedly call on Israel to abide by its obligations under international law and have a regular dialogue with Israel on legal issues relating to the occupation. All countries, including Israel, have a legitimate right to self-defence, and the right to defend their citizens from attack. In doing so, it is vital that

all actions are proportionate, in line with International Humanitarian Law, and make every effort to avoid civilian casualties. We call on Israel to adhere to the principles of necessity and proportionality when defending its legitimate security interest.

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-28/hl1471>

*The answer referred to above can be read at*

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-07/hl766>

### **Israel: Palestinians**

**Baroness Janke (Liberal Democrat)** [HL1472] To ask Her Majesty's Government what assessment they have made of the offer by the government of Israel to the Palestinian Authority of vaccines that were shortly due to expire in exchange for vaccines that had yet to be delivered.

**Lord Ahmad of Wimbledon:** Cooperation is key to tackling this Covid-19 and we continue to urge both parties to coordinate on vaccine access. We welcome initiatives for vaccine sharing which result in a greater number of Palestinians being vaccinated. We recognise that under International Humanitarian Law, Israel, as the occupying power, has a duty of ensuring and maintaining public health and hygiene, to the fullest extent of the means available to it, including in relation to combating the spread of contagious diseases and epidemics, in the Occupied Palestinian Territories (OPTs). We also recognise the Palestinian Authority's responsibilities for vaccinations under the Oslo Accords (under Article 17).

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-28/hl1472>

### **Israel: Palestinians**

**Baroness Janke (Liberal Democrat)** [HL1473] To ask Her Majesty's Government what assessment they have made of the reported policy of the government of Israel of demolishing the homes of Palestinians, but not Israelis, accused of acts of violence.

**Lord Ahmad of Wimbledon:** The UK regularly raises the issue of demolitions and forced evictions of Palestinian families from their homes with the Government of Israel. The Foreign Secretary raised ongoing evictions, demolitions and settlement activity with the Israeli Authorities during his visit to the region on 26 May. The UK is clear that in all but the most exceptional of circumstances, demolitions are contrary to International Humanitarian Law.

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-28/hl1473>

### **Israel: Palestinians**

**Baroness Janke (Liberal Democrat)** [HL1474] To ask Her Majesty's Government what assessment they have made of the statement by Amnesty International on 24 June that Israeli police target Palestinians with "discriminatory arrests, torture and unlawful force".

**Lord Ahmad of Wimbledon:** We remain committed to working with Israel to secure improvements to prison conditions and detention practices. In instances where there have been accusations of excessive use of force, we urge the Government of Israel to conduct swift and transparent investigations. We also continue to stress the importance of the Israeli security forces providing appropriate protection to the Palestinian civilian population.

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-28/hl1474>

*The statement referred to above can be read at*

<https://www.amnesty.org/en/latest/news/2021/06/israeli-police-targeted-palestinians-with-discriminatory-arrests-torture-and-unlawful-force/>

### Israel: Arrests

**Baroness Sheehan (Liberal Democrat)** [HL1496] To ask Her Majesty's Government, further to the Written Answer by Lord Goldsmith of Richmond Park on 23 June (HL970), what assessment they have made of the extent to which their representations to the government of Israeli are effective in ensuring that (1) Israel's investigations are transparent, swift and comprehensive, and (2) Israeli security forces provide appropriate protection to the Palestinian civilian population.

**Lord Ahmad of Wimbledon:** The UK has an active dialogue with Israel on legal issues related to the occupation and we remain committed to working with Israel to secure improvements to prison conditions and detention practices. We continue to urge Israel to ensure that its investigations are transparent, swift and comprehensive and to stress the importance of the Israeli security forces providing appropriate protection to the Palestinian civilian population.

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-28/hl1496>

*The answer referred to above can be read at*

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-09/hl970>

### Gaza: Israel

**Baroness Sheehan (Liberal Democrat)** [HL1497] To ask Her Majesty's Government what assessment they have made of the use by the government of Israel of semi-autonomous machine-gun robots to guard the border with Gaza.

**Lord Ahmad of Wimbledon:** We have not made an assessment of these reports. We repeatedly call on Israel to abide by its obligations under international law and have a regular dialogue with Israel on legal issues relating to the occupation. All countries, including Israel, have a legitimate right to self-defence, and the right to defend their citizens from attack. In doing so, it is vital that all actions are proportionate, in line with International Humanitarian Law, and make every effort to avoid civilian casualties.

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-28/hl1497>

### Israel: Palestinians

**Baroness Sheehan (Liberal Democrat)** [HL1498] To ask Her Majesty's Government what assessment they have made of reports that Israeli forces blocked or destroyed the roads linking villages in the Masafer Yatta area on 23 June.

**Lord Ahmad of Wimbledon:** The UK continues to engage frequently with the Israeli authorities on issues affecting Palestinians, including restrictions on movement and access, and stress the impact of these measures on ordinary Palestinians who rely on these fundamental rights. An official from the British Consulate Jerusalem visited Masafer Yatta on 30 June.

<https://questions-statements.parliament.uk/written-questions/detail/2021-06-28/hl1498>

## UN Office of the High Commissioner for Human Rights

### UN expert condemns Israel's repeated demolition of Palestinian Bedouin property

The UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Michael Lynk, condemned the demolition by Israel of the homes and property belonging to the Palestinian Bedouin community of Humsa al-Baqai'a, in the northern Jordan Valley of the occupied West Bank.

On 7 July, the Israeli Civil Administration – the arm of the Israeli Defense Forces which administers the occupation of the West Bank – accompanied by military troops, demolished 27 residential shelters, animal structures and water tanks, and confiscated the community's belongings. ...

“This demolition is both unlawful and heartless,” said the human rights expert. “As the occupying power, Israel is strictly forbidden from destroying Palestinian property unless it is absolutely required by military necessity during active armed operations.

The forcible transfer of the inhabitants of Humsa al-Baqai’a is also strictly prohibited as a grave breach and a potential war crime under the Fourth Geneva Convention.”

Israeli forces demolished 55 structures in Humsa al-Baqai’a in February 2021. Eleven of the structures demolished this week were provided to the community as an international humanitarian response following the February 2021 demolitions. Humsa had also been razed by the Israeli military in November 2020. ...

“In contrast, the illegal Israeli settlements in the Jordan Valley are left undisturbed by the military. This progressive seizure of Palestinian lands, together with the protection of the settlements, is a further consolidation of Israel’s *de facto* annexation of the West Bank.”

So far in 2021, the Israeli authorities have demolished, seized or forced people to demolish at least 421 Palestinian-owned structures, including 130 donor-funded, displacing 592 people, including some 320 children across the West Bank, the UN Office of the Coordinator for Humanitarian Affairs says.

“The discriminatory Israeli planning regime in the occupied Palestinian territory results in a coercive atmosphere, where property demolitions, or the threat of demolitions, drives Palestinians away from their homes, lands and livelihoods,” Lynk said.

“We again call on Israel to immediately halt its property demolitions in the occupied territory, to ensure that its actions are strictly compliant with its international humanitarian and human rights obligations and to provide protection for, rather than displacement of, the protected population.” ...

“Criticism without consequences has rarely reversed illegal Israeli conduct in the past,” he said. “Accountability has to rise to the top of the international community’s agenda. Only by imposing an escalating cost to Israel’s illegal occupation will there be the prospect that these injustices will end.”

**To read the full press release see**

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27300&LangID=E>

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

### **UK Parliament**

#### **Animal Welfare (Sentience) Bill**

<https://bills.parliament.uk/bills/2867>

#### **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>

Second Reading, House of Commons

[https://hansard.parliament.uk/commons/2021-07-12/debates/3E5A48AD-72E6-420A-910A-9F1863983743/HigherEducation\(FreedomOfSpeech\)Bill](https://hansard.parliament.uk/commons/2021-07-12/debates/3E5A48AD-72E6-420A-910A-9F1863983743/HigherEducation(FreedomOfSpeech)Bill)

## **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 3 days**

**Curriculum for Wales Religion, Values and Ethics (RVE) guidance** (closing date 16 July 2021)

<https://gov.wales/sites/default/files/consultations/2021-05/consultation-document-curriculum-for-wales-religion-values-and-ethics-guidance.pdf>

**Animal welfare [EU legislation]** (closing date 3 August 2021)

[https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12950-Animal-welfare-revision-of-EU-legislation\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12950-Animal-welfare-revision-of-EU-legislation_en)

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