



Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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Social Media: Hate Speech

Justin McNulty (SDLP) [AQW 24430/17-22] To ask the Minister of Justice, in light of recent violence and attacks on elected representatives, what action she will be taking to impede the ability of individuals to broadcast extremist views and hate speech on social media platforms.

It is vital that safeguards are in place to ensure that those intent on spreading hate and causing harm online are prevented from doing so. It is also imperative that we protect all those who may be vulnerable, including elected representatives serving their communities. The tragic death of MP Sir David Amess has highlighted the amount of abuse politicians face online and this is an issue that requires a collective response.

Whilst telecommunications legislation (including the regulation of social media platforms) is a reserved matter, my Department has sought to take a proactive approach towards supporting online safety. This includes engaging with the UK Government's Department for Digital, Culture, Media and Sport (DCMS) on its draft Online Safety Bill, published on 12 May 2021 for pre-legislative scrutiny. The Bill seeks to put the onus on those who own the platforms and compel companies to take action to stamp out online abuse. This would include social media companies being held accountable for removing extremist and terrorist propaganda hosted on their networks. The Joint Committee scrutinising the draft Bill is due to report by 10 December 2021. As many of the harms the Bill seeks to mitigate relate to devolved matters, my Department chairs a cross-departmental reference group to help ensure that departments are alert to the implications of the Bill in terms of relevant legislation, policy and practice in Northern Ireland.

Specifically, in relation to Northern Ireland, work has already commenced across a number of the recommendations from Judge Marrinan's Hate Crime Legislation Report including dealing with hate crime online through the Online Safety Bill. My department is working with key partners and stakeholders required to progress each of the 34 recommendations in the report, including delivery of a consolidated

Hate Crime Bill in the next mandate. Judge Marrinan made several recommendations in relation to online hate crime in support of the UK Government's ongoing work in relation to online harms and made recommendations in relation to user verification and removal of offensive material. I wrote to DCMS and also to Home Office Ministers to encourage them to consider Judge Marrinan's recommendations in the development of the Bill, specifically in relation to the issues of online anonymity and user verification. I will continue to work with DCMS and the Home Office to highlight areas where I think the Bill could be strengthened.

<http://aims.niassembly.gov.uk/questions/printquestionssummary.aspx?docid=354339>

The Report referred to above can be read at

<https://www.justice-ni.gov.uk/sites/default/files/publications/justice/hate-crime-review.pdf>

Marrinan Review of Hate Crime Legislation

Sinéad Bradley (SDLP) [AQW 24517/17-22] To ask the Minister of Justice for an update on the implementation of the 34 recommendations contained within the Marrinan Review of Hate Crime Legislation.

Since publication of the Final Report in December 2020 I have published the Departmental Response to the Review of Hate Crime Legislation [1] and work has been taken forward to progress the implementation of non-legislative recommendations, in addition to the development of a Hate Crime Bill to be introduced in the next mandate. This work includes:

Commencement of an interim Victims of Crime Commissioner Designate, whose functions will include a hate crime focus;

Establishment of a dedicated Hate Crime Branch and a multi-agency Hate Crime Legislation Steering Group;

Assisting PSNI in the public tender for provision of the Hate Crime Advocacy Service, to see the service put on a more secure footing to provide greater support to victims. The tender has closed and assessment is underway to facilitate the five-year contract with effect from April 2022;

Liaising with the UK Government on its development of the UK Online Safety Bill to ensure concerns raised in Judge Marrinan's Report, aimed at protecting hate crime victims from harm, continue to be considered as this legislation develops;

Reestablishment of the Restorative Justice Working Group with a view to finalising an Adult Restorative Justice Strategy and developing an associated multi-year Action Plan. This work incorporates Judge Marrinan's recommendations on restorative justice which are being actively considered and reflected in the Strategy and Action Plan; and

Development of policy proposals on recommendations identified in the Departmental Response as requiring further consideration. A series of workshops and meetings with relevant partners is ongoing to inform policy development and assess the practical out-workings and operability of specific recommendations.

Tackling hate crime and supporting the victims of hate crime continue to be key priorities within the remainder of this mandate. This legislative work will complement and strengthen non-legislative work being taken forward to address hate crime by working collaboratively with partners in relation to tackling enabling factors of intolerance, prejudice and hate.

<http://aims.niassembly.gov.uk/questions/printquestionssummary.aspx?docid=354533>

The Review referred to above can be read at

<https://www.justice-ni.gov.uk/sites/default/files/publications/justice/hate-crime-review.pdf>

Hate Crime: Legislation

Sinéad Bradley (SDLP) [AQW 24518/17-22] To ask the Minister of Justice for an update on the work of her Department in conjunction with partner stakeholders on the delivery of a consolidated Hate Crime Bill scheduled for the next Assembly mandate.

The Department of Justice has been committed to building engagement with internal and external stakeholders from the outset of the implementation and delivery of the Hate Crime Bill.

A communication and engagement strategy has been developed to guide this work, seeking to maximise appropriate and effective stakeholder engagement with organisations involved in a range of legislative, policy and operational roles relevant to hate crime. For example, all stakeholders who engaged with Judge Marrinan on the Hate Crime Legislation Review have received a written update on progress made on implementation since the report was published and been advised of a further opportunity to comment as part of a public consultation in the New Year. There has also been engagement through a series of workshops aimed at assisting policy development and assessing the operability of policy proposals. This has involved participation with a range of partners such as PSNI, PPS, NI Courts and Tribunal Service, Probation Board for NI, NIHE, Victim Support NI, local Councils and NI Policing Board.

Facilitating engagement with key stakeholders provides valuable insights into the issues of this work, particularly into the experiences of victims of hate crime. To support this, officials are also planning a series of presentations to update statutory and voluntary sector forums which represent victims of hate crime, and hear about areas of particular interest for future engagement.

Officials are also represented on a range of forums to support the delivery of recommendations on issues which are wider than hate crime. For example, contributing to discussions on the development of the responsibilities of the Victims of Crime Commissioner to ensure the inclusion of a focus on hate crime; on the Restorative Justice Working Group set up to finalise a Strategy and Action Plan; and, engagement in the cross-departmental reference group set up to ensure that departments are alert to the implications of the development of the UK Online Safety Bill.

A DoJ-led, multi-agency Hate Crime Legislation Steering Group has also been established to provide a high level strategic forum for all partners engaged in improving the effectiveness of the current hate crime legislation and delivering the recommendations in the Hate Crime Legislation Review Report.

<http://aims.niassembly.gov.uk/questions/printquestionssummary.aspx?docid=354534>

The Review referred to above can be read at

<https://www.justice-ni.gov.uk/sites/default/files/publications/justice/hate-crime-review.pdf>

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Israel

House of Lords Written Answers

Jerusalem: USA

Lord Hylton (Crossbench) [HL3346] To ask Her Majesty's Government what assessment they have made of the proposal by the government of the United States of America to reopen their consulate in East Jerusalem.

Lord Ahmad of Wimbledon: This is a matter for the US Government. The UK's

position on Jerusalem is that the status of Jerusalem should be determined in a negotiated settlement, and ultimately the shared capital of both states.

<https://questions-statements.parliament.uk/written-questions/detail/2021-10-22/hl3346>

Palestinians: Elections

Lord Hylton (Crossbench) [HL3345] To ask Her Majesty's Government what representations they have made to the Palestinian Authority about elections for (1) municipal councils, and (2) a legislature.

Lord Ahmad of Wimbledon: 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.

<https://questions-statements.parliament.uk/written-questions/detail/2021-10-22/hl3345>

United Nations

Third Committee Approves 13 Draft Resolutions, among Them, on Palestinians' Right to Statehood, Crimes Affecting Environment, Human Rights Council Report

... The Committee then took up the draft resolution titled "Report of the Human Rights Council" (document A/C.3/76/L.62) ...

The representative of Israel, in explanation of vote, said his delegation called for a recorded vote as it has strong reservations on the merit of the Human Rights Council and its ability to provide objective recommendations. It should be guided by the principles of impartiality and non-selectivity, he said, voicing concern over the establishment of yet another Commission of Inquiry on Israel. "If one would not know any better, one might think that the Council is unhappy by the existence of the State of Israel," he asserted. ...

The representative of Syria, in explanation of vote, objected to the politicization of human rights instruments to help certain countries accomplish their goals, which have nothing to do with the Charter of the United Nations or international law. ...

The representative of the United States, calling the draft resolution "procedurally unnecessary", strongly objected to the Human Rights Council's disproportionate focus on Israel, including through its establishment of a Commission of Inquiry on the country.

The Committee then considered the draft resolution titled, "The right of the Palestinian people to self-determination" (document A/C.3/76/L.46).

The representative of Egypt, introducing draft resolution "L.46" on behalf of the Organisation of Islamic Cooperation (OIC), expressed regret that Palestinians continue to suffer under Israel's occupation. The draft resolution aims to support Palestinians' right to self-determination, preserve the integrity of their territories and end the occupation. It also reaffirms the right of all States to live in peace within internationally recognized borders, while supporting Palestinians in their early realization of the right to self-determination.

The representative of Israel, in explanation of the vote before the vote, said his delegation would vote against the draft resolution as it goes beyond the mandate of the Third Committee. He invited Member States to consider other approaches to resolving the question of Palestine, as traditional ones do not work. ...

By the text, the Assembly would reaffirm the right of the Palestinian people to self-determination, including the right to their independent State of Palestine, and urge all States and specialized United Nations agencies and organizations to continue to support them in the early realization of this right. ...

The representative of Iran pointed to the deteriorating situation of Palestinians under Israel's regime, noting that its use of lethal force violated international law. He also drew

attention to Israel's destructive policies that threaten peace and security in the region, adding that the return of refugees is the most efficient way to promote the rights of Palestinians. ...

To read the full press release see

<https://www.un.org/press/en/2021/gashc4335.doc.htm>

The documents referred to above are not yet available online.

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Other Relevant Information

CST

Antisemitic Discourse Report 2020

<https://cst.org.uk/public/data/file/6/d/Antisemitic%20Discourse%20Report%202020.pdf>

United Nations

Third Committee Approves 13 Draft Resolutions ...

... the Committee took up the draft resolution titled, "Freedom of religion or belief" (document A/76/C.3/36) ...

By the text, the General Assembly would strongly condemn violence and acts of terrorism targeting persons belonging to religious minorities on the basis of or in the name of religion or belief. It would also urge States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief, and to ensure that constitutional and legislative systems provide effective guarantees of these freedoms to all without distinction. They would do so by providing access to justice - including by facilitating legal assistance and remedies in cases where the right to freedom of thought, conscience and religion or belief or the right to freely choose and practice one's religion or belief is violated. The Committee next took up the draft resolution titled, "Combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons, based on religion or belief" (document A/C.3/76/L.48). ...

The Committee then approved "L.48" without a vote, by which the Assembly would call on States to ensure that public functionaries, in the conduct of their public duties, do not discriminate against individuals on the basis of religion or belief. It would call on them to foster religious freedom and pluralism by promoting the ability of all religious community members to manifest their religion and to contribute openly and equally to society. ...

To read the full press release see

<https://www.un.org/press/en/2021/gashc4335.doc.htm>

The documents referred to above are not yet available online.

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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 (Assemblies) Bill

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

Higher Education (Freedom of Speech) Bill

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

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>

Bill as amended in Public Bill Committee

<https://publications.parliament.uk/pa/bills/cbill/58-02/0187/210187v1.pdf>

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

Labelling for Animal Welfare (closing date 6 December 2021)

<https://consult.defra.gov.uk/animal-welfare-market-interventions-and-labelling/labelling-for-animal-welfare/>

Proposed Assisted Dying for Terminally ill Adults (Scotland) Bill (closing date 22 December 2021)

<https://www.parliament.scot/bills-and-laws/bills/proposals-for-bills/proposed-assisted-dying-for-terminally-ill-adults-scotland-bill>

Animal Welfare – revision of EU legislation (Food Safety) (closing date 21 January 2022)

https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12950-Animal-welfare-revision-of-EU-legislation/public-consultation_en

Northern Ireland Human Rights Commission Strategic Plan 2022-2025

(closing date not stated)

<https://nihrc.org/news/detail/we-want-to-hear-from-you-about-our-strategic-planning-2022-2025>

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