



Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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House of Commons Public Bill Committee

Online Safety Bill (Ninth sitting)

col 360 Kirsty Blackman (SNP): ... Below-the-line comments in newspaper articles are infamous. They are places that everybody fears to go. They are worse than Twitter. In a significant number of ways, below-the-line comments are an absolute sewer. I cannot see any reasonable excuse for them to be excluded from the Bill. We are including Twitter in the Bill; why are we not including below-the-line comments for newspapers? ...

It is sometimes the case that the comments on a newspaper article will direct people to even more extreme views. The newspaper article itself may be just slightly derogatory, while some of the comments may have links or references to other pieces, and other places on the internet where people can find a more radical point of view. ...

I understand and accept that some newspapers have moderation policies for their comments sections, but that is not strong enough. Twitter has a moderation policy, but that does not mean that there is actually any moderation, so I do not think that subjecting below-the-line comments to the provisions of the Bill is asking too much. ...

col 361 Alex Davies-Jones (Labour): ... Newspaper comments sections are no different from the likes of Facebook and Twitter, in that they are social media platforms that allow users to interact with one another. ... In some ways, their capacity to cause harm to the public is even greater: for example, their reach is in many cases larger than even the biggest of social media platforms. Whereas there are estimated to be around 18 million users of Twitter in the UK, more than twice that number of British citizens access newspaper websites every month, and the harm perpetuated on those platforms is severe.

col 362 In July 2020, the rapper Wiley posted a series of antisemitic tweets, which Twitter eventually removed after an unacceptable delay of 48 hours, but under coverage of the incident in The Sun newspaper, several explicitly antisemitic comments were posted. Those comments contained holocaust denial and alleged a global Jewish conspiracy to control the world. They remained up and accessible to The Sun's 7 million daily readers for the best part of a week. If we exempt comments sections from the Bill's proposed regime and the duties that the Bill sets for platforms, we will send the message that that kind of vicious, damaging and harmful racism is acceptable.

Similarly, after an antisemitic attack in the German city of Halle, racists comments followed in the comments section under the coverage in *The Sun*. ...

As I understand it, two arguments have been made to support the exemption. First, it is argued that the complaints handlers for the press already deal with such content, but the handler for most national newspapers, the Independent Press Standards Organisation, will not act until a complaint is made. It then takes an average of six months for a complaint to be processed, and it cannot do anything if the comments have not been moderated. ... IPSO does not even have a code to deal with cases of antisemitic abuse that appeared on the comments section of *The Sun*. ...

col 363 The second argument for an exemption is that publishers are legally responsible for what appears on comments sections, but that is only relevant for illegal harms. For everything else, from disinformation to racial prejudice and abuse, regulation is needed. ...

col 364 **Chris Philp [Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport]:** ... Opposition Members ... are right to point out that there are occasions when the comments posted on those sites are extremely offensive.

There are two reasons why comments below BBC, *Guardian* or *Mail* articles are excluded from the scope of the Bill. First, the news media publishers—newspapers, broadcasters and their representative industry bodies—have made the case to the Government, which we are persuaded by, that the comments section below news articles is an integral part of the process of publishing news and of what it means to have a free press. ... the Government have accepted, that intruding into that space through legislation and regulation would represent an intrusion into the operation of the free press. ...

There is a difference between random individuals posting stuff on Facebook, as opposed to content generated by what we have defined as a “recognised news publisher”. ... We recognise that is different in the Bill. ... We recognise that the press are different, and the press have made the case—both newspapers and broadcasters, all of which now have websites—that their reader engagement is an integral part of that free speech. ...

col 365 There is then a question about whether, despite that, those comments are still sufficiently dangerous that they merit regulation by the Bill ... There is a functional difference between comments made on platforms such as Facebook, Twitter, TikTok, Snapchat or Instagram, and comments made below the line on a news website ... The difference is that on social media platforms, which are the principal topic of the Bill, there is an in-built concept of virality—things going viral by sharing and propagating content widely. The whole thing can spiral rapidly out of control.

Virality is an inherent design feature in social media sites. It is not an inherent design feature of the comments we get under the news website of the BBC, *The Guardian* or the *Daily Mail*. There is no way of generating virality in the same way as there is on Facebook and Twitter. ...

Kim Leadbeater (Labour): This issue comes down to a fundamental point—are we looking at volume or risk? There is no difference between an individual ... seeing something about suicide or self-harm on a Facebook post or in the comments section of a newspaper article. The volume—whether it goes viral or not—does not matter if that individual has seen that content and it has directed them to somewhere that will create serious harm and lead them towards dangerous behaviour. The volume is not the point. ...

col 366 **Chris Philp:** ... we are again striking a balance. We are saying that the inherent harmfulness of those sites, owing to their functionality—they do not go viral in the same way—is much lower. There is also an interaction with freedom of the press, as I said earlier. Thus, we draw the balance in a slightly different way. ...

Kirsty Blackman: ... On social media there will be a requirement to verify users' identities, so if somebody posts on Twitter that they want to lynch me, it is possible to find out who that is, provided they do not have an anonymous account. There is no such provision for newspaper comment sections, so I assume it would be much more difficult for the police

to find them, or for me not to see anonymous comments that threaten my safety below the line of newspaper articles ...

Chris Philp: The hon. Lady is correct in her analysis ... because of the interaction with freedom of the press—the argument that the newspapers and broadcasters have advanced—and because this is an inherently less viral environment, we have drawn the balance where we have. ...

col 368 Maria Miller (Conservative): ... who is responsible if illegal comments are made on newspaper websites? ...

What redress would that individual have? Would it be to ask the newspaper to take down that comment, or would it be that they could find out the identity of the individual who made the comment, or would it be that they could take legal action? ...

Chris Philp: ... clearly if something illegal is said online about someone, they would have the normal redress to go to the police and the police could seek to exercise their powers to investigate the offence, including requesting the company that hosts the comments—in this case, it would be a newspaper's or broadcaster's website—to provide any relevant information that might help to identify the person involved ...

Secondly, if the content was defamatory... there is obviously civil recourse for libel. And I think there are powers in the civil procedure rules that allow for court orders to be made that require organisations, such as news media websites, to disclose information that would help to identify somebody who is a respondent in a civil case.

Thirdly, there are obviously the voluntary steps that the news publisher might take to remove content. ...

col 371 Kim Leadbeater: ... Opening the gates for any organisation to declare themselves a news publisher by obtaining a UK address, jotting down a standards code on the back of an envelope and inviting readers to send an email if they have any complaints is not defending the press; it is opening the profession up to abuse and, in the long term, risks weakening its rights and protections. ...

A number of far-right websites have made white supremacist claims and praised Holocaust deniers. Those websites already meet several of the criteria for exemption and could meet the remaining criteria overnight. The internet is full of groups that describes themselves as news publishers but distribute profoundly damaging and dangerous material designed to promote extremist ideologies and stir up hatred.

We can all think of high-profile individuals who use the internet to propagate disinformation, dangerous conspiracy theories and antisemitic, Islamophobic, homophobic or other forms of abuse. They might consider themselves journalists, but the genuine professionals whose rights we want to protect beg to differ. None of those individuals should be free to publish harmful material as a result of exemptions that are designed for quite a different purpose. ...

To read the full transcript see

[https://hansard.parliament.uk/commons/2022-06-14/debates/ecfe5eda-bf86-4f7c-9225-18c4aa625dfc/OnlineSafetyBill\(NinthSitting\)](https://hansard.parliament.uk/commons/2022-06-14/debates/ecfe5eda-bf86-4f7c-9225-18c4aa625dfc/OnlineSafetyBill(NinthSitting))

House of Commons Written Answers

Schools: Discrimination

Jim Shannon (DUP) [13133] To ask the Secretary of State for Education, what steps his Department is taking to help tackle discrimination in schools.

Robin Walker: Education is a devolved matter, and the response outlines the information for England only.

Under the Equality Act 2010, schools must not discriminate against a pupil in a number of respects because of a characteristic protected by the Equality Act. The

department has published guidance for schools on how to comply with their duties under the Equality Act 2010, available here:

<https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>

Relationships education is now compulsory in all schools and the Relationships, Sex, and Health Education curriculum has a strong focus on equality, respect, the harmful impact of stereotyping, as well as the importance of valuing difference.

The department will also provide over £2 million of funding, between 10 August 2021 and 31 March 2023, to five anti-bullying organisations to support schools to tackle bullying. This includes projects targeting bullying of pupils who are more likely to be the victims of hate-related bullying and discrimination.

The department have also published Respectful School Communities, a self-review and signposting tool to support schools to develop a whole-school approach which promotes respect and discipline. This can help schools to combat bullying, harassment, and prejudice of any kind, including hate-based bullying.

<https://questions-statements.parliament.uk/written-questions/detail/2022-06-06/13133>

Respectful School Communities, referred to above, can be read at

https://educateagainsthate.com/wp-content/uploads/2019/01/6.4953_DFE_Respectful-schools_signposting-tool_FINAL_Fillable_Client_Cop....pdf

Bill of Rights: Humanism

Daisy Cooper (Liberal Democrat) [13247] To ask the Secretary of State for Justice, whether the Government plans to include proposals in the planned Bill of Rights to end the common interpretation of religious protections that includes humanism.

James Cartlidge: The Bill of Rights will protect people's fundamental rights, including Article Nine: freedom of thought, conscience, and religion. This protects the right to manifest one's beliefs whether they are religious or non-religious.

The Government consulted on proposals to replace section 3 of the Human Rights Act 1998. Section 3 imposed a duty to read and give effect to legislation in a way which is compatible with the Convention (European Convention on Human Rights) rights where possible. In practice, this has led to courts interpreting legislation in a compatible way, without Parliament's input, so far as it is possible to do so. We think that a less expansive interpretive duty would provide greater legal certainty, a clearer separation of powers, and a more balanced approach to the proper constitutional relationship between Parliament and the courts on human rights issues. The Government will set out its final proposals in due course.

<https://questions-statements.parliament.uk/written-questions/detail/2022-06-06/13247>

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Israel

House of Commons Written Answer

Israeli Settlements: Overseas Companies

Daisy Cooper (Liberal Democrat) [13249] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what steps the Government plans to take in relation to the three UK registered companies listed in UN document HRC_43_71.

Amanda Milling: In March 2016, the UK, along with other likeminded states, abstained on the resolution at the UN Human Rights Council which called for the creation of a database of businesses that trade with settlements. The UK strongly opposed this provision. Human rights obligations are directed at states, and not

individuals or businesses. We advise British businesses to bear in mind the British Government's view on the illegality of settlements under international law when considering their investments and activities in Israel and the Occupied Palestinian Territories. Ultimately it is the decision of an individual or company whether to operate in settlements in the Occupied Palestinian Territories.

<https://questions-statements.parliament.uk/written-questions/detail/2022-06-06/13249>

The document referred to above can be read at

<https://www.un.org/unispal/wp-content/uploads/2020/02/A.HRC.43.71-1.pdf>

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Relevant Legislation ** new or updated today

UK Parliament

**** Education (Non-religious Philosophical Convictions) Bill**

<https://bills.parliament.uk/bills/3186>

First Reading, House of Lords

[https://hansard.parliament.uk/lords/2022-06-14/debates/25B75E8C-BDC5-4AAE-A481-AE3B02B3F662/Education\(Non-ReligiousPhilosophicalConvictions\)Bill\(HL\)](https://hansard.parliament.uk/lords/2022-06-14/debates/25B75E8C-BDC5-4AAE-A481-AE3B02B3F662/Education(Non-ReligiousPhilosophicalConvictions)Bill(HL))

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

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

First Reading, House of Lords

[https://hansard.parliament.uk/lords/2022-06-14/debates/BAE16EAE-9846-44F6-AD46-81B938C3A24A/HigherEducation\(FreedomOfSpeech\)Bill](https://hansard.parliament.uk/lords/2022-06-14/debates/BAE16EAE-9846-44F6-AD46-81B938C3A24A/HigherEducation(FreedomOfSpeech)Bill)

**** Online Safety Bill**

<https://bills.parliament.uk/bills/3137>

Public Bill Committee

[https://hansard.parliament.uk/commons/2022-06-14/debates/ecfe5eda-bf86-4f7c-9225-18c4aa625dfc/OnlineSafetyBill\(NinthSitting\)](https://hansard.parliament.uk/commons/2022-06-14/debates/ecfe5eda-bf86-4f7c-9225-18c4aa625dfc/OnlineSafetyBill(NinthSitting))

Schools Bill

<https://bills.parliament.uk/bills/3156>

Scottish Parliament

Gender Recognition Reform (Scotland) Bill

<https://www.parliament.scot/bills-and-laws/bills/gender-recognition-reform-scotland-bill>

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Consultations

** new or updated today

**** closes in 8 days**

Independent Review of Social Cohesion and Resilience (closing date 23 June 2022)

<https://www.gov.uk/government/consultations/independent-review-of-social-cohesion-and-resilience-call-for-evidence/independent-review-of-social-cohesion-and-resilience-call-for-evidence>

Public Participation at the Scottish Parliament (closing date 30 June 2022)

<https://yourviews.parliament.scot/cppp/participation-2022/>

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