



Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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Online Safety Bill: Report Stage, House of Commons

col 38 The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Paul Scully): ... The concept at the heart of this legislation is simple: tech companies, like those in every other sector, must take responsibility for the consequences of their business decisions. As they continue to offer users the latest innovations, they must consider the safety of their users as well as profit. They must treat their users fairly and ensure that the internet remains a place for free expression and robust debate. ...

The Government's top priority for this legislation has always been the protection of children. ... Repeatedly, we heard calls for strong incentives for companies to do everything they can to innovate and make safety technologies their priority, to ensure that there is no place for offenders to hide online. ...

col 39 Rehman Chishti (Conservative): Terrorism is often linked to non-violent extremism, which feeds into violent extremism and terrorism. How does the Bill define extremism? ...

Paul Scully: This Bill links with other legislation, and obviously the agencies. We do not seek to redefine extremism where those definitions already exist. ...

Charlotte Nichols (Labour): Since Elon Musk's takeover of Twitter, hate speech has ballooned on the platform and the number of staff members at Twitter identifying images of child sexual abuse and exploitation has halved. How can the Minister be sure that the social media companies are able to mark their own homework in the way that he suggests?

col 40 Paul Scully: Because if those companies do not, they will get a fine of up to £18 million or 10% of their global turnover, whichever is higher. ...

col 42 Jim Shannon (DUP): In Northern Ireland we face the specific issue of the glorification of terrorism. Glorifying terrorism encourages terrorism. Is it possible that the Bill will stop that type of glorification, and therefore stop the terrorism that comes off the back of it? ...

col 44 Paul Scully: ... We are also taking steps to strengthen Ofcom's enforcement powers, which is why we are giving Ofcom a discretionary power to require non-compliant services to publish or notify their users of enforcement action that it has taken against the

service. Ofcom will be able to use this power to direct a service to publish details or notify its UK users about enforcement notices it receives from Ofcom. I thank the Antisemitism Policy Trust for bringing this proposal to our attention and for its helpful engagement on the issue. This new power will promote transparency by increasing awareness among users about breaches of the duty in the Bill. It will help users make much more informed decisions about the services they use, and act as an additional deterrent factor for service providers. ...

The House will be aware that we recently announced our intention to make a number of other changes to the Bill. We are making those changes because we believe it is vital that people can continue to express themselves freely and engage in pluralistic debate online. That is why the Bill will be amended to strengthen its provisions relating to children and to ensure that the Bill's protections for adults strike the right balance with its protections for free speech.

Margaret Hodge (Labour): The Minister is alluding, I assume, to the legal but harmful provision, but what does he think about this as an example? People are clever; they do not use illegal language. They will not say, "I want to kill all Jews", but they may well—and do—say, "I want to harm all globalists." What is the Minister's view of that?

Paul Scully: ... This Bill is not, and never will be, a silver bullet. This has to be worked through, with the Government acting with media platforms and social media platforms, and parents also have a role. This will evolve, but we first need to get back to the fundamental point that social media platforms are not geared up to enforce their own terms and conditions. ...

col 45 Since the Bill has been made public, parliamentarians and stakeholders have expressed concern that the threshold that would trigger prosecution for the offence of causing serious distress could bring robust but legitimate conversation into the illegal space. In the light of that concern, we have decided not to take forward the harmful communications offence for now. That will give the Government an opportunity to consider further how the criminal law can best protect individuals from harmful communications, and ensure that protections for free speech are robust. ...

col 48 **Caroline Dinenage (Conservative):** ... My concern is that there is a really opaque place in the online world between what is legal and illegal, which potentially could have been tackled by the legal but harmful restrictions. Can he set out a little more clearly ... how we really are going to begin to tackle the opaque world between legal and illegal content? ...

col 49 **Jamie Stone (Liberal Democrat):** ... the Scottish context concerns me. ... I will touch on a particularly harrowing case. The school involved has been approached but has done nothing. Education is devolved ... It would be too bad if the Bill failed in its good intentions because of a lack of communication in relation to a function delivered by the Scottish Government. Can I take it that there will be the closest possible co-operation with the Scottish Government because of their educational responsibilities?

Paul Scully: There simply has to be. ...

col 54 **Christian Wakeford (Labour):** No Jewish person should have to log online and see Hitler worship, but what we have seen in recent weeks from Kanye West has been nothing short of disgusting, from him saying "I love Hitler" to inciting online pile-ons against Jewish people, and this is magnified by the sheer number of his followers, with Jews actually being attacked on the streets in the US. Does my hon. Friend agree that the Government's decision to drop the "legal but harmful" measures from the Bill will allow this deeply offensive and troubling behaviour to continue?

Alex Davies-Jones (Labour): ... Let us be clear: everything that Kanye West said online is completely abhorrent and has no place in our society. It is not for any of us to glorify Hitler and his comments or praise him for the work he did; that is absolutely abhorrent and it should never be online. Sadly, however, that is exactly the type of legal but harmful

content that will now be allowed to proliferate online because of the Government's swathes of changes to the Bill, meaning that that would be allowed to be seen by everybody. Kanye West has 30 million followers online. His followers will be able to look at, share, research and glorify that content without any consequence to that content being freely available online.

Margaret Hodge: Further to that point, it is not just that some of the content will be deeply offensive to the Jewish community; it could also harm wider society. Some further examples of postings that would be considered legal but harmful are likening vaccination efforts to Nazi death camps and alleging that NHS nurses should stand trial for genocide. Does my hon. Friend not agree that the changes the Government are now proposing will lead to enormous and very damaging impacts right through society?

Alex Davies-Jones: My right hon. Friend is absolutely right. ...

col 56 Julian Knight (Conservative): ... I heard [Molly Russell's] father being interviewed on the "Today" programme, and he spoke about how at least three quarters of the content he had seen that had prompted that young person to take her life had been legal but harmful. We have to stand up, think and try our best to ensure there is a safer space for young people. ...

col 68 Margaret Hodge: ... Harmful content attracts more traffic and so supports the platforms' business objectives. We know that from studies such as the one by Harvard law professor Jonathan Zittrain, which showed that posts that tiptoe close to violating platforms' terms and conditions generate far more engagement. We also know that from Mark Zuckerberg's decisions in the lead-up to and just after the 2020 presidential elections, when he personally authorised tweaks to the Facebook algorithm to reduce the spread of election misinformation. However, after the election, despite officials at Facebook asking for the change to stay, he ensured that the previous algorithm was placed back on. An internal Facebook memo revealed that the tweak preventing fake news had led to "a decrease in sessions", which made his offer less attractive to advertising and impacted his profits. Restoring fake news helped restore his profits. ...

Furthermore, we know that the directors of online platforms personally take decisions in relation to harmful content, so they should be personally held to account. ... Zuckerberg gave a host of interviews defending his decision to keep holocaust-denial on his platform, saying he did not believe that posts should be taken down for people getting it wrong. The debate continued for two years until 2020, when only after months of protest he finally decided to remove that abhorrent content. ...

col 69 Decisions taken by Twitter's newest owner—by Elon Musk himself—saw use of the N-word increase by nearly 500% within 12 hours of acquisition. ... Platforms can train their systems to recognise so-called borderline content and reduce engagement. However, it is for business reasons, and business reasons alone, that they actively choose not to do that. In fact, they do the opposite and promote content known to trigger extreme emotions. ...

col 87 Neale Hanvey (Alba): ... In 2019, I raised my concerns about safeguarding with my colleagues in Government. A paper I wrote had this simple message: women are not being listened to in the gender recognition reform debate. I approached the then Cabinet Secretary for Social Security and Older People, Shirley-Anne Somerville, whose brief included equality. She was someone I had known for years and considered a friend; she knew my professional background, my family and, of course, my children. She told me she that she shared my concerns—she has children of her own—but she instructed me to be silent. She personally threatened and attempted to bully friends of mine, insisting that they abandon me. I pay great tribute to Danny Stone and the Antisemitism Policy Trust for their support in guiding me through what was an incredibly difficult period of my life. ...

It is happening all over Scotland. ... If Governments north and south of the border are to tackle online harms, we must follow through with responsible legislation. Only last week, the First Minister of Scotland, who denied any validity to the concerns I raised in 2019,

eventually admitted they were true. But her response must be to halt her premature and misguided legislation, which is without any protection for the trans community, women or girls. We must make the connection from online harms all the way through to meaningful legislation at every stage. ...

col/ 93 Kim Leadbeater (Labour): ... Ultimately, if platforms enforce their own terms and conditions, remove illegal content and comply with the legal but harmful regulations—as they consistently tell us that they will—they have nothing to worry about. When we hear the stories of harm committed online, however, and when we hear from the victims and their families about the devastation that it causes, we must be absolutely watertight in ensuring that those who manage and operate the platforms take every possible step to protect every user on their platform. ...

To read the full transcript see

<https://hansard.parliament.uk/commons/2022-12-05/debates/E155684B-DEB0-43B4-BC76-BF53FEE8086A/OnlineSafetyBill>

The Scottish Bill referred to above by Neale Hanvey is the Gender Recognition Reform (Scotland) Bill, which can be read at

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

House of Lords Written Answers

Prisoners: Ethnic Groups

Lord Bradley (Labour) [HL3584] To ask His Majesty's Government how many individuals from each ethnic group were in prison in England and Wales in each of the last five years, broken down by religion.

Lord Bellamy: The table attached provides the information requested, as of 30 September in each of the last five years.

[Table HL3584](#)

<https://questions-statements.parliament.uk/written-questions/detail/2022-11-21/hl3584>

Prisons: Pepper Spray

Lord Bradley (Labour) [HL3585] To ask His Majesty's Government on how many occasions PAVA spray incapacitant has been (1) drawn, and (2) drawn and deployed, in prisons since 1 April 2019, broken down by (a) ethnicity, and (b) religion, of each prisoner.

Lord Bellamy: We ensure all our prison officers are trained in how to use PAVA professionally, safely and lawfully and that it is only used when necessary and proportionate.

There has been a total of 470 incidents involving PAVA since 1 April 2019. Of those, PAVA was drawn and deployed in 320 incidents and 150 were drawn only. See below for a breakdown by ethnicity and religion.

The data provided for this response is collected as internal management information and reflects the data held at the date of extraction. It is not quality assured in the same way as data prepared for publication and is subject to change.

| | From Apr 2019 | 2020 | 2021 | To 22/11/2022 | Total |
|--|---------------|------|------|---------------|-------|
| Total Number of Incidents: | 55 | 104 | 148 | 163 | 470 |
| Total Number of Drawn and Deployed Incidents | 42 | 62 | 103 | 113 | 320 |
| Total Number of Drawn only Incidents | 13 | 42 | 45 | 50 | 150 |

Ethnicity:

| Ethnicity | Individuals Impacted | Drawn and Deployed | Drawn only |
|---------------------|----------------------|--------------------|------------|
| Asian/Asian British | 64 | 54 | 10 |
| Black/Black British | 396 | 316 | 80 |
| Mixed | 118 | 85 | 33 |
| Other ethnic group | 24 | 19 | 5 |
| White | 375 | 255 | 120 |
| Not recorded | 8 | 3 | 5 |
| Total | 985 | 732 | 253 |

Religion:

* denotes figures less than 5 which have been suppressed to avoid disclosure of information about individuals

| Religion | Individuals Impacted | Drawn and Deployed | Drawn only |
|--------------|----------------------|--------------------|------------|
| Buddhist | * | * | * |
| Christian | 431 | 318 | 113 |
| Hindu | * | * | * |
| Jewish | * | * | * |
| Muslim | 279 | 217 | 62 |
| Sikh | * | * | * |
| Other | 20 | 15 | 5 |
| No religion | 236 | 171 | 65 |
| Not recorded | 8 | 4 | 4 |
| Total | 985 | 732 | 253 |

PAVA is used in incidents such as prisoner on prisoner violence, therefore the number of incidents differs from the number of individuals impacted. Data for 2022 is to date (as of 22/11/22).

<https://questions-statements.parliament.uk/written-questions/detail/2022-11-21/hl3585>

The Charity Commission

Decision: Charity Inquiry: Beth Yosef Foundation

... The charity's primary objects are:

- to advance the orthodox Jewish religion, in particular as practised by Sephardi Jews in any part of the world
- to further education, including religious learning, in accordance with the orthodox Jewish religion, in particular as practised by Sephardi Jews, in any part of the world
- to relieve Jewish people, in particular Sephardi Jews, in any part of the world in cases of need, hardship or distress, and
- to further any charitable purposes for the general benefit of Jewish people, in particular Sephardi Jews, in any part of the world ...

The Commission's Regulatory Compliance Team proactively opened a case into the charity on 13 September 2016 because of its failure to submit annual returns and accounts to the Commission since February 2012. ...

Findings ...

Trustees A, B and C ... failed to provide any evidence that their appointments had been made in accordance with the charity's governing document, which consequently raised further concerns about the validity of actions and/or decisions taken by them in the administration and management of the charity. ...

... the trustees relied on Clause 44 (saving clause) of the charity's governing document which states that "directors can act effectively even if there are defects in their appointment". Whilst the saving clause is acknowledged ... additional questions raised relating to their management of conflicts of interest and whether the charity had sufficient numbers of unconflicted trustees to form a quorum. As a result, the inquiry is not convinced of the validity of actions and decisions taken by the trustees with regard to the disposal of the charity's property ...

The charity's lender was also the prospective purchaser ... The inquiry found that the ability of the trustees to effectively operate and manage the charity and avoid conflicts of interest was seriously compromised by the fact that two of the trustees were connected to the lender. Trustee C was the brother-in-law of the lender and trustee A was the lender's aunt. ...

It was additionally discovered that the trustees were linked to another Charity - (Charity A), which had been permitted use of the charity property. Trustee A was recorded on the Register of Charities as a trustee of Charity A ... Trustee B was recorded on the Register of Charities as Charity A's designated contact ... In addition one of Charity A's other trustees was also related to the lender. ...

The charity did not have a conflicts of interest policy and despite the relationships and connections between the parties, the trustees did not consider a conflict of interest existed in their dealings with Charity A or the lender. They did not appear to understand how to identify and manage such conflicts or the importance of doing so, despite having been directed to the Commission's guidance about conflicts of interest ...

The inquiry found the trustees had a serious disregard for, and/or lack of understanding of, the importance of proper financial controls and record keeping. ...

The inquiry found that the trustees consistently failed to meet their statutory reporting requirements to file annual accounts and a Trustees Annual Report within ten months of the charity's financial year ...

The inquiry found that the trustees failed to keep and maintain proper financial records, which is evidenced by the trustees failing to be able to provide sufficient records of their arrangements for unsecured loans and rental income. ...

The inquiry was informed that the charity had entered into a number of unsecured loans with the lender ... relating to the cost of converting the upper floor of the charity's property into residential flats ... which had been completed by Company Z, also owned by the lender. On completion, the flats were managed and rented out on behalf of the charity by the lender's wife and rental payments were collected by the lender. The trustees were unable to provide the inquiry with any records documenting their decision making regarding these matters. ...

The trustees informed the Commission that the charity was effectively dormant and had no income or bank account, however, the inquiry's findings are not consistent with these assertions. ...

Contrary to the trustees' assertions that the charity was dormant and had no income, the inquiry found that the trustees had permitted the lender to renovate the charity property into 6 residential flats, which had been rented out by his company. Rental income had been collected by the lender since at least 2012, which was identified during the valuation process to be in the region of £82,383 pa. The charity trustees did not maintain their own records of rental payments due to the charity. ...

The Commission concluded that there was serious misconduct and/or mismanagement in the charity's administration and management. There was evidence of both poor governance and poor financial management of the charity and its affairs. The inquiry concluded that the trustees had not complied with or fulfilled their duties as trustees under charity law. ...

... the inquiry used its temporary protective power under section to appoint ... [an] Interim Manager ... [who] determined that the charity was not viable. The final account balance,

after settling outstanding liabilities, amounted to £88,498. The IM identified a charity that was willing and able to apply the remaining funds in line with the charity's objects and residual funds were transferred to the receiving charity ...

The Charity was removed from the Register on 21 June 2022 ...

To read the full statement see

<https://www.gov.uk/government/publications/charity-inquiry-beth-yosef-foundation/charity-inquiry-beth-yosef-foundation>

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Israel

House of Commons Written Answers

Israel: Palestinians

Matthew Offord (Conservative) [97559] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, if he will make an assessment of reports that Palestinian patients seeking medical treatment in Israel are forced to pay bribes to the Palestinian Authority.

David Rutley: The wounded and ill in Gaza and the West Bank should be able to access the urgent medical care they need. We are aware that many Palestinians in the West Bank and Gaza face difficulties accessing medical care. In Gaza, we are working with partners to improve cancer diagnoses and support treatment.

<https://questions-statements.parliament.uk/written-questions/detail/2022-11-28/97559>

West Bank: Terrorism

Greg Smith (Conservative) [94875] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what recent assessment he has made of the threats to security of the Lions' Den terror group in the West Bank.

David Rutley: We continue to closely monitor the fragile security situation in the West Bank and continue to monitor developments closely. We must see an end to rising violence and instability. Every Israeli and Palestinian has the right to live in peace and security. We look to all parties to take urgent steps to de-escalate tensions.

<https://questions-statements.parliament.uk/written-questions/detail/2022-11-23/94875>

Foreign, Commonwealth and Development Office

Updated Travel Advice: Israel

<https://www.gov.uk/foreign-travel-advice/israel>

Updated Travel Advice: The Occupied Palestinian Territories

<https://www.gov.uk/foreign-travel-advice/the-occupied-palestinian-territories>

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Relevant Legislation ** new or updated today

UK Parliament

Bill of Rights Bill

<https://bills.parliament.uk/bills/3227>

Education (Non-religious Philosophical Convictions) Bill

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

Higher Education (Freedom of Speech) Bill

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

Marriage Act 1949 (Amendment) Bill

<https://bills.parliament.uk/bills/3325>

**** Online Safety Bill**

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

Report Stage, House of Commons

<https://hansard.parliament.uk/commons/2022-12-05/debates/E155684B-DEB0-43B4-BC76-BF53FEE8086A/OnlineSafetyBill>

Bill as amended on Report

<https://publications.parliament.uk/pa/bills/cbill/58-03/0209/220209.pdf>

Palestine Statehood (Recognition) Bill

<https://bills.parliament.uk/bills/3217>

Private Burial Grounds and Cemeteries Bill

<https://bills.parliament.uk/bills/3188>

Universal Credit (Removal of Two Child Limit) Bill

<https://bills.parliament.uk/bills/3163>

Schools Bill

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

Scottish Parliament

Charities (Regulation and Administration) (Scotland) Bill

<https://www.parliament.scot/bills-and-laws/bills/charities-regulation-and-administration-scotland-bill>

Gender Recognition Reform (Scotland) Bill

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

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