

Political Affairs Digest

A daily summary of political events affecting the Jewish Community

Scottish Council of Jewish Communities

SCoJeC

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House of Commons Business

Anti-Semitism

Bob Blackman: Yesterday I had the privilege of listening to Susan Pollack, the noted holocaust survivor, when she addressed Belmont synagogue and a large group of year 8 students from across Harrow. She asked, “What do you think of when I say, ‘What does a Jew look like?’” There came no answer, yet we have heard about the publication today of the report from CST about the terrible, dramatic increase in the number of anti-Semitic incidents. Can we have a debate in Government time on that report, and more importantly, on what action they will take to stamp down on anti-Semitism?

David Lidington: The best thing I can say is that say all of us, within the Government and outside, were appalled by the reported increase in hate crime. There has been progress in tackling that, but even one case is too many. We have published a new cross-Government hate crime action plan to try to tackle all forms of hate crime, but all of us across the House need to make it clear that Jewish people in Britain, like people from all communities, must be able to live their lives free from fear of either verbal or physical attack. In order to tackle anti-Semitism we need to implement effectively our strong legislation against religious discrimination and racially and religiously motivated crime, but there is also a responsibility on us all as individuals and as members of political parties—and people who have leadership positions in our constituencies—to make it clear in public again and again, if necessary, that anti-Semitism has no place whatsoever in this country.

<https://hansard.parliament.uk/commons/2017-02-02/debates/14B854E8-AC6C-430F-9D97-54B51C383466/BusinessOfTheHouse#contribution-D1E492E6-1A08-4CDA-ABC1-C6A8F84794FF>

House of Commons Oral Answers

Racially Motivated Incidents

3. **Gerald Jones:** What steps she has taken in response to trends in the level of racially motivated incidents since the EU referendum. [908516]

The Minister for Policing and the Fire Service (Brandon Lewis): Hopefully I can say on behalf of the entire House that all Members are clear that hate crime of any description should not and must not be tolerated. We have been working with the police, EU embassies and community groups to monitor the situation, to

provide reassurance and to encourage reporting of racist incidents. Recorded hate crime has now fallen to pre-referendum levels. Police force areas continue to monitor racist incidents on an ongoing basis to ensure that any increases are addressed at the earliest opportunity.

Gerald Jones: I thank the Minister for that answer. Across the UK we saw a rise in hate crime and religiously aggravated offences following the referendum—it was 41% higher in July 2016 than in July 2015. Will he inform the House of what provisions have been put in place to avoid any repetition specifically in relation to the triggering of article 50?

Brandon Lewis: There are a couple of points to make to the hon. Gentleman. We have put in place the Government's new hate crime action plan, which is taking a number of steps, for example, to boost reporting. There is also new guidance for prosecutors and a new fund to ensure that we have protective security measures and additional funding in place for community organisations so that they can tackle hate crime. I also gently say to him that the Labour party should look carefully at this morning's CST report, which clearly indicates a 36% rise in totally unacceptable recorded anti-Semitic crime, related directly to the problems in the Labour party.

Bob Blackman: I thank my right hon. Friend for mentioning the CST report. Clearly, the concern of the Jewish community in this country is that hate crime against Jews is on the rise. He has seen the report and the whole community wants to know what he is going to do about it, so that we stamp out anti-Semitism, once and for all.

Brandon Lewis: My hon. Friend makes a good point. As I have outlined, it is important that we stamp out all forms of hate crime, which is why that action plan was put in place in July by the Home Secretary. We also all need to look at ourselves. It is clear when we look at the CST report that although we should be pleased about people having the confidence to come forward to report crime—the increase in recording is good—a rise in hate crime of any description, particularly a 36% rise such as this one, is disgraceful. I hope Members from across this House will be doing all they can to stamp that out.

Tasmina Ahmed-Sheikh: The Minister will be aware that the European Union has been a beacon of hope and a key proponent of equality for citizens' rights across the globe. Will he categorically confirm to the House not only that the discrimination laws and rights bestowed upon people across the UK will be upheld following a UK exit from the EU, but that citizens living in the UK will not be left behind and have their rights taken hostage by Brexit?

Brandon Lewis: We have been very clear all along that we want not only to stamp out hate crime, but to play an important part in this with our partners right across Europe. Indeed, in the autumn, I spoke at the EU Council on this very issue, and aside from the Commission, we were the only ones from any country to talk about it. We should be proud of the fact that this country has some of the toughest laws in the world on hate crime. Just a few weeks ago, on 19 January, we hosted some 19 countries' embassies to talk to them about what we are doing and what can be done further to drive out hate crime.

<https://hansard.parliament.uk/commons/2017-02-02/debates/3043C304-C9FF-42C2-B496-B186A148C81D/RaciallyMotivatedIncidents>

Hate Crime: Non-UK EU Citizens

3. **Gerald Jones:** What assessment he has made of potential trends in the level of prosecutions for hate crime towards non-UK EU citizens once Article 50 is triggered. [908567]

The Solicitor General (Robert Buckland): The Government are working closely with the police, the Crown Prosecution Service and community organisations to monitor any changes in hate crime levels, and we will continue to do so after the triggering of article 50. However, it is not possible to predict prosecution trends, and the data on the nationalities of victims are not disaggregated.

Gerald Jones: What steps is the CPS taking to improve the conviction rate for hate crimes against disabled people? Does he support the call by the shadow Solicitor General, my hon. Friend the Member for Torfaen (Nick Thomas-Symonds), for parity in the treatment of all protected characteristics in the aggregated offences regime?

The Solicitor General: The hon. Gentleman will be glad to know that rates of disability hate crime prosecution continue to rise. The rise last year was 41.3%, the conviction rate for hate crime being just over 83%. The total number of hate crimes prosecuted last year was 15,442, which is the highest number to date. I do, of course, take very seriously the helpful and sensible submissions made by the shadow Solicitor General.

Seema Kennedy: What steps is the Department taking to prevent the spread of hate crime by the media?

The Solicitor General: As we know, in an age of social media it has become all too easy for perpetrators to spread hate and intimidation. The Crown Prosecution Service takes very seriously offences which cross the line to constitute grossly offensive communications, and prosecutions take place regularly. We will continue to work with social media to ensure that the detection of such crimes can be improved.

<https://hansard.parliament.uk/commons/2017-02-02/debates/35574646-3281-41AC-98B4-9F3035E64F3C/HateCrimeNon-UKEUCitizens>

House of Commons Written Answer

Counter-terrorism

Fiona Bruce [62141] To ask the Secretary of State for the Home Department, pursuant to the holding Answer of 13 June 2016 to Question 39747, on counter-terrorism, when she expects to provide a full Answer.

Sarah Newton: Where appropriate we will make it clear in future documents and legislation that extremism is about the mutual respect and tolerance of people with different faiths and beliefs rather than respect and tolerance for the faiths and beliefs themselves.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2017-01-27/62141/>

The answer referred to above can be read at

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-06-07/39747/>

High Court

Interim Executive Board of X School v HM Chief Inspector of Education, Children's Services and Skills

1. The principal issue in this "rolled-up" application for judicial review is whether a mixed school unlawfully discriminates against its male and/or female pupils by making "parallel arrangements" for their education in the same building (the Claimant's characterisation of what occurs) or by applying a regime of "complete segregation" for all lessons, breaks, school clubs and trips (the Defendant's formulation). Given that there is no evidence that either girls or boys are treated unequally in terms of the quality of the education they receive (in the sense of one sex receiving a lower quality of education than the other), the issue - stripped of any rhetoric - resolves into an important one of principle as to the true construction and application of relevant provisions of the Equality Act 2010 ("EqA 2010"). ...
7. X School is a voluntary aided faith school for boys and girls aged between 4 and 16. It

has an Islamic ethos and, specifically for religious reasons, believes that the separation of boys and girls at a certain point in their development (from Year 5, i.e. for children who have passed their 9th birthdays by 1st September in the relevant academic year) is mandated. ...

10. According to the School's Admissions Criteria ... "the school provides education for boys and girls in parallel gender streams". ... the "most accurate description I would provide of the School is that it operates as if it were two single sex schools on one site". ...

11. The School is not the only Islamic school which operates a similar policy but I was told by Counsel that the majority do not. Of the three great Abrahamic religions, Islam is not alone in this respect because judicial notice may be taken of the fact that a number of Jewish schools with a particular Orthodox ethos do exactly the same (the majority of Orthodox schools do not). Indeed, there is evidence before me of a particular Jewish school, operating on what is described as two campuses, which at its last Ofsted inspection in 2012 was rated "outstanding" across the board. From brief internet research I have gathered that a number of Christian faith schools have similar practices. ...

Conclusion

177. ... I have held that segregation in this School on the ground of sex does not constitute discrimination under sections 13, 23 and 85 of the EqA 2010. ...

To read the full judgement see

<http://www.bailii.org/ew/cases/EWHC/Admin/2016/2813.html#Order>

Manchester Family Court

Judgement: J-v- B and The Children (Ultra-Orthodox Judaism: Transgender)

1. These proceedings concern five children, their parents, and their community. ...

3. Their parents' marriage ended in June 2015, when their father left home to live as a transgender person. She now lives as a woman and has had no contact with the children since she left. ...

4. The community is the North Manchester Charedi Jewish community. The reason why the father has had no contact with the children is to be found in the attitude of the community to people in her position. ...

Assessment and conclusion

162. I find this a very troubling case. These children are caught between two apparently incompatible ways of living, led by tiny minorities within society at large. Both minorities enjoy the protection of the law: on the one hand the right of religious freedom, and on the other the right to equal treatment. It is painful to find these vulnerable groups in conflict. ...

163. A great deal of time has been spent at this hearing on consideration of the laws and customs of the ultra- Orthodox community. This is natural, given that it is the community within which the children live. However, Ms Ball QC and Ms Mann for the father argue that one must not look only through an ultra- Orthodox lens. I agree. Despite its antiquity, Jewish law is no more than 3,500 years old, while gender dysphoria will doubtless have existed throughout the 120,000 years that Homo sapiens has been on earth. Both sides of the question must therefore receive careful attention. ...

187. So, weighing up the profound consequences for the children's welfare of ordering or not ordering direct contact with their father, I have reached the unwelcome conclusion that the likelihood of the children and their mother being marginalised or excluded by the ultra- Orthodox community is so real, and the consequences so great, that this one factor, despite its many disadvantages, must prevail over the many advantages of contact.

188. I therefore conclude with real regret, knowing the pain that it must cause, that the father's application for direct contact must be refused. I will instead make an order for indirect contact. I see no reason why this should not take place four times a year for each child, perhaps coinciding with their birthdays, and with Pesach, Sukkot and Hanukkah ...

189. This outcome is not a failure to uphold transgender rights, still less a "win" for the community, but the upholding of the rights of the children to have the least harmful outcome in a situation not of their making. ...

191. In the light of the response of the schools to this family's situation, I shall send a copy of this judgment to the Minister of State for School Standards at the Department for Education. If change is required (and that is for others to say), responsibility must fall on the shoulders of the schools, the community and the state, and not on the heads of young children.

To read the full judgement see

<https://www.judiciary.gov.uk/wp-content/uploads/2017/01/j-v-b-and-the-children.pdf>

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House of Commons Written Answers

Israel: Bedouin

Tom Brake [61826] To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent representations he has made to the Israeli authorities as a result of the demolition of Umm al-Hiran.

Tobias Ellwood: We have highlighted the significant interest in this issue in the UK with the Israeli authorities, and called on the Israeli authorities and Bedouin community to work together to find a solution that meets the needs and respects the rights of the people affected. This should include a robust planning process that adequately consults and addresses the needs of Israel's Bedouin communities.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2017-01-26/61826/>

Gaza and West Bank: Health Services

Richard Burden [62175] To ask the Secretary of State for International Development, what assessment she has made of the effect of Israel's border restrictions and permit system on urgent medical care for people resident in (a) the West Bank and (b) Gaza.

James Wharton: The availability of some medical supplies and services in the Occupied Palestinian Territories (OPTs) can be restricted by Israeli security procedures. A recent World Health Organisation (WHO) report noted increasing restrictions, notably permit delays or denial, for patients who have been referred for further care outside Gaza and the West Bank. For Gaza this is particularly acute, and is compounded by frequent closure by Egypt of the Rafah crossing, preventing urgent medical cases from seeking treatment in Egypt.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2017-01-30/62175/>

Palestinians: EU Aid

Ian Austin [62399] To ask the Secretary of State for International Development, pursuant to her press statement of 16 December 2016 on future UK support to the Occupied Palestinian Territories, that she intends to channel payments to the Palestinian Authority

directly through the EU's PEGASE mechanism, if she will set out what her policy is on making such payments after the UK leaves the EU.

James Wharton: The UK's ability to use the EU PEGASE mechanism will not be affected when we leave the EU. Non-EU countries are able to channel funding through this mechanism.

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2017-01-30/62399/>

UN Office of the High Commissioner for Human Rights

West Bank: UN rights expert urges the UN Security Council to stop illegal settlements

United Nations Special Rapporteur Michael Lynk has called on the United Nations Security Council and the General Assembly to explore effective diplomatic and political measures to ensure Israeli compliance with Security Council resolution 2334, which affirms that all Israeli settlements in the occupied Palestinian territory constitute a flagrant violation of international law. ...

"If Israel understands that the international community will take no meaningful steps to enforce the Council's resolution, it will continue to intensify its settlement project undeterred," the Rapporteur warned.

"And if the international community intends to preserve what remains of a viable two-state solution, it must not assume that resolutions, critical statements and international conferences alone will change state behaviour in these circumstances," ...

"The policies and practices of the Israeli authorities that suggest an advance towards *de facto* annexation of parts of the West Bank are increasingly alarming," the expert said. ... "Annexation of occupied land likewise is a grave breach of international law,"

To read the full press release see

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21141&LangID=E>

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Relevant Legislation ** new or updated today

UK Parliament

Arbitration and Mediation Services (Equality) Bill

<http://services.parliament.uk/bills/2016-17/arbitrationandmediationservicesequality.html>

Assisted Dying Bill

<http://services.parliament.uk/bills/2016-17/assisteddying.html>

Cultural Property (Armed Conflicts) Bill

<http://services.parliament.uk/bills/2016-17/culturalpropertyarmedconflicts.html>

Lobbying (Transparency) Bill

<http://services.parliament.uk/bills/2016-17/lobbyingtransparency.html>

Organ Donation (Deemed Consent) Bill

<http://services.parliament.uk/bills/2016-17/organdonationdeemedconsent.html>

Promotion of Israeli-Palestinian Peace (United Kingdom Participation)

<http://services.parliament.uk/bills/2016-17/promotionofisraelipalestinianpeaceunitedkingdomparticipation.html>

Wales Bill

<http://services.parliament.uk/bills/2016-17/wales.html>

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Consultations ** new or updated today

Consolidation and revision of the school governance regulatory framework in Wales (closing date 17 February 2017)

<https://consultations.gov.wales/consultations/consolidation-and-revision-school-governance-regulatory-framework-wales>

Racism at work (closing date 27 February 2017)

<https://www.surveymonkey.co.uk/r/RacismAtWork>

Organ and Tissue Donation and Transplantation: increasing numbers of successful donations (Scotland) (closing date 14 March 2017)

<http://www.gov.scot/Resource/0051/00511160.pdf>

The UK's policy towards the Middle East Peace Process (closing date 30 March 2017)

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/foreign-affairs-committee/news-parliament-2015/middle-east-peace-process-inquiry-16-17/>

Adoption and Children (Northern Ireland) Bill (closing date 10 April 2017)

<https://www.health-ni.gov.uk/consultations/adoption-and-children-northern-ireland-bill>

Workplace Diversity (Wales) (closing date not stated)

<https://www.surveymonkey.co.uk/r/wtucdiversity>

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