



# Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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## Home Affairs

### House of Commons Debate

#### Online Anonymity and Anonymous Abuse

*col 956 Siobhan Baillie (Conservative):* ... As it stands, tech companies do not know who millions of their users are. No matter how good their intentions, the lack of basic information means that any attempt to police platforms and bring offenders to justice is a painful process, if it happens at all.

*col 957* Three simple steps would go a long way to prevent, deter and reduce online abuse. First, we should give social media users the option to verify their identity. Secondly, we should make it easy for everybody to see whether or not a user has chosen to verify their identity. ... Finally, we should give users the option to block communication, comments and other interaction from unverified users as a category, if they wish. ...

Some people argue that such moves would undermine freedom of speech, but I disagree. ... what greater impediment to freedom of speech is there than people worrying that what they say online will end up in a death threat or a rape threat? What personal freedoms have been lost through the damage done to mental health by online bullying? How many people have already looked at online abuse and hesitated before applying for public-facing jobs, or not applied at all? My proposals would protect freedom of expression and respect the choice of anonymity, but make it harder for abusers to hide in darkness and give individuals new powers to control how they interact with others. ...

*col 958 Margaret Hodge (Labour):* ... My work challenging Jew-hate reached a climax last autumn, with the publication of the Equality and Human Rights Commission report into antisemitism in the Labour party. Community Security Trust found that my public comments at that time led to 90,000 mentions on social media. The vast majority were abusive, racist and misogynistic.

Let me share just a few; some are very offensive.

“I hope she dies soon. Dumb bitch”;

“nothing but a couple of shit-stirring...cum buckets, bought and paid for by Israel.”

I was told I was a “Mossad agent”, a “Zionist stooge”, a wrinkly “pedo-lover”. “Traitor.” “Snake.”

“Rat.” “Shill.” “Nazi”. This abuse is aggressive, harmful, yet sometimes I have no idea who said it.

Ending anonymity for those who promulgate hate or harm is key to effectively combating it. We must compel social media companies to be able to identify all users. We know that is easily done. ...

**col 960 Lisa Cameron (SNP):** ... Sadly, and as we might expect, antisemitism and extremism are a key concern in relation to online anonymity. Disguising one's identity is not new for extremists, as the Antisemitism Policy Trust pointed out in its briefing on online anonymity. The Ku Klux Klan and others have long sought to cover their faces in order to carry out extreme acts. The internet now offers anonymous abusers and spreaders of radical and violent ideologies a degree of protection by allowing them to hide their identities. Looking at the Community Security Trust's incident statistics for October 2020, nearly 40% of reported antisemitic abuse online during that month came from fully anonymous and partially anonymous users. That is an extremely worrying trend.

Placing sensible checks on anonymity and incentivising against harm from anonymous accounts can help victims regain a sense of control and confidence, and would surely disrupt what are presently significant levels of abuse. ...

**Damian Collins (Conservative):** ... Social media companies too often mistake harmful hate speech for legitimate freedom of expression. ... More needs to be done not just to take down harmful content, but to ensure that social media companies do not amplify it in their systems. ...

**col 963 Jeremy Wright (Conservative):** ... Freedom of speech is not unrestricted in other arenas, and it should not be unrestricted on social media either. That restriction often comes via the criminal law, including online, but there is much we should not tolerate that falls short of criminal behaviour, damaging individuals and damaging us all. ...

**col 967 Rosie Duffield (Labour):** ... We have all seen it in all its disgusting forms all over social media, from trolling, vile language to the use of insulting stereotypes and images. Sadly, though, some forms of racism have been overlooked and even deemed acceptable by many. Racism is not only about the colour of our skin; Islamophobia and antisemitism have shamed political parties in recent years, and the Labour party has been in the spotlight over the recent findings of the Equality and Human Rights Commission.

While I welcome the measures put in place by the leader of my party and the general secretary and his team, many of us have been reporting online abuse by members of our party for several years—personal abuse, sometimes by those with blue ticks themselves, and abuse by party members using anonymous, fake accounts. I know who they are, and it takes only a few seconds to find the posts that they write and share which blatantly clash with the values of this political party.

One of the worst examples for me was the member who mocked up photos and memes of me dressed in the striped clothes worn by Jews in concentration camps. Other members reported his behaviour, yet nothing at all was done until he posted support for a different political party, when he was swiftly expelled. ...

**col 973 Catherine McKinnell (Labour):** ... we have seen that anonymity also has an impact on online hate speech. In October 2020, nearly 40% of reported antisemitic abuse online during that month came from fully anonymous or partially anonymous users. It is a worrying trend, and the Antisemitism Policy Trust has written a really important briefing on this issue, which I encourage the Minister to read. Several studies have shown that anonymity can make user behaviour more aggressive by creating environments less constrained by social norms. ...

**col 977 Charlotte Nichols (Labour):** ... The Community Security Trust noted in its most recent report that 44% of the 789 recorded antisemitic incidents between January and June 2020 occurred online, and the anti-extremism campaign HOPE not hate says that "the far right's use of the web to promote, plan and assist in terrorism is something HOPE not hate has increasingly witnessed in recent years."

The Antisemitism Policy Trust is clear that anonymity encourages conversations to get more

extreme, as it eliminates people's desire to conform to social standards. The lessening of anonymity leads to more dialogue within social norms. Anonymity is the soil—or perhaps the manure—for growing extremism and abuse. ...

**col 985 The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Matt Warman):** ... Let us be clear: free speech is crucial, and a climate of fear creates a crisis for freedom of speech. That is why the Government's online safety Bill is so important. For the first time, the social networks on which so much of this abuse is hosted will be required to enforce terms and conditions that ban abuse and protect free speech. That is important not just for anonymous abuse; it is important in tackling the abuse that is far too prevalent from those who use their real names, too. Abuse online or offline, anonymous or obviously identifiable, is not acceptable, and this Government are balancing the benefits of anonymity for those who need it, free speech and the right of every citizen to feel safe. ...

**col 986** The regulatory framework and the criminal law reforms will better protect all users online while also safeguarding freedom of expression, because it is vital that we get this legislation right. ...

**To read the full transcript see**

<https://hansard.parliament.uk/commons/2021-03-24/debates/378D3CBD-E4C6-4138-ABA6-2783D130B23C/OnlineAnonymityAndAnonymousAbuse>

*The CST report referred to above can be read at*

<https://cst.org.uk/data/file/7/2/Incidents%20Report%202020.1615559608.pdf>

## House of Lords Debate

### Registration of Marriages Regulations 2021

**col 768 The Minister of State, Home Office (Baroness Williams of Trafford):** My Lords, these regulations amend the Marriage Act 1949 to enable the introduction of a schedule-based system for the registration of marriages in England and Wales, which will reform the way in which marriages are registered in the future.

Couples will sign a marriage schedule at their marriage ceremony instead of a paper marriage register, and all marriages will be registered by registration officers in a single electronic marriage register. For marriages taking place in the Church of England or the Church in Wales, after ecclesiastical preliminaries an equivalent document called a "marriage document" will be issued. ...

It should be noted that a schedule system is already in place in Scotland—this has been the case since 1855—and in Northern Ireland. ...

Modernising the registration process facilitates updating the marriage entry to allow for the details of both parents of the couple to be recorded instead of just the father's name and occupation, as is currently the case. ...

**col 769 Baroness Sherlock (Labour):** ... when the marriage document or schedule is signed, the regulations say that the clergyman ... has a legal duty to get it to the local register office within 21 days. ... Can the Minister confirm that the legal duty falls on the clergy person who officiates at the marriage, not the vicar of the church in which it happens, although he or she will also need to keep a record of the marriage? These may not be the same people. A couple may want a particular priest from their childhood or even an ordained parent to take the wedding, who might live at the other end of the country, making it inconvenient to deliver a schedule or document to the local register office. Can the Minister clarify the penalty for not delivering it on time? ...

The training tells officiating clergy that it is their legal duty to get the document or schedule to the register office, but you may "with the consent of the couple, ask someone else, such as a family member, to return it on your behalf." Does this mean that the couple must give their consent for someone other than the priest to deliver the certificate? If someone else

does it, is the officiant still liable if it goes astray? Can it be posted if they are not local? Who is liable if it then does not arrive?

*col 770* ... can the Minister understand how unhelpful it is for this to happen with so little notice and for us to be six weeks from D-day and still with no detailed guidance available? ...

**Lord Hussein (Liberal Democrat):** ... As many of your Lordships are aware, the marriage ceremony in a Muslim wedding is known as the nikah. It can be performed by any Muslim. However, in the UK, an imam from a local mosque is usually asked to perform this duty, and normally he would issue a marriage certificate at the end of the ceremony, but these marriages are not officially recognised until they are registered with the local registrar. ... In some places, the local mosques have arranged with the registrar to join them at a recognised wedding venue and register the marriage on the same day. ... The issue that I have come across is with those wedding ceremonies or nikahs held at a mosque, a wedding hall or at a private residence, where an imam would lead a ceremony and issue a certificate but the registrar is not aware of those weddings and they are not registered with them—hence, those weddings have no legal status.

Since there is no compulsion on registration of a marriage with an official registrar in the religion of Islam, many people do not bother with registration, and thousands of Muslim marriages in the UK are not registered. ... problems strike in cases of post-marriage disputes—over divorces, inheritance, pension rights and so forth. Usually, but not exclusively, it is the female left in a disadvantaged position in such cases. To protect the rights of those engaged in these unrecognised marriages, can the Minister tell the House what steps the Government are taking to work with Muslim faith leaders and local registrars to ensure that all marriages taking place in the UK are formally recognised?

*col 772* **Baroness Uddin (Non-affiliated):** ... my primary focus is to draw the House's attention, as I have done previously, to the hundreds of thousands of unregistered marriages and the detrimental effect of such decisions, which have left countless women in particular and their families, when separated or divorced, facing destitution and without fundamental legal protection and rights. ...

*col 773* ... the Register Our Marriage—ROM—campaign ... is asking the Government to amend and modernise the Marriage Act 1949 and require all persons, regardless of their faith, to register their marriage according to the law of the land. This would send a powerful message and clarity to all parties who enter marriage. It would also remove significant imbalances of power between couples and prevent pain and suffering, as well as enabling legal support. ...

**Lord Paddick (Liberal Democrat):** ... Can the Minister explain why the Government did not take the opportunity to introduce a uniform system across all marriages, whereby the superintendent registrar in the district where the marriage is to be solemnised issues a marriage schedule for a couple and their witnesses to sign at the marriage ceremony, which is then returned for the information to be entered into the electronic marriage register, and a marriage certificate is then issued? Why is an exemption being made for the Church of England and the Church in Wales, whereby a member of the clergy will issue a marriage document instead of the marriage schedule issued by the superintendent registrar? ...

*col 775* **Baroness Williams of Trafford:** ... If the schedule or the document is not returned to the register office within the specific timescale, the superintendent registrar will contact the relevant person to advise that the marriage must be registered and to make arrangements for that to happen. It will be an offence not to return the signed schedule or document to the register office. Regarding what would happen if it gets lost or damaged in the post, if the document is damaged before it has been registered by the registrar general, if they are satisfied that the marriage has been solemnised, they will authorise the schedule document to be reproduced and arrangements will be made with the couple, their

witnesses and the person or persons who officiated at the marriage to sign another schedule or document, so that the marriage can be registered and the marriage certificate issued. ...

The noble Lord, Lord Hussain, and the noble Baroness, Lady Uddin, made very good points about the legality of marriages in the Muslim community. We heard a lot about this issue when considering the Domestic Abuse Bill—people with a niqab not having their marriage legalised, and the problems that that can cause. I recognise the point that was made. ...

**To read the full transcript see**

<https://hansard.parliament.uk/lords/2021-03-23/debates/55673108-136F-4AC8-90B3-7086B537A2A9/RegistrationOfMarriagesRegulations2021>

## House of Commons Written Answers

### Hate Crime

**Naz Shah (Labour)** [171637] To ask the Secretary of State for Housing, Communities and Local Government, how much funding his Department has provided to tackle (a) racism, (b) anti-semitism, (c) Islamophobia and (d) other types of hate crime and prejudices since 2015.

**Eddie Hughes:** All forms of hate crime are completely unacceptable. The Government takes hate crime very seriously which is why we are clear that victims should be supported and the individuals who carry out hateful attacks must be brought to justice. This Department has, since 2015, supplied over £8,130,000 to combat all forms of hate crime and prejudices.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-18/171637>

### Coronavirus: Vaccination

**Imran Ahmad Khan (Conservative)** [169983] To ask the Secretary of State for Housing, Communities and Local Government, what discussions he has had with religious leaders on supporting uptake of the covid-19 vaccine among followers of their religion.

**Eddie Hughes:** Alongside the Minister for Vaccines, MHCLG ministers have met regularly with faith leaders to discuss the rollout of the COVID-19 vaccine, address any concerns raised by leaders and encourage take up throughout religious communities. This has included discussion at the Places of Worship Taskforce and wider faith leader roundtables. We have also encouraged faith leaders to volunteer places of worship to become vaccine sites and support take up in their local community

My Department is also providing regular FAQ updates to faith leaders to be disseminated through their networks, including tackling the spread of disinformation on the vaccine.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-16/169983>

*The following three questions all received the same answer*

### Weddings: Coronavirus

**Stephen Morgan (Labour)** [162681] To ask the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, if his Department will take steps to clarify that weddings with six guests can take place from 8 March 2021 in public-facing communications.

**Alan Campbell (Labour)** [169799] To ask the Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office, if he will issue further guidance on holding weddings during the period of easing the covid-19 lockdown restrictions.

### Marriage

**Tulip Siddiq (Labour)** [170692] To ask the Chancellor of the Duchy of Lancaster and

Minister for the Cabinet Office, what the scientific basis is for the Government's decision to restrict marriage ceremonies to places of worship or public buildings.

**Penny Mordaunt:** Guidance for small marriages and civil partnerships was published on 22 March and can be found here

<https://www.gov.uk/government/publications/covid-19-guidance-for-small-marriages-and-civil-partnerships/covid-19-guidance-for-small-marriages-and-civil-partnerships#wedding-and-civil-partnership-ceremony-venues>

We recognise that any restrictions on wedding venues may be disappointing for those planning such events, but we have to take necessary steps to limit transmission of COVID-19. This includes the closure of some settings and restrictions on social contact, including wedding and civil partnership ceremonies. By their very nature, weddings and civil partnership ceremonies are events that bring families and friends together, making them particularly vulnerable to the spread of COVID-19. We appreciate the sacrifices people have had to make across the COVID-19 pandemic and we do not wish to keep any restrictions in place longer than we need to.

In the [COVID-19 Response - Spring 2021](#), the Government has set out the gradual and cautious approach to reopening in England, guided by science and the data, including the staged return of weddings and civil partnerships, as well as sporting events.

In order to inform the pace and sequencing of the roadmap, the Government commissioned advice and modelling from SAGE and its sub-groups. Scientific evidence supporting the government response to coronavirus is regularly published here

<https://www.gov.uk/government/collections/scientific-evidence-supporting-the-government-response-to-coronavirus-covid-19>

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-03/162681>  
and

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-16/169799>  
and

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-17/170692>

### **Weddings: Coronavirus**

**Adam Holloway (Conservative)** [172027] To ask the Secretary of State for Business, Energy and Industrial Strategy, whether weddings will be restricted to places of worship, public buildings and outdoor settings that are already open at Steps 2 and 3 of the Roadmap.

**Paul Scully:** At Step 2, which will be no earlier than 12 April, weddings and civil partnership ceremonies are permitted for up to 15 people in COVID-19 Secure venues that are permitted to open or where a broader exemption applies. Receptions can take place with up to 15 people in the form of a sit-down meal and in any COVID-19 Secure outdoor venue that is permitted to open. Such receptions must not take place in people's private gardens or public outdoor spaces.

At Step 3, which will be no earlier than 17 May, weddings and civil partnership ceremonies are permitted for up to 30 people in COVID-19 Secure venues that are permitted to open. Receptions can also proceed with up to 30 people in a COVID-19 Secure indoor venue, or outdoors.

Further information on the venues where weddings and civil partnership ceremonies may take place can be found here:

<https://www.gov.uk/government/publications/covid-19-guidance-for-small-marriages-and-civil-partnerships/covid-19-guidance-for-small-marriages-and-civil-partnerships>

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-19/172027>

## House of Lords Oral Answers

### University of Bristol: Jewish Students

**Lord Austin of Dudley (Non-affiliated):** To ask Her Majesty's Government what assessment they have made of the statements by Professor David Miller about Jewish students; and what discussions they have had with (1) the University of Bristol, and (2) the police, about the steps being taken to ensure the safety of such students.

**Lord Parkinson of Whitley Bay:** Universities are independent and autonomous organisations. Accordingly, the Government have not intervened directly in this case, but we consider that the University of Bristol could do more to make its condemnation of Professor Miller's conduct clear to current and future students. Students also can and should inform the police if they believe that the law has been broken. Professor Miller has expressed some ill-founded and reprehensible views and the Government wholeheartedly reject them.

**Lord Austin of Dudley:** Academics do have freedom of speech, including to criticise Israel, but Professor Miller does not have the right to attack Jewish students as being part of an Israel lobby group that makes Arab and Muslim students unsafe. Bristol should not be employing someone to teach students wild conspiracy theories about Jewish people. His behaviour has resulted in Jewish students being subjected to weeks of harassment and abuse. Bristol must support its students and take this much more seriously.

**Lord Parkinson of Whitley Bay:** The noble Lord gets to the nub of the issue with his questions. Academics of course have the right to espouse views that many might find offensive, perhaps even idiotic, and universities should be places where such views can be rigorously and vigorously debated. What makes this case concerning is Professor Miller's comments about his own students, suggesting that their disagreement with his views is because they are political pawns of a foreign Government or part of a Zionist enemy, which has no place in any society. The International Holocaust Remembrance Alliance's definition of anti-Semitism draws the important distinction between legitimate criticism of the Government of Israel and their policies and holding Jews collectively responsible for them. We are glad that the University of Bristol has adopted that definition and we hope that it will consider it carefully.

**Lord Mendelsohn (Labour):** My Lords, I draw attention to my interests in the register, including the fact that I am on the advisory council of the Hillel foundation, which supports Jewish students at universities. Does the Minister agree that the failure of the university's leadership to act to protect its own students, for whom it has a duty of care, breaches three out of the four regulatory objectives of the Office for Students? Can he provide reassurance that that will be taken into consideration in any evaluation by the Office for Students, which would also include addressing and evaluating the performance of the university leadership and confidence in its ability to continue to lead?

**Lord Parkinson of Whitley Bay:** The noble Lord is right to say that providers have a duty of care to students, which the Government expect them to take very seriously. All registered higher education providers, including the University of Bristol, are subject to ongoing conditions of registration with the Office for Students, which is responsible for ensuring compliance with them. In addition, students can notify the Office for Students of any issues that they think may be of regulatory interest to it, and the OfS has provided a guide for students to support them in that process.

**Lord Leigh of Hurley (Conservative):** In a Written Answer to my noble friend Lord Austin last week, my noble friend the Minister said: "All higher education providers should discharge their responsibilities fully and have robust policies and procedures in place to comply with the law".

So will he or the Universities Minister now write to universities who employ the academics

who signed a letter of support for Professor Miller of Bristol University, asking them what action they are taking in respect of those academics, who appear to be supporting Professor Miller's anti-Semitism, as defined by the aforementioned IHRA?

**Lord Parkinson of Whitley Bay:** Universities and other providers are independent institutions, responsible for their own staffing decisions and for meeting their duties under the law, regarding both freedom of expression and equality. However, the Government have been clear that we expect universities to be at the forefront of tackling anti-Semitism and ensuring that they provide a welcoming experience for all students. That is why my right honourable friend the Education Secretary wrote to providers, encouraging them to adopt the IHRA definition, as a result of which, I am pleased to say, more than 50 additional institutions have done so.

**Baroness Ludford (Liberal Democrat):** My Lords, on that point of a welcoming environment for Jewish students, the University of Bristol, in a statement on its investigation, said that its, "clear and consistently held position is that bullying, harassment, and discrimination are never acceptable. We remain committed to providing a positive experience for all our students and staff, including by providing a welcoming environment for Jewish students".

That is not happening at that university and, sadly, at all too many other universities. In a debate in January initiated by the noble Baroness, Lady Deech, who follows me today, she said that some universities were becoming no-go areas for Jewish students. This is surely intolerable. There is a systemic problem here and I should like to hear the Minister say how he is going to tackle that ...

**Lord Parkinson of Whitley Bay:** My Lords, the noble Baroness refers to the important, if dispiriting, debate held in Grand Committee in January this year, looking at instances of anti-Semitism in universities. The Government are very mindful of that, which is why my right honourable friend the Education Secretary has, in his most recent strategic guidance letter, asked the Office for Students to consider a scoping exercise to identify providers that are reluctant to adopt the IHRA definition.

**Baroness Deech (Crossbench):** Sadly, the situation at Bristol has been ongoing for over two years since students first complained and the university has stonewalled until this week. Jewish students have been verbally and physically abused at that university previously. The failure to act shows that anti-Semitism is not taken seriously. Had a professor hurled similar abuse and conspiracy theories at black students, he would have been off campus by the evening. Will the Minister ensure that the relevant student bodies take anti-Semitism as seriously as they do other forms of racism—namely the OfS, the National Union of Students and Universities UK?

**Lord Parkinson of Whitley Bay:** My Lords, the Government most certainly take anti-Semitism seriously and my right honourable friend the Education Secretary's letter also asked the Office for Students to consider introducing mandatory reporting by providers of anti-Semitic incident numbers, with the aim of ensuring a robust evidence base to make sure that appropriate action is being taken.

**Lord Pickles (Conservative):** ... Does my noble friend agree that Bristol University adopting the IHRA working definition on anti-Semitism is only the first step? A work programme would reasonably seek to establish a safe space for Jewish students so that they can learn in a free and open environment. Bristol University has failed to offer safety, reassurance or even the slightest suggestion of competence. Does my noble friend agree that the university must condemn Professor Miller's statement that Jewish students were directed by the Israeli Government and take the necessary action to restore the public's lost confidence in Bristol University?

**Lord Parkinson of Whitley Bay:** I first pay tribute to my noble friend's work on the IHRA definition and getting a number of bodies, including Her Majesty's Government, to sign up to it. He is right that adoption of that working

definition is only a first step. While the Government think it is vital, it is not enough on its own. That is why we continue to work with the sector to make sure that it is doing everything it can to stamp out anti-Semitism.

**Lord Pannick (Crossbench):** ... Has he noted that Professor Miller has suggested that by joining a university Jewish society, students are thereby associating themselves with racism and Islamophobia? Will the Minister note that many students join Jewish societies because they wish to attend religious services or go to parties? They may simply wish to have a nourishing and regular bowl of chicken soup.

**Lord Parkinson of Whitley Bay:** I completely agree with the noble Lord. That suggestion is at the heart of this issue because it implies that Professor Miller can understand the motivations or the political views of Jewish students at the University of Bristol who join a Jewish society. We think that is wrong and very ill-founded, and that is what causes us such concern in this case.

**Lord Bassam of Brighton (Labour):** My Lords, this is an appalling case, but does the Minister share my concern that the Government's proposals for free speech legislation run the risk of protecting statements that are anti-Semitic, offensive and dangerous? Will he clarify the role that the Government expect the free-speech champion to play in cases such as this? What protection and priority will be given to student welfare under the proposals to ensure that Jewish students do feel safe from anti-Semitic abuse?

**Lord Parkinson of Whitley Bay:** My Lords, people go to university to be provoked and challenged and to come into contact with ideas and opinions that may be different from those that they have encountered before. They might find those ideas fatuous or even offensive, but that is part and parcel of the academic experience. Our proposals for a free-speech champion are to ensure that free speech is being protected on campus, that that essential part of university experience is maintained and that universities are balancing their legal obligations to safeguard freedom of expression while also tackling any abuse, harassment or intimidation of students, which is contrary to the law.

<https://hansard.parliament.uk/lords/2021-03-24/debates/45FB14E8-65FF-4C1A-8914-6A288C8441F3/UniversityOfBristolJewishStudents>

*The written answer referred to above can be read at*

<https://questions-statements.parliament.uk/written-questions/detail/2021-02-24/hl13646>

*The Grand Committee debate referred to above can be read at*

<https://hansard.parliament.uk/lords/2021-01-21/debates/5f211e3e-b1da-4b22-ab7f-e7c88599d1f6/GrandCommittee#contribution-C536F148-8F72-4E5E-8B9F-13DB9F36E6F4>

## House of Lords Written Answers

*The following two questions both received the same answer*

### Hate Crime

**Lord Pearson of Rannoch (Non-affiliated)** [HL14049] To ask Her Majesty's Government, further to the answer by Baroness Williams of Trafford on 5 December 2018 (HL Deb, col 1019), whether the definition of a hate crime used by the police and Crown Prosecution Service has been (1) debated, and (2) approved, by Parliament; and if so, when.

**Lord Pearson of Rannoch (Non-affiliated)** [HL14050] To ask Her Majesty's Government, further to the answer by Baroness Williams of Trafford on 5 December 2018 (HL Deb, col 1019), how many UK citizens have a non crime hate incident registered on their police record but have not been (1) charged with, or (2) found guilty of, such an offence.

**Baroness Williams of Trafford:** The police and Crown Prosecution Service define and record hate crime as "any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race

or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.”

This definition has been produced for operational purposes. Any arrest, charge or prosecution taken forward by the police or Crown Prosecution Service must relate to a criminal offence laid out in legislation that has been approved by Parliament. Information on how many UK citizens have a hate crime registered on their police record but have not been (1) charged with, or (2) found guilty of, such an offence is not held centrally.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-09/hl14049>

and

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-09/hl14050>

*The answer referred to above can be read at*

<https://hansard.parliament.uk/lords/2018-12-05/debates/49F2CB46-26D3-4D04-9FCD-A30804DB1FC9/ReligiousHateSpeech#contribution-629B0994-C119-47BC-B5A9-DF1C81C9059B>

## Court of Session

### **Judicial Review of the closure of places of worship in Scotland**

[1] The petitioners, Reverend Dr William Philip and 26 others, are ministers and church leaders of Christian churches of various protestant denominations ... They challenge, by judicial review, the lawfulness of the enforced closure, in January 2021, of places of worship in Scotland. That closure was a response by the respondents, Scottish Ministers, to the risks posed by Covid-19, and specifically the new variant B.1.1.7 which emerged towards the end of 2020. The case raises two issues: (1) the extent, if any, to which the respondents have the constitutional power, at common law, to restrict the right to worship in Scotland; and (2) whether the closure is an unjustified infringement of the human rights of the petitioners and others to manifest their religious beliefs, and to assemble with others in order to do so, in terms of articles 9(2) and 11 of the European Convention on Human Rights (ECHR). ...

[3] It is of course now well known that the respondents have stated an intention to permit public worship with effect from 26 March 2021, and so, at least if that statement of intention is made good, the outcome of this case will have little immediate practical effect in the short term. Nonetheless, the issues raised are of importance, since there have been previous church closures; and for aught yet seen, there may be future lockdowns. ...

[6] The respondents do not dispute that the petitioners' religious beliefs ... However, they argue ... that, at the time the Regulations were made, they were a necessary and proportionate measure in response to the new variant and accordingly that they impose acceptable restrictions on the ECHR rights of the petitioner and of the additional party. ...

[112] Other options short of full closure were also considered. One option (option B) was to reduce the number of persons who could attend a place of worship but that was not recommended, on the basis that it would make little difference to the level of risk in public health terms - a clear acknowledgment, read in context, that the risk was already small. ... no real consideration was given to whether steps short of a compulsory closure of all places of worship might achieve the same end and in particular no consideration was given to whether guidance might suffice. ... Professor Leitch ... lists a number of fears about the consequences of allowing people to attend places of worship: for example, that they may use public transport; they may car share; they may congregate outside. ... he develops this theme by saying that there is more risk of catching or passing on the virus

by going to a supermarket, a bank and a place of worship than if one only goes to the supermarket. However, the matters ... could easily have been covered by guidance (as car-sharing is) and it is not at all obvious why it should necessarily be assumed that the public (particularly, that section of it which attends places of worship, as opposed to those celebrating a sporting success, say) will not pay heed to, or will disregard, government guidance. ... a desire not to risk stakeholder relations ... and the taking of a difficult decision out of the hands of the vulnerable ... cannot, in my view, justify the extreme restriction which was imposed, when other options were available ...

[115] I conclude that the respondents have failed to show that no less intrusive means than the Regulations were available to address their aim of reducing risk to a significant extent. Standing the advice they had at the time, they have not demonstrated why there was an unacceptable degree of risk by continuing to allow places of worship which employed effective mitigation measures and had good ventilation to admit a limited number of people for communal worship. They have not demonstrated why they could not proceed on the basis that those responsible for places of worship would continue to act responsibly in the manner in which services were conducted, and not open if it was not safe to do so; in other words, why the opening of churches could not have been left to guidance. ...

[119] Given the relatively low number of instances of persons with Covid-19 known to have attended a place of worship (in comparison with other activities) it is not clear to me that the blanket closure of all places of worship can be said to have contributed to a material reduction in risk. ...

[121] It is impossible to measure the effect of those restrictions on those who hold religious beliefs. It goes beyond mere loss of companionship and an inability to attend a lunch club.

[122] The fact that the Regulations are backed by criminal sanctions is also a relevant consideration. Were the petitioners to insist on manifesting their beliefs, in accordance with their religion, they would be liable to be met with a fine of up to £10,000, a not insignificant penalty. ...

[127] For all these reasons, I have concluded that the Regulations do constitute a disproportionate interference with the article 9 right of the petitioners and others. ...

[128] ... for the same reasons I therefore find that the Regulations are also a disproportionate interference with the petitioners' and additional party's constitutional rights. ...

**To read the full opinion see**

<https://www.scotcourts.gov.uk/docs/default-source/cos-general-docs/pdf-docs-for-opinions/2021csoh032.pdf?sfvrsn=0>

## Welsh Parliament Ministerial Statement and Q&A

### **Statement by the Deputy Minister and Chief Whip: The Wales Race Equality Action Plan—an anti-racist Wales**

**295 Deputy Minister and Chief Whip (Jane Hutt):** ... The race equality action plan for Wales—an anti-racist Wales sets out a series of goals and actions designed to improve the outcomes for black, Asian and minority ethnic people in Wales. ...

**296** The detail and scale of the race equality action plan is bold, to reflect our ambitious and radical vision for Wales—a vision of a Wales that is anti-racist. Not non-racist, not more equal—a Wales in which there is zero tolerance for racism in all its forms. Taking this stance is vitally important to our black, Asian and minority ethnic stakeholders and communities because it provides for an active and conscious understanding that our society is structured in a way that excludes ethnic minorities. An anti-racist stance challenges the status quo and rebuilds systems for the benefit of us all. Anti-racism shifts the burden of racism from the victims to everyone in society. There will be many people in Wales who do not consider themselves racist, but anti-racism requires us all to make a

conscious, active effort to call out racism wherever we see it. Simply standing by and staying silent is not enough. Taking an anti-racist stance sets the race equality action plan apart from any other policy intervention of this kind, either previously in Wales, or across the UK. ...

**306 Laura Anne Jones (Conservative):** ... I believe that a lot of racism is generational and will die out naturally. ...

**307** We will need, obviously, very real innovative thinking and multiple partnership working to ensure that we get to the root of these systematic inequalities, and that we work in partnership with our local communities, our local authorities and community leaders to ensure that all backgrounds, all cultures, people of all languages within our communities engage with one another, and have opportunities to integrate naturally. ...

**310 Jane Hutt:** What we're doing also, I think, importantly, is actually setting out deliverable and achievable actions to tackle racism and inequality. ...

**311** This plan is about fairness. It's about ensuring that everyone is entitled to equal treatment and equal services, but the experiences of black, Asian and minority ethnic people in Wales, and years of data ... show that it's simply not happening. ...

**320 John Griffiths (Labour):** ... although there's been a lot of identification of the problems, we still don't have enough statistics really in terms of the prejudice, the discrimination, faced by our ethnic minorities here in Wales. ... if we don't know our starting point and we're not able to measure the progress that we've made through the action plan, then, we're not in a position to comment effectively on its effectiveness ...

**To read the full transcript see**

<https://record.senedd.wales/Plenary/11187#A65552>

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## Israel

### House of Commons Written Answer

#### **Palestinians: Farmers**

**Stephen Timms (Labour)** [169781] To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what support his Department is providing to Palestinian farmers in Area C of the West Bank to help them to remain on their land.

**James Cleverly:** We regularly call on Israel to halt the expropriation of land in the West Bank, and to improve Palestinians' route to securing building permissions for homes and infrastructure, including agriculture and farming, in Area C. The UK continues to support Palestinians to stay on their land, including through the West Bank Protection Consortium which provides essential infrastructure for vulnerable Palestinians in Area C; and funding legal aid which helps Palestinian communities challenge eviction and demolitions decisions in the Israeli legal system. Officials from the British Consulate Jerusalem regularly visit communities in Area C to show UK support for those communities at risk of evictions and demolitions.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-16/169781>

### House of Lords Written Answers

*The following two questions both received the same answer*

#### **Occupied Territories: International Criminal Court**

**Baroness Deech (Crossbench)** [HL14032] To ask Her Majesty's Government, further to the International Criminal Court's (ICC) decision on 5 February that its jurisdiction extends

to the Occupied Palestinian Territories, what assessment they have made of the implications of that decision for (1) the legitimacy of the ICC, and (2) the enforcement of its subsequent rulings.

**Baroness Deech (Crossbench)** [HL14033] To ask Her Majesty's Government what assessment they have made of the implications for the Israel and Palestine peace process of the decision by the International Criminal Court (ICC) on 5 February that the ICC's jurisdiction extends to the Occupied Palestinian Territories.

**Lord Ahmad of Wimbledon:** We respect the independence of the ICC, and we expect it to exercise due prosecutorial and judicial discipline.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-09/hl14032>

and

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-09/hl14033>

*The decision referred to above can be read at*

[https://www.icc-cpi.int/CourtRecords/CR2021\\_01165.PDF](https://www.icc-cpi.int/CourtRecords/CR2021_01165.PDF)

*A partly dissenting decision from Judge Péter Kovács can be read at*

[https://www.icc-cpi.int/RelatedRecords/CR2021\\_01167.PDF](https://www.icc-cpi.int/RelatedRecords/CR2021_01167.PDF)

*A partly separate decision from Judge Perrin de Brichambaut can be read at*

[https://www.icc-cpi.int/RelatedRecords/CR2021\\_01166.PDF](https://www.icc-cpi.int/RelatedRecords/CR2021_01166.PDF)

### **Palestinians: Politics and Government**

**Baroness Janke (Liberal Democrat)** [HL14047] To ask Her Majesty's Government what representations they are making to the government of Israel about their imprisonment of Palestinian politicians ahead of the Palestinian elections due to be held in May.

**Lord Ahmad of Wimbledon:** We welcome President Abbas' announcement of dates for legislative and Presidential elections in the Occupied Palestinian Territories for the first time since 2006. Elections are an important and necessary step towards democratic renewal and strong, inclusive and accountable Palestinian institutions, based on respect for the rule of law and human rights. We urge all parties, including all Palestinian political groups and the Israeli government, to play their part in delivering free, fair, credible and peaceful Palestinian elections.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-09/hl14047>

### **Palestinians: Children**

**Baroness Janke (Liberal Democrat)** [HL14046] To ask Her Majesty's Government what assessment they have made of the report by Defence for Children International Isolated and Alone, published in December 2020; and, in particular, the finding that Palestinian children are routinely detained in solitary confinement for an average of more than 14 days for interrogation purposes.

**Lord Ahmad of Wimbledon:** We are aware of the Defense for Children's report entitled, 'Isolated and Alone: Palestinian children held in solitary confinement by Israeli authorities for interrogation'. We remain committed to working with Israel to secure improvements to the practices surrounding children in detention and regularly raise this with the Israeli Ministry of Justice, most recently on 23 February 2021. Our Embassy in Tel Aviv will continue to have a regular dialogue with Israel on this issue. We also fund projects providing legal aid to assist children with legal representation and capacity building assistance to local lawyers. We continue to call on the Israeli authorities to comply with their obligations under international law.

<https://questions-statements.parliament.uk/written-questions/detail/2021-03-09/hl14046>

*The report referred to above can be read at*

[https://d3n8a8pro7vhmx.cloudfront.net/dcipalestine/pages/5323/attachments/original/1607223782/Solitary\\_Report\\_2020\\_05DEC2020.pdf](https://d3n8a8pro7vhmx.cloudfront.net/dcipalestine/pages/5323/attachments/original/1607223782/Solitary_Report_2020_05DEC2020.pdf)

## UN Office of the High Commissioner for Human Rights

### **Human Rights Council Renews Mandate of Special Rapporteur on the Environment, Adopts Resolutions on Sri Lanka, Nicaragua, Occupied Palestinian Territory, and on Unilateral Coercive Measures**

... In a resolution (A/HRC/46/L.31) on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice ... the Council demands that Israel cease its policy of transferring prisoners from the Occupied Palestinian Territory into the territory of Israel, and respect fully its obligations under article 76 of the Fourth Geneva Convention, the Council calls upon Israel, the occupying Power, to comply immediately with its international law obligations to the protected occupied population, and ensure non-discriminatory access to vaccines for immunization against the coronavirus disease (COVID-19) in the Occupied Palestinian Territory, including East Jerusalem, including in coordination with the Government of the State of Palestine. The Council urges Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socioeconomic and humanitarian situation, particularly in the Gaza Strip. The Council further urges Israel to ensure that any arrest, detention and/or trial of Palestinian children is in line with the Convention on the Rights of the Child, including by refraining from holding criminal proceedings against them in military courts that, by definition, fall short of providing the necessary guarantees to ensure respect for their rights and that infringe upon their right to non-discrimination. The Council also emphasizes the need to ensure that all those responsible for violations of international humanitarian law and international human rights law are held to account through appropriate, fair and independent national or international criminal justice mechanisms, and to ensure the provision of effective remedy for all victims, including full reparations, and stresses the need to pursue practical steps towards these goals to ensure justice for all victims and to contribute to the prevention of future violations. ...

**To read the full press release see**

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26938&LangID=E>

**Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice (A/HRC/46/L.31)**

<https://undocs.org/A/HRC/46/L.31>

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

### **UK Parliament**

#### **Animal Welfare (Sentencing) Bill**

<https://bills.parliament.uk/bills/2622>

#### **Assisted Dying Bill**

<https://bills.parliament.uk/bills/2592>

#### **\*\* Domestic Abuse Bill**

<https://bills.parliament.uk/bills/2709>

Third Reading, House of Lords

<https://hansard.parliament.uk/lords/2021-03-24/debates/D7FA1B25-208B-4A89-974D-982C78A4B250/DomesticAbuseBill>

## **Education (Assemblies) Bill**

<https://bills.parliament.uk/bills/2579>

## **Freedom of Speech (Universities) Bill**

<https://bills.parliament.uk/bills/2820>

## **Genocide Determination Bill**

<https://bills.parliament.uk/bills/2621>

## **Marriage Act 1949 (Amendment) Bill**

<https://bills.parliament.uk/bills/2608>

## **Marriage (Approved Organisations) Bill**

<https://bills.parliament.uk/bills/2537>

## **Marriage (Authorised Belief Organisations) Bill**

<https://bills.parliament.uk/bills/2795>

## **Marriage and Civil Partnership (Minimum Age) Bill**

<https://bills.parliament.uk/bills/2584>

## **Scottish Parliament**

### **Post-mortem Examinations (Defence Time Limit) (Scotland) Bill**

<https://beta.parliament.scot/bills/post-mortem-examinations-defence-time-limit-scotland-bill>

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## **Consultations**

\*\* new or updated today

**\*\* closes in 5 days**

**The future of the [Welsh Government] Equality and Inclusion Funding Programme**  
(closing date 30 March 2021)

<https://gov.wales/future-equality-and-inclusion-funding-programme>

**Evidence for Equality National Survey (EVENS): Documenting the Lives of Ethnic and Religious Minorities in a Time of Crisis** (closing date 11 May 2021)

[bit.ly/evensurvey](http://bit.ly/evensurvey)

**Social Distance, Digital Congregation: British Ritual Innovation under COVID-19**  
(closing date not stated)

<https://bric19.mmu.ac.uk/take-the-survey/>

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