

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Cabinet

16 June 2020

TITLE:	Adoption of the IHRA Working Definition of Antisemitism
PORTFOLIO HOLDER:	Councillor Tony Hall - Portfolio Holder for Customer Services
CONTACT OFFICER:	Mark Forrester - Head of Democratic & Community Services
WARDS INVOLVED:	None specific

Appendices Attached – Appendix 1: IHRA definition of antisemitism.

1. Reason for the Report

- 1.1 To enable the Council to consider adoption of the International Holocaust Remembrance Alliance's ("IHRA") definition of antisemitism.

2. Recommendation

- 2.1 That the Council should adopt the IHRA definition of antisemitism, together with its illustrative examples, incorporating it as an appendix to the Council's Equality and Diversity Policy.

3. Executive Summary

- 3.1 On 12 December 2016, the UK Government formally adopted the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism (together with the IHRA 'illustrative examples' of antisemitism). Following its adoption of the definition the UK Government wrote to all Local Authorities in January 2017 inviting them to adopt the definition.
- 3.2 Adoption of the definition would signal our support for the elimination of antisemitism and our support for individuals who have suffered from it and bring us into conformity with the Government and many other public bodies.
- 3.3 The IHRA definition of antisemitism, together with its illustrative examples, can be incorporated as an appendix to the Council's Equality and Diversity Policy.

The definition and examples can then be used as a resource when training staff and members.

4. **How this report links to Corporate Priorities**

- 4.1 Aim 1: To help create a safer and healthier environment for our communities to live and work.

5. **Alternative Options**

- 5.1 To adopt the IHRA definition and examples. (Recommended)
5.2 To adopt an emended version of the IHRA definition and/or examples. (Not recommended as the Equality and Diversity Policy is common to the Alliance Councils)
5.3 To not adopt the IHRA definition. (Not recommended)

6. **Implications**

6.1 Community Safety - (Crime and Disorder Act 1998)

Offences involving antisemitic hostility are prosecuted within the framework of the legislation dealing with racially or religiously aggravated hate crime. The Council through its Community safety partnership works closely with the Police service.

6.2 Workforce

The definition and illustrative examples can be used as training material for staff.

6.3 Equality and Diversity/Equality Impact Assessment

Adoption of definition and examples makes clear the Council's commitment to tackle antisemitism.

6.4 Financial Considerations

No implications.

6.5 Legal

There are no specific legal implications.

6.6 Climate Change

No implications.

6.7 Consultation

No specific consultation is recommended.

6.8 Risk Assessment

Failure to adopt the definition and examples as requested could lead to reputational damage.

MARK TRILLO

Executive Director (People) and Monitoring Officer

Web Links and Background Papers

Contact details

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7. **Detail**

- 7.1 On 12 December 2016, the UK Government formally adopted the International Holocaust Remembrance Alliance's (IHRA) working definition of antisemitism (together with the IHRA 'illustrative examples' of antisemitism). Following its adoption of the definition the UK Government wrote to all Local Authorities in January 2017 inviting them to adopt the definition and many have done so.
- 7.2 Adoption of the definition would signal our support for the elimination of antisemitism and our support for individuals who have suffered from it. Though the Council has received no reports of antisemitism locally it is known that incidents nationally are increasing. Through our community safety partnership the Council links to the Police in relation to hate crime and our current policies cover our equality duties and Codes of Conduct for staff and councillors.
- 7.3 There is no specific offence or definition of 'antisemitism' in the law of England and Wales. Instead, offences involving antisemitic hostility are prosecuted within the framework of the legislation dealing with racially or religiously aggravated hate crime. Case law has decided that Jews are members of a racial group and a religious group. The legal framework for hate crime is contained primarily in the Crime and Disorder Act (CDA) 1998 and the Criminal Justice Act (CJA) 2003.
- 7.4 The Equality Act 2010 brought together legislation that has been made over the previous 40 years, simplified it and added more protection to vulnerable groups. The Council's Equality and Diversity Policy was designed to be in conformity with the Equality Act. One of the arguments at the time the Act passed through parliament was that the legislation did away with the hierarchy of discrimination and separate schemes such as those relating to Disability, Gender and Race Equality.

- 7.5 Adoption of the definition, and more specifically the adoption of the IHRA illustrative examples of antisemitism, has become highly politicised. A number of organisations and individuals have voiced their concern about a risk that legitimate criticism of the actions of the Israeli state in the Palestinian territories could be construed as being antisemitic. Consequently while accepting the definition some organisations have not adopted the illustrative examples or have developed their own illustrative examples. There have been accusations that organisations were being antisemitic by not adopting the IHRA definition and the associated examples in full.
- 7.6 Adoption of the IHRA definition would bring the Council into conformity with Central Government and many other public bodies and avoid criticism over failure to adopt the definition.
- 7.7 It is proposed that the Council should adopt the IHRA definition of antisemitism, together with its illustrative examples, incorporating it as an appendix to the Council's Equality and Diversity Policy. The definition and examples can then be used as a resource when training staff and councillors.