HOUSE OF COMMONS

Women and Equalities Committee

Oral evidence: Antisemitism, HC 1469

Wednesday 5 September 2018

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Watch the meeting

Members present: Mrs Maria Miller (Chair); Tonia Antoniazzi; Sarah Champion; Philip Davies; Jess Phillips; Mr Gavin Shuker; Tulip Siddiq.

Questions 1–63

Witnesses

I: Laura Marks OBE, Co-chair, Association of Jewish Women's Organisations, Dave Rich, Head of Policy, Community Security Trust, Danny Stone, Director, Antisemitism Trust, and Dr Loretta Trickett, Associate Professor, Nottingham Trent University.

II: Detective Chief Superintendent Simon Rose, Metropolitan Police, Chief Superintendent Dave Stringer, Metropolitan police, and Baljit Ubhey, Director of Prosecution Policy and Inclusion, Crown Prosecution Service.

Examination of witnesses

Witnesses: Laura Marks, Dave Rich, Danny Stone and Dr Loretta Trickett.

Chair: May I take this opportunity to welcome our witnesses and all those watching in the Public Gallery, online and on the TV? Today's session is an opportunity for the Committee to consider the subject of antisemitism and communities. It has been planned for quite a while, and it was planned as a one-off session. We very much decided to focus today on issues that perhaps receive less attention, such as antisemitic hate crime, responses to that by the police, prosecutors and community organisations, and the support available for victims. We have two excellent panels of witnesses to hear from, and we thank you very much for taking the time to be with us today to share your thoughts. We will run this session in the usual way, with questions from Members, and Tulip is going to start.

Q1 **Tulip Siddiq:** I thank the witnesses for coming in. My first question is about statistics we have showing that the number of recorded antisemitic incidents has risen over the past decade and tripled since 2007. That is certainly the case in my constituency of Hampstead and Kilburn, where hate crime has increased significantly. What do you think has caused that increase, and what impact has it had on Jewish communities? Laura, we will start with you.

Chair: Could I just ask the witnesses, the first time they speak, to say their name and which organisation they come from?

Laura Marks: I am Laura Marks. I work primarily as a consultant in the interfaith world, and I also chair the Holocaust Memorial Day Trust and I represent the Association of Jewish Women.

Dave Rich: I am Dave Rich from the Community Security Trust.

Danny Stone: I am Danny Stone. I run the Antisemitism Policy Trust and we provide the secretariat to the all-party group against antisemitism.

Dr Trickett: I am Dr Loretta Trickett from Nottingham Trent University and Nottingham Law School, and I am an associate professor with an expertise in hate crime.

Chair: Great. Does anybody want to tackle Tulip's question?

Laura Marks: I am happy to start, but I will hand over to Dave to talk about the figures and scale of the issues, because he is much better equipped than I am. I would like to talk about how people are feeling about this issue. Personally, the easiest example I have of it is from about four years ago after, I think, after the Paris attacks, when I was asked on the radio, "Is it true that the Jews are packing their bags?" It was a whole thing about Jews packing their bags, and I said, "This is absolute nonsense", which I believed. I think there has been a tide change in the Jewish community. Whether or not people are "packing their bags," I don't

know; people are not packing their bags, but there is an uneasiness in the community that is palpable and very different from even three or four years ago. I think we see that around us all the time. Nobody is talking about anything much else, and that is very depressing, because all sorts of other fantastic things are going on in the Jewish community and there are other big issues in Britain that we need to be talking about.

Briefly, I would also say that the Jewish community is not the only community that is facing this, and most of the work I do is with the Muslim community. I think it is very important that we do not compare them—they are not the same, and one isn't better or worse, but I do think it is worth putting it into the context of what is going on in the world today.

Q2 **Tulip Siddiq:** Could you talk a bit about the statistics that I have mentioned that have increased over the past decade, and in particular the fact that the number of recorded incidents has tripled since 2007?

Dave Rich: The number of antisemitic incidents that we have recorded at CST has definitely gone up significantly over the past two years compared with five or six years ago. We take reports of antisemitic hate incidents and hate crimes from victims, witnesses and our own volunteers—we have more than 2,000 volunteers across the country from Jewish organisations. We also have a national information-sharing agreement with the police, and we only record incidents where there is evidence of antisemitic motivation, targeting or content to the incident itself. We leave around a third of the potential incidents that come to us out of our statistics because they do not show that evidence.

Last year we recorded around 1,400 antisemitic incidents across the calendar year. That was the highest we have ever recorded. The previous year we recorded around 1,360, which at that point was the highest annual total we had ever recorded. Prior to that, if you go back to 2011-12, we were recording perhaps 500 or 600 a year. Since April 2016, we have recorded more than 100 antisemitic incidents UK-wide every single month bar two. To put that in context, in the decade prior to April 2016 we recorded more than 100 incidents a month only six times—so six times in 10 years to every month bar two in more than two years.

Previously, when we had a record total and a big increase in a year, it was normally because there was a single identifiable trigger event that caused that big spike. In 2014 we had a record year and there was the war in Gaza. Around half the incidents that year took place in July and August when that war happened. The previous record total was in 2009—again, there was a war in Israel and Gaza. But since 2016 and 2017 there has not been a single comparable trigger event, and the incidents have not been clustered chronologically within a month or two; they have been spread throughout the last two years month after month.

We feel that is in response to a general atmosphere in politics and in wider society in which not just antisemitism but many different forms of bigotry and xenophobia have perhaps been more prominent in public life, and

people feel more confident expressing views that previously they may have kept to themselves. Also, because the issue of antisemitism has been so prominent—it has become a national media and political issue and has been on the front pages—that excites antisemites. It gives them confidence. I have to say, it also motivates victims to be more likely to report, because they see that the issue is being taken more seriously. There are those two trends. We definitely feel that the figures show that over the past two years we have been in a different place from where we were four or five years ago when it comes to antisemitism.

Q3 **Tulip Siddiq:** Danny, I am going to vary the question slightly for you. I have been with you when you have taken MPs from different political parties on away days for the all-party group against antisemitism. We have visited areas with big Jewish communities, whether that is JW3, the Union of Jewish Students or North West London Jewish Day School. I have seen at first hand the impact of children as young as four having to practise emergency drills, and the structures outside buildings. The areas we visited had big Jewish communities. What has the impact been on less populous Jewish communities? Obviously, the smaller communities are being affected, but we hear less about those. Could you offer some insight into how those communities are coping, where there is not a big structure around them?

Danny Stone: Certainly, from what I have heard and read, they make do. The Scottish Jewish community, which predominantly is in Glasgow and used to be a very big community but has reduced somewhat, has good relations with the police but is very concerned that there are no security plans or procedures for their high holy day events, and their religious and community events. They fed that into the 2015 all-party group's inquiry report. In the smaller communities, there is concern perhaps that police might not be finely attuned in a given area to their particular needs.

I want to come back more broadly on the question. The CST records antisemitic incidents, but it has also done a report with the Institute for Jewish Policy Research that looked at antisemitic attitudes. A number of antisemitic attitudes, tropes and statements were put to individuals; if someone agreed with seven or eight of the statements put to them, they were considered an antisemite, but if they agreed with one, they were considered to have accepted an antisemitic idea. Overall, it thought that 2.4% to 5% of the UK population could be considered antisemites, and that 30% of the population might be considered to hold an antisemitic idea as true. As antisemitism has been in the news, I expect that that number will probably grow.

Of course, social media—to talk about impact—makes everything feel much closer and more personal. On people discovering antisemitism, 30% of people hold an antisemitic idea to be true, so the chances of an individual going on their phone or on Twitter and discovering an antisemitic comment, or having one directed at them, is that much greater. That increases the sense of fear.

Q4 **Tulip Siddiq:** Dr Trickett, could you give us some insight into why the

number of antisemitic incidents has increased so much? I know that others have touched on that, but anything from your point of view, and on the impact it has had, would be helpful.

Dr Trickett: I have just got back from a conference in Sarajevo, where I was giving a paper to the European Society of Criminology on misogyny. What I would say is that I think that Jewish people face old prejudices, which they have faced for a number of years, and now, because of social media and the political climate, there are new forums for spreading them—the internet being one.

What is worrying is that you are seeing a trend in younger people picking up on some of that. We have also seen it in football and in different settings. There is a lot of distortion as well about some of the conflicts that we heard about earlier, and we have had the coverage of the Labour party, which has dominated headlines more recently.

People are also sometimes more intolerant, or feel that they can be more intolerant about people's religions, particularly if they do not practise themselves. We are seeing those people, who have always had those views, feeling emboldened by world politics and what is happening.

What I was alarmed about, having previously had some experience with the National Holocaust Centre in Nottinghamshire, was that there was a presenter from Germany at the conference in Sarajevo who was doing some research on antisemitic views among schoolchildren in Germany. She was saying that those views are on the rise, and we are seeing the rise of the far right across Europe and elsewhere in politics. All those factors are coming into play.

CST do some amazing work, and we are very lucky to have them doing that work here in the UK. To pick up on what Danny was saying, it also depends on where communities are. Some of the greater concentrations of Jewish communities are in London—some of the boroughs of London—and in Greater Manchester, for example, but where you have pockets of people elsewhere, in smaller communities, that is more problematic because they can feel even more isolated and more persecuted as a result. It is a complex problem.

Q5 **Tulip Siddiq:** Dave, do the statistics or any of the information that DST has indicate that the perpetrators of the crime tend to be younger? Is there a trend? I am concerned about what Dr Trickett just said about the younger generation becoming more antisemitic—not the whole of the younger generation, but the younger generation in general. Is there any record or trend to show that there are more young perpetrators of the crime at the moment, or are there no statistics to indicate that?

Dave Rich: We divide and publish statistics on offenders according to whether they are minors or adults, and sometimes that is based on specific knowledge of their age, but quite often it is based on the evidence given to us by the victims or the witnesses. That division between minors and adults has been pretty constant over a number of years—it is not really changing. There is probably underreporting of antisemitic incidents

from minors in the Jewish community, particularly from Jewish schoolchildren, so that section of our statistics might be more underreported than others, but the trend has not really changed over the years.

Q6 **Tulip Siddiq:** The CST classifies antisemitic incidents in six categories, from extreme violence to antisemitic literature. In your opinion, are there any types of incidents that fall below the threshold for criminal offences? Do you feel there are types of behaviour that are not currently criminalised that should be criminalised?

Dave Rich: There are definitely examples of antisemitic behaviour that fall below the criminal threshold. We record hate incidents and hate crimes in one set of statistics, which is where we differ from the police. Some of the incidents that we record definitely will have been reported to us by people who feel very offended and hurt by antisemitic language or behaviour but would not actually meet the threshold for prosecution. Whether that threshold should be lowered to incorporate that behaviour is a separate question. I imagine that lowering the threshold would meet quite a bit of resistance. The bigger challenge is to have the existing laws applied as vigorously and consistently as possible, especially online.

Q7 **Tulip Siddiq:** The CST helped me a lot when I, despite not being Jewish, was the victim of antisemitic abuse. Do you believe that the Malicious Communications Act is fit for purpose for dealing with antisemitic abuse on social media? I hear what you say about existing laws being applied, and I agree, but is there anything that Act does not include that you think it should include?

Dave Rich: The Law Commission is looking at this area at the moment. There is a gap: malicious communications do not carry a racially or religiously aggravated tag at the moment. That would be a very beneficial thing to add. Of course, that would give scope for enhanced sentencing. We have also encountered an issue with the statute of limitations for antisemitic posts online under the Malicious Communications Act. Because there can be a time lag between something being posted and it being reported and investigated and so on, prosecutions sometimes fall by the wayside.

Q8 **Tulip Siddiq:** Danny, you probably know quite a lot about this area. Is there anything you would like to add in terms of criminal offences?

Danny Stone: Only to echo what Dave said. We both fed into the Law Commission's review, and they have already had a number of meetings. There are things that the CPS is doing. For example, when they get a report of a hate crime, it is flagged as a hate crime, and that flag stays with it all the way through, regardless of whether a particular incident is ultimately prosecuted as a hate crime. As Dave said, it is more about applying the Act properly.

There is also an issue with complex cases. I am not totally confident that where there have been a number of incidents over time, all the cases are brought together so that a harassment charge can be brought, for

example. I want a bit more confidence that the CPS is handling cases in that way. That goes for the police, too. Someone may phone up and report a website that may breach the Malicious Communications Act, and if the police had the time or the resource to look at the individual behind the website they may find there was incitement to racial hatred or other things that could be brought to the case. However, because of time constraints and the work-intensive nature of that kind of investigation, it may be difficult for the police to do that. Looking at cases as a whole, and having systems and resources in place for the police and the CPS to do that, would be helpful.

Q9 **Tulip Siddiq:** To flip the question on its head, are there any current offences that should not be criminalised?

Danny Stone: We certainly—I know the same is true for the Holocaust Educational Trust—have never called for Holocaust denial to be criminalised, for a number of reasons. I do not think it would help things if it were. I do not think people should debate Holocaust deniers, but there is no call for that at the moment.

Q10 **Tulip Siddiq:** Dr Trickett, would you like to make any comments about the criminalisation of offences?

Dr Trickett: To echo something Danny said, one difficulty is that social media posts or hate crimes directed against people, particularly around religion or race, will often be perpetrated by repeat offenders or experienced by people multiple times. It is sometimes problematic to keep hold of that data, share it among agencies and make sure it is not lost. There is also the question of what threshold it has to cross—for example, what if you have 10 of these experiences?

One of the things that really concerns me at the moment is changes to expertise within the police. Sometimes for police and crime commissioners hate crime might be a priority for their area, because it has been, and they will have localised knowledge. What is needed within police forces is dedicated hate crime policing teams.

Within Nottinghamshire recently we had a hate crime manager, and now we don't. We have other people who will have to take that on. That is problematic because you have got to have policing capacity, particularly if you are dealing with third-party organisations that are then passing that information on to you. It worries me a little bit sometimes, particularly within the context of Brexit and what is going to happen after Brexit, when I think some of these incidents will rise again. It is about what capacity there is and what expertise there is within policing. You can have expertise in the CPS. I think the CPS has made a number of steps, often around training as well, but within each particular police force, what is being done there? So what is going on with police resources and getting rid of hate crime managers worries me. There is no standardisation across forces, either.

One of the things we are currently looking at in Nottingham Trent, and trying to engage the police in, is risk assessment. When you do risk

assessment for victims, what does that model look like? My research has identified that there is no standardised risk assessment across the 43 forces in England and Wales. We are doing a freedom of information request at the moment—we have done one previously—and we are in dialogue with police forces about that. Even if someone has reported to you, what do you do to safeguard that person and keep them safe, particularly when you might have five or six incidents and you are not sure why they are adding up to a criminal offence. It has to be a holistic picture that goes on from the third-party reporting to the police and then through to the CPS, because otherwise safeguarding issues can be problematic and then prosecution issues also become problematic.

Q11 **Sarah Champion:** Can any of you comment on whether there is a gendered nature to either victims or perpetrators? Also, are you noticing any issues relating to the age of the perpetrators and the types of crime that they commit? Do any of you have any data on that?

Dr Trickett: From what I have read of the CST's reports, what I have noted from my reading of them—obviously, you can say more about this—is that there seems to be quite a broad range of perpetrators involved in antisemitic crimes and incidents. They are broad in terms of their own ethnicity and religion and in terms of their gender, so it is one of those issues where we see, in the same way as anti-Muslim hate crime, those sorts of categories being broken down.

There is a lot of ignorance around some of the issues. I know there is a lot of valuable work being done and we have had comments about some of the work being done by various institutions around the country. What worries me is how we place counter-dialogue. Under the hate crime action plans, we have had educational initiatives and various Jewish charities working to do that, but what do you do then to counter the sort of narrative that we constantly have in the press and on social media?

Laura Marks: I want to pick up that point. At the root of a lot of this is an enormous amount of ignorance surrounding what is and what is not antisemitic. Over the last few weeks, we have had a huge amount of discussion about whether criticism of Israel is antisemitic, and that has dominated the whole discourse, but there are other sorts of antisemitism. The two big ones are Holocaust denial or Holocaust denigration, which is more likely these days; and what you might call old-fashioned antisemitism, which is talk of rich Jews manipulating, being in charge of the media, taking over the world and so on—what you might call traditional antisemitism. People do not recognise them necessarily as antisemitic and people do not recognise the danger and the pain that it causes people when these come up. It means that not only do the perpetrators not know that they are doing it, but the victims are not quite sure whether that counts as antisemitism or not.

I will give you an example of something that happened today, which was quite interesting. A non-Jewish woman I know who works a lot in the inter-faith area put on her Facebook today, "So that's where bullying can take you," or "That's what bullying can get you." We know what she is referring to; she is talking about Jews as bullies. My guess is that she

would not see that as antisemitic, and most Jews would see that as antisemitic and feel very uncomfortable about it, because the whole narrative about Jews as powerful, rich and in control permeates through a lot of normal conversation, even when it is said positively—"Those Jews are so well organised. They manage to bring their community together. They run their schools. They have good relationships with Government." That's all wonderful but, actually, not very wonderful when that is the stereotype.

Following on from Loretta about education, people don't know what is antisemitic because they don't know exactly what that means and how it has morphed over the years into different types of expression. Until we get people to understand what it is and what it is not, it is very hard for people to understand when they should report it and when it should be taken seriously at all.

Danny Stone: On the gendered aspect of antisemitism, there is not a great deal of work that has been done specifically on that. Obviously, there are wide reports that women are about 30 times more likely to be harassed, particularly online. I think that the UN found that 9 million young women were likely to experience cyber violence or harassment by the time they turned 16. In most cases, particularly with online abuse, about 56% of women will just block the person who is abusing them, only 20% will report it, and 20% will ignore it—it is something like that. One colleague of yours has seen four convictions for antisemitic crimes against her; it is not a surprise that all the perpetrators were male. It is a particular issue and we are doing some work on this and will have a report around November specifically on that.

Q12 **Tulip Siddiq:** You mentioned international events having an impact on the streets of our country. It is the same for Islamophobia. If there is a terrorist attack, there will be an increase in Islamophobia here. You mentioned the past couple of years and whether there was a big event in Gaza or not. In 2016, as far as I can recall, there may not have been a big event in that part of the world but we did make a decision to leave the European Union. I want to ask about the impact of Brexit on antisemitic incidents. You briefly touched on that. Did you see an increase or was there anything to show that the result of the referendum had an impact on antisemitism?

Dave Rich: Just looking at CST's incident figures for 2016, we recorded 129 incidents in June and 129 July, but we had recorded 135 in May, the month prior, 100 incidents in April and 79 in March, so the big uptick in the antisemitic incidents that we recorded came in April and May. It was around that time that the whole issue of antisemitism in the Labour party really hit the front pages, with the suspensions of Naz Shah and Ken Livingstone. We took that increase to be in response to those incidents that were happening here in the Labour party. It may be that the debate around Brexit and the increase in hate crime generally after that debate kept the antisemitic incidents sustained at a high level, and maybe they would have fallen away again had it not been for that, but we had already seen an uptick before other hate crime strands did.

Q13 **Tulip Siddiq:** So you don't think there is a direct correlation between Brexit and an increase, in your experience.

Dave Rich: It is part of the picture, but over the past two years we have seen a much closer correlation between events in the Labour party and our antisemitic incidents statistics than any other single factor.

Q14 **Tonia Antoniazzi:** Reporting antisemitic incidents tends to cluster around areas of high Jewish population. Is there under-reporting in other parts of the country?

Dave Rich: It is possible. There is definitely under-reporting across the piece. In 2012 and 2013, the European Union Agency for Fundamental Rights did a big survey of Jewish experiences of antisemitism in nine different EU countries, including the UK. They found that in the UK 71% of people who had experienced antisemitic harassment did not report it to anybody, 57% of people who had experienced antisemitic physical violence did not report it to anybody, and 46% of people who had experienced antisemitic vandalism to their property did not report it to anybody, so there is a large problem of under-reporting generally. In smaller communities or isolated places, under-reporting may be higher because people have less knowledge of or access to reporting structures, but by definition we cannot measure the under-reporting in those places, so that is partly speculative. CST has volunteers across the UK. We will support and advise Jewish people anywhere in the UK who experience antisemitism. The last census showed that there are Jewish people living in every local authority area of the UK. It would intuitively make sense if people in places where perhaps there is not an established Jewish community have less knowledge of how to access that support.

Q15 **Tonia Antoniazzi:** How do different parts of the Jewish community respond to hate incidents? Is there a difference depending on the victim's denomination, gender, sexuality or ethnic origin?

Dave Rich: Every individual responds differently. That is the most accurate but the least helpful answer to that question. The evidence definitely shows that people who are visibly Jewish experience antisemitism more and also have greater anxiety about antisemitism. They could be visibly Jewish due to religious clothing—largely—but it could also be school uniforms or religious jewellery. We definitely experience the full range of responses from people who report to CST. We have a team of psychological and emotional support volunteers who we can refer people to, if they need that kind of support. Equally, a lot of people who report incidents to us are quite bullish about it. They want to tell someone about it and they want action to be taken, but they are not emotionally affected by the experience—at least not on the surface. You get the full range.

Q16 **Tonia Antoniazzi:** Talking about support, how well do public services and charities adapt to the differences of individual needs of the victims?

Dave Rich: I would say that this is where the role of community-based and community-specific support services is really important and really helpful. It is something that the police and the CPS in recent years have

come to accept, and those relationships are quite strong now. As CST, we are part of a coalition in London called CATCH—Community Alliance to Combat Hate. That has partner organisations from the Jewish community, we have Tell MAMA, which deals with Islamophobic hate crime, Galop, which deals with LGBT hate crime, the Monitoring Group, which deals with racist hate crime, and we have two partners—Mind and Choice in Hackney—which deal with mental health and disability hate crime. Through referrals from the police, we can give that community-specific knowledge and support to the victims and also help the police with their investigations and support.

Chair: Danny, did you want to add anything?

Danny Stone: I was just going to say that the Ministry of Housing, Communities and Local Government has given a specific grant, for example, to an ultra-orthodox community to assist with taking victims through the courts, because that process might be particularly difficult for them if they are not used to it and there are sensitivities if you are a practising ultra-orthodox Jew. So I know there is some thought on this in Government at least and there have been funds directed towards it.

Dr Trickett: I think one of the problems is geographic—how people outside London might be supported. You tend to have generic victim support charities—for example, in Nottingham it used to be Victim Support and now it is Catch 22. The question is whether that level of expertise available in London is replicated elsewhere, and often, I think, it is not. I did a piece of work with Nottingham Citizens in 2014. We worked with a lot of faith groups in Nottinghamshire. It is variable depending on where you are talking about in the country—also in Scotland and Wales.

Laura Marks: Can I just add to that point? I don't think people necessarily realise how small the Jewish community is outside London. If you take London, Manchester and Leeds that accounts for about 75% or 80% of all the Jews in the country. The tiny, weeny little communities dotted around, some of which are there historically, tend to be very small, very elderly, very frail and very obviously Jewish. Then you have other communities that are much more sort of secular Jews who have moved to smaller parts of the country. They are tiny, weeny—we are talking about hundreds if not tens of people mostly.

Quite a lot of people do not out themselves as Jewish as well. Funnily enough I was speaking to somebody yesterday—I had a busy day—in Finchley who was saying she wants to do some work with the Muslim people in her child's school in Finchley. I said, "Why don't you start the conversation?" She said, "Well, I haven't told them I'm Jewish." I thought, "Woah. You're in Finchley and you're reluctant to tell people you're Jewish." I think whether or not you're in small or big communities, but particularly in small communities, that will be an issue that people are not even standing up and being able to say they are Jewish.

Dr Trickett: Can I just add one thing about that? I think university students are massively affected. I know that CST has worked with them,

but my experience with the students that have come to me in my capacity as a personal tutor is that a lot of incidents against students—whether racial, religious or homophobic—do not get reported to the police. We have a big problem there with people who are away or working away, particularly younger people, who are not always reporting it.

Danny Stone: Just on the final policy point, police and crime commissioners now have the funding pots for victim support, whereas it used to be given centrally. There is an issue about how aware a particular police and crime commissioner might be of that issue in their own area.

Q17 **Jess Phillips:** First, I want to pick up on the point about the London and Manchester thing. When I was growing up, Birmingham had a big Jewish community. Now it has none, basically—tiny compared with what it was. Why is it that it has clustered like that? Is that because of antisemitism?

Laura Marks: It is mostly because young Jewish people want to live where there are other young Jewish people. What typically happens is that you grow up in Birmingham, Exeter or wherever and you go to university often in a city where there are more Jews. There are what we call "Jewniversities" where most of the Jews go. *[Laughter.]* It's true. They go for a variety of reasons. Some of them are negative reasons, which is that that is where they feel safe, and some of them are positive reasons—that is where they can go to meet Jews—or they are just good universities. It is a variety of things. There are about 10.

Typically what happens is a young Jewish person moves to university and they do not go back, partly for economic reasons like any other young person would not go back—people stay in London and in the big cities—but there is definitely a factor of staying within a Jewish community. That is why there is this massive move of the Jewish communities to London, particularly north London, and to Manchester, where there is felt to be enough of a critical mass to be a community. Really, other than London, Manchester and Leeds, communities are struggling.

Q18 **Jess Phillips:** Okay, it was just out of interest. I suppose I want to understand the reasons why victims do not put themselves forward. You have all said that that happens. People do not put themselves forward and choose not to report an incident. Dave?

Dave Rich: The EU survey I mentioned earlier asked exactly that question of the people who had not reported incidents. They found that the main reasons were the reasons a lot of normal crime does not get reported. The top reason was that people thought nothing would happen or nothing would change by reporting the incident.

Q19 **Jess Phillips:** I imagine that is exactly the reason. How many of the hundreds and hundreds of cases that the CST has taken have led to a conviction?

Dave Rich: We keep an updated list on our website of convictions for antisemitism that we are aware of—I must stress, it is only the ones that

we are aware of. This year so far, we have got 13; last year, 23; the year before that, 20, and the year before that, 11.

Q20 **Chair:** Sorry, 11 convictions?

Dave Rich: Eleven cases where convictions were reached for antisemitic hate crime of different types. Now, we do not believe that those are the full numbers; those are only the cases we are aware of. One of the problems is that there is no official data about prosecutions and convictions for antisemitic hate crime. There is for racial and religious hate crime as a block, but it is not disaggregated, so we don't even have the basic numbers from which to then begin a conversation about how to increase the number of prosecutions or about whether we would consider the number of prosecutions to be satisfactory.

Q21 **Jess Phillips:** I interrupted you. Going back to the reasons why people don't report, one is, "What's the point?"

Dave Rich: It's because people think that perhaps what happened to them is not significant enough or that the police would not take it seriously enough to prosecute. Quite often they are wrong about that. We assisted recently in a case where a taxi driver drove past a Jewish school in north London, shouted "Heil Hitler!" and did a Nazi salute out the window. That is the kind of thing that a lot of Jewish people might see and not bother to report. In that case, it was reported. They had the number plate and the guy got convicted.

Q22 **Chair:** Convicted of what?

Dave Rich: He was convicted of—I do have this somewhere. I might need to send that to you.

Chair: Could you? That would be really helpful.

Dave Rich: The second most common reason why people did not report is that it happens so often to them that they can't be bothered, basically. They have just accepted it as part of life.

Q23 **Jess Phillips:** The CST asked me to report to them, and I couldn't be bothered, is the truth, because it is just a normal part of my life.

Dave Rich: There is definitely an attitude among a lot of Jewish people that a certain amount of antisemitism is just part of being Jewish, and you just accept it.

Q24 **Jess Phillips:** Do any victims request anonymity in the process? Have you seen that as a trend?

Dave Rich: Some do. We offer a third-party reporting service to all victims, where we will report it to the police on their behalf, either with their details or anonymously. Sometimes people will request anonymity, not out of fear, but because they do not want to go through the criminal justice process. They are not interested in going to court and giving evidence. They just want to be kept out of it, but they want to tell someone now.

In some cases, specifically in Greater Manchester—we are working with Greater Manchester police—we can offer restorative justice to victims as an option if they don't want to go to court. That has proved quite popular with victims who are then willing to give their details to go down that route when they weren't willing to do so if they thought they would have to stand up in court, give evidence, be cross-examined and so on. We have been involved in quite a significant number of restorative justice cases in Manchester. Overwhelmingly, the victims who go through it have a very positive experience and are very pleased that they did so.

Q25 **Jess Phillips:** Finally on that issue, I imagine that most of the things that get reported to you are online-based antisemitism. That's because there is an evidence base and an evidence trail. Is there a way of supporting people rather than asking victims to sift through thousands of pieces of hatred against them? Is there support that is offered for that?

Dave Rich: I will answer that question in a moment. Just to clarify, most of the incidents we record are not online. They are offline. Around 20% of the antisemitic incidents that we record are online. The reason for that is that we don't trawl the internet looking for antisemitism to then record as incidents, because if we did we would do nothing else. We require a member of the public to report online antisemitism to us. We need evidence that the post was either made by someone in the UK or directed at someone in the UK. That accounts for about 20% of the incidents. The most common incident that we record takes place in public: a Jewish person—usually visibly Jewish for some reason—is walking down the street and a random stranger who is walking past or driving past shouts something antisemitic at them. If they are unlucky, the person throws something at them, and if they are really, really unlucky, the person tries to throw a punch at them. That is the most common type of incident that we record.

For the online incidents, we do offer support to people in terms of reporting that content to the police and the social media platforms. We have a preferred flagger status with the main platforms where we can do that. I would say reporting to the police gets an inconsistent response, depending on where you are. We have had a very positive experience over the last year in London with the online hate crime hub that the Metropolitan police has been running. Now that there is a national online hub, we hope that that will serve the same purpose nationally, so that you get a consistent response and you know that there is a police officer at the end of a phone or an email who understands the online world and how to navigate it.

On reporting to social media platforms, each platform has a different level of performance, but generally speaking you get a much better response if you report as a trusted flagger than if you report as a member of the public. That is not how it should be, but as long as that is the situation we will offer that service to members of the public who report to us.

Q26 **Sarah Champion:** I want to focus on the Government's hate crime action plan, 2016 version. Could you tell me what impact it has had on how antisemitism is treated by police, the CPS or other public bodies?

Dave Rich: The value of the hate crime action plan is the structure and focus it gives in terms of recommendations and areas of work, because it then gives the police, the CPS, ourselves and the Government something to work to. I know the action plan is being updated or reviewed again at the moment. Its simple existence is an important statement. It gives us a set of targets and measures by which we can call people to account and expect performance, and then try to get answers as to why things have or have not been met. It is a very useful tool in that respect.

Danny Stone: It also gives the Government the chance to consult, which is always helpful. Specifically, in the last hate crime action plan, there were points on internet hate, which Ms Phillips was just speaking about. We had a cross-Government meeting about internet hate and there have been a number of actions resulting from that. Sometimes, it is just feeding back into the plan for the future.

If the Chair will permit me, I have a word on internet harms. There is a real policy issue. The way in which the Home Office counting rules work is that if you are based in a particular constituency and you report a crime and you cannot show where the crime was committed—the point about upload—the crime stays in your area and is counted in your area before it is handed on. Home Office counting rules don't work in a world where there aren't geotags on everything.

There are 30 different pieces of legislation about online harms. That needs consolidating. In addition, while the National Crime Agency will deal with serious organised crime, there isn't a big distinct unit dealing with online harms. I think there should be. Sorry, that moves away from your question, but, if anyone in the Government is listening, I think the focus on online harms should be central to the hate crime plan going forward. We should not forget civil measures as well. The White Paper on online harms is due to come out, so having a regulator in place with a duty of care wouldn't be a bad thing either.

Dr Trickett: Some really good actions have been taken: some ongoing actions in the coalition Government's 2012 action plan and then in the 2016 action plan.

I still think the issue of training can be difficult, particularly when you are talking about training police officers, some of whom might have less exposure than others to different communities. That is an issue. I did a report in 2016. I know the College of Policing has looked at training for police officers, but I found it to be really disjointed. There needs to be more specialist training provided by organisations. I know that CST do a lot of that sort of training in London and there are different areas of specialisms, but there is an ongoing issue about making sure that the police know about local communities and how that feeds in. There isn't bespoke training for the police—it is often filtered down and they all get

the same. A lot of the training I looked at was on NCALT, which was very criticised by police officers, particularly about hate crime.

It is important that we look at action plans as a holistic framework, because when you go back and look at the 2012 plan, which was quite ambitious, some of those things were completed and moved on. I think it is about remaining ahead of the bigger picture, because we might think that we did well on that all those years ago, but what are we doing on it now? That is to do with budget.

It is also about holding the bodies to account. For example, with the 2012 action plan, when you revisited it in 2014 quite a lot of the things had not been met. It was never spelled out with a lot of those measures what was going to be done in the future to remedy that deficit. We have done well on that and on a lot of stuff, and we need to remain abreast of that on the 2016 one. We need to ask, clearly, "What are we achieving, and what are we not?" It is keeping the momentum going with the things that are going well, and making sure that we are addressing the deficit.

Q27 **Sarah Champion:** Ms Marks, from a community perspective, do you think that the action plan has helped with how the police, the CPS and other public bodies deal with antisemitism?

Laura Marks: I am not an expert on the action plan, but do people think that things are any better? I think it would be hard to say yes, as we are in such a climate of people feeling things have got worse. So the overwhelming feeling is that things are worse. On reporting, we have heard all the reasons why people don't report, and the only one I would add is people not knowing whether something was antisemitic, which was the one that I think is really understated.

Q28 **Sarah Champion:** Do the police know if something is antisemitic? If you think, "Yes, maybe it is", and you go to the police, do you have any experience of that?

Laura Marks: I don't know empirically about this, but I know that I was talking to a policeman recently at a meeting and he said—we were talking about another faith group and what they were doing—"Well, that wouldn't happen with the Jews, because they are much more organised and they know the right people to talk to." My jaw dropped—and that was a policeman working in this field. I said to him, "That's a stereotype, and that can be seen as a negative", but I didn't really want to lay into him. So I don't know empirically whether the police are getting better trained, but I do know that there is a fundamental lack of understanding about what being antisemitic means.

Q29 **Sarah Champion:** The Government earmarked specific money for places of worship and community organisations to tackle hate crime. Do you think that this money was, or is being, well spent? Is practice being shared? Are there any weaknesses in the scheme as you see it, any of you?

Laura Marks: Can I just talk about that from the community perspective? There are lots of different ways to tackle hatred. One way is what we are talking about—going through the legal process, people reporting and that whole piece of work—but there is another piece of hatred which particularly relates to antisemitism, and that is about people knowing each other, having relationships with each other and experiencing one another as real people. Increasing academic evidence is coming out to show that where people from different backgrounds—particularly people from outsider groups—have positive experiences with people who are not, people start to have better impressions about them. It seems so obvious from where I stand—that if people knew each other a bit, they would have less stereotypical views about each other—but we live in a society that is getting more fearful, and therefore people are closing in rather than opening up. Trying to get people to open up is really difficult. You asked about Government resource and what Government can do, and there is not nearly enough Government resource going into that sort of work. It takes care, structure, trust and human skills to get people to meet each other; it is not something that you can just legislate for—and that costs money.

Danny Stone: On the police, I think that is a bit of a postcode lottery—it depends where you are—but there is good training and guidance. The College of Policing put the IHRA definition of antisemitism as an annexe to its training in 2014.

On the security question, I suppose I would answer as a parent and someone who works on antisemitism. With my daughter going to a Jewish school, I feel much safer. There are trained guards and gates outside her school. I know the nature of the threat, so I do not just think that is important; it is essential. Dave will have the details.

Dave Rich: The CST manages the Home Office security guarding grant that pays for commercial security guards primarily at Jewish schools, but also at other sensitive buildings in the Jewish community. The grant is hugely important and well received across the Jewish community, both for the practical protection that it gives, but also as it shows a sign of moral support from Government. The grant began in 2010 originally just for voluntary aided Jewish schools under the coalition Government. It survived a change of Government, and it was one of several things, such as the cross-Government working group, that has existed across different Governments. Having that continuity, no matter who is in Government, is really important in terms of the message that it sends to the Jewish community. We have used our experience of managing that grant to advise and assist the Home Office in its implementation of the broader grant for security at places of worship that has been dispensed to other communities. It is not just a benefit for the Jewish community; its benefits are much wider.

Q30 **Sarah Champion:** Can I ask each of you, in summary, to say what one thing the Government could do that would reduce incidents of antisemitism in this country? I know you have all been touching on some

of those, but what is the one thing?

Dave Rich: I would say that the Government need to look at the legal responsibilities on social media companies and their status in law.

Danny Stone: Similarly, they need to update and review the statutes in relation to online hate crime. We should introduce a regulator and a duty of care. It is all about the social media companies at the moment.

Dr Trickett: I think this is across the board as well, but with antisemitism, often why people don't report and don't go to the police is that sometimes they feel that it is a little bit hopeless. We get into a situation where people might become more insular because of what is going on. They aren't only unsure of what would fall under the definition of antisemitism; they are unsure about hate crime per se.

I did a survey with students in Nottinghamshire on misogyny, and sometimes they do not understand what hate crime is. They think it is a very narrow definition of hate and is not about prejudicial targeting or hostility. I think that is a problem.

I think prosecutions are still woeful, unfortunately. It is all very well if we can get reporting up, but we are looking at a tiny amount of prosecutions. We need to be looking at more strategic levels of intervention. We have just been hearing about restorative justice, but people need to know about that as well. They need to know the breadth that is covered and what might happen and whether they would have ownership. People are very frightened about going to the criminal justice system, it being taken over and the prosecution becoming very public. If they could see that there might be a range of different interventions and that they might have some control and dialogue, that would be significant.

Laura Marks: I was going to say education, but I think you have covered that one. I will mention a different one. With all this sort of work, there are two approaches: the policy-down type of approach, where you introduce new rules, new systems and new structures; and the grassroots, bottom-up stuff. You have to have both working effectively in order to make change. We have talked mostly about policy-down, because that is the remit, but the one thing that would make a difference is the grassroots. You need to spend more, and more effort on community-building stuff. For normal people, that is what would make a real difference, but within the constraints that Danny talked about. You have got a real balance with the Jewish community, particularly with things like schools. On the one hand, people want the community aspect, the education aspect and the security aspect of Jewish schools. On the other hand, the Jewish schools are contributing to the children and parents not being in the wider community. Getting that balance right is difficult, but if you asked me for one thing, it is to encourage more grassroots stuff.

Q31 **Chair:** Can I have the last question, as Chairman's prerogative? Dave, it is aimed at you. You said that over the past two years, the increase in the number of antisemitic incidents reported is directly linked to incidents

in the Labour party. What do you think the Labour party needs to do to address that?

Dave Rich: To clarify, I am not suggesting that the big increase of incidents is all perpetrated by people in the Labour party. It is more about the atmosphere that has been generated, the media coverage, the high-profile nature of it. I think the ongoing arguments have been very damaging and have caused a huge amount of anxiety, anger and pain in the Jewish community, and that is what needs to stop.

The Board of Deputies of British Jews and the Jewish Leadership Council set out a six-point plan in their letter to the leader of the Labour party in March, one point of which was finally adopted yesterday. I think the other five points in that letter need to be addressed, and done so in a way that does not just view them as technical changes but understands that it has to be part of a cultural change as well.

Q32 **Chair:** And you feel that, if those things were addressed, that would directly lead to a reduction in the atmosphere that is creating this increase in the number of incidents that are reported.

Dave Rich: I would be hesitant to try to predict a direct consequence of a fall in incidents but it would certainly help deal with the issues within the Labour party.

Danny Stone: Our advice has always been that we don't like, as an organisation, to see antisemitism politicised. I think the Jewish community loses out when it is. Antisemitism has become a weird proxy war, it seems.

Q33 **Chair:** Sorry. A proxy for what?

Danny Stone: A proxy for some kind of political battle either within the Labour party or outside of it. That is bad. As a Jew sitting on a train, the last thing you want to see every day when you go home is news about antisemitism. I felt that during the 7/7 attacks with Muslims. As a Muslim, you did not want to see stories about being a Muslim on the front page every day when you are travelling because it is about who you are and it is intimidating and upsetting. The quicker we can see the kind of action that Dave described, and the quicker we can get it off the front pages of newspapers, the better it will be. The educational challenge that then follows, in understanding antisemitism and tropes and what people have imbibed or taken on, is ginormous.

Chair: Thank you very much. On behalf of the whole Committee, thank you for the time you have taken. It is has been an incredibly useful session, really well informed. It really is very useful to hear your views. Thank you for taking the time to be with us today.

We are now moving on to a second panel, so I ask this panel to give way and our next panel to come on. We will move seamlessly on.

Examination of witnesses

Witnesses: Detective Chief Superintendent Simon Rose, Chief Superintendent Dave Stringer and Baljit Ubhey.

Q34 **Chair:** I thank our panellists for being with us today. Before we start with our next set of questions, I will ask panellists to introduce themselves.

Baljit Ubhey: My name is Baljit Ubhey and I am the director of prosecution policy and inclusion in the CPS.

Dave Stringer: My name is Dave Stringer and I am the Met's hate crime lead.

Simon Rose: Good morning. I am Simon Rose, the Met police borough commander for Barnet.

Q35 **Tonia Antoniazzi:** What are the greatest challenges for policing and prosecuting antisemitic hate crime compared with other types of hate crime? I will start with Baljit.

Baljit Ubhey: The first thing to say when we are looking at prosecuting antisemitic hate crime is that we would apply the same principles that we would apply to prosecuting any crime. The CPS has to apply the code for Crown prosecutors. What that requires us to do in every single case is, first, look at whether we have enough evidence to provide a realistic prospect of conviction. If we pass that first stage of the test, we go on to consider whether it is in the public interest to prosecute. We have had hate crime policies in place for a number of years. Those policies say that if you have enough evidence, it is more likely than not that you will prosecute a hate crime, for obvious reasons.

Coming on specifically to antisemitism, case law has determined that Jews, from a legal perspective, are both a racial group and a religious group, so when we think about hate crime, the types of offences we look at are religiously and racially aggravated offences. We talked earlier about some of the data, and we may talk more about that, but the CPS data only goes as far as breaking offences down to racially and religiously aggravated offences. The picture is slightly more complicated than that, so I will spend a minute talking about what it looks like.

We have specific offences that are racially and religiously aggravated, which could be used to prosecute antisemitism. If the criminal act is not one of those specific offences, which cover wounding, harassment and assault—if it is a Malicious Communications Act offence, for example—and it is antisemitic in nature, legislation allows for enhanced sentence. Section 145 of the Criminal Justice Act 2003 states that where you do not have a specifically aggravated offence, the courts are still obliged to enhance the sentence if the prosecution can demonstrate to the required standard either that the criminal act was motivated by hostility based on race or religion, or that hostility was demonstrated when that act was committed.

The third set of offences that is relevant in this area is the incitement offences. Those are quite challenging to prosecute. That is one of the reasons why we have to get the Attorney General's consent before we prosecute them. However, we do prosecute those cases, and where we have a successful outcome, we share a summary of the case on our external website. I can delve a bit more, but I thought it would be useful just to set out the framework of how we prosecute and the relevant offences in this space.

Q36 **Tonia Antoniazzi:** Dave, what about you?

Dave Stringer: Antisemitic hate crime has lots of similarities with other forms of hate crime in terms of the challenges of investigating and then charging and prosecuting. Those challenges are the speed of reporting, the willingness of victims to go through the criminal justice process, and whether we have enough information right at the start of the investigation to identify a suspect quickly and proceed with the investigation.

As Dave very helpfully set out, most of the antisemitic crime that gets reported to us is about words said in the street—verbal abuse, perhaps by somebody who is passing—and, more rarely, assaults. One of the things about words said in the street is that it is much more difficult for us to find witnesses, particularly if the crime is not reported to us at the time. Like most crimes, the speed of reporting to the police is probably the most important factor in terms of us being able to turn that allegation into an effective investigation. Because so many of the reports to us are about words said in the street, if a report is not made to us very quickly, the chances of anyone having seen the incident and the chances of us finding witnesses to it are much reduced.

We were talking about third-party reporting and information sharing. When somebody does not want to report to the police and reports to a third-party organisation, the chances then of turning that information into an effective investigation and then prosecution are very limited, but it is still valuable information for us to know what is happening out there and for us to target our preventive resources.

Q37 **Tonia Antoniazzi:** What specific measures are you putting in place to overcome the challenges that you have spoken about?

Dave Stringer: In terms of what we do centrally, obviously there is a national information-sharing agreement with CST. That will give members of the Jewish community more confidence about reporting to them. We run hate crime awareness week. That is about making sure that people have a raised awareness of hate crime, how they can report it, and the measures that we put in place. We have a very effective Jewish Police Association. The Jewish Police Association is a really good way for us to outreach into the community.

We are fortunate in London that we still have quite a comprehensive and large resource that does neighbourhood policing—our neighbourhood officers—and many of our boroughs also have faith officers. They go into schools and synagogues and talk about hate crime. If somebody reports

something to us then, if there has been a time delay that will obviously make the investigation difficult. The point about doing that is that if something happens and people know what to do, have confidence in their local police and understand what the process is, hopefully they will then report to us more quickly.

We also have a large number of schools officers. Schools officers do the work around education—educating young people not only about what hate crime is but about not getting involved in hate crime. They also provide a reporting mechanism and a source of advice for schools, colleges and sometimes universities to come and talk to us.

Q38 **Tonia Antoniazzi:** When the police and the CPS are flagging up a report of antisemitic hate crime how does the process differ from other offences and other forms of hate crime?

Simon Rose: Is it worth just pointing out that—I think Baljit's mentioned this—the CPS have their own bar for the public interest tests and the evidence test for what can be a racist or religiously aggravated crime? The Met police actually use a separate and lower threshold based on the Macpherson definition of whether or not something is a hate crime. If a victim says it is a hate crime, we flag it as an antisemitic incident on our crime reporting system accordingly.

There are two separate sets of data, if you like—one recorded by the police where the victim says that it is an antisemitic incident, and another one, with a higher bar by the CPS, where the crime can be religiously or racially aggravated and the evidence is proved to that threshold. So there are two sets of data you can look at.

Baljit Ubhey: Can I just clarify something? The Macpherson definition, which really is any incident that is perceived by the victim, or any other person, to be motivated by a hostility or prejudice based on a person's race or religion, is a joint definition. The CPS also adopt that definition. We will also flag cases. The hate crime flagging is the same for the police and the CPS. It is a joint and shared definition.

What I was talking about earlier was what the law says in relation to what you need to demonstrate, either for a specifically aggravated offence or indeed to obtain a sentence uplift, but when we record our data we are looking at the hate crime flagged data, which is that lower definition, because we think it is really important that if there is a perception that something is a hate crime we are treating that appropriately in terms of victim and witness care.

Q39 **Chair:** Can I just ask for some clarification there? Is what you are saying, Simon, that that is not the same all over the country? Is the Met police doing it differently from other police forces?

Baljit Ubhey: That is a nationally agreed joint definition.

Sarah Champion: For the CPS.

Baljit Ubhey: CPS and police.

Q40 **Chair:** So it is every police force in the country? Sorry, I thought you were saying, Simon, that you have a lower threshold for recording than the CPS would.

Simon Rose: There will be two sets of data, I suppose is the point I was making. Some offences cannot be racially or religiously aggravated, and there will be multiple occasions where a victim of antisemitism believes that it is an antisemitic incident.

Q41 **Sarah Champion:** But is that just the Met police doing that or do all police do it?

Baljit Ubhey: This definition was agreed in 2007 by all the police forces nationally and the CPS to be the definition that we would use to flag hate crime cases.

Q42 **Chair:** But, Dave, are they doing it in practice?

Dave Stringer: Both of us are London officers and we have authority to speak only about London, but I would describe it that we all work to the same national standards. HMIC inspects police forces on how well police forces work to the national standards of incident reporting in the first place. Somebody makes a 999 or a 101 call: has that information got on to a police system? Has it been recorded as either an incident or a crime? We record both incidents and crimes, but, clearly, if incidents do not meet the definition of a crime, they will not be charged and prosecuted by the CPS. Forces are then inspected against how well they do that.

Forces are also inspected about how well they deal with the crime against the national crime reporting standards. All forces will work to the same College of Policing guidelines for hate crime investigation. They will be held to account about their compliance with national incident recording standards and national crime recording standards.

Our job is to flag all hate crime. It is probably slightly different in London because we are fortunate with the amount of resource we have compared with many other forces. I used to have an online hate crime team; its role has expanded slightly so that it is a small hate crime hub. It looks at every single hate crime that has been reported in the Met. It does not matter whether it is Simon's borough or any other borough in London; it will look at every single hate crime that we get in London and will ensure that it is flagged correctly.

That is a really important point. That will allow us to start that investigation in a much more effective manner, and will also help us in our conversations with the CPS if it has been flagged right at the start as a hate crime. Clearly, the CPS lawyers cannot be expected to know when we give them the paperwork if it has not been flagged. We cannot expect them to guess. Sometimes it will be really obvious, but sometimes it will be buried deep.

Q43 **Chair:** So the answer to my question is that we should look at the HMI data on how good it is across the country?

Dave Stringer: Yes.

Baljit Ubhey: I think that would be helpful. Could I say something about how the CPS looks at its data? And it may be helpful for me to say something about what our published data says about hate crime. Last year, we prosecuted approximately 14,000 hate crimes cases—that is all hate crime cases across all strands. In relation to race and religion, that was approximately 12,000 cases. By far the largest number of cases that are prosecuted are for race—I think they made up approximately 11,500 of the cases that we prosecuted.

We have hate crime co-ordinators in every CPS region. They are prosecutors who are hate crime experts, so they take a leadership role in their local area, providing expertise on hate crime. They also work very closely with inclusion and community engagement managers, who then engage with local communities on these issues. But they have a very specific role to play in relation to the data. They will look at most of all the cases that are flagged that come in from the police, for all strands—we cannot do it for race because the volumes are so large, so we say we will do 10 live cases. They will also look at cases when they are finalised, to ensure that, in appropriate cases, the sentence uplift was asked for and properly recorded.

We started that process in 2015, and we have seen a significant increase in recorded sentence uplifts in our hate crime cases. Sharing the information with community groups that, where we prosecute something successfully, we get a sentence uplift is really important.

I completely agree—it has been our experience—that having some expertise and someone taking the leadership role at a local level make a huge difference not only to our casework outcomes, but to the quality of the data that we have. We can only deal with what we have, but even with cases that are not flagged as hate crimes by the police, our prosecutors will look and say, "Actually, that does meet the definition, so we will flag that."

Q44 **Chair:** Would it be helpful to further disaggregate that data to be able to look at the number of antisemitic incidents, as we were talking about in our earlier session?

Baljit Ubhey: I suppose this is the challenge of working in an environment where we always want data that is very granular. Absolutely, the more granular data can be, the more informative it can be in terms of the responses that we need to make. Alongside aiming for greater granularity is also making sure that that data is then accurate, so there is the challenge between accuracy and getting granular data. Ultimately, it would be helpful to have that information. We do know that most of our religiously aggravated offences are with either Muslim or Jewish victims. Those are by and large the majority—I am sure that Dave will echo that. That is from anecdotal feedback we have had.

Q45 **Tonia Antoniazzi:** For an antisemitic incident, what factors are taken into account when considering whether to charge a perpetrator? Do they differ from any other charging decisions?

Baljit Ubhey: If we are charging hate crime offences, it is our job to do that. As I said before, we would be looking at the evidence and that will be different in different cases. We have already touched on some of the challenges around social media. Making sure we get that evidence in a timely fashion is really important. If the perpetrator is not known and there is no CCTV, there may be challenges. If we have CCTV, that can be very helpful. I know there have been cases in London that have been prosecuted successfully on the back of CCTV in the past. I think it is making sure that you have got the right evidence in a timely fashion and then making sure that you are applying the policy. Making sure that we have got adequate victim support and information for victims of hate crime is really important, and making sure that they stay on board with the prosecution. I am mindful that sometimes their views when they are surveyed are not as favourable as victims overall. Looking at victim support and victim care and what we can all do to improve that is very important.

Q46 **Tonia Antoniazzi:** How easy is it to identify and charge perpetrators of antisemitic incidents? How is it different if the incident has occurred online or on social media?

Baljit Ubhey: Online presents some real challenges. Some of the time limit issues were alluded to earlier. When we are talking about social media, people can commit substantive offences such as harassment using the social media. Those would be prosecuted in the normal way. Where you haven't got a substantive offence and you are looking at one of the Communications Act offences, there are some particular challenges. For the summary-only offence, there is a definition of what is grossly offensive and there is case law that articulates what that is. They also engage freedom of expression and the article 10 issues, which is about us making sure that when we are prosecuting cases it is compatible with that, because that is part of domestic law. We do need to look at issues around freedom of expression. We have revised our social media guidelines for prosecution and those have been scrutinised recently by the Committee on Standards in Public Life and found to be proportionate.

So we balance on the one hand people's right to privacy, but also freedom of expression, and we have to make a proportionate response.

In terms of time limits, there is an allowance—even for the summary-only offence, which you normally have to bring within six months—that as long as the case is brought within three years of the offence being committed, the time limit can be extended. I think that is in recognition of the fact that sometimes there are time delays in these cases.

What we also have to establish there is that it is within six months of it coming to the knowledge of the prosecutor. So there are some technicalities, but I suppose the overall point to make is that there is a

recognition that where you have things online, it may take longer. And if the law is framed in a way that scuppers that, that is not terribly helpful. That is why there is that extended time limit.

Simon Rose: There is also an element to this about where the perpetrators actually are. There is an anecdotal example of a Holocaust education charity that had its website hacked and a load of antisemitic material put on it. We initiated an investigation into that and the internet service provider goes back to Algeria—that is the end. We will not realistically have any opportunity to deal with that. We are also in a globalised community, where there will be relatively "lower level" antisemitic hate crime perpetrated by someone in America. That is the end of that line of inquiry as well. So that is an element, too.

There are also anomalies. What is different about antisemitic crime from other forms of hate crime? The detection rate for Islamophobic crime if you go back for the last 17 years is 22.2%, but for antisemitic crime it is 15%, so there is something else different going on there, too. Also, there might be a preconception that if it takes place on the Sabbath there may be a lower detection rate as there could be a delay because a member of the Orthodox community may have to wait until sunset to report it as there was no threat to life, but that does not appear to make any difference to the detection rate. So there are differences, but to some degree we do not know what the actual cause is. There are correlations, but there is no proof yet.

Dave Stringer: In terms of what we are doing to try to meet some of the challenges involved in online hate crime, we set up the online hate crime hub in London because there was a view from victims of online hate crime that the police officers they met didn't know enough about online crime, and there was our view that the investigators of hate crime generally are trying to balance a really demanding case load. Typically, in London, hate crime will be investigated by officers within community safety units, so they will be balancing really difficult and challenging domestic abuse cases where very often there is a risk of significant personal injury versus, in the same case load, online hate crime, which is really personal and very damaging but the risk of direct personal injury is much less great.

So what we needed to do was provide investigators with as much support as possible and take much of the workload from them. So the online hate crime hub identifies those crimes very, very quickly and provides support to the investigators quickly. Crucially, it can put victims in touch with support organisations—the Catch22 consortium, as Dave was saying earlier—ideally within days and sometimes within hours. So effective initial victim support is really, really important.

Simon Rose: This is also linked to the online hate crime hub. Another department within the Met police has just finished developing an app that is now going to all officers on their tablets around cyber-crime, with three principal aims: to educate them about the offences that could be committed; to educate them around prevention advice that can be offered; and to provide them with the tactics they can use to investigate

it. That development has just finished, and it is now in the process of roll out. So there is a fair bit of training going on to try to make officers more capable and competent to investigate and prevent.

You are looking at very localised training, because antisemitic crime is very clustered in London—27% of it takes place in Barnet, one of the 32 London boroughs. Boroughs like Barnet, Hackney and Haringey, which obviously covers the Stamford Hill area, have—*[Interruption.]*

In our borough—I'm sure it is the same in Hackney—we have a member of Orthodox community who comes into to deliver training on Jewish practices to new probationers when they arrive. That gentleman, Chuni, also comes along to the CID training days to provide information about some of what might be perceived as the more unusual culture and practice of the more Orthodox community, and how an investigator accommodates that. There is a lot going on. It tends to be—this links to some of the questions you asked earlier—that where there is the greatest concentration, there is the most resource put in to make sure investigators understand the issues. In much smaller communities, I suspect the provision isn't as good.

Chair: That is really helpful.

Q47 **Mr Shuker:** Thinking specifically about the journey of someone who has experienced an offence, going through the different organisations that you represent and hopefully reaching a successful prosecution at the end of it, can you tell me of any specific recent changes or interventions that you have put in place to try to improve that process, directly with reference to antisemitic hate crime?

Dave Stringer: The most recent change has probably been in relation to online hate crime. As I have just described, we started the online hub directly after the Westminster attack, so it is getting on for 18 months old now. We have dramatically speeded up the identification of online hate as antisemitic. We have a consortium of victim support agencies that work within Catch22, and we have developed the trusted referral status. What victims feed back to us is that the amount of time that the offensive material is up online and continuing to cause offence is dramatically reduced. Victims of online hate are coming back to us and saying that, although the number of prosecutions we are able to deliver isn't what we would all hope, because of the reasons that Baljit has been explaining, the victim no longer has to see the offensive material up because the speed at which it is being taken down has got much better.

Baljit Ubhey: In terms of antisemitic hate specifically, as part of the cross-Government action plan we also looked at training our prosecutors. That doesn't just apply to antisemitic hate; it would also apply to other groups where religion or race could be the target. We thought it was quite important to do some training with our prosecutors on when it is race, when it is religion and when you would charge both. One of things we did was to work specifically with Tell MAMA, in terms of the Muslim community, and the Community Security Trust, in terms of antisemitic

hate. They used some of their scenarios and some of the challenges they were finding, and we based our case studies for the prosecutors on those scenarios. They were heavily involved in the development of that training. We really wanted to make sure the training we were giving was dealing with the reality for groups that support victims of antisemitism and Islamophobia and was relevant and current. That is something we delivered in 2016 and 2017. The feedback that we have had from our prosecutors is that that was really useful, because it is a complicated and complex issue.

Q48 **Mr Shuker:** Do you have specialist prosecutors, when it comes to antisemitism?

Baljit Ubhey: We don't have specialist prosecutors for antisemitism. We have hate crime co-ordinators, who are prosecutors. They do not deal exclusively with all hate crime prosecutions, but they are a point of contact for other prosecutors, and they do play that role, in terms of checking what is happening on cases and providing feedback to other prosecutors. For example, if they pick up a case and see that we have not adequately asked for a sentence uplift, or have not correctly identified how we demonstrate hostility, they can provide that additional support. It would be impossible for us, I think, for all hate crime cases to just have experts, but I think that system works reasonably well.

There are a number of other things that we do in relation to victim care and victim support. It is not specific to victims of antisemitic crime, but if you think it would be helpful I can share what that is more generally in terms of hate crime.

Mr Shuker: I think you covered it really well earlier, but if there is anything specific, you might perhaps write afterwards. That would be really helpful.

Simon Rose: Could I add three things that I am aware of that I think the Met have done in the last year and a half? The first thing is to go through the last 17 years of antisemitic hate crime that is recorded on our crime database to look at what the solvability factors are from that, and then to share that with the CST and the various shuls.

Q49 **Chair:** Sorry, to share it with the—?

Simon Rose: The synagogues—the CST and the synagogues. Factors that will mean that you are much more likely to get a crime detected can be levered. For example, if CCTV is recovered, the arrest rate is 29%. If there is no CCTV, it is 19%. By getting that information to potential victims as well as officers, when they go along to investigate a crime they can be making those inquiries to try to get that CCTV, which—aggregated over a long period of time—ends up making a difference.

Four principal things came out of that research. There is the speed of the call, which Dave pointed out earlier. There is a concept in policing of a golden hour: what happens in the first 60 minutes is the most important. It is actually 15 minutes. Really the detection rate drops quite steeply

after that. The message that the CST was very helpfully putting out, and we have been putting into the training of our people, is that it is that first 15 minutes.

There is also a very strong evidential case for lowering the threshold for deployment of a scenes of crime officer to an antisemitic assault. If the scenes of crime officer goes to that you are much more likely to get evidence that actually leads to a conviction. We are getting that through the director of forensic services to ensure that those scenes of crime officers are more proactive about seeking out those types of offences, because that is what will lead to their detection.

The last thing was the number of witnesses. Once you get over, apparently, a magic number of four witnesses, there appears to be a significant increase in the detection rate. That may be because one of the four picks them out in the ID parade or because there is more moral support. Those four elements from that research over 17 years is levered in.

There is also a really useful bit of research that has been done by a lady by the name of Sarah Caplin, which was submitted literally yesterday. That was on the reasons for non-reporting of antisemitic crime specifically. It was a survey of 880 people. A lot of people from the Charedi community, who are more likely to be victims of crime, contributed to that, so there is learning that comes from that.

Using that, there has been some training to the community safety teams and to the telephone investigators around that—CCTV, speed of call, forensic services and witnesses—accepting that for some of these things you cannot actually change the outcome on this occasion but you have a principle of being proactive to the second incident rather than reactive to the first. By that interaction or discussion with the member of the community or someone on behalf of them you can potentially change future behaviour, which means the next crime we are more likely to solve. I think we are trying quite hard, and there are quite a few bits and pieces that we are doing, but it is a long journey.

Q50 **Mr Shuker:** Lastly and briefly, from your experience do you think that this problem is getting worse?

Simon Rose: Yes.

Dave Stringer: The stats show that it has stabilised over the last year in terms of crimes that are reported. In terms of community sentiment, absolutely not. What we hear from all our contacts is exactly what you have heard first thing this morning.

Baljit Ubhey: Obviously you have heard about the number of incidents reported going up. That can be about confidence as well, but I think you have heard from people who are closer to the issue that perhaps the situation is getting worse. I think the challenge for the CPS and the police is to make sure that some of that is translating into greater referrals. We have not seen referrals from the police go up in the last three years. We

are working with the national hate crime police lead to look into why that is the case, because some of that should be translating into more prosecutions. From a CPS perspective, that is the focus and challenge for us.

Q51 **Chair:** Before we move on, Simon, I want to ask you something. We talked a moment ago about some specific community-delivered training in Barnet. I think you indicated that it was being rolled out, but I wasn't clear whether it was being rolled out in London or more generally in the whole country.

Simon Rose: Barnet has a very large Jewish population. We have local arrangements here. In Hackney, I know that the gentleman who delivers that, Moshe, delivers it for that borough. So it is pretty much on a borough-by-borough basis, defined by the population generating the need.

Q52 **Chair:** But clearly there might be a benefit to having that sort of training delivered more widely, if you could get the right community organisations involved?

Simon Rose: Really, it is an absolute open door. The CST is quite happy to do some of it, but for the more Orthodox members of the community to some degree the go-to organisation is Shomrim, which is like a neighbourhood watch and has much better representation of the more Orthodox communities. There are also competing organisations such as KSPA and others, so there is quite a network out there that is very willing to help and will be extremely generous with their time.

Q53 **Sarah Champion:** Ms Ubhey, may I bring you back to your last point? You said that the number of referrals from the police to the CPS is dropping. One of the things the witnesses in the last panel said they wanted to see to help tackle antisemitism was prosecutions. Will you reflect on why you think the number of referrals is dropping?

Baljit Ubhey: It is very difficult. We can only prosecute what is referred to us by the police. I am reasonably satisfied that when things are referred, we take a very proactive approach to prosecuting this. Of course there may be challenges with certain types of cases and we won't be able to prosecute everything, but I think we do need to do some more detailed work to understand geographically—this applies to hate crime overall, so it is not something unique to antisemitism, although obviously our data does not even narrow down to antisemitism. For race, religion and hate crime generally, we have seen a drop in referrals. We need to work with the police nationally to understand in a bit more detail where those drops are and why that is occurring.

Q54 **Sarah Champion:** What is your guess?

Baljit Ubhey: I think I would rather not speculate on that at this point.

Q55 **Sarah Champion:** In that case, may I ask the police if they could speculate on why that would be?

Simon Rose: Can I do the numbers first? If you look at the number of recorded antisemitic crime volumes in London, it jumps up significantly after 2013. In 2010 to 2013 it bumps around between 130 and 150; in 2014 it is 327; in 2015 it is 379; in 2016 it is 455; and in 2017 it is 493. So it has gone up. The number for 2018 is probably going to be reasonably static—possibly it might drop down a little bit—

Dave Stringer: Probably, yes.

Simon Rose: But that is the volume of crime that is actually getting recorded, that we are aware of.

Dave Stringer: I cannot talk at a national level, but we detected more antisemitic crime in the last 12 months than we did in the previous 12 months. I don't, unfortunately, have the data on the number of prosecutions that turned into. For us in London, it is a relatively static picture—a slight improvement, in fact—but again I cannot speculate for the rest of the country.

Q56 **Sarah Champion:** So speculate on your own patch. Would you say that people are reporting things that you are recording as a crime, but they don't meet the threshold for prosecution? Is it due to resources, because I can imagine these can be very time-consuming? Why do you think—

Dave Stringer: To be clear, in terms of the improvement in detecting crime, they are small numbers, so a small number of extra detections equates to a 30% increase in detections. I suspect, or my best guesstimate, is that it is some of the work that Simon has been doing—mapping Barnet, because that is where a large chunk of our antisemitic crime lies—in addition to the really good work that they do in Hackney and Haringey as well. It is about encouraging people to report quickly, collect CCTV and so on. So I suspect that the localised training and good work with community organisations is at the root of how we have managed to increase the number of crimes we detect.

Q57 **Sarah Champion:** Okay, thank you. Could I move on to look at the Government's 2016 hate crime action plan? Would you comment on whether you feel that the action plan has had any impact on how you deal with antisemitism? Please give your thoughts on whether it has been effective, not effective, the changes in your practice. That is for all of you.

Baljit Ubhey: Shall I start? Obviously, the plan covers all strands of hate crime. The CPS made a number of commitments in the plan when it was launched in 2016, and we have delivered on a number of those.

One thing we said we would do is refresh our hate crime policies to ensure that they were up to date. We did a very extensive 10-week public consultation exercise last year on all strands, barring our policy on older people, which we will address this year. We revised those policies and organisations such as CST fed into that process. We also have hate crime scrutiny panels in all our CPS areas. Again, those policies will have got feedback from community members, from those scrutiny panels.

We made a commitment to revise our social media guidelines, because of the link to hate crime. Again, that has been completed. We made a commitment to look at how we could make better use of community impact statements. I think that is a really important point because, when we talk about victims of hate crime, it is not just the individual who is victimised, but often the whole community, because of the fear it leads to. It is about ensuring that, where that happens, it is adequately put before the court, so that when they are looking at the case in its totality they understand that.

In August this year we issued some guidelines on community impact statements. Again, if it is helpful to the Committee, I can share that with you outside this meeting. I know that it has been used in a case, I think with the Charedi community in the north-east. That is a concluded case, so if it would help to have that policy into practice in that case, we would definitely share that.

Those are some really practical examples of how we have made a difference based on the commitments we have made. We have also made a commitment on how we communicate success more effectively. Again, it is about that community confidence. If communities feel more confident that, when things are reported, we will do our best to bring a prosecution, if it meets the evidential threshold, that is really important.

Last year, when we launched our policies, we had a Hate Crime Matters campaign, so we tried to use social media to promote the re-publication of those policies. But I think there is more work for the CPS to do. As part of the hate crime action plan refresh, we are going to look at how we can, at a local level, communicate local successful cases far more effectively, particularly to those targeted communities.

We do have a hate crime newsletter that talks about successful cases. We don't just circulate that internally; we circulate it to community partners. The feedback we have had indicates that it is really helpful in building community confidence. The really important thing in this area is that we need to explain why we make decisions, why we prosecute certain cases, why sometimes we don't prosecute. We have had conversations with CST about cases that we don't prosecute. It is also explaining when we do and when we don't, because that also builds trust. The CPS has had a strong record on delivering on hate crime and we were really pleased to be part of the cross-Government action plan in that regard.

Q58 **Sarah Champion:** From a police perspective, how has the action plan changed your practice?

Dave Stringer: We reviewed the Met's hate crime strategy as a direct result of the action plan. Hopefully you have heard this morning about the resource we put into hate crime investigation, and the way that we flag hate crime. We have not had time so far to talk about the extra work that probably still needs to be done on risk assessment.

Sarah Champion: I would be interested to hear about that.

Dave Stringer: That was picked up by the recent HMIC review of hate crime. We have a sophisticated initial investigation and risk assessment model for domestic abuse, which has been in place for quite some time. We are looking to do the same for hate crime. That links in with one of the HMIC national recommendations, so we will be linking in with the national lead, ACC Mark Hamilton, about that. The purpose of that is to provide initial investigating officers with the information they need and to direct them in relation to the questions they need to ask victims, the support that is available for victims and, critically—there was a discussion earlier about repeat victimisation and the reasons why victims may feel they have been targeted—making victims feel secure and understanding what the risks are. That all forms part of our proposed initial investigation and risk assessment process. That is not part of the 2006 plan that we are bringing in, because plans always need refreshing.

Q59 **Sarah Champion:** This is my final question. Simon, I will start with you. The previous panel agreed that the cyber nature of antisemitism has not been addressed effectively. Do you agree? What other changes would you like to see from either a policy or a practice point of view to help us tackle this crime?

Simon Rose: Some of the changes to help us be better at it are already in place. There is this app to educate officers on prevention, investigation and victim support, and the online hate crime hub's ability to take down is really helpful. The steps we need to take are in place. A change in the profile of officers takes a long time. A nice young, enthusiastic 24 or 25-year-old officer who is a digital native—someone who came of age in the time of digital media—is much more aware of and aligned to that. The future is promising in that regard. The steps are in place to help us be better.

Q60 **Sarah Champion:** Is there anything else you would like to see?

Simon Rose: In relation to cyber?

Sarah Champion: In general, basically to help the numbers start going down rather than up, whether that is legislation, guidelines or policy changes.

Simon Rose: Encouraging restorative justice where victims would like to do it would be extremely helpful, as would encouraging reporting and accepting that, even if we get reporting significantly later, it helps build the picture and enables some sort of targeting. The faster takedown or no-platforming of antisemitic views online would be helpful. But for me, the thing that would make the biggest difference is Holocaust education in schools. If you start when they are younger and kids at school understand it is not okay—that it is like any other form of racism, which is totally unacceptable—the problem hopefully dissolves. That is the best place to start. That is my plea.

Dave Stringer: I agree with the sentiments around social media. We get very few reports on social media. Most of the antisemitic hate crime we get is street-based or home-based, but I have no doubt that that equates

to a tiny amount of the antisemitic material out there. Some obligation and a strengthening of community standards that says, "Hate speech and hate crime cannot meet community standards," would be really helpful. That meets part of the problem. The other part is that my sense from all the community engagement work we do is that the Jewish community feels very isolated, so we need a real commitment and effort from all other communities to stand with the Jewish community against the antisemitism that is out there.

Baljit Ubhey: Let me give a sense of perspective on the online. I agree with all the comments about taking things down more quickly—all that would be very helpful. Last year we prosecuted 386 Communications Act offences that were flagged as hate crimes generally. When you put that against 14,000 prosecutions overall, that creates a bit of context. When we look at racially and religiously aggravated offences, by and large the biggest type of offending is assaults, followed by low-level public order—the verbal name calling—and then some criminal damage. It is important that we do not lose sight of that because those are serious crimes. Someone abusing you face to face or assaulting you—that is the nature of the religious and racist hate crimes that we are prosecuting. It is really important that we do not lose sight of that.

Q61 **Mr Shuker:** Very briefly, do you know anything about referrals to Prevent concerning antisemitism? Have we had any numbers on that? No? Okay.

Q62 **Chair:** A have one final question. We heard from the previous panel about the increase over the past two years in the number of antisemitic incidents reported that were linked to incidents in the Labour party being reported in the media. Today we read that the Met police are investigating serious allegations about the Labour party. How important is it in reducing antisemitism that the Labour party is better at tackling antisemitism in its ranks and that the police takes clear action on the incidents that are reported in the press today?

Dave Stringer: Obviously, I cannot possibly come to the Committee and talk about individual investigations. Frankly, any hate crime investigation is the same regardless of who the victim is and who the suspects may be. Our role is to be impartial and to let the evidence take us where we need to go, but there is a strong commitment that all hate crime is taken seriously, investigated properly and passed to the CPS when it needs to be.

Q63 **Chair:** I suppose my point is about community leaders, whether national or local, having responsibility to recognise the impact that they have on this issue.

Simon Rose: In Barnet, as a result of what has been playing out in the national media, there has been an awful lot of local concern, extra allegations, and possibly extra hate crime. The fact that it is being discussed nationally and there is so much comment in the media is generating more hate.

Chair: And we all need to take note of that. Thank you so much for your

time today. We really appreciate your expert views and points; they have been invaluable. On behalf of the whole Committee, I thank you for your time. We will now have a short private session, so could witnesses and persons in the Public Gallery please leave the room?