

AUDIT BOARD
22 APRIL 2020

**MEMBER CODE OF CONDUCT & ADOPTION OF THE INTERNATIONAL
HOLOCAUST REMEMBRANCE ALLIANCE DEFINITION OF ANTI-SEMITISM**

1. Summary

1.1 To consider an amendment to the Member Code of Conduct, to incorporate provisions of tolerance, inter-faith understanding and equality.

2. RECOMMENDATION

2.1 That the Board endorses the proposed amendment to the Member Code of Conduct, to apply the International Holocaust Remembrance Alliance definition of anti-Semitism, in *the broader context of respect, tolerance, inter-faith understanding and equality*, as set out in para. 3.6 of the report and to recommend accordingly to the General Assembly of the Council.

3. Background and Discussion

3.1 On 26 May 2016, the Plenary of the International Holocaust Remembrance Alliance (IHRA) adopted a non-legally binding working definition of anti-Semitism:

‘Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.’

3.2 On 13 January 2020 [Min.No. 74], the General Assembly of the Council adopted the IHRA definition and recommended that consideration be given to applying the IHRA definition of anti-Semitism in the Member Code of Conduct, *in the broader context of respect, tolerance, inter-faith understanding and equality*.

3.3 Crimes motivated by intolerance towards certain groups in society are described as ‘hate crimes’. In a ‘hate crime’, the perpetrator does not necessarily ‘hate’ the victim; instead, the attack is usually aimed at the group the victim represents or is perceived to be representing. For this reason, hate crimes are described as ‘message crimes’, that is, criminal offences that are not only intended for the victim but also to send a message to the victim’s community. People may express attitudes through prejudice and hostility toward targeted groups, whereas incidents involve personal attacks.

3.4 **The broader context of respect, tolerance, inter-faith understanding and equality**

(a) ‘Inter-faith’ is the interaction between people of different religions or faith traditions. The following principles should serve to foster understanding and tolerance of different religions or faith traditions:

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- to respect people's freedom within the law to express their beliefs, values and convictions
- to respect the convictions of others about food, dress and social etiquette and not behave in ways which cause offence
- not to misrepresent or disparage other people's beliefs and practices

- (b) 'Equality' is about ensuring that every individual has an equal opportunity to make the most of their lives and talents. It is also the belief that no one should have poorer life chances because of the way they were born, where they come from, what they believe, or whether they have a disability. Equality recognises that historically, certain groups of people with protected characteristics such as race, disability, sex and sexual orientation have experienced discrimination.

The ideal of equality of opportunity is built into the Council's [Equality and Diversity Document Framework](#) which declares:

'The Council recognises that all its roles and functions will have an impact on different groups and individuals in different ways depending upon their backgrounds, cultures, lifestyles and experiences. This policy demonstrates the Council's commitment to ensuring that everyone in Dartford can take a full part in the social, cultural and economic life of the Borough'.

- 3.5 Numerous instances of 'hate crime' behaviour and intolerance towards certain groups in society by councillors across the country, have been reported in the press and in digital feeds, resulting in their suspension, by their political parties, pending an investigation. Local authorities' standards committees have also been involved in dealing with such behaviour, as a breach of their member codes of conduct.
- 3.6 Having considered the commentary in paragraphs 3.3 to 3.5 above, the Board is requested to endorse the amendment to the Member Code of Conduct, to apply the International Holocaust Remembrance Alliance definition of anti-Semitism, *in the broader context of respect, tolerance, inter-faith understanding and equality*, as set out below and to recommend accordingly to the General Assembly of the Council:

'You will promote tolerance and inter-faith understanding by:

- *showing respect for other people's freedom within the law to express their beliefs, values and convictions;*
- *respecting the convictions of others about food, dress and social etiquette and not behaving in ways which cause offence;*
- *not misrepresenting or disparaging other people's beliefs and practices.'*

'You will not engage in conduct which might reasonably be seen to demonstrate hostility or prejudice based on age, disability, gender reassignment or identity, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, which will include but not be limited to incidents involving racism, anti-Semitism, Islamophobia or otherwise racist language, sentiments, stereotypes or actions, sexual harassment, bullying or any form of intimidation towards another person on the basis of a protected characteristic.'

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4. Relationship to the Corporate Plan

Strategic Objective SC3 of the Corporate Plan seeks to increase public perception of the Borough as a safe place.

5. Financial, legal, staffing and other implications and risk assessments

Financial Implications	None
Legal Implications	The definition is non-legally binding.
Public Sector Equality Duty Crime and Disorder duty	The Council has a duty to eliminate unlawful discrimination, harassment and victimisation. Incorporation of the IHRA definition in the Member Code of Conduct supports both this duty and the Council's duty under Section 17 of the Crime and Disorder Act 1998 by demonstrating the Council's determination to challenge anti-Semitism and hate crime in all its forms.
Staffing Implications	None
Administrative Implications	None
Risk Assessment	No uncertainties and/or constraints

6. Details of Exempt Information Category

Not applicable.

7. Appendices

DBC Code of Conduct

BACKGROUND PAPERS

<u>Documents consulted</u>	<u>Date / File Ref</u>	<u>Report Author</u>	<u>Section and Directorate</u>	<u>Exempt Information Category</u>
		Marie Kelly-Stone (01322) 343643	Legal Services/ Strategic Directorate (Internal Services)	N/A