

Standards Committee

Local Government Association “Debate Not Hate” Campaign

8th June 2023



Report of Legal and Democratic Services

Helen Lynch, Head of Legal and Democratic Services, Monitoring Officer

Electoral division(s) affected:

None

Purpose of the Report

- 1 To inform Members of any developments of the Local Government Association (LGA)'s Debate Not Hate campaign.

Executive summary

- 2 The LGA's Debate Not Hate campaign aims to raise public awareness of the role of councillors in their communities, encourage healthy debate and improve the responses and support for local politicians facing abuse and intimidation.
- 3 The Standards Committee added the Campaign to its work programme in December 2022 so that it can remain up to date with activity relating to and progress of the campaign.
- 4 At its meeting in March 2023, the Standards Committee agreed that the Head of Legal and Democratic Services, in consultation with the Chair would submit a case study to the LGA in relation to the support provided by the Council to members in relation to abuse and intimidation. This report provides the Committee with an update in relation to that work and other matters relevant to the campaign.

Recommendation(s)

- 5 The Standards Committee is asked to:
 - (a) Note the Report.

Background

- 6 The LGA's Debate Not Hate campaign aims to raise public awareness of the role of Councillors in their communities, encourage healthy debate and improve the responses and support for local politicians facing abuse and intimidation.
- 7 At the meeting in March, the Committee received an update in relation to the LGA's Supporting Councillors with Abuse Project and a summary of a workshop that Officers had attended. In response to the contributions made during that workshop, the County Council were asked to provide a case study in relation to the support that it provides Councillors in response to abuse and intimidation. The Committee agreed that that the Head of Legal and Democratic Services, in consultation with the Chair of the Standards Committee would submit a case study to the LGA.

Supporting Councillors with Abuse Case Studies

- 8 Accordingly, in April 2023, the Head of Legal and Democratic Services met with the lead researcher on the Supporting Councillors with Abuse Project ran by the LGA to explain the support provided and arrangements in place for Members experiencing abuse and intimidation.
- 9 Discussions centred around Durham County Council's relationship with Durham Constabulary and the Council's social media toolkit and training. The lead researcher was provided with a copy of the Social Media toolkit to assist her in producing the case studies.
- 10 As a result of the meeting, the LGA have produced two case studies, 'Reporting abuse and establishing productive relationships with the police' and 'Using social media safely'.
- 11 The Head of Legal and Democratic Services consulted the Chair of the Standards Committee, the Deputy Police Constable, the Council's Comms team, and the Health and Safety Team on the content of the case studies.
- 12 The LGA have confirmed that the case studies are currently going through their internal approval process, and they are aiming to publish them by the end of June.
- 13 The Standards Committee will be provided with a copy of the case studies following the publication by the LGA.

LGA's response to the Online Safety Bill

- 14 The LGA have published their responses to the current version of the Online Safety Bill (OSB) and have said that they support the overall aims of the Bill. Their response to the amendments references the Debate not Hate campaign, and they express that they hope the OSB will help to tackle abuse, harassment and intimidation which is directed at individuals holding elected office.
- 15 The most recent version of the bill has removed the requirement for services to regulate content which is deemed harmful for adults. This has been replaced with the requirement to ensure that adult users should be able to disengage with such content should they wish.
- 16 The LGA have said that they are concerned that the removal of such clause will weaken the ability of the OSB to tackle abuse which will not satisfy the criminal threshold for the new communication-based offences which the act will introduce.
- 17 They believe that some amendments, such as this removal will make it more difficult to tackle the low-level abuse directed at Councillors, highlighting the findings of the 2022 Councillor Census which found seven in ten Councillors report experiencing abuse, harassment, or intimidation.
- 18 The LGA have shown their support for the user verification and user empowerment duties covered in the OSB. It is hoped that such provisions will assist in tackling online abuse and intimidation. The LGA had previously called for a focus of the OSB to be to prevent abusive content prior to it being posted.
- 19 The OSB will introduce new communication-based criminal offences which includes a false communication offence, and a threatening communication offence. The LGA has said that they 'broadly welcomes these offences.'
- 20 The LGA has shared concerns that the thresholds for the false communication offence has not been adequately set. They particularly question if there may be liability for prosecution should an individual share/re-share false information without knowing that it is false.
- 21 Additionally, they have shared their regret in the removal of the harmful communications offence, which was removed at the committee stage. The LGA has said that they remain concerned that low-level abuse directed towards elected representatives will not be captured under these new offences.

- 22 The OSB includes a provision which will aim to protect democratic content. The LGA have said that they are concerned that the language used throughout the clause is very broad, and that there should be clear guidelines for what content should be considered to be 'of democratic importance'.
- 23 They are also concerned that the clause protecting democratic content may unintentionally protect harmful disinformation that may be classified as 'political speech' They have asked that the Government work with bodies such as themselves, and political parties to consider such unintentional consequences when developing a code of practice for Ofcom.
- 24 The LGA are also asking social media platforms to look to introduce safeguarding measures which will be aimed towards individuals holding elected office, which would include fast track routes to reporting abuse, intimidation, and harassment.
- 25 At present, the OSB is in the Committee Stage within the House of Lords, with the next sitting scheduled for 22 June 2023.

Background papers

- The LGA's Call for evidence quantitative data
<https://www.local.gov.uk/publications/lgas-call-evidence-quantitative-data>
- [Online Safety Bill, Second Reading, House of Lords, 1 February 2023 | Local Government Association](#)

Other useful documents

- LGA Debate Not Hate Public Statement
<https://www.local.gov.uk/about/campaigns/debate-not-hate/debate-not-hate-sign-our-public-statement>

Author(s)

Katherine Marley

Tel: 03000 265854

Appendix 1: Implications

Legal Implications

There are no specific legal implications arising from this report. The issues referred to in this report will assist the Council in complying with its obligations under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct.

Finance

There are no financial implications.

Consultation

Constitution Working Group are being consulted on the proposals in respect of the Debate Not Hate Campaign. The Standards Committee will also receive a similar report at its meeting in December 2022.

Equality and Diversity / Public Sector Equality Duty

No Implications

Climate Change

No Implications

Human Rights

There are no direct Human Rights implications arising out of the report. However, when considering allegations of abuse and intimidation, it is necessary to consider a balance between protecting Councillors from harassment and complying with Article 10 – Freedom of Expression of the European Convention of Human Rights.

Crime and Disorder

Incidents of abuse and intimidation may amount to criminal behaviour. The Debate Not Hate Campaign is intended to reduce incidents of abuse and intimidation and therefore have a positive impact on crime and disorder.

Staffing

No Implications

Accommodation

No Implications

Risk

No Implications

Procurement

No Implications

**Appendix 2: Debate Not Hate The impact of abuse on local
democracy.pdf (coventry.gov.uk)**
