

# UK: The EHRC, the Labour Party and antisemitism

By Frank Cranmer

Law & Religion UK (28.05.2019) – <https://bit.ly/2IxjGrx>– The Equality and Human Rights Commission has **announced** a formal investigation to determine whether the Labour Party “has unlawfully discriminated against, harassed or victimised people because they are Jewish”:

“We are pleased that The Labour Party has committed to co-operate fully with this investigation. We contacted Labour after receiving a number of complaints about allegations of antisemitism in the Party. We have carefully considered the response we received from the Party and have now opened a formal investigation under section 20 of the Equality Act 2006 to further examine the concerns.”

The full **terms of reference** of the investigation are as follows:

## “Background

1. The Commission suspects that The Labour Party (‘the Party’) may have itself, and/or through its employees and/or agents, committed unlawful acts in relation to its members and/or applicants for membership and/or associates.

## Scope of investigation

2. The investigation will consider whether the Party carried out such unlawful acts.
3. The investigation will need to be effective but proportionate. The investigation will focus on the Party's response to a sample of complaints of alleged unlawful acts that have taken place since 11 March 2016. However, the investigation may consider the Party's response to such complaints that have taken place prior to this date, if it is considered necessary and appropriate.
4. In examining the evidence the Commission will look at such issues as it considers appropriate, which may include any or all of the following:
5. Whether unlawful acts have been committed by the Party and/or its employees and/or its agents;
6. The steps taken by the Party to implement the recommendations made in the reports on antisemitism by Baroness Royall, the Home Affairs Select Committee and in the Chakrabarti Report;
7. Whether the Rule Book and the Party's investigatory and disciplinary processes have enabled or could enable it to deal efficiently and effectively with complaints of race and/or religion or belief discrimination and racial harassment and/or victimisation, including whether appropriate sanctions have been and/or could be applied; and
8. Whether the Party has responded to complaints of unlawful acts in a lawful, efficient and effective manner.
9. The Commission will publish a report of its findings and may make recommendations in accordance with Schedule 2 paragraph 16 of the 2006 Act."

Further:

"8. In the course of the investigation, the Commission may

have regard to the International Holocaust Remembrance Alliance's working definition of antisemitism and associated examples, while recognising it is a non-legally binding definition."