

**Manchester City Council  
Report for Information**

**Report to:** Standards Committee – 15 March 2018

**Subject:** Intimidation in Public Life

**Report of:** City Solicitor

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**Purpose of the Report**

To update Members regarding the Committee on Standards in Public Life's ("the CSPL") recent review of intimidation in public life.

**Recommendation**

That the Committee note the report.

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**Wards Affected:**

All

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**Financial Consequences for Revenue Budget**

None

**Financial Consequences for the Capital Budget**

None

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**Implications for:**

Antipoverty	Equal Opportunities	Environment	Employment
No	No	No	No

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**Background documents (available for public inspection):** None

## 1.0 Background

1.1 Members may be aware that the Committee on Standards in Public Life (“the CSPL”) has been conducting a review of intimidation experienced by Parliamentary candidates, and the broader implications of this for other holders of public office.

1.2 The CSPL published its report on 13 December 2017. The report includes recommendations to address the threats and intimidation experienced by the holders of public office. A copy of the report (“the report”) is available at:

<https://www.gov.uk/government/publications/intimidation-in-public-life-a-review-by-the-committee-on-standards-in-public-life>

## 2.0 The Report Findings

2.1 In carrying out its review, the CSPL obtained evidence from a range of individuals and organisations, including candidates, MPs, local councillors, social media companies, regulatory bodies, broadcasters, journalists, the police and security authorities.

2.2 The CSPL found that intimidation in public life presents a threat to the very nature of representative democracy in the UK. It found that a significant proportion of candidates at the 2017 general election experienced harassment, abuse and intimidation. There has been persistent, vile and shocking abuse, threatened violence including sexual violence, and damage to property. It concludes that addressing this intimidatory, bullying and abusive culture is important for:

- a) The diversity of our public life;
- b) The way in which the public can engage with representative democracy; and
- c) The freedom to discuss and debate issues and interests.

2.3 Currently, social media companies do not have liability for the content on their sites, even where that content is illegal. The report states that widespread use of social media has been the most significant factor accelerating and enabling intimidatory behaviour in recent years. The CSPL is deeply concerned about the limited engagement of the social media companies in tackling these issues. It acknowledges that social media helps to promote widespread access to ideas and engagement in debate, but is aware that it also creates an intensely hostile online environment. Some have felt the need to disengage entirely from social media because of the abuse they face, and it has put off others who may wish to stand for public office.

2.4 The CSPL is keen to stress that the report is not about defending elites from justified criticism or preventing the public from scrutinising those who represent them. It is about defending the fundamental structures of political freedom. The CSPL acknowledges that intimidation in public life is not new. However, it finds that the scale and intensity of that intimidation is shaping

public life in ways which are a serious issue. It takes the view that intimidation reflects broader issues with our public political culture and states that those in public life have to take responsibility for shaping that culture.

### **3.0 General Recommendations of the Committee on Standards in Public Life**

3.1 The CSPL has made recommendations for action to social media companies, political parties, the Government, the Police and prosecutors, as well as to all those in public life. The recommendations include the following:

#### **Social media**

- The government should bring forward legislation to shift the liability of illegal content online towards social media companies
- Social media companies must develop and implement automated techniques to identify intimidatory content posted on their platforms. They should use this technology to ensure intimidatory content is taken down as soon as possible
- Social media companies must do more to prevent users being inundated with hostile messages on their platforms, and to support users who become victims of this behaviour
- All social media companies must ensure that they are able to make decisions quickly and consistently on the takedown of intimidatory online content
- Twitter, Facebook and Google must publish UK-level performance data on the number of reports they receive, the percentage of reported content that is taken down, and the time it takes to take down that content, on at least a quarterly basis
- Social media companies must urgently revise their tools for users to escalate any reports of potential illegal online activity to the police

#### **New offence**

- The Government should consult on the introduction of a new offence in electoral law of intimidating Parliamentary candidates and party campaigners

#### **Political parties**

- The political parties must work together to develop a joint code of conduct on intimidatory behaviour during election campaigns by December 2018. The code should be jointly enforced by the political parties. The consequences of any breach of the code should be clear and unambiguous.
- Leaders of political parties should always call out intimidatory behaviour, even when it is perpetrated by those in the party's fringes. Fringe group leaders and spokespeople should immediately denounce any intimidatory behaviour on the part of their members or supporters
- Political parties must offer more support and training to candidates on their use of social media

## **The Police**

- The National Police Chiefs Council should ensure that local police forces have sufficient training to enable them to effectively investigate offences committed through social media
- The National Police Chiefs Council should produce accessible guidance for Parliamentary candidates giving clear advice on behaviour they may experience during a campaign which is likely to constitute a criminal offence and what they should do in the face of such intimidation

## **Behaviour of those in public life**

- Nobody in public life should engage in intimidatory behaviour, nor condone or tolerate it. All those in public life have a responsibility to challenge and report it wherever it occurs
- Those in public life should seek to uphold high standards of conduct, adhering to the Seven Principles of Public Life, and help prevent a decline in public trust in political institutions through their own conduct
- Those in public life must set and protect a tone in public discourse which is not dehumanising or derogatory, and which recognises the rights of others to participate in public life
- Those in public life have a responsibility not to use language which engenders hatred or hostility towards individuals because of their personal characteristics
- Those in public life should not engage in highly personalised attacks, nor portray policy disagreements or questions of professional competence as breaches of ethical standards.

## **4.0 Recommendations of the CSPL Specific to Local Government**

- 4.1 In Chapter 4 of the report the CSPL made the following recommendation in relation to the need for home addresses on ballot papers:

The Government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count.

- 4.2 The CSPL referred to evidence it had received that some local councillors were told to declare their home addresses as part of a declaration of pecuniary interests, but were not informed about the sensitive interests provisions in the Localism Act 2011, where there is a risk of violence or intimidation to them or a person connected to them. The Committee therefore made the following recommendation:

Local authority Monitoring Officers should ensure that Members required to declare pecuniary interests are aware of the sensitive interests provisions in the Localism Act 2011.

4.3 Following the May 2018 local elections, Legal Services will remind all elected and co-opted Members that where the nature of an interest of theirs (such as their home address) is such that they, consider that disclosure of the details of the interest could lead to them, or a person connected with them, being subjected to violence or intimidation, then if the Monitoring Officer agrees (at the request of the Member concerned):

- if the interest is entered in the authority's register, copies of the register that are made available for inspection, and any published version of the register, will not include details of the interest, and
- where they have such an interest in any matter being considered at a meeting at which they are present, then they need only disclose that they have an interest in the matter concerned without disclosing the details of the interest

This will also be included in the newly elected Member induction following the May 2018 local elections.

### **Recommendation**

That the Committee note the report.