

**North East Derbyshire District Council**

**Standards Committee**

**3 May 2018**

**Standards in Public Life: Intimidation in Elections**

**Report of the Joint Head of Corporate Governance and Monitoring Officer**

This report is public

**Purpose of the Report**

- To advise Members of a review that has taken place by the Parliamentary Committee on Standards in Public Life on Intimidation in Elections.
- To provide Members with an overview of the findings of that review.

**1 Report Details**

BACKGROUND

- 1.1 Reports of intimidation of candidates and their supporters during the 2017 General Election led the Prime Minister to commission a review by the Parliamentary Committee on Standards in Public Life. Whilst intimidation in public life is nothing new, the scale of intimidation and abuse experienced by Parliamentary Candidates was a shocking intensification of the experiences of many in public life.
- 1.2 A significant proportion of candidates experienced harassment, abuse and intimidation. There has been persistent, vile and shocking abuse, threatened violence including sexual violence, and damage to property. It is believed that widespread use of social media platforms was the most significant factor driving this behaviour.
- 1.3 The Parliamentary Committee, while considering the scope of the review on intimidation, identified several areas of concern:-
  - Social media companies have been too slow in taking action on online intimidation to protect their users;
  - The Political Parties have failed to show leadership in calling out intimidatory behaviour and changing the tone of political debate;
  - Police authorities have shown inconsistency in supporting those facing legal intimidatory activities;
  - Election law is out of date.

- 1.4 For the purpose of the review the Parliamentary Committee interpreted intimidatory behaviour as “words and/or behaviour intended or likely to block or deter participation which would reasonably lead to an individual wanting to withdraw from public life”.

## SOCIAL MEDIA

- 1.5 One clear trend is the way that social media are changing the way in which Election campaigns are conducted and have led to a marked shift in how the public engages with Parliamentary Candidates. Social media companies and Government have met to consider how they may proactively address the issue of intimidation online due to the Parliamentary Committee’s concerns around the lack of progress that Twitter, Facebook and Google specifically had made in protecting their users online. They have noted however that existing social media platforms are being used to perform a specific democratic function for which they were not designed.
- 1.6 The Parliamentary Committee have noted that political tensions run high during Election campaigns. Whilst social media provides a means for citizens to engage with the political process, using intimidation has increased. One analysis of offensive language targeted at MPs during the General Election found that between 2% and 4% of all tweets sent to politicians on any given day could be identified as abusive.
- 1.7 The Committee have made several recommendations to be implemented in relation to social media. These are:-
- Social media platforms should work proactively during Elections and cooperate with police, parliament, and the political parties to consider what special measures might be put in place;
  - Twitter, Facebook and Google should work with the Government to create a pop-up election social media reporting team of trusted flaggers (this is to speed up take down on offensive and abusive posts);
  - The pop-up one shop should facilitate reporting and provide advice on escalating complaints in to Police reports;
  - Social media companies should actively provide advice, guidance and support to Parliamentary Candidates on steps they can take to remain safe and secure while using their sites.

## POLITICAL PARTIES

- 1.8 Elections are competitive and can be robust, but abusive behaviour, goes further and amounts to intimidation and harassment. The Parliamentary Committee have deduced that some of those responsible for abusive and derogatory behaviour were party members. In a survey of 950 Parliamentary Candidates 33% reported inappropriate behaviour by supporters of opposition parties and/or candidates.
- 1.9 The Parliamentary Committee have identified that political parties have three key responsibilities.
- (a) To show leadership in setting an appropriate tone for public debate around elections for their campaigners and supporters;
  - (b) To tackle intimidatory behaviour undertaken by their members;

- (c) To provide support to their candidates who face intimidation during the Election campaign.
- 1.10 Intimidation experienced by candidates is too high a price to pay for political points scoring, and the Parliamentary Committee has urged that political parties must work proactively together to tackle the issue of intimidation in public life.
- 1.11 The Parliamentary Committee has called for a Joint Cross Party Code of Conduct backed up by sanctions for intimidatory behaviour during Election campaigns to be ready by December 2018. It would be jointly developed by all parliamentary political groups and jointly enforced by a committee of party compliance officers. A joint Code could provide an alternative mechanism to escalate intimidatory behaviour to an authority other than their own party.

## ELECTIONS

- 1.12 On a more local level the Parliamentary Committee noted that candidates standing for election as County / District / Parish Councillors are required to publish their home addresses on ballot papers. A number of people told the Committee during the review that this had been a significant factor in receipt of intimidatory behaviour or would put them off from standing as a Council candidate due to the risk of intimidation. The Committee also saw evidence that some local Councillors were told to declare their home addresses as part of a Declaration of Pecuniary Interests, but were not aware that publication of the details of an interest could be prevented where the Councillor and Monitoring Officer agree that it could lead to intimidation or violence against the Councillor or their family. North East Derbyshire's Monitoring Officer updated on this matter at the recent meetings of Standards Committee and District and Parish Liaison.
- 1.13 The Parliamentary Committee felt that as with Parliamentary Candidates, candidates standing as local Councillors should have the option to publish only the Ward in which they live on the ballot paper. The addresses of agents, sub-agents and election observers disclosed to the Returning Officer in order for them to attend an Election count should not be disclosed to others.
- 1.14 The Parliamentary Committee heard from Councillors during the course of this inquiry and decided the health check of Local Government would be timely and therefore it commissioned a review of Ethical Standards in Local Government. The two reviews are indeed connected and the Standards Committee at its previous meeting formulated its collective response to the Parliamentary Committee.
- 1.15 The Full Review of the Parliamentary Committee is attached to this report as **Appendix 1**.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 To raise awareness of the review and findings of the Parliamentary Committee.
- 2.2 To gain a collective understanding of the legal protections available if circumstances should arise in North East Derbyshire.

2.3 To consider the support that could be provided to candidates by the Council should they experience intimidation during an election period.

**3 Consultation and Equality Impact**

3.1 None.

**4 Alternative Options and Reasons for Rejection**

4.1 None.

**5 Implications**

**5.1 Finance and Risk Implications**

5.1.1 None.

**5.2 Legal Implications including Data Protection**

5.2.1 None.

**5.3 Human Resources Implications**

5.3.1 None.

**6 Recommendations**

6.1 That Members given consideration to the Parliamentary Briefing on Intimidation in Elections as attached **Appendix 1** to this report and note its content.

**7 Decision Information**

<p><b>Is the decision a Key Decision?</b>  A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <i>BDC: Revenue - £75,000</i> <input type="checkbox"/>  <i>Capital - £150,000</i> <input type="checkbox"/>  <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/>  <i>Capital - £250,000</i> <input type="checkbox"/>  <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>No</p>
<p><b>Is the decision subject to Call-In?</b>  (Only Key Decisions are subject to Call-In)</p>	<p>No</p>
<p><b>District Wards Affected</b></p>	<p>All</p>
<p><b>Links to Corporate Plan priorities or Policy Framework</b></p>	<p>All</p>

**8 Document Information**

Appendix No	Title
1	Parliamentary Committee on Standards in Public Life Review: Intimidation in Elections
<p><b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
<p><b>LGiU Briefing – Standard in Public Life: Intimidation in Elections and Inquiry in to Local Government Standards published on 14<sup>th</sup> March 2018.</b></p>	
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