Intimidation in Public Life

Written Evidence

Submissions 1-39

Submission number	Name
Submission 40	Phil Delnon
Submission 41	Mark Shepherd
Submission 42	Geoffrey Thomas
Submission 43	John Vincent
Submission 44	Sarah Lesiter-Burgess
Submission 45	Karen Chilvers
Submission 46	Caroline Kenyon
Submission 47	Ross Shipman
Submission 48	Cllr Kate Smith
Submission 51	Ameet Jogia
Submission 52	Rt Hon Amber Rudd MP
Submission 53	Maria Caulfield MP
Submission 54	Professor Sarah Birch
Submission 55	Dr Clive Roderick Sneddon
Submission 57	Dr Heather Peto
Submission 58	Dr Jonathan Rose
Submission 59	Scottish Women's Convention

Lord Bew,
Chair, Committee on Standards in Public Life

Re: BBC Radio 4's Westminster Hour, (the abuse directed at politicians).

Ow do, Lord Bew.

Let me tell you straight off that I'm not just a Northener, but a Mancunian. A spade is a spade. So like *Deep Thought* to the race of hyper-intelligent, pan-dimensional beings, I do have an answer for you: but You're Not Going To Like It. *People of quality*: what a quaint phrase, and how revealing.

Long experience of "consultations" which were no more than a cosmetic sham, of petitions which were dismissed out of hand, of "my" MPs merely parroting their party line, makes me suspect that you and your colleagues are looking for a quick fix which does not involve the Political Establishment actually having to mend their ways or leave their comfort zone. On the other hand I've checked your biography and you don't seem to be entirely a Tory Stooge. Anyone disliked by Gerry Adams can not be entirely worthless. So let's try one more time. Though I expect you'll merely try to pick holes.

Please regard this as a response from a *critical friend*. ☺

First of all, it's the economy. Almost a decade of hard times is hardly going to endear the rulers to the ruled. Particularly if the rulers are perceived as (a) incompetent and (b) doing quite nicely, thank you. "We're all in it together" was a particularly tactless soundbite from a particularly well-off politician. I recall an interview when Cameron could not remember quite how many properties he owned, and begged the interviewer not to make him 'look like a total prat'. Too late: he'd done it himself, and that was before he became PM. What was that about *People of Quality*?

①

1a) So here is the first in a number of quite painful remedies. Have the front benches filled with people who live like the rest of us: who have to budget their housekeeping and choose where to shop; who have to keep an eye on their utility bills and think about whether they can afford to go away on holiday: people whose sole income is their MP's salary. People who know what it is like to be Just About Managing. Then, and only then, might we be all in it together.

1b) Then it's time to be open with us. Show us the accounts book. As a member of several societies, I always receive a copy of the annual accounts, duly audited and approved. It ought to be the same for the UK PLC. I doubt very much that such accounts would hold any surprises for our overseas competitors or the IMF. Then we will all know where we stand, and then, crucially, it will be necessary to explain how any particular initiative will improve our position. It is about establishing trust. The crux of the matter – a thread which will run throughout this response – is whether the Political Establishment sees itself as our servants or our masters. If the latter, you may as well stop reading now.

Secondly, dissatisfaction with politicians is not unique to the UK. The Americans have chosen Trump, the French Macron, both largely as a result of anger at their political élites. I have read an edition of *La Voix du Nord* which reported that the typical career structure of a French MP was to study politics at University, take a job with a political party, get elected and, if unelected, take another party political job, usually in research. MPs were criticised for being out of touch with reality: 'not knowing the price of a Métro ticket' and 'not doing their own shopping'. They denied it. Well, they would, wouldn't they?

On the other hand there are countries such as Germany who do not have this problem to this extent.

2a) Consider Angela Merkel's nickname : "The Saxon Housewife". Merkel did not enter politics until 1989, aged 44. Candidates for political office should be drawn from those who have done better than to make a career in nothing but politics. Or journalism. Such people might be deployed as researchers.

2b) Likewise, the criteria for selecting candidates ought to be balanced in proportion to their experience of the real world. Merkel was a scientist. (The

Germans respect scientists more than we do.) Westminster seems to have a preponderance of lawyers, accountants and journalists: there needs to be balance.

2c) Think tanks and focus groups are at present used as a means of finding out what we think, and then crafting the lies intended to win our votes. Wrong way round. They should be used to reform party policy, even if that goes against party dogma. I did say it would hurt; and please refer again to the thread: servants or masters? (There will be exceptions: for example, I suppose that a majority of the electorate would favour capital punishment. But these should be exceptions, not the rule.)

The extremes of right and left have always been with us. They are no more significant now than before: perhaps even less significant than in the 1930s, when there was political violence on the streets of Britain. As for the social media: it seems to be true that the anonymity of the Internet allows people to use language they would not use in public. (Perhaps: I've heard some pretty ripe language in the shops.) Public sites are moderated, however, and offensive posts are soon taken down. This does not prevent unpleasant people from using multiple accounts and spitting their bile everywhere, nor does it prevent them from using multiple e-mail accounts to verbally assault their perceived enemies.

However, the social media are the carriers, not the disease. The moderators can only address the symptoms. This begs the question: *why* are sections of society becoming increasingly unpleasant?

3a) The proposed solution – increased legislation to protect MPs – is typically inappropriate. This will not prevent the abuse, any more than virus-protection software will eradicate the problem of malware, ransomware, phishing and viral infections. Villains are always with us, and not all of them can go into politics. Sorry.

3b) Legislation is effective only when it can be enforced: and just how often do you see people driving along with their mobiles clamped to their ears? Let us suppose that all UK-based Internet Service Providers could be required by law to make each subscriber use his/her own name when sending e-mails. The practical result would be to expose the innocent to scams, and to induce the guilty to subscribe to foreign ISPs. It's a lose-lose scenario.

3c) Likewise, for our own protection, social media sites urge us not to divulge our real names on-line. I'm one of a very small number of posters using my real name on the BBC's Have Your Say, and it is risky. I do it on Facebook, too: but I seldom venture on to the political sites. Too many trolls.

3d) Having a thick skin is surely a prerequisite for any career politician. As the man said: if you can't stand the heat, stay out of the kitchen. In my many exchanges with politicians (though then as now I have restrained myself best as I can) I have yet to find a cry-baby. So I shall deploy a phrase used by Michael Gove: *man up*. (Funny how politicians don't like it quite so much when they get back what they give out. Refer to the thread.)

3e) Abuse is only the symptom: the disease is the Political Establishment, with its antagonistic, confrontational politics. Look at the layout of the Chamber of Commons. Do as you would be done by. I did say it would hurt. Politicians are merely reaping what they have sown. In any election, they seem to spend most of their time spreading scare stories about their opponents rather than explaining what they themselves would do and how they would pay for it. The "demon eyes" campaign, for example. They set the example; it is typical hypocrisy for them to whinge when they are followed. The solution is to remove their exemption from the advertising standards legislation requirement to be legal, decent, honest and truthful. Again I shall refer to Germany. A civilised country.

Then we come to the fundamental dishonesty of the Political Establishment. For example, the imposition of a Mayor on Greater Manchester, under the feeble pretext that although Manchester had voted against having a Mayor, Greater Manchester was a whole new ball game. Westminster laughed in the face of democracy, and is offended when people are angry?

For me the last straw came in 1999. It was a trivial matter. Before the previous election Shadow Secretary of State for Education David Blunkett had promised to scrap the Assisted Places Scheme, but not for children who were already on it. Once in office, the Right Honourable David Blunkett broke his word. The saving to the Treasury must have been minuscule, but he did it. An aggrieved family took him all the way to the High Court, where Mr Justice Kay reluctantly acquitted him with a ruling which ripped away the last vestiges of respect I had for the Political Establishment. I quote: "pre-election promises are irrelevant." In other words, politicians have a licence to lie. *Right Honourable*: it makes one proud to be British.

My career was spent in education. When I began, teachers were politically overwhelmingly Conservative. Decades of gross mismanagement and gratuitous abuse have "radically reformed" that (*quoting Baker et al.*) From Baker to Gove I have seen nothing but a succession of incompetents of both parties, whose amateurism has been surpassed only by their arrogance: dogmatic dilettantes unfit to tie a GTP recruit's shoelaces, who could not teach a fish to swim, and who have abused our children as guinea-pigs in a succession of bodged experiments and "reforms". By 1997 I had become a Guardian reader. Then New Labour were in power, and all the policies they had so vehemently criticised were promptly perpetuated. All at once it was *four legs good, two legs better,* and I became an ex-Guardian reader. *As Bad as Each Other,* indeed.

It is the total disconnection between the Political Establishment and real life in Britain today. Like Louis XVI and Charles I: out of touch and out of time. Not that either of them would admit it. See the reference to focus groups, above. Westminster is autocratic, arrogant, cynical and narcissistic. I think I hear the ghost of Charles I, laughing his head off.

Meanwhile the Germans have stuck to their system. When asked if they have anything to learn from us, they try not to laugh. Compare and contrast. Just count the number of BMWs on the streets. Even Up North. In my quiet, middle-class cul-de-sac, 10% of the cars are Beamers, including mine. Not one Jaguar; not one. Go figure.

People of quality have governed Britain since WWII; and to say they have made a dog's breakfast of it would be an insult to the manufacturers of Winalot. Westminster is a pathetic shambles. They have failed, failed, and failed again. Things have changed: a 21st Century Nation requires something better than a 19th Century legislature.

10a) There comes a time when the people you have ripped off tells you what you are. The Political Establishment needs to pull their bloody finger out and set the proper example. But they won't. They are out of touch, complacent and frit.

I take great pleasure in ending with two phrases very popular among our politicians and mismanagers: DO NOT REPLY, and THANK YOU.
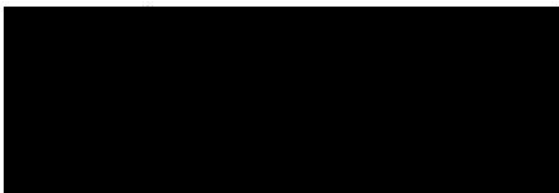
COMMITTEE ON STANDARDS IN PUBLIC LIFE Call for Evidence ON REVIEW INTO INTIMIDATION:

My submission addresses points 3 and 6

> 3. Has the media or social media significantly changed the nature, scale, or effect of intimidation of Parliamentary candidates? If so, what measures would you suggest to help address these issues?
>
> 6. What other measures might be effective in addressing the intimidation of Parliamentary candidates, and candidates for public offices more broadly?

Introduction/Overview

Following ESRC/AQMeN funded research* on the content of Twitter and BBC Have Your Say discussion threads in the run-up to the Scottish Independence Referendum (2014) I identified 5 'F's' to avoid doing online (foul; false; foggy; flannel; and flaming) as well as 5 'F's' to think about before engaging online (followers; facts; fashion; filtering; and fallout). Education Scotland already use my [TEDx talk](#) as a component in classroom teaching (5 F's to avoid). The policy brief below extends this Ted talk and is of salience to your points 3 and 6 about ways of improving citizen engagement with politics and politicians. It focuses on simple alliterative exercises that should help build better online (and offline) behaviours. Given the heated online discussions over issues such as Scottish independence and Brexit and elections, it also makes sense for this brief to be disseminated and used by teachers in secondary schools in England, Wales and Northern Ireland as part of citizenship education (for example, the citizenship component of the National Curriculum, the National Citizenship Service, and Politics A and AS...).

Improving online political literacy for effective public engagement

Dr. Mark Shephard

This Policy Brief draws on the author's research of online social media discourse during the 2014 Scottish independence referendum. It aims to stimulate classroom discussion and awareness of how to improve online literacy for effective political and public engagement. Using examples from research of online discussions of the Scottish independence referendum, it identifies online behaviours that undermine effective public and political engagement (5 F's to avoid), as well as things to be aware of when reading and/or entering into debate with others online (5 F's to consider). This IPPI Policy Brief is aimed at those who teach social media in the classroom as well as for any citizen who reads and/or engages in debate online.

I   Introduction and background

Social media use has gone from a small minority activity to a majority activity within a relatively short space of time (Ofcom, 2015) and is particularly popular with younger people (Langford and Baldwin, 2013). Even if you do not use social media you are likely to indirectly consume it as traditional media not only responds to stories that start on social media, but often include extracts in their coverage. As well as the opportunities to share information and to interact with others using social media, the Youth Citizenship Commission (2009) identified a number of concerns with the use and consumption of social media including: selective consumption and interaction; inadequate representation of sides; limited characters with which to communicate; and the capacity of users to know what is valid. Of course, this is not just a problem for youth. The concerns raised by the Citizenship Commission have resonance for anybody directly and/or indirectly trying to make sense of the world around them through online interaction. (1)

Unlike driving a car, there is no licence required for online social media engagement. This means that lots can go wrong that need not, provided that citizens are made aware of a few core behaviours to avoid and things to look out for when engaging online. This is arguably important across all domains of life from interpreting online restaurant reviews to knowing where to book your holiday. In politics this is important because political campaigns now widely employ social media (see for example, Gibson and McAllister, 2011) and we know that social media can alter participation and voter turnout (see for example, Bond et al. 2012) and can set agendas and even alter electoral outcomes (see for example, Hogan and Graham, 2013). (2)

Although our research on social media usage during the Scottish independence referendum suggests that bad behaviour online is very much a minority activity on average (Quinlan, Shephard and Paterson, 2015), news stories illustrating bad practice online and its consequences for both recipients and those posting are commonplace. Those targeted, as well as those targeting, come from all walks of life and the whole point of this brief is to use examples from our research to illustrate some core things to avoid and some key things to look out for online. My goal is to use some of the clangers spotted in the course of our research into online behaviour during the Scottish independence referendum to help create a more informed and capable citizenry more able to effectively engage online. (3)

From our research, I posit 5 core 'Fs' to avoid and 5 core 'Fs' to consider before engaging with online social media. (4)

II   5 Fs to avoid

1) **Foul** - The first 'F' to avoid is the foul. Adding swear words or using threatening words (or even gratuitous smears such as 'Slimeball Salmond' or 'Clown Prince Cameron') against people and/or organisations and/or political viewpoints is likely to be abusive and offensive to those who are targeted, to some who are reading a thread, and even to those posting the foul should the public and/or media and/or their employer turn on them. The same is true of offensive imagery that might accompany any post. Being foul rarely adds to a debate, and often detracts from it. In addition, too much wasted time is used challenging foul posts, thereby eroding the space and time available for serious discussions of points that are being made. Fouling can also close down debate as the side targeted 'spirals into silence' making it difficult to know what is the true balance of online opinion. This can then lead to all manner of misunderstandings about the online balance of opinion, and even inaccurate inferences about the state of public opinion. (5)

2) **FLAMING**!!! – The second 'F' to avoid is flaming behaviour (of which 'foul' can be viewed as an extreme subset). Classic examples of flaming behaviour include angry-looking UPPER CASE usage, multiple exclamation and/or question marks (!!! … ???). Flaming is also associated with dramatic, over-the-top posts, for example: 'please vote YES in the #indyref and close the door on the way out!!!' or 'Do these damn jocks not realise the EU is the REAL problem, not the UK? smh!!! #IndyPlan…' or 'No-one is going to get between me and a Scotland passport - no one!! #indyref' or 'more pandas in the zoo than Tory MPs. LOL!!!'. Like foul posts, these kind of posts add little to the debate of the issues and too often simply serve to wind people up and so needlessly ratchet up tensions. (6)

3) **False** – The third 'F' to avoid is starting and/or spreading false information. Even if you don't start false information, it can be very tempting to retweet and/or share posts that you like either because they support what you believe, or more usually because they oppose views,

and/or groups and/or people with whom you have no affinity. This 'F' can be difficult to correct as it often requires you to research a topic more thoroughly by cross-checking information from a variety of sources. If in any doubt, resist the urge to be first to circulate the information. Think about the damage you could be doing to individuals (and possibly their families and even their employees and associates) who are subsequently found to have been falsely accused. Do you want to be a false accuser? (7)

False posts are also quite easy to commit when resorting to generalisations. For example, if a politician is caught doing something wrong, it is incorrect to infer that all politicians (or all politicians that share the party affiliation) are like this. A common example of a fallacious contribution that cropped up in the online discussions on the independence debate, is when someone claims to know what a whole nationality thinks (either because they think they know this, or they have asked a few friends, neighbours or office colleagues), for example, 'Having a debate on Scotland's #indyref in London office. Most English here believe UK subsidises Scotland and that Scots are a drain..'. In fact this comment commits more errors, for instance, failing to spot that Scotland is part of the UK, and a further rather eye-wateringly simplistic assertion that 'all Scots are a drain'. (8)

Another example of generalisations and fallacious posting evident in the independence referendum online posts was when one English person or one Scottish person said something, and that view was then aggregated up and attributed to all English or all Scottish people, for example, 'Shows how far the English are removed from democracy when they are incapable of accepting other opinions'. Again, cross-check information, seek out representative public opinion polls and exercise extreme caution when generalising from an individual to a group, or even a group (e.g. a political party policy) to an individual (e.g. a party member who does not support their own party's policy). False posts often overlap with foul and FLAMING!! (9)

4) **Foggy** - The fourth 'F' to avoid is being foggy/unclear. If people do not understand what you are saying, this can negate the purpose of your post and it may cause misunderstanding and even tension escalation. Our research provided a few examples of localised phrases which caused confusion to those trying to interpret what the contributor was on about, for example, one of our researchers had no idea that 'wee Eck' referred to Alex Salmond. Of course, there is nothing wrong with localised phrases *per se*, and diversity of languages and dialects has many positives, but if you are communicating across regions and nations, as the person using 'wee Eck' was doing, then it makes sense to use words and phrases that people can more easily understand to avoid misunderstanding. (10)

5) **Flannel** - The fifth 'F' to avoid is flannel/repetition. If you have made a point, move on otherwise you risk being ignored when you do make a new point as people will associate your

name with the same old view they have read over and over – a bit like the 'cry wolf' fable. Some of the contributors in our data sets repeated points that they had already made and some indeed promised to not repeat themselves and then promptly did so. The reaction from others can be indifference or even hostility. (11)

However, as well as the 5 'Fs' to avoid, my research also pointed to there being: (12)

III   5 Fs to consider

1) **Followers** – The first 'F' to consider is followers/audience. Before you post something online, it is worth thinking about who the potential audience or 'followers' are likely to be. One of the online data sources I studied was the BBC's *Have Your Say* comments sections at the end of online news stories. Assuming proportionate online news consumption (supported by BBC data on consumption patterns by nation) online contributions from those living in Scotland are likely to be outnumbered by comments from those living in England by approximately 10 to one because the population of Scotland is 5.3 million whereas the population of England is 53 million. This population asymmetry can mean that those in the minority (Scotland) can feel that they are not being given the same degree of opportunity to air their opinions as those in the majority (England), when in fact data can reveal that proportionate to population, the minority (Scotland) might actually have a bigger say on average than those in the majority (England). Indeed, we might even expect this given the nature of the news story on Scottish independence. (13)

This perception of bias becomes even more acute when talking about political parties that only stand in Scotland (for example, the SNP) and for whom the 10 to one ratio becomes even smaller due to levels of support versus non-support within the 5.3 million Scottish population. Assuming 50 per cent SNP support in Scotland and 0 per cent SNP support in England[1] (based on the 2015 General Election result), the 10 to one ratio might become more like a 20 to one ratio of comments against versus for the SNP. This can then look biased even if it is representative of the English and Scottish publics. The point here is that the media may appear biased because of the online public commentary reflecting the hugely divergent population asymmetries in the UK, and not the views of the media outlet *per se* (although that is not to say that the media may or may not be biased as well). (14)

At the disproportionate and unrepresentative end of the spectrum, you might be contributing to an online group pre-disposed towards one view over another (for example: *Yes Scotland*; and #yes; or *Better Together*; and #no). This can lead to dissonance between what happens in a vote and what you thought was going to happen based upon your choice of information

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[1] Of course, we know from the TV debates that a number of voters in England liked the performance of Nicola Sturgeon and liked many of the party's policies and so the 20 to one ratio is likely to be an overestimate. The underlying point of perceived bias and under-representation is still likely to hold true though.

sources that you choose to interact and side with. This lack of cross-checking of information can then lead you to more easily slip into the 5 Fs to avoid (see section above). (15)

2) **'Facts'** – The second 'F' to consider is the often illusive belief in and demand for 'facts'. Critiquing the opposition for not having facts is common online (e.g. 'Salmond might as well have started his white paper with 'dear Santa' for all the facts that were in it. #indyref'), as is the capacity to believe that your side has all the facts (e.g. '…I have just ordered my #indyref white paper, so I know the facts!'). If you are a partisan, the "once people know 'the facts' they will vote for our side" becomes a lazy mantra. However, in searching for 'facts' you have to be aware of self-selection bias, for example, picking the polls and news stories that suit your argument. Of course, there is nothing wrong with taking a side *per se*, but it is important to cross-check your information across the sides before you do so. (16)

This is not to claim that 'facts' do not exist. We can find out what the current price of oil is and we might know what the current interest rate is, for example. However, it becomes much harder to predict what 'facts' may be in the future as oil prices and interest rates might change. What we think we can achieve today may be even more possible in the future (or indeed less so) and for this we will often require a certain amount of best-case and worse-case scenario predictive modelling based upon what we know about how things work, or how things might work if we change them (drawing upon comparative research for example). Albeit mildly guilty of the foul, this tweet shows an appreciation of just how difficult it is to get facts about the future: 'Don't you just love the daft tweeters seeking post #indyref facts?'. Also, the economy and economic 'facts' are not the whole story. (17)

3) **Fashion** – The third 'F' to consider is fashion. Just because there is more of one view out there does not mean that this is necessarily 'right', 'true', or 'fact', or indeed, the view of the majority. Our aggregate data of Twitter and Facebook for the Yes and No campaigns illustrated a sharp rise in support for Yes in the closing weeks of the campaign. If you were to conclude that Twitter and Facebook were representative of public opinion, you might have predicted a 'Yes' victory. This is not to say that fashion is not important as it might be useful in detecting movement in polls for example, before it actually takes place as our data seemed to be quite good at doing. The other aspect to 'fashion' is that sometimes when one side becomes very fashionable, the other side(s) may stop questioning this 'fashion' and either go underground and/or become silent ('spiral of silence'). This is not because they have been won over, it is more because they feel they have been run over to the point where contributing is pointless given the anticipated counter-barrage. (18)

4) **Filtering** – The fourth 'F' to consider is filtering. Some social media forums like Twitter are more relaxed about what people can post online, whereas other discussion forums like the BBC *Have Your Say* comments have stricter rules and moderation. If there are rules, you

might want to know what these are in the first place before you get into trouble and/or offended at being blocked/removed. Knowing about the rules (or their absence) will also help you make sense of what you are likely to come across on the particular forum you are using. There is also filtering by character length (for example, 140 characters for Twitter) which can mean that some social media forums may be more appropriate than others to convey detail and nuance. (19)

5) **Fallout** - The fifth 'F' to consider is fallout. What are the likely implications of your post? In short, think, think, and think again before posting. Put yourself in the shoes of any opponents receiving the post. Would you like to receive it? Will there be consequences for your future and/or your family's future? There are invariably no prizes for being first, so think before posting, or at the very least re-read it. (20)

IV   Other common sense considerations

So you know what to avoid and you know what to consider, and you still mess up! If we are honest I think we all mess up online from time to time, but there are a couple of other things we might also want to consider to help reduce this and increase our capacity to be effective in online engagement. First, it is better to be clear about what you are saying rather than to get the honour of saying it first. Think through the above 'Fs' before posting. Second, if you are angry, and/or under the influence of alcohol and/or drugs, then you need to think seriously about whether you should even be online. We all know about 'don't drink and drive' and even 'don't drink and dial', and we should probably add to this list: 'don't drink and digit' and 'don't do drugs and digit'. Think of a Twitter traffic light system for your mood or state of mind, for example: Green = Tranquil Tweeting; Amber = Tipsy Tweeting; and Red = Tanked Tweeting. After all, you don't want to be known as a 'twit on Twitter'… or indeed worse…(21)

Policy proposals/action recommended:

Proposal 1 – Education Scotland already use my TEDx talk as a component in classroom teaching. Use my Policy Brief (original International Public Policy Institute brief available here) that illustrates and extends the number of Fs of the TEDx talk to provide more points for discussion in the classroom.

Proposal 2 - Given the heated online discussions over issues such as Scottish independence and Brexit, it also makes sense for this brief to be disseminated and used by teachers in secondary schools in England (and indeed Wales and Northern Ireland) as part of citizenship education (for example, the citizenship component of the National Curriculum, the National Citizenship Service, and Politics A and AS...).

Date: 16 August 2017

More information/Contact:

Dr. Mark Shephard
Senior Lecturer in Politics
University of Strathclyde

Dear Lord Bew

Below are comments that I hope will be considered by the committee.

1. You have been appointed to conduct an investigation into the intimidation of Parliamentary candidates during the 2017 General Election campaign. My comments can be considered an "impressionistic" response to your first question: does the issue of the intimidation of Parliamentary candidates reflect a wider change in the relationship and discourse between public office holders and the public? My answer is yes. I doubt that I would engage in physical or online intimidation of public servants, but your committee needs to appreciate that I have a seething frustration towards the higher echelons of a political and administrative class – "the establishment" that never seems to be called to account.

2. My view is informed by various publications namely:
   • Private Eye which for years has had various columns outlining abuse of office in local government ("Rotten Boroughs"), education ("High Principals") etc.;
   • "Called to Account", Margaret Hodge, lately Chair of the Public Accounts Committee;
   • "A Quiet Word", Tamasin Cave and Andy Rowell which describes the extent and corrosive effects of lobbying on the political process;
   • "The Establishment and how they get away with it", Owen Jones's analysis of the growth of a "new" establishment focused on market values;
   • "Private Island", James Meek tells the stories of how public sector values declined to be as Britain's utilities were privatised

   These well researched books paint a picture of Britain in which the values of public service have be sacrificed on the altar of the market, a country in which it seems one engages in highest levels the public service not to serve but to walk through the revolving door of lucrative private sector employment. Furthermore each, in their turn show the extent of regulatory capture in this country and the degree to which private sector, profit making organisations are located in the heart of policy making through secondments.

3. It is the stories recounted week after week of abuse of office, of reward for failure, of nepotistic appointments, of failure of governance that cause me to feel resentment of those who are elected to govern this country. All of this would not matter of course if such misbehaviour and abuse of power had a consequence, but it seems there is no consequence.

4. Some years ago I worked for a very short time at the National Audit Office. Its strapline was "Helping the Nation Spend Wisely" and I have no doubt the staff there were men and women of principle. At the time there were issues of waste in public spending on IT projects, on defence projects. Twenty years later the NAO continues to report on waste of public money on IT projects, defence projects and more recently the London Garden Bridge and yet no-one seems to be held to account with any consequence – at worst a public admonishment rather than dismissal or legal redress. . It is sad to reflect on

the extent to which the NAO itself was compromised was shown by the behaviour of the Comptroller and Auditor General, Sir John Bourn whose behaviour was brought to light by persistent reporting by Private Eye.

5. I had been brought up to consider my taxes to be part of the social contract – the price worth paying to live in a civilised society. I had expected that the Chief Inspector of Tax would behave with integrity and so was disgusted to see Richard Hartnett leave HMRC to go immediately to work for professional services (i.e. aggressive tax avoider) PWC. I am equally frustrated to see that the estate of HMRC has been sold to an offshore tax haven. This behaviour rots the warp and weft of British society such that the entire fabric will disintegrate. And it is with regret to say that there are fewer and fewer role models of public integrity who are prepared to say "This behaviour is wrong and will not be tolerated". It appears now that actions have no consequences.

6. I currently work as a school teacher. In this role I am expected to lead by example and reinforce "civic values" and teach right from wrong. But it is increasing difficult to hold the line when I and my students know that there is much "wrong" behaviour in the state education system. Successive governments have let the writ of the market run in England's schools, so that at precisely the time we need greater accountability, the scrutiny role of the local education authority has been persistently vilified and dismantled, being replaced with unpaid boards of trustees and governors. And yet we know, from successive scandals that corporate governance in the public and private sector is weak and local democracy overridden.

7. It seems that rules and laws are written to suit corporate behaviour and there is increasing distance between politicians and the public. We see increasingly the public are barred from council committee meetings, where planning enquiries are enquires are little more than exercises in "softening up the public" managed by specialist PR companies. If the individual has no means of redress and if one perceives the system to be rigged, then how should one behave? I have very few tools at my disposal. Investigative and local journalism is but a shadow of its former self and citizen journalists are denigrated. For example those who commented consistently and in good faith about the dangers facing Grenfell Tower were dismissed as professional trouble makers or political agitators.

8. I now live in country where a Prime Minister can throw that country into political turmoil to solve an intra-party dispute and then simply walk away without and consequence. Where a man appointed to Foreign Secretary can lie and behave with no regard to the truth and not be held to account, and where a Chancellor of the Exchequer can leave Parliament and take up multiple employments (one earning £650,000 for a few days per year). These behaviours from our elected representatives fill me with disgust.

9. "The System is Rigged" is a cry that unites Republican Donald Trump and Demorcrat Senator Elizabeth Warren in the USA. Britain teeters towards cronyism and "chumocracy". I understand why people have intimidated Parliamentary candidates and hope that you, too, will understand the depth of

that frustration. As standards in public life are allowed to decline, that decline will accelerate. The feeling of powerlessness of voters will accelerate and unless and until there is rapid improvement in standards in public life, there can only be two consequences: greater intimidation of Parliamentary candidates and growing political violence or further public detachment from the political process. Neither of these outcomes would be desirable for the United Kingdom.

Yours sincerely
Geoffrey Thomas

Dear Lord Bew

Thank you for this opportunity to comment on Standards in Public Life.

A. My name is John Vincent. I'm a Chartered Engineer who has worked in both private industry and the public sector.   I have been a Liberal and a Liberal Democrat having first joined the Party around 1985. I have five times been a Westminster candidate, twice a European candidate and twice elected as a Councillor in South East England. I stood at the 2017 General Election in Runnymede and Weybridge.

I understand your Committee invites evidence and comments. Here are a few for your consideration:

1. What is the nature and degree of intimidation experienced by Parliamentary candidates, in particular at the 2017 General Election?

I count myself as fortunate in having experienced little in the way of specifically directed bullying or excessive pressure. However, I feel the level of aggression towards candidates has increased in the last 2 GE. This is both verbal and written (social media and e-mails).
In conversation with a female fellow 2017GE candidate, I realised she had received far more unpleasant correspondence than I had during the campaign.

2. Does the issue of the intimidation of Parliamentary candidates reflect a wider change in the relationship and discourse between public office holders and the public?

Yes. My assessment is that the most aggressive encounters are often with people who have little or no understanding of what candidates can or can't do. Unrealistic or fanciful expectations may be at the root of a critic's anger or frustration. However, if I try to explain, I often realise that a rational explanation makes only so much headway. If a person has the perception that politicians are generally untrustworthy its all uphill. Concentrated media attention on office holders who do abuse the public's trust helps to fuel this source of rage.

3. Has the media or social media significantly changed the nature, scale, or effect of intimidation of Parliamentary candidates? If so, what measures would you suggest to help address these issues?

Yes. Reporting, even in local media, now most often focuses primarily on controversial national issues often for the sake of highlighting conflict and division.   The tendency to read only headline quotes makes a candidate's job doubly difficult when complex issues are involved.
Give a boost to genuine local reporting. Locally centred, locally knowledgeable and concerning the bread and butter issues about the community that the candidate is presenting themselves to. Social media does need to police itself better. We are still learning how to do this with any effect.

4. Is existing legislation sufficient to address intimidation of Parliamentary candidates?

It's difficult to assess if, as myself I've never had to invoke the law for protection. Legislation tends to deal with problems after they have happened and that's not good enough during what might be a short election campaign. The protection of the law must always be available.
The deterrent effect of having visible policing at major events musty have some benefits.

5. What role should political parties play in preventing the intimidation of Parliamentary candidates and encouraging constructive debate?

Political Parties have a role to play but are stretched meeting the vast number of obligations they currently must met. The high dependency on voluntary activities means there's a limit to what can be done at a local level. Maybe an incident reporting scheme at national level could help Parties develop policies and procedures but the costs and benefits are not clear.

6. What other measures might be effective in addressing the intimidation of Parliamentary candidates, and candidates for public offices more broadly?

When attempting the modify behaviour there's always a need to communicate. Public campaigns are needed to ensure voters understand the nature of the roles. Misinformation about elections and public office needs to be countered. At public events, there should be zero tolerance of anything that escalates to the level of potential violence. That includes candidates inciting sections of an audience to aggression. There's a level of insult beyond which action must be taken.

7. Could the experience of intimidation by Parliamentary candidates discourage people from standing for elected or appointed public offices?

Do you mean "by" Parliamentary candidates or "of" Parliamentary candidates. Yes, for sure in both cases. Dealing with highly personal aggression requires a thick skin. Not everybody can, or are willing to endure such unpleasantness, especially when the chances of winning are low. Candidate on candidate aggression, often where there's rivalry between local parties has an impact on who steps forward for selection. Also, the nature of the public arena counts too. Being a representative of a minority party in a Council traditionally dominated by another party can be highly intimidating.

8. Has the intimidation of Parliamentary candidates led to a change in the way in which public office holders interact with the public in correspondence, on social media, or at in-person events?

Yes. Having lived and campaigned in Cheltenham I will never forget what happened to Andy Pennington. When encountering aggressive or unpredictable people my thoughts go to; how would I escape this situation if it turned nasty?
On social media, I try to avoid responding to anyone who does not seem real or who is just on a wind-up or is fishing for a negative story. This is not easy. Unfortunately, the aggregate effect of this situation may be less personal interaction between candidates and voters. More messages given at a distance which can't be right for our representative democracy.

B. General Comment:

Over the last 25 years of standing for elections in the South East, I have seen a generational change, a technology change and a contradictory change in expectations. On the last point, local government and local MPs have lost influence but at the same time as the public expect much more. This leads to more style over substance.

The ethos of public service as a way of giving something back to your community has been eroded. That said, on the positive side, the subjects for debate have widened.

Finally, there's no doubt in my mind that the first-past-the-post system heightens conflict and tension. "Winner takes all" is a mentality that unleashes frustration, aggressive and unhealthy competition. Above all people wish to be heard. If the electoral system works to supress challenge then people will find other ways to be heard.

I hope these comments prove useful.
Yours sincerely
John Vincent

Sarah (Lesiter-Burgess)

I received abuse during the last election as a candidate for Aberconwy and previously as a candidate for Clwyd West and coming out of the Brexit count. Threats have varied from being gestures of slitting my throat (witnessed by my then 6 year old daughter), ████████████ ████████ ███████ ██ ██ ████████ including one disgust ███ extremely embarrassing and humiliating as well as frightening. Threats have always been from white males primarily aged 50-65 ish.

Fortunately I have a strong family and team here and my resilience to ensure there is a representative of the Lib Dems prevails.

Karen Chilvers, Brentwood and Ongar, Lib Dem

I got relentless abuse online from a few people. I had red hair for the campaign and one woman went through and posted a picture of Ronald McDonald on every single thing I did. This was the worst (see photo) ...but I enjoyed the put down.

Towards the end of the campaign I was fearful for my safety. I wouldn't do it again because it's just getting worse.

As a consequence of this, and let's be honest I'm a good council of ten years standing, I have somewhat withdrawn from political public life and won't stand again in 2020. I'm also considering moving away to be incognito. This didn't start with the general election, I've been getting a use since 2007 and have had to go to the police twice due to unhealthy behaviour from residents.

I only ever wanted to help people.

Cllr Karen Chilvers

6M views

👍 Like   💬 Comment   ➤ Share

75 people reached ›   Boost post

▬▬ It should be down to their own families to support disabled people. Not everyone else

5 hours ago · Like · Reply · Message

👩 **Karen Chilvers Lib Dem candidate for Brentwood a...**
Wow Shane Deeks. You watch that video and that's your comment. You really are a ▬▬piece of work. Go vote Tory and hope you never get sick. No one chooses a life of disability and everyone deserves some help.

1 hour ago · Like · Reply

▌

▌

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👩 **Karen Chilvers Lib Dem candidate for Brentwood a...**
"You're"

Just now · Like · Reply

👩 Reply as Karen Chilvers Lib Dem candidate for Brentwood and Ongar

📷   Comment as Karen Chilvers Lib Dem candi...   ☺   Post

Intimidation of Parliamentary Candidates

1 message

Caroline Kenyon

Dear Sal Brinton,

Thank you for your email regarding intimidation of Parliamentary candidates in the 2017 General Election.

I have just one modest experience to relate. I am aware many candidates had infinitely more extreme and unpleasant experiences, but thought it worth sharing on the basis it may be helpful as part of a wider picture.

I was announced as the candidate for Lincoln on 1 May 2017, just two days after undergoing the assessment day. The then incumbent of Lincoln was Karl McCartney, Conservative.

Two weeks later, I was somewhat startled to receive the attached letter from Karl McCartney by email (using his parliamentary email address). I attach a copy of my response (which was approved by Head Office).

I then discovered that all candidates in Lincoln had been sent the same letter, Karen Lee, then Labour candidate, now MP, shared hers with the local press: http://thelincolnite.co.uk/2017/05/karl-mccartney-issues-threatening-letter-to-lincoln-mp-candidates/

Best wishes,

Caroline Kenyon

Hi,

I stood as the Liberal Democrats candidate for Bolsover and one of the most disgusted things said to me was that all Lib Dems are paedophiles .

There were obviously manty other occasions of people telling me t ███████████ and that im an idiot.

Kind Regards

Ross Shipman

Cllr Kate Smith

Dear Lord Bew,

Thank you for the call for evidence, which has been circulated among Liberal Democrats by our President, Baroness Sal Brinton.

2017 was my fifth parliamentary campaign, my fourth as parliamentary candidate. Amber Valley is not an area where Liberal Democrats do well, so we don't have a national profile - I was sole applicant each time and am, as it were, home-grown.

About half way through the 2017 campaign, I received a death threat by email. It was a very unpleasant read and I found myself unnerved. I contacted my agent and he analysed it (fortunately he's ex-police and an IT specialist, so was very well placed to do this). He concluded that despite use of my name, the email had been randomly generated and was not specific to me as a person, though it could have been part of a wider initiative timed deliberately for candidates.

We also passed on the details to the local Returning Officer, who treated the matter seriously, consulted the police and decided to take no further action.

I am glad to report that the experience was not repeated. I found support from fellow party members reassuring; this is one instance when I would feel extremely sorry for a lone independent candidate going through someting similar. I haven't been put off from standing again, since on balance I do enjoy the role.

Following the murder of Jo Cox, all of us in politics had some reassessing to do about such matters. As your call for evidence implies, this is not just about intimidation - thoughts and words can become actions, occasionally fatal ones. My experience pales into insignificance beside this atrocity.

If you or a colleague would like more information about any of this, please feel free to contact me, either by email or as below. Thank you once again for the invitation.

All warm wishes

Cllr Kate Smith

Kate Smith

Intimidation of Parliamentary Candidates: Committee on Standards in Public Life Review

Name: Councillor Ameet Jogia

Evidence submitted as the Conservative Parliamentary Candidate for Brent North in the 2017 General Election. All views submitted are my own.

1. My name is Ameet Jogia and I was the Conservative Parliamentary Candidate for Brent North in the 2017 General Election. I wish to submit evidence to this review after my team and I experienced intimation on a number of occasions, which we have never experienced as Party Members before.

2. On Polling Day graffiti was discovered at a local polling station (Ascension Church Hall, The Avenue, HA9 9QL) saying "Vote Labour Barry, not Jogia. Keep   out of politics." The graffiti was written inside a polling booth in black pen. I was notified of the incident by a local resident at around 8pm on polling day. I was busy campaigning in the final hours and did not manage to get to the polling station until 9.50pm. The Brent Council officers on duty were not aware of the graffiti and it was very disappointing that they had not spotted this and I had to bring it to their attention. Regrettably the polling officers did not have any information on who did the graffiti and given the time there was nothing they could do.

3. I was extremely disappointed, that such a message was left inside a polling booth for so long. It could have been on display all day. It is against the law to have any messages within polling booths and stations, let alone something as explicit as this. It made me question the local authority and whether there was any bias involved. Unfortunately, we will never know, but I hope that this incident will help ensure that this never happens to any candidate of any Party ever again. I was born and raised in this country and I have never experienced racism or intimidation on this scale before.

4. The story was covered widely by a number of a newspapers. I have attached the articles separately for your reference.

5. **What is the nature and degree of the intimidation experienced by Parliamentary candidates, in particular at the 2017 General Election?**

    I have been a Conservative Party activist for over 15 years and I have never experienced intimidation during elections on this scale like ever before. Whilst experienced Party Members and I could handle ourselves, the experience was very off putting for new members, particularly young and elderly activists. By the end of the campaign we feared for their safety and new activists were only sent out with experienced activists.

6. Examples on intimidation include:
    a. Verbal abuse of Conservative Party teller at polling stations,
    b. A marked increase on verbal and threatening abuse on the doorstep whilst canvassing,
    c. Abuse and threatening comments on social media,
    d. The tyres of my campaign manager were slashed on polling day,

e. Our Party Canvass Boards were repeated taken down or defaced. By the end of the campaign many local residents feared putting up the boards.

7. Does the issue of the intimidation of Parliamentary candidates reflect a wider change in the relationship and discourse between public office holders and the public?

I believe this intimidation is not to do with a new reflection on public office, but instead a rise in left wing politics based on sheer hatred. Unfortunately many of these left wing activists have hijacked the Labour Party and operating their abuse under umbrella and getting away with it. To be fair to Labour activists, whilst we have our natural differences, I have never experienced intimidation by them on this scale along the campaign ever before. I am pleased that even my Labour opponent condemned this behaviour following the incident at the polling station (details above) which cited "Vote Labour Barry. Not Jogia. Keep out of politics."

8. Has the media or social media significantly changed the nature, scale, or effect of intimidation or Parliamentary candidates? If so, what measures would you suggest to help address the issues?

The rise of social media has resulted in people being able to say whatever they wish without any repercussions. The swear words, threats and comments on my twitter, Facebook and Instagram are unbelievable. Some examples include:

- "Go to   "
- "Don't knock at my house, I'll ███████ "

9   **What role should political parties play in preventing the intimidation of Parliamentary candidates and encouraging constructive debate?**

In my case, the intimidation and abuse was "directed" from the Labour Party. I therefore believe Political Parties play an important role in educating their members on how to behave and condemn such acts. This is why this election was so unique, because people felt they could get away with such behaviour by conducting it under a Party's name.

10. Could the experience of intimidation by Parliamentary candidates discourage people from standing for elected or appointed public office?

Yes very much so. It has already had a tremendous impact on discouraging activists from helping – as well as posting online due to the fear of abuse on social media.

11. I hope that my submission has helped to highlight how vile the intimidation was during the election. In conclusion I believe Political Parties need to take responsibility for the action of their members. If caught doing so they must be addressed. As for members of the general public, Political Parties must step if abuse is directed to others even as a Party Supporter.

This submission is on behalf of Amber Rudd, MP for Hastings and Rye. The reason for this submission is to highlight the extent to which the opposition in Hastings and Rye went to on social media with anti-Amber photos, and the extent to which graffiti was used against Amber across Hastings and St Leonards.

The below photos highlight the above concerns:

1. Photos that were taken by Amber's campaign team were photo-shopped and replaced with anti-Amber messaging or offensive words:

2. The graffiti around Hastings and Rye was a large issue during the campaign, and it appeared across the entire constituency:

3. We also saw the appearance of anti-Amber posters being put up on phone boxes, walls and anywhere the opposition could find to put one up:

Submission from Maria Caulfield MP for The Committee on Standards in Public Life on the review of intimidation experienced by Parliamentary candidates, including those who stood at the 2017 General Election.

I am currently the Member of Parliament for Lewes. I have stood as a parliamentary candidate in 2010, 2015 and 2017 and am submitting evidence of the intimidation I have experienced since becoming elected in 2015 and specifically as a candidate in the 2017 election.

The incidents during the General Election of 2017 cannot be seen in isolation of the constant abuse and threats that I have had to endure during the 24 months of being a member of parliament. During this time I have had

- my tyres slashed on my car outside my home,
- had death threats on social media and via email,
- had threats to myself and my family with graphic photos sent to me on email and in the post.
- Generic abuse on Facebook and twitter on an almost daily basis
- Lies told about me by members of opposition parties on social media to encourage abuse on line.
- Graffiti written outside my constituency office.
- Aggressive members of the public who have turned up to the constituency office and police have had to be called.

If this review just looks at the election period it will miss the intimidation felt by those of us who have been elected and which has increased dramatically since 2015. This level of constant abuse takes its toll on you and your staff.

1) Specifically during the general election of 2017
I had daily online Facebook and twitter abuse calling me things like ' ███ "hope she dies" ███████████'. It got so bad during the election that for much of the campaign I came off social media and didn't post anything which impacted on my ability to campaign.

I had over 300 correx boards either stolen or defaced with ███ i signs, rude images, again words like " ███ ' written across them. This was reported to the police but it is very hard to find out who does this. No other political party locally had its signs defaced in these ways.

There was a group of people who organised a march in my town with children to "get Maria out". Dressed up as nuns which I found very offensive to my Christian faith. This was picked up by national media
http://www.mirror.co.uk/news/politics/tory-under-fire-saying-rivals-10565764

2) The relationship between the public and parliamentarians has broken down. There is a significant lack of trust of politicians and so it is deemed acceptable to abuse those standing for election either on social media , emails or in person. This is not helped by the constant media stories which aim to undermine the work of MPs and constantly make out we are lazy, wealthy and out of touch. IPSA are one of the biggest culprits as their continuous

reviews seem to suggest that MPs are constantly milking the system for the own gain when in fact most of us are working well within the rules. This constant bad mouthing of MPs makes it seem acceptable for the public to join in. For example my partner works for me which IPSA portrays as me milking the system. But due to the constant threats and intimidation outside of the election period I need him to attend with me, late night rural parish council meetings as I no longer feel safe to travel on my own after my tyres were slashed, as there is no phone signal in large parts of my constituency and in winter no street lighting. I ask him to attend surgeries with me so I am not on my own which are again in rural and isolated locations and accompany me to events and run my office. He has given up a very well paid job to work for me because the parliamentary authorities and police have failed to tackle the constant abuse and threats I face. During the election he had to intervene on two members of the public who had become aggressive and yet IPSA portray him working for me as me making the most out of my expenses. Is it any wonder the public have no respect for MPs? Can I ask my other office staff who are mainly in their twenties and who are only paid to work 40 hours a week to accompany me every night until 9-10pm and at weekends too? No, but to ensure my safety I am labelled as someone misusing the system.

3) Absolutely. Social media is a free for all where opposition party activists can post whatever they like and no action is taken. It is interesting that Gina Miller, as a member of the public, rightly had someone who made threats to her on social media jailed, but it is deemed as acceptable behaviour when politicians face the same threats daily. There needs to be a zero tolerance policy and the rules of libel should apply to social media. This culture of it is ok to abuse MPs has to end.

4) There is enough existing legislation but it is not being enforced. When you report events they are not taken seriously. My local police force are very supportive but I don't feel the parliamentary authorities and my political party treat this seriously. It is very much seen as just something that comes with the job. I have been told before just to toughen up and so I no longer report incidents.

5) If members of a political party are found to be intimidating candidates they should be expelled from that party. Political parties also need to be mindful of the tone of their campaigns as often when they are producing leaflets containing misleading information or a heavy negative style it encourages negative behaviour towards candidates. There is definitely more intimidation towards candidates in marginal seats as when it was thought I was unlikely to win my seat in 2010 and 2015 I faced hardly any intimidation or threats. As soon as I was elected I noticed a huge surge in threats and the election in 2017 was a very negative campaign against me.

6) There should be a level playing field. Parliamentary candidates are no different to anyone else and if abuse towards members of the public is not tolerated then it shouldn't be towards those standing for election. Those from opposition parties who incite this behaviour need to face the consequences of their actions.

7) The constant abuse does make you think twice before standing for election and it nearly stopped me from standing in this general election as the thought of what I had to face was overwhelming. Having come from a non-traditional political background I am not used to be threatened on almost a daily basis for just doing my job. I worked in the health service

before being elected and we did get abuse but it was sporadic and finished at the hospital entrance.

8) I have definitely changed the way I run my office. I employ my partner now to accompany me on all visits and surgeries in the constituency, where I used to go alone. I now have video entry only in to my constituency office. I have panic alarms installed. I only post on social media after I have attended events so people can't track my movements, on the advice of local police. I no longer put anything personal on social media. I no longer hold open surgeries, they are by appointment only and are not advertised in advance. This has played in to the hands of my local opposition who say I no longer do advertised surgeries. I also have my home number registered with the police and my car registration on police advice so if there is an incident and I call, they will respond urgently. Alarms have been installed in both home and office. We have had the office alarm used once since installation.

**Submission to the CSPL Review of Intimidation Experienced by
Parliamentary Candidates**

**Professor Sarah Birch
Department of Political Economy
King's College London**

1. Fair election campaigns free of coercion are a central feature of democratic processes, in that they enable voters to evaluate the political abilities of competing groups and individuals. For political parties and candidates, elections are their access point to political institutions. Formal discrimination against candidates on the basis of their socio-demographic characteristics or beliefs is not a feature of democratic politics. Nevertheless, there exist even in democracies informal means of exclusion in the form of intimidation and the use of discriminatory language that may discourage candidates or prospective candidates. This note considers alternative means of addressing this problem from a comparative perspective.

Approaches

2. There are a variety of different approaches to regulating the use of intimidatory or discriminatory language in election campaigns. In order of decreasing formalisation, the principal tools include:

- Formal proscription of intimidatory or discriminatory language via statute (general prohibitions against hate/discriminatory speech).
- Binding codes of conduct regulating election campaign activities (including the use of language)
- Non-binding codes of conduct regulating campaign activities
- Codes of conduct internal to political parties or media outlets
- Reliance on cultural norms and media scrutiny to generate ad hoc condemnation of discriminatory practices

3. These tools are not mutually exclusive; indeed it is common for them to be used in combination.

Formal proscription of discriminatory language via statute

4. The proscription of intimidatory or discriminatory language via statute is the most highly-formalised means of regulating campaign discourse. The advantage of legislation is that it represents a strong deterrent. Legislation can also be seen as a means of shaping cultural norms, in as much as democratically-mandated laws are in effect the embodiment of collective public opinion.

5. However, legislation must acknowledge the right to freedom of speech, and this may narrow the extent to which it is possible to restrict language use (see ECHR, 2013 for

examples). Most jurisdictions only formally prohibit hate speech when it incites violence (aceproject.org) and the Council of Europe Code of Good Practice in Electoral Matters maintains that 'European standards are violated by an electoral law which prohibits insulting or defamatory references to officials or other candidates in campaign documents, makes it an offence to circulate libellous information on candidates, and makes candidates themselves liable for certain offences committed by their supporters' (Council of Europe, 2003).

6. Another obvious disadvantage of the legal approach is that access to the courts is often time-consuming, cumbersome and costly. In this sense, it may not in all cases represent an effective remedy for all people.

7. Finally, legal rulings can in some cases have counter-intuitive effects. A recent study on the Netherlands shows that court a ruling against MP Geert Wilders for the use of discriminatory language actually led to a significant increase in support for his party (van Spanje and de Vreese, 2013).

Codes of conduct (binding and non-binding)

8. Codes of conduct may apply to political parties, candidate, officials, media outlets and voters.

9. In the electoral sphere, codes of conduct were first widely employed in post-conflict situations where recourse to the law was often seen as an unreliable means of regulating campaign conduct. More recently, codes of conduct have been adopted in established democracies, including the UK, Canada and India, for aspects of the electoral process.

10. Codes of conduct are often formulated and agreed by political parties, but they can also be drawn up by electoral authorities, media regulators or other bodies. Once agreed, they can either provide informal, non-binding guidance to best practice, or they can be binding (along the lines of local government codes of conduct in the UK). If they are legally binding, they become in effect election-specific legislation.

11. The ACE Project electoral encyclopaedia notes that non-binding codes of conduct can be highly effective if political parties have taken part in drawing them up and have voluntarily agreed to them (aceproject.org; cf International IDEA, 1999). Guy Goodwin-Gill echoes this view when he says that 'negotiating or mediating a code of conduct can [...] itself contribute to the creation of a climate of equitable implementation and responsible campaigning' (Goodwin-Gill, 1998: 63). This suggests that codes of conduct negotiated by parties may be more effective than those imposed by electoral authorities.

12. When codes of conduct are non-binding, adherence can be enhanced by means of regular cross-party meetings to discuss allegations of violation (aceproject.org; Goodwin-Gill, 1998).

13. One disadvantage of codes of conduct is that they typically only bind political parties or candidates; they do not typically apply to ordinary voters who may disseminate intimidatory or discriminatory messages via social media. A further disadvantage is that codes of conduct can be disregarded unless they are legally binding. Indeed, this was the Electoral Commission's objection to the recommendation in the 'Report of the All-Party Parliamentary Inquiry into Antisemitism' for a 'contract of acceptable behaviour which outlines the duty of all election candidates to exercise due care when addressing issues such as racism, community relations and minorities during political campaigning' (All-Party Parliamentary Group against Antisemitism, 2006). The Commission is cited in the Government's response to the report as noting: 'We have developed codes of conduct for party activists in other areas and our experience suggest that parties – both large and small – are not enthusiastic for codes and protocols that go beyond the requirements of electoral or other law. The Commission has no power to compel compliance with any of its advice or guidance, and so it is doubtful whether any "contract" which went beyond what the law regards as permissible would be practically enforceable' (Secretary of State for Communities and Local Government, 2007).

14. Even when there is active party involvement in the design and implementation of the code, there may still be instances where violations occur, especially when there is no impartial body whose job it is to interpret the code and adjudicate disputed cases.

15. Another approach to regulating the use of language in electoral campaigns is the use of internal party codes of conduct. If parties make codes of conduct part of their own regulatory structures, they can enforce them vis-à-vis their own candidates and members, even if they are not legally binding.

16. The same is true for media outlets or professional associations, which can regulate the language employed to describe candidates and impose sanctions on their members for violations of their internal codes. As part of their internal codes, media outlets also typically have policies of right of reply which ensure that the object of an inflammatory or discriminatory statement has the opportunity to respond to allegations made.

17. Codes of conduct thus vary from jurisdiction to jurisdiction according to how they are agreed, the categories of people/organisations to which they apply, the period during which they apply, and the mechanisms for adjudicating disputes arising from alleged violations of the code (see aceproject.org, International IDEA, 1999 and Goodwin-Gill, 1998 for further details).

Cultural norms and media scrutiny

18. Reliance on cultural norms, as manifest in informal discussion and media reports, is in some sense a minimalist approach to addressing the issue of intimidatory or discriminatory political language. This approach does have the advantage that it is rapid and it can serve to mobilise public opinion around a particular instance of reprehensible behaviour. When this happens, the electoral costs for the person responsible for using discriminatory language can be very high, making this potentially an effective tool.

Comparative evidence indicates that the quality of media coverage in a state is among the most important determinants of electoral quality (Birch, 2011; Birch and van Ham, 2017), which suggests that the media represent a powerful tool in shaping public reaction to misconduct by individuals.

19. In cases where there is a history of hate speech inciting violence (Rwanda, Kenya), informal campaigns against the use of inflammatory and discriminatory language can be effective in curbing this practice, particularly when government, civil society and the media all take part. The 2013 Kenyan election is a case in point. Where there are lower levels of urgency and mobilisation around the issue, informal campaigns and initiatives may be less successful, however.

20. It may therefore be concluded that in many contexts, reliance on cultural norms and media coverage alone to regulate the use of discriminatory language may not be adequate, in as much as norms vary across sectors of the population and not all voters access the same media sources. This informal approach might best be thought of as an adjunct to the more institutionalised approaches outlined above.

Models of Good Practice: Extracts from Codes of Conduct

21. Inter-Parliamentary Union Model Code of Conduct for Elections (Goodwin-Gill, 1998: 66): 'Political parties and candidates should ensure that their campaign activity does not incite violence, aggravate sectional differences, create mutual hatred, or cause tension between different groups or communities. Abusive, inflammatory or indecent language should be avoided, and all the necessary steps should be taken in good faith to avoid violent confrontation'.

22. International IDEA, *Code of Conduct for Political Parties: Campaigning in Democratic Elections*

'Speakers at political rallies will avoid using language that – (a) is inflammatory, or defamatory; or (b) threatens or incites violence in any form against any other person or group of persons' (International IDEA 1999: 18)

23. Elections Manitoba, 'Shared Code of Ethical Conduct (http://www.electionsmanitoba.ca/en/Political_Participation/Shared_Ethical_Code_of_Conduct.html)

'Political parties and Members, in their advertising, campaigns and promotional material, shall strive at all times to make statements that are accurate and to avoid statements that are misleading or deceptive.

'Members shall not sponsor advertising nor issue other promotional materials, such as pamphlets, brochures, handbills, newsletters, electronic messages, signs or posters, that make defamatory references to another Member, leader, or any candidate of another political party, or another political party generally.

'Members shall not sponsor advertising nor [sic] other promotional material containing language or other visual representation that promotes hatred toward any individual or group'.

    24. Election Commission of India, 'Model Code of Conduct for the Guidance of Political Parties and Candidates'

(1) No party or candidate shall include in any activity which may aggravate existing differences or create mutual hatred or cause tension between different castes and communities, religious or linguistic.
(
2) Criticism of other political parties, when made, shall be confined to their policies and programme, past record and work. Parties and Candidates shall refrain from criticism of all aspects of private life, not connected with the public activities of the leaders or workers of other parties. Criticism of other parties or their workers based on unverified allegations or distortion shall be avoided.

(3) There shall be no appeal to caste or communal feelings for securing votes. Mosques, Churches, Temples or other places of worship shall not be used as forum for election propaganda.

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Submission to the Committee on Standards in Public Life from Dr Clive
Sneddon

A.   Introduction

1.   I am writing as an individual who has experience of standing for Parliament, both
Westminster and Holyrood. I have been a General Election candidate for the Scottish Liberal
Democrats in Angus (2017), and previously in Dundee East (2005 and 2010). I have also
been a candidate in the Holyrood elections, in Angus South (2011 and 2016) and the then
Holyrood Dundee East (2003 and 2007). There is a difference in the experience of
campaigning in urban and rural areas, but there has also been an evolution over time. The
major changes have been the 2009 expenses scandal, and the 2010 Coalition, both of which
have fed the false belief that politicians are only in it for themselves. In terms of the remit to
'Examine the nature of the problem and consider whether measures already in place to
address such behaviour are satisfactory to protect the integrity of public service', it is
important to start from the recognition that intimidation is a pattern of behaviour that springs
from a lack of respect for those who offer themselves for public service and a belief that
politicians deserve to be attacked. Changing these perceptions of politicians will do more to
prevent intimidation than any number of laws prohibiting undesirable behaviour, which in
any case already exist.

2.   I have decided to submit evidence because I think the problem of intimidation as
reported by some candidates in 2017 is the tip of the iceberg. Whereas I found it possible to
go round the doors in urban Dundee alone, in rural Angus that now seems to be a little rash,
and we go round in small groups, typically twos or threes. Changing today's perceptions of
politicians requires national effort by all involved in public service to demonstrate that they
are there to help everybody and not to benefit themselves. A better understanding of the work
politicians do will remove the underlying causes of negative behaviour by some members of
the public, including intimidation and violence.

B.   Experience of intimidation

3.   On the nature and degree of intimidation experienced personally, I would say none. It
is however usual to meet a variety of responses, which voters are entitled to have. What is
new is the belief that politicians are a threat, whose advances should be resisted. One
particular instance occurred in Brechin in 2017. An employee of the Council refused to
consider my request to meet some residents in sheltered housing, on the grounds that there
was a notice displayed saying no cold calling, which was about selling goods on the doorstep.
I pointed this out, but she was adamant, claiming the residents were not interested in politics,
on what evidence I know not. When I have visited such establishments before, the residents
are often happy to talk, though as usual that will depend on the individual. I have never been
treated as a threat before.

C.   Does intimidation of candidates reflect a wider change?

4.   Yes. My own experience is the other way round, that politicians are perceived as a
threat by some members of the public, but I believe only a minority so far. British
representative democracy requires everyone involved, voter and politician, to be working to
achieve the best outcomes for everyone. The question is: Why do some members of the

public not see that politicians are doing their best to serve them and can be approached with a problem at any time?

D.   Has the media or social media significantly changed the relationship between politicians including candidates and the public, regardless of who appears to be intimidating whom?

5.   Yes. The main effect of social media is to enable like-minded people to find each other, and to amplify their views. If those views involve hatred of politicians for a real or imagined grievance, social media will spread a sense of entitlement to intimidate candidates. The problem is not the social media, but the sense of entitlement.

6.   The problem is rather in the tone set by the media, both print and broadcast. I have very often on the doorstep, especially in the Scottish referendum campaign of 2014 and since, met people who wanted more information. I have asked explicitly if they thought they were getting the information they needed from the media, and the unanimous answer was No. Some thought it silly of me to ask this question, because it was self evident to them that the media never gave any information. To me, this is a sign of the self absorption of the media, who think their news bulletins should speculate endlessly on what has not happened and may never happen, that commentary consists of interviewing fellow journalists, and that they should spend broadcast time telling the public what the papers say. When the papers have an agenda to promote, that means the broadcasters make themselves complicit in repeating that agenda. Far too often, the broadcast media talk of 'politicians' as if every politician were the same, which is not the case. Even worse is when the journalist puts the word 'politician' in audible inverted commas by pausing slightly before the word and spitting it out in a tone of disgust. This is not objective behaviour, and tends to create and perpetuate a stereotype of politicians as the enemy. No wonder there is now a problem of physical attacks on MPs including the murder of Jo Cox, and reported intimidation of candidates.

7.   You ask what measures can be taken to help address these issues. You also state 'The review will recognise the important role of legitimate scrutiny of those standing for public office by the public and the press.' The behaviour I have described in paragraph 6 is not legitimate scrutiny, but rather the behaviour of bullies. To me, the solution lies in retraining journalists, to remember that their role is to inform the public and help voters understand the world around them, and to make sure voters know what solutions politicians are proposing to the problems which affect and concern voters. In the 2017 General Election, five parties were putting up enough candidates to form a majority government if the public supported them. The job of the media was to inform voters about all five. Instead they assumed the role of the voter in deciding who would win, and denied voters information about the proposals of three parties out of five. Hence the reaction I found on the doorstep when voters told me they were not getting any information from the media. The result was a polarised election, in which the party the media mocked got a surge of support and the party the media criticised gently did not do as well as the media expected. I favour a free press, but not a media which abuses that freedom by not reporting what the voters need to know, and not a media which puts lives at risk by attacking politicians at every turn.

E.   Is existing legislation sufficient to address intimidation of Parliamentary candidates?

8.   Yes. It would be a mistake to create special legal protection for candidates or MPs. What is needed is sufficient resource to gather intelligence on those who would do harm to

others, and to prosecute all who break existing laws on intimidation, bullying and threatening behaviour.

F.   What role should political parties play in preventing the intimidation of Parliamentary candidates and encouraging constructive debate?

9.   In my experience, all political parties treat individuals with respect and must continue to do so. On hustings, every candidate gets to have their say, which makes for constructive debate. The main danger is a chair who wants short answers to complicated questions, which sells both the audience and the candidates short. The model for this expectation is invariably the broadcast media, which insists on discussing topics that interest the journalists, and all too often poses loaded questions which cannot be answered truthfully with a simple Yes or No. The chair at the 2017 Arbroath hustings was the editor of a local paper, who attracted criticism from the audience for choosing questions which interested him about the Holyrood Parliament, when all the candidates were standing for Westminster. In the broadcast General Election campaign, journalists' treatment of Tim Farron because he was a Christian was an especially heinous piece of bullying. He had already voted for gay marriage in a previous Parliament, and changing that law was in no one's 2017 manifesto, so it was not relevant to the choices facing voters in an election called on Brexit. Intimidation is simply the next step for a bully to take.

G.   What other measures might be effective in addressing the intimidation of candidates for public office?

10.   In general a zero tolerance approach to prosecuting bad behaviour which is against the existing law. In Scotland, the behaviour of cybernats has been an ongoing sore in Scottish politics. There will be some supporters of other parties who behave as badly. The CPS in England has said it will take action against online bad behaviour given that its consequences can be fatal. This is the right attitude, which should be supported throughout the UK.

H.   Could the experience of intimidation by Parliamentary candidates discourage people from standing?

11.   Possibly, but in most cases I would expect not. That is because people stand in order to improve this country and help its people, and they know not everyone will appreciate their efforts.

I.   Has the intimidation of Parliamentary candidates led to a change in the way in which public office holders interact with the public?

12.   Yes, in so far as candidates are more aware of potentially risky situations, as I have already described in paragraph 2. However, the political obligation is to interact openly and honestly with all members of the public, no matter what their problems or attitudes. I would expect politicians to continue to be open to voters in all circumstances. I am not aware of any change in the way people speak face to face.

13.   Communicating by correspondence or social media needs careful use of language to avoid being misunderstood. The need to use language carefully has always been there in writing, and the instantaneity of social media simply reinforces the need for care.

J.   Conclusion

14.   To me there is a very real danger of overreacting to individual instances of intimidation. There is a saying that bad cases make bad law. What is needed is for the public including the media to understand that politicians are trying to make life better for everyone, even though they have very different ideas of what solutions will achieve this. Respect for politicians will allow them to express themselves fully. For their part, the politicians I know already respect the public. If the media play their part in informing the voters and demonstrating respect for honest politicians doing a difficult job while holding them constructively to account, then the social atmosphere will change for the better. If law enforcement also does its job of enforcing existing law, and gathering and acting on intelligence, the present occasional incidents of intimidation will be a thing of the past.

Dr C. R. Sneddon   1st September 2017

Labour

For the many, not the few

Dr Heather Peto, former Labour PPC for Rutland and Melton

Intimidation of Parliamentary Candidates: Transgender candidate.

Dear Committee

1. I am Dr Heather Peto who stood for Labour in Rutland and Melton. I was one of six openly transgender candidates standing in the 2017 election. Although it was a very safe Conservative seat I tried to be more than a paper candidate. I had no team to speak of because our activists were rightly targeted towards winnable seats.

2. A concern for some transgender people is that they will be outed as transgender despite protection under the Gender Recognition Act against outing. This does not concern me but is something that does affect other transgender people who consider going into public life.

3. There is one paragraph of this letter I would like redacted because it repeats transphobic abuse that is a slur on the transgender community and puts me at risk of physical violence.

4. I had a few incidents of physical intimidation where I feared for my safety (described in paragraphs 7 & 8). For the most part, my experience was positive.

5. Rutland and Melton has many rural villages that have rarely seen a Labour candidate and never seen a transgender one. At first there were lots of comment when I went to these villages. Most of these comments were reasonable heckling at the election. Some were unconstructive and mildly hostile "what the are you…", "you're a man…", "Jeremy Corbyn is a ….". This did not really bother me but I can see it would deter some transgender candidates. By the end of the campaign most people had warmed to me, they would not vote for me but admired my courage and fight.

6. In the media, I was frequently referred to as a "transgender candidate", this is a useful label to promote transgender visibility but of course I am so much more than a transgender person. Again, this does not particularly concern me because it is part of the process of normalising transgender people in public life. However there have been many comments from trans and/or non-binary people that this label got on their nerves.

7. More serious were the *near assaults* that I experienced. In one Leicester village, I was chased by an angry resident after putting a leaflet through his door. The resident shouted general abuse about me, Labour, and immigration. I ran away. The police said it was not a crime unless he caught hold of me.

8. In Melton, there were quite a few incidents of people threatening to punch me to send a message that Jeremy Corbyn was a traitor. When they were clearly hot under the collar I moved away but when I thought I could verbally engage without injury I did so. It was clear from their comments, that these people were spouting hostile narratives they had got from the press and social media. Many comments such as "Corbyn wants to bring back the IRA" were further confabulation to already confabulated media stories.

    a. It is worth bearing in mind following the murder of Jo Cox that a small minority of the public have hate buttons pushed by outlandish and bias stories in the Press. Already conflated stories are headlined in a way to whip up anger and then conflated further by a small number of angry people.

    b. The legitimate balance between scrutiny and misleading, hate and bias is part of Broadcast regulations during an election. I can see no reason why the Press and Social Media advertising should not be subject to the same rules as broadcasters during an election.

9. During the election, it was hinted to me by a Lib Dem that the Press were trying to run a sensationalist and false article about my transsexuality. As far as I know the Lib Dems had nothing to do with promoting this false story and were simply alerting me to comments being made.

10. [False allegations made in the press about candidates during an election should be subject to the same rules that other candidates face, but with different sanctions. If the claim has likely affected the result then a parliamentary byelection should occur with the costs passed to the newspaper. The Court should also have the power to prevent the journalist and editor from offending again.

11. Social media. As a transgender person I have suffered social media abuse and death threats since 2005. This election actually had less abuse, perhaps because the trolls had more targets. In general, I block people who do not show their face on their social media profile. Of course this is not perfect and does exclude electors who have genuine reasons to hide their face.

12. My main problem with social media was a Green party supporter passing off a Green Party recruitment Facebook page as if it were a Labour Party Page. Facebook and Leicester Police were unresponsive about stopping impersonation during the election. The local Green Party and myself had several disputes about this but it was clearly just an over enthusiastic member and not the Party itself.

    a. The police informed me on the 18th of May that there is a loophole in the law, that provided a page is set up on Facebook a year before an election it is no longer a crime to impersonate during an election. I pointed out the need for an imprint to be clearly visible but the police refused to take the matter up.

13. In general, there was little support from the police during the election and I feel the time I spent trying to get them to take action was wasted.

14. To conclude. The press headlined conflated stories about Labour and Jeremy Corbyn, designed to whip up anger about immigration and patriotism. This was further conflated by a small number of angry members of the public that led to threats of violence towards candidates. There was some hostility towards me as a transgender person but this applies outside elections too.

Dr Heather Peto

**Response to Committee on Standards in Public Life Review on
Intimidation of Parliamentary Candidates**

September 2017

Dr Jonathan Rose
Senior Lecturer in Politics and Research Methodology
DE MONTFORT UNIVERSITY

Introduction and Reason for Submission

1. I am a Senior Lecturer in Politics and Research Methodology at De Montfort University. My research interests focus particularly upon public probity and public attitudes towards standards of conduct in public life. I have a PhD from the University of Nottingham, which was co-funded by the Economic and Social Research Council and the Committee on Standards in Public Life.

2. I am submitting this response on a personal (rather than institutional) basis, out of a general interest in integrity in public life, broadly defined, and a desire to help the Committee to that end.

Consultation Response

Question 2: Does the issue of the intimidation of Parliamentary candidates reflect a wider change in the relationship and discourse between public office holders and the public?

3. Politicians have traditionally been held in low regard by the public. It is difficult to know exactly how far back that perception stretches, but specific academic concern has existed for decades[1]. Nonetheless, there are concerns that the nature of the distrust of politicians has changed over time, with perhaps a greater tendency to open hostility. The MPs' Expenses scandal was both a demonstration of this effect, and moreover served to increase the public's hostility to politicians.

4. Notwithstanding qualitative shifts, the quantitative data appears to show significant stability in the public's attitudes towards politicians. One of the longest running evaluations of the UK public's trust in politicians comes from Ipsos MORI's Veracity Index, which allows for a roughly equivalent evaluation of changes in attitudes to politicians and government ministers between 1983 and 2016[2]. This series shows that while levels of trust in politicians do fluctuate over time, and seemed to decline particularly in 2009, the overall level of trust was not radically different during the last Parliament was not substantially different to those seen during the early 1980s.

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[1] See Rose, J. (2014). *The Public Understanding of Political Integrity: The Case for Probity Perceptions*. Palgrave: Ch.1
[2] See https://www.ipsos.com/ipsos-mori/en-uk/trust-professions; note however that the methodology for collecting data, and the standards to which the data are collected are not identical across the 33 years that data have been collected.

5. As such, the available evidence suggests that while the public may be somewhat more likely to pointedly express dissatisfaction, the fundamental nature of the relationship between politicians and the public has not changed significantly in the last five years. As such, hostility towards and intimidation of politicians and Parliamentary candidates appears more likely to be a more forceful articulation of pre-existing feelings among certain members of the pubic, rather than a reflection of a wider change in attitudes.

Question 3: Has the media or social media significantly changed the nature, scale, or effect of intimidation of Parliamentary candidates? If so, what measures would you suggest to help address these issues?

6. Undoubtedly, social media has lessened the costs of sending hostile and intimidating messages to Parliamentary candidates. While writing a letter and taking it to a post office is relatively expensive and time consuming, sending a message via social media is essentially free and can be done within seconds. The costs previously borne by those wishing to send hostile and intimidating messages are likely to have significantly reduced the volume of messages Parliamentary candidates received. The removal of these costs will, other things being equal, increase the scale of messages received.

7. At the same time, the fact that most political candidates are accessible online is very likely have an effect on the nature and quality of message received. The 'online disinhibition effect'[3] is widely recognised to create a more hostile form of communication online than would exist in person. This is therefore likely to increase both the scale of messages received, while also making people sending such messages feel freer to send more hateful messages.

8. However, it is also important to recognise that the absolute threat posed by any individual message has likely fallen in recent years. In 2002-3 I undertook work experience with the then MP for Cleethorpes. She had a box file of hate mail that she had received through the post, which included campaign leaflets defaced with swastikas and pictures of her with the eyes scratched out. The level of effort required to send such a message clearly reflects an individual who is more threatening than a person who sends a hostile message via social media.

9. Nonetheless, personal reactions from Parliamentary candidates may be less affected by the objective level of the threat. Because social media is often highly personal, and because it tends to be accessed on a person's own phone/tablet/computer, it is possible that a hostile message received via social media may feel more personally offensive than an objectively more threatening message sent to a campaign headquarter.

10. Responding to these new developments will be difficult, particularly so because the line between a legitimate but hostile message and a threatening message will have an inherently subjective component. That the public are able to freely express negative opinions of politicians and political candidates has a vital role to play in a free democracy. Introducing new legislation that requires substantial judicial interpretation may well have a chilling effect even on legitimate (yet hostile) political messages.

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[3] Suler, J. (2004). The online disinhibition effect. *Cyberpsychology & behavior*, *7*(3), 321-326.

11. The traditional media has been less affected by these new developments because the nature of the traditional media has changed to a far smaller degree. Nonetheless, the traditional media may be able to play a role in combatting the intimidation of Parliamentary candidates if they overtly model the highest standards of political communication.

Question 4: Is existing legislation sufficient to address intimidation of Parliamentary candidates?

12. The *Malicious Communications Act* (1988)[4] provides a broadly conceived criminalisation of sending a message, whether physical or digital, which is threatening, grossly offensive, or false, when done so with the intention to cause distress or anxiety. Along with other relevant legislation, including the Communications Act (2003)[5] and the Serious Crime Act (2007), the current legislative framework appears to offer a robust protection against the intimidation of Parliamentary candidates.

13. Indeed, the current legislative framework may already go too far in criminalising highly offensive but legitimate political messages. While the courts have held that messages ought not to be prosecuted simply for being iconoclastic, rude, or unpopular[6], this framework potentially requires a fine judgement on the part of a member of the public who would need to assess whether a message was 'only' offensive (and therefore legally permissible), or instead grossly offensive (and therefore criminal). A member of the public who forcefully asserts that certain politicians and candidates, by virtue of their political positions, are literally murderers could potentially be acting in a way that an ordinary and reasonable person finds grossly offensive; yet the original objection is still germane to a point of legitimate political disagreement. While in an ideal world all communication would be tranquil and civil, such a requirement may serve only to further alienate certain members of the public from the political process. As such legislative change should be carried out with very great caution.

Question 7: Could the experience of intimidation by Parliamentary candidates discourage people from standing for elected or appointed public offices?

14. Yes, in theory it could. However, how significant a problem this is in practice is very difficult to assess. Almost without exception, prospective candidates have already weighed up the potential for intimidation and have chosen to continue regardless. In order to assess the true consequences, it would be necessary to also gain information from people who might otherwise have applied to become a candidate but did not. It may be possible to get some empirical sense

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[4] https://www.legislation.gov.uk/ukpga/1988/27/contents
[5] http://www.legislation.gov.uk/ukpga/2003/21/contents
[6] https://www.judiciary.gov.uk/wp-content/uploads/JCO/Documents/Judgments/chambers-v-dpp.pdf; §.28

from surveying party members and activists as to the reasons why they would or would not consider applying to become a candidate.

<p style="text-align:center">**Scottish Women's Convention Response to:**</p>

<p style="text-align:center">**The United Kingdom Government's**
Committee on Standards in Public Life Call for Evidence:
"Intimidation Experienced by Parliamentary Candidates"
August 2017</p>

The Consultation

The UK Government public body, the Committee on Standards in Public Life, is undertaking a review of intimidation experienced by Parliamentary candidates, including those who stood at the 2017 General Election. Other issues of consideration include the broader implications for other candidates for public office and other public office holders.

The purpose of the review is to examine the nature of the problem of intimidation and consider whether current measures are satisfactory to address such behaviour, especially given the rise of social media and how enforceable these measures are. The review will recognise the important role of legitimate scrutiny of those standing for public office by the public and the press.

The Scottish Women's Convention (SWC)

The Scottish Women's Convention (**SWC**) is funded to engage with women throughout Scotland in order that their views might influence public policy. The SWC uses the views of women to respond to a variety of Parliamentary, Governmental and organisational consultation papers at both a Scottish and UK level.

The SWC has been consulting with women on issues which are important to them around politics with much focus on female representation and the highly gendered nature of violence elicited at women within the political world. This has included much emphasis on the rise of social media as a powerful factor in decimating this abuse.

The SWC believes that a strong gender focus is necessary when considering the impact of intimidation of parliamentary candidates. Many of the legislative and policy decisions designed to eliminate Violence Against Women and Girls (**VAWG**) are not implemented when it comes to the likes of social media. There are, therefore, real concerns around the nature of these threats.

Question 1:
What is the nature and degree of intimidation experienced by Parliamentary candidates, in particular at the 2017 General Election?

Intimidation or abuse, particularly levelled at women, has seen an exponential increase, heightened even more by the intensity and divisive nature of the most recent General Election. Whilst this has been the case for a number of years due to a range of issues, a huge factor this time around is the move to online harassment and hatred. The increasing access to technology is even more pervasive now than during the 2015 election campaign. It has led to abuse being able to ferment much more easily.

This has been compounded lately by the *"Brexit effect".* Negative comments that are completely unfounded are aimed at politicians for no reason other than for their beliefs concerning the European Union.

Abuse, whether online or physical, does not just effect Parliamentary candidates, but also family, friends, their employees and volunteers. This is most often carried out in an intimidating manner.

Failure to tackle intimidation and abuse seeks to normalise it and can often escalate and encourage people to potentially carry out physical threats. There is a feeling throughout society that online abuse is not treated severely simply because it is not face to face.

"Social media can be the worst. People go over the top and start arguments for the sake of it. It tends to be more political."

"These sites aren't monitored appropriately and are easy targets for exploitation of women and children."

The amount of women in public office, whilst still far from representative, has gained in number over the years. There has also been an increase of women in more prominent political positions such as party leaders and ministers. Whilst this is to be commended, profile-raising often leads to a sharp rise in specifically highly-gendered abuse.

"Just because someone is well-known, doesn't mean they won't get targetted for being a woman."

Question 2:
Does the issue of the intimidation of Parliamentary candidates reflect a wider change in the relationship and discourse between public office holders and the public?

There have been a number of elections and referendums over the past few years which have led to an intensification of political opinions by society in general. This can often be stoked by politician's own violent rhetoric and exacerbated intensely online.

Engagement between public officials and the public has been undergoing change for a number of years. This can be viewed positively as a direct result of digitalisation and increasing representation of minorities as public representatives. Whilst these steps forward in equality are to be applauded, it has led to a high rise in not just abuse, but also in the hostile nature of this, with threats being highly targeted towards women.

Question 3:
Has the media or social media significantly changed the nature, scale, or effect of intimidation of Parliamentary candidates? If so, what measures would you suggest to help address these issues?

The increasing accessibility to public figures through the likes of social media and digitalisation has led to a blurring of boundaries over what can be considered acceptable and what cannot. A huge amount of the abuse directed at female parliamentary candidates in particular is highly sexualised and dangerous. Not only does this put these women in fear of their lives but can also encourage others to emulate the perpetrators.

This is a particular problem in terms of the sexual abuse received by many female politicians merely because of their gender. Social media has the added effect that many people find others who not just perpetrate, but also intensify, intimidation and abuse. This has conspired to normalise abuse against women and see things such as rape threats as commonplace.

"If you wouldn't threaten rape in real life, then why can you do it online?"

The media in general however must also face tighter controls. Tougher guidelines should be established over what can be seen as fuelling intimidating behaviour through the likes of political journalism. It must be recognised by media outlets that there is a fine line between political debate and instigating reckless behaviour in individuals towards electoral candidates.

Within this priority, greater emphasis should be placed on the media's role in tackling gender inequality. Given the influence that this outlet plays in our society, the Government should use its position to influence what is being portrayed and issuing codes of conduct, particularly around women and minority groups. Failure to advocate the high level of responsibility that the media plays can lead to promulgation of VAWG at a wider level in society. It should be recognised that the media has an obligation to promote the value of having females in such high positions.

"The media in general presents a really distorted view of women in power."

Question 4:
Is existing legislation sufficient to address intimidation of Parliamentary candidates?

At present, many perpetrators of abuse and intimidation can often be overlooked due to the limitations of current legislation. More convictions and harsher sentences would make clear to those who commit these offences that they will not "get off lightly".

Current legislation under both UK and Scottish law is insufficient to deal with abuse, as proven by the exponential rise in intimidation in the latest election campaign. For example, as stated above, highly gendered abuse can be seen as VAWG, a fundamental human rights issue, and should be dealt with as such. At present, this does not occur in the majority of cases against public officials.

The Offences (Aggravation by Prejudice) (Scotland) Bill, 2009, for example, enacts a statutory aggravator for what it defines as hate crime misdemeanours committed against those with a disability, sexual orientation or transgender identity. This is illustrative of the high degree achieved within Scotland of safeguarding those with protected characteristics.

However, the enactment of women as a specific group which can experience discrimination is lacking at both a Scottish and UK Government level. Women should be recognised as a protected characteristic within hate crime legislation. This would enable female candidates to challenge intimidation in respect of their gender.

"This issue is so important. The only way to ensure women have access to justice, support and most importantly safety, is by putting laws in place which punish those who carry out this behaviour."

Question 5:
What role should political parties play in preventing the intimidation of Parliamentary candidates and encouraging constructive debate?

Political parties should take a leading role in discouraging abuse. This should include forced expulsion from said party if a member is found to have carried out this behaviour, whether online or in person.

The effect of political parties themselves on these problems cannot be downplayed and should be held to account. This year has seen an ever increasing number of online marketing strategies deployed across social media by all parties targeting opponents in more and more vitriolic ways and playing on fears by the public. These forms of marketing should be regulated and held to account more rigorously than at present. In being allowed to continue in this vein, it promulgates and encourages individuals to attack politicians over sensationalist and exaggerated claims. Political parties should be cautious for their –albeit unknowing – role in this. Campaigns which targeted specific politicians on the other side have led to a barrage of abuse.

Furthermore, the majority of political parties throughout the UK do not hold a social media policy for their members. These should be established and should include specific references to crimes committed involving abuse against women, race, disability, etc.

Question 6:
What other measures might be effective in addressing the intimidation of Parliamentary candidates, and candidates for public offices more broadly?

What is of particular growing importance concerning intimidation of public figures is not just the barrage of abuse encountered but the nature that this takes, often being overwhelmingly violent and sexist. This must be recognised more widely and acknowledged if it is to be prevented. Considering this, preventative measures should be tailored more effectively towards women, both online and off.

It should also be recognised the role of social media in planning and orchestrating acts of intimidation against anyone, including public officials. This could entail setting out social media legislation under specific guidelines to emphasise the seriousness of online threats. For instance, there is no specific legislation around "cyber stalking" or online harassment, making it hard to convict even if the perpetrator is known.

Whilst tougher legislation is vital in deterring intimidation, other solutions must be sought in order to tackle this fundamental problem outright. A revised and inclusive approach to abuse both online and in person should be conceived by the government. This must target the public from a young age in order to highlight and underline the dangers of this. The SWC has found that there is very little education around online trolling and abuse.

"I think teaching kids to recognise the peril of social media is useful. Even if it's just communicating to them 'it's wrong' can be a great thing. It means they can internalise it and there's less chance they'll go on to carry it out themselves or be influenced by it when they grow up."

Failure to acknowledge and include a specific framework for this lacks perceiving how different aspects of abuse affect different groups within society. A specific priority devoted to diversifying and improving quality education and legislation is sorely needed.

Furthermore, women have commented about the lack of responsibility social media organisations take in tackling online abuse, often doing nothing at all or merely suspending the perpetrator's account for a few days. Stricter guidelines around these organisations and their social responsibility should be enacted and be put into law.

Question 7:
Could the experience of intimidation by Parliamentary candidates discourage people from standing for elected or appointed public offices?

Upon consultation with women, a main point that came across in terms of political life was their portrayal as electoral candidates or representatives in general. Many women noted that this is a key feature turning off participation for women, especially younger ones.

"Women have to act tough in order to be a woman in a man's world still, plain and simple."

Aside from this, many candidates are so intimidated by abuse that they have received that they are fearful to even come forward and report it for fear of repercussions, not just from perpetrators, but from others who may seek to copy these threats.

"I think a lot of people forget how hard it is now. Everything happens so fast. Everything is online and accessible. It can be really scary and intimidating, especially to young women."

If the issue of abuse and intimidation is not tackled through a gendered lens and recognised for the real harm it causes to women, more and more will be discouraged from running and put encouraging equal representation in politics at real risk.

Question 8:
Has the intimidation of Parliamentary candidates led to a change in the way in which public office holders interact with the public in correspondence, on social media, or at in-person events?

The media is seen as playing a huge role in treatment of candidates. Often encouraging bitter rivalries between female politicians themselves and continuing to portray them in terms of appearance rather than ability. This was seen to have a huge effect on how female politicians acted as well as encouraging abuse and intimidating behaviour by males.

More should be done to combat this stereotype. And whilst it was acknowledged that the tide is slowly changing, it was noted that more recently there seems to be a regression back to these tactics rather than moving forward.

"It's a negative that women in power are just as adversarial as men"

What is worrying is that if this intimidation remains unchecked, that vital parts of our democratic system such as political surgeries and openness with politicians will be lost due to fear.

Elected representatives are to be commended for the way in which they have handled themselves despite the abuse they have faced. Worryingly, those that are elected may not want to progress further for fear that a higher profile might mean more instances of abuse being targeted at them.

Conclusion

The SWC welcomes and fully supports the Committee's Review into the intimidation of parliamentary candidates. The highly gendered and sexualised form that abuse can take when directed at these representatives both online and in person is a pressing issue that urgently needs addressing.

For further information, please contact
Scottish Women's Convention
www.scottishwomensconvention.org

The Scottish Women's Convention engages with women using numerous communication channels including Roadshow events, Thematic Conferences and regional contact groups. This submission paper provides the views of women and reflects their opinions and experiences in a number of key areas relevant to political representation.