

# Conduct of debate in public life; the divisions which result from that in society; and the case for addressing such divisions

House of Lords

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## KEY MESSAGES

- Parliamentarians, councillors and other elected representatives in public life are facing significant problems of harassment, threats and intimidation. Whilst much of the focus has been on the impact on MPs, councillors can also be subjected to the same level of harassment, threats and intimidation.
- We need to safeguard our democratic structures. These changes in legislation, policy and practice need to apply to protecting representatives of local government as well as national government.
- Harassment, threats and intimidation of local elected representatives are completely unacceptable, and must be dealt with robustly at all levels. This includes the Government, by councils, private sector; by the police and, where relevant, by the social media companies which provide platforms for specific forms of abuse.
- Intimidating behaviour will ultimately have an impact on who is willing to stand to be a councillor. There are questions about what this then means for our democracy and decision making, as well as for freedom of speech.
- It is important that the public hold elected officials to account. However, when the tone of the debate intimidates and threatens individuals who are carrying out their roles, it risks having a detrimental impact on democracy at a local level.
- The increased threat has led to councillors needing additional security measures. With this comes a cost – there is a question about how this should be funded, particularly with the pressure that council budgets are already under.
- It is important that the electorate are able to vote for councillors who represent and reflect the make-up of their local communities. In the development of its toolkit for councils to support the role of women, parent and carer councillors, the LGA heard from candidates and councillors, particularly women, those from non-white ethnic groups and members of the LGBT+ community. These individuals have either experienced intimidation as a result of standing for election, or have been put off standing for fear of expected intimidation and abuse. The LGA is now developing a guide for councillors on handling intimidation, threats and personal safety.

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# Briefing

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## **FURTHER INFORMATION**

### **The issue**

It is vital that the public are able to engage with their elected representatives and hold them to account. There is never the less a difference between legitimate democratic process and intimidating or threatening behaviour.

Since 2016 there has been increasing awareness of the types of threats that members of both houses of parliament face. The Committee on Standards in Public Life (CSPL) has conducted a number of inquiries into the issue which has found that a significant proportion of candidates at the 2017 general election experienced harassment, abuse and intimidation. There has been persistent, vile and shocking abuse, threatened violence including sexual violence, and damage to property. It is clear that much of this behaviour is targeted at certain groups.

The widespread use of social media platforms is the most significant factor driving the behaviour we are seeing. The Committee also identified that intimidation is different from the legitimate persuasion or influence which takes place as part of the democratic process; intimidatory actions are not political pressure. Instead, they are intended and likely to cause an individual to withdraw from a public space, including social media, public events, or from public life altogether. This can have the effect of limiting freedom of expression by 'shouting down' opponents.

The Committee determined that the rise of social media has been the most significant factor accelerating the prevalence of intimidatory behaviour in recent years. Although it can be a means by which to open up access to ideas, information, and debate, social media can also create an intensely hostile atmosphere online.

The Cabinet Office's response to the Committee's inquiry recognised the importance of including locally elected councillors as well as members of parliament in national action to address the issue of intimidation of those in public life. The impact of undermining the democratic process at a local level is as significant as at a national level.

This issue of intimidation of public figures is not a new one, but there is a growing number of cases of intimidation and harassment of councillors, notably on social media. This is completely unacceptable, and must be dealt with robustly at all levels – by the Government, the Crown Prosecution Service (CPS), by the police, by councils; and, where relevant, by the social media companies that provide platforms for specific forms of abuse.

### **Impact on the diversity of local government**

It is vital that government, particularly local government, reflects the communities it represents. The LGA's 'Be A Councillor' campaign, which encourages more people to stand as a councillor, includes a focus on encouraging women and under-represented groups to engage with, and enter, local politics. Although we have just had a local election that will have inevitably changed the landscape, the last LGA Councillor Survey (2018) found that 63.3 per cent of councillors were men and 35.7 per cent were women, whilst only 1 per cent prefer to self-describe or not to say. In terms of ethnicity, 95.8 per cent of councillors are white.

However, our members tell us that the intimidation of people in public life can act as a barrier to standing as a councillor or taking on responsibilities as a cabinet member. There is also anecdotal evidence from across the country that female

leaders and councillors are subject to more abuse than their male counterparts. A 2017 survey by the Fawcett Society, which looked into how local government works for women, found 46 per cent said "harassment or abuse from the electorate" was a barrier to them entering local politics.

Sheffield City Council cabinet member Jayne Dunn has said she's faced "highly sexualised" online threats, had her garden broken into and been followed into a car park after meetings. The 2015 break-in left her feeling so vulnerable police installed a panic alarm in her house. Although she didn't find out until later, at around the same time [council leader Julie Dore had been moved to a safe house](#).

Other examples, quoted by the BBC's Local Democracy Reporting Service, include:

- A Sandwell councillor's car was forced off the road, [and the authority used a court injunction to stop an abuser approaching two councillors](#).
- [A young female Conservative councillor decided not to stand](#) for election again, citing the abuse she faced.
- A disabled former council leader [stayed away from a council meeting because he feared for his safety](#).
- [Abusive messages were sent to an Isle of Wight councillor's daughter](#) in the run up to a controversial decision.

During the recent local elections there were a number of high profile incidents of councillors being subject to both verbal and physical abuse whilst canvassing. However, this doesn't just effect councillors during an election period. On-going intimidation is just as likely to prevent prospective candidates from standing for office, and can also mean public office holders do not stand again or even resign from their position. This also undermines our democratic process.

### **Legislation and enforcement.**

The Committee on Standards in Public Life defined intimidation as

*"words and/or behaviour intended or likely to block or deter participation in public debate, which could lead to an individual wanting to withdraw from public life"*

Whilst there are over 30 pieces of legislation that cover this type of offence, it is important that intimidation crimes against candidates and councillors are taken seriously by the police, the courts and the CPS. Existing intimidation legislation needs to be properly and universally enforced, including on social media, so that there are enough convictions with significant sentences to deter offenders and give candidates and politicians confidence.

While some councils have reported that their local police forces take the issue of intimidation very seriously, in other areas there seems almost to be a view that such abuse is part and parcel of being an elected official. Additionally, we are aware that the CPS has declined to take forward some cases relating to the harassment of councillors.

We support the Committee on Standards in Public Life in recognising the importance of nationally consistent enforcement and effective policing. In particular, the need to update the College of Policing Authorised Professional Practice (APP) guidelines to include more on offences relating to Parliamentary candidates. This should be extended to local candidates.

We also support the Committee's recommendation that local police forces should have adequate training to allow them to investigate offences effectively. There is a need for further guidance to make clear to national and local candidates what behaviour might constitute a criminal offence and how candidates might respond if they experience it.

### **Cost of protecting councillors**

Whilst it is important that the law is there and is enforced to crack down on those who seek to threaten or intimidate local elected representatives, for some councillors, the scale and seriousness of the threats that they are facing, mean that they require more immediate additional protection. These safety measures have included councillors needing to have panic alarms installed in their homes. In the most serious cases individuals have need access to 24hr support and some have even been relocated to safe houses.

All of this comes at a cost, in 2010 the cost of providing security to MPs was £37,800 but by 2016 this had risen dramatically to £640,000. However, unlike for MPs, it is not always clear who should be footing the bill for councillor's security. In some cases, it will be the responsibility of the local police force to cover any costs incurred, elsewhere political parties may choose to pay for measures to be put in place for its candidates, although most-often councils are meeting the expense.

It is vital that councils ensure the safety of their elected members, but meeting the cost of these safety measures means redirecting council funding from other vital services, at a time when councils' core government funding will have fallen by nearly 60p in every £1 in real terms, between 2010 and 2020.