



Jewish Voice for Labour

Charity Commission
PO Box 211
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Your ref: JT/C-512507/RC

15 March 2021

Dear Mr Thorndike

Campaign Against Antisemitism ("CAA"), CIO no. 1163790

We refer to your letter of 23 September 2020 and to our formal written complaints concerning the CAA dated 28 April and 29 May 2020.

We would welcome from you a further update on your investigation into the conduct of the CAA, and an indication of when you expect to reach a conclusion. We would also ask that as you continue your investigation, you consider the further points of concern raised in this letter.

We are increasingly concerned at the sheer scale and intensity of the unwarranted attacks which the CAA continues to make, on an almost daily basis, on public figures, institutions and private individuals with whom the CAA, for one reason or another, does not agree, and at the CAA's use of ever more offensive and insulting language.

In our earlier submissions, we explained in detail why we consider that the CAA was persistently failing to observe the legal obligation that binds every educational charity, to research and present information in a balanced way, and to allow those being educated to make up their own minds on controversial issues.

We would remind you that that the CAA's objects are:

- *to promote racial harmony for the public benefit between Jewish people and other members of society by the elimination of antisemitism . . . and*
- *to advance education as regards the history, causes, effects and prevention of antisemitism) . . .*

We wish now to draw to your attention two statements which the CAA has put out since we last corresponded, which should indicate to the Commission that the CAA is not merely

overlooking or forgetting its duty to avoid politically partisan stances on controversial issues. Rather, it is knowingly and unapologetically disregarding that duty.

The first example is an announcement by the CAA which was placed on its website on 16th December 2020, summarising a complaint the CAA had made to Ofcom, concerning an eight-minute feature which had been broadcast on Channel 4 News the previous day. In the feature, a group of young adults of Palestinian heritage, all based in the UK, spoke about their life experiences and about the tensions they have encountered when seeking to discuss their cultural histories and their views on the Israel/Palestine conflict. CAA's complaint, and the news feature can both be viewed here:

<https://antisemitism.org/caa-submits-complaint-to-ofcom-over-channel-4s-segment-claiming-international-definition-of-antisemitism-silences-criticism-of-israel-with-no-input-from-mainstream-jewish-r/>

Put simply, the feature gave young Anglo-Palestinians (a section of society whose voice is rarely heard) the chance to give their side of the Israel/Palestine story and to express their points of view, drawing on their and their families' personal histories of exile from their homeland and the forms of both subtle and not-so-subtle discrimination that they have suffered. The feature also contained supportive comment from Prof. Avi Shlaim, a Jewish academic who has written critical histories of the foundation of the State of Israel; and it contained an explanation of why, from the young protagonists' point of view, the so-called IHRA Working Definition of Anti-Semitism has a potentially chilling effect upon discussion around these issues. The language used throughout the feature was in our opinion (and, we are confident, in the opinion of any reasonable viewer) responsible and respectful.

Nevertheless, the reaction of the CAA was as follows:

It is extraordinary that Channel 4 News could have devoted an entire segment to discussing defining antisemitism without including a single representative of the mainstream Jewish community . . . in which there is a consensus in favour of widespread adoption of the [IHRA] Definition. [This] represented a failure by Channel 4 News to show due impartiality in its programme, which is also a breach of Ofcom's guidanceIf the programme had done, it might have realised that it was promoting the antisemitic 'Livingstone Formulation' that was used to such unlawful effect in victimising Jews in the Labour Party (Emphasis added)

In answer to this, we find it extraordinary that the CAA should regard itself as entitled to launch such a blatant attack on citizens' rights of free speech, responsibly conducted, and as entitled to demand that any broadcast concerning the relationship between State of Israel and people of Palestinian heritage should include contributions from members of what the CAA calls "the mainstream Jewish community", which the CAA claims is host to "a consensus in favour of widespread adoption of the [IHRA Working] Definition". We also struggle to understand what objective definition could be given to the phrase "mainstream Jewish

community"; and we find it even more extraordinary that the CAA can interpret the news feature as having the potential to "victimise Jews".

Further, the CAA continues to misappropriate the IHRA Working Definition in dogmatic terms, completely disregarding the body of well-founded legal analysis, referred to in more detail in our submission of 28 April 2020, which has revealed the deep conceptual flaws within the definition and the confusions that follow from it. Even the Chair of the EHRC, Baroness Falkner, has recently described the IHRA Definition as 'extremely poorly worded and probably unactionable in law' while it 'directly conflicts with the duty to protect free speech'

For these reasons, we cannot accept that the CAA's attack on Channel 4 News is the legitimate work of an educational charity, committed to researching and presenting information about antisemitism in a truthful and responsible way. If the CAA is to fulfil its object of promoting good relations between Jewish people and other members of society, this duty requires it to take account of the views of affected others, including people of Palestinian heritage who may be affected by a politicised and ultimately misguided "definition" of a particular form of racism.

The second example is a CAA report dated 8th March 2021, in which the decision of St Paul's School to invite Baroness (Shami) Chakrabarti to give a talk to students at the school on gender equality on the occasion of International Women's Day, is criticised and attacked. The report may be read here:

<https://antisemitism.org/caa-to-write-to-st-pauls-school-over-speaking-invitation-to-disgraced-peer-shami-chakrabarti-who-authored-whitewash-report-into-labour-antisemitism>

Once you have read it, we trust that you will agree that there is no rational justification whatsoever for any registered charity (let alone one which is supposed to be in the business of promoting good community relations) issuing this sort of diatribe.

As you will be aware, Baroness Chakrabarti is an outstanding human rights lawyer who between 2003 and 2016 put in 13 years of distinguished service as director of Liberty, the UK's leading human rights advocacy body. It is also of relevance to this submission that the Baroness is one of the UK's most eminent female public figures of south Asian heritage. It is therefore entirely reasonable for St Paul's School to regard her as a role model, and one from whom its pupils potentially have much to learn.

Naturally we would accept that once the Baroness made public her political allegiances by taking the Labour whip and assuming the role of shadow Attorney-General, she would be exposed to the sort of political challenge that she would not have expected to contend with in her role as director of Liberty. However, we consider it to be utterly outrageous that a registered charity whose principal object is, we repeat, *to promote racial harmony for the*

public benefit between Jewish people and other members of society, should consider itself entitled to put out a public statement about a private event at a leading independent school, in which the distinguished guest is described:

- as “disgraced”,
- as having had a “shameful record” when in office; and
- as the author of a “joke of a report” which was “widely condemned as a whitewash” (referring to the Chakrabarti Inquiry Report of June 2016, which the Jewish Labour Movement described at the time as “a sensible and firm platform . . . setting a new standard for tacking racism and anti-Semitism”);

and, most insulting of all, to claim that her presence as a guest speaker at St Paul’s School justified “appropriate arrangements for Jewish and other pupils who are adversely affected”—the clear implication being that the school’s senior leadership had invited an antisemite into their community, or at the very least, one who tolerates and gives succour to antisemites.

The attack comprises nothing more than a series of insults, insinuations, and assertions of guilt by association. It quite possibly constitutes the most malicious and groundless attack against a public figure ever to emanate from a UK charity. This alone should, in our view, justify the immediate removal of CAA from the Register.

In the light of these two incidents, we repeat our request that the Commission expedites and concludes its investigation into the CAA; and that it takes the most robust action available to the Commission to sanction and prohibit these sorts of abuses, as soon as possible.

Finally, we would ask that you acknowledge receipt of this letter within 3 working days and that you provide us with a substantive response with 14 days. Please note that JVL reserves its right, in the absence of confirmation within the stated time that decisive action will be taken against the CAA, to publicise this letter.

Yours sincerely

Leah Levane
Jenny Manson
Co-Chairs, Jewish Voice for Labour