



Association of
Democratic Services
Officers

Submission from Association of Democratic Services Officers (ADSO) to the Government's response to the Committees on Standards in Public Life Review of Intimidation in Public Life

ADSO is a professional organisation established in 2009 to support those working in the democratic and governance roles within local authorities in England. We provide a range of benefits to our members, including professional qualifications and training. We operate regionally and have a national board elected annually. With over 950 members we have become an established voice for the sector. We encourage shared learning and building on best practice.

We welcome the Government's conclusions, in the main and are pleased this matter has been taken seriously. There are challenges, particularly around social media etc and we will do our best to ensure high standards in public office are observed.

Additional comments are set below against each of the recommendations.

Recommendation 1: Nobody in public life should engage in intimidatory behaviour, nor condone or tolerate it. All those in public life have a responsibility to challenge and report intimidatory behaviour wherever it occurs.

Recommendation 2: Those in public life should seek to uphold high standards of conduct, adhering to the Seven Principles of Public Life, and help prevent a decline in public trust in political institutions through their own conduct.

Recommendation 3: Those in public life must set and protect a tone in public discourse which is not dehumanising or derogatory, and which recognises the rights of others to participate in public life.

Recommendation 4: Those in public life have a responsibility not to use language which engenders hatred or hostility towards individuals because of their personal characteristics.

Recommendation 5: Those in public life should not engage in highly personalised attacks, nor portray policy disagreements or questions of professional competence as breaches of ethical standards.

We support the Government's conclusions. It is unclear in the response whether the Government believes existing codes and legislation is sufficiently robust or requires strengthening. We would exercise some caution over recommendation 5. Whilst personal attacks cannot be condoned policy disagreements can be highly charged, as the Windrush issue demonstrates. We need to ensure that opposition is not curtailed whilst at the same time ensuring personal attacks and intimidation are

eradicated. It is the second part of the sentence that could be open to interpretation: "... nor portray policy disagreements or questions of professional competence as breaches of ethical standards." We endorse the comment made in the last paragraph in the Government's response to recommendations 11-19 and believe it can be applied here.

One would also expect these standards to be applied in policy making and any political campaigns.

Recommendation 6: The Government should consult on the introduction of a new offence in electoral law of intimidating Parliamentary candidates and party campaigners.

Again, we support the Government's conclusions regarding this recommendation and welcome the involvement of the Law Commission. We are surprised that existing laws that apply to individuals do not appear to be applied in the electoral context. Incitement, malicious harassment etc being examples. Abuse through social media should also be considered

Recommendation 7: Government should bring forward legislation to shift the liability of illegal content online towards social media companies

We are encouraged that the Government is discussing this matter with our European and other international partners to ensure this matter is appropriately addressed.

Recommendation 8: The Government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count.

We support the Government's conclusions on this recommendation.

Recommendation 9: Local Authority Monitoring Officers should ensure that members required to declare pecuniary interests are aware of the sensitive interests' provisions in the Localism Act 2011.

We agree with the Government's conclusions on this recommendation. In our experience, sensitive interests are included within new councillor induction and training programmes. They are also intended to be very much the exception rather than the rule. That said, we would be willing to assist the Government in reminding authorities of their duties under existing provisions and working with other organisations such as Lawyers in Local Government.

Recommendation 10: The Home Office and the Department for Digital, Culture, Media and Sport should develop a strategy for engaging with international partners to promote international consensus on what constitutes hate crime and intimidation online.

We support the Government's conclusion.

Recommendation 11: Those in positions of leadership within political parties must set an appropriate tone during election campaigns and make clear that any intimidatory behaviour is unacceptable. They should challenge poor behaviour wherever it occurs.

Recommendation 12: Political parties must proactively work together to tackle the issue of intimidation in public life.

Recommendation 13: Political parties should set clear expectations about the behaviour expected of their members, both offline and online through a code of conduct for members which specifically prohibits any intimidatory behaviour. Parties should ensure that members are familiar with the code. The consequences of any breach of the code should be clear and unambiguous.

Recommendation 14: Political parties must ensure that party members who breach the party's code of conduct by engaging in intimidation are consistently and appropriately disciplined in a timely manner.

Recommendation 15: Political parties must collect data on the number of complaints against members for engaging in intimidatory behaviour, and the outcome of any disciplinary processes which result from these complaints.

Recommendation 16: Leaders of political parties should always call out intimidatory behaviour, even when it is perpetrated by those in the party's fringes. Fringe group leaders and spokespeople should immediately denounce any intimidatory behaviour on the part of their members or supporters.

Recommendation 17: The political parties must work together to develop a joint code of conduct on intimidatory behaviour during election campaigns by December 2018. The code should jointly be enforced by the political parties.

Recommendation 18: Political parties must take steps to provide support for all candidates, including through networks, training and support and resources. In particular, the parties should develop these support mechanisms for female, BAME, and LGBT candidates who are more likely to be targeted as subjects of intimidation.

Recommendation 19: Political parties must offer more support and training to candidates on their use of social media. This training should include:

managing social media profiles, block and mute features, reporting content, and recognising when behaviour should be reported directly to the police.

We support the conclusions and would hope the political parties work together to raise standards. Local Authorities work very hard to ensure their officers and elected representatives operate to the highest of standards. Better coordination between the local and national parties would assist. The report by De Montfort University on the Councillor Commission (the Voice of the Councillor) emphasises the need for a

better understanding and appreciation of the role of local councillors by their Parliamentary colleagues. This could be a good opportunity to encourage that.

We would hope that if recommendations 1-5 above are adopted, that the Political parties would incorporate them into their constitutions.

Recommendation 20: Social media companies must develop and implement automated techniques to identify intimidatory content posted on their platforms. They should use this technology to ensure intimidatory content is taken down as soon as possible.

Recommendation 21: Social media companies must do more to prevent users being inundated with hostile messages on their platforms, and to support users who become victims of this behaviour.

Recommendation 22: Social media companies must implement tools to enhance the ability of users to tackle online intimidation through user options.

Recommendation 23: All social media companies must ensure they are able to make decisions quickly and consistently on the takedown of intimidatory content.

Recommendation 24: Twitter, Facebook and Google must publish UK-level performance data on the number of reports they receive, the percentage of reported content that is taken down, and the time it takes to take down that content, on at least a quarterly basis.

Recommendation 25: Social media companies must urgently revise their tools for users to escalate any reports of potential illegal online activity to the police.

Recommendation 26: The social media companies should work with government to establish a 'pop-up' social media reporting team for election campaigns.

Recommendation 27: Social media companies should actively provide advice, guidance and support to Parliamentary candidates on steps they can take to remain safe and secure while using their sites

We agree that the responsibility rests with the companies but the role of Government providing leverage to companies to raise their standards and to play their part in ensuring high standards are observed throughout our society, is equally important. We support the Government's conclusions and are encouraged by the work highlighted in the response.

Recommendation 28: MPs should actively co-operate with the police and other security services working to address the security threats facing Parliamentarians and Parliamentary candidates.

We note the Government's response. Unrest at local authority meetings whilst not that frequent, does occur, increasingly so as austerity bites and unpopular decisions are taken. We would welcome discussions with the Home Office to provide guidance

for local authorities and the Police as to how best to ensure public safety, whilst at the same time ensuring public engagement debate. This suggestion is made as it is often the Democratic Services staff (our members) who are required to manage the situation and offer solutions to resolve conflicts.

Recommendation 29: The National Police Chiefs Council should ensure that local police forces have sufficient training to enable them to effectively investigate offences committed through social media. Local police forces should be able to access advice and guidance on the context in which MPs and Parliamentary candidates work.

We support the Government's conclusions. We also believe that the IT and social media industry, particularly the likes of Google, Facebook, Apple etc, should be actively encouraged to assist the Police with training and expertise to help deliver this objective.

Recommendation 30: The College of Policing Authorised Professional Practice for elections should be updated to include offences relating to intimidation, including offences committed through social media.

We support the Government's conclusions.

Recommendation 31: The National Police Chiefs Council, working with the Crown Prosecution Service and the College of Policing, should produce accessible guidance for Parliamentary candidates giving clear advice on behaviour they may experience during a campaign which is likely to constitute a criminal offence and what they should do in the face of such intimidation.

We welcome the Government's conclusions and would suggest that Returning Officers are kept briefed through the AEA, SOLACE and LGA.

Recommendation 32: Press regulation bodies should extend their codes of conduct to prohibit unacceptable language that incites intimidation.

Recommendation 33: News organisations should only consider stories from freelance journalists that meet the standards of IPSO's Editors Code, or the Editorial Guidelines of Impress, as appropriate, and ensure that freelance journalists are aware of this policy.

We note the Government's conclusions and await with interest the outcome of the external review looking into the sustainability of the national, regional and local press. Equally important is the tone adopted by Government and Local Authority Leaders in their policies as well as their promotion.

John Austin Chair of Association of Democratic Services Officers

John.austin@adso.gov.uk

Twitter: @ADSO_UK

www.adso.co.uk

Tel: 07793 013616