

**INDEPENDENT INQUIRY INTO ANTISEMITISM AT  
GOLDSMITHS' COLLEGE**

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May 2025

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## CHAPTER 1: INTRODUCTION AND METHODOLOGY

### 1.1 Introduction

This Report sets out the results of an independent inquiry I have conducted into concerns pertaining to antisemitism at Goldsmiths, University of London (“Goldsmiths” or the “College”). It comes in the wake of a number of other reports that have concluded that antisemitism has been perpetrated on university campuses across the UK and within the NUS. These include the report of the Parliamentary Taskforce on Antisemitism in Higher Education, which involved Members of Parliament from both the Houses of Commons and Lords and from across a number of political parties, led by Dame Margaret Hodge MP and Nicola Richards MP. The Board of Deputies of British Jews informed me that antisemitism on campus was its highest priority and the issue on which they receive most correspondence. They further informed me that many of the issues they hear about are ones experienced by staff, who often receive less focus or attention than students. It is therefore perhaps unsurprising that I have found that Jewish students and staff have likely experienced antisemitism in the course of their studies or work at Goldsmiths.

Some of the incidents that have been reported to me by participants in this Inquiry constitute far right-wing antisemitism. For example, I was shown photographs of vile graffiti showing swastikas and the message “Gas the Jews” which had been written on campus. Many other incidents that were reported to me were connected to expressions of hostility towards Israel or ‘Zionism’. I have therefore had to consider, in connection with some allegations, the contentious issue of whether the expression of hostility to Israel was, in all the circumstances, antisemitic. In others, the manner in which that hostility was expressed to the Jewish student or staff member was blatantly antisemitic.

In the course of receiving evidence, a number of participants (students, staff and external bodies) urged me to recommend that the College adopt the particular definition of antisemitism that they favoured and depart from its current approach. I have decided that I should not make such a recommendation. There are extremely polarised views on this topic and I do not consider that a further staff consultation on

the definition of antisemitism would improve the culture of the College. In fact, it is likely to make Jewish students and staff feel even less welcome and valued than they currently do given the rhetoric that would inevitably accompany such a consultation.

My preference has been to make recommendations that I think will promote meaningful cultural change within the College such that Jewish students and staff feel welcome, valued and supported going forwards. These include antisemitism training and improvements to the College's complaints handling processes.

The College owes it to its former, current, and future Jewish students and staff to show that it is actively seeking to learn from this Report and its past mistakes. I hope that the College will reflect on the recommendations I have made and make the changes that are required to rebuild the trust of Jewish staff and students. The most recent evidence I have received suggests that the College's leadership will be receptive to these recommendations and have already begun to take steps towards improving relations with its Jewish students and staff.

## **1.2 The Inquiry**

On 24 June 2022, the College announced that it had adopted two definitions of antisemitism, the International Holocaust Remembrance Alliance (the "IHRA") definition without case studies and the Jerusalem Declaration definition, and the All Party Parliamentary Group ("APPG") on British Muslims' definition of Islamophobia<sup>1</sup>. It further announced that the College had decided to *"hold an independent review into antisemitism at the College to ensure that Goldsmiths' processes and protocols are able to address reports of such behaviours appropriately"* following *"reports of antisemitism received by the College this academic year, including those linked to Goldsmiths Students' Union"*.

I was appointed to Chair an independent inquiry into concerns pertaining to antisemitism which may have been experienced by Jewish students and staff in the

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<sup>1</sup> <https://www.gold.ac.uk/news/new-definitions-adopted/>

course of their studies or work at Goldsmiths pursuant to the Terms of Reference in May 2023 (the “Inquiry”).

My remit, as delineated by the Terms of Reference (set out at Appendix 9.2), was to determine whether Goldsmiths has since 1 September 2018:

- breached its duties under the Equality Act 2010 in relation to its Jewish students and staff;
- failed to follow its own policies in relation to its Jewish students and staff; and/or
- failed to support Jewish students and staff who have experienced antisemitism in the course of their studies or work at Goldsmiths.

Further, I was tasked with:

- recommending any appropriate actions, including restorative actions, that Goldsmiths should take; and
- identifying any lessons to be learnt.

### **1.3 Evidence**

The College published a call for evidence on 18 May 2023 which invited submissions with a deadline of 18 August 2023<sup>2</sup>. 50 submissions were received in that initial period. These included written submissions from the following organisations:

- The Black Liberation Alliance
- Board of Deputies of British Jews (the “Board of Deputies”);
- British Committee for the Universities of Palestine (“BRICUP”)
- British Society for Middle Eastern Studies (“BRISMES”)
- Campaign Against Antisemitism (the “CAA”)
- Community Security Trust (the “CST”)

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<sup>2</sup> <https://www.gold.ac.uk/governance/antisemitism-inquiry/>

- European Legal Support Center (the “ELSC”)
- The Goldsmiths branch of the University and College Union (“GUCU”)
- Institute of Race Relations (the “IRR”)
- International Centre of Justice for Palestinians (the “ICJP”)
- Muslim Association of Britain (“MAB”)
- Palestinian Solidarity Campaign (the “PSC”)
- Union of Jewish Students (the “UJS”)

I also received some late submissions of evidence from individual members of staff and students, which I agreed to accept despite the fact they were submitted after the deadline set out in the College’s call for evidence.

The call for evidence and Terms of Reference referred to considering allegations relating to the period after 1 September 2018. I did however, receive and consider some submissions which referred to more historic events on the basis that they provided context and support for the more recent evidence I received about the period after 1 September 2018. Further, some of the initial participants updated or amended their written submissions, in particular to take account of matters that followed the events in Israel on 7 October 2023.

I sought to interview individuals and organisations who had submitted relevant evidence with a view to asking them questions related to their submissions and the recommendations I might make to the College. Unfortunately, some individuals and organisations who had submitted relevant evidence and who I wished to speak to ultimately decided not to attend an interview and some publicly withdrew their support of and cooperation with the Inquiry.

I read and considered all the evidence I received whether I had interviewed that participant or not. I did not give any organisation or individual any special status within the Inquiry process.

I wish to thank all those who took the time to write to, and attend interviews with, me. I was struck by the time, care and thought that had gone into many of the written submissions. I am particularly grateful to the current and former staff and students who described deeply personal experiences to me despite the distress that reliving those traumatic events caused them.

#### **1.4 Anonymisation**

I have made a decision not to name individuals in this report, though it may be possible to identify certain individuals from my summary of their testimony or the description of their role. I consider that were I to name participants and/or the students or staff members referred to in their evidence, those individuals may well be subjected to hateful abuse on social media platforms and/or victimised by other students or staff. In my view, there is no overriding public interest in naming those individuals that outweighs that consideration.

In many instances, I did not have sufficient detail or contemporaneous evidence to interrogate the testimony that was presented to me such that I could confidently conclude that a particular individual had perpetrated antisemitic harassment or discrimination. I have had to rely on the accounts of participants and any contemporaneous documents they have retained, which carries an inherent risk of being partisan and incomplete. In some cases, I have been given the first name but not the surname of the alleged perpetrator. Further, the goal of this Report is to effect change in the College. I have not been tasked with conducting an investigation into any particular incident(s).



## CHAPTER 2: APPLICABLE LEGAL PRINCIPLES

I have been guided by the following legal principles.

### 2.1 Philosophical beliefs

“Religion or belief” is a protected characteristic for the purposes of the Equality Act 2010 (“EqA 2010”): section 4.

“Belief” includes “philosophical belief”: section 10. In order for a belief to amount to a philosophical belief: “(i) *The belief must be genuinely held; (ii) It must be a belief and not, as in *McClintock v Department of Constitutional Affairs* [2008] IRLR 29, an opinion or viewpoint based on the present state of information available; (iii) It must be a belief as to a weighty and substantial aspect of human life and behaviour; (iv) It must attain a certain level of cogency, seriousness, cohesion and importance; and (v) It must be worthy of respect in a democratic society, be not incompatible with human dignity and not conflict with the fundamental rights of others...*”: *Grainger Plc v Nicholson* [2010] ICR 360 Burton J at [24] (the “Grainger Criteria”).

In addition, section 10 EqA is required by virtue of section 3 of the Human Rights Act 1998 (“HRA 1998”) to be read so as to be consistent with the rights protected by the European Convention on Human Rights (“ECHR”), and in particular Articles 9 (freedom of conscience) and 10 (freedom of expression). In *Forstater v CHG (Europe)* [2022] ICR 1 (EAT), Choudhury P at [55] summarised the relevant principles to be derived from the jurisprudence of the European Court of Human Rights so far as concerns the question whether a belief falls within section 10 EqA 2010:

- “a. Freedom of expression is one of the essential foundations of democratic society ...*
- b. The paramount guiding principle in assessing any belief is that it is not for the Court to inquire into its validity ...*
- c. The freedom to hold whatever belief one likes goes hand-in-hand with the State remaining neutral as between competing beliefs, refraining from expressing any judgment as to whether a particular belief is more acceptable than another, and ensuring that groups opposed to one another tolerate each other ...*

*d. A belief that has the protection of Article 9 is one that only needs to satisfy very modest threshold requirements. As stated by Lord Nicholls in R (Williamson), those threshold requirements "should not be set at a level which would deprive minority beliefs of the protection they are intended to have under the Convention." In other words, the bar should not be set too high ...".*

## **2.2 Direct discrimination**

Section 13(1) EqA provides that “A person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others”.

A complaint of direct discrimination will only succeed where the tribunal finds that the protected characteristic was the reason for the complainant’s less favourable treatment. It is for the tribunal to decide as a matter of fact what is less favourable.

It is necessary to explore the discriminator’s mental processes (conscious or subconscious) to discover the ground or reason behind the act. In the majority of cases, the best approach to deciding whether allegedly discriminatory treatment was ‘because of’ a protected characteristic is to focus on the reason why, in factual terms, the discriminator acted as he did. As Lord Nicholls put it *Shamoon v Chief Constable of the Royal Ulster Constabulary* [2003] ICR 337 (HL) the issue essentially boils down to down to a single question: did the complainant, because of a protected characteristic, receive less favourable treatment than others?

The motive or intention behind the treatment complained of is irrelevant. In other words, it will be no defence for discriminator to show that he had a ‘good reason’ for discriminating.

While the protected characteristic need not be the only reason for the treatment, it must have been a substantial reason: *Owen and Briggs v James* [1982] ICR 618 (CA).

Indeed, the protected characteristic need not even be the main reason for the treatment, so long as it was an ‘effective cause’: *O’Neill v Governors of St Thomas More Roman Catholic Voluntarily Aided Upper School and anor* [1996] IRLR 372 (EAT).

Where the discriminator behaves unreasonably, that does not mean that there has been discrimination, but it may be evidence supporting that inference if there is nothing else to explain the behaviour: *Anya v University of Oxford and anor* [2001] ICR 847 (CA).

Objectionable manifestation cases: There is a distinction between conduct which is done because of the belief itself and conduct which is done because of a manifestation of the belief to which objection can justifiably be taken. The correct approach where less favourable treatment is not because of belief but rather due to how the belief is manifested has been clarified in *Higgs v Farmor's School (No. 3)* [2025] IRLR 368 (CA) by Underhill LJ at [54]-[60].

The provisions of the EqA should be construed compatibly with the ECHR so far as it is possible to do so. In belief-discrimination claims, the relevant human rights are the right to freedom of conscience under Article 9 ECHR and the right to freedom of expression under Article 10 ECHR.

Manifestation: When considering whether the allegedly discriminatory conduct has limited that right to freedom of thought or freedom of expression, it is necessary first to consider whether the conduct of the complainant which caused the allegedly discriminatory response was a manifestation of the religion or belief relied upon, i.e., whether Article 9 ECHR is engaged at all.

The European Court of Human Rights clarified in *Eweida v United Kingdom* (2013) 57 EHRR 8 at [82]: “*Even where the belief in question attains the required level of cogency and importance, it cannot be said that every act which is in some way inspired, motivated or influenced by it constitutes a ‘manifestation’ of the belief. Thus, for example, acts or omissions which do not directly express the belief concerned or which are only remotely connected to a precept of faith fall outside the protection of article 9(1) ... In order to count as a ‘manifestation’ within the meaning of article 9, the act in question must be intimately linked to the religion or belief. An example would be an act of worship or devotion which forms part of the practice of a religion or belief in a generally recognised form. However, the manifestation of religion or belief is not limited to such acts; the existence of a sufficiently close and direct nexus between the act and the underlying belief must be determined on the facts of each case. In particular, there is*

*no requirement on the applicant to establish that he or she acted in fulfilment of a duty mandated by the religion in question ...”.*

The assessment must be undertaken in respect of the beliefs held by the complainant, not as to how those beliefs might have been interpreted or understood by the alleged discriminator. If the claimant's actions have a sufficiently close and direct nexus to an underlying religion or belief, such that they are properly to be understood as a manifestation of that religion or belief, any limitation would need to be such as is prescribed by law and necessary, in one of the ways identified under Article 9(2) ECHR.

Qualification of Article 9/10 ECHR rights: The HRA 1998 sets out the fundamental rights and freedoms. It incorporates the rights set out in the ECHR into domestic British law.

Article 9 ECHR provides: Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching practice and observance.

Article 10 ECHR provides: Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

Where the speech complained of is on a subject of political importance (such as the Israel-Palestine conflict), the Court of Appeal has restated the heightened protection accorded to “political speech” under Article 10 ECHR: *Higgs v Farmor’s School (No.3)* [2025] IRLR 368 (CA) Underhill LJ at [63].

Speech does not lose its protection merely because it is abrasive in tone or liable to offend some of those who hear it. *“Free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative provided it does not tend to provoke violence. Freedom only to speak inoffensively is not worth having”*: *DPP v Redmond-Bate* (1999) 163 JP 789, [2000] HRLR 249, Sedley J at [20].

Similarly, the European Court of Human Rights has emphasised that the right to freedom of expression is applicable “*not only to ‘information’ or ‘ideas’ that are favourably received or regarded as inoffensive or as a matter of indifference, but also those that offend, shock or disturb*”: *Nilsen v Norway* (2000) 30 EHRR 878 [GC], [43], following *Handyside v UK* (1979-80) 1 EHRR 737, [49].

Recognising a complainant’s right to manifest beliefs, even when expressed in terms that may disturb or offend, does not mean, however, that no restriction or limitation could be placed upon that right.

The exercise of the right to freedom of expression under Article 10(1) ECHR: “*carries with it duties and responsibilities. Amongst them – in the context of religious opinions and beliefs – may legitimately be included an obligation to avoid as far as possible expressions that are gratuitously offensive to others and thus an infringement of their rights, and which therefore do not contribute to any form of public debate capable of furthering progress in human affairs ...*”: *Giniewski v France* (2006) 45 EHRR 23 at [43].

Both the rights to freedom of thought and to freedom of expression are qualified, by Articles 9(2) and 10(2) ECHR which set out the circumstances under which the right to religion or belief, or to freedom of expression, can be limited or restricted: (i) it must be prescribed by law; (ii) it must be in pursuit of one of the legitimate aims identified; and (iii) it must be necessary in a democratic society.

Prescribed by law: “law” in this sense has an extended meaning, requiring that the impugned measure should have some basis in domestic law and be accessible to the person concerned, who must be able to foresee its consequences, and compatible with the rule of law. Accessibility requires that the measure must be such that “*it must be possible to discover, if necessary with the aid of professional advice, what its provisions are ... it must be published and comprehensible*”; foreseeability means that it must be possible for a person to foresee the consequences of the law for them.

In pursuit of one of the legitimate aims identified: These are usually identified as being concerned with the protection of “*the rights and freedoms*” (Article 9(2) ECHR) or “*reputation and rights*” (Article 10(2) ECHR) of others.

Necessary in a democratic society: A proportionality assessment is required. “necessary” in this sense: “... is not synonymous with ‘indispensable’, neither has it the flexibility of such expressions as ‘admissible’, ‘ordinary’, ‘useful’, ‘reasonable’ or ‘desirable’ ... One must consider whether the interference complained of corresponded to a pressing social need, whether it was proportionate to the legitimate aim pursued and whether the reasons given by the national authority to justify it are relevant and sufficient ...”: *R v Shayler* [2003] 1 AC 247 (SC) Lord Bingham of Cornhill at [23].

This requires a four-stage analysis: (i) is the objective of the measure sufficiently important to justify the limitation of a protected right; (ii) is the measure rationally connected to the objective; (iii) could a less intrusive measure have been used without unacceptably compromising the achievement of the objective, and (iv) whether, balancing the severity of the measure’s effects on the rights of the persons to whom it applies against the importance of the objective, to the extent that the measure will contribute to its achievement, the former outweighs the latter.

Burden of proof: Section 136 EqA provides: If there are facts from which it could be decided, in the absence of any other explanation, that a person (A) contravened the provision concerned, then it can be held that the contravention occurred.

If a positive finding of fact cannot be made as to whether discrimination has taken place, then one must apply the shifting burden of proof. However, “if [the tribunal] is satisfied that the reason given by the employer is a genuine one and does not disclose either conscious or unconscious racial discrimination, then that is the end of the matter”: *Laing v Manchester City Council and anor* [2006] ICR 1519 (EAT) Elias P.

### **2.3 Indirect discrimination**

Section 19 EqA 2010 provides:

“(1) A person (A) discriminates against another (B) if A applies to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B's.

(2) For the purposes of subsection (1), a provision, criterion or practice is discriminatory in relation to a relevant protected characteristic of B's if— (a) A applies, or would apply, it to persons with whom B does not share the characteristic, (b) it puts, or would put, persons with

*whom B shares the characteristic at a particular disadvantage when compared with persons with whom B does not share it, (c) it puts, or would put, B at that disadvantage, and (d) A cannot show it to be a proportionate means of achieving a legitimate aim”.*

Indirect discrimination may occur when an employer applies an apparently neutral provision, criterion or practice to its workforce which puts workers sharing a protected characteristic at a particular disadvantage. The Equality and Human Rights Commission's Code of Practice on Employment (“the Code”) gives the following example of unlawful indirect discrimination at [4.29]: *“[s]olely as a cost-saving measure, an employer requires all staff to work a full day on Fridays, so that customer orders can all be processed on the same day of the week. The policy puts observant Jewish workers at a particular disadvantage in the winter months by preventing them from going home early to observe the Sabbath, and could amount to indirect discrimination unless it can be objectively justified. The single aim of reducing costs is not a legitimate one; the employer cannot just argue that to discriminate is cheaper than avoiding discrimination”.*

The discriminatory effect of the provision, criterion or practice does not therefore need to be intentional. The fact that (i) the employee has (in this example) established that observant Jewish workers are placed at a particular disadvantage by the employer’s policy that staff must work full days on Fridays; and (ii) the employer cannot objectively justify that policy is sufficient to establish a breach of section 19 EqA.

## **2.4 Harassment**

Section 26 EqA 2010 provides:

*“(1) A person (A) harasses another (B) if– (a) A engages in unwanted conduct related to a relevant protected characteristic, and (b) the conduct has the purpose or effect of– (i) violating B's dignity, or (ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for B.*

...

*(4) In deciding whether conduct has the effect referred to in subsection (1)(b), each of the following must be taken into account – (a) the perception of B; (b) the other circumstances of the case; (c) whether it is reasonable for the conduct to have that effect.”*

Unwanted conduct: this can include “a wide range of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour”: the Code at [7.7].

Conduct which relates to a relevant protected characteristic: There must still be some feature or features of the factual matrix which properly leads to the conclusion that the conduct in question is related to the particular characteristic in question. The fact that the complainant considers that the conduct related to a particular characteristic is not necessarily determinative, nor is a finding about the motivation of the alleged harasser: *Tees Esk and Wear Valleys NHS Foundation Trust v Aslam and anor* [2020] IRLR 495 (EAT).

Unwanted conduct ‘related to’ a protected characteristic has a broad meaning in that the conduct does not have to be because of the protected characteristic: the Code at [7.9].

Whether a single act of unwanted conduct is sufficiently serious to found a complaint of harassment is a question of fact and degree.

Prescribed purpose or effect: The test relating to “effect” has both subjective and objective elements to it. The subjective part involves looking at the effect that the conduct of the alleged harasser (A) has on the complainant (B). The objective part requires consideration of whether it was reasonable for B to claim that A’s conduct had that effect.

## **2.5 Definitions of antisemitism**

There is no universally agreed legal definition of antisemitism.

Many participants complained to me about the College’s decision to adopt the Jerusalem Declaration (set out at Appendix 9.4 to this Report) and/or the IHRA working definition but without examples (set out at Appendix 9.3).

These definitions have no legal status, but they can have persuasive force.

The IHRA working definition was formally adopted by the UK Government in a written ministerial statement by the Rt Hon. Sajid Javid MP, then Secretary of State



for Communities and Local Government, on 12 December 2016 (HCWS345). Mr Javid said that the IHRA working definition, *“although legally non binding, is an important tool for criminal justice agencies, and other public bodies to understand how anti-Semitism manifests itself in the 21st century, as it gives examples of the kind of behaviours which depending on the circumstances could constitute anti- Semitism”*.

The IHRA working definition and examples have since been accepted by the European Parliament and many other countries and employed by a range of governmental and political institutions.

They have also, however, been criticised. For example, in 2021 the British-Israeli academic Avi Shlaim, a former Professor of International Relations at the University of Oxford commented:

*“Scholars and legal experts have convincingly argued that IHRA’s definition is incoherent, vague, vulnerable to political abuse, and not fit for purpose. It fails even to meet the most elementary requirement of a definition, which is to define. The decisive role of pro-Israel advocacy groups in drafting and promoting the definition has also been established...”*

*“The examples [referred to in the IHRA definition], falsely represented as part of the IHRA definition, have been used to delegitimise and censor legitimate criticism of Israel and, more broadly, to curtail free speech on Israel. This shields Israel from accountability for its serious human rights abuses, which consequently continue unchecked.”*

In *Professional Standards Authority for Health and Social Care v General Pharmaceutical Council, Ali (Interested Party)* [2024] EWHC 577 (Admin), [2024] IRLR 504] (“Ali”) Chamberlain J at [57]-[62] made certain general observations about antisemitism and anti-Zionism drawing on aspects of the IHRA working definition and examples as follows:

“57. Antisemitism is hatred or hostility towards Jews as a racial and/or religious group. That hatred or hostility can be manifested in different ways. As the IHRA working definition points out, contemporary examples include

“mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective – such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions”. There are many conspiracy theories circulating, based on these kinds of stereotypical allegations. These conspiracy theories are expressions and instruments of racism, not just crackpot musings. It is important to recognise them as such.

58. Zionism is a label given to a group of political beliefs about the legitimacy of the foundation and subsequent policy and conduct of the state of Israel. Since its foundation in 1948 as the only Jewish nation state, Israel has been consistently criticised. Some of that criticism has focussed on the fact that its foundation involved the displacement of peoples of mainly Arab ethnic origin (although large numbers of Jews were also displaced from majority Arab countries at about the same time). Other criticism focuses on the subsequent conduct of Israel, particularly towards the Palestinian inhabitants of the West Bank and Gaza Strip. It has included the claims that Israel’s policy and conduct is contrary to international law (including international humanitarian law and international human rights law), motivated by racism, or otherwise morally objectionable. These claims have come from various sources (including Jews and indeed Israelis) and are vigorously disputed.

59. The line between antisemitism and legitimate opposition to political Zionism can in some cases be difficult to draw with confidence and accuracy.

60. In the first place, the word ‘Zionist’ (or in some contemporary discourse the contraction ‘Zio’) is sometimes used by people who regard themselves as progressive, and would be ashamed to use the word ‘Jew’, to mean exactly that. Deciding whether language is being used in this way requires a careful and contextual analysis of what is being said. Sometimes it will be obvious that a statement using the word ‘Zionist’ conveys an objectively racist meaning, sometimes less so.

61. Second, even when ‘Zionist’ is not used euphemistically as a synonym for ‘Jew’, some criticisms advanced against Zionists as supporters of the state of Israel may reflect underlying antisemitic attitudes. The IHRA’s non-exhaustive list of examples of antisemitism includes ‘[a]pplying double standards by requiring of [Israel] a behaviour not expected or demanded of any other democratic nation’. Whether a particular criticism of Israel or its supporters involves this kind of double standard, and if so whether it reflects underlying antisemitism, may be highly controversial.

62. Third, accusations of antisemitism can be used to malign and discredit those engaging in legitimate criticism of the policy and conduct of the state of Israel and thereby to suppress such criticism. Foreign policy decisions by the United Kingdom and other governments may affect that policy. In a liberal democracy such as ours, there is a strong public interest in allowing such decisions to be informed by criticisms of Israel and the responses to those criticisms. To that end, legal frameworks, whether in the criminal or in the regulatory sphere, must be interpreted and applied so as to avoid the ‘chilling’ of legitimate political speech, which attracts the highest level of protection under Article 10 ECHR, as given effect in this jurisdiction by the [Human Rights Act 1998] ...”

## **2.6 Applying the IHRA working definition to the facts**

The High Court has very recently considered the application of the IHRA working definition and examples in accordance with Article 10 ECHR: *Husain v SRA* [2025] EWHC 1170 (Admin) Chamberlain J at [100]-[110]. The judgment serves to highlight some of the complexities and difficulties in undertaking such a task which must be approached with caution.

“100. The IHRA working definition (set out in full in [Appendix 9.3]) defines antisemitism as “a certain perception of Jews, which may be expressed as hatred toward Jews”. There is no difficulty with this. ... it is very similar to those found in the major dictionaries: “hostility to or prejudice against Jews” (Oxford English Dictionary); “hatred of and hostility toward the Jews” (Oxford Dictionary of English); “hostility to and prejudice against Jewish people”

(Collins Dictionary). It is consistent with the formulation I used in the first sentence of [57] of my judgment in *Ali*: “hatred or hostility towards Jews as a racial and/or religious group”.

101. The IHRA itself was, however, careful to distinguish the “working definition” from the “contemporary examples”. The latter “could, taking into account the overall context include” the matters in the bullet points that follow. Mr Javid was equally careful, when announcing the UK Government’s adoption of the IHRA working definition, to describe the bullet points as “examples of the kind of behaviours which depending on the circumstances could constitute anti-Semitism” (emphases added). Neither the IHRA itself, nor the UK Government, has ever suggested that, if the description in any of the bullet points applies to it, speech or conduct is ipso facto to be regarded as antisemitic.

102. If properly understood—i.e. as examples of speech which could, depending on the context, be antisemitic—most of the IHRA’s examples are, in my view, both unobjectionable and useful. They serve to illustrate some of the ways in which hatred or hostility towards Jews has historically been expressed. However, particular care is required in the application of the seventh and eighth examples because they relate to speech which is critical of the historic or contemporary conduct of the State of Israel; and, as I said in *Ali*, such speech in principle attracts the highest level of protection under Article 10 ECHR.

103. At [61] in *Ali*, I noted that it may be highly controversial whether a particular criticism involves “[a]pplying double standards by requiring of [Israel] a behaviour not expected or demanded of any other democratic nation”. Answering that question is likely to involve making judgments on contested factual and normative matters. In general, Article 10 accords broad protection to such judgments. Courts and tribunals should be wary of entering this difficult terrain, save where they are applying a legal framework that makes it impossible to avoid doing so. In consequence, they should in my view be

cautious in accepting that a statement is antisemitic on the basis that it employs an alleged double standard of this kind.

104. For similar reasons, caution is also required when considering speech that is said to “[deny] the Jewish people their right to self-determination”. One way of reading these words is that—while criticism of this or that contemporary Israeli policy is legitimate—criticism of the founding circumstances or principles of the State of Israel is not. If that were so, it would presumably follow that advocating the abolition of the State of Israel and its replacement with a unitary state comprising both Jewish and Palestinian citizens (the so-called “one-state solution”, which has historically had some support among Israelis as well as Palestinians) would necessarily be antisemitic. In oral argument, Mr Solomon for the SRA defended this position. I do not accept it. Whatever might be said about the desirability of a “one-state solution” or its feasibility in current circumstances, there is no good reason to regard its proponents as automatically or even presumptively antisemitic.

105. Nor, in my judgment, can it be regarded as axiomatically antisemitic to claim that “the existence of a State of Israel is a racist endeavour”. Criticisms of this sort have been levelled against Israel since the events leading to its establishment in 1948. There is no doubt that those events included the displacement of Palestinians from their homes and land in what is now Israel (referred to by Palestinians as *Al-Nakba* or “the catastrophe”). The view that this was a form of ethnic cleansing or a species of colonialism is vigorously disputed, not only because many Jews regard Israel as their ancestral homeland, but also because of the displacement of Jews from their homes and land in majority Arab countries at about the same time. But this does not render such a view off-limits in a democratic society which values the right to freedom of expression.

106. The claim that Israel is an “apartheid State”, though one which is liable to offend many Jews, also lies in principle within the area protected by Article 10. At the time when the Tribunal was making its decision in the present case, such

claims had been made in express terms in proceedings before the ICJ. That court has now given its Advisory Opinion in *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinians Territories, including East Jerusalem* (19 July 2024, General List No. 186), finding that those policies and practices gave rise to a breach of Articles 2 and 3 of the Convention on the Elimination of All Forms of Racial Discrimination. (Article 3 condemns “racial segregation and apartheid” and requires contracting states to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.) Israel contested the ICJ’s jurisdiction and criticised the decision. What can – and what cannot – be drawn from it is beyond the scope of this judgment. But the fact of these proceedings and their outcome does seem to me to illustrate the difficulty of an approach which places outside the bounds of legitimate political debate claims that the policies and practices of the State of Israel are systemically discriminatory or amount to apartheid.

107. It must also be borne in mind that the IHRA’s examples were billed as “contemporary examples” in 2016. They were not intended to set the parameters of legitimate political debate for all time. Whether a particular criticism of Israel’s conduct falls within the bounds of legitimate political debate depends on the facts – and the facts change. A court or tribunal using the IHRA working definition and examples must be alert to this and must avoid using them in a way which forecloses political debate on new events as they unfold.

108. For all these reasons, where speech is said to fall within the seventh and eighth of the IHRA’s examples, it is unlikely that the substantive content of the message alone will justify the label “antisemitic”. However, depending on the language used, and in context, the speech may be antisemitic. The focus of the court or tribunal should therefore be on the language and context.

109. The tenth of the IHRA’s examples was “[d]rawing comparisons of contemporary Israeli policy to that of the Nazis”. Mr Magennis may be right to say that it is not possible to stigmatise every such comparison as necessarily

antisemitic. Reasoned comparisons between particular policies of the Israeli government and particular policies pursued by Nazi Germany are occasionally made by historians and journalists in the mainstream media in the UK, the US and Israel. However, to the extent that it was formulated as a criticism of the IHRA's example, Mr Magennis's submission was directed at a straw man. The IHRA does not claim that every comparison between Israel and Nazi Germany is ipso facto antisemitic. Its claim is the more modest one that such comparisons could, depending on the context, be antisemitic.

110. Comparisons between the policy of Nazi Germany and that of any other government are apt to be incendiary. Making such a comparison with Israel is likely to be especially hurtful. That is not enough on its own to take speech outside the protection of Article 10. However, the language or imagery of Nazism is often used as a taunt, which deliberately references and weaponises the most painful events in Jewish history, to which some Jews alive today are witnesses and which continue profoundly to affect many others. Depending on the context, a criticism of Israel which pointedly uses Nazi language and imagery as a racialised taunt of this kind could reasonably be regarded as antisemitic."

At [114], Chamberlain J held that it is important to ask "*whether the statement or conduct in question would be regarded as antisemitic to an observer with a reasonable understanding of the main historical and cultural manifestations of antisemitism. In this respect, reference to the IHRA's working definition and examples may help, subject to the caveats set out earlier in this judgment. Reference to case law interpreting the IHRA working definition or commenting on the examples may also assist. In most instances, this is likely to be sufficient for a court or tribunal to decide whether a particular meaning (identified using the approach in Stocker) is antisemitic.*"

This Inquiry has been informed and assisted by the above legal principles.

## CHAPTER 3: THE STUDENT EXPERIENCE

### 3.1 Jewish Society/Students' Community

I received evidence from a number of individuals who have participated in the College's Jewish Society (which has also been called the Jewish Students' Community). Their evidence suggested that this had always been a fairly small group of students and the Society accordingly had a fairly low profile within the College compared to (for example) the Islamic Society. However, they had organised events on campus both for Jewish students and for the wider College community. I was informed that these were largely funded or reimbursed by the Students' Union, although I was told that the Society's funding had been threatened or suspended at one point in time.

I was informed by the UJS however, that up until around 2018, the College's Jewish Society was a larger, more prominent and active group that had been shortlisted for UJS' national student awards on multiple occasions. It suggested that the fact the College held its Freshers' Fair on a Saturday in 2021, 2022, 2023 and 2024 (and the Society could not therefore man a stall at the Fair) had likely contributed to the fall in the number of Jewish students participating in the Jewish Society in recent years as the Fair is a key way of recruiting new members to the Society. In 2023, the date of the Fair was also the first day of Rosh Hashanah, the Jewish New Year (one of the most widely observed festivals in the Jewish calendar)<sup>3</sup>.

I was told that in the period 2017–2020 the Jewish Students' Community had arranged an event on each Holocaust Memorial Day and invited a Holocaust survivor to speak at it. The College had contributed to the cost of that annual event. It was concerning to hear from one participant therefore that there had been two events held at the College in connection with Holocaust Memorial Day in 2022 where the Jewish Students' Community had not been involved or consulted and at which there was no Jewish historian or other Jewish speaker present. I was told that the focus of these events was on other genocides and not the Holocaust. This is an example of a campus

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<sup>3</sup> <https://goldsmithssu.native.fm/?pastEvent=227173>



culture that Jewish students and staff told me does not make them feel welcome and included. I note that it is also contrary to the recommendations of the Parliamentary Taskforce on Antisemitism in Higher Education's *"Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education"* that any commemoration of Holocaust Memorial Day *"should of course include consultation with or consideration of Jewish students and staff at the university"* (per Step 5 at page 8).

One participant informed me of a positive interaction between Goldsmiths' Jewish Students' Community and the College's Christian Chaplain and another participant told me that they had spent a significant amount of time interacting with the College's Palestinian and Islamic Societies on behalf of the Jewish Society. I was told by a more recent member of Goldsmiths' Jewish Students' Community however, that no inter-faith events had been organised during their time at the College. This is a further example of Jewish students and staff not being made to feel welcome and included on campus.

Last academic year, I was informed that the Jewish Society's committee had resigned and the Society had effectively been disbanded. Jewish Society events were no longer taking place due to safety concerns and because of the occupation of the College. It remains the case that there is no longer a Jewish Society on campus.

The committee's resignation occurred after it had corresponded with the Students' Union and the College about various incidents and issues that had occurred both on and off campus since the Hamas attacks on Israeli civilians 7 October 2023 and Israel's subsequent military campaign in Gaza. These included complaints that (i) its posters had been ripped down; (ii) Jewish students felt too unsafe to attend the Society's events; (iii) the slogan "Intifada until Victory" had been reposted by the College's Marxist Society; (iv) partisan posters had been displayed in the Liberation Room; and (v) the College's Islamic Society had posted a religious text which appeared to imply that the 7 October attacks were justified by or a message from God. The Jewish Society stated that *"[w]hilst the intent of the Islamic Society may not have been to cause alarm to Jewish students, it is possible that they did not consider how this would affect the well-being of Jewish students or contribute to a positive learning environment"*. Other complaints related

to protests on and off campus about the conflict in the Middle East in which GUCU had participated.

The correspondence I was sent in connection with the Jewish Society's complaints is a good illustration of how the experience of Goldsmiths' Jewish students is shaped not just by the College, but also by the actions of other students, the College's Students' Union and GUCU. This has made the task of inquiring into participants' complaints and determining what recommendations to make extremely complex.

The Students' Union responded in writing to the Jewish Society's concerns around the actions of other College societies, which it acknowledged sat underneath the Students' Union. It expressed its willingness to engage with *"the Chaplaincy and wider Student Support team should it be deemed appropriate to hold group conversations"* between the different groups. It stated that *"[i]f posters are deemed hateful and/or offensive, SU staff take the posters down"* in the Liberation Room. It had engaged with the College's Islamic Society and conveyed that they wanted peace and were willing to engage in *"positive dialogue"* with the Jewish Society. The Jewish Society was however, unhappy that the Islamic Society had not apologised for the post and that the Students' Union had said it could not ask them to make an apology because it deemed that no *"official procedure"* had occurred. Further, the Students' Union had not condemned the post.

The Students' Union's response highlighted that it *"operated a Safe Space policy in all SU spaces that every individual must adhere to ... Importantly, this policy underlines how if any group or individual does not adhere to this policy then the SU has the right to remove them from our space. Therefore, if anti-semitic language and/or behaviour is occurring during any meetings, the SU will take appropriate action"*. The Safe Space policy commits the Students' Union to creating an inclusive and supportive *"space"* in which *"no forms of discrimination are tolerated"*. The policy extends to all online posts and resources. Race and religious discrimination are expressly prohibited. It is not clear why the Jewish Society's correspondence was not dealt with as a complaint that the Safe Space policy had been breached. The Safe Space policy merely states that *"[a]ll concerns will be taken seriously and dealt with in accordance with our comments and complaints procedures"*.

In respect of certain other complaints the Jewish Society had made, for example about the actions of GUCU and the use of a departmental mailing list, the Students' Union referred the Jewish Society back to the College's authorities and to the College's Report and Support procedure. It did however, offer to advocate on behalf of the Jewish Society to the College. The evidence I received from the Jewish Society was that the College had not done anything in respect of its complaints and it criticised the College's inaction over the issue of antisemitism. I am concerned by the College's failure to address the Jewish Society's complaints at a time when events on campus and more generally were likely to be causing that community of students upset and concern.

### **3.2 Timetabling of events and assessments**

I received evidence from staff and students at Goldsmiths to the effect that the College does not currently factor Shabbat (the Jewish day of rest) or Jewish holidays into their timetabling. For example, I was informed that student welcome and induction meetings (in addition to the Freshers' Fair) have previously been held on Rosh Hashanah, one of the Jewish High Holidays. That would have effectively prevented any observant Jewish student or staff member from attending these important meetings at the outset of the academic year.

A member of staff observed that the College's approach to timetabling these meetings had created an impression that it did not take Jews into account. I agree that this is the impression that is created by timetabling important College-wide events that require student and staff attendance on Jewish High Holidays. The dates of future Jewish festivals up to 2028 can be found at <https://bod.org.uk/wp-content/uploads/2021/01/Calendar-of-Jewish-Festivals-and-Fasts-2019-2024.pdf> and I was informed by the Board of Deputies that their calendar is designed for and circulated to educational establishments and highlights the critical Jewish festivals. It should not therefore be difficult to plan around them using this tool. This would make Jewish students and staff feel more welcome and included in College life.

In terms of the timetabling of student assessments, I heard evidence that College assessments had been timetabled during Shabbat. I was told that the process for

seeking an adjustment to the timing of an assessment had not been obvious or straightforward in all cases. One student had had to seek the assistance of the Jewish Society in getting the clash addressed. They were not aware of a policy that outlined how to request that their assessment be re-scheduled or how the College would handle such a request.

The timing of the commencement and conclusion of Shabbat in any given week can be ascertained e.g. from <https://theus.org.uk/resources/shabbat-festival-times/>. It should not therefore be difficult to plan assessments in order that they do not coincide with Shabbat or a Jewish festival. If a clash cannot be avoided, the College should institute a written policy that sets out (i) the process by which Jewish students (and others) can request an adjustment to their assessment timetable for religious reasons; and (ii) explains how the student's request will be handled by the College. I was told, for example, that other universities allow Jewish students to delay any assessments that clash with Shabbat or a Jewish festival and stay over with the Chaplain in the interim.

I note that Lord Mann recently received evidence that “[n]ot all universities have been willing to accommodate the observance of Shabbat and Jewish festivals in their timetabling, including exam sittings” (at page 15 of his report entitled “*Anti-Jewish Hatred: Tackling Antisemitism in the UK 2023 – Renewing the Commitment*”) and that he recommended increased flexibility in timetabling as one means of improving inclusion on campus. I was told that another London university asks students to declare whether they are an observant Jew, presumably in order that they can factor that into their timetabling of lectures and assessments. The Parliamentary Taskforce highlighted the practice of Nottingham Trent University as regards accommodating religious observance in timetabling in its “*Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education*” (Appendix 8 at page 65). This is a practice that Goldsmiths could consider adopting.

### **3.3 Provision of Kosher food**

I heard evidence from a number of current and former Jewish students about the availability of kosher food on campus. I was told that there are several campus outlets

from which students can purchase hot and cold food and that these outlets cater for a number of dietary requirements e.g. they supply Halal food. There is only one kosher food option for Jewish students in the form of pre-packaged sandwiches that can be purchased from a shop in the Professor Stuart Hall building. I was told that the shop stopped stocking kosher sandwiches for a period of time in 2017/2018 due to the shop manager's concerns about cost and demand, but it had reintroduced them as a result of the Jewish Society intervening on behalf of a student.

The most recent evidence I received, however, was that kosher sandwiches are not reliably available from the campus shop. This caused me some concern because it plainly impacts on how welcome current and prospective Jewish students and staff are made to feel within the College environment. I was told that Jewish students generally did not live on campus in College accommodation (although I spoke to at least one Jewish student who had lived in College accommodation for a short period during their studies (as detailed below)) and kosher catering on campus is therefore particularly important. One kosher food option should be available on campus at all times and Jewish students should not have to advocate for or police its provision.

### **3.4 Kosher accommodation**

One Jewish student reported to me that they had lived in self-catered College accommodation called Raymont Hall for a short period during their studies at Goldsmiths. That student had shared a kitchen with a non-Jewish student who had used their pan and utensils to cook pork and not cleaned them up thereafter. This was an extremely upsetting incident for the Jewish student who was abused by their flatmate when they had tried to explain why they could no longer use the pan or utensils to cook. The same Jewish student also had the mezuzah on their door removed and desecrated. It therefore had to be disposed of. They believed this had been done by the same flatmate because the flat could only be accessed with a pass card. These events, in addition to hostile comments and behaviour the Jewish student was apparently subjected to by other students at Raymont Hall because of their surname, had led them to leave the College's accommodation. Relocating their accommodation had been expensive and impacted on their finances.

I note that the Parliamentary Taskforce on Antisemitism in Higher Education's *"Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education"* spotlights Leeds University's practice of enabling students who have kosher requirements to make that known to the University, thus ensuring they are not the only kosher student living in their flat (at page 35). This is a practice I would recommend Goldsmiths consider adopting with a view both to preventing a Jewish student undergoing such an ordeal again and making Jewish students and prospective students feel more welcome and included in the future.

### **3.5 Chaplaincy**

I was informed that there is a full-time Muslim Chaplain at the College, but Jewish staff and students only have access to a Jewish Chaplain who is shared between all the London universities. The Jewish Chaplain was therefore described as *"quite stretched"* by one former student and by a member of staff as *"never on campus for students and staff"*. A participant did, however, commend the then Jewish Chaplain for ensuring that another non-Muslim prayer space was made available during the time that they had studied at Goldsmiths. This is an example of the benefits that a Chaplain can bring to students and staff of their faith. In particular, they can vocalise the views of their community, act as a point of contact and advocate for certain changes on their behalf. This is especially important in circumstances where Goldsmiths' Jewish Society is inactive and cannot undertake those actions.

The Jewish community is a small minority within Goldsmiths and I do not therefore consider that it would be appropriate to recommend that a dedicated Jewish Chaplain be appointed by the College. However, I would recommend that the College ascertain whether a better allocation of a Jewish Chaplain's time can be secured for its students and staff. If it cannot, the College should engage with the existing Jewish Chaplain in connection with a number of the recommendations contained in this report e.g. timetabling and the provision of kosher food and accommodation. I consider it likely that they will be able to give valuable guidance on how the College's practices and policies can be improved (particularly in light of their knowledge and experience of other London universities).

### 3.6 Far-right antisemitic graffiti on campus

Former students of Goldsmiths told me that they had seen far-right antisemitic graffiti on campus. For example, they had seen a swastika on a “Welcome to Goldsmiths” sign next to some terraced houses and swastikas had been seen in the College library and toilets along with symbols associated with neo-Nazism. I was sent photos of some despicable graffiti in the College library which included the phrase “*Gas the Jews*”. I am informed that the library is a location that can only be accessed by students and staff because a College card is required to enter.

I was further informed that a participant had seen QR codes posted up on campus with the caption “*what you need to know about the Jews*”. Scanning the QR code had led them to photographs of concentration camps.

I note that this type of deplorable behaviour is sadly not unique to Goldsmiths. Rebecca Tuck KC heard evidence of this kind of graffiti when investigating antisemitism in the NUS (see page 1) and similar reports have been made to the CST (see “*Community Security Trust: Campus Antisemitism in Britain 2022-24*”, <https://cst.org.uk/data/file/f/d/Campus%20Antisemitism%20in%20Britain%2022-2024.1733481071.pdf> at page 15). Part of the remit of this Inquiry is, however, to determine whether Goldsmiths has done enough to make its Jewish students and staff feel safe. I have been told that Goldsmiths removed some of the antisemitic graffiti described above when it was reported to them. However, a participant I spoke to said that the College had not done anything else to address far-right activity on campus despite them meeting with the College numerous times about this issue. For example, it had not acceded to that participant’s request that it increase the number of CCTV cameras on campus to try and catch the perpetrators and sanction them.

I would recommend that the College track complaints of far-right antisemitic graffiti on campus and review at regular intervals whether its security measures (e.g. the positioning of its CCTV cameras) are sufficient in light of those complaints.

### 3.7 Events on campus

I am informed that in terms of student society events, there is a requirement that a risk assessment is completed by the organisers and sent to the Students' Union. If the society organiser and/or the Students' Union staff team feel that there is a risk of discriminatory language being used at the event, they must state that in the risk assessment and detail how they will work to prevent it. The College makes decisions regarding the risk assessments that are completed in respect of event bookings for other locations on the College's campus.

Despite this policy, I heard evidence from a number of Jewish students to the effect that events featuring speakers who they believed held offensive antisemitic views had been held on campus during their time at the College. The students I spoke to had different views on how such events should have been handled by the College. However, one complaint I heard was that the College had not done enough to support Jewish students in respect of such events. One student told me they did not "*think [the speaker] should have been de-platformed, but the University should have reached out*" to its Jewish community in advance of them visiting the College, discussed their concerns and considered how to safeguard them rather than ignoring the fact that the speaker's presence on campus was likely to cause them concern and distress.

I note that the Parliamentary Taskforce on Antisemitism in Higher Education's "*Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education*" recommends that universities should ensure that Jewish students and staff are made aware of potentially harmful speakers attending campus, as well as provided with adequate welfare support to minimise the impact of this. I was informed by the Board of Deputies that in other universities the Students' Union will consult with the Jewish Society when such a speaker is booked to appear on campus and they consider the location for the event in order that the safety of Jewish students is protected. The cost of any additional security should not be borne by the Jewish Society. This is the type of policy I would encourage Goldsmiths considers adopting where they are aware that such events are to take place on campus.



### 3.8 Protests on campus

Goldsmiths publicises the following guidelines as regards protests on campus to students via its website<sup>4</sup> -

*“We respect everyone’s right to protest on campus – but it’s vital that such demonstrations take place in line with our values, policies and within the law.*

*We require that anyone taking part in demonstrations follows and understands this guidance:*

*Make your voice heard on the right side of the law*

- *Don’t use words or images that incite racism or hatred*
- *Don’t promote banned terror organisations or acts of terrorism*

*Consider the impact your actions have on others*

- *Don’t cause harm or distress to others*
- *Don’t disrupt people’s study or work – demonstrations should be kept outside our buildings*
- *Don’t damage College property*

*How we enable appropriate demonstrations*

*We have a duty of care to all our students and staff to make sure they are safe and supported. To ensure this we may:*

- *Video demonstrations to have a record of events*
- *Request that demonstrations are brought to an end*
- *Manage where demonstrations take place*
- *Liaise with the relevant authorities if required*

*Telling Goldsmiths about inappropriate behaviours*

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<sup>4</sup> <https://www.gold.ac.uk/staff-students/info/demonstrate-safely-respect/>

*If you believe inappropriate behaviours occur, please tell Goldsmiths using our Report and Support system."*

I have seen evidence demonstrating that officers of the Students' Union are aware of these guidelines and help publicise them to student societies.

Despite the College's guidelines, protests have entered College buildings and impinged on students' studies and enjoyment of College facilities. For example, there have been repeated occupations of the PSH building and library and the College's art gallery since 7 October 2023. I have also been informed that pro-Palestinian protesters have marched through the College and the corridors next to its teaching rooms chanting slogans. Jewish staff and students relayed to me that the atmosphere this has created was intimidating or uncomfortable. One post-graduate student told me they had stopped attending events at the College including teaching sessions. They had told their PhD supervisor by email that they felt unsafe on campus, but they had received little emotional support and no practical support e.g. a referral to the Wellbeing Services that might have enabled them to return to participating in College life. They remained isolated. Another student confided in their Head of Department about their concerns and their Head of Department therefore arranged to meet the students on their course to tell them that all students had to be comfortable and not subjected to racial abuse or discrimination. They also warned students of the disciplinary sanction that could flow from perpetrating racial abuse or discrimination on fellow students.

Concern has been expressed to me that neither the College nor the Students' Union has stated that the chant *"From London to Gaza, there will be intifada"* is antisemitic and/or should not be used on Goldsmiths' campus. The CST states that the term *"intifada"* is *"ambiguous and can be interpreted in different ways"*, but that it has *"in the past been used by Hamas and other groups to indicate violence, including terrorism against civilians"* (Community Security Trust *"Campus Antisemitism in Britain 2022-24"*, <https://cst.org.uk/data/file/f/d/Campus%20Antisemitism%20in%20Britain%2022-2024.1733481071.pdf> at page 32). The use of that word in connection with protests or demonstrations of support for Palestine has caused distress to Jewish students at

Goldsmiths. The Students' Union's position in correspondence with the Jewish Society was that it would not condemn the use of "*From London to Gaza, there will be intifada*" as the Metropolitan Police had not determined that the chant was antisemitic and nor had the College.

I have also heard complaint about the use of the phrase "*Free Palestine. From the River to the Sea*" and wording that equated Zionism with racism on campus. This language (taken out of context) has not been determined by the Metropolitan Police to constitute antisemitism, although that is contrary to the view taken by, for example, the US Senate (see Senate Resolution 497, <https://www.congress.gov/bill/118th-congress/senate-resolution/497/text>). The Jerusalem Declaration provides that "*denying the right of Jews in the State of Israel to exist and flourish, collectively and individually, as Jews, in accordance with the principle of equality*" is antisemitic, but "*support[ing] arrangements that accord full equality to all inhabitants "between the river and the sea"*" are not (Jerusalem Declaration on Antisemitism, <https://jerusalemdeclaration.org/> at paragraphs 9 and 12). The context in which the slogan has been used must therefore be examined to see whether it constitutes antisemitism or not. The phrase has certainly been experienced in the context it was used as antisemitic, hostile and intimidatory by Jewish students and staff at the College.

The College must guard against antisemitism, but it is also obliged to respect the rights of students under free speech legislation. Protests should not be hindered by the College when they are conducted lawfully and appropriately.

I am informed that Goldsmiths' Security Team is made aware of and considers how to respond to upcoming protests on campus. It may send staff to attend them, inform the police or have security staff on hand. CCTV records protests and the footage can be accessed if a complaint is made to the College. It does not appear that they have a policy of informing the Jewish Society (for example) that a pro-Palestinian protest will be occurring on campus on a certain date. That is a policy I would encourage Goldsmiths to consider adopting for the reasons set out above.

### 3.9 Behaviour on campus

The Jewish students I interviewed described the hostility they experienced on campus from other students and members of staff. One theme that arose from their evidence was that they felt like they were being singled out when the topic of Israel or Palestine cropped up because they were known or perceived to be Jewish. Matters raised with me included that:

- a newspaper had reported in December 2021 that Jewish students had been “banned” from attending a student event that discussed “defending Palestine” in connection with a strike at the College (*London university students ban Jews, whites from meeting*, Jewish Chronicle, 9 December 2021, available at <https://www.thejc.com/news/london-university-students-ban-jews-whites-from-meeting-ozvdc7mf>);
- a Jewish student who was wearing a Star of David necklace was told by a fellow student that it was the symbol of a terrorist state and equivalent to a swastika;
- a student who found far-right antisemitic graffiti in the College library was told by a fellow student (who had also seen the graffiti) about the “evils of Jewish people and the Israeli state”;
- a lecturer singled out the only Jewish student on their course and told them to “defend Israel” in a debate about the Hamas-Israel conflict. The student asked the lecturer for help in respect of defending certain Israeli actions and their response was “you can’t, it is indefensible”;
- a Jewish (non-Israeli) student was told by their classmate “your country is killing lots of people and hiding behind complexity”;
- a Jewish student’s surname was denigrated by their fellow students who said that it was a “Tory surname” and proceeded to speak about how “all Jews are rich and own all the banks in the world”;

- a Jewish student was told by a fellow student that “*Jews tend to go to those sorts of places*” when they told them about their plans for a holiday and that it was “*typical*” of their religious community “*to go to expensive destinations*”;
- a Jewish student described the experience of running to be the BAME officer of the College Students’ Union in negative terms. They received some support, but were met with numerous comments to the effect that “*Jews cannot be victims or the oppressed*” and that Jews do not have the same problems as other minority groups;
- a Jewish student was told by another student that antisemitism is a “*capitalist theory*”;
- fellow students told a Jewish student that Israel was a “*shit country*” that should not exist as a country and was founded on the back of “*vile colonialism*”; that Israel was responsible for the “*new world order*”; and that George Soros had funded the Klu Klux Klan;
- a student told a fellow Jewish student that Ashkenazi Jews are not “*Children of Israel*” and did not recognise this to be a conspiracy theory;
- a Jewish student showed their fellow students a photograph they had taken of their Orthodox Jewish relative wearing Hasidic dress for a class assignment and had been told that it was “*an example of colonialism*” by another student;
- a Jewish student was sworn at by a fellow student on the College green following a lecture on Israel and human rights. They had been subjected to a ‘look’ from the same student in the course of the lecture;
- a Jewish student was asked about their role in the Goldsmiths’ Jewish Students’ Community by fellow students during an anthropology course where Israel was referred to by the lecturer. The Jewish student was then told that they did not look like a Jew; that Jews were “*problematic*” and that they didn’t really “*fit into the Goldsmiths image*”;

- a Jewish student wearing a Kippur who attended a Free Speech on Israel event at the College was accused of being a Zionist agent by the speaker. Their friend intervened and told the speaker that they were only making that accusation because they were Jewish. The Jewish student and their friend received messages via Facebook after the event gaslighting them;
- Jewish students were 'iced out' after they expressed their view on a course WhatsApp group that the situation in Israel and Palestine post-7 October was complex;
- Jewish students had attended lectures at which Hamas was discussed without mention of antisemitism and it appeared that Hamas was being endorsed by the lecturer; and
- posters showing antisemitic caricatures were displayed on campus.

One Jewish student told me that since 7 October 2023 they had stopped wearing a Kippur and their usual religious dress when attending the College. They had reported hostile behaviour they had encountered on campus to the CAA.

The 2021 newspaper article referred to above, quoted two Jewish students at the College. One stated that they had experienced the College as a *"hostile environment"* since 2019. The other said *"we are subject to discrimination and under-the-table targeting. As a Jewish community, we are not included. We are pushed to the side and somehow portrayed as a privileged and superior people"*.

Further, those who participated in the Inquiry recounted a number of situations to me that demonstrated (at the least) a lack of awareness of or consideration towards Jews by or within the College. These situations included:

- a Jewish student was discouraged by their PhD supervisor from applying for a grant for students from ethnic minorities. The student pointed out that Jews were a minority group and their supervisor made clear that they did not agree or wish to support the student in a grant application by rolling their eyes and 'making a face' in response;

- a debate was arranged for undergraduate students about the IHRA definition of antisemitism without a Jewish speaker being invited to participate. The reading materials students were directed to in advance of the debate were almost entirely opposed to the adoption of the IHRA definition and did not make clear that the definition has substantial support within the Jewish community;
- a Jewish student asked their Head of Department whether anything could be done in respect of a document that had been written by other students on their course (purporting to represent the views of all the students on the course) to be displayed publicly and which stated that Israel had committed an “*unspeakable atrocity*” or genocide but did not acknowledge the events of 7 October. The Head of Department did not respond to the student;
- a member of staff reported that their colleagues had expressed their concern that an orthodox Jewish student on a post-graduate programme that required students to undertake work placements needed to leave early on some Fridays. They expressed those concerns without investigating whether adjustments could or should be made for that student’s religious observance in the workplace;
- the Students’ Union posted messages about Ramadan and Eid on social media but not about Jewish festivals; and
- the Student’s Union had reportedly voted 60:1 against a measure to hold commemorations for Holocaust Memorial Day, Armenian Genocide Remembrance Day and other memorial days in 2014, labelling them as “*colonialist*” and “*Eurocentric*” (London university rejects Holocaust commemoration, Times of Israel, 19 October 2014, available at <https://www.timesofisrael.com/london-university-rejects-holocaust-commemoration/>).

Several of the incidents reported to me (as summarised above) would constitute antisemitism, regardless of whether the examples appended to the IHRA definition

(or even the IHRA definition adopted by the College) are applied to them or not. For example, the Guidelines to the Jerusalem Declaration definition expressly state that comments to the effect that “*the Jews*” have hidden power over banks and international finance; the media or government are antisemitic (Jerusalem Declaration on Antisemitism, <https://jerusalemdeclaration.org/> at paragraph 4). It also makes clear that treating Jewish people as “*agents of Israel*” or responsible for its conduct is antisemitic (at paragraph 7).

Further, I wish to make clear that where assumptions have been made about a student’s political affiliation or views on Israel and Palestine because they were known or perceived to be Jewish, that stereotyping was discriminatory. It constituted harassment i.e. unwanted conduct related to their being Jewish, which created “*an intimidating, hostile, degrading, humiliating or offensive environment*” contrary to section 26 EqA. It should not have occurred and the students who have been subjected to such treatment have good reason to complain of their treatment.

I have only interviewed the College students who chose to participate in the Inquiry. I am therefore aware that the evidence I have received and summarised above is from a small and self-selected sample of the total student body. I acknowledge that I did receive 4 written submissions from former students to the effect that they had not been subjected to or heard about any antisemitism on campus despite being Jewish. On the other hand, I have no reason to disbelieve the accounts of the students who reported the above incidents to me and I was told by one former student that “*Jews simply avoid Goldsmiths if they can help it*”. That sentiment was echoed in other submissions to the effect that many British Jewish students do not even consider applying to study at Goldsmiths because it has a certain “*reputation*” in the Jewish community. That reputation was described by the Board of Deputies as “*being an institution which is, at best, comfortable with antisemitism being perpetrated by its student population*”. It is telling that one participant had intended to become an archivist when they began their undergraduate degree at Goldsmiths, but had ended up working for an organisation that campaigns against antisemitism as a result of their negative experiences at the College.



The evidence set out above from students about the antisemitism they experienced at the College was also bolstered by the evidence of an academic, who informed me of the antisemitic tropes and conspiracies they had read in their students' essays. For example, that "*Jews dominate media and culture and run New York and that's why they could get musicals onto Broadway*" or that there are "*Jews all over the BBC*".

The evidence I heard about hostility or insensitivity towards Jewish students was strikingly similar to evidence submitted to Rebecca Tuck KC by Jewish students active in the NUS and studying at other higher education institutions (at page 1). It also accords with complaints received by the CST (see Community Security Trust "*Campus Antisemitism in Britain 2022-24*", <https://cst.org.uk/data/file/f/d/Campus%20Antisemitism%20in%20Britain%2022-2024.1733481071.pdf>) and reported in the media (The Jewish Chronicle, "*Bacon taped to doors, Hitler salutes and assaults: Jewish students reveal scale of hostility on UK campuses*", <https://www.thejc.com/news/uk/jewish-students-reveal-scale-of-hostility-on-uk-campuses-ce3muwze>).

From the evidence I have been supplied with, it appears to me that a culture has built up over the years at Goldsmiths that, at the very least, has resulted in Jewish students legitimately feeling significant discomfort on campus. It is apparent that from the evidence reported to me that Jewish students have likely been subjected to antisemitism. This is plainly not unique to Goldsmiths, but this Inquiry relates to Goldsmiths and I consider that it has not done enough as an institution to ensure its Jewish students and staff feel safe and welcome. I hope this will improve in the future and that the recommendations I have made in Chapter 7 of this Report will assist the College to achieve that improvement.

### **3.10 The College's handling of student complaints**

Students at Goldsmiths can report complaints of hate crimes, racism or racially-motivated harassment via a process called "Report and Support". The Report and Support website is reached via a hyperlink on the students' page of the College's website. One student was directed to it by their Course Director. I have seen

correspondence demonstrating that the Students' Union will signpost students to the process where appropriate. The Report and Support website gives students helpful guidance as to what constitutes racism; harassment and hate crimes<sup>5</sup>. Complaints can be made anonymously<sup>6</sup>. If the College receives a complaint via Report and Support, it generates a Report and Support case which will be handled in line with its Complaints Procedure and may lead to disciplinary action being taken following an investigation and outcome. There are separate student and staff disciplinary procedures, which may be invoked by the College depending on the outcome.

Students are also told that “[b]y submitting a Report and Support case to us, Goldsmiths will be able to offer advice, guidance and support around the issues you have faced”<sup>7</sup>. One student who used the Report and Support process informed me that they had been offered the option of counselling by the College after submitting their complaint. This was positive although there were long waiting times for College counselling. I further noted that Goldsmiths informed a complainant that it had engaged with the Jewish Society and the Jewish Chaplain regarding how to advise the College community about respectful statements of opinion following their complaint. This was also positive and demonstrated a commitment to supporting students who make complaints.

I requested copies from the College of all the student complaints they had received that were connected to antisemitism or a student's experience as a Jew. I received just two student complaints. This was somewhat surprising given that I had received evidence from other students who said they had complained to the College of antisemitism or hostile behaviour which related to their Jewishness or perceived Jewishness. I am aware that the College triages complaints and seeks to resolve them informally where possible (attempting informal resolution of the complaint is Stage 1 of the Complaints Procedure). This is what occurred in respect of at least one of the complaints I was informed about by participants in the Inquiry. This may be the reason why I have not received a larger volume of documentation from the College in

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<sup>5</sup> <https://reportandsupport.gold.ac.uk/>

<sup>6</sup> <https://reportandsupport.gold.ac.uk/>

<sup>7</sup> <https://reportandsupport.gold.ac.uk/support/what-is-harassment>

response to my request. It may also be that the College needs to review its data retention policy and its categorisation of complaints in order that it correctly logs and stores complaints of antisemitism.

I was also told by several participants about the hurdles to complaining about antisemitism on campus. In some instances, they had experienced a lack of support when they had spoken to senior members of staff about their concerns. Others feared that the College would cave in to demands to repeal the definitions of antisemitism it has already adopted. Distrust of the complaints handling process may be a factor in the low numbers of complaints I received in response to my request to the College and something the College should tackle going forwards.

The lack of a substantial body of complaints made it impossible for me to reach firm conclusions regarding the adequacy of Goldsmiths' Complaints Procedure for resolving students' complaints of antisemitism. One of the complaints reached Stage 2 of the Complaints Procedure and was partially upheld following an investigation. Stage 3 of the Complaints Procedure was not initiated by that complainant, which would indicate that that student was satisfied with the process and outcome.

In respect of the other complaint, the three-stage process was completed by Goldsmiths, but the student informed me that they were not satisfied with the process or the Stage 3 response for a number of reasons. In particular, they were unhappy with the determination by reference to the Jerusalem Declaration definition that the use of the phrase "*Free Palestine. From the River to the Sea*" and wording that equated Zionism to racism was not antisemitic. They also criticised the delay and lack of transparency in the process. For example, they were not aware what had been done by the College regarding the student whose actions they had complained about. In particular, the College concluded that the student they had complained about had liked/endorsed online antisemitic posts.

I consider that the handling of this complaint could have been improved and I note that this was partially recognised by the College in its Stage 3 response.

Firstly, it is not clear to me why the College did not consider whether the phrase “*Free Palestine. From the River to the Sea*” and wording that equated Zionism to racism amounted to antisemitism by reference to both the definitions it has adopted, including by reference to the full guidance contained in the Jerusalem Declaration. Its focus in the Stage 3 outcome letter appeared to be on whether antisemitism had been established by reference to selected paragraphs of the Jerusalem Declaration. This was not satisfactory given the College’s adoption of both the Jerusalem Declaration and IHRA definitions and the complainant’s reliance on the IHRA definition. Further, the analysis undertaken of the complaint and whether (in context) the conduct amounted to antisemitism was fairly cursory. It did not sufficiently engage with the surrounding facts or the full guidance contained in the Jerusalem Declaration. I would suggest that training is provided to those handling complaints for the College in order that they understand and can apply the definitions of antisemitism that have been adopted.

Secondly, it took around 6 months from lodging the student’s first report and support complaint for the student to get a Stage 3 outcome from the College. This is not satisfactory in circumstances where the complainant had to attend classes with the individual they had complained about and had expressed their distress to the College about that.

Thirdly, the Stage 2 and 3 outcomes stated that the College was aware of a weakness within the College’s policy and procedures concerning social media and what constitutes acceptable conduct in this space. It has no policy explicitly addressing social media in reference to student misconduct. The College must be aware that social media is heavily used by students and is likely to be a source of complaints about antisemitism and other forms of harassment or discrimination. I would urge the College to act quickly to produce guidance that encourages students and colleagues to think before posting or liking narrative content and explains what does and does not amount to acceptable online behaviour.

Finally, the College acknowledged that “*more robust handling*” of the student’s initial complaint about online activity by their classmate (which the College ultimately

agreed was antisemitic) might have significantly mitigated the distress he felt over subsequent issues he complained about.

I do not consider that the College can be criticised for not telling the complainant what had occurred regarding the student they had complained about. The College does offer confidential mediation, if there is a willingness to engage in that process<sup>8</sup>. However, if an informal resolution is not one which the complainant is willing to engage in, data protection legislation mandates that the College safeguard personal data, including any formal or informal actions taken against a student by the College under its disciplinary process.

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<sup>8</sup> <https://www.gold.ac.uk/students/appealsandcomplaints/studentcomplaints/stage-one/>

## CHAPTER 4: THE STAFF EXPERIENCE

### 4.1 The College's adoption of the definitions of antisemitism

The College adopted two definitions of antisemitism (the IHRA definition without the examples and the Jerusalem Declaration definition) on 23 June 2022 following a consultation with its academic community “*which favoured the Jerusalem Declaration over the IHRA definition*”<sup>9</sup>. The two definitions are set out at Appendices 9.3 and 9.4 to this Report.

I heard evidence from several members of the College's academic staff regarding the process by which the consultation was undertaken and its outcome. The consultation process involved each department of the College being asked for its view on which definition of antisemitism should be adopted. I was informed by some participants that their departments had held meetings to debate the issue before relaying their views to the College's Academic Board and Goldsmiths' Council.

It is relevant to note that the background to the College's consultation process was the then Conservative Government's request that universities and colleges adopt the IHRA definition. The Parliamentary Taskforce on Antisemitism in Higher Education had recommended that the IHRA definition of antisemitism be used as a reference point for issues of antisemitism in UK universities (see The Office of HM Government's Independent Adviser on Antisemitism, “*Understanding Jewish Experience in Higher Education*”, <https://antisemitism.org.uk/wp-content/uploads/2023/05/HE-Taskforce-Report.pdf> at pages 12-13)<sup>10</sup>. The Taskforce involved Members of Parliament from both the Houses of Commons and Lords and from across a number of political parties, led by Dame Margaret Hodge MP and Nicola Richards MP<sup>11</sup>. It was established by the then Conservative Government's

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<sup>9</sup> See the College's updated Press Release entitled “Goldsmiths adopts antisemitism and Islamophobia definitions” dated 26.6.22.

<sup>10</sup> The Office of HM Government's Independent Adviser on Antisemitism, “Understanding Jewish Experience in Higher Education” available at <https://antisemitism.org.uk/wp-content/uploads/2023/05/HE-Taskforce-Report.pdf> at pages 12-13

<sup>11</sup> The Office of HM Government's Independent Adviser on Antisemitism, “Understanding Jewish Experience in Higher Education” available at <https://antisemitism.org.uk/wp-content/uploads/2023/05/HE-Taskforce-Report.pdf> at page 4

Independent Adviser on Antisemitism, Lord Mann. The Taskforce's "*A Good Practice Guide: Eight Simple Steps for Facilitating Jewish Life and Tackling Antisemitism in Higher Education*" included the following explanation of the IHRA definition: "[t]he IHRA definition is an advisory document, requires analysis of individual contexts, and is not a legally binding text. There are no cases of this definition being used to silence speech or restrict academic freedom or research on UK campuses and anyone attempting to use it in this way would be fundamentally misunderstanding the wording and the meaning of the working definition. The IHRA definition exists on campus in order to ensure there are no negative consequences for any Jewish student or staff in their choice of how they define and express their Jewish identity"<sup>12</sup>. The UCU was consulted by the Taskforce<sup>13</sup>.

The Taskforce's Report entitled "*Understanding Jewish Experience in Higher Education*" further explained that the IHRA definition of antisemitism was already being used as a reference point for issues of antisemitism in UK universities<sup>14</sup>. These included Middlesex University, Manchester Metropolitan University and the University of Bristol. The UJS states that 119 universities in the UK have now adopted the IHRA definition (see [https://www.ujis.org.uk/ihra\\_campaign](https://www.ujis.org.uk/ihra_campaign)). None of the 56 institutions that engaged with the Taskforce reported that it had "*compromised*" or "*chilled free speech*".

One of the academics I received evidence from stated that the tenor of the debate in their department's meeting was respectful and that non-Jewish members of the department were happy to take their lead from their Jewish colleagues. The outcome of the debate in their department was that they favoured the Jerusalem Declaration definition, but did not want any definition of antisemitism to be adopted by the College. This evidence regarding the consultation process was echoed by another participant who stated that they had participated in an open and thoughtful

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<sup>12</sup> The Office of HM Government's Independent Adviser on Antisemitism, "*A Good Practice Guide: Eight Simple Steps for Facilitating Jewish Life and Tackling Antisemitism in Higher Education*" available at <https://antisemitism.org.uk/wp-content/uploads/2023/05/A-Good-Practice-Guide.pdf>

<sup>13</sup> The Office of HM Government's Independent Adviser on Antisemitism, "*Understanding Jewish Experience in Higher Education*" available at <https://antisemitism.org.uk/wp-content/uploads/2023/05/HE-Taskforce-Report.pdf> at page 7

<sup>14</sup> The Office of HM Government's Independent Adviser on Antisemitism, "*Understanding Jewish Experience in Higher Education*" available at <https://antisemitism.org.uk/wp-content/uploads/2023/05/HE-Taskforce-Report.pdf> at page 12

discussion about the two definitions in their department's meeting. Those who had participated in the discussion included a couple of members of staff who had lived on the West Bank.

However, I received evidence from another member of staff in a third department of the College who had had a very negative experience of the consultation process. That participant had spoken up in favour of adopting the IHRA definition in their department's meeting and had explained to their colleagues that the IHRA definition was what Jewish people across the spectrum favoured. They had further explained why they felt it would be useful to Jewish people for the IHRA definition to be adopted by the College. They were however, told by three of their colleagues that it was not for that participant (who is Jewish) to decide or speak on the definition of antisemitism. Their colleagues apparently engaged in a "*vitriolic*" rant about the mention of Israel in the IHRA definition and not wanting the Conservative Government to direct the College. The conclusion reached was that the participant's department was only willing to accept the Jerusalem Declaration definition. The discussion that took place in this department seems to have been neither respectful nor measured. The comments the participant reported to me (to the effect that they were not entitled to participate in the debate after they had explained the Jewish community's view on the IHRA definition) would amount to racial harassment. The participant described the meeting to me as so "*gruesome*" that their Head of Department had contacted them afterwards to check that they were okay.

A participant from a fourth department who had favoured the IHRA definition described the consultation process they participated in as "*intimidating*" despite the politeness with which the debate was conducted. In their view, it had been wrong to require staff to publicly vote on the definitions.

I was informed that a fifth department of the College had not held a meeting to discuss the IHRA definition. The head of that department had asked for any comments to be emailed to them so they could be forwarded on, but had prefaced that request with a statement that it was not for the department to unpick the definition of antisemitism.



I was further informed that the GUCU was opposed to the IHRA definition of antisemitism and was “*vociferous*” in its expression of that opposition to its members.

It is plain that the College anticipated that adopting any definition of antisemitism would be extremely controversial. In contrast to the approach it took to the definition of antisemitism, there was no consultation of staff about the APPG definition of Islamophobia before it was adopted (in full) by the College. I think it is highly likely that the College anticipated that its staff’s views on the IHRA definition would be polarised and that the majority would oppose its adoption given the GUCU’s stance on the issue. I was told by participants that there is a strong culture at Goldsmiths that only permits the expression of certain political views, for example on the state of Israel.

In my view, the College could and should have done more to ensure that the consultation process it followed allowed all staff to express their views on the definition of antisemitism without the risk of being subjected to a detriment for doing so. The approach the College took of allowing departments to hold meetings to debate the definitions was always likely to be challenging for those staff who favoured the IHRA definition as they would have to put their heads above the parapet to express a view that the majority of their colleagues and their union were strongly opposed to. The College was informed by one department that responded to the consultation that “*[t]here [was] a general worry that deviation from the position of the UCU [would] lead to individuals being discredited or, in this case, accused of racism. A member of staff received backlash from the union for providing comments anonymously*”.

I heard from participants that the announcement of the adoption of both definitions came “*out of the blue*” and was not accompanied by a detailed explanation of the College’s decision or any antisemitism training. This led one participant to conclude that the College must have been forced into adopting the IHRA definition. I find the lack of a detailed explanation of the College’s decision or antisemitism training disappointing given the opposition that I heard had been expressed to the definitions by certain departments and the GUCU. It is a further example of where the College could have taken action to better support its Jewish staff members.

I have explained in Chapter 1 of this Report why I do not feel that I should recommend that the College adopt a different definition or definitions of antisemitism despite the submissions I received from staff on all sides of the debate.

## **4.2 The College's review of the definitions of antisemitism**

I received evidence from several members of staff who were upset by the College's response to the demand from Goldsmiths for Palestine ("G4P") that the decision to adopt the IHRA definition be revoked. One participant explained to me that they viewed the IHRA definition as existing to "*protect [them] and Jewish students*" in the College and had therefore raised their concerns with a member of the SMT and asked for reassurance about the definition remaining in place. It was evident from the interviews I undertook that other Jewish members of staff felt similarly threatened or concerned by G4P's demand.

The College's response to G4P's demand was to agree on 3 May 2024 to "review" both definitions of antisemitism it had adopted (and the APPG definition of Islamophobia) "*on the impact on the life of the College*"<sup>15</sup>. It further stated that "*[t]his review will be undertaken outside of the terms of the independent review into antisemitism, which has its own Terms of Reference. The process of the definitions review will begin as soon as possible*"<sup>16</sup>. I have not been provided with any information regarding this review by the College despite asking for updates on all matters that would impact on this Inquiry. I am not therefore aware of whether a review has commenced or not and what its precise remit is or will be. No further public announcements appear to have been made by the College on this topic and none of the individuals I interviewed were aware of the status of any review. If a review is being planned, the College must ensure the process it adopts does not breach its duties under the Equality Act 2010 and that it learns from its past mistakes (as set out at 4.1 above in respect of the consultation over the adoption of the definitions).

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<sup>15</sup> <https://www.gold.ac.uk/about/responses-statements/g4p/>

<sup>16</sup> <https://www.gold.ac.uk/about/responses-statements/g4p/>

It was however, the College's agreement to "*review*" the definitions of antisemitism in light of G4P's demand to rescind the IHRA definition that distressed several participants and which I have focused on in this section of the Report.

One of those participants told me that the 3 May 2024 announcement was a "*turning point*" that had nearly led to their resignation. They had previously raised their concerns over G4P's demands with a member of the SMT and had been informed that the IHRA definition was not "*up for grabs*". The 3 May 2024 announcement had therefore substantially undermined their trust in the College. They were subsequently told by the member of the SMT that the "*review*" would only look at the "*effectiveness*" of the definitions, but they received no explanation as to why the College's response had not stated that expressly and they were confused as to why the review would be taking place outside of this Inquiry. The College's 3 May 2024 announcement had not subsequently been amended to clarify the terms of any review.

Another participant was concerned that the promise of a "*review*" of the definitions would bolster those who do not believe that antisemitism is being perpetrated at the College and that this could lead to a "*backlash*" against that participant and others who had a different view on this issue. That participant was signed off sick with stress subsequent to a meeting with the SMT in which they had discussed the College's response of 3 May 2024. They felt that the member of the SMT in question was "*irritated*" by them expressing their concerns during their meeting.

A further participant was sent an email by the member of the SMT following the 3 May 2024 response explaining that the commitments had been made "*in order to end an occupation which was threatening to seriously impact assessments*" and, in particular, those of disabled students who needed access to sit their exams in the Library. The email they were sent acknowledged that there were "*concerns*" amongst staff over what "*the College has committed to*" and offered the participant a meeting to discuss "*questions over the commitments*". The participant felt that the email sought to place the blame on the protestors and absolve the SMT of its responsibility for the 3 May 2024 response; that it did not recognise the impact of the occupation and its resolution on Jewish staff and students and others; and that the College's response was contrary to

its commitment to being a safe place for all to study in. The participant had previously raised concerns with the SMT about their experience as a Jewish member of staff on campus.

Given the number of protests regarding Israel and Palestine that had taken place on and off campus following 7 October 2023 and the conversations that some of these participants had had with the College authorities (as summarised above), it is entirely unsurprising that the College's 3 May 2024 announcement of a "review" of the definitions without consultation or further explanation caused alarm, distress, anxiety and confusion to some Jewish members of staff. The way the College had handled the consultation regarding the adoption of the definitions, and the debate that its initial consultation created, is also relevant context to their reactions to the 3 May 2024 announcement. The College's 3 May 2024 announcement is further evidence of a culture that is not as welcoming and supportive as it could be of Jewish staff.

#### **4.3 Anti-racism training**

I received evidence from two participants about their experiences of attending anti-racism training (provided by an external body) at the College. Those experiences were negative in that both participants were left with the impression following the training that antisemitism was not considered to be a form of racism and/or that Jews were not to be afforded the same consideration and treatment in the workplace as other racial minorities.

One participant was subjected to a long aggressive rant by another attendee at the training session, the refrain of which was that "*Jews don't count*" in the anti-racism strategy. The training session had focused on recalibrating sensitivities to difference and micro-aggressions in the workplace. The participant understandably found their colleague's outburst shocking. On the evidence provided to me by the participant, it appeared to be an act of racial harassment or direct discrimination.

Another participant told me that the assumption underlying the anti-racism training they received at the College appeared to be that "*all Jews are white*" and they are "*colonial oppressors in Israel*". The training had focused on colonisation, imperialism

and blackness (as opposed to whiteness) and therefore antisemitism was excluded from its purview. That participant had spoken up and stated that antisemitism should be included in any anti-racism strategy. This was received very badly and no one spoke other than to say the participant was taking them “*off message*”.

Antisemitism is a form of racism and it should be specifically addressed in any anti-racism training that is provided to College staff (given that the form in which antisemitism manifests itself can differ from other forms of racial discrimination (as is made clear in the Jerusalem Declaration)). I therefore recommend that the College review its anti-racism strategy to ensure that it uses a training provider and curriculum that will address antisemitism (as set out in greater detail at Chapter 7 of this Report).

#### **4.4 Impact of events on campus on College staff**

I have described in Chapter 3 above how, despite the College’s guidelines on keeping protests outside, protests about Israel and Palestine have entered College buildings and disrupted College life. There have been prolonged occupations of spaces within the College since 7 October 2023, such as the Library and the Centre for Contemporary Art. One participant told me that whilst they had not wanted to see the College deploy the heavy-handed tactics US universities had adopted against the occupiers but, the fact there had been “*no control at all*” at Goldsmiths had caused real challenges to staff. This was echoed in the following submissions that I received from staff participants:

- a participant described reading slogans and hearing chants such as “*Intifada til Victory*” and “*from the river to the sea*” inside their workplace as “*quite triggering*”. That participant found themselves unable to enter an occupied area of the College “*that is at the heart of [their] career*”. It was evident that this had caused them significant distress;
- a participant described how they had been prevented from teaching their students in the Stuart Hall Building for a term by the occupation (save for a final practical session). They had seen the protest was not a call for a ceasefire and felt increasingly that they were “*not safe*” at Goldsmiths and were

unsupported by senior management. On one occasion during the occupation, the participant had had to walk through a group of students chanting “2 4 6 8 Israel is a terrorist state”, which had caused them to cry. They stated that they felt physically safe on that occasion because they would not have been identified as Jewish from their appearance, but they had felt that there would have been a confrontation had they been wearing something that marked them out as Jewish or pro-Israeli given the protestors’ conduct;

- a participant described how they been prevented from teaching their students in the Stuart Hall Building due to the occupation. One of their lectures had been relocated to a completely inadequate space given the size of class they were teaching. On the wall of the teaching room were two G4P posters that the participant found deeply offensive. The slogan on them was “*Stop the Genocide*”. The participant described how they froze because they did not know how to deal with the posters in front of their students. Their family had been affected by the Holocaust and they were aware that the ICJ had not ruled that Israel had perpetrated a genocide. They decided they could not pull the posters down in front of 250 students and therefore had to endure them for the two-hour teaching session. They had sobbed when they got home and expressed how angry they were with the SMT for putting them in that situation;
- a participant described how they had been able to continue teaching their classes in the Stuart Hall Building during the occupation (save for one session which took place online), but they had requested and been granted a change of venue. That participant described how they had been worried on the walk into the College about a confrontation with the protestors and the possibility that they might have had to be aggressive to get to their class in the Stuart Hall Building. In fact, they were not stopped and walked to their class without issue. However, they stated that they had “*felt unsafe intrinsically because [they were] Jewish*” rather than because of their views about the Middle East. They remained on “*high alert*” whilst on campus and felt there was “*an ongoing threat that those in the occupation might come into the classroom or stop class*”. They also

described how there was nowhere that was free of literature about Israel and Palestine and how even the College toilets were covered in stickers on the topic;

- a participant described how they had seen the slogans “*River to the Sea*” and “*Globalise the Intifada*” on campus since 7 October 2023. They were concerned about attending campus and avoided wearing any identifier of their Jewish faith to attend work in the belief that this would prevent them from being verbally abused by the protesters;
- a participant described the “*aggressive and intimidating behaviour*” they were subjected to by masked individuals who were protesting against a peacebuilding on campus event by banging on the Whitehead Building’s windows and the fire exit door to the lecture theatre and besieging the Building in order that no one could enter or leave for a couple of hours. One of the slogans used by the protesters was “*River to the Sea*” and another was “*Zionists on campus will [be] left lonely*”. These events caused the participant significant distress.

I wish to make clear that the individuals I spoke to all respected the right of students and staff to engage in lawful protest and political speech on campus. They readily acknowledged that their views on Israel and Palestine would not always align with their colleagues’ or students’ and they were entitled to express matters on which they disagreed. Their complaint was however, about the College’s handling of the situation post 7 October 2023. In particular, they were critical of the fact that limitations had not been placed on the locations in which protests could occur. Limits have been imposed on other campuses by universities and protesters have lawfully been evicted<sup>17</sup>. I concur with the participant who stated that there is a “*big difference*” between political posters being displayed in corridors and in the rooms in which staff are required to spend time teaching. Similarly, marching and chanting had occurred in the corridors outside teaching rooms thereby impacting on teaching. Teaching rooms should be free of chants; posters and stickers. The same applies to meeting rooms and other spaces

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<sup>17</sup> <https://www.theguardian.com/education/article/2024/jul/10/high-court-allows-two-universities-to-remove-gaza-protest-camps>

that staff are required to work in. If the College has not instructed cleaning/janitorial staff to clear political posters from teaching rooms, it is conceivable that that could constitute indirect discrimination against Jewish staff (although that would depend on the precise content of the posters displayed).

It was also expressed to me that the College had effectively rewarded the behaviour of the individuals (who I am told include staff and students) who had breached its guidelines on protests by making significant concessions to their demands rather than sanctioning their conduct. Those concessions included renaming one of the College's lecture theatre and memorialising the occupation through an exhibition wall in the Professor Stuart Hall Building. One participant described the College's response as having led to a breakdown in trust.

As regards the chants and slogans that were witnessed by staff and reported to me, one participant asserted that their purpose was almost always to legitimise or incite violence against Jews (e.g. to support or justify attacks such as occurred on 7 October 2023) and/or to deny the right to self-determination of Jews; perhaps even to live in the whole region. This view might be bolstered by the speed with which they were adopted immediately following the 7 October 2023 terrorist attacks (see "Community Security Trust: Campus Antisemitism in Britain 2022-24", <https://cst.org.uk/data/file/f/d/Campus%20Antisemitism%20in%20Britain%2022-2024.1733481071.pdf> at page 33). If that is the case, the protests have gone beyond what is legitimate free speech regarding the Middle East and veered into antisemitism (as set out in the Jerusalem Declaration at paragraph 10). However, it may be the case that certain chants and slogans did not (in context) reach that threshold.

I am unable on the evidence provided to me to reach definitive conclusions on whether that line was crossed on all occasions, but my primary concern is to make recommendations in this Report that will result in future protests on campus remaining on the right side of the line.



#### 4.5 Use of social media and departmental emails

The College has written policies that apply to their staff members' use of social media and their Goldsmiths' email accounts. Its policies contain the following provisions:

- Staff members are personally responsible for content published in their personal capacity on any form of social media platform;
- Staff should be aware of the potential risks and damage that may occur, either directly or indirectly from their personal use of social media, and ensure their personal activities they are within the law, would not reasonably be seen to be offensive to others or the institution, and do not directly refer to Goldsmiths;
- Goldsmiths email accounts should only be used for Goldsmiths' business. Users must not use their Goldsmiths email for non-Goldsmith's communications;
- Emails must not contain material that is defamatory, libellous, bullying, harassing, threatening, discriminatory, offensive, illegal or obscene; and
- Information intended to reach a large number of staff or students, should be posted on the Goldsmiths website, Goldmine or alternative communication methods as opposed to an email.

I received a number of complaints from staff members about their colleagues' use of social media and departmental email addresses in the course of the Inquiry. For example:

- a participant told me they felt their colleague's social media post and email had attempted to invalidate the feelings of Jewish staff and students and speak for them. The message within the post was that *"if you feel unsafe as a Jew then you must be a Zionist"*;
- a participant expressed concern that their colleagues' social media posts and emails had crossed the line and become offensive. They suggested that all their colleagues and students felt the same as them on the subject of the occupation

and Israel and Palestine and that, for example, supporting the occupation was not “*up for discussion*”. They were aware that one of the members of staff had told their students to follow them on social media (where they expressed their personal political opinions);

- a participant told me about the circulation of loyalty pledges around departments regarding Israel being a racist and colonialist state which must be boycotted; and
- I am aware that there is an ongoing disciplinary process being conducted in respect of social media posts by a member of College staff.

Other complaints related to communications sent out by GUCU.

In light of the evidence I have received, I would recommend that the College acts to raise awareness amongst staff of its social media and email policies and the need to adhere to them, and in particular, highlighting that they contain the passages set out above.

#### **4.6 Support for staff**

As set out above, I heard from a number of participants to the effect that they had not received sufficient support from the College to feel safe and welcome on campus during the occupations. Some individuals partly attributed this to the politics of their Head of Department.

I also heard from a number of Jewish members of staff that Jewish students had confided in them about issues they had encountered on campus. For example, students had told them that they were not spending time on campus or were hiding their Jewish identity because they felt uncomfortable or unsafe at the College post 7 October 2023. Some of those students were Israeli, but others were not. Further, some members of staff had received complaints from students about the materials about Israel and Palestine that were being displayed by those occupying the Stuart Hall Building and more widely. For example, they received complaints about a banner with the slogan “*Intifada for Victory*” which covered Jewish with Palestinian names

and a speaker who stated that Palestinians had the right to resist “*by whatever form they choose*”. The latter complaint was raised by a student whose friend had been murdered on 7 October 2023. These are very difficult and emotional complaints to handle.

One member of staff received several referrals of Jewish and non-Jewish students in need of support from other departments and established a group to connect them and encourage them through their exams. They also assisted one Jewish student to feel more comfortable about coming onto campus by introducing them to the College’s wellbeing and security teams. The level of assistance that this participant provided to students from a range of departments went well beyond the pastoral support required by their job description.

I consider it likely that the closure of the Jewish Society and the fact that the Jewish Chaplain was not regularly on campus (as described in Chapter 3 above) must have added to the number of issues that these members of staff had to deal with. This underscores the need for the College to implement changes in respect of these areas (as I have recommended in Chapter 7 below).

It was also suggested to me by several participants that the College had not supported them or their Heads of Department in handling these students’ issues in the wake of 7 October or the various protests that had occurred on campus. One said they had not received any guidance about how to handle conversations about the protests with students from different backgrounds despite it being a tricky subject for them to navigate, for example, Palestinian students. They would usually have taken any student-related queries to their Head of Department, but they knew that that individual had “*very far Left*” political views and had a poster in support of Palestine on their office door. That individual’s Head of Department also knew that the participant was Jewish. The participant therefore considered that they could not safely speak to their Head of Department and that they had “*nowhere to go*” with the complaints they had received from their students.

The participant who set up a support group for students told me that their Heads of Department had been supportive of them, but the problem was that the College’s

management had not proactively addressed the issue of how to support students post-7 October 2023 with all Heads of Department. Jewish students' issues were not therefore being addressed by them (as should have occurred), but were instead being ignored or passed on to certain Jewish members of staff such as that individual. Further, the College had not signposted Jewish students to specific and appropriate support services that could meet their needs. I received evidence of an exception to this portrayal of the College, but that did not undermine my conclusion that the weight of evidence suggested that the College should have done more to support Jewish students and reduce the burden on certain Jewish members of staff in the wake of 7 October 2023 and the protests on campus.

I received the following more historic evidence from Jewish staff to the effect that they had not received adequate support from the College:

- a participant told me they had a Head of Department for three years who would not talk to them. They felt "*excluded from the community of scholarship and frozen out*" and that the reason for that treatment was because they researched antisemitism (and not, for example, another form of racism);
- a participant sought information and advice regarding a failed application for promotion from their Head of School. In response to their questions and their assertion that their work was of the requisite standard, they were told there were no "*long service awards*" which they described as an "*unpleasant*" and unwarranted dismissal of their concerns. They had not received any support for a considerable amount of time thereafter;
- a participant waited two and a half months for the College to make a declaration of support in response to an online denouncement of them. The statement that was issued was "*buried at the bottom of an announcement*" and was "*weak*"; and
- a participant told me their appointment to a Faculty at the College was blocked because of one committee member's opposition to their connection to Israel and they had not received support from their Head of Department.

The most recent evidence I received, however, suggested that the College had started providing better support to Jewish members of staff and had begun to rebuild trust with one particular member of staff. This is promising and suggests that there will be a willingness to improve the culture at the College for Jewish staff following this Report and via the implementation of my recommendations.

#### **4.7 Academic promotions**

I received a submission of evidence from a group of senior Jewish academics at the College. They stated that their experience was that being Jewish had not impeded their career progression and they denied that antisemitism had occurred at the College.

I was able to speak to one member of the group about the group submission and ask them about their experience at the College in greater detail. That individual stated that they had felt uncomfortable at other UK universities they had worked at and had therefore kept their Jewish identity hidden. That was not the case at Goldsmiths where they described feeling comfortable to reveal that identity. They said they had never been held back in their career, but they also said they were not sure how it would have been received if they had *"pushed back ... against defining Israel as a white settler colony"*. They were concerned about the reception of a paper they were publishing, which would challenge that narrative.

I heard evidence from another participant to the effect that they had pushed back against that narrative in their research on antisemitism and that they had been held back in their career at the College. They had been denied a promotion to Reader in 2021. That participant has however, recently been promoted to Professor by the College following an application they were encouraged to make in 2024 by senior leaders at the College and which received the support of senior members of staff. The notes I received from the panel that considered the participant's recent promotion application demonstrated an understanding that there were *"challenges"* to working in the field of antisemitism research and that it was difficult to define the *"concrete metrics of impact"* in respect of it. The panel therefore had regard to the external international impact of the participant's research. The promotion of the participant is

a very positive development both for the individual participant and as an indication of the current approach of the College to Jewish members of staff.

I do not have full information regarding the participant's previous application for promotion to Reader. In particular, I was not provided (despite a request to the College for all relevant documentation) with any notes that would explain why the panel that considered the participant's 2020/21 application had failed to recommend their promotion. The participant had sought an explanation from their Head of School at the time, but they had provided the participant with limited information on the decision and said there were no minutes or notes of the panel's discussion. I cannot therefore make a concrete finding as to whether the participant is right to believe their application were treated less favourably because of the nature of their work or whether it was refused for reasons connected to the nature of their work, such as the difficulty of getting their research on antisemitism published in influential journals and securing funding. It is certainly possible that reasons connected to the nature of the participant's work played a part in them not being promoted given the comments made by the 2024 panel. If that were the case, indirect discrimination may have been perpetrated against them. However, that is speculative given I cannot make any findings on the reason(s) for the participant's non-promotion in 2021.

The subsequent promotion of this participant and the lack of complaint from any other Jewish member of staff about their non-promotion leads me to conclude that no recommendations are required as regards the College's promotions process.

#### **4.8 The handling of staff complaints**

The staff I spoke to were aware that there are processes by which they could complain to the College about incidents of racial harassment or discrimination (e.g. the "Report and Support" process described in Chapter 3 above and the staff grievance procedure set out in Statute 16 and Ordinance 13). However, none of the participants I spoke to expressed confidence in the processes available to them to report antisemitism to the College. For example, the "*2 4 6 8 Israel is a terrorist state*" chant heard on campus was reported by a participant to the CST, but had not formally reported it to the College.

One participant said the “*pathway*” for Report and Support complaints was “*not transparent*” enough. In particular, they had been deterred from using the Report and Support process by the fact that it did not make clear who specifically would handle their complaint and the fact that a previous complaint they had made had been ignored. The identity of the complaint handler was important to them because they said they had to consider who was “*safe*” to talk to at Goldsmiths given the “*culture*” (which they described as “*othering*”). They had relied on peer support from other like-minded colleagues since 7 October 2023 instead of making complaints to the College about their experiences. Their view was that this Report would be ignored by the College too.

I heard a similar criticism of the complaints process from another member of staff. They stated that the College needed to generate trust in its processes through “*visibility and transparency*” as regards the process and who will handle any complaints (including the training they have received). They also highlighted that there is no mention of antisemitism or Islamophobia on the Report and Support website.

I agree that better signposting and greater transparency about the process is necessary to assure complainants both that they can lodge antisemitism complaints through Report and Support and that their complaint will be handled fairly and thoroughly by the College if they file it.

I have not been able to reach any firm conclusions about whether the College correctly handles complaints of antisemitism from staff members due to the paucity of evidence I have received. I requested copies from the College of all the complaints they had received that were connected to antisemitism or an employee’s experience as a Jew at the College. I received information about the handling of just one complaint, which I believe to be ongoing and currently unresolved. However, I was concerned to hear from two participants that they had raised complaints related to antisemitism with the College (including via its Whistleblowing Officer) and nothing had been done to address them. I heard from a third member of staff that they had had to escalate a complaint connected to antisemitism before they received a reply from their department and further, that their complaint had not resulted in the policy change

they felt was required to neutralise the risk of further issues. I hope that the recommendations I have made in Chapter 7 of this Report will ensure that future complaints by staff are not ignored, but are taken seriously and handled in the correct manner.



## **CHAPTER 5: REVIEW OF THE COLLEGE'S POLICIES AND PROCEDURES**

I have undertaken a review of the following policies and procedures that could be relevant to the resolution of complaints of antisemitism by Jewish students and staff at the College:

- Grievance Policy
- Disciplinary Policy
- Social Media Policy
- Discrimination; Bullying and Harassment Policy
- Student Complaints Process
- Report and Support Process

I have no recommendations to make regarding those policies and procedures beyond those set out in Chapter 7 of this Report.

## CHAPTER 6: CONCLUSIONS

The purpose of the Inquiry, as set out in the Terms of Reference, is to determine whether the College has breached its duties under law or under its own policies in relation to Jewish students and staff, or otherwise done enough to make Jewish students and staff feel welcome, included and safe on campus; and then to identify any required lessons to be learnt and recommend any appropriate actions including restorative actions that it should take to improve its culture going forwards.

I have identified in Chapters 3 and 4 numerous instances where the evidence I have received led me to conclude that students and staff have likely been subjected to antisemitism in the course of their studies or work. I anticipate that a criticism that will be levelled at this Report will be that it is based only on the experiences as reported to me by the Jewish students and staff who responded to the call for evidence when they may not be representative of the Jewish experience. Of course, Jewish students and staff are not a homogenous group and they cannot and should not be assumed to hold particular views or beliefs. The diversity of views held by Jewish students and staff was reflected in the written and oral submissions I received and reviewed. I also appreciate that Jewish students and staff are a small minority within the College (and some participants suggested the numbers of Jewish students were dwindling further). These matters do not detract however, from the importance of the ordeals suffered by those who did contribute evidence of antisemitic incidents to the Inquiry, nor the culpability of the College in failing to prevent it. The size of the Jewish student population may indicate that (as one participant put it) “*exclusion has already taken place*” as a result of the culture that has been complained of by participants in this Inquiry.

I am therefore of the view that there are lessons to be learnt by the College and that I should recommend appropriate actions including restorative actions that it should take to improve its culture going forwards.

## CHAPTER 7: RECOMMENDATIONS

### 7.1 Recommendations that arise from my findings regarding the Student Experience

I have recommended that the College should take a number of actions in the Student Experience Chapter of this Report in light of my findings that (i) Jewish students have been subjected to antisemitism in the course of their studies at Goldsmiths; and (ii) the College has not done enough to make its Jewish students (or Jewish applicants seeking to become students) feel welcome, included and safe from antisemitism. My recommendations can be summarised as follows:

- The College should support and encourage the formation of a Jewish Society or Community.
- The College should seek to avoid timetabling important College-wide events that require student and/or staff attendance (e.g. the Freshers' Fair and welcome and induction meetings) on Jewish High Holidays or Shabbat insofar as reasonably practicable.
- The College should institute a written policy that sets out (i) the process by which Jewish students (and others) can request an adjustment to their assessment timetable for religious reasons; and (ii) explains how the student's request will be handled by the College.
- The College should ensure that one kosher food option is available on campus at all times.
- The College should adopt a procedure that would allow students who have kosher requirements and wish to live in halls to make that known in order that they are not the only kosher student living in their flat.
- The College should ascertain whether a better allocation of a Jewish Chaplain's time can be secured for its students and staff, and consider liaising with the Jewish Chaplain over the recommendations made in this Report.

- The College should track complaints of far-right antisemitic graffiti on campus and review at regular intervals whether its security measures (e.g. the positioning of its CCTV cameras) are sufficient in light of those complaints.
- The College should make the Jewish Society aware when potentially harmful speakers are due to attend campus or when protests are due to take place and consult with them as to the location of the event or protest. This may involve agreeing the boundaries of protests with their organisers. It should also provide adequate welfare support for affected students.
- The College should produce guidance that encourages students and colleagues to think before posting or liking narrative content and explains what does and does not amount to acceptable online behaviour.

Certain of the recommendations set out above are aimed at removing any existing barriers to Jewish students studying at the College e.g. the provision of Kosher food and accommodation. However, I agree with the Board of Deputies that those steps will not be sufficient by themselves to render the College a welcoming and supportive environment for Jewish applicants and students. For example, I am informed that, for many London-based Jewish applicants, the availability of Kosher accommodation will not be a key concern when choosing a university because they will continue living at home throughout their degree. It is the culture rather than the physical infrastructure of the College that needs to change.

The College's aim should be to help Jewish students feel welcome and safe on campus in order that they can, not only study at Goldsmiths, but fully participate in all aspects of College life. They should feel they are able to celebrate their identity on campus in the same way that other students at the College do. The recommendations set out below are aimed at achieving that cultural shift at Goldsmiths:

- **Antisemitism training**

The College should provide specific antisemitism training to its students. The first step in this process will be to develop training materials on the topic of antisemitism. I recognise that this will be a difficult task given the polarised

views on the definition of antisemitism and its intersection with discussion of Israel/Palestine. It is also likely to be resisted by some in the College on the basis that Jews do not require and should not receive exceptional treatment.

However, the finding I have reached is that Jewish students have been subjected to antisemitism in the course of their studies, including by being singled out when discussion of Israel and Palestine arose and being held responsible for the actions of the Israeli state. I have heard from an academic at the College about antisemitic tropes and conspiracies appearing in students' essays. I am therefore of the view that the College needs to combat this type of discrimination with specific antisemitism training and that this should include a section on Israel and Palestine. The College should consider seeking out expert guidance from one or more sources on the development of such training materials and consulting Jewish students and the UJS on drafts of those materials.

I am alive to the concerns of pro-Palestinian groups that any training that covers the contentious issue of Israel and Palestine through the lens of avoiding antisemitism has a 'chilling effect' on their activism. However, I note from the Parliamentary Taskforce on Antisemitism in Higher Education's *"Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education"* that other higher education institutions have been delivering such training for some time (in some cases the training has been developed in conjunction with external organisations) to their students in recent years. These include various Oxford University colleges<sup>18</sup>; King's College London<sup>19</sup>; Middlesex University<sup>20</sup>; and the University of Bristol<sup>21</sup>. I was informed by the

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<sup>18</sup> Taskforce on Antisemitism in Higher Education's "Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education" at page 55

<sup>19</sup> Taskforce on Antisemitism in Higher Education's "Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education" at page 44

<sup>20</sup> Taskforce on Antisemitism in Higher Education's "Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education" at pages 45 and 47

<sup>21</sup> Taskforce on Antisemitism in Higher Education's "Good Practice Guide: Eight Simple Steps for Facilitating Jewish life and Tackling Antisemitism in Higher Education" at page 49

Board of Deputies that such training had become more widely offered by UK universities since 7 October 2023.

The effectiveness of any training that the College delivers to its students in creating a welcoming environment should be tested by surveying the experiences of Jewish students (or, if that is not possible, by consulting the committee of the College's Jewish Society) at regular intervals.

- **Complaints handling**

I have identified that there may be a lack of trust amongst Jewish staff and students in the College's ability to handle complaints of antisemitism. This may be improved by specifically referring to antisemitism as a sub-category within its explanations of what constitutes harassment and discrimination for the purposes of Report and Support complaints. The College should also explicitly state that it has adopted both the Jerusalem Declaration and IHRA (excluding examples) definitions of antisemitism and that it is committed to utilising both those definitions in assessing Jewish students' complaints. Further training of those handling complaints on the meaning of the definitions should be arranged.

The College should seek to review whether those steps have increased Jewish students' confidence in its complaints handling procedures by surveying them (or, if that is not possible, by consulting the committee of the College's Jewish Society) at regular intervals.

Further, the College should review the outcomes issued in response to antisemitism complaints at intervals and consider whether there are further improvements that should be made to complaints handling. For example, whether it is issuing decisions within a reasonable timeframe and whether due weight is being given to both definitions of antisemitism when reviewing complaints of antisemitism.

- **Restorative and relational practice**

I would recommend that the College adopt a restorative and relational approach to antisemitism as explained below.

## **7.2 Recommendations that arise from my findings regarding the Staff Experience**

I have recommended that the College should take a number of actions in the Staff Experience Chapter of this Report in light of my findings that (i) Jewish staff have been subjected to antisemitism in the course of their work; and (ii) the College has not done enough to make its Jewish staff feel welcome, included and safe from antisemitism. My recommendations can be summarised as follows:

- The College should learn the lessons from its consultation on the definitions of antisemitism and carry those through to any review of the definitions that it undertakes.
- The College should review its anti-racism strategy to ensure that it uses a training provider and curriculum for staff that will address antisemitism specifically.
- The College should seek to uphold its guidelines on protests on campus and, in particular, should ensure that classrooms remain free of political protest. This may be achieved, for example, by agreeing the boundaries of those protests with their organisers and perhaps by agreeing sanctions for any breaches.
- The College should raise awareness amongst staff of its social media and email policies.
- The College should seek to improve trust in its complaints handling procedures by explaining in greater detail the process it follows and who will undertake that process. It should also make clear that those who raise concerns will not be victimised for doing so.

I have referred in Chapter 4 to the loss of trust between certain Jewish members of staff and the College. This was particularly acute following 3 May 2024 and the

College's response to the occupation by G4P. In those circumstances, I would recommend that the College go beyond the steps set out above and proactively consider implementing the following approach to rebuild staff confidence in the institution:

- **Restorative and relational practice**

Instituting a restorative and relational approach to antisemitism at the College would involve proactively setting up processes designed to facilitate respectful, informed and empathic discourse between those with longstanding opposing views on campus. The aims of such an approach would be to remove aggression from the dialogue on contentious issues such as campus protests and slogans; facilitate listening and understanding; and prevent individuals' views from being assumed or over-simplified. I was informed by a participant that this type of approach has been adopted at certain US universities. They have achieved a change of mindset through voluntary small group sessions being arranged for staff and students and a formal process for allowing people to speak being implemented. One of the successes reported to me was that a leader of a group equivalent to G4P at the College had asked what slogans they could use that would not cause offense in a small group session and had gone on to tell others that they did not use or endorse certain slogans at a rally. This is evidence that restorative and relational practices can achieve cultural change on campus and it is for this reason that I am recommending such practices be adopted by the College.



## CHAPTER 8: PARTICIPATION IN THE INQUIRY

I would like to thank each and every individual and organisation who responded to the College's call for evidence. Their written and oral contributions have generally been made carefully and conscientiously. At times, the process has inevitably involved certain participants re-living difficult and painful experiences.

I have recorded the names of all the organisations that sent me written submissions of evidence in Chapter 2. That list includes a number of organisations which have an interest in promoting pro-Palestinian advocacy e.g. the PSC. I received very similar submissions of evidence from these groups expressing their concern about the impact of this Inquiry on the freedom of speech of those seeking to criticise Israel and promote the cause of Palestine. I have sought to summarise the concerns and issues developed in their written submissions below:

- Article 10 ECHR protects the right to freedom of expression and freedom of political debate *"is at the very core of the concept of a democratic society which prevails throughout the Convention"*: *Lingens v Austria* (1986) 8 EHRR 40, §42. Freedom of expression includes the right to express views on the State of Israel that may be discomfiting to Israelis or some individuals who define themselves as Zionists. I received some submissions highlighting the importance of that right to Muslims and Palestinians.
- The adoption and use of the IHRA definition by universities suppresses Palestinian rights advocacy and conflates legitimate advocacy for Palestinian rights and criticism of Israel, with illegitimate antisemitism. It was asserted by a number of organisations that the IHRA definition had a *"chilling effect"* on would be and current pro-Palestinian activists because they feared disciplinary sanctions would be imposed on them. There was particular concern expressed about the following examples of antisemitism used within the IHRA definition being applied to pro-Palestinian speech - *"denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour"* and *"applying double standards by requiring of it behaviour not expected*

*or demanded of any other democratic nation*". (I note that these examples have not been adopted by the College.)

- There was a concern that the adoption and use of the IHRA definition or the recommendations of this Inquiry might lead to a hierarchy of racism developing whereby accusations of antisemitism were taken more seriously than allegations of other forms of racism e.g. Islamophobia. This could lead to the weaponisation of the College's disciplinary process, which would harm cohesion on campus.
- There was a concern expressed that I might misinterpret the Macpherson principle and conclude that an allegation of antisemitism was proved solely on the say so of a student or staff member. Their subjective experience (i.e. that a certain comment was antisemitic) must not be taken to be determinative of an outcome.

I was keen to interview representatives from each of the organisations and ask further questions about the content of their written submissions. For example, I would have asked them further questions at interview regarding the "*chilling effect*" they contended had followed the adoption of the IHRA definition of antisemitism without examples by the College. Unfortunately, despite repeated invitations encouraging them to participate in an interview, these organisations decided to withdraw their support and participation from the Inquiry. Nevertheless, I am grateful for the time and attention that they did give to at least providing me with helpful and reasoned written submissions.

I have carefully read and reflected on their written submissions. They have not changed my conclusion that the College's students and staff have likely been subjected to antisemitism in the course of their studies and work. Their written submissions were taken into account when I formulated the recommendations I have made in Chapter 7 of this Report. I have explained in Chapter 1 why I have not made any recommendation as regards the definitions of antisemitism adopted by the College following a consultation. Students' and staff members' freedom of expression has

been and will continue to be exercised in order to speak and protest about Israel and Palestine at Goldsmiths, subject to certain limitations contained within the College's policies and rules (e.g. on where and how they conduct their protests and the prohibition on bullying and harassment on the grounds of nationality or race). Taking action to tackle antisemitism and improve the culture of the College (in the manner I have recommended) is not incompatible with protecting legitimate political protest on campus.

## **CHAPTER 9: APPENDICES**

### **9.1 Privacy Notice**

This Privacy Notice explains how Goldsmiths' College and the Independent Inquiry Chair will use personal information, who it may be shared with and how you can exercise your privacy rights.

If you have any questions or concerns about the use of your personal information, then please use the contact details provided at the bottom of this Privacy Notice.

#### **The purpose of collecting personal information**

The purpose for which Goldsmiths' College and the Independent Inquiry Chair will collect and process personal information is to conduct an independent inquiry into concerns relating to antisemitism which may have been experienced by Jewish students and staff in the course of their studies or work at Goldsmiths' College (the "Inquiry").

Goldsmiths' College is requesting that individuals and organisations submit evidence for the Independent Inquiry Chair to consider. The Inquiry is not a statutory inquiry. The Independent Inquiry Chair has no power to require witnesses to submit evidence or attend an interview (save as set out at paragraph 5.3 of the Terms of Reference for the Inquiry). The Independent Inquiry Chair will produce a written report on his findings (the "Report") and make any appropriate recommendations.

Goldsmiths' College and the Independent Inquiry Chair are intending to use personal information in a number of ways.

For example, the Independent Inquiry Chair will:

- examine evidence submitted to him;
- communicate with individuals who have submitted evidence;
- seek interviews with relevant witnesses;
- provide updates on the progress of the Inquiry to Goldsmiths' College;

- make findings regarding the evidence submitted to him; and
- prepare and submit the Report to Goldsmiths' College, which will be published in full save for any redactions the Independent Inquiry Chair considers in his discretion to be necessary or desirable having regard, amongst other matters, to applicable law and policy.

Anyone who may be criticised in the Report prepared by the Independent Inquiry Chair will have the opportunity to correct any errors of fact in relation to that draft criticism prior to the Report being finalised (save where the Independent Inquiry Chair considers that to be impossible or inappropriate). Personal information may also be used by the Independent Inquiry Chair to comply with the law.

Additionally, Goldsmiths' College will:

- Act as the initial collection point for evidence submitted to the Inquiry and provide it to the Independent Inquiry Chair
- Use information that comes into the possession of the Independent Inquiry Chair to fulfil the objectives of its Charter and to meet its legal and regulatory obligations

### **Personal information collected**

Personal information will be collected, recorded and organised by Goldsmiths' College and the Independent Inquiry Chair. Personal information may be submitted in response to a "call for evidence" by anyone who has knowledge of matters relevant to the Inquiry. In addition, the Independent Inquiry Chair may specifically request personal information from relevant individuals.

The categories of personal information which will be processed in relation to the Inquiry and the Report include:

- Biographical personal information such as name, date of birth, contact details, relationship to Goldsmiths' College, educational history, disciplinary records and findings; and

- Special category personal information such as information relating to racial or ethnic origin, physical or mental health, information revealing religious or philosophical beliefs or political opinions, as well as information about criminal allegations

### **Legal basis**

The primary legal basis relied on for lawful processing by Goldsmiths' College is Article 6(1)(e) of the United Kingdom General Data Protection Regulation ('UK GDPR'), processing is necessary for the performance of a task carried out in the public interest. This is because the College is a public authority founded under [Royal Charter](#) and it has a duty to integrate consideration of equality and good relations into its day-to-day business of delivering public benefit through teaching, study, public service and research.

The primary legal basis relied on for lawful processing by the Independent Inquiry Chair is Article 6(1)(f) of the UK GDPR, processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. The legitimate interests in this context include:

- The ability of the Independent Inquiry Chair to examine and produce an evidence-based, balanced analysis of the information presented to him;
- The ability of the Independent Inquiry Chair to make recommendations in relation to any findings of antisemitism.

The following applies to the processing of personal data both by Goldsmiths' College and the Independent Inquiry Chair:

- Where applicable, personal information may be processed on the basis of the consent of the data subject under Article 6(1)(a) of the UK GDPR;

- Personal information may also be processed on the basis that it is necessary to comply with a legal obligation under Article 6(1)(c) of the UK GDPR; and
- In relation to special category personal information and personal information relating to criminal allegations, the additional legal bases for processing under Articles 9 and 10 of the UK GDPR and section 10 of the Data Protection Act 2018 include:
  - Processing is necessary for the purposes of the prevention or detecting of an unlawful act (see paragraph 10 of Schedule 1 to the Data Protection Act 2018);
  - Processing is necessary for the purposes of complying with, or assisting other persons to comply with a regulatory requirement (see paragraph 12 of Schedule 1 to the Data Protection Act 2018);
  - Processing is necessary for protecting an individual from neglect or physical, mental or emotional harm or protecting the physical, mental or emotional well-being of an individual (see paragraph 18 of Schedule 1 to the Data Protection Act 2018); or
  - (where applicable and appropriate) the data subject has given explicit consent to the processing.

### **Who will personal information be shared with and why will it be shared?**

Personal information may be shared with other individuals who are taking part in the Inquiry, and may be included in the Report. The Independent Inquiry Chair will protect personal information, including removing identifiers and redacting details which could be used to identify individuals, where it is appropriate to do so.

During the course of the Inquiry, personal information may be shared with the following groups of individuals:

- The Independent Inquiry Chair and anyone appointed to support the Independent Inquiry Chair in conducting the Inquiry;
- Other witnesses to the Inquiry, where this is required to examine the evidence and to make relevant findings of fact;
- Goldsmiths' College to fulfil the objectives of its Charter and to meet its legal and regulatory obligations;
- Any competent law enforcement body, regulatory, government agency, court or other third party where it is believed that disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend legal rights, or (iii) to protect your vital interests or those of any other person.

You may wish to share information with the Independent Inquiry Chair on an anonymous basis. If you wish to request anonymity, you should notify the Independent Inquiry Chair as soon as possible and he will consider whether he is able to agree your request or whether he requires further information to understand why you have made the request before determining it. However, it may not be possible for the Independent Inquiry Chair to make findings or draw conclusions in relation to evidence provided anonymously. This in turn may prevent Goldsmiths' College from taking disciplinary or other action in connection with that evidence.

### **Data retention**

Personal information will be held by the Independent Inquiry Chair until the conclusion of the Inquiry. At the end of the Inquiry, personal information will be retained until any relevant limitation periods in relation to the Inquiry have expired. It will then be deleted.

### **International Transfers**

Personal information will not be transferred overseas.

### **Your data protection rights**

You have the following data protection rights:



- If you wish to access, correct, update or request deletion of your personal information, you can do so at any time using the contact details provided under the “How to contact us” heading below;
- In addition, you can object to the processing of your personal information, ask the Independent Inquiry Chair to restrict the processing of your personal information or request portability of your personal information. Again, you can exercise these rights by contacting us using the contact details provided under the “How to contact us” heading below;
- Similarly, if the Independent Inquiry Chair has collected and processed your personal information with your consent, you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing conducted prior to your withdrawal, nor will it affect the processing of your personal information conducted in reliance on lawful processing grounds other than consent;
- You have the right to complain to a data protection authority about the collection and use of your personal information. For more information, please contact the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Tel: 0303 123 1113. [www.ico.org.uk](http://www.ico.org.uk)

The Inquiry will respond to all requests received from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

## **9.2 Terms of Reference**

### **1 Background**

- 1.1 Further to a resolution of the Governing Body of Goldsmiths' College ("Goldsmiths"), Mohinderpal Sethi KC of Littleton Chambers ("Independent Inquiry Chair") is appointed to conduct an independent inquiry into concerns pertaining to antisemitism which may have been experienced by Jewish students and staff in the course of their studies or work at Goldsmiths ("Inquiry").

### **2 Process**

- 2.1 The Independent Inquiry Chair will consider concerns relating to antisemitism which may have been experienced by Jewish students and staff in the course of their studies or work at Goldsmiths in accordance with the procedure set out below.
- 2.2 The Independent Inquiry Chair will liaise with the Director of Governance and Legal Services in conducting the Inquiry.

### **3 Purpose**

- 3.1 The purpose of the Inquiry is to determine whether Goldsmiths has since 1 September 2018:
1. breached its duties under the Equality Act 2010 in relation to its Jewish students and staff;
  2. failed to follow its own policies in relation to its Jewish students and staff; and/or Independent inquiry into antisemitism – terms of reference Goldsmiths, University of London
  3. failed to support Jewish students and staff who have experienced antisemitism in the course of their studies or work at Goldsmiths.
- 3.2 To recommend any appropriate actions, including restorative actions, that Goldsmiths should take.

3.3 To identify any lessons to be learnt.

## **4 Scope**

4.1 The following concerns fall within the scope of the Inquiry and the Independent Inquiry Chair will undertake enquiries into these matters (in so far as they occurred on or after 1 September 2018):

1. Whether Jewish students and staff have been subjected to antisemitism in the course of their studies or work at Goldsmiths.
2. Whether complaints by Jewish students and staff of Goldsmiths that they have been harassed or discriminated against or subjected to antisemitism have been handled in accordance with Goldsmiths' own policies and procedures.
3. Whether Goldsmiths' policies and procedures for resolving complaints of antisemitism by Jewish students and staff are adequate.
4. Whether Goldsmiths has done enough to make its Jewish students and staff (or Jewish applicants seeking to become students or staff of Goldsmiths) feel welcome, included and safe from antisemitism.

4.2 The Independent Inquiry Chair will consider any other matters he deems to be materially relevant to the stated purpose of the inquiry.

## **5 Procedure**

5.1 The Director of Governance and Legal Services in consultation with the Independent Inquiry Chair will publish on Goldmine (Goldsmiths' staff intranet) and at gold.ac.uk (Goldsmiths' public website), a call for evidence enabling individuals and organisations to submit evidence to the Independent Inquiry Chair for the purposes of the Inquiry of concerns pertaining to antisemitism which may have been experienced by Jewish students and staff in the course of their studies or work at Goldsmiths.

- 5.2 The Independent Inquiry Chair may at any stage recommend amendments or additions to the published call for evidence to ensure the Inquiry is fair, prompt, and effective. They will be published in the same manner.
- 5.3 The Independent Inquiry Chair has authority to take all lawful, necessary, or appropriate steps, including but not limited to:
1. requesting participants to attend an interview. Those participants may include, but are not limited to, students, officers of Goldsmiths' students' union, former and current members of the Senior Management Team ("SMT"), academic staff, professional service staff, and officers of its recognised trade unions; and
  2. requiring Goldsmiths' staff to produce documents and evidence relevant to the Inquiry.
- 5.4 If a participant does not wish to have their name disclosed, they should notify this to the Independent Inquiry Chair as soon as possible. The Independent Inquiry Chair will consider whether he is able to agree to the participant's request or whether he requires further information to understand why the participant has made a request for anonymity before determining the request. However, it may not be possible for the Independent Inquiry Chair to make findings or draw conclusions in relation to evidence provided anonymously. This in turn may prevent Goldsmiths from taking disciplinary or other action in connection with that evidence.
- 5.5 Any report of findings, determinations and recommendations intended for publication may, if appropriate, be subject to a Maxwellisation process for potentially affected parties to correct any errors of fact in relation to any draft criticism of those parties in respect of which they have not already had an opportunity to respond.
- 5.6 The Independent Inquiry Chair will aim to conclude the Inquiry as soon as reasonably practicable.

## **6 Findings**

- 6.1 The Independent Inquiry Chair will produce a report addressed to the Chair of Council, Goldsmiths' governing body, the Warden, and any chair and co-chair of Goldsmiths' Race Justice Strategy Board and containing all findings necessary to discharge the Terms of Reference and the stated purpose of the Inquiry.

## **7 Actions**

- 7.1 On the basis of the findings reached by the Independent Inquiry Chair, and considering Goldsmiths' Articles, Statutes, Rules and policies, the report may recommend all or any combination of the following:

1. The issuing of a public statement by Goldsmiths;
2. Changes to any of Goldsmiths' constitutional documents, including its Charter, Statutes, Regulations and Ordinances as well as its policies, procedures and statements of institutional values;
3. Operational, strategic, and/or cultural activities that Goldsmiths may take forward in an action plan; and
4. The instigation of any internal disciplinary or other procedure.

## **8 Publishing the inquiry report**

- 8.1 The Independent Inquiry Chair's report will be published by Goldsmiths on Goldmine (Goldsmiths' staff intranet) and at gold.ac.uk (Goldsmiths' public website), save for any redactions the Independent Inquiry Chair considers in his discretion to be necessary or desirable having regard amongst other matters to applicable law or policy, including employment law, confidentiality or data protection obligations.

## **9 Confidentiality**

- 9.1 The Independent Inquiry Chair shall keep confidential all confidential information received as a result of the Inquiry and shall not use or disclose that information save:
1. as provided for in these Terms of Reference;
  2. as required for the purpose of communicating with any statutory regulatory authority;
  3. as required by law;
  4. as otherwise agreed between the person providing the confidential information and the Independent Inquiry Chair; or
  5. where that information is already in the public domain other than through an unauthorised disclosure of that information of which the Independent Inquiry Chair becomes aware.
- 9.2 Goldsmiths shall be entitled to use all and any such information and documents that may come into the possession of the Independent Inquiry Chair in the course of the Inquiry in any legal, tribunal or regulatory or internal disciplinary or other proceedings. The Independent Inquiry Chair shall be entitled to share any information and documents he receives as a result of the Inquiry with Goldsmiths for those purposes.
- 9.3 Confidential information shall only be disclosed to those of Goldsmiths' and the Independent Inquiry Chair's respective employees, consultants or agents or any individuals who need to know it for the purposes of the Inquiry or any subsequent disciplinary or other process provided that the recipient of such information is bound by obligations of confidentiality no less onerous than those provided herein and each party shall be responsible to the other in respect of any disclosure to such a person.
- 9.4 The inquiry shall, as far as is reasonably practicable, be kept confidential but neither Goldsmiths nor the Independent Inquiry Chair can give any assurances

of confidentiality. Individuals who are interviewed by the Independent Inquiry Chair or otherwise participate in the Inquiry are deemed to agree not to use or disclose any information communicated or received by them in the course of the Inquiry (save with the express written authority of the Independent Inquiry Chair). This is without prejudice to any legal right they have to take independent legal advice.

- 9.5 The Independent Inquiry Chair will consider whether there is a need to refer information he considers to be of a criminal nature to the relevant statutory authorities. In those circumstances, any person whose personal information will be shared will be notified, where it is possible to do so.

## **10 Support for the independent inquiry chair**

- 10.1 The Independent Inquiry Chair will be supplied with all of Goldsmiths' policies and procedures and all other relevant documentation and administrative support he requires to conduct the inquiry by the Director of Governance and Legal Services.

- 10.2 The Director of Governance and Legal Services will additionally:

1. liaise with the SMT, students and staff of Goldsmiths and any other individuals or groups who may wish to communicate with the Independent Inquiry Chair in connection with the Inquiry;
2. facilitate consultation with and the process of receiving evidence from external experts at the instigation of the Independent Inquiry Chair; and
3. advise the Independent Inquiry Chair on points of information relating to Goldsmiths' governance arrangements, policies and procedures including those which relate to People and Organisational Development, Equalities and Race Justice and Organisational Development.

### 9.3 IHRA non-legally binding working definition of antisemitism

In the spirit of the Stockholm Declaration that states: “With humanity still scarred by ...antisemitism and xenophobia the international community shares a solemn responsibility to fight those evils” the committee on Antisemitism and Holocaust Denial called the IHRA Plenary in Budapest 2015 to adopt the following working definition of antisemitism.

On 26 May 2016, the Plenary in Bucharest decided to:

**Adopt the following non-legally binding working definition of antisemitism:**  
**“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or nonJewish individuals and/or their property, toward Jewish community institutions and religious facilities.”**

To guide IHRA in its work, the following examples may serve as illustrations:

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.



- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

**Antisemitic acts** are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

**Criminal acts** are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

**Antisemitic discrimination** is the denial to Jews of opportunities or services available to others and is illegal in many countries.



## 9.4 The Jerusalem Declaration on Antisemitism

### Definition

**Antisemitism is discrimination, prejudice, hostility or violence against Jews as Jews (or Jewish institutions as Jewish).**

### Guidelines

#### **A. General**

1. It is racist to essentialize (treat a character trait as inherent) or to make sweeping negative generalizations about a given population. What is true of racism in general is true of antisemitism in particular.
2. What is particular in classic antisemitism is the idea that Jews are linked to the forces of evil. This stands at the core of many anti-Jewish fantasies, such as the idea of a Jewish conspiracy in which “the Jews” possess hidden power that they use to promote their own collective agenda at the expense of other people. This linkage between Jews and evil continues in the present: in the fantasy that “the Jews” control governments with a “hidden hand,” that they own the banks, control the media, act as “a state within a state,” and are responsible for spreading disease (such as Covid-19). All these features can be instrumentalized by different (and even antagonistic) political causes.
3. Antisemitism can be manifested in words, visual images, and deeds. Examples of antisemitic words include utterances that all Jews are wealthy, inherently stingy, or unpatriotic. In antisemitic caricatures, Jews are often depicted as grotesque, with big noses and associated with wealth. Examples of antisemitic deeds are: assaulting someone because she or he is Jewish, attacking a synagogue, daubing swastikas on Jewish graves, or refusing to hire or promote people because they are Jewish.
4. Antisemitism can be direct or indirect, explicit or coded. For example, “The Rothschilds control the world” is a coded statement about the alleged power of “the Jews” over banks and international finance. Similarly, portraying Israel as

the ultimate evil or grossly exaggerating its actual influence can be a coded way of racializing and stigmatizing Jews. In many cases, identifying coded speech is a matter of context and judgement, taking account of these guidelines.

5. Denying or minimizing the Holocaust by claiming that the deliberate Nazi genocide of the Jews did not take place, or that there were no extermination camps or gas chambers, or that the number of victims was a fraction of the actual total, is antisemitic.

**B. Israel and Palestine: examples that, on the face of it, are antisemitic**

6. Applying the symbols, images and negative stereotypes of classical antisemitism (see guidelines 2 and 3) to the State of Israel.
7. Holding Jews collectively responsible for Israel's conduct or treating Jews, simply because they are Jewish, as agents of Israel.
8. Requiring people, because they are Jewish, publicly to condemn Israel or Zionism (for example, at a political meeting).
9. Assuming that non-Israeli Jews, simply because they are Jews, are necessarily more loyal to Israel than to their own countries.
10. Denying the right of Jews in the State of Israel to exist and flourish, collectively and individually, as Jews, in accordance with the principle of equality.

**C. Israel and Palestine: examples that, on the face of it, are not antisemitic**

(whether or not one approves of the view or action)

11. Supporting the Palestinian demand for justice and the full grant of their political, national, civil and human rights, as encapsulated in international law.
12. Criticizing or opposing Zionism as a form of nationalism, or arguing for a variety of constitutional arrangements for Jews and Palestinians in the area between the Jordan River and the Mediterranean. It is not antisemitic to support arrangements that accord full equality to all inhabitants "between the river and

the sea,” whether in two states, a binational state, unitary democratic state, federal state, or in whatever form.

13. Evidence-based criticism of Israel as a state. This includes its institutions and founding principles. It also includes its policies and practices, domestic and abroad, such as the conduct of Israel in the West Bank and Gaza, the role Israel plays in the region, or any other way in which, as a state, it influences events in the world. It is not antisemitic to point out systematic racial discrimination. In general, the same norms of debate that apply to other states and to other conflicts over national self-determination apply in the case of Israel and Palestine. Thus, even if contentious, it is not antisemitic, in and of itself, to compare Israel with other historical cases, including settler-colonialism or apartheid.
14. Boycott, divestment and sanctions are commonplace, non-violent forms of political protest against states. In the Israeli case they are not, in and of themselves, antisemitic.
15. Political speech does not have to be measured, proportional, tempered, or reasonable to be protected under Article 19 of the Universal Declaration of Human Rights or Article 10 of the European Convention on Human Rights and other human rights instruments. Criticism that some may see as excessive or contentious, or as reflecting a “double standard,” is not, in and of itself, antisemitic. In general, the line between antisemitic and non-antisemitic speech is different from the line between unreasonable and reasonable speech.