

Our Ref: 73674.1

Your Ref:

London | Cambridge | Oxford | Hong Kong | Singapore

President and Principal, Professor Colin
Bailey
Queen Mary University of London
Mile End Road
London
E1 4NS

30 November 2023

BY EMAIL ONLY (PRINCIPAL@QMUL.AC.UK).

Dear Professor Colin Bailey

Request for Immediate Action

We are instructed by the Union of Jewish Students ("**UJS**"), which in turn represents its Jewish student members at Queen Mary University of London ("**QMUL**"). The content of this letter is based on documents from, and conversations with, students under your care. We write to raise serious concerns about the untenable situation for our student clients and Jewish students in general at QMUL.

Antisemitism on campus is not a new phenomenon: it is decades old, often disguised as other things. There have been multiple reports and recommendations over previous years concluding that more needs to be done to protect Jewish students. To name a few:

1. In 2016, the House of Commons Home Affairs Select Committee published a report on antisemitism, recommending that resources be provided *"to ensure that pro-Palestinian campaigns avoid drawing on antisemitic tropes"*.
2. In 2023, seven years later, Rebecca Tuck KC published a report into antisemitism within the NUS (the "**Tuck Report**"), which again found (amongst many findings of an abhorrent environment for Jewish students) that *"many instances of antisemitism – certainly in the UK and within the student communities – occur when pro-Palestinian, or anti-Israeli or 'anti-Zionist' campaigning takes place"*.
3. Most recently, a Parliamentary Taskforce on antisemitism in Higher Education established by Lord Mann published a report which highlights nationwide instances of verbal abuse, self-censorship due to fear of backlash, and a concerning increase in antisemitic incidents during periods of heightened Middle East tensions, leading to Jewish students often avoiding Israel-related activities to prevent potential abuse.

Notwithstanding the multiple previous reports into this matter, and numerous (often ignored) recommendations, the situation for Jewish students at British universities (including QMUL) has never been so bad. After much talk about the obvious issues, not only has the situation not improved, it has worsened by a significant degree. **The situation is now one of crisis.**

The recent war between Israel and Hamas (a proscribed terrorist organisation by the UK Government) has led to environments so toxic that Jewish students fear for their physical safety, avoid campus, feel intimidated not to attend lectures, have to navigate physical environments festooned with hostile and violent material, require increased security for their events and for themselves personally and are scared to travel to and from events. **This is happening at QMUL. Time and again the University's administration has been made aware of these issues, has paid them lip service, has prevaricated, and in the end, has done nothing.**

To be sure, this letter (and the multiple previous reports of antisemitism on campus) does not make the claim that the legitimate cause for Palestinian independence is inherently antisemitic. But too often, antisemitic sentiment has been allowed to hijack the pro-Palestinian narrative and subvert genuine conversation. This behaviour has become normalised and has allowed for the transformation of university campuses from safe havens for free speech, into hostile environments.

The examples below are vile enough, but they do not do justice to the reality of daily life for Jewish students. Last week, for example, a sit-in demonstration that took place at QMUL's Library Square was organised to stop QMUL's *"complicity in genocide"*. During the demonstration, speeches were made by the President and other members of QMUL's Friends of Palestine Society, and members of the QMUL Marxist/Communist Society. During these speeches, the crowds were told that *"there can be no lasting peace so long as the situation is controlled by the imperialists, who have blood on their hands, who are completely bloodthirsty"* (an ancient antisemitic libel) and that the accusations made against them by QMUL of antisemitic language were a question of *"semantics."* Speeches were followed by chants of *"intifada until victory, revolution until victory"* to which the crowd responded *"Takbir, Allahu Akbar"* and *"there is only one solution, intifada revolution."*

Rather than in any way address the premise of the demonstration or seek to control it, the University indulged it and said that Jewish students would require more security. **You are dealing with the symptoms, not the root cause.** In other words, QMUL fully recognised that the demonstration would contribute to the aggressive environment for Jewish students but chose to side with the organisers and not the minority that required protection. We do not imply that this side was chosen because institutionally, QMUL preferred the organisers' worldview, but because it determined that, in striking the balance, Jewish sentiment was more expendable. That instinct is an antisemitic one.

While that may seem a startling conclusion to you, it is easily demonstrated. The treatment described in this letter happened to Jewish students. Two things are inconceivable: first, that any other minority group would be treated in such a way; and second, that such conduct afforded to another minority group would be tolerated for so long.

Please note that this letter is not a letter before action. We hope that pre-action correspondence, let alone litigation, will not be necessary. While we will touch on your

legal obligations, it should not require a full exposition of your duties for you to want to respond to what we set out below. We anticipate you will recognise that this is something you would wish to do to protect the welfare of our clients and others, rather than be forced to do. That said, our clients' rights remain fully and expressly reserved should the concerns raised in this letter remain unaddressed.

This letter is not a moment for you to shift the blame to others, such as the Students' Union or the Societies. Nor is it the time for you to rely on convoluted governance structures and internal University procedures. Jewish students have lost faith in the procedures for complaining to the Students' Union and the Director of Student Experience at QMUL. It is written to give you an opportunity to act immediately and unequivocally to protect students under your care. Every single one of the University's spaces – whether that be campus accommodation, lecture and seminar rooms, libraries, cafeterias, the Students' Union, open spaces – must be safe places for Jewish students – to be in, to study, to meet.

We now turn to high level examples to illustrate the above.

- 1.1 On 6 November 2023, a Jewish student was participating in a SEMS employability workshop in which the lecturer used an interactive website with an anonymised chat function for those attending. The chat contained messages from an anonymised participant (with the alias 'Horse 2') which said: *"why did Hitler kill himself"* to which they replied, *"he got the gas bill"*. Another message from an anonymous participant stated, *"someone get Hitler's reboot card"*. The Jewish student who attended had said that there were around 500 students in the workshop and that the lecturer was not monitoring the chat function. Not a single person on the chat raised an objection to the 'joke'.
- 1.2 Activity on Instagram from a particular student at QMUL which includes a post calling Israel Hitler's little brother, sharing a post from another account which claimed that in light of the recent attacks on Israel, Israelis are understanding what it feels like to be Palestinian and do not like it, and sharing a post which called victims of the attack *"settlers, not innocent Israeli civilians"*.
- 1.3 Very recently, a Jewish student was singled out in a WhatsApp group chat of a Politics class. The chat is called *'Politics Gang.'* In the group chat, he was sent a sarcastic message (concerning donations for soldiers). He then received a threatening video which stated: *"we warned the children of Israel in the Scripture 'you will certainly cause corruption in the land twice and you will become extremely arrogant. When the first of the two warnings would come to pass, we would send against you some of our servants of great might, who would ravage your homes. This would be a warning fulfilled.'" The background of the video included pictures of the war wreckage and a fire burning.*
- 1.4 On the 8 October 2023, on the QMUL Communist Society WhatsApp group chat, a member of the group who sent an image of text condemning the Hamas terror attacks, received the following responses: *"hypocrite"; "sheer hypocrisy"; "where was this energy when isreal [sic] was doing this to Palestinians"; "israel's been doing this to Palestine for like the past 75 years so I'm not surprised they're fighting back now"; and "never have we justified Hamas' actions. Hamas is reactionary to the core. But to see Hamas as the*

cause of this conflict is to ignore the decades of the Israeli state has destroyed thousands of Palestinian [sic] lives."

- 1.5 Another student received an Instagram message, in response to their own post (which stated, *"Israel under attack"*). The response to this post from another QMUL student was: *"Palestine under attack, Israel does not exist (...) I hope Zionists are dealt with because they deserve it."*
- 1.6 Similar abusive messages have also been sent to the Jewish and Israel Society. The Society had posted an image on its Instagram account saying, *"Israel under attack."* This received a response from another QMUL student: *"you're all terrorists, keep playing victim but you're all going to end up in hell burning..."*. The Society then posted another photograph stating: *"I stand with Israel."* Again, this prompted a hostile response from a QMUL student, *"I stand with Israel (emojis) so cute!!! It's a shame it doesn't exist your [sic] flipping terrorists,"* immediately followed by: *"how does it feel to encourage killing children and women or is that normal for animals like you Israelis."*
- 1.7 The messages are abusive, frightening and violent in tone. They are, regrettably, typical of the communications many students have received.

2. **Examples of general intolerance and hate present on campus and online**

2.1 Many of the phrases below are contested. In relation to some, our clients would not accept any argument on meaning or rooted in freedom of expression. They delegitimise Israel in ways that are antisemitic (under the International Holocaust Remembrance Alliance's ("IHRA") definition of antisemitism, which was adopted by QMUL in 2020¹) and communicate hateful, violent intent towards Jews. Those arguments are not, however, for this letter. Whatever one's take is on the individual phrases, they contribute to the threatening and intimidatory environments for which you are responsible.

2.2 Posts by the QMBL Friends of Palestine Society:

2.2.1 Soon after the terrorist attack on 7 October 2023 in Israel by Hamas, QMBL Friends of Palestine Society posted on Instagram that *"it would be naïve to isolate current events. Palestinians have been subject to Israel's illegal military occupation for decades. That is the root of the unfolding violence. International law permits armed resistance from the occupied against the occupier. The occupied are resisting. We at QMBLFOP see Palestine. We see a people betrayed by the world – yet still upholding international law. This is a distressing time for many. If you need any support, please do not hesitate to reach out."* The erasure of Hamas' crimes contributed to the

¹ And further do not fall within the caveats recommended by the UK Parliament Home Affairs Committee in 2016 and adopted by QMUL i.e. i) that it is not antisemitic to criticise the Government of Israel, without additional evidence to suggest antisemitic intent; and ii) it is not antisemitic to hold the Israeli Government to the same standards as other liberal democracies, or to take a particular interest in the Israeli Government's policies or actions, without additional evidence to suggest antisemitic intent.

immediate toxicity of the situation (notably before the Israeli Government's response had even started).

2.2.2 This post was the subject of a formal complaint to the Students' Union, which was subsequently dismissed. The complaint concerned the contents of the post. The complaint in particular:

- (a) indicated that the post conflated the actions of Hamas with the Palestinian movement;
- (b) took issue with the suggestion that Hamas was acting in accordance with international law;
- (c) highlighted that Hamas is a proscribed terrorist organisation; and
- (d) argued that the post was in contravention of the Students' Union's Code of Conduct, which required all members of the Students' Union and QMUL to be treated with consideration and uphold the values of the Students' Union when participating in activities.

2.2.3 The Students' Union dismissed the complaint on the basis that:

- (a) there was no conflation between Hamas and the Palestinian movement, as there was no mention of either in the post;
- (b) International law does indeed permit armed resistance to occupation, and that the statement clearly refers to Palestinians in general, rather than Hamas. (To be clear, the post was uploaded directly after the terror attacks were carried out by Hamas. It makes no sense that it would be referring to Palestinian civilians);
- (c) The post does not support Hamas, and so cannot, therefore, be supportive of a proscribed organisation; and
- (d) "*Consideration*" cannot be used to stifle legitimately held opinions on the basis that someone disagrees with it. The Students' Union went on to cite free speech.

2.2.4 The post remains live on the Society's Instagram page. From the response of the Students' Union it is clear that little regard has been paid to the impact such posts have on Jewish and/or Israeli students.

2.2.5 A further social media post from QMBL Friends of Palestine specifically stated that they would hold a vigil for the *"healthcare workers killed in an Israeli attack on Al-Ahli Hospital in Gaza, which had killed 500 Palestinians."* A further post stated *"stop the massacre in Gaza"* and that *"the world may turn a blind eye to the horrors enacted in Gaza, but we will not."* The post was uploaded after statements had been released by both the US and UK Governments that seriously doubted Israel was behind the bombing. Despite

evidence emerging almost immediately that it was Islamic Jihad – not Israel – that was responsible for the bombing of the Al-Ahli hospital, no corrections to the post were made. A complaint, again, was made about this post. We are instructed that the Students' Union simply preferred the QMBL Friends of Palestine Society's argument. The Students' Union refused to intervene on the basis that people are free to believe whatever they want, in the absence of concrete evidence. This post also remains live on the QMBL Friends of Palestine Society's page.

2.3 Language used by the QMUL Marxist/Communist Society and Socialist Workers' Society

2.3.1 The QMUL Marxist/Communist Society has been using the phrase, "*intifada until victory*," and has published, amongst other things, posts stating: "*the blame for conflict lies squarely in the Israeli ruling class*". A complaint was made to the Students' Union and Director of Student Experience about this post but was dismissed on the basis that "*intifada*", despite its connotations and historical interpretation, is not a call for violence. The use of the term has proliferated on the QMUL campus in recent weeks, with chants repeatedly calling for "*intifada*" being encouraged at the pro-Palestinian sit-in event last week.

2.3.2 On 10 October 2023, the Socialist Workers' Society held a stall outside the QMUL campus. When challenged about the terrorist nature of Hamas, a Society representative maintained it was "*Palestinian resistance*".

2.3.3 Protests have been held on campus, with students shouting, "*from the river to the sea, Palestine will be free*"; "*there is only one solution, intifada, revolution*" and "*intifada until victory, revolution until victory*", with no regard for the dangerous connotations of ethnic cleansing associated with these phrases. We have spoken to a Jewish student who attended the sit-in event last week, during which they contacted a QMUL security team member in response to these chants with concerns over the safety of Jewish students. The security team member attempted to stop the chants but was instead verbally attacked and booed by the crowd, which in turn contributed to an even more hostile environment for Jewish students.

2.4 Not only have the examples above caused harm and distress to Jewish students, but their experiences have been exacerbated by the inadequate processes for complaints, which seem not to apply the IHRA definition, and which leave Jewish students exposed without adequate support or redress for antisemitism.

2.5 Contributing to the general intolerance and hate present on campus, we understand that Queen Mary Islamic Society hosted Moazzam Begg on 28 November 2023. Mr Begg has continually demonstrated strong sympathy for Hamas, glorifying their recent attacks in Israel. For example, on 7 October 2023, Mr Begg uploaded a post on X containing a screenshot of a news source reporting on the Hamas attacks, writing "*we support the inalienable*

right of native peoples to fight occupation forces, whoever they may be." Despite concerns being raised by the Queen Mary Jewish and Israel Society in advance of the event, QMUL allowed the event to proceed.

Antisemitism

- 2.6 The examples cited above have had a significant impact on Jewish students. Our clients no longer consider QMUL to be safe for them.
- 2.7 Individually and cumulatively, the behaviour set out above constitutes antisemitism and has created a prolifically hostile environment for Jewish students on campus. Each post, message and statement set out above falls squarely within the IHRA definition.
- 2.8 The charity, Community Security Trust ("**CST**"), produces annual 'Antisemitic Incidents Reports'. In the 2021 report, it stated: "*(...) it cannot be ignored that contemporary antisemitism can occur in the context of, or be accompanied by, extreme feelings over the Israel/Palestine conflict, and that hostility towards Israel may be expressed via, or motivated by, antisemitic rhetoric and conspiracy theories.*"
- 2.9 The Tuck Report says: "*Criticism of the Israeli government, its actions and policies will be the subject of student activism – as has been the case for decades. This must however take place within NUS in a manner which recognises that Jewish students are a welcomed and valued group, and that many of them may well be Zionist, and that there is no place for antisemitism.*"
- 2.10 Messages, posts, and banners such as "*you're all terrorists, keep playing victim but you're all going to end up in hell burning...*" are antisemitic. QMUL has, thus far, sat idly by whilst Jewish students are harassed on campus. The Tuck report is less than a year old and seemingly has already gathered dust on a shelf - something the NUS (in its own words) said must not be allowed to happen.
- 2.11 It is clear from the disregard shown to all the complaints raised by Jewish students that the complaints procedure is partial and broken.

3. Lack of support for Jewish students

- 3.1 In addition to the inadequacy of the complaints procedure, there has been no active support of Jewish students; in fact, the actions of QMUL and various bodies on campus have made the situation worse.
- 3.1.1 Rather than intervene to prevent various rallies going ahead by the QMUL Marxist/Communist and Socialist Societies (despite being aware of the backdrop of hate and intolerance displayed by the students organising them) the Students' Union allowed the rallies to be rebranded as rallies independently organised by individual communist and socialist students, rather than the Marxist/Communist and Socialist Workers' Student Societies themselves.

- 3.1.2 The Students' Union issued two statements on the matter, one dated 10 October 2023 and another dated 17 November 2023. Despite complaints about the first statement and subsequent reassurances that Hamas would be explicitly condemned in the updated statement, the second statement failed to do so. In the second statement, Hamas is only mentioned in a footnote noting that it is *"a proscribed terrorist organisation by the UK Government."* Hamas does not feature in the main body of the statement.
- 3.1.3 A Jewish student recently reported that the official page for QMUL Faculty of English and Drama had liked an Instagram post created by the Women of Colour Society, which translates from Arabic, *"long live Palestine from the sea to the river."*
- 3.2 As we say above, it is inconceivable that any other minority group would be allowed to be singled out, bullied, harassed, and threatened in this way.

Next steps and proposals

To repeat, this is not a letter of claim. The facts are clear and your duties, whether under the Equality Act 2010 or otherwise, are obviously engaged. That, however, is not what should motivate your next steps. Requiring our clients to litigate would be a significant failure on your part and would mean that the issues on campus would not be resolved for many months or years². The current situation is unsustainable. We invite your proposals (which should specify the following in two parts): first, to deal with the current emergency situation, and second, to create a long-term strategy that will ensure that QMUL will once again be a safe space for Jewish students.

We look forward to hearing from you in the next 7 days.

In the meantime, all of our clients' rights are reserved.

Yours faithfully



Mishcon de Reya LLP

Direct Tel: +44 (0)20 3321 7132

Email: james.libson@mishcon.com

² In this instance, we would particularise allegations in a letter of claim on behalf of an individual student or students, rather than on behalf of the UJS.