FORM 3 (Rules 6 and 17)

Clergy Discipline Measure 2003

Statement in support of a Complaint, or in support of an Answer to a Complaint

	Box for use only by the Registrar of Tribunals	*Statement submitted by:*
		Name of maker of statement:
		Date of statement:

In the matter of the complaint

Enter the name of the complainant.	made by…Marie van der Zyl……
Enter the name of the member of the clergy about whom a complaint is made.	against…Revd Dr. Stephen Sizer……

My full name is:…David John Carter……

……

My contact address, including postcode, is:……
97, Evesham Road
Leicester
LE3 2BE……

……

***Telephone & e-mail details are optional, but it could be helpful to the registrar and bishop to have them.*	**My telephone number is:…0116 224 1648… …… **My e-mail address is:…david@meec.org.uk……

**Delete as appropriate.*
If you tick the box you must give reasons – your contact details would then be disclosed only if the registrar so directed.

☐ √ **I request that my contact details should not be disclosed to the *respondent/*complainant for the following reasons:**

I have no confidence that the Board of Deputies would not misuse my contact details to target me for what they perceive to be my views on the Middle East……

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The matters in this statement to which I refer are all within my own knowledge, except where I indicate otherwise. If anything is not within my own knowledge then I set out the source of any matters of information and belief:

*You must explain in your statement how you know about each of the matters you describe, **unless** you know about them because you have **personally** seen or observed them.*

I have known Stephen Sizer for about 10 years. I have read two of his books and followed some of his Facebook posts and we have met on a number of occasions.

I have read the complaint by Marie van der Zyl and make the following comments. The substance of her complaint has already been subject to a CDM and was dealt with in 2012-13. Allegations of antisemitism have been investigated by Surrey Police and, since no charges have been brought, must be considered to be unfounded. Anti-Semitism is racist and is covered by the Equality Act 2010 (as amended). I don't know what the CoE attitude is to 'Double Jeopardy' but the legal principle in the UK requires 'new and compelling' evidence.

The complainant provides no new evidence and such evidence as exists is far from being compelling. The Church would be well advised to consult their lawyers to ensure that taking notice of the historic complaints would not infringe Stephen's Human Rights. As to the complainant; repeating the allegations without providing additional and fresh evidence is surely defamatory.

The two recent incidents complained of relate to an interview Stephen did on ABC, an Australian media organisation. Ms van der Zyl in her claim states 'Sizer doubled down on his past controversial statements, claiming that Zionists have "diluted the definition of anti-Semitism to include criticism of Israel"'

It is difficult to know exactly what the problem is here; does she contend that the definition has not been diluted, or that it was not 'Zionists' who did the diluting? If not Zionists who else might see value in adding to existing definitions to include criticism of Israel? And what does 'doubling down' mean here, or is it intended to amplify the 'noise'?

That the definition has been diluted is surely self-evident. The 'working definition' as set out by the Bucharest Plenary on 26th May 2016 attaches a number of examples without which its 'definition' fails at the basic level of definition. The IHRA 'definition' is new and may reasonably be expected to be subjected to scrutiny.
At least three highly qualified legal opinions state that it is substantially flawed. Since it adds to existing definitions the claim of dilution is not unreasonable, especially since the examples extend existing understandings of anti-Semitism to include reference to Israel. The claim of dilution is only controversial for those who want to suppress reasonable criticism of Israel.

Many involved in Middle East affairs, including British Jews, see pressure for the adoption of the IHRA definition as a tool to suppress the BDS movement. That Zionists might campaign to ensure that Jeremy Corbyn does not become Prime Minister is likely given his statement that a British government led by him would recognise Palestine on the pre-1967 borders, strictly in line with international law.

The complainant misrepresents the facts, possibly unintentionally, by implying that in his 2014 Facebook post Stephen was claiming Israel's involvement in the event known as 9/11. In fact Stephen posted a link to an article on another website and asked the question, "Is this antisemitic? If so no doubt I'll be asked to remove it. It raises so many questions" The substance of this issue has been dealt with under the earlier CDM.

In the context that Stephen was responding to a question a truthful answer is not unreasonable. Given the noise that was made by BoD at the time some response to controvert the 'facts' provided in the article – which I read at the time – might have been expected. If untrue why not provide some evidence to show how the data in the article had been falsified, misrepresented or misinterpreted? Given the question Stephen's answer is surely reasonable.

I don't intend to deal with all the historic 'bullet points' merely to point out that attendance at a conference – bullets 1 & 3 – doesn't necessarily imply agreement with everything, or even anything, that is said. Meeting those we disagree with is a primary step in reconciliation – bullet 2. The final 'bullet' states that Stephen 'Has repeatedly promoted the idea that Israel was behind the 9/11 attacks' and supplies 2 references, 8 & 12.

That cannot, in justice, be allowed to pass. The statement is defamatory and not supported by the evidence The article to which Stephen links and from which he quotes states categorically: *'But I've seen no hard evidence to date that 9/11 was a plot by America's far right or by Israel or a giant cover-up. Just, perhaps, the Mother of All Coincidences. In the end, it may just have been 19 angry Arabs and a bumbling Bush administration looking for someone else to blame'.*

BoD should be politely requested to remove this lie from their complaint. Sadly, I doubt that Stephen will receive the support he deserves from his, and surprisingly my, church.

It is pertinent to ask why this complaint at this time. Isn't it 'scraping the barrel'? Isn't the real target Jeremy Corbyn who would be guilty by association with a priest whom he has defended.

And is it not the case that the Board of Deputies is seeking to use a CDM as an equivalent to civil proceedings in British Law, where a criminal prosecution would not be successful because of lack of evidence.

Had Stephen's circumstances been different at the time of the earlier CDM I would have advised him strongly to seek a full judicial process. That, I am certain, would have shown the allegations to be so flimsy as to warrant a letter requesting Mr Arkush to stop wasting valuable time.

It is my hope and prayer that someone will have the courage to tell the BoD that there is no case to answer. If they disagree let them apply to the police who, it is to be hoped, would tell them to stop wasting police time.
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* I attach, a) copy of my letter to Bishop Christopher dated 31st December 2012 together with comments specific to the 'Israel did it' allegation; b) A brief Appendix that relates specifically to the historic allegations (I assume you have a copy, if not I can supply the 2012 'Evidence' Mr Arkush provided. I'd rather not waste your time).
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(Continue on a separate sheet or sheets if necessary. State here how many additional sheets you are attaching:…… Please number all such additional sheets)

	I believe the facts in my statement to be true. I am aware that the contents of this statement may be made public
You must sign and date this statement.	**Signed:** 
	Dated: 26th November 2018