

**VICTORIA TOWER GARDENS, MILLBANK**  
**UK HOLOCAUST MEMORIAL AND LEARNING CENTRE**

Opening statement & List of Appearances for  
Learning from the Righteous

**Appearances**

1. **Zack Simons** of counsel, instructed by Antony Lishak of “*Learning from the Righteous*”, will call:
  - (i) **Antony Lishak**, Founder and Chief Educational Consultant of “*Learning from the Righteous*”; and
  - (ii) **Alex Maws**, Head of Educational Grants & Projects at the Association of Jewish Refugees (AJR), member of the UK delegation to the International Holocaust Remembrance Alliance (IHRA) and formally Head of Education at The Holocaust Educational Trust (HET).

**Introduction**

2. Our case begins with a silence – only a few steps from Victoria Tower Gardens, some 78 years ago.
3. On 17<sup>th</sup> December 1942, Foreign Secretary Anthony Eden rose to address MPs in the House of Commons “*regarding the barbarous and inhuman treatment to which Jews are being subjected in German-occupied Europe*”.<sup>1</sup>

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<sup>1</sup> Hansard extract, Antony Lishak’s Rebuttal Appendix 3, p. 87 / 207. [CD 8.75]

4. The declaration he read on the floor of the House condemned the Nazis' expanding policies and practices designed to secure the mass extermination of Jewish people. He said:

"[...] the German authorities, not content with denying to persons of Jewish race in all the territories over which their barbarous rule has been extended the most elementary human rights, are now carrying into effect Hitler's oft repeated intention to exterminate the Jewish people in Europe. From all the occupied countries Jews are being transported, in conditions of appalling horror and brutality, to Eastern Europe. In Poland, which has been made the principal Nazi slaughterhouse, the ghettos established by the German invaders are being systematically emptied of all Jews except a few highly skilled workers required for war industries. None of those taken away are ever heard of again. The able-bodied are slowly worked to death in labour camps. The infirm are left to die of exposure and starvation or are deliberately massacred in mass executions. The number of victims of these bloody cruelties is reckoned in many hundreds of thousands of entirely innocent men, women and children.

The above mentioned Governments and the French National Committee condemn in the strongest possible terms this bestial policy of cold-blooded extermination. They declare that such events can only strengthen the resolve of all freedom loving peoples to overthrow the barbarous Hitlerite tyranny. They re-affirm their solemn resolution to ensure that those responsible for these crimes shall not escape retribution, and to press on with the necessary practical measures to this end."<sup>2</sup>

5. William Cluse MP, the Labour MP for Islington South, asked the Speaker:

"Is it possible, in your judgment, Mr. Speaker, for Members of the House to rise in their places and stand in silence in support of this protest against disgusting barbarism?"<sup>3</sup>

6. The Speaker answered:

"That should be a spontaneous act by the House as a whole."<sup>4</sup>

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<sup>2</sup> Hansard extract, Antony Lishak's Rebuttal Appendix 3, p. 87 / 207. [CD 8.75]

<sup>3</sup> Hansard extract, Antony Lishak's Rebuttal Appendix 3, p. 89 / 207. [CD 8.75]

<sup>4</sup> Hansard extract, Antony Lishak's Rebuttal Appendix 3, p. 89 / 207. [CD 8.75]

7. Hansard records:

“Members of the House then stood in silence.”<sup>5</sup>

8. A spontaneous and cross-party act of support and protest against the barbarism of the Holocaust. On the floor of the House of Commons – our country’s most public and political stage, and an icon of our constitutional democracy.

9. Events in the Palace of Westminster determined the course of this country’s response to Naziism. Where better to commemorate the history of that response – in all its complexity, its ambiguity and its power – than *here*?

### **Learning from the Righteous**

10. Learning from the Righteous (“**LftR**”) is a charity which highlights the relevance of teaching and learning about the Holocaust. Its projects are based on the belief that students who are encouraged to consider the dilemmas faced by those who chose not to be passive bystanders both before and during the Holocaust will be more motivated to act to counter racism, inequality and intolerance today.<sup>6</sup>

11. The central contentions of LftR’s case at this inquiry are simple:

(i) The location of the applicant’s scheme elevates its status to one of “*national significance*”.<sup>7</sup>

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<sup>5</sup> Hansard extract, Antony Lishak’s Rebuttal Appendix 3, p. 89 / 207. [CD 8.75]

<sup>6</sup> LftR’s Statement of Case, §1.1.

<sup>7</sup> LftR’s Statement of Case, §3.2a.1.

- (ii) What went on in the corridors, committee rooms and debating chambers of the Houses of Parliament reflect the complexity of Britain’s responses to Nazism – which is itself the primary focus of the proposed Memorial and Learning Centre.
- (iii) The scheme’s proximity to the building at the heart of British democracy will make an exceptional and unique contribution both to its significance as a memorial, and to the ability of the Learning Centre to galvanise, focus and coordinate teaching and learning about the Holocaust in the UK for future generations.
- (iv) So Theresa May MP was right to say that “*there is no better place for the Holocaust Memorial and Learning Centre to be than right next to our Parliament.*”<sup>8</sup> And it is welcome – but should not be surprising – that siting the scheme here has been so powerfully endorsed not only by 3 successive Prime Ministers<sup>9</sup> but also – as recently as last week – by the Leader of the Opposition, Keir Starmer MP, who said<sup>10</sup> that:

“The fight against intolerance and prejudice in our society, and the stain of antisemitism, goes on. So I offer my wholehearted support to the Holocaust Memorial and Learning Centre and its placement next to the heart of our democracy.”

### **LftR’s case in the planning balance**

- 12. LftR has no expertise in and presents no evidence on several of the important issues in this case, e.g. the scheme’s design, its implications for trees or heritage assets.
- 13. But if the Inspector finds himself required to balance any heritage harms against public benefits under either §195 or §196 of the NPPF, LftR’s case is that the scheme’s location of

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<sup>8</sup> Chris Goddard’s PoE at §4.15 [CD 8.34]

<sup>9</sup> Chris Goddard’s PoE at §4.11 - §4.21 [CD 8.34]

<sup>10</sup> Evening Standard, 30.9.20, “*Keir Starmer declares ‘wholehearted support’ for Holocaust Memorial next to House of Commons*”, link [here](#).

next to the Palace of Westminster constitutes a public benefit of very substantial – and we will say, overwhelming – importance.

14. The same goes for the Inspector’s overall balancing of the benefits offered by this location as powerful “*other material considerations*” in the scheme’s favour under section 38(6) of the Planning and Compulsory Purchase Act 2004.
15. In the end, LftR will join with the applicant in asking the Inspector to recommend that planning permission for the UK Holocaust Memorial and Learning Centre be granted.

ZACK SIMONS

Landmark Chambers  
180 Fleet Street  
London EC4A 2HG

**6<sup>th</sup> OCTOBER 2020**