

The background of the entire page is a photograph of three beige security cameras mounted on a light-colored wall. One camera is in the upper left, and two are in the lower half of the image. A green rectangular box is overlaid on the middle of the image, containing the title and subtitle text.

Evidence Submitted to the Independent Review of PREVENT

A Submission from Muslim Engagement and Development (MEND)

Muslim engagement
& development

mend

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Part I: Introduction

Introducing Muslim Engagement and Development (MEND)

MEND

Muslim Engagement and Development (MEND) is a community-funded organisation that seeks to encourage political, civic, and social engagement within British Muslim communities through empowering British Muslims to interact with political and media institutions effectively.

Our approach to achieving this involves a combination of community engagement (through education, community events, local campaigns to encourage voting etc.) and advocacy work (involving victim support, submissions to parliamentary inquiries, media analysis, election resources, briefings etc.).

Our work has been recognised through the following accolades:

- The World Economic Forum commended our work as “best practice” in Human Rights “protection and promotion”.
- The Office for Democratic Institutions and Human Rights rated us as the “best example for civil society organisations”.
- The EU Parliament Magazine stated that “The EU could learn a lot from MEND’s work on counter-radicalisation through engagement”.

The Islamophobia Response Unit (IRU)

The Islamophobia Response Unit (IRU) was founded by MEND in response to rising anti-Muslim attacks across Europe and a growing tide of anti-Muslim sentiment. The IRU offers a platform for victims of Islamophobic hate crime and discrimination to report and share their experiences and serves as a source of free advice, support, and referral services.

The IRU serves three main functions:

- Data collection and monitoring,
- The provision of free legal advice and police liaison,
- Provision of basic emotional support, and signposting to further professional sources of emotional support if required.

How MEND Assists Parliamentarians and Policymakers:

- Providing briefings, information, analysis, and expertise on the issues facing British Muslim communities.
- Arranging opportunities for MPs to engage with their local Muslim communities.
- Conducting research within Muslim communities.
- Connecting MPs to local stakeholders.

A Note from our CEO

Since its inception, PREVENT has served to marginalise Muslim communities and place them within a pre-criminalised space as a suspect community. A holistic investigation is needed to explore engrained issues within both the development of the strategy and its application. These issues include, but are not limited to; flawed evidentiary foundations, a lack of viable definitions, inadequate training for practitioners, and conflicts with safeguarding.

Although MEND welcomes this Independent Review as the first step in scrapping the PREVENT strategy, we feel it necessary to raise concerns that there are signs that this review may not be truly independent nor wide enough in its scope to examine all of the factors that may lead someone to be drawn into acts of politically motivated violence, including the role of foreign policy in such a trajectory.

Despite these reservations, MEND is of the firm belief that the voices of Muslims should not be excluded from the debate, and not to engage with the Independent Review may impact on our ability to argue for a change in the scope of the review. Additionally, from our position as a Muslim grassroots community organisation, we are in an ideal position to voice concerns from this perspective. It is with this goal in mind that we have submitted the evidence in this report to the Independent Reviewer.



Dr Shazad Amin

CEO, MEND

The Independent Review of PREVENT

PREVENT is part of the Government's broader counter-terror strategy, CONTEST, which aims to protect the public against acts of terrorism. Whilst this is a laudable objective, in recent years there has been sustained criticism of the PREVENT strategy put forward by experts from across society, including three special rapporteurs to the UN,¹ the NEU (formerly known as the NUT),² the NUS,³ the former Independent Reviewer of Terrorism Legislation,⁴ Rights Watch UK,⁵ the Open Society Justice Initiative,⁶ the Joint Committee for Human Rights,⁷ and more than 140 academics, politicians and experts in one instance alone.⁸ As a result of this criticism, amendments to the Counter-Terror and Border Security Bill were proposed by the House of Lords, and the Government has conceded to an independent review of the PREVENT strategy.

Although MEND welcomes such an independent review as the first step in scrapping the PREVENT strategy for the reasons that follow, we feel it necessary to raise concerns that there are signs that this review may not be truly independent nor wide enough in its scope to examine all of the factors that may lead someone to be drawn into acts of politically motivated violence, including the role of foreign policy in such a trajectory. It is interesting to note that with the announcement of Lord Carlile as the Independent Reviewer, questions have been raised about his own independence, given his previous support for PREVENT.⁹ Similarly, in examining the terms of reference that have recently been published, it is striking to see an absence of the key question as to whether the PREVENT strategy is even required, as well as a neglect of its past application and theoretical underpinning. Indeed, it appears that the starting point for the review is that the PREVENT strategy will remain in place, with the review's primary focus being concentrated on future improvements.¹⁰

The controversy surrounding Lord Carlile's appointment has culminated in the Government facing a legal challenge over his appointment. Rights Watch (UK) has been granted permission in the High Court to launch a judicial review into the Home Office's appointment of Lord Carlile due to a range of concerns, including his description of the Independent Review and "completely unnecessary" in May of this year (three months prior to his appointment). As such, the judicial review centres upon the argument that Lord Carlile's cannot be considered independent due to his history of public support for and involvement in the delivery of PREVENT, thus rendering his appointment unlawful.¹¹

Despite these reservations, MEND is of the firm belief that the voices of Muslims should not be excluded from the debate, and not to engage with the Independent Review may exhaust our possibilities of changing the scope of the review or contributing to resulting recommendations that may be vital in the endeavour to the eventual repeal of the PREVENT

¹ See Muslim Engagement and Development. (2018). *UN Special Rapporteur: UK Government should consider PREVENT impact on minorities which is "dividing, stigmatising and alienating communities"* - Muslim Engagement and Development. Available at: <https://www.mend.org.uk/news/un-special-rapporteur-uk-government-consider-prevent-impact-minorities-dividing-stigmatising-alienating-communities/>. Accessed 17 Jun. 2019.

² Adams, R. (2016). *Teachers back motion calling for Prevent strategy to be scrapped*. The Guardian. Available at: <https://www.theguardian.com/politics/2016/mar/28/teachers-nut-back-motion-calling-prevent-strategy-radicalisation-scrapped>. Accessed 17 Jun. 2019.

³ Nusconnect.org.uk. (n.d.). *Preventing Prevent - We are Students Not Suspects @ NUS Connect*. Available at: <https://www.nusconnect.org.uk/campaigns/preventing-prevent-we-are-students-not-suspects>. Accessed 17 Jun. 2019.

⁴ Batty, D. (2016). *Prevent strategy 'sowing mistrust and fear in Muslim communities'*. The Guardian. Available at: <https://www.theguardian.com/uk-news/2016/feb/03/prevent-strategy-sowing-mistrust-fear-muslim-communities>. Accessed 17 Jun. 2019.

⁵ Riwuk.org. (2016). Available at: <http://riwuk.org/wp-content/uploads/2016/07/preventing-education-final-to-print-3.compressed-1.pdf>. Accessed 17 Jun. 2019.

⁶ Justiceinitiative.org. (2016). Available at: https://www.justiceinitiative.org/uploads/f87bd3ad-50fb-42d0-95a8-54ba85dce818/eroding-trust-20161017_0.pdf. Accessed 17 Jun. 2019.

⁷ Publications.parliament.uk. (2016). Available at: <https://publications.parliament.uk/pa/jt201617/jtselect/jtrights/105/105.pdf>. Accessed 17 Jun. 2019.

⁸ Ross, A. (2016). *Academics criticise anti-radicalisation strategy in open letter*. The Guardian. Available at: <https://www.theguardian.com/uk-news/2016/sep/29/academics-criticise-prevent-anti-radicalisation-strategy-open-letter>. Accessed 17 Jun. 2019.

⁹ Lizzie Dearden, "Home Office faces legal challenge over appointment of 'biased' reviewer of Prevent counter-extremism programme", *The Independent*, August 2019. Accessed: 13th September 2019. <https://www.independent.co.uk/news/uk/home-news/home-office-legal-challenge-prevent-counter-extremism-lord-carlile-a9083486.html>

¹⁰ Home Office, "Independent Review of Prevent: Terms of Reference," GOV.UK, September 13, 2019, <https://www.gov.uk/government/publications/independent-review-of-prevent-terms-of-reference/independent-review-of-prevent-terms-of-reference>.

¹¹ Simon Hooper, Peter Osborne, "UK Government facing legal challenge over PREVENT review", *Middle East Eye*, December 2019. Accessed: 9th December 2019. <https://www.middleeasteye.net/news/exclusive-uk-government-facing-legal-challenge-over-prevent-review>

strategy in its entirety. It is with this goal in mind that we have submitted the evidence in this report to the Independent Reviewer.

However, the mechanisms for submitting evidence for the review are also severely limited. For each question, there is space for responses of only 2,000 characters. As such, there is little space to offer a full (or even a preliminary) analysis of the many flaws within the program, nor is there sufficient scope to do any kind of justice to the huge corpus of evidence that has been diligently compiled by academics and experts since the strategy's inception. While the submission platform does allow for the uploading of additional documents, this is limited to a maximum of three documents and it is stipulated that "depending on the level of additional documentation we receive we may not be able to read all documents."

Consequently, we have produced this briefing as a supplement to our evidence for several reasons:

- To give a general reader an overview of the issues surrounding PREVENT.
- To contextualise our answers to the questions posed by the reviewer.
- To provide supplementary evidence that could not be included in our answers due to concerns of space, but which we hope will be duly considered by the reviewer.

A Note on Terminologies

As pages 12-17 of this report attest, a major challenge in any discussion involving security is the lack of agreed definitions. In any discussion of such an important topic, clarity and accurateness are paramount. Subjectivity in language leads to a multitude of problems and abuses of power (as detailed throughout this report). As such, in an attempt move away from the dangerous use of subjective terms and to ensure clarity, this report does not use the words “terrorism” nor “radicalisation”. Instead we use the terms “politically motivated violence” and “being drawn to politically motivated violence”. We feel that these terms are more appropriate to capture the acts and processes which they describe. This will be expanded upon later in the report.

Part II: PREVENT in Context

Securitising Muslim Identities

MEND has no intention of undermining the severity of security threats that our nation currently faces and wholeheartedly commend those who dedicate their lives to ensuring the safety and security of each and every citizen. However, we also believe that the lens through which Muslims are repeatedly and forcefully portrayed as security threats is a narrative desperately in need of recalibration. The damaging consequences that result from misguided policies predicated upon Islamophobic assumptions and discourses is an area that is in need of address. Ultimately, there are three areas that must be examined in understanding the ways in which Muslim identities have become securitised in public and political discourse:

- The intersection of identity and intent
- Processes of securitisation
- The terminology of security

The Intersection of Identity and Intent

It is difficult to ignore the level to which Muslim communities and individuals have come to be seen through the lens of security and counter-terror. This framing has often led to a public misconception that the concept of “security” is associated almost exclusively with Muslim communities, while other forms of politically motivated violence are frequently overlooked, minimalised, or at least framed in a very different and de-prioritised manner.

According to Europol, between the years 2015-2018, approximately 13% of terrorist attacks in the EU were “jihadist” in origin”, with over half being perpetrated by “Ethno-nationalist and separatist” organisations.¹² However, the media’s presentation of politically motivated violence frequently has a direct impact on how such issues are perceived and understood by the general public. Consequently, the presentation of Muslims within mainstream media influences the way in which the general public understands and weighs the threat of politically motivated violence committed by Muslims in comparison to other groups.

The prevalence of Islamophobia within the British press has been highlighted by several studies, including that of Paul Baker, Tony McEnery, and Costas Gabrielatos.¹³ In conducting a discourse analysis on over 200,000 newspaper articles from 11 newspapers mentioning “Islam” or “Muslims”, this study highlighted the frequency with which Muslims and Islam were associated with conflict, with “Islam” and “terror” co-occurring in more than one-third (37.9%) of the texts analysed. This led to the authors concluding that “[the] most salient finding is that the British Press most frequently positions Islam and Muslims in stories or contexts that relate to conflict”.¹⁴

Similarly, another study by Cardiff University found that the bulk of coverage on British Muslims was focussed on “Muslims as a threat (in relation to terrorism), a problem (in terms of differences in values) or both (Muslim extremism in general)”. The study noted that in more than a quarter of the articles investigated, Islam was posed as being “dangerous, backward or irrational” and being in contrast to ‘British Values’.¹⁵

¹² EUROPOL, “EU Terrorism Situation & Trend Report”, EUROPOL, June 2019. Accessed: 9th December 2019. https://www.europol.europa.eu/latest_publications/37

¹³ Paul Baker, Costas Gabrielatos and Tony McEnery, *Discourse Analysis and Media Attitudes: The Representation of Islam in the British Press*, (Cambridge: Cambridge University Press, 2013).

¹⁴ Baker, Paul, Costas Gabrielatos, and Tony McEnery. *Discourse Analysis and Media Attitudes: The Representation of Islam in the British Press*. Cambridge: Cambridge University Press, 2013.

¹⁵ Kerry Moore, Paul Mason and Justin Lewis, “Images of Islam in the UK: The Representation of British Muslims in the National Print News Media 2000-2008”, *Cardiff University*, July 7, 2008, accessed 20.06.2018, <http://orca.cf.ac.uk/53005/1/08channel4-dispatches.pdf>

Meanwhile, attention also needs to be paid to the ways in which far-right political violence is presented in the media. Research conducted at the University of Alabama found that acts of violence committed by Muslims received an additional 357% coverage in the media compared to those committed by non-Muslims. Acts committed by non-Muslims or those whose religion was obscure received an average of 15 headlines, while those committed by Muslims received 105 headlines.¹⁶

Meanwhile, white and non-Muslim perpetrators of politically motivated violence are often presented in a humanised manner within media coverage. It is not uncommon for the identity and actions of such individuals to be explained as the behaviour of “lone wolves” and ascribed to mental illness, alcohol and/or drug abuse, unemployment and other such social issues. A notable example can be found earlier this year following the attacks on mosques in Christchurch, New Zealand. In this case, Western newspapers faced a controversy after attempting to “humanise” the attacker. Headlines described him as an “angelic boy who grew into an evil far-right mass killer” and were attached to photos of the perpetrator as a young boy and commentaries describing him as “a likeable and dedicated personal trainer running free athletic programmes for kids”.¹⁷

One must question why politically motivated violence committed by Muslims is framed as uniquely sinister compared to that committed by the far-right, ethno-nationalists, white supremacists and other such groups. Perhaps a reason for this should be seen in an amalgamation of identity and intent. It is not uncommon for xenophobic sentiments to (consciously or unconsciously) influence the public evaluation of a Muslim perpetrator, a phenomenon that is further perpetuated and maintained by media representations, and which results in an attitude of “us” vs “them”.

This perception of a perpetrator who is part of a distinct “them” is further accompanied by an association of collective guilt, whereby the whole group that the perpetrator represents are communally considered suspicious and somehow culpable for the individual’s actions. This view was epitomised by media mogul, Rupert Murdoch, when he tweeted “maybe most moslems peaceful, but until they recognise and destroy their growing jihadist cancer they must be held responsible” following the Charlie Hebdo murders in 2015.¹⁸ In the case of Muslims, the unifying identity is a matter of belief – a faith identity that is not shared by the majority. Thus, through the process of othering, politically motivated violence committed by Muslims, is not only an act of violence, but also comes to be experienced as an assault on the dominant group identity.

The intent of religiously inspired politically motivated violence further reinforces the mindset of a division between the “believer” and the dominant non-believing population. Following the above framework of othering, religiously inspired politically motivated violence adopts the moral character of an attack on the dominant group identity, and is, by extension, also an attack on the society and the state.

This is in direct contrast to politically motivated violence committed by far-right, ethno-nationalists, white supremacists and other such groups. Firstly, for such groups, the identity of the perpetrator is frequently already embedded within the “us” group; the way in which the white identity of a white supremacist or far-right attacker cements them within the dominant ethnic identity, for example. Secondly, the target of their antipathy is often a distinct minority ethnic, religious, gendered, or political identity that cannot be considered to be part

¹⁶ Mona Chalabi, “Terror Attacks by Muslims Receive 357% More Press Attention, Study Finds,” *The Guardian* (Guardian News and Media, July 20, 2018), <https://www.theguardian.com/us-news/2018/jul/20/muslim-terror-attacks-press-coverage-study>

¹⁷ Al Jazeera, “Western Tabloids Condemned for ‘Humanising’ NZ Mosque Attacker,” *New Zealand News | Al Jazeera* (Al Jazeera, March 17, 2019), <https://www.aljazeera.com/news/2019/03/zealand-tabloids-condemned-humanising-mosque-attacker-190316081740694.html>

¹⁸ Guardian Staff, “Murdoch says Muslims must be held responsible for France terror attacks,” *The Guardian*, January 2015. Accessed: 9th December 2019. <https://www.theguardian.com/world/2015/jan/10/rupert-murdoch-muslims-must-be-held-responsible-for-france-terror-attacks>

of the dominant collective identity even if it is an identity held by a huge number of people in society. By way of explanation, the murder of Jo Cox was an act of politically motivated violence. Her killer held grievances towards her political identity and ideology, which while they may have been mainstream, could not be considered to be representative of the dominant collective identity.

Consequently, violence driven by these types of ideologies are seldom seen as an attack on society as a whole, nor are they experienced as an overt assault upon the interests of the state. In fact, particularly in the case of ideologies with nationalistic overtones, the intent of the perpetrator is often claimed to be the protection of the state against the socio-economic ills that are deemed to be the responsibility of those being targeted. As such, within the public (and often political) imagination, these forms of politically motivated violence often acquire the character of a public order concern. Meanwhile, the perception that religiously inspired politically motivated violence directly targets state interests ensures that it remains securely embedded within the focus of security.

That is not to say that far-right violence is not treated seriously by security forces, nor to make any comment as to how crimes are dealt with during the prosecution stage, as this is often reliant on a judgement of appropriate legislation to achieve a conviction. However, when approaching discussions surrounding how political violence is understood within the public imagination, an appreciation for perceptions of identity and intent is essential. Indeed, regardless of the theoretical requirements of the PREVENT duty, the practitioners who are required to apply it are ultimately ordinary people who are susceptible to the same biases, assumptions, and impressions that influence the public imagination.

Processes of Securitisation

Securitisation is the process through which subjects are transformed into matters of security. In the case of British Muslims, this is the way in which politicians, policymakers and public figures construct public narratives, legislative recommendations, and policies which permanently frame Muslims within the lens of counter-terror. Due to the emotive and morally loaded nature of *security*, subjects which have become securitised in this way receive disproportionate amounts of attention and resources in comparison to issues that pose an equal or even greater threat to the safety and wellbeing of society. For example, terrorism committed by Muslims affects far fewer people than the numbers killed by car accidents, heart disease, breast cancer, smoking, or alcohol. Indeed, studies in the US have shown that you are more likely to be killed by brain-eating parasites, texting whilst driving, toddlers, lightning, furniture, falling out of bed, alcoholism, food poisoning, choking on food, prescription medication, a financial crash, obesity, medical errors, or autoerotic asphyxiation than by Muslim terrorists.¹⁹ However, these issues are not seen within the same moral framework as issues of security and, therefore, are not accompanied by the same emotive character.

While security threats are a real and crucial concern, the attention given to the dangers presented by Muslims in the Western context, particularly the attention afforded by the media, far outweighs that of any of the aforementioned issues. A disproportionate level of media coverage affects the average member of the public's perception of levels of importance. Thus, they become unable to accurately weigh relative risks, and therefore create cognitive distortions and overinflate the threats posed by Muslims compared to other threats.

Once a subject has been securitised within public, political, and media discourses, it becomes necessary for policies to be created to mitigate the security risk they are perceived to pose. In the UK landscape, this has led to a series of questionable counter-terror legislation, including

¹⁹ "You're 55 Times More Likely to be Killed by a Police Officer than a Terrorist," Washington's Blog, accessed April 12, 2017, <http://www.washingtonsblog.com/2015/03/youre-55-times-likely-killed-police-officer-terrorist.html>.

the Terrorism Act 2006, the Counter-Terrorism and Security Act 2015, and the Counter-Terrorism and Border Security Act 2019.

However, securitised rhetoric is not limited to counter-terror strategies, it also infiltrates a wide range of public policies and strategies. The Government's approach to integration and community cohesion is but one example of this. Indeed, the Ministry of Housing, Communities, and Local Government's "Integrated Communities Strategy Green Paper; Building Stronger, More United Communities" is littered with references and allusions reminiscent of counter-terror strategies. Meanwhile, the Home Office's counter-terror strategy "CONTEST: The United Kingdom's Strategy for Countering Terrorism" (which was released in 2018 and culminated in the Counter-Terrorism and Border Security Act 2019) explicitly mentioned the Integrated Communities Strategy Green Paper in outlining its strategy. It is imperative that strategies of community integration and of counter-terror do not overlap, as this can only result in the further securitisation of an already problematic tripartite relationship between government, society, and minorities. Certainly, the problematic infiltration of security priorities within social strategies can only result in Machiavellian policies that severely constrict the civil liberties and civic engagement opportunities upon which our democracy is founded.

The Terminology of Security

It is important to clarify certain terminologies used within security discourses. Much of the terminology used has the potential to become politicised or applied incorrectly thus disadvantaging, victimising, or stigmatising individuals if it is not used in a critical and reflexive manner.

"Extremism" and "Fundamental British Values"

Turning to dictionary definitions, extremism means "the quality or state of being extreme" or "advocacy of extreme measures or views". In the context of the current discussion, the term largely refers to an ideological stance that is deemed outside of the currently accepted mainstream attitudes of society.

However, as we are increasingly witnessing in political discourse, it is often applied to anyone who is deemed outside of the accepted attitudes of the speaker. A case in point is political discussions surrounding Brexit. Throughout Brexit discourse, accusations of extremism have been directed at both sides of the debate and reveal the subjectivity of the terms usage purely as a political tool that is deployed to undermine and dismiss the arguments of those who hold political beliefs that are oppositional or inconvenient for the speaker.

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Opinion

The Tories once had a radical fringe. Now it is the whole party

Aditya Chakraborty



Forget the 'natural party of government' - Brexit has left the country shackled to a bunch of just over 300 extremists

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 Thu 11 Apr 2019 06:00 BST

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Let's drop the niceties. Cut the pretence. Something is happening to the Tories, obvious even to that vast majority of the public who ignore politics. The Conservative party is becoming the natural party of extremists. It is the new home for hardliners, catastrophists and those wishing to take up permanent residence in la-la land.

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Brexiters aren't the extremists: the die-hard Remainers are

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Philip Hammond angers Brexiters by branding them 'extremists' ahead of no-confidence vote

Chancellor says Tories trying to topple the prime minister want to crash UK out of EU without a deal - relishing opportunity to 'flush' them out

Rob Merrick Deputy Political Editor | @Rob_Merrick |
 Wednesday 12 December 2018 15:36 |

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The example of the application of the term in discussions surrounding Brexit is demonstrative of the way in which extremism is a relational concept. In discussing and defining what it is to be “extreme”, one needs a focal point of measurement; the natural, centrist, mainstream, or normal position for relative comparison. As such, the labelling of activities, people, and groups as “extremist” is an inherently subjective and political matter. On a macrolevel, those who dictate who is an “extremist” are those that hold the dominant power over the public narrative. Within the current socio-political framework of our society, those who hold power over the public narrative are almost always those in control of political and media narratives. It is worth remembering that various groups and political positions have been labelled as “extremist” throughout history, including those who advocated for civil rights, women’s rights, LGBTQI+ rights, and anti-apartheid campaigners. Few would now argue that the advocating for the equal rights that such groups aspired to is in any way “extreme”.

In the same way, the term “extremism” is often applied to Muslim individuals and groups that disrupt the established hegemonic status quo. This is particularly the case when they offer uncomfortable criticisms of issues surrounding counter-terror, media regulation, and Palestine. Pro-Palestinian activists across the UK have often been the target of silencing tactics used by organisations such as Student Rights (a project of the Henry Jackson Society), which are deployed solely to close down opposing debate and exclude voices who may disrupt their neo-conservative narrative. A common phenomenon is for activists to be labelled as “extremist”. While, the smear tactics of organisations such as Student Rights and the Henry Jackson Society must be exposed as lacking in evidence and critical analysis, the fault also lies with the ill-defined usage of terms such as “extremism” that continue to be permitted to shape and inform security strategies. Certainly, the use of the language of security and PREVENT by organisations such as Student Rights in excluding Muslim voices from legitimate debates cannot be ignored within the wider context of institutional Islamophobia within the application of security strategies.

Since 2011, the Government has loosely defined extremism as: “vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas.”²⁰

Within this framework for extremism, “fundamental British values” become the benchmark against which views are measured and evaluated. The obvious problem with this is that “fundamental British values” itself remains ill-defined and open to interpretation. With no explicit guidance on what constitutes “British values”, the terminology implies that it is the Government’s prerogative to set a threshold for acceptable cultural, religious, and social values. This raises questions surrounding how one measures and identifies ideologies relative to British values, particularly considering that the concept appears to be a nebulous and elastic yardstick. Meanwhile, as an illustration, there are numerous examples of Islamophobia emerging from within the current Conservative Party, including from the Prime Minister and several cabinet ministers. It could thus be argued that due to its “lack of tolerance of different faiths and beliefs”, the current Government should perhaps be considered ‘extremist’ on the basis of its own definition.²¹

In absence of reliable guidance on which values are to be supported and which are to be deemed at odds with the views of mainstream society, this approach ultimately exposes minority communities, and Muslims specifically, to the risk of being subject to increasing

²⁰ UK, HM Government, The Prime Minister’s Task Force on Tackling Radicalisation and Extremism, *Tackling extremism in the UK* (2013).

²¹ Muslim Engagement & Development, “From ‘Letterboxes’ to ‘Ragheads’ – over 100 examples of Islamophobia in the Conservative Party, time for the EHRC to act?”, November 2019 Accessed: 9th December 2019. <https://www.mend.org.uk/wp-content/uploads/2019/12/Islamophobia-in-the-Conservative-Party-MEND.pdf>

scrutiny and marginalisation; not for potentially violent behaviour, but for not conforming to the Government's views on what should be mainstream society's values.

Radicalism and Non-Violent Extremism

Another clarification to be made is the difference between "non-violent extremism" and "radicalism". These two terms are often used interchangeably, but they should not be confused. It is tempting to define radicals as "non-violent extremists" under the banner of "extreme by goal but not by method" – "almost acceptable" extremists, as it were. However, a more accurate distinction between "extremism" and "radicalism" can be gleaned through examining the history of ideas surrounding these terms. From this point of view, extremists tend to be closed-minded supremacists and radicals tend to be open-minded egalitarians²² (certainly, civil rights campaigners, women's rights campaigners, and LGBTIQ+ rights campaigners would often far better fit into the category of "radicals" than the "extremists" that they were once accused of being).

The term "violence" is often a taken for granted category, therefore, we often assume non-violence to be simply the absence of violence. However, violence itself is by no means a clear-cut terminology. A closer look at violence reveals a multitude of nuances and meanings, especially in combination with adjectives like physical, psychological, structural, cultural, direct or indirect, criminal, political, non-lethal and lethal.²³

Non-violence in the Gandhian tradition refers to an activist and at times even militant mode of activism, based on sanctions other than the threat of violence. Such non-violence as an activist strategy goes beyond passive, peaceful resistance: it involves an array of direct individual and collective political actions, such as hunger-strikes, demonstrations, sit-ins, blockades, acts of civil disobedience and other persuasive and even coercive tactics (such as non-cooperation in the form of strikes) – but all falling short of the use of violence against persons or objects (other than one's self). Both means and ends of adherents of this political philosophy are non-violent.

Through this lens, organisations and individuals that hold ideologies that disrupt the current dominant status-quo (for example, Muslim organisations who are critical of foreign policy or security strategies), but who endeavour to practice their activism through the kinds of peaceful mobilisation for social change that is the spirit of democratic systems (such as through open letters, petitions, peaceful protest, journalism etc), are often labelled as "non-violent extremists" by state and security actors. However, this label is a misnomer and frequently applied incorrectly. This type of Gandhian activism is often *radical* but not *extreme*.

Few would argue that peaceful activism through the democratic process for egalitarian social change is a nefarious endeavour. Therefore, the term "non-violent extremism" is in need of critical examination within the language of security and is another example of how a lack of clarity in language, far from making society safer, may actually degrade our democratic foundations.

Radicalisation

One of the pivotal reasons for understanding the distinction between "radicalism" and "non-violent extremism" is a matter of identifying both what "radicalisation" is and when it becomes a security concern.

There is no universally accepted definition of radicalisation in academia nor Government. On a basic level, radicalisation may be considered to be the process by which an individual or

²² For more information, see "Radicals and Radicalism." Dictionary of American History. Accessed March 6, 2017. <http://www.encyclopedia.com/history/dictionaries-thesauruses-pictures-and-press-releases/radicals-and-radicalism>.

²³ Schmid, Alex P. *Violent and Non-Violent Extremism: Two Sides of the Same Coin*. The Hague: International Centre for Counter-Terrorism (2014)

group comes to adopt increasingly extreme (beyond the fringes of mainstream) political, social, or ideological ideals and aspirations that reject or undermine the socio-political status quo. In current usage, it is broadly understood as the process through which individuals are drawn to “extreme” ideologies.

Within discussions surrounding counter-terror, the UK Government defines radicalisation as “The process by which people come to support terrorism and violent extremism and, in some cases, then join terrorist groups.”²⁴ However, current security strategies frequently do not limit their remit to radicalisation to “violent extremism”, but also include “non-violent extremism” within the remit of radicalisation.

Moreover, the claim that non-violent extremism – including “radical” or religious ideology – is the precursor to terrorism has been widely discredited.²⁵ Even a Whitehall paper classified as entitled “Government strategy towards extremism”, states: “We do not believe that it is accurate to regard radicalisation in this country as a linear ‘conveyor belt’ moving from grievance, through radicalisation, to violence... This thesis seems to both misread the radicalisation process and to give undue weight to ideological factors.”²⁶

With the concept of a “conveyor-belt” theory to radicalisation being firmly rejected by academics and experts,²⁷ there must be care taken to, firstly, understand the connections between non-violent and violent “extremism”, and secondly, to avoid any convolution between “non-violent extremism” and “radicalism”. As previously mentioned, with peaceful social egalitarianism at the heart of radical activism, to include it within the framework of security is to obstruct legitimate political participation and debate.

Terrorism

There is no universal agreement on the definition of “terrorism”. The variation in definitions is a consequence of the politically and emotionally charged nature of the term. While various legal systems and government agencies use different definitions, governments have been reluctant to formulate an agreed upon and legally binding definition.

According to the Terrorism Act 2000, the UK Government defines terrorism as the use or threat of action where the use or threat is designed to influence the government²⁸ or to intimidate the public or a section of the public, and the use or threat is made for the purpose of advancing a political, religious or ideological cause. In order to constitute a terrorist act, an action or threat must also involve serious violence against a person; involve serious damage to property; endanger a person's life (other than that of the person committing the action); create a serious risk to the health or safety of the public or a section of the public; or be designed to seriously interfere with or disrupt an electronic system.²⁹

The former Independent Reviewer of Terrorism Legislation, David Anderson QC, has repeatedly argued that this definition of terrorism remains too broad. After David Miranda's detention at Heathrow airport in 2013, and the ensuing legal battle, Anderson concluded that without narrowing the scope of the current definition, mainstream political speech or investigative journalism could be classified as terrorism. In the David Miranda case, intelligence agencies requested the detention of Mr Miranda under the Terrorism Act, on account of the belief that he was carrying leaked documents from whistle-blower Edward

²⁴ House of Commons. “Communities and Local Government Committee, Sixth Report: Preventing Violent Extremism.” (2010).

²⁵ Open Society Justice Initiative, “Eroding Trust: The UK's PREVENT counter-extremism strategy in health and education”, *Open Society Foundations*, 2016. Accessed: 9th December 2019. https://www.justiceinitiative.org/uploads/f87bd3ad-50fb-42d0-95a8-54ba85dce818/eroding-trust-20161017_0.pdf

²⁶ Muslim Council of Britain, “The impact of PREVENT on Muslim communities”, MCB, February 2016. Accessed: 9th December 2019 <http://archive.mcb.org.uk/wp-content/uploads/2016/12/MCB-CT-Briefing2.pdf>

²⁷ Matthew Weaver, “Murdoch says Muslims must be held responsible for France terror attacks”, *The Guardian*, July 2015. Accessed: 9th December 2019. <https://www.theguardian.com/uk-news/2015/jul/20/david-cameron-anti-terror-strategy-wrong-expert-says>

²⁸ the Terrorism Act 2006 amended this to include “or an international governmental organisation”

²⁹ “Terrorism Bill,” accessed March 6, 2017, <https://www.publications.parliament.uk/pa/ld200506/ldbills/069/06069.33-39.html>

Snowden. This request was refused by the police. However, the intelligence services stated that "Disclosure [of the Snowden files], or threat of disclosure, is designed to influence a government, and is made for the purpose of promoting a political or ideological cause. This therefore falls within the definition of terrorism and as such we request that the subject is examined under Schedule 7."³⁰ The decision in the case outlined that writing (whether a blog or a book), may amount to terrorism if it is "for the purpose of advancing a political, religious, racial or ideological cause", "designed to influence the government" and "liable to endanger life or create a serious risk to health or safety."

According to Mr Anderson, the cumulative effect of this counter-terrorism legislation is problematic as it criminalises the use of speech as terrorism. Certain instances of speech may indeed be an offence under other forms of legislations, for example, disclosures and statements that may be categorized as hate speech, or admissions contravening the Official Secrets Act, or disclosures constituting espionage. However, definitions within the current terrorism legislation have the potential of marking individuals as terrorists for crimes that the Terrorism Act was never intended to cover.

As such, Mr Anderson has advised that the word "influence" in the terrorism definition should be adjusted to "intimidate or coerce or to compel", in order to mitigate such instances.

³⁰ Mike Harris, "The legal definition of terrorism threatens to criminalise us all," The Independent, July 24, 2014, <http://www.independent.co.uk/voices/comment/the-legal-definition-of-terrorism-threatens-to-criminalise-us-all-9626325.html>.

Understanding PREVENT

What is Prevent?

PREVENT is one part of CONTEST, which is the UK's overarching counter-terror strategy involving intelligence agencies and counter-terrorism policing. It is built upon four pillars:

1. **Pursue:** Stopping terrorist attacks by detecting, prosecuting and otherwise disrupting those who plot to carry out attacks against the UK or its overseas interests through intelligence gathering and surveillance.
2. **PREVENT:** Stopping people becoming terrorists or supporting terrorism by detecting those vulnerable to radicalisation.
3. **Protect:** Focusing on areas such as border security, the transport system, national infrastructure and public places in order to protect them and reduce their vulnerability to terrorist attack.
4. **Prepare:** Mitigating the impact of a terrorist attack where that attack cannot be stopped. This includes work to bring a terrorist attack to an end, and to increase resilience in order to help with effective recovery in its aftermath.

PREVENT is delivered nationwide with a particular focus on areas considered to be at greatest risk, such as Newham, Redbridge, Tower Hamlets, Birmingham, Cardiff, and Manchester.³¹ Each priority area then receives funding for a PREVENT co-ordinator, who is supported by the Home Office to develop delivery plans relating to PREVENT objectives. Work includes disrupting extremist events and speakers, removing material online, intervening to stop people being radicalised, and dissuading people from travelling to Syria and Iraq and intervening when they return.³²

What does PREVENT mean in practice?

Ultimately, PREVENT enforces a statutory duty on certain public bodies to have due regard to signs of potential radicalisation. In other words, staff within schools, universities, the police, the NHS, probation services, local authorities, councils, prisons, colleges and other public institutions have a compulsory duty to report anyone they suspect may be vulnerable to becoming radicalised. Once individuals have been identified by staff within these public bodies, they are referred to a program called CHANNEL and a support plan is created if it is deemed necessary.

Guidance is provided by the Home Office on how each body should implement the PREVENT duty. For example:

- **Local authorities** should ensure that publicly owned premises are not used to disseminate extremist views.
- **Frontline school staff** should understand PREVENT, be able to recognise vulnerability to radicalisation, and know where to go to seek further help.
- **Universities** should have policies and procedures in place for the management of events on campus and the use of all university premises.

³¹ Home Office, "Response to Freedom of Information request from M Norris", September 11, 2014, accessed 11.06.2018, https://www.london.gov.uk/sites/default/files/preventing_extremism_in_london_report.pdf

³² "Counter-Terrorism and Security Bill - Factsheet", Home Office, accessed February 01, 2018, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/540540/CTS_Bill_-_Factsheet_7_-_Prevent.pdf

- **Police** should support individuals vulnerable to radicalisation, for example through the CHANNEL programme, and support partner organisations to deliver PREVENT objectives.
- **Prisons** should offer support to individuals vulnerable to radicalisation or move them away from other individuals of concern. Those who are at risk of radicalising others should face the removal of privileges and segregation from others.³³

³³ "Counter-Terrorism and Security Bill – Factsheet"... https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/540540/CTS_Bill_-_Factsheet_7_-_Prevent.pdf

Problems with PREVENT

Current counter-terror legislation is centred upon the idea that, because the magnitude of the terrorist threat is too great to rely on traditional post-crime jurisprudence, measures and policies need to exist that pre-empt violent acts of terror and criminalise individuals who are believed to be in the process of committing such acts. This transition was one of the key consequences of the 'War on Terror', which has effectively resulted in the implementation of legislative systems that blur "the boundary between foreign and domestic and between law enforcement and military action."³⁴ However, due to the inherent difficulty in preventing and pre-empting crime, the application of pre-criminal legislation results in an often arbitrary and over-conjectural application of the law, whereby individuals perceived to belong to a community at risk are increasingly problematised and even criminalised on the basis of acts that would not be considered criminal in different circumstances.

In other words, attempts to predict crime inherently involve subjective judgements and hypotheses, ultimately culminating in issues of racial profiling and overt scrutiny on a 'suspect' community – Muslims. Within this subjective framework, it is, therefore, inevitable that innocent individuals will become suspect and caught up in the apparatus of security measures; in the case of PREVENT, this has often been primarily on the basis of religious, cultural, or ethnic identities and practices.

PREVENT has thus been heavily criticised by experts, academics, activists, and politicians across all sectors of public life. The concerns primarily centre around its lack of evidentiary basis leading to inadequate training, its discriminatory application, and its marginalising impacts upon Muslim communities. Ultimately, many have condemned the strategy as counterproductive, with the ineffectiveness of de-radicalisation programmes being illustrated by a 2018 study conducted by the Behavioural Insights Team (BIT), which found that 95% of these programmes were ineffective and counterproductive.³⁵

Lack of Evidentiary Basis

People referred to PREVENT are assessed using the Vulnerability Assessment Framework, which uses the Extreme Risk Guidance (ERG22+) as a risk assessment tool. The ERG has been criticised for its reliance upon undisclosed research conducted with a small and unrepresentative sample of convicted terrorists in prison, the conclusions of which have been problematically extrapolated as being applicable to the wider population and the evidence for which is not available for public scrutiny.³⁶ Even the original authors of the research have commented that "The current lack of demonstrated reliability and validity remains the main limitation of the ERG at this time" and stated that "The ERG is work in progress".³⁷ Despite these limitations, combined with a lack of both independent replicating studies and a credible external peer review process, such preliminary research appears to have underpinned a statutory duty upon all public sector workers to implement the PREVENT strategy in their work. This is problematic, as the Royal College of Psychiatrists has commented, "Data on evaluations of Prevent, as with any initiative requiring public services to alter their practice, must be in the public domain and subjected to peer review and scientific scrutiny. Public policy cannot be based on either no evidence or a lack of transparency about evidence."³⁸

³⁴ Jude McCulloch and Dean Wilson, *Pre-crime: Pre-emption, Precaution and the Future*, (London, New York: Routledge, 2016), p. 631.

³⁵ "Most programmes to stop radicalisation are failing", *The Times*, June 6, 2018, accessed 11.06.2018, <https://www.thetimes.co.uk/article/most-programmes-to-stop-radicalisation-are-failing-0bwh9pbtd>

³⁶ "The 'science' of pre-crime: The secret 'radicalisation' study underpinning PREVENT", *Cage UK*, September 2016. Accessed: 16th October 2019. <https://www.cage.ngo/the-science-of-pre-crime>

³⁷ Lloyd, M., & Dean, C. (2015). The development of structured guidelines for assessing risk in extremist offenders. *Journal of Threat Assessment and Management*, 2(1), 40.

³⁸ "Counter-terrorism and psychiatry", Position Statement PS04/16, *Royal College of Psychiatrists*, August 2016. Accessed: 16th October 2019. https://www.rcpsych.ac.uk/pdf/PS04_16.pdf

Heavy Focus on Ideology

PREVENT's heavy focus on ideology, particularly in its application, often obscures due consideration of other factors, such as mental health issues, foreign policy, individual isolation, unemployment, socio-economic deprivation or a whole host of other factors. However, experts and academics agree that such factors are pivotal in an individual potentially becoming drawn to political violence.³⁹ The MI5's own Behavioural Science Unit's analysis of several hundred terrorists showed they "had taken strikingly different journeys to violent extremist activity" and that few had followed "a typical pathway to violent extremism".⁴⁰ Additionally, the role of the UK Government's foreign policies as a motivating factor in politically motivated violence has been postulated by many respected academics, politicians, and former civil servants, perhaps most notably by Eliza Manningham-Buller, Head of MI5 from 2002 -2007, who in her evidence to the Chilcot Inquiry stated that the Iraq war was a significant factor in increasing the terrorist threat facing the UK.⁴¹

Lack of Viable Definitions

As previously discussed, there are currently no clear working definitions of "extremism", "non-violent extremism", "British Values", nor "radicalisation". With hundreds of thousands of staff having already been trained through the Workshop to Raise Awareness of Prevent (WRAP-training), these practitioners are attempting to identify "radicalisation" in order to tackle "extremism" without appropriate guidance as to what it is that they are identifying. This lack of definitions leaves public sector workers in a position to determine risk based on personal understandings, stereotypes, and bias. Consequently, a lack of objective understanding causes confusion in PREVENT's application and has been strategically used to exclude Muslim voices and events through the use of ill-defined and liberally applied labels. As one example, this is a problem that often arises in the context of universities and particularly affects Islamic and Palestinian societies. It is often the case that events may be cancelled due to accusations of "extremism" emanating from right-wing groups such as Student Rights. These accusations are often lacking in substance, but the emotional weight held by the term "extremism" is sufficient to deter universities or other venues from allowing events that find themselves in this situation.

Inadequate Training

PREVENT trained public sector workers may often receive only 45-60mins of online training to identify signs of radicalisation. Equally worrying is the fact that there appears to be no formative examination nor on-going assessment for those who have been through PREVENT training. Indeed, this lack of effective training was highlighted by the Home Affairs Committee who noted: "We are concerned about a lack of sufficient and appropriate training in an area that is complex and unfamiliar to many education and other professionals, compounded by a lack of clarity about what is required of them."⁴²

The lack of an evidentiary basis combined with inadequate training and a lack of definitions has led to a situation where every day normative practices of the Islamic faith (for example, wearing the hijab or going on Hajj), cultural practices (watching an Arabic news channel),⁴³ or taking an interest in politics (criticising foreign policy) can be seen as a sign of being drawn

³⁹ Nicolas Campelo, et al., "Joining the Islamic State from France between 2014 and 2016: an observational follow-up study", *Nature*, 2018. Accessed: 16th October 2019. <https://www.nature.com/articles/s41599-018-0191-8>.

⁴⁰ Muslim Council of Britain, "The impact of PREVENT on Muslim communities", MCB, February 2016. Accessed: 9th December 2019 <http://archive.mcb.org.uk/wp-content/uploads/2016/12/MCB-CT-Briefing2.pdf>

⁴¹ Keenan, J.H. (2017) UK Foreign Policy and Intelligence in the Post-Truth Era: Radical Violent Extremism and "Blow-Back" *State Crime Journal*, Vol. 6, No. 2 (Autumn 2017), pp. 190-213

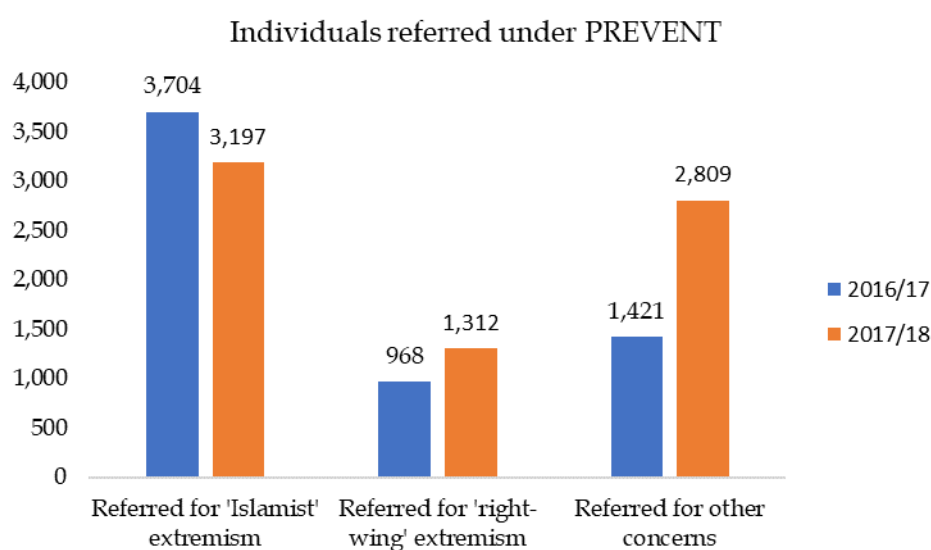
⁴² House of Commons, "Radicalisation: the counter-narrative and identifying the tipping point - Eighth report of Session 2016-17", August 25, 2016, accessed June 20, 2018, <https://publications.parliament.uk/pa/cm201617/cmselect/cmha/135/135.pdf>

⁴³ Charlotte Heath-Kelly and Erzsébet Strausz "Counter-terrorism in the NHS: EVALUATING PREVENT DUTY SAFEGUARDING IN THE NHS", accessed 29.05.2018, https://warwick.ac.uk/fac/soc/pais/research/researchcentres/irs/counterterrorismnhs/project_report_draft_60pp.pdf

to political violence. Indeed, taking PREVENT in the NHS as an example, research conducted by Warwick University has found that 70% of the respondents “were ‘likely’, or ‘very likely’” to refer someone for the “possession of Islamic/Anarchist philosophy books”. This is important as the PREVENT training programme does not indicate this as a factor indicative of radicalisation, but it is reflective of the structurally Islamophobic nature of the current PREVENT strategy, particularly with regards to its application. The authors of the research, in line with the overarching concerns surrounding the PREVENT duty, conclude that “respondents are drawing their attitude from popular culture rather than official training or academic research”.⁴⁴

Unacceptable Levels of ‘False Positive’ Referrals

The lack of an evidentiary basis combined with poor training has led to a situation wherein everyday normative practices of the Islamic faith (for example, wearing the hijab) or taking an interest in politics (criticising foreign policy) have been considered to be a sign of radicalisation by those with responsibility of implementing the strategy. There have been numerous cases where individuals have been referred to PREVENT who did not pose a risk of being drawn to political violence. In 2016/17, of the 6,093 individuals referred, 3,704 (61%) were referred for concerns related to "Islamist extremism", and 968 (16%) were referred for concerns related to "right-wing extremism".⁴⁵ In 2017/18, of the 7,318 individuals referred, 3,197 (44%) were referred for concerns related to "Islamist extremism", and 1,312 (18%) were referred for concerns related to "right-wing extremism".⁴⁶



However, in 2016/17 only 5% of those referred went on to receive CHANNEL support for de-radicalisation, with just over 5% receiving CHANNEL support in 2017/18.⁴⁷ There is a paucity of research on the effects of false referrals on these individuals, but it is likely that the stigmatising effects of being flagged as a "security risk" will be adverse and affect individuals from a psychological, social, educational, and employment perspective.

Recent revelations of the National Police PREVENT Case Management (PCM) database serves to compound such concerns. According to Freedom of Information (FOI) requests submitted by the civil rights group, Liberty, all PREVENT referrals are added to the PCM

⁴⁴ Ibid

⁴⁵ Assets.publishing.service.gov.uk. (2018). Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/694002/individuals-referred-supported-prevent-programme-apr2016-mar2017.pdf accessed 17 Jun. 2019.

⁴⁶ "Individuals referred to and supported through the Prevent Programme, April 2017 to March 2018", Home Office, Statistical Bulletin 06/18, December 13, 2018, accessed 05.09.2019, <https://homeofficemedia.blog.gov.uk/2018/12/13/factsheet-prevent-and-channel-statistics-2017-2018/>

⁴⁷ Ibid

database by individual police forces, including personal details and reasons for the referral, but the person is not notified.⁴⁸ Other agencies are then able to request information held on the database. Considering the established inadequacy of training and definitions embedded within the PREVENT strategy and the high levels of unwarranted referrals, it is inevitable that individuals run the risk of being added to this database unnecessarily. At the same time, the lack of transparency and lack of accountability is an issue that must be recognised and investigated by any genuinely holistic independent review.

Targeting Muslims as a Suspect Community

Data shows that a British Muslim is 41 times more likely than a non-Muslim to be referred to CHANNEL programme under PREVENT, despite representing less than 5% of the population.⁴⁹ It is, therefore, unsurprising that numerous critics have condemned the PREVENT strategy as being inherently discriminatory. Regarding PREVENT in the NHS, a senior NHS whistleblower revealed that “I have never, ever had a concern raised to me about a white, non-Muslim or far-right person,” and further added that; “Concerns have only ever been raised about Muslims. This is a shockingly bad and damaging piece of legislation and in my view it has no place in an advanced democratic country.”⁵⁰

Moreover, considering the duty placed upon teachers and school support staff, the classroom environment is predicated upon trust. However, the PREVENT duty has led to many Muslims feeling that they are being spied upon.⁵¹ Aside from the obvious damage that a lack of trust in one’s teacher has upon a student’s ability to learn, if students do not feel that they can ask questions to their teachers, there is a danger that they may resort to finding answers online, where a wide range of false information can be found. Furthermore, the pre-criminal space that is created by PREVENT and its stigmatising impacts for Muslim students has the potential to damage their self-confidence and their confidence in societal structures and institutions, thereby limiting their life chances and opportunities to develop socially, economically, civically, and politically.

Beyond issues of equality and social justice, such a discriminatory application may also prove to be counterproductive. Indeed, MI5 has concluded that “experiences of inequality, marginalisation, or victimisation, particularly racial or religious attacks, both physical and verbal” play a direct role in the radicalisation of individuals.⁵² Likewise, Andy Burnham has described the PREVENT strategy as contributing to “creating a feeling in the Muslim community that it is being spied upon and unfairly targeted. It is building a climate of mutual suspicion and distrust. Far from tackling extremism, it risks creating the very conditions for it to flourish”.⁵³

Conflicts with Safeguarding

Ordinarily within safeguarding, it is the welfare of the individual person in question that is of concern because you’re trying to protect that person; whereas, with PREVENT, you’re protecting the state from that person. Thus, PREVENT being embedded within safeguarding creates grey areas and confusion in how to approach safeguarding needs. As an example of PREVENT’s application within education, the obligation stipulated by article 3(1) of the

⁴⁸ Jamie Grierson, “Counter-Terror Police Running Secret Prevent Database,” *The Guardian*, October 6, 2019, <https://www.theguardian.com/uk-news/2019/oct/06/counter-terror-police-are-running-secret-prevent-database>.

⁴⁹ Individuals referred to and supported through the Prevent Programme, April 2015 to March 2016”, *Home Office*, November 9, 2017, accessed 05.09.2019 <https://www.gov.uk/government/statistics/individuals-referred-to-and-supported-through-the-prevent-programme-april-2015-to-march-2016#history>.

⁵⁰ Diane Taylor, “Hospice Staff ‘trained to Report Dying Patients as Part of Terror Strategy’,” *The Guardian*, June 11, 2018, accessed June 20, 2018, <https://www.theguardian.com/uk-news/2018/jun/11/nhs-staff-trained-to-signs-of-radicalisation-in-terminally-ill-says-whistleblower>.

⁵¹ Liberty, “Liberty’s response to the Home Office consultation on the PREVENT strand of the UK counter-terrorism strategy”, December 2010. Accessed: 9th December 2019 <https://www.libertyhumanrights.org.uk/sites/default/files/response-to-home-office-consultation-on-prevent-january-2011.pdf>

⁵² “The making of an extremist”, *The Guardian*, August 20, 2008, accessed 30.11.2017, <https://www.theguardian.com/uk/2008/aug/20/uksecurity.terrorism>

⁵³ “Andy Burnham calls for ‘toxic’ Prevent strategy to be scrapped”, *The Guardian*, June 9, 2016, accessed 01.02.2018, <https://www.theguardian.com/politics/2016/jun/09/andy-burnham-calls-for-toxic-prevent-strategy-to-be-scrapped>

Convention on the Rights of the Child (CRC) emphasises placing the best interests of the child as the primary consideration in all actions relating to children. However, the CHANNEL duty guidance does not specify this as a mandatory or even provide a passing consideration. In a report by Rights Watch UK, there is ample evidence of cases relating to children where the best interests and welfare of the child were overlooked.⁵⁴

In one case, Rights Watch UK interviewed the mother of an 8-year-old boy in East London referred to social services, apparently pursuant to the school's understanding of its PREVENT duty. The boy wore a T-shirt he wore to school which bore the words 'I want to be like Abu Bakr al-Siddique' (a reference to the major Islamic figure Abu Bakr, the first Caliph of the faith according to Sunni tradition). The mother of the child was subsequently contacted by local social services in February 2016 to discuss the incident. It transpired that the young boy was interviewed without his parents due to an assumption that the name Abu Bakr al Siddique was in reference to the leader of Daesh at the time, Abu Bakr al Baghdadi. The boy was questioned on his knowledge of Daesh which the child revealed he knew nothing about. The mother raised concerns that social services had recorded a form of caution against her son, but she was uncertain as to the status of the caution and the potential future effects on her son.⁵⁵

"The effect of the questioning on this child was predictable: his mother reports that her formerly confident son has become increasingly reserved and reluctant to speak up at school. That the boy's school and subsequently social services subjected him to separation and questioning as a direct result of things he had apparently expressed by words and clothing comprises a prima facie restriction on his right to freedom of expression, contrary to Article 10 ECHR, Article 19 of the ICCPR, and Article 13 of the CRC. More significant than the discrete reaction to the specific incidents, however, it is clear that the child now feels impeded in expressing himself at school: this is the paradigmatic 'chilling effect' on future expression, stymying the child's opportunity to share and receive information."⁵⁶

Rights Watch thus concluded that "it appears that the approach taken to this child violated both the substantive and the procedural aspects of the CRC best interests rule, as well as the specific requirement under Article 12 of the CRC that children be given the opportunity to express their views in relation to every decision which affects them."

The confusion that PREVENT creates in terms of safeguarding duties can detrimentally impact vulnerable people whom may incorrectly be swept up into the apparatus of PREVENT under the guise of safeguarding concerns, or alternatively may avoid bringing genuine safeguarding concerns to the attention of those who are in place to intervene, for fear that they may subsequently be referred to PREVENT. As noted by Alex Kenny, a national executive member of the National Union of Teachers (now the NEU) and chair of its education and equalities committee, "that's got to be worrying if a child can't speak to teachers – they will look somewhere else to have those discussions".⁵⁷

Meanwhile, in one example from a school in East London, students who had grown concerned about a fellow student isolating himself, playing "Call of Duty", and viewing Daesh

⁵⁴ Rights Watch (UK), "Preventing Education: Human Rights and UK Counter-Terrorism Policy in Schools." July 2016. Accessed: 9th December 2019 <http://rwuk.org/wp-content/uploads/2016/07/preventing-education-final-to-print-3.compressed-1.pdf>.

⁵⁵ Although the mother was informed that the situation did not fall directly under the scope of PREVENT, operational staff acted under PREVENT strategy guidelines. Regardless of whether or not the referral by the school was formally dealt with through the CPP and CHANNEL panel apparatus, the impacts of a process of subjecting a child to questioning without parental support and upon baseless grounds must be understood.

⁵⁶ Rights Watch (UK), "Preventing Education: Human Rights and UK Counter-Terrorism Policy in Schools." July 2016. Accessed: 9th December 2019 <http://rwuk.org/wp-content/uploads/2016/07/preventing-education-final-to-print-3.compressed-1.pdf>.

⁵⁷ Open Society Justice Initiative, "Eroding Trust: The UK's PREVENT counter-extremism strategy in health and education", *Open Society Foundations*, 2016. Accessed: 9th December 2019. https://www.justiceinitiative.org/uploads/f87bd3ad-50fb-42d0-95a8-54ba85dce818/eroding-trust-20161017_0.pdf

propaganda online, were hesitant to talk to any teachers due to fears that the teachers would report their friend under the PREVENT duty.⁵⁸

Research has also shown that less than half of NHS staff agree that PREVENT is a genuine safeguarding procedure, with safeguarding professionals alerting researchers of the significant differences between PREVENT safeguarding and established safeguarding practice.⁵⁹ Furthermore, regarding PREVENT in the NHS, there is little transparency, and there is no audit nor clinical governance. NHS Consultant Psychiatrist, and Registrar of the Royal College of Psychiatrists, Dr Adrian James, was quoted as saying “As a psychiatrist, the care, treatment and safety of my patients is at the centre of what I do. As well as having a duty to safeguard our patients, I also have a duty to safeguard the public – just like any other doctor. But I’m really unsure about whether the use of Prevent really can be considered safeguarding”.⁶⁰

An NHS whistleblower similarly condemned the use of PREVENT in the NHS, accusing the Home Office of hijacking the term “safeguarding” and redefining it in the context of PREVENT. Safeguarding duties only apply to adults deemed vulnerable, with care and support needs, who are experiencing, or are at risk of, abuse or neglect and are unable to protect themselves against such treatment. The whistleblower stated that, “Local authorities will dismiss a safeguarding concern if the individual does not meet those criteria...What is happening here is ‘thought police’; concerns are usually raised about people who have made comments about ongoing politics such as overseas wars.”⁶¹

As concluded by the civil rights campaigners, Liberty, “while everyone in society has moral and ethical obligations to report suspected criminality, requiring teachers and others in sensitive positions of trust to report those with dissenting views risks undermining professional obligations of confidentiality, sewing mistrust and pushing those with grievances further underground.”⁶²

PREVENT in Schools

Since the largest proportion of referrals to PREVENT emerge from the education sector (32% of all referrals in 2016/17⁶³ and 33% of all referrals in 2017/18),⁶⁴ the impact of PREVENT on the learning and development of young people is of primary concern.

Muslim pupils frequently encounter worrying levels of religiously and racially motivated bullying. This is often particularly acute following episodes of violence and incidents such as the attack on Manchester Arena in May 2017. Childline has reported that it held over 2,500 counselling sessions for children concerned about race and faith-based bullying over the past three years. However, they noted a sharp increase in calls following attacks in London and Manchester in 2017. Children as young as nine reported being called terrorists and enduring abuse and threats of violence. Meanwhile, the charity also noted that girls who wear the hijab had frequently been victimised for their religious dress, with some expressing a desire to self-

⁵⁸ Ibid

⁵⁹ Charlotte Heath-Kelly and Erzsébet Strausz “Counter-terrorism in the NHS: EVALUATING PREVENT DUTY SAFEGUARDING IN THE NHS”, accessed 29.05.2018, https://warwick.ac.uk/fac/soc/pais/research/researchcentres/irs/counterterrorisminthens/project_report_draft_60pp.pdf

⁶⁰ Ibid

⁶¹ Adrian James, “I’m a Doctor, Not a Counter-Terrorism Operative. Let Me Do My Job | Adrian James,” The Guardian (Guardian News and Media, March 21, 2018), <https://www.theguardian.com/commentisfree/2018/mar/21/doctor-counter-terrorism-mental-health-patients-radicalisation-prevent>

⁶² Ibid.

⁶³ Libertyhumanrights.org.uk. (2018). Available at: <https://www.libertyhumanrights.org.uk/sites/default/files/Liberty%27s%20Second%20Reading%20Briefing%20on%20the%20Counter-Terrorism%20Bill%20FINAL.pdf> accessed 17 Jun. 2019.

⁶⁴ “Individuals referred to and supported through the Prevent Programme, April 2016 to March 2017”, Home Office, Statistical Bulletin 06/18, March 27, 2018, accessed 11.06.2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/694002/individuals-referred-supported-prevent-programme-apr2016-mar2017.pdf

⁶⁴ “Individuals referred to and supported through the Prevent Programme, April 2017 to March 2018”, Home Office, Statistical Bulletin 06/18, December 13, 2018, accessed 05.09.2019, <https://homeofficemediablog.gov.uk/2018/12/13/factsheet-prevent-and-channel-statistics-2017-2018/>

harm as a result of the cruel treatment they had received.⁶⁵ Schools should not be required to enact policies that serve to securitise and stigmatise students further. Counter-terror strategies infiltrating the school environment and the pre-criminal space created by PREVENT can only result in exacerbating this situation.

The concerns surrounding PREVENT have a high potential to severely impact the way in which children perceive and interact with their education; whether that be through asking questions and participating in debates, engaging in extra-curricular activities and responsibilities, involving themselves in activism and critical thinking, having the confidence to engage in public speaking, or having the motivation to achieve their potential. If the aim of schools is to enable children to become well-adjusted citizens who are confident in their social and civic identities and empowered to access opportunities for the benefit of themselves, their families, their communities, and society as a whole, the PREVENT duty is a considerable obstacle to this aim and to the life chances of children across the country.

PREVENT in the NHS

It appears that the UK is currently the only country in the world which has incorporated counter-terrorism safeguarding inside its health service.⁶⁶ The pressures of PREVENT put undue strains on the duty of care that the NHS has to its patients, particularly in terms of safeguarding. Research conducted by the University of Warwick noted that there is “evidence to suggest that the mentally ill are being inappropriately stigmatised as terrorism risks”.⁶⁷ This revelation has been further compounded by the use of PREVENT to monitor terminally ill people and dementia patients in hospices and palliative care units.⁶⁸ The majority of NHS staff (52%) do not think PREVENT belongs in healthcare.⁶⁹ Criticising PREVENT’s operation in the NHS, a whistleblower stated that “Patients who don’t trust their doctor or nurse may not seek advice from them, which could be potentially life threatening. Prevent moves people’s focus away from care, treatment and support into areas that are police business: counter-terrorism and surveillance... This is a system that is designed and run by the Home Office, which oversees it and to which organisations are accountable. My belief is that the Home Office has no place being involved in day-to-day NHS work, or indeed education. In essence, this is ‘soft’ surveillance.”⁷⁰

PREVENT in Relation to Human Rights and Civil Liberties

Particularly considering the lack of evidentiary basis, lack of definitions, and inadequate training, there is a serious potential for unintentional abuses of human rights and civil liberties as a result of PREVENT’s application. The following analysis of articles embodied by the Human Rights Act, the European Convention on Human Rights (ECHR), and the Equalities Act provides a brief (but by no means exhaustive) examination of potential conflicts with the human rights protected under UK legislation.

⁶⁵ Ibid.

⁶⁶ Taylor, Diane. 2018. "Report Finds Some NHS Mental Health Trusts Screen All Patients For Radicalisation". *The Guardian*. <https://www.theguardian.com/uk-news/2018/mar/19/report-finds-some-nhs-mental-health-trusts-screening-all-patients-for-radicalisation-prevent>.

⁶⁷ Charlotte Heath-Kelly and Erzsébet Strausz “Counter-terrorism in the NHS: EVALUATING PREVENT DUTY SAFEGUARDING IN THE NHS”, accessed 29.05.2018, https://warwick.ac.uk/fac/soc/pais/research/researchcentres/irs/counterterrorismminthenhs/project_report_draft_60pp.pdf

⁶⁸ Diane Taylor, “Hospice staff ‘trained to report dying patients as part of terror strategy’”, *The Guardian*, June 2018. Accessed: 9th December 2019 <https://www.theguardian.com/uk-news/2018/jun/11/nhs-staff-trained-to-signs-of-radicalisation-in-terminally-ill-says-whistleblower>

⁶⁹ Charlotte Heath-Kelly and Erzsébet Strausz “Counter-terrorism in the NHS: EVALUATING PREVENT DUTY SAFEGUARDING IN THE NHS”, accessed 29.05.2018, https://warwick.ac.uk/fac/soc/pais/research/researchcentres/irs/counterterrorismminthenhs/project_report_draft_60pp.pdf

⁷⁰ “Hospice staff ‘trained to report dying patients as part of terror strategy’”

Article 9 of the Human Rights Act and the ECHR: Freedom of Thought, Belief and Religion

"The right to put your thoughts and beliefs into action. This could include your right to wear religious clothing, the right to talk about your beliefs or take part in religious worship."

A study conducted by Warwick University into the application of PREVENT within the NHS revealed numerous misguided referrals to PREVENT that had been made purely on a conjectural basis due to perceived religious practice. One referral involved "an Asian man" who was considered a risk because he was planning a "future trip to Saudi Arabia", which was interpreted by a healthcare worker as a cause for concern. In truth, the "Asian man" was planning a Hajj trip to the holy city of Mecca, a pillar of Islam which all capable Muslims are expected to complete at least once during their lifetime.⁷¹ It is in countless cases such as this that the confusion caused by the lack of evidentiary basis, lack of definitions, and inadequate training is made clear. As a result of these failings, PREVENT practitioners must rely on personal understandings to identify "extremism". This lack of knowledge can only lead to referrals based on the misinterpretation of normative religious practices that are protected under the freedom of thought, belief and religion.

Articles 10 and 11 of the Human Rights Act and the ECHR: Freedom of Expression and Freedom of Association

"The right to hold your own opinions and to express them freely without government interference. This includes the right to express your views aloud" and "the right to form and be part of a trade union, a political party or any another association or voluntary group."

As stated by Maina Kiai, UN Special Rapporteur on the rights to freedom of assembly and association, PREVENT has "created unease and uncertainty around what can be legitimately discussed in public".⁷² He goes on to argue that "the spectre of Big Brother is so large, in fact, that I was informed that some families are afraid of discussing the negative effects of terrorism in their own homes, fearing their children would talk about it at school and have their intentions misconstrued."⁷³

The use of PREVENT in educative settings has particularly damaging consequences for freedom of expression and for Muslim student's abilities to meaningfully engage within political discussions, organisations, and causes. In 2017, the National Union of Students (NUS) launched a report into the experience of Muslim students in British universities.⁷⁴ The report concluded that "Prevent is a key issue for respondents' ability to engage meaningfully with the structures of their institutions, unions and NUS, in particular around democratic engagement. It is particularly notable that being affected by Prevent has a negative impact on respondents' engagement with political debates. This negative impact persists whether or not respondents articulated that fear around Prevent was the cause. This correlation demonstrates the chilling effect of Prevent".⁷⁵

The freedom to express ideas and explore arguments is integral to university missions to be centres of critical debate and learning. Indeed, universities' duties in this respect are reflected in the Education Act 1986,⁷⁶ the Education Reform Act 1988,⁷⁷ the Human Rights Act

⁷¹ Charlotte Heath-Kelly and Erzsébet Strausz "Counter-terrorism in the NHS EVALUATING PREVENT DUTY SAFEGUARDING IN THE NHS", Warwick University, p. 26, accessed 11.06.2018, https://warwick.ac.uk/fac/soc/pais/research/researchcentres/irs/counterterrorismnhs/project_report_draft_60pp.pdf

⁷² Damien Gayle. "Prevent strategy 'could end up promoting extremism'" The Guardian. April 21, 2016. Accessed March 17, 2017. <https://www.theguardian.com/politics/2016/apr/21/government-prevent-strategy-promoting-extremism-maina-kiai>

⁷³ Ibid.

⁷⁴ "The experience of Muslim students in 2017-18", NUS, accessed 29.05.2018, https://nusdigital.s3-eu-west-1.amazonaws.com/document/documents/41267/29d43267ae2f2f0906450a27487fcd36/The_Experience_of_Muslim_Students_in_2017-18.pdf?AWSAccessKeyId=AKIAJKEA56ZWKFU6MFHNQ&Expires=1527604654&Signature=5loqW0HKbDTFvtkICeSaU85FjpA%3D

⁷⁵ Ibid.

⁷⁶ "Education Act 1986", available at <http://www.legislation.gov.uk/ukpga/1986/40>

⁷⁷ "Education Reform Act 1988", available at <http://www.legislation.gov.uk/ukpga/1988/40/contents>

1998,⁷⁸ and the Equality Act 2010.⁷⁹ However, the PREVENT duty undermines these principles as speakers and topics of discussion become regulated. Moreover, Muslim students have reported a reluctance to engage with certain discussions due to a fear they will be referred to PREVENT. According to the NUS report, one-third of surveyed students reported being negatively affected by PREVENT. This included having been referred to authorities under the scheme, having organised events that were cancelled or significantly changed because of it (30% of those affected) or having disengaged from political debate specifically due to concerns around being reported under PREVENT.⁸⁰ Furthermore, according to the findings, 43% of those who reported being affected by PREVENT felt unable to express their views or be themselves and 30% did not feel comfortable attending NUS events.

Likewise, Alex Kenny of the NUT (now the NEU) noted that “The government say to us that they want schools to be places where debate happens”, but “the reality is that by imposing this as a separate duty on schools, by making Prevent a specific thing around terrorism and extremism, it’s leading to a situation where that debate is being stifled”.⁸¹

Article 2 of the First Protocol of the Human Rights Act and the ECHR: Right to Education
“Parents also have a right to ensure that their religious and philosophical beliefs are respected during their children’s education.”

As previously mentioned with regards to the overwhelming focus on ideology and structural failures embedded in PREVENT’s application and delivery, the statutory duty that PREVENT places on schools has led to Muslim parents feeling prohibited from ensuring that their child’s religious and philosophical beliefs are respected, for fear that if their child were to overtly manifest their beliefs they would become at risk from referral to PREVENT and subsequent stigmatisation. It is also a barrier to parents raising concerns with schools and governing bodies, particularly relating to their child’s religious upbringing, in case these concerns may be incorrectly perceived as a matter of “extremist” influences.

The Equality Act

The Equality Act 2010 prohibits any form of direct or indirect discrimination, harassment, or victimisation on the basis of protected characteristics (of which both religion and ethnicity are included). However, the aforementioned discriminatory manner in which PREVENT is applied due to inadequate training, can only be considered to be in conflict with this duty. Indeed, with staff of public bodies actively problematising expressions of religious and cultural identities (whether this is in line with the actual guidance provided or not), it would be difficult to justify how this would not contradict prohibitions against direct and indirect discrimination, as well as what may be considered harassment in some cases.

⁷⁸ “Human Rights Act 1998”, available at <http://www.legislation.gov.uk/ukpga/1998/42>

⁷⁹ “Equality Act 2010”, available at <http://www.legislation.gov.uk/ukpga/2010/15/contents>

⁸⁰ “The experience of Muslim students in 2017-18”, NUS, accessed 29.05.2018, https://nusdigital.s3-eu-west-1.amazonaws.com/document/documents/41267/29d43267ae2f2f0906450a27487fcd36/The_Experience_of_Muslim_Students_in_2017-18.pdf?AWSAccessKeyId=AKIAJKEA56ZWKU6MFHNQ&Expires=1527604654&Signature=5loqW0fHKbDTfvtkjCeSaU85FjpA%3D

⁸¹ Open Society Justice Initiative, “Eroding Trust: The UK’s PREVENT counter-extremism strategy in health and education”, Open Society Foundations, 2016. Accessed: 9th December 2019. https://www.justiceinitiative.org/uploads/f87bd3ad-50fb-42d0-95a8-54ba85dce818/eroding-trust-20161017_0.pdf

PREVENT Case Studies

Prevent Watch⁸² and Rights Watch UK⁸³ have detailed a number of cases where PREVENT has been used to identify and question students outside of standard protocols and in unwarranted circumstances.

Staffordshire Textbook case – March 2015⁸⁴

Mohammed Umar Farooq was a 33-year-old postgraduate student enrolled on the Terrorism, Crime and Global Security Master's program at Staffordshire University.⁸⁵ On 23 March 2015, he was approached by two female staff while in the library (Farooq initially assumed these staff members to be fellow students). According to Farooq, he was questioned about attitudes to homosexuality, ISIS, and al-Qaida. He said his replies were "largely academic but he stressed his personal opposition to extremist views". The tense conversation ended, and after a short while, a security guard approached Farooq, confirming that he had received a complaint from staff members. The staff told the security guard that "there is a man, who is Asian and with a beard, who is not a student and is reading a book on terrorism". The staff went further to say, "check him out", as she suspected he is a "radical terrorist". The security guard approached and recognised Farooq and did not take any further action.

Farooq filed an internal complaint for discrimination; he asked why the staff had chosen to question him, the only Muslim with a beard, holding books on terrorism. The teachers refused to answer any of the questions.

In response to the complaint, the Academic Registrar and Director of Student Experience responded by acknowledging that the university has "a commitment to secure freedom of speech and to prevent people from being drawn into terrorism." They further described the PREVENT duty as "very broad, devoid of detail" and containing "insufficient detail to provide clear practical direction in an environment such as the University's."

Farooq received a letter of apology from the teacher that wrongfully questioned him. The teacher said, "I do not possess any particular knowledge or experience of terrorism and radicalisation, and I have only attended a short training session on how to identify students who might be at risk of being radicalised." She further asserted that a "combination of the content of our discussion and my lack of experience in this arena caused me to consider whether this was something that may fall within the 'Prevent agenda'."⁸⁶

The incident resulted in Farooq being so unsettled that he chose not to return to the course, stating that he had been "*looking over his shoulder*" ever since.

There are many stories like this one where the individual was not referred to a PREVENT officer and, therefore, it is not technically recorded as a PREVENT intervention. However, the strategy itself and the training of those charged with enforcing it has led to a situation where individuals like Farooq are at risk of stigmatisation.

The Eco-Warrior (May 2015)

A Muslim pupil was investigated by PREVENT officers for discussing deforestation campaigners, eco-warriors, and their tactics during a class debate about deforestation. The entire class partook in a debate about eco-warriors, which was a topic they had researched for

⁸² "Cases," PREVENT Watch, accessed March 20, 2017, <http://www.preventwatch.org/cases/>.

⁸³ *Preventing Education? Human Rights and UK Counter-Terrorism Policy in Schools*, publication, July 2016, <http://rwuk.org/wp-content/uploads/2016/07/preventing-education-final-to-print-3.compressed-1.pdf>.

⁸⁴ "Postgraduate Student on Terrorism," Prevent Watch, October 19, 2015, <http://www.preventwatch.org/incident-postgraduate-student-on-terrorism/>.

⁸⁵ Randeep Ramesh and Josh Halliday, "Student accused of being a terrorist for reading book on terrorism," *The Guardian*, September 24, 2015, <https://www.theguardian.com/education/2015/sep/24/student-accused-being-terrorist-reading-book-terrorism>.

⁸⁶ "CAGE releases exclusive video interview with student accused of terrorism," CAGE, September 29, 2015, <https://cage.ngo/article/cage-releases-exclusive-video-interview-student-accused-terrorism/>.

the debating society at school. During the investigation, the pupil explained the context in which he used the word "eco-terrorism", but things took a turn for the worse when the PREVENT officers asked the pupil if he was affiliated with ISIS. Following the event, the young pupil became concerned that he could be separated from his family and became reluctant to participate in class debates or express his opinions.⁸⁷

Free Palestine (February 2016)

16-year old Rahmaan Mohammadi was questioned by anti-terrorism police at home for wearing a "Free Palestine" badge to school and for trying to raise money for humanitarian aid for Palestinians. Bedfordshire police visited Mohammadi's house with a folder of information about his activities at school, and after consulting with the young student and his parents, concluded there was no sign of radicalisation.⁸⁸ Mohammadi alleges that the police warned him "not to talk about Palestine in school", and that school staff approached his brother and pressured him to tell Rahmaan to "stop being radical".⁸⁹ "My education was being ruined", recalled Mohammadi some months later, "PREVENT is doing more harm than good."⁹⁰

The Cucumber Cooker Bomb (March 2016)

A four-year-old child drew a picture of his father cutting a cucumber and was referred to PREVENT by the nursery staff who, on questioning the child about what he had drawn mishear "cucumber" as "cuker-bum", thus believing the picture showed his father making a "cooker bomb". Eventually, no referral was made, but the child's mother recalled how tragic the experience was: "Initially I was so upset and distraught that I told him not to do any more drawings ... God bless him, he said: 'I won't draw anything ... I'll just draw a house, or the remote control. And I said: 'Don't draw the remote!'"⁹¹

The Optician Case (April 2018)

A 9-year-old boy had an appointment with his optician, and almost as soon as his eye examination commenced, he was asked if he had Chloe, Rebecca, Emily, Barbara and other English girls in his class. The boy felt confused by the question and said he did not have these girls in his class. The Optician then repeated the question six or seven times. The boy asked the Optician "why do you keep asking these questions?" The Optician proceeded to state that "you go to one of them schools" and that "you don't go to school with English kids do you?" The boy's father, who was present at the appointment, questioned why the Optician was asking his child such irrelevant and inappropriate questions, as they had no relevance to testing his son's eyes. The Optician appeared taken back by this and admitted that he had recently attended PREVENT training.

The boy was left traumatised by the events and was tearful on his way back home from the appointment, while his parents were shocked and appalled by the Optician's behaviour.⁹²

The School Trip Case (July 2018)

The mother of a 6-year-old boy was told that, during a school trip, her son had made comments to another child about non-Muslims and that he had allegedly learned these comments from his father. The other child then had told his parents who in turn informed the

⁸⁷ "The Eco-Warrior", *Prevent Watch*, accessed 11.06.2018, <https://www.preventwatch.org/incident-the-eco-warrior/>

⁸⁸ Prevent Strategy 'Used To Target Young Muslims', *Sky News*, March 25, 2016, accessed 18.04.2018, <https://news.sky.com/story/prevent-strategy-used-to-target-young-muslims-10217460>

⁸⁹ "Anti-terror police question schoolboy for wearing pro-Palestine badge", *The Independent*, February 14, 2016, accessed 11.06.2018, <https://www.independent.co.uk/news/uk/anti-terror-police-question-schoolboy-for-wearing-pro-palestine-badge-a6873656.html>

⁹⁰ "The problem with Prevent: 'I was investigated by the government's anti-radicalisation programme' - video", *The Guardian*, August 26, 2016, accessed 11.06.2018, <https://www.theguardian.com/uk-news/video/2016/aug/26/prevent-anti-radicalisation-muslims-london-video>

⁹¹ "Nursery 'raised fears of radicalisation over boy's cucumber drawing'", *The Guardian*, March 11, 2016, accessed 11.06.2018, <https://www.theguardian.com/uk-news/2016/mar/11/nursery-radicalisation-fears-boys-cucumber-drawing-cooker-bomb>

⁹² "The Optician", *Prevent Watch*, Accessed: 6th December 2019 <https://www.preventwatch.org/the-optician-case/>

teacher. The staff member asked the boy's mother if she knew what PREVENT was but did not proceed to explain the process any further. The boy's mother later learned that both the teacher and the family support worker had already questioned her son at school about the comments. A few days later a PREVENT officer appeared at the family home without any prior notice. The officer then contacted her in writing confirming that a referral regarding her 6-year old son had been made to Prevent and he therefore wanted to come and speak with the parents and the "referred party". During the meeting, the PREVENT officer appeared sympathetic to the mother's concerns about the referral, referring to his own Irish Catholic background. The officer said he would not have been concerned had his own child made such comments and agreed that perhaps it was possible that the child had been singled out because he was Muslim.

The entire incident was very distressing for the family. The family felt they had to battle between their concerns for the welfare of their child and his rights with not appearing uncooperative with PREVENT. They were very concerned how this would impact their 6-year-old son who had been questioned twice at school without his parents present and by a PREVENT officer about something he had learned from a TV show.⁹³

Trip to Saudi Arabia (Undated)

A recent study conducted by Warwick University over the application of the PREVENT duty in the NHS revealed misguided referrals made purely on a conjectural basis. One referral involved "an Asian man" who was considered a risk because he was planning a "future trip to Saudi Arabia", which was interpreted by a healthcare as a cause for concern. In truth, the "Asian man" was planning a Hajj trip to the holy city of Mecca, a pillar of Islam which all capable Muslims are expected to complete at least once during their lifetime.⁹⁴

Watching Arabic news (Undated)

Another referral highlighted by the Warwick University research was made when a healthcare professional considered a child watching an "Arabic televised news channel" at risk of radicalisation. On a home visit to the patient, a healthcare professional noticed a child watching TV in Arabic, as well as Arabic literature lying on the floor. The family was "reported to social care as a potential case of radicalisation".⁹⁵

⁹³ "The School Trip", *Prevent Watch*, Accessed: 6th December 2019 <https://www.preventwatch.org/the-school-trip-case/>

⁹⁴ Charlotte Heath-Kelly and Erzsébet Strausz "Counter-terrorism in the NHS EVALUATING PREVENT DUTY SAFEGUARDING IN THE NHS", *Warwick University*, p. 26, accessed 11.06.2018, https://warwick.ac.uk/fac/soc/pais/research/researchcentres/irs/counterterrorismnhs/project_report_draft_60pp.pdf

⁹⁵ *Ibid.* p. 25

A New Approach

PREVENT's heavy focus on ideology often obscures due consideration of other factors that lead to grievances with the state and subsequently act as a driver towards acts of politically motivated violence. Such factors include, but are not limited to, mental health issues, foreign policy, unemployment, discrimination, socio-economic deprivation, and a sense of political and social exclusion. Experts and academics have long agreed that such factors are pivotal in an individual potentially becoming drawn to political violence.⁹⁶ Because of its overwhelming focus on ideology, PREVENT frequently fails to adequately address these issues which have the potential to lead to disillusionment with socio-political life and can leave individuals vulnerable to damaging influences.

Therefore, for any strategy to succeed, there must be a holistic emphasis on creating a healthy social framework through which citizens can flourish. For this to occur, there must be an honest acknowledgement of state policies and responses to global forces that have led to a sense of injustice and disillusionment amongst segments of society. For example, there needs to be an understanding of how the financial crash in 2008 and resulting policies of austerity, unemployment, and the expenses scandal has led to a distrust of political “elites”, subsequently fuelling populist sentiments that have been a catalyst for divisive political discourse and far-right politically motivated violence. Likewise, the UK's foreign policy, the Government's handling of Grenfell, the Windrush Scandal, the War on Terror, and structural and institutional racisms and Islamophobia have also served to leave certain segments of society feeling excluded and unrepresented by the state.

Consequently, strategies need to be developed which focus on ensuring the social, economic, and political inclusion and empowerment of every citizen so that they feel that they are equipped to deal with any concern through engagement in the socio-political structures that are provided within a democratic process.

Strategies such as PREVENT work directly against this and only serve to further entrench institutional racisms and exacerbate grievances, whilst providing no recourse for those who may be experiencing social-political exclusions to constructively address these grievances through critical debate. It is, therefore, of paramount importance that the approaches to potential drivers of radicalisation which are embedded within the current application of the PREVENT strategy are urgently abandoned.

In a similar vein, it is essential that the current terminologies of security which have been politicised and subsequently have little or no constructive value within counter-terror vocabularies are also abandoned or reclarified in line with objective definitions that avoid the traditional subjective application of terms that only serve to exclude voices, thus working directly against efforts to provide meaningful ways to engage with the state and the democratic system.

Meanwhile, considering the impacts of social exclusion and grievances against injustices that are so often the catalysts for individuals being drawn into politically motivated violence, it is imperative that the Government develops strategies to combat Islamophobia and other forms of discrimination that may lead to such grievances. This strategy must include:

⁹⁶ Nicolas Campelo, et al., “Joining the Islamic State from France between 2014 and 2016: an observational follow-up study”, *Nature*, 2018. Accessed: 16th October 2019. <https://www.nature.com/articles/s41599-018-0191-8>.

Legislative Changes:

Press regulation: We call on policymakers to commit to the full implementation of the Royal Charter on press regulation and the commencement of the second part of the Leveson Inquiry, including an investigation into the prevalence of Islamophobia within the media.

Counter-terrorism legislation: While the agreed independent review of PREVENT is a significant development, the Government must commit to independently reviewing all counter-terrorism legislation enacted since 2000 with a view to curbing the encroachment of counter-terrorism policies on civil liberties.

Incitement to religious hatred legislation: Considering the disparities between the protections afforded for racial and religious hatred, it is essential to review the 2006 Racial and Religious Hatred Act with a view to strengthening legal protection afforded to religion and equalise it with those granted to race.

Primary legislation to deal with social media offences and online hate speech: The Government should consider primary legislation to deal with social media offences and work with social media companies to protect free speech while developing an efficient strategy to tackle online hate speech.

Government and Industry Initiatives:

Racial and religious equality: In the context of current Brexit negotiations, attention needs to be given to supporting the principles of the EU Equal Treatment Directive to advance protection against discrimination on the grounds of religion to education, healthcare, housing, access to goods and services and social protection, within UK law post-Brexit.

Employment: The barriers to Muslim economic empowerment is an area that needs to be tackled by both governmental and industry initiatives designed to address religious, racial and gendered discrimination in the workplace through targeted interventions at all stages of recruitment, retention and promotion, including through the use of name-blind applications.

Media and broadcasting: There needs to be an emphasis on promoting positive and normalised images of Muslims within media and broadcasting. It is also essential that support is given to educative and industry initiatives designed to attract Muslim and BAME individuals into the spheres of journalism and broadcasting.

Public exclusion: Public figures must show greater maturity and responsibility when discussing integration debates and take care not to cause hysteria for the sake of political popularity and agendas. Meanwhile, especially considering the unclear status of Human Rights commitments within Brexit negotiations, we must ensure that the tenants of the European Convention on Human Rights and the Human Rights Act are preserved within UK law post-Brexit.

Crime and policing: Areas in need of government support include:

- Tackling the high number of Muslim prisoners through schemes to facilitate rehabilitation, cut re-offending and develop pathways for social inclusion.
- Launching research into the underlying reasons for the disproportionately high numbers of Muslim prisoners, including issues of socio-economic deprivation and structural issues within the judicial system.
- Supporting educative and industry initiatives to attract BAME individuals into the police force.

Muslim Community Empowerment:

The Government's current disengagement policy is a clear barrier to British Muslim's participation in social and political life. It is therefore essential that the Government mends its broken relationship with Muslim communities by committing to engaging with and listening to a broader spectrum of representative Muslim grassroots organisations, such as MEND and MCB. Such organisations offer a healthy avenue through which disaffected people can be empowered to channel any grievances towards the Government and its policies into constructive political engagement to effect change.

Muslims themselves have a responsibility to ensure that they are engaging with processes of democracy to overcome the challenges they face. As such, there are a number of ways in which British Muslim communities may be empowered to play their full role as civic actors. Strategies to achieve this include:

- Supporting educative and industry initiatives designed to attract Muslims and BAME individuals into the spheres of politics, civil service, media, and broadcasting.
- Placing greater emphasis on educational programs aimed at empowering minority communities to be actively engaged within politics and media.
- Encouraging grassroots and community-led movements to overcome barriers to reporting hate crime and encourage maximum reporting of Islamophobic incidents to the police.

Wider Community Engagement:

Islamophobia, like all forms of hatred, is an issue of social justice, and therefore, it is inherent upon every member of society to contribute towards ending it. As such, there are certain areas than MEND feels should be addressed:

- Promoting greater awareness of Islam.
- Promoting greater inter-community engagement.
- Prioritising PSHE and PSRE in the national curriculum to prepare young people for life in a diverse and pluralistic society.
- Developing training programmes and resources for teachers focussed on tackling bullying based on race, religion, disability or sexuality.
- Developing teaching materials to educate young people on the dangers of Islamophobia, racism, anti-Semitism, homophobia and other forms of hatred.
- Supporting community and school-led programmes that encourage cultural exchange between pupils of different racial, religious, ethnic and other backgrounds.
- Supporting academic freedoms and initiatives to decolonise education, whilst giving greater emphasis within the national curriculum to shared histories and the contributions of minority communities in building our society.

Appendix: Evidence submitted by MEND in response to the questions of the Independent Reviewer that fall within the remit of MEND's work.

Q2: How effective do you think PREVENT is in meeting its objectives to tackle the causes of radicalisation and respond to the ideological challenge of terrorism, and why?

The very wording and implication of this question alludes to one of the fundamental flaws that underpins the PREVENT strategy. Throughout the theoretical discussion that surrounds it and frequently driving the application of the strategy is the assumption that ideology is the primary motivator for politically motivated violence. PREVENT's heavy focus on ideology often obscures due consideration of other factors, such as mental health issues, foreign policy, individual isolation, unemployment, socio-economic deprivation, or a whole host of other factors. However, experts and academics agree that such factors are pivotal in an individual potentially becoming drawn to political violence.⁹⁷

If any attempts to tackle politically motivated violence are to succeed, there must be a critical examination of the motivating forces that drive it. PREVENT's overwhelming emphasis on ideology has led to a discriminatory application that characterises Muslims as a suspect community. It is, therefore, important to note MI5's argument that "experiences of inequality, marginalisation, or victimisation, particularly racial or religious attacks, both physical and verbal" play a direct role in the radicalisation of individuals.⁹⁸ As such, the potential of PREVENT to further aggravate socio-political grievances should not be ignored. As explained by Andy Burnham, the PREVENT strategy has contributed to "creating a feeling in the Muslim community that it is being spied upon and unfairly targeted. It is building a climate of mutual suspicion and distrust. Far from tackling extremism, it risks creating the very conditions for it to flourish".⁹⁹

Moreover, when combined with inadequate training, a heavy concentration on specific ideologies and the resulting discriminatory application has led to a neglected focus on the threat of the far-right. A senior NHS whistleblower recently revealed that "I have never, ever had a concern raised to me about a white, non-Muslim or far-right person," further adding that "concerns have only ever been raised about Muslims. This is a shockingly bad and damaging piece of legislation and in my view it has no place in an advanced democratic country."¹⁰⁰

⁹⁷ Nicolas Campelo, et al., "Joining the Islamic State from France between 2014 and 2016: an observational follow-up study", *Nature*, 2018. Accessed: 16th October 2019. <https://www.nature.com/articles/s41599-018-0191-8>.

⁹⁸ "The making of an extremist", *The Guardian*, August 20, 2008, accessed 30.11.2017, <https://www.theguardian.com/uk/2008/aug/20/uksecurity.terrorism>

⁹⁹ "Andy Burnham calls for 'toxic' Prevent strategy to be scrapped", *The Guardian*, June 9, 2016, accessed 01.02.2018, <https://www.theguardian.com/politics/2016/jun/09/andy-burnham-calls-for-toxic-prevent-strategy-to-be-scrapped>

¹⁰⁰ Diane Taylor, "Hospice Staff 'trained to Report Dying Patients as Part of Terror Strategy'", *The Guardian*, June 11, 2018, accessed June 20, 2018, <https://www.theguardian.com/uk-news/2018/jun/11/nhs-staff-trained-to-signs-of-radicalisation-in-terminally-ill-says-whistleblower>.

Q3: How effective do you think PREVENT is in meeting its objectives to safeguard and support those most at risk of radicalisation through early intervention, identifying them and offering support, and why?

The lack of an evidentiary basis combined with poor training has led to a situation wherein everyday normative practices of the Islamic faith (for example, wearing the hijab) or taking an interest in politics (criticising foreign policy) have been considered to be a sign of radicalisation by those with the responsibility of implementing the strategy. There have been numerous cases where individuals have been referred to PREVENT who did not pose a risk of being drawn to political violence. In 2017/18, of the 7,318 individuals referred, 3,197 (44%) were referred for concerns related to "Islamist extremism", and 1,312 (18%) were referred for concerns related to "right-wing extremism".¹⁰¹ However, despite these thousands of referrals, only just over 5% went on to receive CHANNEL support in 2017/18, indicating a very high percentage of 'false-positive' referrals.¹⁰² There is a paucity of research on the effects of such false positive referrals on these individuals, but it is likely that the stigmatising effects of being flagged as a "security risk" will be adverse and affect individuals from a psychological, social, educational, and employment perspective.

Meanwhile, data shows that a British Muslim is 41 times more likely than a non-Muslim to be referred to CHANNEL programme under PREVENT, despite representing less than 5% of the population.¹⁰³ Such a discriminatory application may also prove to be counterproductive. Indeed, MI5 has concluded that "experiences of inequality, marginalisation, or victimisation, particularly racial or religious attacks, both physical and verbal" play a direct role in the radicalisation of individuals.¹⁰⁴ Likewise, Andy Burnham has described the PREVENT strategy as contributing to "creating a feeling in the Muslim community that it is being spied upon and unfairly targeted. It is building a climate of mutual suspicion and distrust. Far from tackling extremism, it risks creating the very conditions for it to flourish".¹⁰⁵

¹⁰¹ "Individuals referred to and supported through the Prevent Programme, April 2017 to March 2018", *Home Office*, Statistical Bulletin 06/18, December 13, 2018, accessed 05.09.2019, <https://homeofficemedia.blog.gov.uk/2018/12/13/factsheet-prevent-and-channel-statistics-2017-2018/>

¹⁰² Ibid

¹⁰³ "Individuals referred to and supported through the Prevent Programme, April 2015 to March 2016", *Home Office*, November 9, 2017, accessed 05.09.2019 <https://www.gov.uk/government/statistics/individuals-referred-to-and-supported-through-the-prevent-programme-april-2015-to-march-2016#history>

¹⁰⁴ "The making of an extremist", *The Guardian*, August 20, 2008, accessed 30.11.2017, <https://www.theguardian.com/uk/2008/aug/20/uksecurity.terrorism>

¹⁰⁵ "Andy Burnham calls for 'toxic' Prevent strategy to be scrapped", *The Guardian*, June 9, 2016, accessed 01.02.2018, <https://www.theguardian.com/politics/2016/jun/09/andy-burnham-calls-for-toxic-prevent-strategy-to-be-scrapped>

Q6: How effectively does the current PREVENT strategy respond to the factors that make someone vulnerable to radicalisation (i.e. the drivers)?

PREVENT's heavy focus on ideology often obscures due consideration of other factors that lead to grievances with the state and subsequently act as a driver towards acts of politically motivated violence. Such factors include, but are not limited to, mental health issues, foreign policy, unemployment, discrimination, socio-economic deprivation, and a sense of political and social exclusion. Experts and academics have long agreed that such factors are pivotal in an individual potentially becoming drawn to political violence.¹⁰⁶ For example, the role of the UK Government's foreign policies in contributing to terrorism has been postulated by many respected academics, politicians, and former civil servants, perhaps most notably by Eliza Manningham-Buller, head of MI5 from 2002 -2007, who in her evidence to the Chilcot Inquiry stated that the Iraq war was a significant factor in increasing the terrorist threat facing the UK.¹⁰⁷ Because of its overwhelming focus on ideology, PREVENT frequently fails to adequately address these issues which have the potential to lead to disillusionment with socio-political life and can leave individuals vulnerable to damaging influences.

Therefore, for any strategy to succeed, there must be a holistic emphasis on creating a healthy social framework through which citizens can flourish. For this to occur, there must be an honest acknowledgement of state policies and responses to global forces that have led to a sense of injustice and disillusionment amongst segments of society. For example, there needs to be an understanding of how the financial crash in 2008 and resulting policies of austerity, unemployment, and the expenses scandal has led to a distrust of political "elites", subsequently fuelling populist sentiments that have been a catalyst for divisive political discourse and far-right politically motivated violence. Likewise, the UK's foreign policy, the Government's handling of Grenfell, the Windrush Scandal, the War on Terror, and structural and institutional racism and Islamophobia have also served to leave certain segments of society feeling excluded and unrepresented by the state.

¹⁰⁶ Nicolas Campelo, et al., "Joining the Islamic State from France between 2014 and 2016: an observational follow-up study", *Nature*, 2018. Accessed: 16th October 2019. <https://www.nature.com/articles/s41599-018-0191-8>.

¹⁰⁷ Keenan, J.H. (2017) UK Foreign Policy and Intelligence in the Post-Truth Era: Radical Violent Extremism and "Blow-Back" *State Crime Journal*, Vol. 6, No. 2 (Autumn 2017), pp. 190-213

Q7: How could the drivers of radicalisation be better reflected in any strategy in future?

For any strategy to succeed, there must be a holistic emphasis on creating a healthy social framework through which citizens can flourish. For this to occur, there must be an honest acknowledgement of state policies and responses to global forces that have led to a sense of injustice and disillusionment amongst segments of society. For example, there needs to be an understanding of how the financial crash in 2008 and resulting policies of austerity, unemployment, and the expenses scandal has led to a distrust of political “elites”, subsequently fuelling populist sentiments that have been a catalyst for divisive political discourse and far-right politically motivated violence. Likewise, the UK’s foreign policy, the Government’s handling of Grenfell, the Windrush Scandal, the War on Terror, and structural and institutional racisms and Islamophobia have also served to leave certain segments of society feeling excluded and unrepresented by the state.

Consequently, strategies need to be developed which focus on ensuring the social, economic, and political inclusion and empowerment of every citizen so that they feel that they are equipped to deal with any concern through engagement in the socio-political structures that are provided within a democratic process.

Strategies such as PREVENT work directly against this and only serve to further entrench institutional racisms and exacerbate grievances, whilst providing no recourse for those who may be experiencing social-political exclusions to constructively address these grievances through critical debate. It is, therefore, of paramount importance that the approaches to potential drivers of radicalisation which are embedded within the current application of the PREVENT strategy are urgently abandoned.

In a similar vein, it is essential that the current terminologies of security which have been politicised and subsequently have little or no constructive value within counter-terror vocabularies are also abandoned or reclarified in line with objective definitions that avoid the traditional subjective application of terms that only serve to exclude voices, thus working directly against efforts to provide meaningful ways to engage with the state and the democratic system.

Q8: In general, how effectively do you think Prevent is being delivered nationally (including, but not limited to, the provision and content of national training, guidance, communications and preventative online activity, funding, structures and oversight), and why?

There are currently no clear working definitions of “extremism”, “non-violent extremism”, “British Values”, nor “radicalisation”. With hundreds of thousands of staff having already been trained through the Workshop to Raise Awareness of Prevent (WRAP-training), these practitioners are attempting to identify “radicalisation” in order to tackle “extremism” without appropriate guidance as to what it is that they are identifying. This lack of definitions leaves public sector workers in a position to determine risk based on personal understandings, stereotypes, and bias.

Meanwhile, PREVENT trained public sector workers may often receive only 45-60mins of online training to identify signs of radicalisation. Equally worrying is the fact that there appears to be no formative examination nor on-going assessment for those who have been through PREVENT training. Indeed, this lack of effective training was highlighted by the Home Affairs Committee who noted: "We are concerned about a lack of sufficient and appropriate training in an area that is complex and unfamiliar to many education and other professionals, compounded by a lack of clarity about what is required of them."¹⁰⁸

The lack of an evidentiary basis combined with inadequate training and a lack of definitions has led to a situation where every day normative practices of the Islamic faith (for example, wearing the hijab or going on Hajj), cultural practices (watching an Arabic news channel),¹⁰⁹ or taking an interest in politics (criticising foreign policy) can be seen as a sign of being drawn to political violence. Indeed, taking PREVENT in the NHS as an example, research conducted by Warwick University has found that 70% of the respondents “were ‘likely’, or ‘very likely’” to refer someone for the “possession of Islamic/Anarchist philosophy books”. This is important as the PREVENT training programme does not indicate this as a factor indicative of radicalisation, but it is reflective of the structurally Islamophobic nature of the current PREVENT strategy, particularly with regards to its application. The authors of the research, in line with the overarching concerns surrounding the PREVENT duty, conclude that “respondents are drawing their attitude from popular culture rather than official training or academic research”.¹¹⁰

Recent revelations of the National Police PREVENT Case Management (PCM) database serves to compound such concerns. According to Freedom of Information (FOI) requests submitted by the civil rights group, Liberty, all PREVENT referrals are added to the PCM database by individual police forces, including personal details and reasons for the referral, but the person is not notified.¹¹¹ Other agencies are then able to request information held on the database. Considering the established inadequacy of training and definitions embedded within the PREVENT strategy and the high levels of unwarranted referrals, it is inevitable that individuals run the risk of being added to this database unnecessarily. At the same time, the

¹⁰⁸ House of Commons, “Radicalisation: the counter-narrative and identifying the tipping point – Eighth report of Session 2016-17”, August 25, 2016, accessed June 20, 2018, <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/135/135.pdf>

¹⁰⁹ Charlotte Heath-Kelly and Erzsébet Strausz “Counter-terrorism in the NHS: EVALUATING PREVENT DUTY SAFEGUARDING IN THE NHS”, accessed 29.05.2018, https://warwick.ac.uk/fac/soc/pais/research/researchcentres/irs/counterterrorisminthensh/project_report_draft_60pp.pdf

¹¹⁰ Ibid

¹¹¹ Jamie Grierson, “Counter-Terror Police Running Secret Prevent Database,” The Guardian, October 6, 2019, <https://www.theguardian.com/uk-news/2019/oct/06/counter-terror-police-are-running-secret-prevent-database>

lack of transparency and lack of accountability is an issue that must be recognised and investigated by any genuinely holistic independent review.

Q10: How well does the Prevent strategy interact with wider safeguarding and vulnerability strategies such as (but not limited to) those on counter-extremism, child safeguarding, mental health, domestic abuse and hate crime?

There must be a critical discussion about the problematic framing of PREVENT within traditional safeguarding procedures. Ordinarily within safeguarding, it is the welfare of the individual person in question that is of concern because you're trying to protect that person; whereas, with PREVENT, you're protecting the state from that person. Thus, PREVENT being embedded within safeguarding creates grey areas and confusion in how to approach safeguarding needs. The confusion that PREVENT creates in terms of safeguarding duties can detrimentally impact vulnerable people whom may incorrectly be swept up into the apparatus of PREVENT under the guise of safeguarding concerns, or alternatively may avoid bringing genuine safeguarding concerns to the attention of those who are in place to intervene, for fear that they may subsequently be referred to PREVENT. It is also unclear as to why existing safeguarding legislation, for example, that found under the Children Act, is insufficient to deal with such concerns.

Research has also shown that less than half of NHS staff agree that PREVENT is a genuine safeguarding procedure, with safeguarding professionals alerting researchers of the significant differences between PREVENT safeguarding and established safeguarding practice.¹¹² Furthermore, regarding PREVENT in the NHS, there is little transparency, and there is no audit nor clinical governance. An NHS whistleblower condemned the use of PREVENT in the NHS, accusing the Home Office of hijacking the term “safeguarding” and redefining it in the context of PREVENT. Safeguarding duties only apply to adults deemed vulnerable, with care and support needs, who are experiencing, or are at risk of, abuse or neglect and are unable to protect themselves against such treatment. The whistleblower stated that, “Local authorities will dismiss a safeguarding concern if the individual does not meet those criteria...What is happening here is ‘thought police’; concerns are usually raised about people who have made comments about ongoing politics such as overseas wars.”¹¹³

As concluded by the civil rights campaigners, Liberty, “while everyone in society has moral and ethical obligations to report suspected criminality, requiring teachers and others in sensitive positions of trust to report those with dissenting views risks undermining professional obligations of confidentiality, sowing mistrust and pushing those with grievances further underground.”¹¹⁴

¹¹² Charlotte Heath-Kelly and Erzsébet Strausz “Counter-terrorism in the NHS: EVALUATING PREVENT DUTY SAFEGUARDING IN THE NHS”, accessed 29.05.2018, https://warwick.ac.uk/fac/soc/pais/research/researchcentres/irs/counterterrorismminthenhs/project_report_draft_60pp.pdf

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Libertyhumanrights.org.uk. (2018). Available at: <https://www.libertyhumanrights.org.uk/sites/default/files/Liberty%27s%20Second%20Reading%20Briefing%20%20on%20the%20Counter-Terrorism%20Bill%20FINAL.pdf> accessed 17 Jun. 2019.

Q11: How well are local community-based projects or activities working to tackle the causes of radicalisation and/or respond to the ideological challenge of terrorism, please provide examples if possible?

A lack of objective understanding causes confusion in PREVENT's application and has been strategically used to exclude Muslim voices and events through the use of ill-defined and liberally applied labels. As one example, this is a problem that often arises in the context of universities and particularly affects Islamic and Palestinian societies. It is often the case that events may be cancelled due to accusations of "extremism" emanating from right-wing groups such as Student Rights. These accusations are often lacking in substance, but the emotional weight held by the term "extremism" is sufficient to deter universities or other venues from allowing events that find themselves in this situation.

This is often the case even for events organised by mainstream Muslim organisations, such as MEND. Too often, events aimed at genuine community engagement (including hustings, voter registration drives, community roundtables, and interfaith events) are denied venues due to the misdirected concerns of PREVENT officers and facilitators. The damage that these forms of structurally Islamophobic exclusions can leave on community relations and the way in which Muslims feel they are received by the state and wider society is of immediate concern.

Organisations such as MEND offer a healthy avenue through which disaffected people can channel any grievances towards the Government and its policies into constructive political engagement to effect change. Hence, such attempts by the Government via PREVENT officers and facilitators to effectively 'shut down debate' is contrary to the aims of PREVENT and is counter-productive since it only serves to alienate already marginalised communities.

Q16: What are your main criticisms or complaints of Prevent, and why? What is the evidence underpinning these criticisms and/or complaints?

Beyond, the problems highlighted in other areas of this submission, PREVENT suffers a fundamental lack of an evidentiary basis and grounded theoretical underpinnings. The Extreme Risk Guidance (ERG22+) has been criticised for its reliance upon undisclosed research conducted with a small and unrepresentative sample of convicted terrorists in prison, the conclusions of which have been problematically extrapolated as being applicable to the wider population and the evidence for which is not available for public scrutiny.¹¹⁵ Even the original authors of the research have commented that “The current lack of demonstrated reliability and validity remains the main limitation of the ERG at this time” and stated that “The ERG is work in progress”.¹¹⁶ As the Royal College of Psychiatrists has commented, “Data on evaluations of Prevent, as with any initiative requiring public services to alter their practice, must be in the public domain and subjected to peer review and scientific scrutiny. Public policy cannot be based on either no evidence or a lack of transparency about evidence.”¹¹⁷

Considering this lack of evidentiary basis, combined with a lack of definitions and inadequate training, there is a serious potential for unintentional abuses of human rights and civil liberties as a result of PREVENT’s application. PREVENT practitioners must often rely on personal understandings to identify “extremism”. This lack of knowledge can only lead to referrals on the basis of normative religious practices that are protected under the freedom of thought, belief and religion embodied by Article 9 of the Human Rights Act.

Articles 10 and 11 of the Human Rights Act are also an area of potential abuse. As noted by Maina Kiai, UN Special Rapporteur on the rights to freedom of assembly and association, “the spectre of Big Brother is so large, in fact, that I was informed that some families are afraid of discussing the negative effects of terrorism in their own homes, fearing their children would talk about it at school and have their intentions misconstrued.”

Moreover, the National Union of Students (NUS) 2017 report into the experience of Muslim students in British universities concluded that “Prevent is a key issue for respondents’ ability to engage meaningfully with the structures of their institutions, unions and NUS, in particular around democratic engagement. It is particularly notable that being affected by Prevent has a negative impact on respondents’ engagement with political debates... This correlation demonstrates the chilling effect of Prevent”.¹¹⁸ According to the report findings, 43% of those who reported being affected by PREVENT felt unable to express their views or be themselves and 30% did not feel comfortable attending NUS events.¹¹⁹

¹¹⁵ “The ‘science’ of pre-crime: The secret ‘radicalisation’ study underpinning PREVENT”, *Cage UK*, September 2016. Accessed: 16th October 2019. <https://www.cage.ngo/the-science-of-pre-crime>.

¹¹⁶ Lloyd, M., & Dean, C. (2015). The development of structured guidelines for assessing risk in extremist offenders. *Journal of Threat Assessment and Management*, 2(1), 40.

¹¹⁷ “Counter-terrorism and psychiatry”, Position Statement PS04/16, *Royal College of Psychiatrists*, August 2016. Accessed: 16th October 2019. https://www.rcpsych.ac.uk/pdf/PS04_16.pdf.

¹¹⁸ “The experience of Muslim students in 2017-18”, NUS, accessed 29.05.2018, https://nusdigital.s3-eu-west-1.amazonaws.com/document/documents/41267/29d43267ae2f2f0906450a27487fcd36/The_Experience_of_Muslim_Students_in_2017-18.pdf?AWSAccessKeyId=AKIAIJEAS6ZWKFU6MHNQ&Expires=1527604654&Signature=5loqW0fHKbdtFvIkjCeSaU85FjpA%3D

¹¹⁹ Ibid.

Q20: What should the Government consider in the development of any future strategy to safeguard those vulnerable to being drawn into terrorism, including those at risk of being radicalised online?

Regarding the recommendations for any future strategy that are outlined in other areas of this submission, it is vital that all stakeholders are included in efforts to create a healthy social framework through which citizens can flourish. Therefore, the development of this strategy must engage with a broad spectrum of mainstream Muslim organisations that have the confidence of Muslim communities, including MEND and MCB.

Meanwhile, considering the impacts of social exclusion and grievances against injustices that are so often the catalysts for individuals being drawn into politically motivated violence, it is imperative that the Government develops strategies to combat Islamophobia and other forms of discrimination that may lead to such grievances. MEND's policy model to tackle Islamophobia can be found in our manifesto¹²⁰ and includes:

- **Legislative changes:** including legislation regarding press regulation, counter-terror legislation, incitement to religious hatred legislation, and implementing primary legislation to deal with social media offences and online hate speech.
- **Government initiatives:** specifically, those designed to address Islamophobia in areas such as employment, media and broadcasting, and the criminal justice system.
- **Community cohesion:** including a focus on Muslim community empowerment and wider community engagement.

¹²⁰ Muslim Engagement and Development, "MEND Muslim Manifesto", 2019. Accessed: 6th December 2019 https://www.mend.org.uk/wp-content/uploads/2019/11/MEND-Muslim-Manifesto-2019_15.11.19.pdf