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The People’s Review of Prevent is an alternative review to the Government Shawcross-led review. Our review provides a voice to the people most impacted by the Prevent Duty. You can read more about this and other reports here:

www.peoplesreviewofprevent.org

Prevent Watch is a community-led initiative which supports people impacted by the Prevent Duty. Established in September 2014, Prevent Watch has supported and documented hundreds of cases. For further information please visit:

www.preventwatch.org

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John was formerly the Chair of the Council of UK Heads and Professors of Sociology (2007–2012), and President of the British Sociological Association (2012–2014)

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John played a key role at a crucial turning point in the development of the Prevent duty. He co-authored with Theresa O’Toole the book Countering Extremism in British Schools? The Truth about the Birmingham Trojan Horse Affair (Policy Press, 2018).

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Dr Layla Aithadj is the Director and Senior Caseworker at Prevent Watch where she supports people adversely impacted by the Prevent Duty.

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Layla’s more recent work has included supporting law firms and advocacy groups centred on protecting the rights of those impacted by injustice. Layla is also the Executive Director at Nomos, an ngo seeking accountability for victims across the globe, as well as Director at MLAG, the largest active network of Muslim solicitors, barristers, academics and students.

Internationally, she has also contributed to and co-ordinated submissions to the International Court of Justice, and the European Security Conference on the human rights violations inherent in counter-extremism policies and programmes.
Endorsements

"After boycotting the Shawcross review, we welcome the People's Review of Prevent. It's a much-needed resource to help challenge the discriminatory Prevent duty which has had disastrous consequences for many people.

Since its inception, the Prevent duty has significantly impacted on human rights with cases of it surveilling children in nurseries, ferociously targeting Muslim communities and activists fighting for social justice.

"The Government should heed the People's Review as a warning that we, along with the rest of civic society will not accept a whitewash with the Shawcross review.

"We congratulate the authors of Peoples Review for comprehensively laying out the impact of the Prevent duty and look forward to it being used as a resource for activists, academics and civic society at large."

Ilyas Nagdee, Amnesty International UK's Racial Justice Campaign and Policy Lead

"The People's Review of Prevent offers a radical and much needed alternative to the Government’s problematic Shawcross-led review of Prevent. Giving space to those most impacted by the policy, the PROP offers a robust critique supported by empirical data and in-depth analysis. The evidence clearly shows the limitations of Prevent and the years of damage it has caused for particularly Muslim communities. The findings of this vital report are irrefutable; Prevent must be dismantled once and for all"

Dr Katy Sian, Northern Police Monitoring Project (NPMP)

"This report shows Prevent to be an extreme policy particularly for the racialised and ethnic minority community, which the government perceives as most vulnerable to radicalisation (in particular those of Islamic faith). The Prevent programme especially blurs the line between social workers and Prevent officers within local authority child safeguarding practice. As an independent organisation advocating for the rights of children to care and protection, we are duly concerned at the emphasis and changing strategy for schools; with the current state reviews likely to facilitate an increase in referrals and exclusions, and more widely the ‘policing’ of certain communities."

Mor Dioum, Director of The Victoria Climbié Foundation UK

The people have waited too long for a truly independent report on Prevent. Unsurprisingly, the information in this report paints a grim reality about which scholars, activists and Muslim civil society have raised the alarm for years. This is as close to an evidence-based, in-depth analysis of the Prevent’s impact as we can get. The reality is damning: Prevent is not a good tree with some bad apples, but a rotten tree—racist from its roots—on which the nation has expended a lot of money in order to give it a healthy appearance. It is high-time time to cut this tree at its roots, and bad apples, but a rotten tree—racist from its roots—on which the nation has expended a lot of money in order to give it a healthy appearance. It is high-time time to cut this tree at its roots, and demand justice and accountability for over 10 years of its violence.

Dr Tarek Younis, Senior Lecturer at Middlesex University- writer and researcher on Islamophobia, security and mental health

This rigorously researched review into Prevent is vitally necessary and its findings are alarming. It demonstrates, beyond any doubt, that Prevent is inherently Islamophobic and that it has been woefully ineffective at deterring people from being drawn to terrorism. The devastating impact of Prevent referrals on the psyche and emotional wellbeing of those caught up in its net of false accusations is highlighted in the report through detailed case studies. It also shows the extent to which Prevent has been allowed to permeate our daily lives, undermining our freedom of expression, and compromising proper safeguarding obligations of social workers, teachers, and health professionals. We endorse the findings of this review and call on the government to adopt its recommendations of withdrawing the Prevent strategy altogether.

Raghad Alitikriti’s, Chairwoman of Muslim Association of Britain

"The government’s ‘Independent Review of Prevent’ has been defined by a series of provocations and calculated insults against critics of Prevent, which shattered any illusion that it would be a meaningful or reflective exercise.

On the other hand, the People’s Review of Prevent provides a comprehensive and authoritative assessment of Prevent, its deleterious impact on rights and legal protections, and the manifold ways that it has securitised and transformed the social lives of Muslims in Britain, for the worse.

"The disturbing cases documented in the report decisively cut through the spin and distortions that we have long been subject to by Prevent’s advocates - and serve as an urgent reminder of why the programme must be abolished once and for all."

Azfar Shafi - Head of Research, CAGE.

"It is no exaggeration to say that the UK’s Prevent strategy has scarred the Muslim community. With its stated aim to “prevent people from being drawn into terrorism”, so much license has been given to figures of authority to justify investigating Muslims based on ignorant or bigoted whims; consequently, the dynamic between the authorities and the Muslim community has become one of a surveillance state versus a population it perceives to be predisposed to crime. This is not the basis of a healthy democracy.

The People’s Review of Prevent is giving us all something that has been long overdue: an honest account of the facts and flaws of the Prevent strategy. In doing so, this true Review is an indispensable tool for those of us who understand that the Prevent strategy legitimises Islamophobic paranoia and must be scrapped."

Ahammed Hussain, Director at Muslim Public Affairs Committee UK
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Thank You

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Foreword

Professor Conor Gearty
FBA, QC (Hon)

Conor is a founder member of Matrix Chambers. His practice as a barrister is primarily in human rights law and in public law, together with work in the field of corporate social responsibility. Conor is also Professor of Human Rights Law at the London School of Economics (LSE) where he has been Director of its Centre for the Study of Human Rights and Institute of Public Affairs. He is currently Vice President for Social Sciences at the British Academy.

There is no question but that political violence is a horrible fact across much of the world today. The term embraces terrorism which involves as it does acts of violence against non-combatants is surely to be rejected in countries with coherent democratic traditions. The attack on the Manchester Arena in 2017 and the more recent killing of Sir David Amess are reminders of the futility as well as the unacceptability of such conduct. No goal is brought about; nor is any strategic intention realised. All that is achieved is pain and suffering. These attacks need to be understood and every effort made to prevent them.

In the name of preventing political violence, however, a wider and malign form of politics-prevention is becoming normalised in our culture. Whereas at its inception the Labour Government’s Prevent programme was limited to acts of politically motivated violence, now after over eleven years of Conservative hegemony it roam far more widely, attacking with the might of the state not just those who are violent alone but also those judged not to subscribe to British values. The established political culture sees no contradiction in closing down discussion in the name of free speech, and in condemning those with whom it disagrees in order to promote the supposedly British ideals of tolerance and freedom. And so genuine campaigns for radical change – for migrant rights; for a just climate policy; for the rights of Palestinians; for animal rights; and much else – get tarred with a brush that declares them all types of ‘extremism’ and demands censorship and control. And of course as this Report convincingly demonstrates, members of our Islamic communities are on the front line so far as Prevent aggression is concerned.

As a society we cannot continue to allow this drift towards authoritarian homogeneity, a culture where only the inclinations of the powerful are allowed to enter into the political fray. Prevent expands the frontiers of state power well past crime into that pre-criminal arena we used to call freedom. It leads to the stigmatisation of certain communities as suspect and even dangerous, regardless of how carefully they seek to stay within the law. Our culture, our society, are better than this, both more resilient and better able than is commonly supposed to draw upon cross-community solidarity.

This report is an expression of critical engagement by those who are worried by the ever-expanding Prevent agenda. It is a voice that demands to be heard by all politicians and policy makers, especially those interested not only in critique but in putting the case for positive change as well.
Foreword

Professor Fionnuala Ni Aolain

Professor Fionnuala Ní Aoláin, Regents Professor and Robina Chair in Law, Public Policy and Society (the University of Minnesota Law School) United Nations Special Rapporteur on the Protection and Promotion of Human Rights and Fundamental Freedoms while Countering Terrorism.

The People’s Review of Prevent is an important and timely initiative focused on bringing a range of voices and experiences into national discussions around the impact of preventing and countering violent extremism policies.

As United Nations Special Rapporteur on Counter-Terrorism and Human Rights, I have consistently advocated for the importance of positively and consistently engaging diverse communities and grassroots civil society actors in the review of counter-terrorism and extremism policies and practice by government. Creating the conditions for inclusion, as well as processes that meaningfully engage the confidence and support of all parts of society is essential for producing policy that is likely to inculcate the trust and engagement necessary for communities that experience the impact of P/CVE policies and practices.

My 2020 Report (A/HRC/43/46) to the Human Rights Council tackled a range of human rights violations associated with the use of Preventing and Countering Violent Extremism policy and practice across the globe. Evidence of such impacts in one national context (the United Kingdom) are detailed in this Review Report and make for uncomfortable reading. In documenting the negative impact of the Prevent strategy on the lives of families, individuals and children across the United Kingdom, this report affirms the vital role that human rights and civil society organisations play in holding government policy to account. The Review Report makes the strongest case that only rights-affirming and rights-focused policies will have long-term success in preventing violence in society.

The production and publication of the People’s Review provides an important input to the current review process for the Prevent Strategy by channelling and documenting the experience of affected individuals. It also contributes to wider public and policy debates concerning prevention strategies and their impact on fundamental human rights. The data provided by this Report underscores the critical need to directly attend to deep concerns about discrimination, stigma, de facto criminalisation of individuals particularly children, privacy violations, intrusion on the freedom to practice one’s religious beliefs, and negative impact on the right to education, health, and participation in public affairs for targeted individuals, primarily Muslims.

It highlights the need to address the role of professional bodies in securitised prevention — from teachers to social workers to medical staff— and opens a wider debate about the consequences of ‘pre-criminal’ regulation for the rights of the child. It is my sincere hope that this Report will enable a broader and necessary conversation to take place about the operation of the current Prevent strategy in the United Kingdom.

In the spirit of inclusive, tolerant, and critical engagement with the vibrant civil society actors working to dialogue on these important issues with society as a whole government in particular, the Report is welcomed.
About

The People’s Review of Prevent took place in response to the government’s Independent Review of Prevent conducted by William Shawcross and currently due to report early this year. We will discuss the context of his review in our Introduction to this report. Our own review arises from community concern about his lack of independence and his previous dismissals of critics of Prevent.

As part of our review, we have conducted an evaluation of reports and academic research on Prevent undertaken over the last decade. This has also included consideration of the commentaries of external agencies such as the United Nations. As a ‘People’s Review’, we have drawn on the testimonies of individuals affected by Prevent, available from the files of almost 600 cases brought to Prevent Watch (all cases have been anonymised and cited with permission). We made a call for submissions and conducted weekly online roundtables from August through to October with community groups and academic experts. Our report has been reviewed by a panel of advisers, all of whom are experts in their fields.

The terms of reference of the Shawcross Review are restrictive, forward looking and concerned primarily with the ‘effectiveness’ of Prevent. Its preliminary ‘findings’ have been under discussion with the Home Office over the last few months since evidence-taking and invited public engagements were completed at the end of July 2021. However, submissions to it have not been made publicly available (unlike in the case for the Independent Review of the Human Rights Act conducted around the same time, for example†). The government will publish its response to the Shawcross Review recommendations simultaneously to the publication of the report, meaning that its evidence base will not be available for scrutiny and evaluation. A supposed independent review has been drafted in close collaboration with the Home Office. Very early on in this process, a number of organisations and individuals across the UK, realised that a properly independent People’s Review of Prevent (PROP) was necessary.

Challenges faced by the PROP

Our ability to evaluate Prevent has also been made challenging by the wider lack of transparency associated with Prevent. A major part of its implementation involves Prevent Priority Areas (PPAs). These are areas of special concern with extra funding allocated to them. However, neither the criteria by which they are identified, nor a list of where they are located, has been publicly available since 2015, when Prevent was extended. The government has responded to criticisms that Prevent is discriminatory by restricting information that would allow a proper assessment of such claims.

In October 2021, the People’s Review submitted over 273 FOIs to every local authority in England, but only 56 local authorities were forthcoming in their responses about whether they were a priority area for Prevent. We sent an FOI to the Home Office, which in January 2022 confirmed the existence of PPAs and provided a list of 44 (see Box 12). However, the Home Office declined our request to explain how a PPA is determined, citing ‘national security’ reasons.

It is significant that, of the two domains in which Prevent has major impact, health services and education, only the former provides aggregate data that can be scrutinised (as has been done with formidable care and rigour by the NPO and registered charity Medact, which campaigns for solutions to social, political and economic conditions that deepen health inequalities). This is because the organisation of health services through the NHS provides general reporting and oversight from which data can be derived (albeit with some difficulty). Schooling lacks the same coherence of organisation and has been part ‘privatised’ under the academies programme. In school year 2020/21, 37% of primary schools and 78% of secondary schools in England were outside local authority responsibility. Academies are subject only to the central authority of the Department of Education and its inspection agencies, Ofsted and the Education Funding Agency (the latter specifically for academies and free schools). We know from the work of Pat Thomson, Professor of Education at the University of Nottingham, about extensive financial mismanagement and cheating within the academies system.⁴

It is not simply that details about Prevent referrals and other engagements with Prevent can be restricted on ‘national security’ grounds, but that details about the substance of the curriculum and teaching of equalities, including ‘British values’ and so on, are not made public, and information can be restricted by Multi-Academy Trusts as a matter of corporate policy.⁵ Ofsted inspectors are aware of whether the schools they are inspecting are within a PPA and can tailor their inspections accordingly.
Preface

Prevent is one of the four component parts of the government’s counter-terrorism strategy – CONTEST – directed at preventing people from being drawn into terrorism. The other strands are: Protect, which is concerned with strengthening protection against a terrorist attack; Prepare, which is about the mitigation of the impact of a terrorist attack; and Pursue, which is directed at stopping terrorist attacks. The strategy’s stated aim is specifically to disrupt, detect, and investigate terrorist activity. For its part, Prevent is designed to stop people becoming terrorists, or from supporting terrorism.

As we shall see in this report, Prevent involves a ‘pre-criminal space’ where no offences have been committed. Any assessment of risks that offences may occur in the future is necessarily highly speculative. Nonetheless, Prevent is highly intrusive within British Muslim communities and among children and young people.

In this report, we will evaluate Prevent in the way in which it impinges on life in modern Britain as an extension of state-organised surveillance security measures over everyday life. While Prevent is a policy, it also encapsulates guidance and a cluster of practices across a number of sectors concerned with the delivery of public services – for example, child-care, schooling, further and higher education, prisons and probationary services, and health services. Each organisation providing such services must have ‘due regard’ for its responsibilities to prevent people being drawn into terrorism. Those who are judged to be at risk of ‘radicalisation’ through the interventions associated with Prevent are provided with education in a special programme called Channel.

Practitioners are tasked with identifying ‘vulnerable’ young people and adults at risk of ‘radicalisation’ and being drawn into criminal offences, as defined under the various legislative acts concerning terrorism offences. In UK legislation, the term ‘terrorism’ applies to violent actions which seek to support an ideological cause, and also to non-violent acts such as inviting support for a proscribed organisation, as well as viewing or possessing material (online or offline) thought to be useful for terrorists.

We will see that Prevent is a self-maintaining and self-justifying set of practices. The volume of cases is not an indication of its need, but of its overbearing character and the operation of the political logic that drives it. Since children and young people caught up in Prevent are not being considered as committing an offence, they can by interviewed by the police and counter-terrorism officers without any of the protections they would have if they were charged with an offence (such as having a parent with them while being interviewed). The provisions of the Police and Criminal Evidence Act 1984 (PACE) do not apply and the police need not keep a record of the interviews, nor need interviews be conducted in the presence of a responsible adult (though as we shall see records about individuals are kept).

We can liken Prevent to a vast sorting mechanism, one which has been applied disproportionately to children and young people and, in a discriminatory fashion, to Muslim children. The government provides annual data on the number of ‘cases’ associated with Prevent, but it is important not to treat these data, or any trends they exhibit as ‘real’.

This is because children and young people, their families and carers, and other individuals come under suspicion as a consequence of being ‘subjective feeling’ by someone in their environment (and partly determined by whether or not they live in a Prevent Priority Area). They will then be interviewed, frequently involving police and social workers, before a formal referral to a local Prevent Panel is considered. The only data made available is on formal Prevent referrals (collected for England and Wales and made available through Home Office Statistics). However, a referral is already some way into the Prevent process, when harms will have been done to children and young people as a consequence of being under suspicion. Moreover, an individual’s records will still be kept (within schools, for example, as evidence to Ofsted inspectors of compliance with the Prevent duty) even if a referral is not made.

Data from the Home Office has been available on a comparable basis since 2015-16 (the last two years have been affected by the Covid19 pandemic and the closure of schools). Here we will indicate our concerns with a snapshot of data from just one-year, 2017-18. In that year, there were 7,318 Prevent referrals of which 42% were judged to require no action.

Another 40% left the process and were directed to other services (that is, were judged not to be at risk of ‘radicalisation’) before a Channel discussion took place. 70% of those discussed at Channel did not proceed onto the programme.

In all, 394 individuals out of a total of 7,318 were judged appropriate for Channel. This represents 5% of all those formally referred to Prevent.
None have committed an offence, but are being reported for being at risk of a ‘radicalisation’ yet to take place. The 5% are also falsely labelled and their placement carries a substantial stigma.

Medact employs a nice analogy with medical screening to state that 95% of Prevent referrals are ‘false positives’. The government frequently employs the metaphor of an iceberg to indicate that terrorist offences represent its ‘tip’. Out of sight is what they claim to be the mass of a large and worrying problem. Let us apply the same analogy to what the 5% represents.

In 2017–18, just 394 individuals were identified as part of the government’s submerged iceberg of terrorism threats. Yet they are the tip of another iceberg – this is the iceberg of demonstrably unwarranted suspicion. If we explore more deeply, it includes all those for whom Channel was deemed inappropriate, 6924 individuals. But we have already stated that this is a smaller subset of those subject to some kind of Prevent consideration.

The very threat of a process being begun under Prevent has a chilling effect, one that is most acute for British Muslims, and which is built into the PPAs and their ‘spatialised Islamophobia’. This cannot be easily demonstrated as no data is recorded for religion or ethnicity. It can, however, be inferred from the categorisation of the ‘extremism risk’ recorded – whether ‘Islamist’ or ‘far-right’. 44% of referrals were for Islamist extremism, yet Muslims make up only 5.7% of the population.

We do not believe that the situation is better because there is an increasing proportion of cases associated with a right wing ‘extremism risk’ (or some other category that comes into the news and finds its way into Prevent concerns, such as ‘incels’). In all cases, the problem is that the actual risk of the ‘positives’ is highly speculative, at best, while the vast majority will be ‘false positives’. These false positives are a self-reinforcing mechanism to convince the public of Prevent’s necessity and its ‘effectiveness’. While the data is not indicative of any risks that are real, it does reveal the way it is applied to specific groups and in specific sectors.

Throughout this report, we will be demonstrating the harms visited by Prevent on those who are caught up in its net of false suspicions. It will be vivid in the cases we present. The disproportionate impact of Prevent on children and young people is evident. In 2017–18, children under 15 made up 27% of all referrals, but just 5.6% of those referred proceeded on to Channel. Young people aged 15–20 made up 29% of all referrals, and just 7% proceeded on to Channel. Broadly, around a third of all referrals come from schools. The number of referrals made to Channel by English universities is very small – a mere 15 students were assigned to the Channel programme in 2017–18. Prevent, we argue, represents an abuse of children and young people done in the name of ‘safeguarding’ within a framework of their perceived vulnerability to ‘radicalisation’.

Yet Prevent can lay no evidential claim to the disruption of terrorism. Any ‘successes’ on that score (and by that token, any failures) occur within the Pursue strand of CONTEST. We will see that the government very frequently conflates Pursue and Prevent. Pursue also concerns the ‘pre-criminal space’, but it is directed toward actions that constitute direct threats.

Prevent also includes a strand that deals with ex-offenders (including those who have committed terrorist offences), where it is extended to offenders who may have been ‘radicalised’ within the prison system.

For example, Usman Khan, the perpetrator of the Fishmongers’ Hall attack was released from prison following his sentence and was monitored under Prevent. We do not doubt that he posed a real risk and that such monitoring was necessary. However, it is more properly regarded as a failure of security services and the services for ex-offenders. In no way does his case indicate wider problems with Prevent. If anything, it shows that this function would be better addressed as part of Pursue. In a similar way, Salman Abedi (perpetrator of the Manchester Arena bombing) and Malik Faisal Akram (of the Texas synagogue hostage-taking incident) were both reportedly ‘subjects of interest’ to counter terrorism police and MI5, but their level of risk was downgraded. Police could have recommended both for Channel training in that process, but they did not do so.

Further evidence that Prevent is not involved in the mitigation of terrorism threats is indicated by the fact that it does not apply in Northern Ireland, despite the underlying political conflict there, where the threat of terrorist attacks is registered as severe. Simply, the nature of the political divide in Northern Ireland would render a policy like Prevent impossible.

As we shall see, Prevent depends on a majority-minority dynamic. Equally, there are differences in the implementation of Prevent in the other jurisdictions deriving from their public services being a devolved responsibility and the failure of the UK government to pursue a bi-partisan approach with other devolved nations in the UK. Prevent, then, is as much a phenomenon of party politics and the jockeying for electoral advantage as it is a governmental strategy reliant upon wider support.
Findings

In this report we show: Prevent is Islamophobic; there is no problem of integration of British Muslim communities and no basis for regarding them and their families with suspicion.

Prevent is discriminatory in the way in which it approaches far-right terrorism differently from that of Islamist terrorism in guidance, training and application. Far-right extremism is seen as a problem of individuals rather than communities.

Prevent undermines free expression by defining as ‘extremist’ views and actions which are a normal part of a healthy and functioning democracy.

Prevent targets actions and behaviours which are not in themselves illegal and for which there is no evidence that they have any relation to future terrorist offences. It has no justification in the light of national security requirements, which can all be satisfied through other measures within the counter-terrorism strategy and the UK’s extensive legislative toolkit.

Prevent relies on profiling through Prevent Priority Areas which target Muslim communities and poor communities disproportionately; it also takes the signs among young people of ordinary identity development and explorations in belonging as indications of ‘riskiness’, as well as sanctioning their activism.

Prevent undermines the proper safeguarding obligations of social workers, teachers and health professionals. It does so by bringing children and young people under an extraordinarily extensive net of surveillance. This includes the creation in England and Wales of a national curriculum in ‘fundamental British values’ determined by national security interests.

Prevent is an abuse of individual rights to privacy and the protection of data and information held about them, especially in the case of children. Information gathered under Prevent interventions does not involve criminal offences, yet data can be gathered with leading questions, then held and shared as if it involved the most serious offences.

Prevent is overwhelmingly directed at children and young people where it represents an abuse of their rights and the obligation to put their needs first. There is no national security justification for its policies and practices in education or in other services provided for them.

Prevent is an abuse of fundamental human rights and protected equalities, especially those preventing discrimination on the grounds of race and ethnicity, and religion. The government proposes that terrorist activities threaten human rights and yet it breaches them in its own Prevent policies and evades scrutiny.

Furthermore, Prevent ‘expertise’ is being shared with oppressive regimes, including those who terrorise their Muslim populations, and is part of a broader drift towards authoritarianism and efforts to reduce long-established human rights principles.

We call on the government to withdraw its Prevent strategy on the grounds that it is ineffective, disproportionate and discriminatory.

We call on practitioners caught up in Prevent, community groups, trades unions and professional associations, and civil society groups to demand that Prevent be withdrawn.
Introduction

The People’s Review of Prevent is concerned primarily with the operation of Prevent since 2011 and with its consolidation and expansion after 2015. We will provide a broader context for the operation of Prevent since 2003 in the next chapter. The extension of Prevent since 2011 has largely taken place without proper public scrutiny.

The Road to the Shawcross Review

First established in 2003, the Home Office undertook an internal review of its Prevent strategy in 2011. That review was provided with a favourable foreword by the then Independent Reviewer of Terrorism Legislation, Lord Carlile. There has been no review since then, until the announcement of the present Independent Review as part of the passage of the Counter-Terrorism and Borders Bill in February 2019.

Amendments to the legislation setting out the initial review allowed an extension of the date by which the Government should respond and bring recommendations to Parliament. This was due to delays caused by the resignation of the first appointed reviewer, Lord Carlile, and the impact of the Covid-19 epidemic. A new reviewer, William Shawcross, was appointed in March 2021 and the date was set for December 31st 2021 by which the government would have received the report and put recommendations to Parliament. This date has passed, and no new date has been provided. It is now expected in early 2022.

The Prevent Strategy of 2011 declared that the previous approach had been flawed and overly concerned with measures to promote integration, rather than measures to prevent terrorism. It was modified to include measures directed against non-violent extremism; that is, against “organisations that oppose our values of human rights, equality before the law, democracy and full participation in our society”.

This approach also placed Prevent outside the scope of the Independent Reviewer of Terrorism Legislation. Prevent measures were further extended under the Counter-Terrorism and Security Act in 2015 with the introduction of statutory duties on schools, further and higher education institutions, health services, prisons and other providers of public services (though a pilot within the health sector had begun in 2010). This extension took place using the language of safeguarding, but without addressing the criticisms of the very real harms that Prevent itself was doing, especially to children and young people, and by the subordination of schooling to a security agenda. The statutory duty involves identifying vulnerable young people and adults at risk of ‘radicalisation’ and being drawn into committing a terrorism offence (itself a worryingly expanded set of offences and more extensive than in other countries). The specific definition of radicalisation is that it is, “a process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups”.

As we shall see, those identified as a concern include nursery and primary schools, who then become subject to investigation under Prevent, which is part of counter-terrorism. Guidance goes further to steer frontline public sector workers to be alert to ‘non-violent extremism’. This represents a disturbing government interest in the scrutiny of private life. It was prefigured in the Prevent Strategy 2011 with the statement that alongside ‘radicalising’ ideas and behaviours, they were also concerned with ‘radicalising locations’. These were defined as, “venues, often unsupervised, where the process of radicalisation takes place. Locations include public spaces, for example university campuses and mosques, as well as private/more concealed locations such as homes, cafes, and bookstores”. The discriminatory nature of the statement – ‘mosques’, rather than ‘places of worship’ – is clear, but so, too, is the illiberal nature of the concern with the surveillance of religious practices and with the surveillance of families. Indeed, it is clear that the only reason to include nursery and primary schools under the Prevent duty has been to provide access to families and carers through their children.
The new requirements introduced under Prevent in 2015 also included a statutory duty on schools (published in the previous year following the much-publicised Birmingham Trojan Horse Affair – see, Box 1) to promote ‘fundamental British values’, now codified as commitments to the rule of law, democracy, individual liberty, and tolerance of different views (religious and non-religious).  

This requirement was placed on all publicly-funded schools in England, including academies and free schools. Notwithstanding that the latter were freed from the requirements of the national curriculum that applied to schools under the responsibility of local authorities. In effect, the duty has become a new national curriculum in English schools, one which is defined by the purported requirements of national security.

These developments were widely seen by civil society groups as being a threat to civil liberties, especially those associated with free speech, as well as being seen to contribute to the idea of British Muslims as a ‘suspect’ community.

The latter charge was countered by the claim that the measures were also directed against violent threats other than terrorism conducted in the name of Islam, such as those associated with the ‘far right’. We deal with this problematic claim in this report. It should be remembered that Prevent itself is directed against ideas and behaviours that are not themselves unlawful, and have previously been understood as part of a diverse and plural public sphere. For example, the government has recently sought to incorporate Black Lives Matter, the left, and environmental activism under its strictures about extremism.

This is perverse, not only because the idea of a diverse and plural public sphere would seem to be intrinsic to the liberal values that underpin the idea of ‘British values’, but also because the opposite claim was made in the Conservative Party Election Manifesto in 2017. Theresa May claimed there that, “to defeat extremism, we need to learn from how civil society and the state took on racism in the twentieth century”. Now the state seeks to take on anti-racism.
Box 1: The ‘Leaked’ Letter that Undermined and Stigmatised a School

In early 2014 a letter leaked to the media claimed there was a plot by teachers and governors in Birmingham (and Bradford and Oldham) to take over and ‘Islamicise’ schools.18 There were multiple inquiries, including by Ofsted, the Education Funding Agency and the former Head of Counter-Terrorism at the Metropolitan Police, Peter Clarke.

In 2015, the affair was the only example given in the Home Office Counter Extremism Strategy of the risks of Islamist extremism in schools. It stated that Clarke had found evidence of a “co-ordinated, deliberate and sustained action... to introduce an intolerant and aggressive Islamic ethos” and that, “in total around 5,000 children were in institutions affected”.19

In the event, no charges of extremism were brought against teachers, only charges of ‘undue religious influence’.

In May 2017, the cases against the senior leadership team at the school at the centre of the supposed plot, Park View Academy, collapsed due to an ‘abuse of process’ by the solicitors acting for the Department for Education.

Park View School had been a failing school in 1996, but by 2012 it was deemed outstanding and in the top 14% of schools in England. Its pupil intake was 98.8% Muslim and 72.7% of pupils were in receipt of free school meals (against a national average of 15.2%) and just 7.5% of children had English as a first language (against 82.7%). Its ‘feeder’ primary school was, at the time also judged to be a failing school.

Neither the official inquiries, nor the media, reported that Park View Academy had been asked by the Department for Education to takeover other schools as part of the Department’s schools improvement programme and had taken place under the scrutiny of officials. The takeovers were signed off by the Secretary of State for Education, Michael Gove.

The Undermining of Fundamental Rights and Good Governance

We have a lot to say about the policing of the pre-criminal space in this report.23 The idea is that there are some ideas and behaviours that are a risk to the public in so far as they were a possible precursor to criminal activity – they could be represented as the first part of a ‘conveyor belt’ into crime.24 Prevent represents an extension of the surveillance powers of the state through the incorporation of practitioners across a range of public services into a security role with regard to their clients, patients, users, or pupils under their care. Private individuals do not have any obligations under the Prevent Duty, nor do religious organisations, since it applies only to specified authorities. However, they are encouraged to report anyone about whom they have concerns to the police or other authority, from which point they are brought under the local process for the evaluation of whether a referral should take place.25

Because Prevent operates in a pre-criminal space, the police are not subject to the normal safeguards about interviewing children or the management of evidence which apply in criminal cases.

As we will show elsewhere in this report, this causes real harms to children and their families and carers. Rather than their duties to the welfare of their clients taking precedence, practitioners working in these sectors are compelled to first act on behalf of policing and security services. As we shall see, this is in clear breach of their ethical responsibilities, as well as the human rights of their clients, especially children. Moreover, it is in the nature of Prevent that its powers can be readily extended by government using statutory instruments, as we shall discuss below.

In January 2018, the Government appointed a Commissioner for Countering Extremism – Sara Khan – but she was provided with no powers equivalent to those of the Independent Reviewer of Terrorism Legislation. She called for those powers in October 2019, stating that the Commission should be placed on a statutory basis to guarantee independence (see Box 2).26 This did not happen. Moreover, there are increasing concerns that, should it happen as a consequence of the Shawcross Review, that any such appointment will, in fact, lack independence.
Box 2: An independent report for the Commission for Countering Extremism in July 2019, commented that:

"Extensive existing research, including that undertaken by civil society organisations, suggests that there is some distrust or uncertainty about the regulatory frameworks, motivating logics, reporting, transparency and rights respectfulness of countering extremism generally, and Prevent in particular ... that (i) counter extremism activities result in violations of legally protected human rights, including rights to privacy, education, assembly, expression, and non-discrimination; (ii) counter-extremism activities are ineffective and have unintended societal impacts with negative effects for long-term and sustainable security; and (iii) there is a lack of political willingness meaningfully to review and revisit the current approach to countering extremism, and thus to address their potentially deleterious rights, society and security impacts." (page 10)

The report recommended a standing mechanism for independent review on an annual basis with the reviewer to be "appointed in accordance with the principles and codes of public appointments, [to] have relevant expertise (especially analytical skills, and expertise in law, human rights, or countering extremism), and [to] be reasonably countering extremism, and [to] be reasonably considered non-partisan." (page 11) 27

The further response of the Home Office, in anticipation of the Shawcross Review, is concerning. According to a report in The Times, there will be a revamp of policies which "aims to shift resources to focus on groups and people who pose the biggest threat". 29 There is no indication that there will be any statutory mechanism for the independent oversight of any new policies, although (belying The Times report) an advertisement for a new Commissioner for Countering Extremism has been posted. 29

We shall suggest that the problems with Prevent are more fundamental than a lack of proper oversight. The latter, however, is deeply symptomatic. Resistance to scrutiny has been a feature of government responses both to criticisms of Prevent and more widely.

When the government in February 2019 finally conceded an Independent Review of Prevent (to be completed within 18 months) at the tail end of Theresa May's minority government, it was part of a 'deal' necessary to pass a new Counter Terrorism and Border Security Bill.

Then Independent Reviewer of Terrorism Legislation, Max Hill QC, was very critical of provisions in the Bill in evidence provided to the Joint Committee on Human Rights (significantly, his appointment was ended after only a year in office before the Bill completed its passage). 30

The Bill introduced 'stop and search' measures at the border and removed the requirement that there should be reasonable suspicion. It also introduced restrictions on the posting and accessing of images (for example, of flags and clothing) that might indicate support for terrorist groups. 31

Notwithstanding any concerns about these measures, the announcement of an Independent Review of Prevent as part of the legislation was welcomed by the human rights and civil liberties groups that criticised the new act. 32

Security minister Ben Wallace announced the review with a challenge to critics of Prevent to provide solid evidence, accusing them otherwise of 'spin and distortion'. 33

It was left to his successor, Brandon Lewis to announce the appointment of the intended reviewer, Lord Carlile. The latter was hardly independent and, as we have seen, had, in fact, endorsed the 2011 Prevent Strategy that introduced the very measures that are at issue.

Following the threat of legal challenge by Rights and Security International (formerly known as Rights Watch UK), an NGO that investigates human rights abuses around the world, Lord Carlile stepped down. The review fell into abeyance, until, finally, William Shawcross was appointed by the new government of Boris Johnson in 2021.
Shawcross was a Director at the Henry Jackson Society and a Senior Fellow of the think tank, Policy Exchange. He was Chair of the Charity Commission between 2012 and 2018 when it carried out lengthy and discriminatory investigations of Muslim charities.34

The Henry Jackson Society and Policy Exchange are neo-conservative think tanks with strong security agendas associated with the clash-of-civilisations thesis and the ‘war on terror’, where British Muslims are constructed as a potential ‘enemy within’.35 They have close links with right-wing foundations in the US and with British journalists and conservative politicians who circulate between them.36

They are active in representing critics of Prevent and advocacy groups – especially groups representing British Muslims – as ‘extremist’ simply because of their opposition to Prevent.37 As Dr Khadijah Elshayyal – an Associate Fellow at the University of Edinburgh specialising in British Muslim identity politics and representation – has argued, this has seriously undermined Muslim participation in public life, in direct contradiction of what was claimed to be one of Prevent’s key objectives in promoting ‘British values’.38

Notwithstanding that a review was pending, the government also gave indications (for example, in new guidance to schools in England about curriculum material) that it would seek to include other forms of ‘extremism’, such as that associated with environmental activism, Black Lives Matter, and ‘left’ groups.39 The new ‘national curriculum’ in England of ‘fundamental British values’, then, is driven by an ostensible national security interest, but also by a partisan political ideology.

In effect, the government has extended the definition of extremism to include non-violent civil disobedience and, indeed, political positions that do not support the current government, just as civil liberties groups had warned. Prevent has itself become an ideological project of the government as part of a populist right-wing electoral strategy with no constraint upon its exercise. Indeed, it has been noted that the publication of the Shawcross Review and its recommendations have been delayed in alignment with the maintenance of Prevent have been consulted as part of Shawcross’s direct consultancies with vested interests in a growing infrastructure of officials and representation – has argued, this has seriously undermined Muslim participation in public life, in direct contradiction of what was claimed to be one of Prevent’s key objectives in promoting ‘British values’.38

The immediate response to the appointment of William Shawcross by Muslim organisations and civil society advocacy groups, alike – for example, MEND, Liberty and Amnesty International – was to call for a boycott of the review. Seventeen organisations signed up.40 A further 500 other organisations and individuals also determined to boycott the review.41

Other government reviews have also been criticised for their partisan character and the selective use of evidence – with the recent Commission on Racial Disparities review perhaps being the most egregious. It was widely criticised, including by the UN Office of the High Commissioner on Human Rights (significant because UN rapporteurs had previously praised the Race Disparity Unit as a sign that the government was tackling structural inequalities associated with race, ethnicity and religion),42 as well as by the Equalities and Human Rights Commission (EHRC) in a dossier of critical comments prior to its publication, notwithstanding that the EHRC then did an about-turn and welcomed it on publication.43

This represents a clear trend where bodies designed to provide a view independently of government and to hold public bodies to account are increasingly acting as agencies for the implementation of governmental policy. Most troubling of all is that William Shawcross, himself, will go immediately from his appointment as Independent Reviewer of Prevent to take up the post of Commissioner for Public Appointments.45

‘Spin and distortion’ (a term used by Ben Wallace, then security minister, to describe the legitimate concerns of those critical of Prevent), seems then rather to be the approach of government, not that of its critics. It is now ‘baked in’ because alignment with government policy has become the primary consideration in public appointments, rather than independence and concern for good governance. This signals an alarming trajectory that is in many ways distilled in Prevent.

One consequence of the boycott of the Shawcross Review is that critical voices will not be heard, while at the same time a growing infrastructure of officials and consultancies with vested interests in the maintenance of Prevent have been consulted as part of Shawcross’s direct concern for the ‘effectiveness’ of Prevent. It is in this context, that we undertook a People’s Review of Prevent. It is a review that represents civil society groups and people impacted by Prevent. Its findings are presented in the following pages.
PART ONE
Pathologising Religious and Political Expression

1.1 The Problem of Islamophobia and the Prevent Notion of ‘British Values’

The context for the introduction of Prevent and the wider CONTEST approach was, of course, the 9/11 terror attacks in the USA in 2001 (and the London bombings in 2005). In its Prevent strand, however, it was also responding to earlier civil disturbances in Northern English cities in the summer of 2001. These were widely described in the media as ‘race riots’, and subsequent official reports traced them to the fact that different communities in England were seemingly living separate lives.46 This was a contentious claim countered by academic research, as we show in Box 3.

The heightened concern over terrorism interacted with other anxieties over immigration. These would be fuelled by radical parties like UKIP, opposing both immigration and membership in the EU. This had a disruptive impact on electoral politics, especially in the period in which Prevent strategy was being extended, reinforcing its partisan character.

Box 3: Residential Segregation

Summarising the analysis of Gemma Catney, William Shankley, Tina Hannemann and Ludi Simpson write,

"Using the ‘index of dissimilarity’ to measure the residential segregation of different ethnic groups, Catney (2015) conducted a comparison of segregation across different groups using data from the 2001 and 2011 censuses. Catney (2015) found that residential segregation across all groups has decreased and, overall, neighbourhoods are becoming more ethnically mixed. The results also show that ‘in over two thirds of districts, segregation decreased for Black Caribbean, Indian, Mixed and Black African ethnic groups, between 2001 and 2011’ (Catney, 2015: 109).

Focusing specifically on London, the results found that residential mixing increased in inner and outer London. In outer London, for example, segregation decreased by 12 percentage points for the Bangladeshi ethnic group and 11 percentage points for the Chinese ethnic group. Other large cities, such as Leicester, Birmingham, Manchester and Bradford, have also seen a decrease in segregation for most ethnic groups. In addition, there has also been an increase in residential mixing between the White British and minority ethnic groups.” (page 31)
The events in the Northern towns had been preceded by a Report on the Future of Multi-Ethnic Britain from the UK’s leading independent race equality think tank, the Runnymede Trust (the Parekh Report). It argued that Britain was necessarily plural in terms of those who made up the national community, albeit that there were significant inequalities. The report proposed that British identity should be understood in terms of multiple histories of belonging, and that all communities had a right to participate in its definition. It also recommended that underlying inequalities should be tackled.

The idea of multiculturalism had a fragile hold on public discourse with politicians from both sides of the mainstream political divide – New Labour and Conservative alike – arguing that there was a need to affirm a unifying ‘Britishness’. When the Labour Government introduced a duty on schools to ‘promote community cohesion’, however, it did so in terms of affirming shared values that would facilitate positive interaction among children from different backgrounds. It also affirmed that community cohesion would be served by ‘tackling inequality gaps’ and “by promoting equality of opportunity and inclusion for different groups of pupils within a school.

What might seem to be a broadly positive approach was belied by the merging of community cohesion with Prevent, the counter-extremism programme. A strategy of winning ‘hearts and minds’ was directed primarily at Muslim communities and not at other communities in their attitudes toward British Muslims. This began a process of funding Muslim community initiatives provided they shared the government’s messaging, while organisations critical of the developing Prevent programme, were dropped. For example, it involved the creation of a National Muslim Women’s Advisory Group, a Young Muslims Advisory Group, and supported the creation of a Mosques and Imams National Advisory Board. Groups critical of the Prevent strategy were described as ‘extremist’ and, after 2011, the government pursued a policy of active disengagement, where it refused to enter into dialogue with these critical groups. The Muslim Council of Britain – which is the UK’s largest and most diverse national Muslim umbrella organisation – and MEND (an NPO that helps to empower and encourage British Muslims within local communities to be more actively involved in British media and politics), for example, were subjected to such treatment.

This was recently repeated by then Home Secretary, Sajid Javid, in a speech in July 2019 when he announced work on a comprehensive new Counter Extremism Strategy that would address what he called the ‘normalisation’ of extremist views in mainstream groups.

Despite the express concern of the 2011 Review of the Prevent Strategy with encouraging ‘full participation in our society’, the strategy of top-down co-option of community groups through the lens of counter-extremism via Prevent has developed apace. This is a threat to the democratic process since it seeks to manage both the form of participation of the individual in the social fabric of Britain and what is expressed, and within a particularly narrow, politcised view of what is acceptable for Muslims especially, to express.

As Lecturer and British Academy Postdoctoral Fellow at Exeter University Narzanin Massoumi has argued, civil society organisations within communities to promote its policies; that is, it has established quasi-social movements as an expression of state policy, rather than allowing them to function as a democratic challenge to it.

Our report will show that the mode of engagement with Muslim communities through Prevent is both intrusive and discriminatory. Indeed, it has been described as Islamophobic, leading to demands for a formal definition of the latter term equivalent to that for antisemitism. This has been accepted in local government and across political parties in Scotland, but not by the UK government (see Box 4).
There is no ‘Scottish exceptionalism’ concerning discrimination and prejudice toward Muslims and hostility toward immigrants. However, in Scotland, there is an expressed political will to tackle it. In contrast to the situation in England, all political parties in Scotland accept a definition of Islamophobia as a ‘form of anti-Muslim racism that targets Muslims and those who are misrecognised as Muslim’. This is the starting point of the recent Report of the Inquiry into Islamophobia in Scotland by the Cross-Party Group on Tackling Islamophobia: Scotland’s Islamophobia published in July 2021.

Its conclusions about Prevent are unequivocal: “Given the weight of evidence against ‘Prevent’, Schedule 7 and related counter-terrorism legislation, the Scottish Government should take steps to encourage the withdrawal of these and related strategies” (page 36).

This refusal to recognise Islamophobia and racism in policy follows strong lobbying by neo-conservative influenced think tanks like the Henry Jackson Society and Policy Exchange. Indeed, the former publishes an annual list of so-called ‘extremist speakers’ and the student societies that have hosted them, while the latter monitors university courses for evidence of moves to de-colonise the curriculum. Each also presents itself as an ardent defender of free speech on campus, attacking ‘wokeness’ and ‘political correctness’ (both tropes taken from radical right-wing narratives).

Adding domestic terrorism to the concerns about community relations brought about a serious shift in emphasis away from community cohesion and integration in multicultural Britain, to national security – setting up a discriminatory paradigm through the public sector’s engagement with Muslims in particular. Indeed, the message of Prevent is that ethnic minority citizens need to assimilate to ‘British values’, which are seemingly defined separately from them and their unique contributions.

Box 4: Division and Divergence in England and Scotland

Academic research and evidence show that the government’s Prevent strategy creates divisions and the scapegoating of Muslim minority citizens, at the same time as it lays claim to integration. But it is also creating damaging divergence within the UK political system. Although Prevent applies to the devolved jurisdictions (with the exception of Northern Ireland), many of its policies are specific to England as a consequence of devolved responsibilities. For example, there are no Prevent Priority Areas in Scotland, and there is no requirement in schools to teach ‘fundamental British values’. Yet the weight of the UK-wide Prevent duty nonetheless bears upon how Muslims are framed.
No longer ‘British’ enough

Sarah is a 27-year-old public sector worker who converted to Islam as an adult. Sarah met her current partner online, a fellow British citizen studying abroad, who had also converted to Islam. When she first informed her parents, they were concerned about their daughter potentially falling for a man who may be a known criminal, so they flagged their concern with the police.

This was then forwarded to the Prevent team without Sarah’s parents’ knowledge. Suddenly, Sarah was contacted by a member of the Channel intervention team. It was only at this point that she realised she had been referred to Prevent, and her details had been shared with Channel without her consent.

The referral led to a questioning of Sarah and her partner, which she describes: “I was questioned about my ‘British values’ and my partner’s ‘British values’ were called into question too. The irony is that Britain is a very diverse place.”

“It didn’t feel like they were questioning my British values at all; really the questions were all around my Islamic values. Even though none of those values, and particularly the ones they were asking about, contradict what happens day in and day out in Britain.”

“I kept having to justify myself even though I had done nothing wrong. Before my conversion to Islam, would somebody ever question my British values? Or would they accept that I am a British born and bred gal? But now, even as a British and English person who decided to practice the Islamic faith, my values are being called into question.”

“There is no marker for what ‘British values’ even look like. But the definition of being ‘against British values’ was clearly about me being Muslim. This is ridiculous given the official definition of Prevent talks about tolerance.”

This was illustrated most vividly by Prime Minister David Cameron’s speech in February 2011 to the Munich security conference. He declared that ‘state multi-culturalism’ had failed. Not only did some British Muslims live segregated lives, he argued, but they held values at odds with those of mainstream Britain. This orientation would be reinforced by the Casey Review into Opportunity in 2015 and the Government’s Integrated Strategies Green Paper in 2018.

However, there has been no evidence for such claims; in fact, sociological surveys have consistently shown that the values Britain’s Muslims express are those of democracy, diversity, and religious tolerance (see Box 5).
Importantly, there is a positive correlation between British identification and higher religiosity, the latter being part of behaviour that is deemed suspicious by Prevent. These associations have remained strong across the period since 2001.

Multiculturalism facilitates identification with being British on the part of citizens outside the dominant cultural and religious traditions.

67 This is because ethnic and religious minorities associate ‘Britishness’ with a commitment to a plurality that recognises their different traditions.

68 Indeed, Associate Professor in Ethnicity and Racism Studies, University of Leeds Yasmin Hussain and Paul Bagguley, Reader at the Centre for Ethnicity and Racism Studies (CERS) at the University of Leeds, suggest that where disaffection among Muslim young people exists, it is not because of the attractions of radical Islam, but because of disappointment in the realisation of their rights as British citizens, especially in the context of unequal opportunities and material disadvantage.

69 There is little doubt that the Prevent policy of community engagement is disproportionately focused on British Muslim communities. For example, Prevent Priority Areas (PPAs) were identified to receive additional funding (local authorities must otherwise fund their responsibilities from within existing budgets). When initially set up, they involved areas with 5% or more Muslims, later revised to areas with 4000 or more Muslims. This was mirrored within PPAs with the identification of ‘priority neighbourhoods’ with a high concentration of Muslim residents. Following criticism of the Islamophobic nature of the allocation of funds for PPAs, it became much harder to extract any information about the areas in receipt of Prevent funding.

The logic of PPAs – its ‘spatialised Islamophobia’ – belies any claim of an equality of concern with extremism. Even where activities are the focus of community engagements, they are associated with white disadvantaged communities in areas with Muslim populations, indicating that far-right extremism is addressed in the context of a perceived problem of Muslim integration. In Part Two of this report, we will show how the identification of risk is discriminatory and how this is built into the everyday practices of Prevent.

Our conclusion is: Prevent discriminates against Muslims. There is no evidence to suggest a problem of integration of British Muslim communities and no basis for regarding them and their families with suspicion.
No more ‘Islamic’ narratives in children’s books

Aliyah is a primary school teacher in a school with a large BAME demographic (approximately 90%). In 2017, she noticed that some books had been removed from her classroom by the Headteacher while she was away. The books were classic children’s tales like Cinderella and Snow White, but they had been rewritten by children’s authors to reflect the diversity of different cultures and religions.

Aliyah was told that the head teacher had held a staff meeting while she was away. The head teacher had referred to Prevent and the Trojan Horse affair and had told staff that they can no longer use books or resources that push an “Islamic narrative”. The headteacher also told staff that the Asian staff should not all sit together during lunch because of ‘Prevent and integration’.

When Aliyah confronted the head teacher about the missing books from her classroom the head teacher admitted that they had been removed due to Prevent and that the school needed to have more censorship with regards to reading and literacy. She said that it was not just Aliyah who had books removed, but other teachers had also had books removed from their classrooms.

PATHOLOGISING RELIGIOUS AND POLITICAL EXPRESSION

1.2. Countering Far-Right Extremism?

Neither New Labour, nor Conservative, governments have confronted far-right extremism directly. However, there is a difference between how its underlying causes have been understood by them. For New Labour it was seen as a problem of disadvantage and deprivation. This was why its strategy of community cohesion was also directed at inequalities. These inequalities were also experienced by ethnic minority communities, albeit that this fact was weakly articulated. There were inequality gaps between socio-economic groups – class inequalities independent of race and ethnicity (and religion), for example – but also inequality gaps between ethnic minorities and others.

Into this space, however, the idea of a ‘left behind’ white working class has been inserted; they experience serious socio-economic disadvantage supposedly a result of ethnic minority populations.71 The gap between them and ethnic minorities seemed both to be diminishing and to have been the focus of positive government policy for amelioration. It is this that has provided fertile ground for the far-right and a politics of resentment.72 Indeed, since 2010, first the Conservative-Liberal Democrat coalition and then Conservative majority governments have pursued austerity policies that have exacerbated socio-economic inequalities rather than reduced them.73 Significantly, when the duty on schools in England to promote community cohesion was replaced in 2014 with a ‘duty to promote fundamental British values’, reference to inequalities was absent (having already been removed from the Ofsted Inspection Manual in 2012).

Furthermore, the focus on Muslim communities in the Prevent strategy produced a number of predictable, but negative consequences. For instance, Professor of Youth and Policy at Huddersfield University Paul Thomas and his colleagues highlight that the seeming financial investment in Muslim communities as a consequence of PPAs created resentment amongst non-Muslim communities.74 It created the perception that Muslim communities benefited from ‘opportunities’ provided by Prevent funding that were being denied to others. Here, the mutually reinforcing and divisive relationship between the community cohesion approach and the ‘othering’ of Muslim communities is apparent.
The community cohesion approach could thus be seen as having had paradoxical consequences; it (re)affirmed the perceived ‘separateness’ of Muslim communities from ‘white British’ communities that had surfaced in relation to the riots in Bradford, Burnley and Oldham in 2001. This was further reinforced by the redescription of what were described as ‘shared values’ in the Duty to Promote Community Cohesion as ‘fundamental British values’, which created a formal asymmetry absent in the previous approach to community cohesion. Ethnic minorities – most especially, those who were members of minority religious communities of belonging – were now constructed as potentially in deficit with regard to their cultural and religious values, and their children in need of inculcation in mainstream ‘British values’ (see Box 6).

Box 6: Speech by Amanda Spielman (Her Majesty’s Chief Inspector of Education, Children’s Services and Skills and Head of Ofsted)

“Most children spend less than a fifth of their childhood hours in schools and most of the rest with their family. And so if children aren’t being taught these values at home, or worse are being encouraged to resist them, then schools are our main opportunity to fill that gap…”

“This, I believe, was where the so-called Trojan Horse schools failed. Not only were there issues with promoting British Values in many of those schools, but in some cases members of the community were attempting to bring extreme views into school life. The very places that should have been broadening horizons and outlooks were instead reinforcing a backward view of society.”

“One of [the] values as articulated in the definition of British values is ‘mutual respect for and tolerance of those with different faiths and beliefs and for those without faith’. It is a happy fact that almost every Church of England school we visit takes that value seriously.”

By implication, the issue of ‘Islamic extremism’ is associated with supposedly problematic individuals within communities that are also problematic, whilst ‘right wing extremism’ is associated with problematic individuals detached from their communities and wider, mainstream society. Indeed, even where activities are the focus of community engagements in PPAs, they are associated with white disadvantaged communities in areas with Muslim populations.
Reported for his interest in wars and the world

Joseph is a 14-year-old secondary school boy who was referred to Prevent following allegations about his social media account by a fellow pupil at school. The headteacher at the school called Joseph’s parents in for a meeting to discuss the allegations which included allegations that his social media account had images of guns and soldiers, and that he was a “bit of a loner”. Joseph’s history teacher also stated that he had a keen interest in wars and the Middle East.

It was revealed to Joseph’s parents during the meeting that a Prevent referral had already been made by the school.

The Vulnerability Assessment Form for Joseph had boxes checked for vulnerability to both ‘far-right extremism’ and ‘Islamist extremism’. Joseph’s parents had the following to say:

“Our son is an intelligent young boy with a keen interest in history. He is in the process of learning and discovering himself and the allegations made about his social media account by another school child were done so out of malice.”

“What shocks us is how a Prevent referral was made by the school, effectively penalising our son for his worldliness.”

“Secondly, Prevent officers then tried to convince us that our son was ‘vulnerable to radicalisation’, which contrary to what we know about him as his parents. When we pushed back against the idea of Prevent we then as parents were second-guessed and undermined.”

The Vulnerability Assessment Framework is completed by Prevent officers based on information shared with them about an individual’s ‘vulnerabilities’ and whether they would be suitable for Channel. In Joseph’s case the officer checked both forms of terrorism, suggesting that he could be vulnerable to both far right and Islamist extremism suggesting that even those professionals involved in referring to Channel are confused.
Referred despite not understanding a far-right symbol

Daria is a 12-year-old secondary school girl of Eastern European descent. Daria comes from a disadvantaged family where English is not their first language, so they required assistance from community representatives when Daria was referred to Prevent.

The referral was made by her teacher when she noticed that Daria had been doodling symbols on her notebook that resembled those of far-right groups. Daria explained that she was drawing images that she had seen as part of an animation that she had watched and did not realise the significance or resemblance of these symbols to any far-right groups.

Instead of giving the child and family the benefit of the doubt, the teachers did not believe her version of events. They said that they were “shocked that a girl her age does not recognise far right signage”.

The representative of the family was extremely confused and said that when the teacher made this statement the adults looked at each other in shock as they too were not aware that the symbol being referred to belonged to far-right signage.

Daria was referred to Prevent nonetheless.

This indicates that extremism is addressed in the context of a perceived problem of Muslim integration, and not as a problem of white British communities and their detachment from the ‘British values’ being promoted. Although the Prevent Strategy of 2011, as we have seen, indicated that ‘radicalising locations’ included families as one such space, this concern seems only to have been applied to Muslim families.

This has been made clear in a study by Suraj Lakhani, a Senior Lecturer within the School of Law, Politics & Sociology at the University of Sussex, and Assistant Professor at the University of Nottingham Natalie James (who is also a Fellow and Head of the Counter-Extremism Research Unit and the Centre for Analysis of the Radical Right) conducted into teachers and administrators responsible for the operation of the Prevent duty in secondary schools and colleges in South East England (Sussex). This is a region with a low proportion of ethnic minorities and respondents perceived that ‘Islamic extremism’ was a low priority. One respondent stated that “it’s difficult to regard Prevent as being a really high priority for this local area because of the demographics of the area...” However, when addressing attitudes that might be associated with the ‘far-right’, these were considered normal within the community and the home and, as such, it would be unfair to regard the young people at risk of radicalisation (see Box 7).
Box 7: Responses reported by Lakhani and James

“What seems to be almost quite clear, they are just repeating what they hear their parents say or what they hear on televisions. And we don’t tell them off but we get them to challenge it, “So where is your evidence for this and where did you hear this from?” To get them to really think about it and for most of them it is a case of, “I don’t know, it is just what my parents say.” (R22 Interview, Teacher)

“What can you do with someone who is just viewing Tommy Robinson videos and repeating what is said there at school? It is hard. And I think that is when you get into all that attitudinal stuff and having to have conversations with parents and the parents may be supporting those views. And we have certainly had that.” (R6 Interview, County Council)

“There have been occasions where, I’ve had a boy there, I’ve been made aware of his social media account, he’s been making really nasty violence in terms of, the pages he has up there, so … First of all, [I went] to his father, talk to his father and show him the evidence and his father was horrified, and he went on with that. We look on balance, whether this was something that we also should refer to Prevent.” (R8 Interview, DSL/DDSL)

Right wing views as ‘normal’

The extent to which the views are normal within the wider community, including among middle-class professionals involved in employment in the sectors enacting the Prevent duty is evident in a recent study from Birmingham University. This showed that Muslims were the second-most disliked group (after Gypsy and Irish travellers) and that support for prohibiting immigration by Muslims was 4-6% higher than for other religious groups. The survey also showed the significance of ‘illiberal’ liberalism, where hostility towards religion in general is associated with prejudice towards Islamic belief. The authors write that “people from middle- and upper-class occupational groups are more likely to hold prejudiced views of Islamic beliefs than people from working class occupational groups.”

Shortly after his appointment, he argued that it was necessary, “not to confuse mainstream conservative political positions with the far right. Certain far right terrorists speak about the need to defend Western values and freedoms and warn that immigration undermines culture.

Yet while the far-right does indeed care deeply about such causes, so do vast amounts of other people… Meanwhile, the link between immigration and culture remains a live subject in Europe … Assessing those positions to be ‘extremist’ just because the far-right commandeers them is a surefire way to ensure that any policy designed to tackle this ideology will not command widespread support”.

Similar views have been endorsed by the current interim Head of the Commission for Countering Extremism, Robin Simcox (appointed by the Home Secretary to replace Sara Khan in March 2021). He had previously argued that it is necessary to push back against accusations of Islamophobia against Prevent and also to ‘double down’ on the policy of not engaging with its critics among civil society groups engaging with Muslims.
He didn’t like Mein Kampf, but was referred to Prevent for reading it

Noel is a 15-year-old secondary school child with a keen interest in history and politics. When his school found out he was reading Mein Kampf they asked his history teacher to question his motivations for doing so.

Although his history teacher reported back by stating that Noel did not seem particularly ‘impressed with Mein Kampf’ and that they had had different conversations about controversial topics, they still suggested that it may be an appropriate case for a Prevent referral.

The school then reached out to the Prevent lead to get advice on the threshold for referrals which subsequently led to the school making a Prevent referral. Noel’s parents said of their interaction when Prevent tried to get involved:

“They were very persistent; I eventually agreed to Noel having a Channel mentor but I found the experience to be completely unrelated to how it was pitched with regards to Noel’s supposed vulnerabilities.”

“So, I told them that he would be exiting the programme and we stopped the sessions.”

Simcox suggests that this is similar to how Prevent treats the issue of Islam as a religion and distinguishes it from Islamism, but this is seriously misleading. Of course, there should be no suspicion toward religion, as such, but what are at issue here are political expressions. We can illustrate the distinction by reference to the Prevent Strategy 2011, where the focus was on ‘Islamism’.

It was stated that, “Islamism is a philosophy which, in the broadest sense, promotes the application of Islamic values to modern government. There are no commonly agreed definitions of ‘Islamism’ and ‘Islamist’, and groups or individuals described as Islamist often have very different aims and views about how those aims might be realised. Some militant Islamists would endorse violence or terrorism to achieve their aims. Many Islamists do not.”

The wish to apply Islamic values in everyday life and in politics is not, as such, problematic, but the implication is that they should be subject to scrutiny under Prevent in case they become attached to militant and violent actions. By the same token, if some right-wing ideas can be ‘commandeered’ by the far-right, that should also make them a matter of concern under Prevent. They may be held as views to be pursued through democratic means, but they may not – and it is that which is the stated focus of Prevent.

It is a concern that someone so close to the formation of government policy on these matters is unaware of the distinctions and judgements that are expressed as intrinsic to it. This betrays Simcox’s – and by definition the CCE’s – self-positioning within right-wing politics as equivalent in status to what he attributes to Islamism.

In fact, the government has gone further than simply endorsing Islamophobia, as part of its right-wing policies, it has done so in a way that is itself extremist by the broader definition it applies to others. The ideology that informs its Prevent strategy is that the ‘normalisation’ of policies will reduce the risks of extremism. However, this has involved the normalisation of clash-of-civilisation narratives about immigration and the failure of Muslims to assimilate.

At the same time, the government increasingly mobilises a populist embrace of the common-sense ‘majority’ in opposition to different ‘minority’ positions opposing their policies, which they then describe as ‘extremist’. Significantly, they refer to this in terms of conducting a ‘culture war’. This conforms with the formal definition of extremism favoured by the Commission for Countering Extremism, where “extremism refers to the belief that an in-group’s success or survival can never be separated from the need for hostile action against an out-group”.

Our conclusion is: Prevent is discriminatory in the way in which it approaches far-right terrorism differently from that of Islamist terrorism in the guidance, training and application. Far right extremism is seen as a problem of individuals rather than communities.
One of Prevent’s most obvious impacts has been in the arena of freedom of expression, both in terms of speech, but also in terms of the freedom to express a religious identity.

According to the government, free expression is a cornerstone of democracy. Indeed, it is so concerned about the topic that it recently introduced legislation to protect it within universities – the Higher Education (and Free Speech) Bill. The then Director of the Equalities and Human Rights Commission made a similar argument for all education institutions, including schools, arguing that freedom of speech in education was the “foundation of an effective society.”

Of course, there are some restrictions on free speech. It must be within the bounds of the law. For example, hate speech and incitement to violence are illegal (see Box 8). On a more banal level, employers may place restrictions on speech and establish requirements to adhere to professional standards in the expression of opinions in the workplace.

The emphasis in Prevent on countering non-violent extremism, nonetheless, represents a major restriction on free expression outside these constraints. It invokes national security, but it does so without identifying any offence other than the fact of the speech itself. In this way, it represents itself as judge and jury of what constitutes extremism, a term it is willing to use against any and all political opposition. Indeed, Prevent has been widely criticised as a tool for disrupting political dissent.

The government declares that its Prevent strategy is necessary to support democratic values – ‘fundamental British values’ – and to encourage participation in political life. It did so whilst also declaring that it would not engage with groups that it deemed ‘extremist’, nor provide them with any public funding for their activities with their communities; it stated, “we will not work with extremist organisations that oppose our values of universal human rights, equality before the law, democracy and full participation in our society. If organisations do not accept these fundamental values, we will not work with them and we will not fund them.” In this way, it operates in a partial way towards Muslim civil society groups, engaging with community groups from across other faiths, reserving its support only to those Muslim groups that support its policies. This is an inversion of the democratic relation between government and civil society groups. The functioning of civil society involves social movements that express social solidarities and seek to influence government policies from outside institutionalised arrangements.

Box 8: Article 10 of the Human Rights Act

“The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.”
When Martin Luther King quotes can be ‘hate speech’

Imam Mahdi is an Imam with a relatively high number of followers on social media. Following the Christchurch attack on a mosque in 2019, Imam Mahdi shared a video where he speaks about the white supremacy ideology behind the attack and the influence of media, politicians and leaders across the globe in furthering this ideology.

His speech spoke of standing united and referenced the teachings of Dr Martin Luther King as well as giving messages about virtue and kindness.

However, shortly after releasing his video, Imam Mahdi was informed that a Prevent officer wanted to speak to him. Imam Mahdi agreed to speak to the Prevent officer to see why he was of interest to them; they suggested that a referral had been made by someone who had viewed his video.

The Prevent officer then showed Imam Mahdi a video clip and said although he agreed with most of what Imam Mahdi says in the video, the problem is that he posted it on social media and he could be accused of ‘inciting hatred’.

However, under Prevent, the government has set up, or funded, civil society organisations within communities in order to promote its policies; that is, it establishes quasi-social movements as an expression of state policy, rather than as a challenge to it.90 This is something described in political science as the practice of ‘astro-turfing’, where the political manipulation of a movement purporting to be of the grassroots is disguised.91 At the same time, it directly opposes the legitimate political expression by groups that criticise it and will not engage in the very dialogue and debate that it claims is intrinsic to democracy. “Extremists”, it is claimed, “have attempted to coerce people not to participate in our democratic system or to subvert our democratic processes.”92 No evidence of coercion is provided. Indeed, the only instance given is that of a leafleting campaign in Birmingham during the 2010 general election, in which it was declared that voting was ‘haram’. This might be set in the context of the Government’s own introduction of voter ID to secure the ‘ballot’ in a situation where, according to the Electoral Commission just 28 votes out of 45 million in the 2017 election had concerns raised, while between 8.3 and 9.4 million eligible voters are not on the electoral register and voter ID potentially exacerbates that situation.93

Defining extremism?

This is at the heart of the problem with the government’s counter extremism policy. It lacks a definition of extremism that can tie it to any specific endorsement of violence. It relies solely upon a general idea that ‘extremism’ is a bad thing and presents itself as arbiter of to whom the label should be applied. Even the staunch advocate of the need to counter extremism, Sara Khan, accepts that there is a lack of clarity in the definition of extremism and that, when surveyed, “three quarters of the public respondents find the Government’s current definition of extremism ‘very unhelpful’ or ‘unhelpful’.”94 Her own idea is to append ‘hateful’ to extremism. It is unclear how that would help, since hate speech is already an offence and the problem that Prevent confronts is not with offences as such, but how to define precursor ideas as subjects of intervention, despite these ideas not being illegal. It is clear that the language of extremism can be used by the government to serve a general purpose of delegitimising any opposition to its policies – whether that be by activists within Black Lives Matter, Extinction Rebellion, or Occupy – but it is used disproportionately against Muslims.

This intensified following the introduction of the ‘safeguarding duty’ within Prevent in 2015, where educational institutions, including universities, must have policies and procedures for the vetting of all external speakers for their supposedly extremist views. The Student Rights section of the Henry Jackson Society, for example, publishes what it calls comprehensive digests of ‘extremists on campus’ and represents Islamophobia Awareness Month as legitimising extremism.95 Furthermore, it is not only government that refuses to engage with critical civil society organisations; it also seeks to encourage other public bodies to do the same.
The tools used to enforce this range from shutting down or placing restrictions on events through leveraging venue hire policies, enforcing speaker policies, manipulating health and safety policies, creating temporary licencing restrictions, and employing other regulatory manoeuvres. In most cases, the tactics have been covert and hard to prove, because counter terrorism officers have approached venues informally to secure the cancellation of events, but in some cases, there has been an obvious paper trail; an example is the case of a recent refusal to host a well-known civil society group that advocates against Islamophobia. (see Box 9)

This refusal was clearly due to the organisation’s stance against Prevent. In effect, the government argues that extremism is akin to ‘offensive speech’ – which means offending ‘British values’ – while at the same time arguing that free speech includes the right to give offence. Moreover, the approach is asymmetrical. On the one hand, there should be no ‘de-platforming’ of speakers in rejection of right-wing views to which the government is sympathetic. On the other hand, there must be a de-platforming of views that it declares to be extremist, notwithstanding that the views are not illegal.

The definition of fundamental British values invokes a concern about some groups with a ‘vocal or active opposition’ to liberal values. But these values include that of individual liberty which includes free speech. The government purports to follow liberalism and promote its values globally. However, the liberal philosopher and MP John Stuart Mill, author of what might be regarded as the primary text on liberty and free speech, was clear about what this would entail, and it is the present government which is in conflict with the concerns he set out over a century ago. Those who are in power, or who represent majority opinion, are likely to respond intemperately to any challenge to their views. Those outside existing systems of power, representing minority opinions, are likely to proceed cautiously and in moderate language, at the same time as they are represented as extreme.

The People’s Review of Prevent
Tasneem

A mother’s overseas aid packages result in Prevent door-stepping

Tasneem is a 26-year-old mother who has actively taken part in various charity projects over the years. She has collected clothes for the Syrian Convoys; for example she makes Eid gift boxes for the children living in Syrian refugee camps.

Her children love to join in the fun of making gift boxes for the children. In 2016, Tasneem had recently moved home when she received an unannounced visit from two Prevent officers.

They explained that their job was to investigate people who they believe may be at risk of radicalisation and asked her about her political views and what her views were on the situation in Syria before suggesting that they were concerned that she is intending to travel to Syria.

Tasneem reassured them that she had no intention to travel to Syria, that she is helping refugees and trying to start a fresh life with her children. Tasneem relays her experience:

“They both went on to state they believe I am at risk of being radicalised and feel that I may be in fact planning to travel to Syria. The one officer then went on to comment that it looked like I lived ‘very basic’. This I took offence to, as I had recently moved house after very difficult circumstances.”

“After their first visit they came back again. The same two Prevent officers came to my home when I had visitors over, so I just spoke to them at the door. It was then that they asked me to join the Channel programme because they thought I was at risk of radicalisation.”

“I told them I was not interested, and I am not at risk of anything and that I would like to be left alone. Although they confirmed it was voluntary, they turned up at my door one more time which I thought was very harassing.”

Whose speech is dangerous?

For Mill, the danger of policies like Prevent would be that they lead to the suppression of dialogue and free expression; “unmeasured vituperation employed on the side of prevailing opinion, really does deter people from professing contrary opinions, and from listening to those who profess them. For the interest of truth and justice, it is far more important to restrain this employment of vituperative language than the other”.

The government argues that Prevent is popular with the wider public, who regard it as contributing to their safety. We doubt this claim, but, in any case, it misses the point about the value of free expression in a democracy. State vituperation of ‘extremist’ speech in the guise of Prevent has a chilling consequence on free expression, especially for British Muslims, whether in schools, further and higher education, or in wider public life.

Individuals – school pupils, students – can be referred under Prevent for statements that they make, whether these involve the endorsement of religious values, or express support for Palestinian rights, or charitable fund-raising for Syrian refugees. This necessarily has a detrimental effect on free expression where individuals feel vulnerable to an arbitrary reporting mechanism and involvement of a safeguarding lead and the local safeguarding panel. Muslims are disproportionately vulnerable to securitisation in this way, and they report being advised by parents and friends not to speak out on contentious topics. This has a potentially isolating effect.

As a White British non-religious female university student reported: “I think Prevent is, if anything, preventing discussion. And if you don’t display what radicalism stands for, what it is, how are you supposed to uncover, how are you supposed to prevent people from going [to Syria] or from falling for it?”
Mum of 8-year-old questioned about attending a peaceful protest

Adil is an 8-year-old schoolboy whose parent was called into the school to meet with the Headteacher to discuss her son’s “concerning views”.

The parent went to the meeting, but it was only upon arrival that she realised that two social workers were also present. They began the meeting by telling her that Adil had written on a drawing of a mosque saying, “Muslims are better than Christians”.

However, the comment itself was not the focus of the meeting as they began to question the parent about a rally that the parent had attended with their child some time previously.

The parent reported the interview as follows:

Social worker: “What was this protest about exactly? Can you explain in detail?”

Parent: “The protest took place in 2014 and was regarding the conflict between Palestine and Israel; it was in particular to do with the lack of media coverage from the BBC.”

Social worker: “So what was the need to take the children?”

Parent: “This was a peaceful protest; there were many other children there from different races and religions too, who were peacefully protesting to stop killing innocent children. That was the reason I took my children to the protest.”

Social worker: “So am I right in saying you were protesting against our government?”

Parent: “It was a protest to raise awareness of the major issues that weren’t being covered by the media.”

Social worker: “So did you not think that this would instil hate for the government in [your son]?”

Parent: “Go and ask my child what the definition of “government” is and what it means. He wouldn’t have a clue as he’s just turned 8!”

Headteacher: “I believe your child goes to the mosque. Why does he go there?”

Parent: “Both the kids go there every day after school to learn Arabic and to be educated on Islam.”

Social worker: “Is your father involved in any political group or party?”

Parent: “No, my father is not involved in any political group or party.”

The parent stated that they were all very cordial and she answered the questions and thought that it was the end of proceedings, until the social worker said she wanted to tell them “about the next stage.”

The social worker said that the matter had been referred to PREVENT, which acts to prevent radicalisation.
Schools are encouraged to present ‘both sides’ of a contentious issue such as Palestine, but there is little understanding that this means that, in principle, each side can be legitimately taken and embraced separately from a classroom debate about their respective merits and the arguments and evidence associated with them. The requirement to have both sides presented is also one-sided. The requirement is enjoined only where views which contravene mainstream opinion are concerned. Indeed, support for Palestinian rights, as expressed in solidarity symbols, is treated by schools as potentially ‘antisemitic’, or ‘extremist’.

Research conducted by the Arts and Humanities Research Council-funded Islam on Campus Research Group, found that students and staff self-censor their discussions to avoid becoming the object of suspicion and are sometimes discouraged from exploring, researching, or teaching about Islam. Research by the NUS found that one in three students were concerned about Prevent on campus and it impacted their willingness to speak in class, seek mental health support and decide whether to politically participate in their students’ union.

What is also at issue is how British Muslims are presented within Prevent as a community under suspicion and as a potential risk to others on the basis of their perceived ‘Muslimness’.

The same research, for example, shows that students who see Prevent as essential to protecting the security of universities are significantly more likely to affirm negative views of Islam and Muslims than those who are more moderate or critical regarding Prevent. (2021: 50-52). Negative generalisations about Islam and Muslims can be sustained by support of the government’s counter-terror narrative.

Writing in the online magazine, CapX (an offshoot of the Centre for Policy Studies), in October 2020 Will Baldet asked, “Why have we let Islamist agitators dominate the counter-terrorism discourse?” Baldet is one of seven Regional Prevent Coordinators in England and a key spokesperson for Prevent.

Just how do critics of Prevent dominate the discourse when all mainstream media is behind the government’s policies and negative reporting of British Muslims is so pervasive? How is the widespread support for Prevent that Baldet claims demonstrated? The report by the consultancy, CREST Advisory, shows something far more interesting than what Baldet claims on its behalf (see, Box 10).

Baldet argues that, “with an increasing number of studies finding majority support for Prevent, it becomes incumbent on politicians and authentic critics to engage in a more nuanced and honest dialogue.”

Box 10: Crest Survey

Most of the respondents to the CREST survey had not heard about Prevent (just 45% of Muslims and 32% of the wider public had heard of it); instead, they were asked their views about the problems Prevent is claimed to address.

The report shows that British Muslims have very similar concerns about terrorism as the wider public. And they show similar commitments to British values, not least because those values are understood also to be Islamic values. Equally importantly, they think Britain is a good place to be a Muslim because of their experience of freedom of religion.

But they do have serious concerns about Islamophobia (this is so especially among Muslim women), about unfair representations of Muslims in the media, and about the far-right.

These findings are in line with the survey results we presented in Box 6. That honest dialogue would, in fact, show that it is right-wing agitators that dominate the counter-terrorism discourse.

Government advisers such as the new interim Commissioner for Countering Extremism, Robin Simcox, have urged the government to pushback against concerns over Islamophobia. Leaks from the Shawcross Review also suggest he believes that Prevent has focused too much on right-wing extremism and should redouble its attention on Islamist extremism. in fact, Shawcross, Simcox and Baldet all advocate policies that make Prevent unacceptable to British Muslims (once they are alerted about its specific features) and which pay no attention to their concerns. This is so despite the fact that British Muslims exhibit a greater commitment to the values that ostensibly are at issue, frequently regarding them as Islamic values.
**Nura**

Education worker ‘furious’ at Prevent trainer who says Mandela is a ‘terrorist’

Nura encountered Prevent in a job at a primary school, where she works as a welfare officer. She is known for being knowledgeable about legal and government issues and a source for the community beyond the school, not just for the students. She attended a mandatory Prevent training alongside other school staff from her school and another school.

She did not know ahead of time what the training was about. The trainer presented virtually on the Prevent policy, as it pertains to education. The first indication that the training was not normal was when the trainer asked if they considered Nelson Mandela to be a freedom fighter or a terrorist.

Nura said that he had been fighting against apartheid and was a freedom fighter. The trainer said he was both a freedom fighter and a terrorist. Nura speaks of other concerns:

“Soon [the trainer] linked the far right attending [a] rally, with protest for Palestine. I said, oh my God. I’m a law-abiding citizen [but] this means that I am in their eyes a radical. That shook me.”

“When I interrupted the presentation at the mention of Palestine, to silence me she said ‘Oh, I’ll give you some time at the end.’ I said, ’No, I need your contact details.’”

“I was fuming ... What’s the next step? ‘You don’t belong here’ – that would be the next step. ‘You don’t belong here. We’ll strip your citizenship of you. You don’t belong’.

"Nura notes she specifically asked for assurance from the trainer that children and/or their families who attended rallies for Palestine would not be penalized or labelled as radicals.

She received an email response from the trainer, but she could tell it was not written by her. Rather, it appeared to be written by a solicitor and copy and pasted from a larger document.

Now she worries for her students, for all people who are fighting injustice, including attending rallies for justice for Palestine. Nura is concerned about the future, and how different ways of voicing your disdain for injustices could make people a target.

Free expression requires the active encouragement of difficult or controversial discussions around faith, identity, and politics. As Professor of Society and Belief at SOAS University of London Alison Scott-Baumann puts it, let us free speech from its terrors. Prevent has the opposite effect.

Let us be clear what is at issue. A healthy, functioning democracy cannot simply be about the will of a majority, but also the protection of the rights of ethnic, religious, and political minorities. With the claim that the measures are popular with a majority, the government is acting to reduce the rights of minorities. In this context, British Muslims are presented as a scapegoat, a default position that enables an increasingly authoritarian government whose policies are suffused with Islamophobia.

Our conclusion is: Prevent undermines free expression by defining as ‘extremist’ views and actions which are a normal part of a healthy and functioning democracy.
Sajda Mughal OBE

7/7 survivor & countering extremism champion speaks about Prevent

Regardless of which public authority receives the request, there is an observable sense of hostility or silence that seems to greet the most superficial but well composed request for information.

Prevent is also funding entirely inappropriate projects, led by people who possess little, if any experience in community engagement. Instead, they are consultants from corporate or police backgrounds – and often have personal connections with local Prevent teams.

There are also organisations funded by Prevent that have expressed views that contradict Prevent’s public ethos, including one person who has published views in favour of a far-right extremist who has also sent abuse and threats to a well-known female politician.

By far the most concerning impact of Prevent is on children and mental health. Muslim children are being taught to stay silent about their beliefs, which then encourages others to develop their own misguided prejudice. This is against children’s rights as outlined in the UN Convention on the Rights of the Child, to which the UK is a signatory.

In the realm of mental health, I was shocked to discover that my local mental health NHS trust was involved in a pilot scheme to “embed” mental health professionals as “consultants” in the SO15 counter-terrorism team in the MET police. This is being done often far from public view.

Education and healthcare are supposed to be safe spaces for children and adults, where a certain amount of confidentiality is necessary for the best support to be provided in an atmosphere of trust.

There is also a prevailing toxicity within Prevent. Any criticism or concerns are met with orders to stay quiet and threats to have funding withdrawn.

Only those projects willing to toe the line, or those who have personal connections to Prevent co-ordinators, receive proper support. When I began speaking out, I was subjected to personal threats, abusive language and other forms of threatening behaviour both inside and outside of Prevent meetings.

Eventually, my funding was withdrawn after I refused to comply with their demands and refused to stay quiet. I am still to this day subject to hateful rumours and smears.

It is clear, from my experience and from the current “review”, that those in charge of Prevent have little desire to consider any views that differ from their own.
The internal Home Office review of the Prevent Strategy in 2011 set out the importance of a clear distinction between programmes to address community cohesion and those dealing with security risks. This intention was never fulfilled. A variety of government departments, including the Departments for Education, Health, Justice and, Communities and Local Government ran programmes addressed to cohesion and integration, as did the Home Office, most especially with its Building a Stronger Britain Together Programme and its Counter Extremism Commission. The different agendas of security and community cohesion were in tension with each other, with the security agenda undermining the latter.

The special focus of the Home Office has been with the security aspects of Prevent that were flagged in 2011, but not fully implemented until 2015 with the Counter-Terrorism and Security Act. This expressed the intention to address supposed precursor ‘ideologies’ to support for violent extremism. The claim was that they served as a gateway or conveyor belt to violent extremism. A new ‘safeguarding duty’ was placed upon providers of public services – for example, child-care, schooling, further and higher education, children’s and youth services, health services and prisons and offender services.

There is no proper evidence for the claim about the dangers of radicalisation, nor for the indicators that would be used in assessing behaviours and attitudes. Violent extremism is an offence defined in counter-terror legislation. Non-violent extremism resists definition without intruding on freedom of expression, as we have seen. The government requires training for the many practitioners and employees that are enrolled in monitoring individuals and their supposed vulnerability to radicalisation, training supplied by multiple providers.

The sectors to which the duty is applied are not straightforward and further muddy the picture. The prison and offender service, for example, is not part of a pre-criminal space. Here the authorities have all the necessary powers to act. Yet, as the Manchester Arena Inquiry demonstrates (see, Box 11), they have failed to provide efficient monitoring within their lawful powers. This is not a consequence of deficiencies in Prevent, but of failures in policing associated with the Pursue strand of the wider counter-terrorism strategy.
These failures are a consequence of the fragmentation and outsourcing of the criminal justice system. Instead, newspaper reports have mobilised perceived failures of policing and security services dealing with ex-offenders, in order to allow neo-conservative think tanks to argue for the extension of surveillance and control over individuals who have committed no offence at all and where there can be no expectation that they will. These bodies – which are generally in favour of the ‘small state’ – should support the domestic expansion of the state in its security aspects, including the creation of an extensive local bureaucracy under centralised control.

The orientation of the pro-Prevent lobby is evident in the proliferation of consultancy opportunities. But this is a form of privatisation of government functions that has failed to produce effective ‘offender’ services, at the same time as it builds private interests into public policy as well as its evaluation and delivery. It has, in fact, been described, even by advocates of Prevent at RUSI, as a ‘flourishing industry’.

It is ironic that these bodies – which are generally in favour of the ‘small state’ – should support the domestic expansion under the Pursue strand of CONTEST. He was downgraded as a subject of interest in July 2014, a point at which he might have been referred to Prevent by the Manchester Counter Terrorism Police. They did not do so. MI5 also passed on intelligence about Abedi to the police in the months before the bombing, yet it was not acted upon. Had he been referred to Prevent, he would not have been identified as a direct threat and would not have been under the scrutiny his case warranted. The scrutiny and associated resources were available under Pursue, where all such failures would seem properly to fall.

Box 11: The Manchester Arena Bombing and Prevent

There has been much media coverage of the alleged failures of Didsbury Mosque to report Salman Abedi under Prevent. However, evidence provided to the Manchester Arena Inquiry by Detective Chief Inspector Dominic Scully involved in Counter Terrorism Policing in Greater Manchester indicated something different. According to his evidence, Abedi was known to Manchester Counter-Terrorism Police and other security services as a potential ‘subject of interest’ with known connections with other subjects of interest under the Pursue strand of CONTEST. He was downgraded as a subject of interest in July 2014, a point at which he might have been referred to Prevent by the Manchester Counter Terrorism Police. They did not do so. MI5 also passed on intelligence about Abedi to the police in the months before the bombing, yet it was not acted upon. Had he been referred to Prevent, he would not have been identified as a direct threat and would not have been under the scrutiny his case warranted. The scrutiny and associated resources were available under Pursue, where all such failures would seem properly to fall.

According to his evidence, Abedi was identified as a direct threat and would not have been under the scrutiny his case warranted. The scrutiny and associated resources were available under Pursue, where all such failures would seem properly to fall.

His religious beliefs were criminalised at school

Ilyas is a 15-year-old secondary school boy preparing for his GCSEs. He is known by his teachers as being someone who is quite shy. Prior to the pandemic, the school had always operated single-gender PE sessions, which changed once the children returned to school in 2021.

Ilyas challenged this sudden change, and he told the teacher that he did not want to participate in mixed PE sessions. The teacher asked him why, and he said that his religion prohibited unnecessary free mingling of genders.

The teacher asked him to show where in Islam it stated this. So, Ilyas googled it and showed the teacher a reference to free mingling of genders from the first link that he found to support this.

In a separate incident, Ilyas had told another teacher that he would be unable to stay behind on a Friday as he wanted to observe the ‘special prayers’.

The school subsequently contacted Ilyas’s mother to arrange a meeting with the school in the presence of a Prevent officer. Ilyas’s mother was shocked that these incidents could be taken together to suggest that her son was an extremist or potential future terrorist.

She asked in particular why his requests had not been discussed with her first, prior to the school contacting Prevent. Ilyas’s mother said the following:

“How the school made the link between Prevent/terrorism risk to my son is based on his religious belief, and it really demonstrates to me that there has been clear discrimination against my son based on religious grounds.”

“It is bad enough that we see links to religious conservatism and terrorism in the media but to think that the schools also believe this is disappointing. They have known my son since Year 7, so it shocks me even more that they could view him in this way.”

Ilyas

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The teacher asked him to show where in Islam it stated this. So, Ilyas googled it and showed the teacher a reference to free mingling of genders from the first link that he found to support this.

In a separate incident, Ilyas had told another teacher that he would be unable to stay behind on a Friday as he wanted to observe the ‘special prayers’.

The school subsequently contacted Ilyas’s mother to arrange a meeting with the school in the presence of a Prevent officer. Ilyas’s mother was shocked that these incidents could be taken together to suggest that her son was an extremist or potential future terrorist.

She asked in particular why his requests had not been discussed with her first, prior to the school contacting Prevent. Ilyas’s mother said the following:

“How the school made the link between Prevent/terrorism risk to my son is based on his religious belief, and it really demonstrates to me that there has been clear discrimination against my son based on religious grounds.”

“It is bad enough that we see links to religious conservatism and terrorism in the media but to think that the schools also believe this is disappointing. They have known my son since Year 7, so it shocks me even more that they could view him in this way.”
We will discuss the nature of this training and the identification of risk factors in the next chapter. What needs to be stressed, once again, is that none of the apparently troubling signs are offences under criminal law and yet they trigger the involvement of the police and security services and the creation of a record that can be shared across different agencies. We will deal with the data protection aspects of Prevent in a later chapter.

The designated signs of vulnerability are multiple and include things that an individual might say, and how they behave, as well as information about an individual’s changing circumstances. They include for example such mundane factors as adoption of a religious mode of dress, changes in friendship groups, becoming isolated, or experiencing difficulties at home.

The local Prevent bureaucracy is truly extensive. Prevent Panels were established in all local authority areas in England and are multi-agency bodies. They involve local designated officials (the ‘officers’ of the new Prevent bureaucracy), social workers, and counter-terrorism police. Each area has a local Prevent coordinator overseen by regional Prevent coordinators responsible for each sector and reporting to the Office for Security and Counter Terrorism in the Home Office, recently re-named as the Department for Homeland Security.

All those defined as having a safeguarding function – from safeguarding officers through to individual teachers, academics, and staff working in canteens and sports facilities, etc. – are required to have training in how to identify the signs of ‘vulnerability’ that might provide cause for concern and trigger the process of referral.

Choosing the veil turned her psychiatric treatment into an interrogation

Maira is a 25-year-old who has been diagnosed with ‘emotionally unstable personality disorder’. At the start of her diagnosis, Maira had a good relationship with her psychiatrist. When Maira converted to Islam she discussed her religious beliefs with her psychiatrist. The psychiatrist was concerned when Maira spoke about her belief in the ‘unseen’ and asked an NHS Imam (a Muslim religious leader) to speak to her about her beliefs. His assessment was that there was nothing worrying about what she had mentioned.

Two years after her initial diagnosis, Maira was allocated new psychiatrists and started attending group therapy sessions. Maira started to wear a face veil during these sessions.

The psychiatrists questioned why she had started to wear the veil. Maira felt under pressure to try and provide an explanation to the psychiatrist about her beliefs and the choice to wear a face veil and says that the psychiatrist responded to her answer with a “strange look”.

Following this, Maira was called in to speak to the head psychiatrist for what she believed would be a medication review.

However, the meeting was not a medication review. Instead it was a 45-minute interrogation featuring questions about Syria, whether Maira knew people who had been ‘radicalised’, whether she herself was ‘radicalised’ and what she felt ‘radicalisation’ was.

The head psychiatrist also asked who it was that was teaching Maira about the religion and wanted to know which books she was reading. Maira said she felt “under immense pressure to answer all the questions even though none of the questions were related to my illness”.

The People’s Review of Prevent
The latter two factors may indeed indicate that someone needs help and support from social services. After all, many of the organisations with a new safeguarding duty under Prevent have previously had duties with regard to looking out for signs of neglect, psychological disturbance and the like. What is new is to provide these under a safeguarding duty that extends beyond the immediate welfare of the individual to the welfare of the wider public and the Government itself, as expressed in the ‘national security’ prerogative at the core of Prevent.

The requirement under the Prevent duty as it operates in the pre-criminal space is for practitioners to monitor pupils, students, patients, and clients for signs of ‘non-violent extremism’ and report them for assessment and possible de-radicalisation in a year-long Channel programme of education. Participation in that programme is, however, voluntary, given that no criminal offence is involved (whilst it can be mandated for ex-offenders, or, at least, made a condition of release).

In the sectors to which it applies, then, Prevent involves the direct incorporation of Prevent practitioners – who exist in the unaccountable private sector – and public sector employees, who are supposed to be accountable to the public they serve, into the security functions of the state. The Home Office estimates over a million people had been trained up to 2019, with more since then.120 The exercise of the duty involves surveillance of pupils, students, and other users of services for indications of extremism. Any individual exhibiting troubling signs should be reported to a ‘safeguarding lead’ within the organisation who decides whether or not to report the individual to the local Prevent panel.

The initial process already marks the start of serious harms associated with interventions under Prevent. These are harms to individuals and their families or carers and harms to an environment where trust is part of the effective delivery of the service within which an individual has come to notice. In place of this integral aspect of mutual trust, Prevent has introduced a widespread security ethos within childcare, education, youth services and in health provision, one which is targeted disproportionally toward Muslim children and young people, and those with other vulnerabilities such as mental health.

In this context, it is significant that isolated boys with mental health issues, or ‘incel’ interests, are referred for treatment for their mental health issues, then investigated under Prevent.121 This is an indication of the way in which Prevent operates with British Muslim communities under suspicion in a way that is not extended to others.

The legal mandate to report anything ‘suspicious’ means that the practitioners who are closest to the individuals concerned are discouraged from using their own expertise to question the basis on which they are flagging their concern. Instead, the assessment is moved quickly away from those flagging their concern, into the hands of counter-terrorism officers to action, without direct experience of the individual or the context of the concern.
The preventive state

In this way, Prevent has been likened to ‘stop and search’ as a police practice. A standard defence of ‘stop and search’ is that it is an effective prophylactic and that it does identify some criminal offences. That is, that there are some ‘positives’ – found objects, such as a knife or drugs, related to the commission of a crime – among all those who are subject to such an intrusive intervention. In the case of Prevent, it is worth reminding ourselves that even the ‘positives’ are false, in the sense that the individuals concerned have not committed an offence nor is there any evidence that they will in the future commit an offence.

Nonetheless, they can be recommended for a Channel intervention on the basis of a suspicion that they may, at some point in the future, form an intention to do harm, and this is recorded as a ‘success’. To be clear, when critics of Prevent refer to ‘false positives’ (cases which are flagged for concern as a referral to a local Prevent Panel, but which do not proceed to a Channel recommendation), they are only representing part of the problem.

The category does not include those where an intervention under Prevent does not reach a local Prevent Panel (this information that is not made available so that the scale of the intrusion can be made public), but where significant harms nonetheless arise at pre-referral stage. What is happening here is part of a wider process of the incorporation of (speculative) behavioural science into the criminal justice system. This is being done through what has been called, more generally, ‘preventive’ policing. This involves the dystopian fantasy that it might be possible to identify those with a propensity to criminal acts and to intervene before they happen. It takes the form of profiling with the attendant concerns about discrimination integral to it. We document the discriminatory nature of Prevent throughout this report. One particular issue, we have suggested, is how the profiling is racialised, with those associated with right-wing extremism and self-radicalised online being identified as having mental health issues and those identified with ‘Islamist extremism’ represented as ‘political’ and, therefore, ‘riskier’.

The difference between Prevent and other forms of preventive policing, however, is precisely that it takes place outside a direct police initiative, and police are brought into a process that is technically independent of them. Policing is subject to some legal oversight and requirements of formal monitoring and reporting, as well as opportunities to bring a complaint. For example, profiling for stop and search associated with preventing knife crime can be challenged within existing regulatory frameworks. However, this is not the case for Prevent.

Referred to Prevent for frustrated comment at school

Amir is an 11-year-old secondary school boy with special educational needs, who had suffered anxiety after witnessing domestic violence at a very young age.

Amir’s mother noticed that he was deeply unhappy at the secondary school. Being a teacher herself at another school, she tried hard but unsuccessfully to arrange for her son to move schools, because she did not believe that his current school ethos or environment was conducive to his wellbeing.

Another child alleged that during a fire drill, they had overheard Amir say that he wished the school would burn down. As a result of this allegation the child was referred to Prevent.

Although the Prevent officer who vetted the referral did not take it any further after speaking to Amir’s mother and realising the context, Amir’s mother was shocked by the school’s decision to make the referral in the first place, without even telling her.

She condemned the decision and filed a complaint. Amir’s mother felt strongly that the decision made to refer her son was done in a discriminatory manner and stated: “Being a brown, Muslim Asian boy does not make you a terrorist.”

The referral not only led to a breakdown in trust between Amir and the school but also resulted in Amir’s data being stored on police databases despite not being suspected or even accused of a crime.

Amir’s mother was able to successfully get the data deleted. However, it took a year between suspecting that his data had been stored on police databases to securing its removal.

When the police agreed to delete the data, she said: “I am so overjoyed, I could cry! A year and 3 months on but still so, so pleased.”
Teachers are confused when they cannot use their own expertise

Jenny is a Head Teacher of a primary school associated with the referral of a nursery aged child. When a complaint from the child’s mother came into the school, Jenny responded with the following statement.

She said that the Prevent duty does not require teachers to use their own judgement about the consequences of the referrals, nor does it allow them to use their own professional judgement to investigate if a statement or comment of a child is true. Jenny also admits that Prevent in practice in this case, did not conform to how Prevent had been described, leaving her confused about how the referral was handled. Her statement follows:

A four-year-old’s imagination results in a referral

Zak is a 4-year-old boy in early years education. In 2019, Zak was playing at the after-school club he attends and in referring to the video game Fortnite, he told one of the staff members that his father had “guns and bombs in his shed”.

The staff member did not say anything to the mother when she collected him that evening. Instead, she spoke to the designated safeguarding lead that same day raising the concern under the Prevent duty. The designated safeguarding lead agreed that this should be escalated as a Prevent referral however they could not make contact with the Prevent team.

Following Prevent procedure, the school then contacted 999 to report their concern, making clear that they wanted this to be raised as a Prevent concern.

This resulted in a police officer visiting the family home that same night at 10.30pm to investigate the report.

In this case, the mother felt that if her child had not been Muslim then he would not have been viewed in this securitised manner. The mother said of the experience:

“It could have gone really wrong. I worry armed police could have come to my house and, you know, arrested the parents, with social services getting involved.”

“The office sent me all the information, including the transcript of that conversation. It’s quite clear he mentioned Fortnite,” said his mother. “He’s just a little boy with an imagination.”

“The teachers should know in this setting that [children] have imagination. They know exactly what kids are like, and what young boys are like. I do think that if it was a white boy, they wouldn’t have actually gone to that extreme of referring him to the Prevent scheme.”
Eight-year-old asked to recite the Qur’an by counter-terrorism police

Adam is an 8-year-old primary school boy who was interrogated by two counter terrorism officers and a social worker under the Prevent duty.

This interrogation occurred at school during lunchtime without the knowledge or consent of his parents. Adam says:

“All the other children were enjoying lunch and playing football and I was in the room being questioned all that time. They asked me what my father teaches me, and I said maths. They asked me to read the Qur’an so I did, and then they asked me if I knew the meaning of the verses.”

The local authority is a Prevent Priority Area (PPA) and has a large demographic of Muslims. The local authority claimed that they needed to assess if Adam was at risk of radicalisation and therefore an assessment under children’s services was being conducted.

However, Adam’s parents complained, because the actions of the local authority were extraordinary; two counter terrorism officers led an interrogation of their child in a case where the allegation demonstrated no urgency or immediate risk to the child.

Adam’s parents went through an extremely long complaints process (years) before receiving acknowledgement from the local authority that they had failed to promote Adam’s welfare by at the very least limiting the number of counter terrorism officers present.

The image below is an extract of the complaint from the parent (bold) and the response from the local authority (stating it was upheld):

Even if, it was deemed appropriate for an SO15 officer to be present to assist the social worker, it was disproportionate for 2 SO15 officers to be present. The Local Authority failed to promote my son’s welfare by not limiting the number of SO15 officers being present when he was interviewed on .

The investigating officer found that the deployment of two police officers was excessive and unnecessary. There was no operational need or necessity for two police officers to be present for the interview. It is for these reasons I concur with the investigating officer and find to be upheld.

Police officer suggests that Prevent exists outside of safeguarding

Police Sergeant Katherine is a member of the Prevent team and of a regional police force. In 2021, PS Katherine was tasked with responding to the complaint of a father about the questioning of his 12-year-old child by a Prevent officer from her team.

The child had been questioned in the absence of their parent or guardian with regards to an alleged hate crime. The father of the child put in a complaint to the police claiming that this breached PACE Code C (Police and Criminal Evidence Act 1984): Revised Code of Practice for the detention, treatment and questioning of persons by Police Officers, which states:

PACE requires that the Prevent officer (who is a police officer) was required, at a minimum, to (a) caution him, in the presence of an appropriate adult; (b) inform him of his right to information about the offence; (c) inform him of his right to legal advice; (d) ensure the presence of an appropriate adult, most obviously one of his parents; and (e) seek confirmation from an officer of superintendent rank or above that the interview would not significantly harm his physical or mental state.

PS Katherine responded to the complaint after speaking to the officer about whom the complaint was made and her own supervisor who is also the Regional Inspector for Counter Terrorism Policing. Katherine’s response to the alleged breach of PACE conduct was that: “This was not an ‘interview’ for a criminal offence and is therefore not governed by PACE.”

The father who made the complaint was extremely confused by the response; a Prevent officer is a police officer and yet under Prevent he was able to conduct himself outside of the normal conduct expected as a police officer.

This means that Prevent officers may question minors without the safeguards and protections provided to children.
Prevent, then, is a centrally coordinated system which lies outside explicit legal safeguards. It is also outside mechanism of local review and accountability in local government, notwithstanding that it has serious implications for community relationships including among clients and users of local services and those that provide them.

Our conclusion is: Prevent targets actions and behaviours which are not in themselves illegal and for which there is no evidence that they have any relation to future terrorist offences. It has no justification in the light of national security requirements, which can all be satisfied through other measures within the counter-terrorism strategy and the UK’s extensive legislative toolkit.
PART TWO

Securitising Communities and Individuals

2.2. Profiling populations, identifying ‘risks’

As we have seen, the Prevent monitoring process seeks to identify signs of ‘radicalisation’, defined as “the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.”

Retrospectively, the path that led to any violent act may appear to be clear in the individual case (it certainly becomes a matter for media concern and accusations of failure); prospectively, it is anything but clear, especially when what is identified as a possible factor is being assessed across the population.

If, as we have suggested, Prevent is a form of ‘stop and search’, a problem is how to manage the volume of possible interventions. This can only be resolved by ‘profiling’, which provides both the ‘how’ and the ‘why’ of the necessarily discriminatory character of Prevent.

On the one hand, profiling is something that is built into Prevent ‘institutionally’ by virtue of the sectors with a responsibility for monitoring the users of a service. For example, all children and young people (up to school leaving age and all university and college students) are among the targeted population for a Prevent risk assessment, by virtue of the Prevent duty applying in childcare and education settings.

Other individuals are accessed as a consequence of their use of other services, such as health services. Profiling is also provided by the special attention given to Prevent Priority Areas (PPAs). We received information from an FoI request to the Home Office, just before this report was being finalised, identifying 44 PPAs. See Box 12. The distribution of the Muslim population of England and Wales across these PPAs is a clear indication of the specific focus of Prevent’s gaze.

Using data on population distributions from the 2011 census, we estimate that around 73% of Muslims in England and Wales live within a PPA (compared with 31.5% of the population as a whole).

Taken together with the sectors subject to scrutiny, it means that the risk factors associated with radicalisation are likely to be more directly considered in relation to Muslim and ethnic minority children and young people. This is why we regard the data on Prevent referrals not as indicators of real risks, but as artifacts of the discriminatory nature of scrutiny.

This creates a practical dilemma with regard to the scope and focus of Prevent. If one of the risk factors is ‘social isolation’, then being outside education, or training, where the duty of surveillance exists, is a problem. On the one hand, the scope of the Prevent duty could be extended to include religious organisations, including their outreach activities. Here the fact that someone dropped away from contact could trigger a report. Though here we would identify the contradictory logic of Prevent. The clear implication is that being part of a religious community, being in school, or being in higher education is a mitigation of ‘vulnerability’, yet it is precisely these spaces which are defined, in principle, as locations in which ‘radicalisation’ might take place. Given all of its contradictions, it begins to look as if Prevent is based on nothing more than a generalised and inchoate anxiety.

Box 12: Prevent Priority Areas

- Barking and Dagenham
- Barnet
- Birmingham
- Bradford
- Brent
- Brighton and Hove
- Buckinghamshire
- Calderdale
- Camden
- Cardiff
- Coventry
- Croydon
- Derby
- Dudley
- Enfield
- Greenwich
- Hammersmith & Fulham
- Hackney
- Haringey
- Havering
- Hertfordshire
- Islington
- Kensington & Chelsea
- Kingston upon Thames
- Kettering
- Knowsley
- Luton
- Middlesbrough
- Merthyr Tydfil
- Merton
- Newham
- Newcastle
- Northampton
- North Lanarkshire
- Nottingham
- Norwich
- Oldham
- Pendle
- Peterborough
- Poole
- Plymouth
- Portsmouth
- Preston
- Quean
- Reading
- Redbridge
- Richmond
- Rochdale
- Rother
- Rutland
- Southend
- Slough
- Stockport
- Sunderland
- Swindon
- Tameside
- Tower Hamlets
- Wandsworth
- Waltham Forest
- Westminster
- Wirral
- Wolverhampton
- Woking
- Wokingham
- Wokingham
- Wythenshawe
- York
**Islamic Centre**

*Prevent requests meetings when far-right is greater concern in area*

Islamic Centre A is a centre offering congregational prayers and classes for the local Muslim community in the heart of a well-known Prevent Priority Area.

In late 2014, Islamic Centre A had received a number of calls and emails from the Prevent coordinator asking to meet with them.

The Islamic centre received information that they were not the only centre/mosque that were being pressured into meeting with Prevent.

Given the reputation of Prevent the Islamic Centre A decided not to engage with the Prevent officers. Below is an example of the emails sent to Islamic Centre A which acknowledges that there is a particular focus on the Islamic centre despite the author of the letter acknowledging initially that the far-right and nonviolent extremism were the major concerns in the area:

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Good morning,

I am writing in order to introduce myself to you and your organisation in the hope that we can open up dialogue over what is a complex and often contentious issue.

I am the ‘Prevent’ Coordinator for the London Borough of [redacted], a post that you may already be familiar with through the work of my predecessor.

To put it briefly, my role is to deliver the Government’s Prevent strategy [link to website], working with partners at a local, regional and national level. Whilst this includes far right extremism and some aspects of non-violent extremism, we prioritise our work according to the risks we face, which at the moment is mainly the possibility of British residents becoming radicalised and supporting or partaking in violent extremism, either here or abroad.

I am aware that Prevent has a negative reputation amongst some people, which is why I am writing to you in the first instance. Ideally, following this initial contact, I would like to meet with you or one of your colleagues face to face in order to discuss the Prevent Strategy, with particular regard to its effect on your own community.

Please feel free to reply to this email, or to point me in the direction of a more appropriate contact. Alternatively, I will follow up with a phone call over the next couple of weeks.

Yours sincerely

PREVENT Coordinator
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Mosques were indicated in the Prevent Strategy 2011 as a potential ‘radicalising location’ and an extension of the duty has been called for in the light of the Manchester Arena bombing. The claim is that the mosque Salman Abedi attended should have reported him to Prevent, and that this could be addressed by bringing mosques under the Prevent Duty. We dealt with the inaccuracy of this specific claim in Box 11. From the point of view of the operation of the Prevent duty, however, such a requirement would need to be introduced for all religious organisations and their outreach activities. In other words, it would extend the security state fully into the surveillance of religion.

The same newspaper reports have suggested that the Shawcross Review will address the ‘inefficiencies’ associated with an actual and possible future proliferation of Prevent monitoring by recommending that it should narrow its focus to what it believes to be the real risk of terrorism, namely that associated with ‘Islamist extremism’ (although, as we have reiterated throughout this report, such risks are the focus of Pursue, while Prevent addresses ‘unreal’ risks manufactured within the Prevent process itself).

We have already argued that Prevent is discriminatory and, of course, this would further reinforce that character. The government reiterates that Prevent is not directed against Islam as a religion as such, but the consequence of extending the scope of Prevent to include religious organisations, at the same time as sharpening its focus on ‘Islamist extremism’ necessarily has that consequence. Thus, the meaning of ‘Islamism’ in this context can only involve the lawful expression of Islamic values in the public sphere.

**Assessing risk**

But the operation of Prevent as an exercise in risk assessment also depends upon how the risks are identified and assessed within the profiled populations. Those deemed to be vulnerable to radicalisation in the pre-criminal space are being flagged for concern on the basis of a spurious ‘public safety’ campaign that utilises an assessment tool – the ERG22+ – which was developed for different purposes (see Box 12). It involves 22 indicators, some attitudinal, some associated with mental health and individual dispositions, and others with aspects of a social situation. They are organised into three groups of factors – Engagement (with 13 factors), Intent to Cause Harm (with 6 factors) and Capability to Cause Harm (with 3 factors).
The tool was based on casework notes and interviews with a small group of terrorism-related offenders, where the authors state that they had to “accommodate those convicted of extremist offenses that fell short of extremist violence, in line with UK legislation that set the bar lower than other jurisdictions.” The idea is that on the basis of these ‘symptomatic’ factors, individuals who may go on to commit violent offenses can be identified and headed off that path. That they may be on that pathway can be inferred from the fact that they have committed non-violent offenses. Yet, there are very few such offenders and their ‘pathway offences’ are very different from the behaviours and ideas with which Prevent is concerned. Indeed, the UN Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism was scathing, writing that, “despite some increase in the knowledge base on the drivers and tipping point of violent extremism, the debate thereon is often largely dominated by private actors and consultants who are self-proclaimed experts or influenced by government policies that continue to pursue issues that have been scientifically disproven.”

She went on to comment that instruments like ERG22+ pose “a number of ethical and functional challenges.”

The ERG22+ is used as the basis of Prevent training for all those responsible for the implementation of the duty. The purpose of any training is to ensure that those who are involved should be able to come to similar judgements about the same arrays of ‘symptoms’. They also need to be able to do so across the very different sectors where Prevent assessments are made – schools, higher education, health, and so on. Yet, even the designers of the instrument admit that there is a problem of rater reliability.

The test is not like a visual scan of a Covid 19 PCR test on a microscope specimen slide that can be conducted by technicians. There can be no solution in improved training in the use of the instrument, since its proper use involves what its advocates call ‘structured professional judgement’ by clinical psychologists and, from this perspective, most assessments in the pre-criminal space are delivered by non-professionals up until the Prevent referral stage, when it is then the business of counter-terrorism, individuals who are trained in and concerned with national security and not individual safeguarding.

At best, the training is designed as a ‘funnel’ through which individuals can be moved toward a point that more ‘refined’ judgements can be made. But it is precisely this that makes the process discriminatory, subjective and harmful to a wide range of children and young people. Indeed, it is akin to exhortations in public safety campaigns about counter-terrorism that, “the important thing for people to remember is that no report is a waste of our time, trust your instincts and tell us if something doesn’t feel right.”

It is this orientation that guarantees that there will be a large volume of ‘false positives’. The assumption is that a more professional judgement will be made further down the line and so any errors will be rectified. In the meantime, harms to children and young people are both proliferated and privatised (in the sense that the exercise of poor judgement is not available for public scrutiny, or, indeed, professional self-reflection).
A case of autism is confused with ‘extremism’

Caleb is a 32-year-old man who suffers from mental health issues and was being assessed by a clinical psychologist for autism when the psychologist decided to refer him to Prevent. When Caleb’s appointment time with the clinical psychologist who was due to assess him for autism came and went, Caleb became very distressed; he does not deal with change to routine or plans well.

The psychologist did not upon their arrival realise this was the case. Instead, the psychologist thought that Caleb’s comments were ‘strange’ and therefore they referred him to Prevent. Caleb’s wife said she was “confused that the clinical psychologist who was there to assess him for autism did not recognise his behaviour and comments of symptoms of autism and his other conditions”. The Prevent officer spoke to Caleb and deemed the case unfit for any further action.

The majority of terrorism offences are committed by individuals (mainly males) between the ages of 18 and 30, yet Prevent referrals involve a significant proportion of children, including those of primary school age.

Box 14: Terrorism Related Offences 2000-2021

Not all data covers the whole period. Between 2001 and 2012, 2297 arrests for terror-related offences are recorded, of these just 838 are charged with any offence, with only 290 charged with a terror-related offence.136

Between 2001/02 and 2020/21, 51% of all terrorism-related arrests have been of people under the age of 30. There were 204 people (4%) under the age of 18 at the time of their arrest. The proportions were broadly similar when looking at those who have been charged and those charged with a subsequent conviction, meaning that around 25 under 18s were convicted across the period.

For its part, the Prevent duty in the pre-criminal space is concerned primarily with ‘engagement’ and ‘intent’, and, in effect, engagement with ideological expressions at some distance from the endorsement of violence (if violence was endorsed that would be a criminal offence). They include ‘normal’ ideas and behaviours, especially in the context of young people’s social development and coming to a sense of themselves. Young people will explore their religious identities, develop passionate views about justice, commit themselves to causes, and do so as a necessary and positive part of growing up.137
Using books and events to profile a teenager.

Joel is a 16-year-old secondary school boy who is described by his mother as quiet and not very interested in religion. Joel suffers from a mild form of dyslexia and is recognised by the school as a student with learning difficulties.

In 2015, Joel visited the school library and took out a number of books, one of which included a book on the topic of terrorism. The librarian stopped him from taking the books out and informed the head teacher. This resulted in a Prevent referral.

The Prevent officer visited Joel’s home and told his parent that he was concerned for Joel as he had attended an event by a registered faith-based Charity in England and Wales, which had been accused of having ‘extremist associations’ by the tabloid media and the Henry Jackson Society.

The attendance at this event together with the attempt to take out a book on terrorism from the school library formed the rationale of the Prevent officer for concern.

However, Joel’s mother says: “The school only reported the book that Joel tried to take out of the library, and I am shocked that the school would make a Prevent referral based on a book that they have on their own shelves.”

“I think that this would not have happened if anyone took the book out, but my son was singled out because of his race and religion.”

“Also, I am worried that the Prevent officer was already profiling my son because the school did not make any mention of the event that Joel attended. This makes me think that the Prevent officer must be keeping tabs on people going to various events even though they are legitimate.”

Changing definitions

These are what counter-extremism researchers categorise as risky ‘ideologies’. They can be added to (or removed) depending on government policy. Monica Lloyd, one of the authors of the original research on the ERG22+, has recently suggested that this is one of the virtues of the scheme; it can be applied to, “anyone whose offending is allied to an extremist ideology that justifies violence or illegal conduct in pursuit of its objectives. This includes far right, animal rights activists or others pursuing single issues.”

It can be applied to any movement for change, just in so far as some group associated with the ideas advocates violence. This also includes where the violence is associated with challenging an oppressive regime, in just the way that the African National Congress was previously presented as a terrorist organisation and Nelson Mandela as a terrorist.

While concerns about ‘Islamist’ and far right extremism are the most high profile, with an increasing proportion of referrals to Channel falling in the latter category, there has been a rise in what have been designated ‘mixed’ type ideologies, reflecting the government’s extension of Prevent to include other forms of extremism.

Although leaks from the Shawcross Review indicate that there should be reduced emphasis on the far-right, there has been silence amongst the advocates of Prevent about more recent applications by the government of the term extremist against climate activists, Black Lives Matter protestors and the left. These are all defined as ‘radical’ groups, but they do not advocate violence and support for them could not indicate a disposition toward violence. For example, a concern for animal rights and for climate change are widespread among young people, who may also be attracted to radical slogans – ‘meat is murder’, or ‘ecocide’ – yet violent action in the name of these causes is negligible. The problem with the focus on ‘ideologies’ is that it can be used to describe any opposition to the government’s policies as extremist (as we have seen is the case for Muslim civil society groups like MEND or the MCB and is now being applied to other groups representing radical political change and extra-parliamentary activity).

There is potentially a pincer-movement whereby changes to legislation to create new criminal offences, such as the Police, Courts and Sentencing Bill create opportunities to posit pre-crime concerns that can then be made to come under the remit of Prevent. In this way, extra-Parliamentary protest is restricted. Parliament is lauded as the representative of the people, but the people’s self-representation is undermined. As Lord Hain (Box 15) – a British politician who served as Secretary of State for Northern Ireland – put it in a debate on the Bill in the House of Lords, this is both dangerous and historically ignorant.
Box 15: Speech by Lord Hain

"If enacted in past generations, it would have throttled the suffragettes and blocked their ability to rattle Parliament's cage to secure votes for women. It would have prevented antifascists stopping Mosley's bullying, antisemitic blackshirts at Cable Street in the East End of London in 1936. It would have thwarted anti-apartheid protests that I led, in 1969 and 1970, which successfully stopped all white South African sports tours—a success which Nelson Mandela, then on Robben Island, hailed as a vital stepping stone in the ultimate defeat of apartheid. It would have prevented the Anti-Nazi League protests that stopped a resurgent and antisemitic, Islamophobic and fascist National Front in its tracks between 1977 and 1980, and in the early 1990s, similarly, the BNP."""
PART TWO
Securitising Communities and Individuals

2.3 Prevent and Safeguarding

As we have seen, the Prevent Duty is promoted as a safeguarding duty to protect vulnerable children and adults from radicalisation and coming to commit violent acts in the name of an ideology. The use of the existing language of safeguarding familiar to different public authorities charged with protecting children and adults from abuse and neglect has helped to legitimate Prevent for many of those who are required by their employment to comply with it.\textsuperscript{142}

Yet, Prevent was not initially intended as a safeguarding tool and it was only in the Prevent review of 2011 that it was formally placed into this context. A year before, in January 2010, the government had begun to pilot Prevent within nine strategic health authority regions in England.\textsuperscript{143}

The view was that individuals with mental health issues may be more easily radicalised, and, therefore, health professionals would be best positioned to respond. This also followed the ‘No Secrets’ review of adult safeguarding in 2008 which encouraged a multi-agency approach.\textsuperscript{144} In effect, in 2015 Prevent was incorporated into such an approach as a duty on different agencies with the consequence that, at the same time, multi-agency safeguarding was brought under a security framework.

However, the longstanding philosophical and ethical principles associated with regular safeguarding responsibilities are very different from those associated with the Prevent safeguarding duty (see Box 16).

The Children’s Acts of 1989 and 2004 stipulate legal requirements for safeguarding children. Where the safeguarding of adults is concerned, care and support needs are the criteria to be considered. These can arise from factors such as disability or illness etc. The welfare of the child or vulnerable adult is at the forefront of safeguarding.

Box 16: Principles of safeguarding:

1. Protecting children from maltreatment;
2. Preventing impairment of children’s health or development;
3. Ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
4. Taking action to enable all children to have the best outcomes.

In contrast, a supposed vulnerability to ‘radicalisation’ is understood to follow from exposure to ideas and/or people subjectively deemed to be ‘radical’ or ‘extreme’. Even if the methodology behind the pre-crime and conveyor belt theory were assumed to be correct and based on reliable evidence, Prevent fails to follow the normal practices of safeguarding with regards to how an individual who is deemed ‘at risk’ is treated.

In this, Prevent alters the meaning of vulnerability under safeguarding, and, in doing so, alters the character and purpose of safeguarding itself. The risks to the child or vulnerable adult and the possibilities of them coming to harm are paramount in normal safeguarding practices. Under Prevent, however, the vulnerable individual is constructed as a possible risk to others.

As Nathan Hughes, Professor of Adolescent Health and Justice and at the University of Sheffield, has argued in the context of ‘anti-social behaviour’, there is an elision between an individual deemed to be ‘at risk’ and an individual deemed as ‘risky’ to others.\textsuperscript{147} Under Prevent, it is the safety of the wider community that is the focus; the individual is viewed through the lens of national security, and on that basis, viewed as potentially ‘risky’.

Devolving responsibility

To be sure, some of the criteria used in the ERG22+ assessment tool are indicators of vulnerability in a normal safeguarding sense – for example, difficult family circumstances, mental health problems, and the like.
Any intervention under the normal process would be toward providing support for the specific area of vulnerability – be it mental health issues, or neglect, or support for family carers – not an assessment for referral to the Channel programme. Unlike normal safeguarding practices, once a Prevent referral has been made, those previously involved with the individual – whether social worker, medical practitioner, or teacher – no longer have responsibility for providing care and support. In effect, this is taken over by the ‘multi-agency’ Prevent team, which operates outside the normal scrutiny and regulatory frameworks that apply to social work practice, medical practice and teaching standards, or in fact, to policing.

Since more than half of Prevent referrals are of children, it is often the case that social services become involved with the family once a Prevent referral has been made, regardless of whether the referral meets the threshold for Channel. Equally, the threat of intervention by social services may be used to coerce an individual and their carers to accepting entry onto the Channel programme, which is, as we have stated, voluntary in character.

Hospice worker refuses to undergo Prevent training
I refused to undergo Prevent training in my role in the health sector at a time of a rising political and social right-wing, while the racial and cultural tension at the time was very acute. When I refused to undergo the training, I was granted a meeting with senior management to explain why.

During that meeting there was this sense from management of being earnest and well-meaning, but what was hiding behind it was a really aggressive and forceful approach to dealing with (or ignoring) real issues that we are having in the UK.

There was also a lot of hidden nationalism. They kept saying that “over 80%” of the staff had done the training. I told them that there were black and brown staff members who may have done it, but they hadn’t objected because they didn’t feel safe. They said, “that’s shocking”.

All these statements of theirs were very difficult – I tried to come at it in an amicable way, and I was well-informed - and yet the reaction was very patronising. And at the end, it was “okay, we’ve heard what you’ve had to say, now do the training”, which is what I had agreed to, in return for a meeting.

The major problem with Prevent in my experience in the health sector where I work with people in a therapeutic context, is that it is absolutely against patient confidentiality. There’s no doubt about it.

The other thing, which I also said in my meeting, is that we are talking about people at the end of their lives. I asked them: ‘Why are we reporting to Prevent, people who are dying? People who are having incredible physical disabilities, and why – how, could such people be referred to Prevent?’ It doesn’t logically make any sense.

Lastly, in a workplace that already is suffering from problems dealing with diversity, to the point that they had to do diversity training, how could people effectively put into practice what was in the content of the Prevent training?

If you look at the slides, their terms have no specific definitions. Anyone can define those terms and they can put them into practice any way they like.
Noah

12-year-old is referred while online ‘grooming’ suspect is ignored

Noah is a 12-year-old secondary school boy who has suffered from bullying at school and had few friends. In 2021, Noah used the term ‘jihadist’ in class and when a staff member challenged him on why he would use the name jihadist he claimed not to know the meaning of it.

The next day a staff member questioned Noah during his lunchtime where he revealed that he had befriended an individual online. This individual, according to the teacher, was making statements the teacher identified as ‘hateful’ about other ethnic groups and using inappropriate and violent terminology.

The school then contacted Noah’s mother, without him knowing. They asked her to bring in his devices to be searched as they were concerned that he was being groomed online.

Noah’s mother arrived at the school with the devices. At this point she noticed that her son’s lips were dry, and his skin was pale. Noah later told his mother that that day “was the worst day of my life”, and she relays how visibly shaken he was about the whole experience. Noah told his mother that he has “flashbacks of sitting in the chair being questioned”.

This incident led to the school making a Prevent referral and Noah was visited at home by the Prevent officer who recommended to his mother that he go on to the Channel programme.

Noah’s mother says: “If they suspected him of being a victim of grooming, then why did they not try to investigate the person that he had been speaking to online?

“Why did they focus on my son and make out as if he is the one with a problem and in need of ‘deradicalising’?”

Whilst ostensibly voluntary, the Prevent process can involve duress with pressures placed on families and carers to accept enrolment in the Channel programme or in some cases to engage with Prevent officers in the first instance.

The paradox here is that it is the vulnerable individual who is targeted for Channel support, yet the matter of concern is the ideology or religious views of parents (this includes intervention when a parent committed for a terrorist offence is scheduled for release).
Father of 6-year-old refuses Prevent, so teachers report son’s comment

Sami is a 6-year-old primary school child. Sami’s father has never been charged or convicted of any crime and so when Prevent officers repeatedly asked to speak with him in 2019, he chose not to engage as he was not legally obliged to.

Moreover, he viewed the constant attempts to reach out to him as harassment.

In 2020, at least one Prevent officer visited Sami’s school unannounced to ask the school if they had any concerns about Sami. The visit was made to the school in an informal manner; there was no paper trail with regards to what information had been passed onto the school and could have potentially prejudiced the teachers against Sami.

Despite the head teacher confirming initially that there were no concerns about Sami, the visit provoked another member of staff to recall a conversation in which Sami had described how he believed that Allah is the Creator, and how the child had recited an Arabic prayer he had learnt from his family.

The next day, this information was forwarded to the Prevent officer who had left their contact details with the school following their visit the day before.

Sami’s mother says, “Whatever the Prevent officer told the school must have made the school view Sami with suspicion, otherwise why would the teacher all of a sudden remember the conversation that they had with Sami about Allah?”

“How can an innocent child’s conversation about what he believes be reported as a potential concern?”

“I believe that conversation placed a seed of suspicion in the head of my son’s teacher and it’s really unfair on him; he is only 6 years old and has done nothing wrong; none of us have.”

Despite concerns from unions and professional bodies associated with those public authorities that are required to implement Prevent, the positing of Prevent as safeguarding as well as making the Prevent duty mandatory has played a crucial role in both enabling and/or obligating – whatever the case may be – public sector professionals, from doctors to teachers, to social workers, to override their professional and moral judgements when carrying out their Prevent duty. In the case of social work, for example, it has been argued that it, “has silently slipped into anti-radicalisation work, which “poses distinct ethical dilemmas, not least how far peoples’ differing ideological views and beliefs may serve to put someone at risk, indeed, in a family context, to cause ‘significant harm’ to children, the threshold at which the state is mandated to intervene in private life in the UK” 148 For example, in a 2017 study, the respondents stated that situating Prevent as ‘safeguarding’ played a fundamental role in allaying anxieties about the duty and helped staff to see this as a continuation of their existing professional practices (see Box 17). 149 Additionally, framing Prevent as a legal duty assuaged any professional and ethical misgivings and made it easier for practitioners to claim that they “are just doing our jobs”.

Sami’s parents were shocked when social services contacted them to tell them that a concern had been raised about Sami and that this concern had been initiated Prevent officers.

Sami’s parents filed a complaint against the school and the police and in doing so discovered that Sami’s information was being retained on the police database. Sami’s mother says: “If there was a genuine concern about Sami, then I would expect the professionals in his life would have flagged it with the appropriate services. Unless it was criminal, I would never expect the police to be involved.”

“But in my son’s case there was no concern from his teacher; the concern was instigated by the Prevent officer so it is very far away from any safeguarding procedure that makes sense.”

The People’s Review of Prevent
Box 17: Practitioner approaches to Prevent in schools

“You have to sell it as a safeguarding thing rather than a Prevent thing because I think teachers don’t like it, didn’t like it at first. They thought it was really reactive to things that were happening. But if you put it as part of, you know, if you package it up as part of safeguarding then it becomes more palatable”. (R55, senior leader, school, London)

I think there has been some expressed opinions as ‘Why should we be doing police work for them?’ ‘That’s how they see it. That’s when I am trying to say, ‘it’s safeguarding’. It’s what you are doing already. It’s about if you have got a concern about a young person. (R12, DSL, college, W. Yorks)

“I don’t think there was a lot of room for us to counter those arguments. I think it was just ‘this is the information, this is what the law requires us to do, this is what we need to do to make sure we tick the safeguarding boxes for the college’. (R66, support worker, college, London)

“They haven’t challenged me on the duty because this is a duty, okay? ‘This is a duty, and we have to implement it, and if we don’t implement it the college could be closed down. So, there’s your facts, okay?’” (R1, DSL, college, W. Yorks)

A question of ethics

In 2016, the main professional organisation for psychiatrists in the UK, the Royal College of Psychiatrists warned that counter-extremism duties could compel mental health specialists to work in “pressured, hermetic law-enforcement environments”, requiring them to work “beyond the profession’s remit”. Medical norms mean members are ethnically obliged to ensure that any treatments they offer are evidence-based and suitably validated. Instead, “the poor performance of both adult and child and adolescent tools designed to detect a propensity for terrorism may mean that individuals are unjustifiably referred to the Channel Panel.”

The college has elsewhere stated that “‘radicalisation’ is not a mental illness” and expressed concerns that the definition of ‘extremism’ has potentially “extended to encompass those who object to certain aspects of UK foreign policy”. This is something reminiscent of authoritarian regimes, and ethical standards within the profession are clear that psychiatrists are not permitted to diagnose a person as mentally ill on the basis of their political, religious or ideological beliefs.

It is troubling that the pressure to conform with the Prevent duty also derives from conventional safeguarding concerns. We have seen that no additional funding is provided to local authorities to meet their Prevent duties, except for that sizable minority of local authorities designated as Prevent Priority Areas. Indeed, local authorities have since 2010 lost many of their functions – for example over schooling with the rise of academy and free schools – and as a consequence of austerity policies affecting children’s services and mental health services for young people. In normal circumstances, there is a threshold for intervention, but there is none for a Prevent referral. This creates a ‘moral hazard’ for practitioners, where a Prevent referral may be a means of getting access to urgently needed support.

Indeed, a significant proportion of ‘false positives’ for a Prevent referral are subsequently redirected to other services. In 2017-18, for example, 40% of those discussed at a Prevent panel were redirected, and 615 of those who had proceeded for consideration for Channel support were redirected to other services.

In the latter context, however, it can mean that the support is provided within specialist units – known as Vulnerability Support Hubs – with a strong security focus that emphasises the potential risk to society from the individual.

These hubs were piloted in three areas in 2015 and the scheme rolled out nationwide in 2017 without any public reports on the efficacy of the scheme.
The hubs operate under the direct authority of counter-terrorism police. They indicate a twin-track approach within Channel, where the guidelines distinguish between those who exhibit a ‘terrorism vulnerability’ and those who exhibit a ‘terrorism risk’.\(^{158}\)

The latter are managed by the police outside Channel, with the Vulnerability Hubs one of the mechanisms for managing the supposed risk (or the individual can be escalated to the Pursue strand of CONTEST). Whereas the normal Channel process of education toward ‘disengagement’ is voluntary and scheduled to take place over one year, those who are designated a ‘terrorism risk’ can be managed without a clear route out for the individual, nor any protections against arbitrary decisions.

The hub evaluation documents here include three case studies in which individuals were deprived of their liberty under legal provisions intended for the treatment of medical disorders and provision of care, at least to some extent on the basis of the influence of counter-terrorism policing through Prevent.

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Medact report: ‘Racism, mental health and pre-crime policing – the ethics of Vulnerability Support Hubs’

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**Image 6: Mental health assessment conducted alongside Prevent Officer\(^{72}\)**

**Image 7: Joint visit from mental health professional and Prevent Officer**

**Image 8: Mental health assessment conducted during joint visit with Prevent Officer and local police**
12-year-old threatened with criminal record for non-violent statement of belief

Ibrahim is a 12-year-old Muslim secondary school child who was referred to Prevent by his school. In 2021, a student made an allegation against him, claiming that he had condoned violence towards gay people.

Ibrahim has always maintained that he never made this comment and only referred to homosexuality being prohibited by his religion.

However, as a result of this allegation the school decided to make a referral to Prevent and included other concerns in the Prevent referral with regards to ‘inappropriate’ drawings and writings that had never been a cause for concern before, and that had already been addressed with Ibrahim’s parents.

Following the referral, a Prevent officer questioned Ibrahim at his home in a separate room and alone (away from his parents and the social worker).

The child described the questioning as intimidating and harassing. During the interview, the officer told the child that if they had indeed said the alleged statement, they could get a criminal record.

They also told him this would mean he’d struggle to go to university or get a good job.

They also made statements undermining the relevance of the Quran in modern society and also warned the child not to say everything that is on his mind.

Ibrahim’s father relays the experience: "The counter-terrorism officer questioned my child alone for nearly 30 minutes. He made clear we were not welcome in the room during the questioning and even though the counter terrorism officer turned up with a social worker, the social worker did not go into the room to ensure the welfare of my child.”

“My child has been very distressed by the whole experience. He claims he did not make a homophobic comment and he cannot believe that in a circumstance of her word [the counter-terrorism officer] against his, he was being treated like a criminal.”

“The truth is that my son would have had more rights if the officer had come in and said he was investigating a hate crime or a homophobic comment, compared to the lack of rights my son had under Prevent.”

“At least if he had been accused of a crime against homosexuals, he would have had the right to put his evidence forward or a proper investigation would have taken place.”

“I am shocked at how the tools are there to deal with this matter and always have been there before Prevent, yet they use Prevent and the baggage of terrorism to deal with this allegation.”

“Now my child has his name on criminal databases even though the police admit that he isn’t even suspected of a crime.”
Proposals by lobbyists close to the Shawcross Review (such as Hannah Stuart, the Director of the new Counter Extremism Group think tank) that Prevent should be extended to consider hate crimes such as supposed instances of antisemitism, racism, misogyny and homophobia are worrying. Such an extension would be both disproportionate and unnecessary. Indeed, there is already an increasing use of Prevent for dealing with all and any allegations of antisemitism, racism, misogyny and homophobia.

This is not only because Prevent has not been shown to be effective, but because there already exist the legislative and statutory means to deal with such matters – for example, the criminal law for hate speech, or various anti-bullying policies within education. Indeed, in the case of the latter, it is teaching staff that are most qualified to determine whether a comment is a legitimate and respectful expression of religious belief, say, versus a facetious and immature comment, or an attempt to bully, or an expression of ‘hate speech’.

Schools are already monitored by Ofsted for their anti-bullying policies and teachers can deal with issues in the context in which they arise, as indeed they do in many cases as we saw in our discussion of extremism. It is Muslim pupils who are likely to be drawn into the Prevent process for alleged ‘hate speech’, yet, as even Hannah Stuart allows, “it is possible that up to one third of hate crime may feature an extremism element... [while] offences motivated by Islamic extremism, however, are less likely to fit within monitored hate crime strands”. As Rob Faure Walker, ESRC Postdoctoral Fellow at University College London, has argued, Prevent co-opted safeguarding, but, at the same time, undermines it, making “it less likely that children will discuss the concerns that would lead to government agencies like schools, social services and the police from becoming involved in their protection”.

The conclusion is that our children would be more effectively ‘safeguarded’ by less and not more engagement with the counter-extremism agenda.

Where previously many of the comments made by children at school would be used as teachable moments to challenge and discuss such ideas with the children, they can also become the occasion to begin the Prevent process and involve the intervention of counter-terrorism police (and this may become a required response if the government takes this direction). In this way, the individuals subject to action under Prevent are made vulnerable by the very agencies that are otherwise charged with supporting them.

At the same time, the professional standards of practitioners are put into question.

Their primary duty is to their clients, or those under their care, yet, with Prevent, they are made agents of the security arm of the state. Prevent – a policy which is scientifically ungrounded and stigmatising – has supplanted the ethical considerations central to the fields of health, education, and social work. This has undermined professions which are supposed to protect people from genuine harm and are at the heart of the public sector.

Our conclusion is: Prevent undermines the proper safeguarding obligations of social workers, teachers and health professionals. It does so by bring children and young people under an extraordinarily extensive net of surveillance. This includes the creation in England of a national curriculum in ‘fundamental British values’ determined by national security interests.
One of the consequences of securitising safeguarding under Prevent, is that children are interacting with the criminal system despite no criminal offence having occurred, nor having been intended. The process of an individual passing from being suspected by, say, their teacher, of showing signs of extremism, to being placed on Channel if the Prevent referral follows through to completion, involves a number of data collection points. At each of these points, information about a child or young person is recorded and potentially retained, and it can be shared with the other agencies with which Prevent procedures intersect.

Integral to Prevent, then, is the collection and distribution of a significant amount of sensitive and personal information about individuals (mostly young adults and children) who come under its purview, even – crucially – when a referral is deemed unnecessary. Case studies also illustrate that the nature of the information gathered can be highly sensitive. This all takes place in a context where those involved are encouraged to be risk averse – and, in some cases prove themselves to be complying with the duty – and so, at the very start of the process, subjective judgements are made and recorded (in the case of schools, to show due diligence for Ofsted inspections).

The character of an early stage Prevent-based decision (that is a decision made by practitioners prior to an official Prevent referral is made, or when the referral has been made but Prevent officers have yet to progress it for consideration at a Channel panel meeting) means that police officers and local Prevent officers, as well as social workers, become involved even before formal judgements are made. This happens even when it is deemed unnecessary to progress a case from an initial stage of inquiry. Because no criminal offence has occurred, the police do not have to record interviews and there is no requirement for the child to be represented, or a responsible adult to be present. Those conducting the interviews are directed at eliciting information for purposes of a possible Prevent intervention.

Sophia is a Muslim mother who is raising her children according to the Islamic faith. When Prevent and social services got involved in Sophia’s life, the assessment from the social worker made a number of inaccurate allegations against Sophia that painted her in a light of being ‘extreme’ or contrary to ‘British Values’.

The following excerpt is a letter from Sophia’s lawyer requesting for the assessment to be amended. This was only one of several points that the lawyer needed to address in the report that Sophia had instructed him were an inaccurate misrepresentation. More than that, the report painted her way of raising her children as something sinister:

Our client made it clear to the school, which can be clarified with the school itself, that as a practising Muslim who is raising her children in the Islamic faith our client (along with any other parent) has a right as a parent to request that for their children to be wholly or partly excused from religious education or religious worship in schools. This provision is contained under the Education Act 1996.

Our client was exercising her statutory right to withdraw the children from engaging in religious activities as permissible by law. Other than that our client has never prevented her children from engaging in activities in schools which do not fall within the legal definition of “religious activities.” Please can you amend your report accordingly to take this point into account.
Meetings or interviews feature leading questions that generate responses that are often taken out of context, where the individuals involved have a professional practice of notetaking and have been trained based on the flawed ERG22+. This means that not only is the information held sensitive, but it is often misleading; this is then exacerbated by the fact that it is transferred onto data bases where it is de-contextualised, and subsequent sharing further de-contextualises it. There are a number of important questions that arise from the perspective of Data Protection. These are: what data is collected? What is done with this data and with what reason? What are the impact and risks for individuals whose data may be used? How are their rights to know, to correct, to delete, or to seek an effective remedy fulfilled?

The problem of consent

We will see that Prevent is defined as a process, one where pre-criminal concerns, based on fear, are projected into the future. But it is important to recognise that there is also a process within Prevent, from initial concern through to a Prevent referral all the way through to Channel (which occurs in around 5% of cases). Individuals – children and young people – are being dismissed from Prevent, or referred to other services, at all the stages beforehand in the remaining 95% of cases. Yet, their data is being held as if they continued to be at risk of proceeding to an offence. This has unnecessarily harmful implications for their futures.

Avenues to challenge how data is being interpreted and for how long it is being retained, may seem to be legally straightforward, as is the formal relation of the Prevent duty to the laws governing data collection and retention.

Article 8 of the Human Rights Act (1998) provides a general right to respect for an individual’s private and family life, including the home, and to live free from government interference. This, of course, includes rights to personal political and religious belief. More specifically, the EU General Data Protection Regulation was published in 2016 (superseding the existing UK Data Protection Act 1998) and was integrated into UK law - following Brexit – through the Data Protection Act (DPA) in 2018. It continues to define the circumstances under which personal data on individuals can be held or shared, and it provides individuals with rights to know what is held and have their data deleted from records.

Section 35 of the DPA states that, “the processing of personal data for any of the law enforcement purposes is lawful only if and to the extent that it is based on law and either – (a) the data subject has given consent to the processing for that purpose, or (b) the processing is necessary for the performance of a task carried out for that purpose by a competent authority”.

The exercise of rights under both Article 8 of the Human Rights Act and the DPA can be set against the interests of national security, the maintenance of public order, and the prevention of crime. This seems to create a possible ambiguity. However, once again, we need to reiterate that Prevent operates in the pre-crime space, where no offences have been committed and where the information gathered is, at best, an indication of a potential risk of an offence being committed at some considerable point in the future.

In fact, this is acknowledged in the legislation under which the Prevent Duty operates, namely the Counter Terrorism and Security Act (2015). Section 38 sets out the terms under which Prevent Panels and their ‘partners’ must operate, where 38(4) states that, “nothing in this section requires or authorises the making of — (a) a disclosure that would contravene the Data Protection Act 1998; (b) a disclosure of any sensitive information”.

Implicitly, the legislation is allowing for the sharing of data as part of a process of travelling through the Prevent stages and being positively ‘tagged’ as a risk. It does not sanction the same for those where it comes to be determined that the tag was false.

However, the DPA contains a working ambiguity that can be exploited by Prevent Panel members. This is where the ‘data subject has given consent’: The fact that the Prevent process is defined as ‘voluntary’ is used to affirm that the individual, in agreeing to participate with the process, has agreed to their data being recorded and shared within the process. However, case evidence suggests that Prevent referrals often happen in a coercive manner, or children have been interviewed without their parents’ consent, or under direct coercion of their parents.
Hannah

**Prevent threatens single mom of three to ‘consent’**

Hannah is a 35-year-old single mother of three young children, of which two are in primary school and one is a toddler.

In 2019, Hannah was visited at home by a Prevent officer and a social worker. They told Hannah that they were concerned about her children being radicalised and although initially admitting that they did not believe the source of radicalisation was Hannah herself as their mother, they insisted that she sign a letter of consent so that they could question the children at school.

When Hannah refused to sign the consent form, the Prevent officer and social worker told her that if she did not sign it by 1pm that day, then they would escalate the matter via children’s services (by invoking a s47 assessment), and then they would get to speak to her children alone without requiring her consent anyway.

Hannah was not given any idea as to why they wanted to speak to her children, nor was she offered the option of the Prevent officer or social worker speaking to her children at home. She felt pressured and coerced into complying but refused to engage. This led to several calls and unannounced visits that Hannah avoided for approximately 6 weeks. Hannah says:

“It was a very scary experience and very intrusive. They were saying that they wanted consent but what is the point of consent if you are not respectful of someone declining to consent and start threatening to escalate?”

“Every parent would feel terrified of a social worker saying we are going to escalate if you don’t comply – your first fear is ‘oh-my-goodness they have the power to take away my children if I don’t comply’."

Leena

**Prevent officer uses social work to apply pressure on mum**

Leena is the mother of a 12-year-old boy who was referred to Prevent by his school. When Leena was told by the Prevent officer that they wanted her son to go onto Channel, Leena asked for more information about it before she could make an informed decision.

However, she was contacted at least four times via messages on her phone and then via social services, who said that Prevent had made it clear to them that she did not want to engage with Channel.

When she pushed back against this pressure, the social worker admitted they could only come in a voluntary capacity, despite the initial hard threat of intervention.

However, following her refusal to engage, the Prevent officer asked for another member of the council team to intervene.

This individual had initially posed as a member of the child services, although they were actually a member of the Prevent safeguarding team and again began putting pressure on her.

After nearly three months and five calls by three different people, and her persistent refusals, the requests finally stopped.

Leena was eventually sent a generic letter with Prevent and Channel information with no reference to the exact mentoring for which her son was being recommended.

Leena spoke to her son and wider family before deciding that Channel would not be helpful to her son. She then made it clear to all agencies involved in writing that she would not be participating and to ensure they do not call or email her again about this request.
Not only do many cases illustrate that consent often occurs under some duress, but that, at best, this implication of ‘consent’ by the data subject could only possibly hold for the duration of the process. It could not imply an agreement to the retention of data once the process has concluded – especially where a decision has been made that an individual does not warrant being referred to Channel even though being referred to Channel still does not mean that the individual is a risk; the underlying basis of the referral criteria and the flawed ERG22+ already places a referral on questionable footing as an ‘objective’ judgement.

Even where individuals have given ‘consent’ to engage in a process, they have not given consent for data to be shared and retained – that it may, and, more usually, will be shared is something of which few are aware. Indeed, individuals experience difficulties finding out what information is being held, in what form, where, and for how long. The data gathered through Prevent is available for storage on a variety of data bases. These include those of the police and security services that exist nationally and locally (see Box 18).

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Leena says: “I can’t believe it took nearly three months to receive a generic letter and I had to ask three different people from three different agencies to stop contacting me.”

“These people contacted me one by one, and I felt under pressure; it was obvious in their emails and calls that they wanted my son to go onto Channel.”

“It was very stressful and at several points I kept thinking, maybe if we just agree, this will all go away. But I think this is what they want: for the pressure to build up and you feel like you are being pushed from all different angles to just give in and say yes.”

“It certainly did not feel voluntary; it was more like bullying my family into something they couldn’t explain properly or justify the need for.”

“They just wanted to intrude into my family life. My son did not want to do this, he didn’t feel like this was a safe and supportive place for him, and so my decision was influenced by what was best for my son; I had to consider how he was feeling.”

“I was so heartbroken to see how upset all this made him.”

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Box 18  Extent of Data Bases

<table>
<thead>
<tr>
<th>Database Name</th>
<th>Accessible to</th>
</tr>
</thead>
<tbody>
<tr>
<td>London PCM Excel Spreadsheet</td>
<td>Only accessible to: MPS (Metropolitan Police Service) Counter Terrorism Officers</td>
</tr>
<tr>
<td>Merlin Report</td>
<td>• All Metropolitan Police Service Officers</td>
</tr>
<tr>
<td>CRIMINT</td>
<td></td>
</tr>
<tr>
<td>DevPlan</td>
<td></td>
</tr>
<tr>
<td>MPS’s Computer Aided Despatch System</td>
<td></td>
</tr>
<tr>
<td>Multi-Agency Safeguarding Hub</td>
<td>• Metropolitan Police Service Officers</td>
</tr>
<tr>
<td></td>
<td>• Local Authorities</td>
</tr>
<tr>
<td>Prevent Case Management Tracker application</td>
<td>Only accessible to: • Counter-Terrorism Officers (nationally, not just the MPS)</td>
</tr>
<tr>
<td>National Master PCM Excel Spreadsheet</td>
<td></td>
</tr>
<tr>
<td>National Counter Terrorism Policing Headquarters system (NCIA/NSBIS)</td>
<td></td>
</tr>
<tr>
<td>Channel Management Intelligence System (a Home Office database)</td>
<td>• Counter-Terrorism Officers (nationally, not just the MPS)</td>
</tr>
<tr>
<td></td>
<td>• “some Home Office colleagues and local authorities”</td>
</tr>
</tbody>
</table>
Application for disclosure about information held, and for its deletion, must be made to each body separately; even when an individual may not know all the bodies with which their data or their child’s data has been shared. In a recent case, the following databases were shown to have held the information of a young boy referred to Prevent in what is termed a misinformed referral (that is, where the Prevent officers themselves deemed it unsuitable for Channel intervention and the basis of the referral incorrect).

Amaya is the mother of a young primary school child referred to Prevent. When Amaya realised that her child’s data was being retained by social services and the police despite the case being closed it worried her.

So, she sought to find out the purpose of its retention and to ask for it to be removed. Social services said that they would be unable to remove the data. Even though Amaya’s child had not been known to social services previously, they told her they would have to retain the information with regards to the referral.

Social services assured Amaya that the information on the notes showed that the case had been closed, but Amaya was still uneasy about her child now being known to social services and institutionalised.

But Amaya was even more worried that her young child’s information could be on the police database. So, she started to ask the police for the information held, the purpose of its retention and to request that it be removed.

This process took just over a year (13 months) from the first instance of realising there was information about her son to the final letter from the police agreeing that they would remove the data.

The redacted letter she received is below:

Amaya says: “At no point were the police able to justify the retention of my son’s data. What is worse is that after telling me that they would remove the data, they then informed me that I would need to make the same request to the regional police force as my son’s data is likely to be stored there too. So now I have to start the process all over again.”

“It is a very long and very draining fight to take on. The Subject Access Requests we put in were always delayed. The time to respond to our emails asking for deletion were also delayed and this back and forth between me as an individual and the police as a much larger authority has taken its toll on my health.”
More than 50% of the Prevent referrals each year are children, who have neither committed nor intended to commit criminal offences (and in many cases are below the age of criminal responsibility). These children have their data placed alongside murderers and sex offenders, with no apparent distinction being made between a child’s data and a criminal’s data. This point was stressed by one of the lawyers in the case of a primary school age child brought against the Metropolitan Police, as reported in the Guardian.34 Leading public lawyer in civil liberties and human rights, Dan Carey (a partner at Deighton Pierce Glynn) said:

“The police’s data retention policy – the national retention assessment criteria – fails to recognise the non-criminal nature of Prevent referrals and doesn’t distinguish records relating to very young children, creating real concerns and worries for parents that these records will continue to affect them in later life.

“My client’s parents were concerned that it took a lot of legal action simply to erase Prevent records based on a clearly mistaken referral. There are obvious implications for the many other Prevent referrals made regarding schoolchildren and the effect that such enduring records may have on them in the future.” Prior to Judicial Review, the police agreed to remove the child’s data.

**An indefinite risk?**

The operation of Prevent as a system of surveillance is further indicated by the fact that individuals are given little if any information on how their data is being treated, and the legislation protecting such rights is blurred by potential assertion of a national security prerogative. Police guidelines on the retention of data – the National Retention Assessment Criteria (NRAC) – require regular assessment of records to consider if the information remains relevant to potential future risks of offences taking place. Generally, this review takes place after six years, albeit that the record having been made in the first place establishes a prima facie case that it was, at least initially, considered relevant. Where a record is considered necessary and proportionate to the purpose it serves, it can be retained.

Significantly, the criteria to be considered are similar to those that appear in the Prevent referral assessments: Is there evidence of a capacity to inflict serious harm? Are there any concerns in relation to children or vulnerable adults? Did the behaviour involve a breach of trust? Is there evidence of established links or associations which might increase the risk of harm? Are there concerns in relation to substance misuse? Are there concerns that an individual’s mental state might exacerbate risk? Are there any other issues that impact on the level of risk the individual presents?

Could this individual be of interest to ongoing public inquiries? Yet for individuals subject to a Prevent Panel referral that has not been taken further to a recommendation to participate in Channel, the answers to similar questions have already been No. The response is nonetheless to retain the data used in reaching that decision, at least until the first review (and frequently after). This is because the potential offences that might be mitigated by the retention of data are those of terrorism, which come under the most serious category of “Group 1” offences (these allow retention of data until the subject is 100 years old and are reviewed on a 10-yearly basis).

In a High Court case in July 2020 before the honourable Mrs Justice Steyn DBE, the Metropolitan Police unsuccessfully defended the retention of information on a 16-year-old boy going back five years to when he was 11 years old.35 What was significant was the nature of the police defence. The claim by temporary Detective Superintendent Washington was that retaining the data had been necessary under Prevent guidelines. “Radicalisation”, she stated, “is a process, not an event, and it follows that it is incumbent on all public authorities with responsibilities under Prevent to consider radicalisation over time. This will not be possible if police prematurely delete records referrals on the basis that there does not appear to be a concern at that time.”

Mrs Justice Steyn ruled that, “the continued retention of the Claimant’s personal data is in breach of Article 8 of the ECHR and ss.35 and 39 of the DPA.” Importantly, she also ruled in relation to the Prevent process itself, making the point that it was designed to answer questions about risks of radicalisation and “the case was closed on its merits because it was assessed that there was no cause for concern that the Claimant was being radicalised or was vulnerable to radicalisation. There were sound reasons for reaching that conclusion at the time”.36

The impact on children, in particular, was of great concern to Mrs Justice Steyn: “I also consider that the Defendant has underestimated the impact of the interference with the Claimant’s privacy rights entailed in retaining data about his alleged views and statements when he was 11 years old. I accept Mr Talalay’s submission that continued retention of the Claimant’s personal data is a lesser interference than disclosure of that personal data to third parties. Nevertheless, retention alone means that the data can be accessed by MPS officers, counter-terrorism officers nationally, local authorities and Home Office colleagues, across 10 databases.”
She then mentions the boy’s rightful fear of impact: “in addition, as long as the Claimant’s personal data is retained, he will continue to fear that it may be disclosed to third parties, particularly universities to which he may apply or from which he may receive offers.”

That fear is real. In July 2020, the Guardian reported (on the basis of documents uncovered by Dr Hilary Aked, (Researcher at Medact) that universities and further education colleges in Greater Manchester had an agreement to share information about students referred to Prevent. It was stated that the agreement was to be able to provide support services and not to cause detriment to the students. However, cases elsewhere indicate that shared information has led to offers of places being withdrawn.

Tarik is a 16-year-old student who was due to attend a Sixth Form College known for its higher than average proportion of students who go on to prestigious universities.

When Tarik went into the Sixth Form College at the start of the academic year for what he believed would be an enrolment, he was instead surprised to find himself being questioned about incidents that had led to a Prevent referral at his secondary school over two years previously.

The Prevent referral had occurred during his time at secondary school as a result of a combination of incidents including Tarik correcting his teacher about the definition of jihad and some inappropriate messages in a group chat that led to a fight, for which Tarik had already been sanctioned via a school suspension.

Tarik’s parents later found out that Tarik’s place had been withdrawn from the Sixth Form College on the basis of “new information” with which the Sixth Form College had been provided by his secondary school, once the offer had been confirmed.

When asked, the secondary school showed evidence that it had been the Prevent officer who had dealt with Tarik’s case, who had advised the secondary school to ensure that this information was passed on to his Sixth Form, once his place had already been confirmed.

Tarik’s parent said: ‘The safeguarding file is supposed to be used to support the child not to impact decisions of admissions. So, the Sixth Form College has breached something here.”

“My child is still a child being only 16 years of age, yet he was questioned about his views on jihad without his parents nor the safeguarding officer present. He was misled to believe this was an enrolment meeting when in fact it was an interrogation of his religious view.”
“The impact of this has been huge as it left us scrambling for a new place to send Tarik. It was very strange; how do you then get a clean slate for your child who has done nothing wrong and wants to progress via college, when all the new colleges you apply to will obviously ask why on earth this child has no college, despite it already being September?”

It is difficult and time-consuming to bring breaches in the retention and sharing of personal data to court and there are many other examples that have not been pursued to this stage.

The current political climate where human rights legislation is being questioned by government, means that it is likely that provisions that currently protect individuals (however difficult it is to secure that protection) in relation to data rights, will be further under challenge.

Our conclusion is: Prevent is abuse of individual rights to privacy and the protection of their data and information held about them, especially in the case of children. Information gathered under Prevent interventions does not involve criminal offences, yet data can be gathered with leading questions, then held and shared as if it involved the most serious offences.
Throughout this report we have drawn attention to the lack of proper oversight of the Prevent strategy. It operates in a pre-criminal space where no offences have been committed. Yet it is subject to few formal safeguards such as apply to the criminal justice system.

Since the Prevent strategy was extended in 2015, it has become less transparent, with the government failing to publish data that had previously been provided as a matter of routine. For example, it has refused to provide information about Prevent Priority Areas and their demographic characteristics and since 2016 it has not published adequate data on the race, ethnicity, or religious identity of those subject to referrals. These characteristics must be inferred from the nature of the classification of types of ‘ideology’ – whether ‘Islamist’, ‘far right’, or mixed.

This is very worrying, given that the Prevent strategy has a particular focus on young people and children, especially through its implementation, of this requirement. Examples from the police do not lend any understanding, let alone any actual implementation, of this requirement. From the police data do not lend any reassurance either; for example, police guidance on Prevent was recalled in 2020 due to the representation of Islamic normative belief as signs of extremism, a view that, as we saw, was also put forward by Amanda Spielman, HM Chief Inspector of Education, Children’s Services and Skills, responsible for schools.

Perhaps the ultimate safeguard in law is the protection afforded by human rights. The UK is a signatory to the European Convention on Human Rights (ECHR). It has also declared its adherence to the UN Universal Declaration of Human Rights, including the Convention of the Rights of the Child. These are incorporated in UK legislation in the Human Rights Act (1998) and the Equalities Act (2010).

Children around the world have recognised rights specific to them as well as enjoying protection under human rights agreements, because they are identified as particularly vulnerable, including to arbitrary state action. Children and young people under the age of 20 (the cut-off age in Home Office data) make up approximately half of all Prevent referrals, although children under 18 account for only 21% of the UK’s population. Even where a formal referral is not made, children can be directly impacted by the programme, because Prevent duty holders are in greater contact with children. In all cases where Prevent impacts children, the UK has the obligation to uphold children’s rights under the law. These rights include general human rights (enjoyed by both children and adults), as well as the specific rights children enjoy on account of their particular status. The rights are protected in national law (Human Rights Act 1998, Equality Act 2010), as well as in international treaties which the UK has ratified (the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights, the European Convention on Human Rights). It is doubtful whether the UK is meeting its commitments to children’s rights through Prevent.

Regarding general human rights standards, concerns have been raised around children’s right to non-discrimination, including on grounds such as race, religion and political or other opinion. For example, the UN Committee on the Rights of the Child, the independent body of experts that monitors states’ implementation of the Convention on the Rights of the Child, has chosen to focus on the ‘potential discriminatory, racial or stigmatising impact’ of the UK’s counter-terrorism and counter-extremism policy.
The UK government does not publish data on race, ethnicity and religious identity of children who are subject to Prevent referrals, but data from 2014 to 2016 showed that 39 percent of children referred under Prevent were recorded as Muslim and 38 percent were ethnically Asian. This is vastly disproportionate to these groups’ representation in the UK population; five and six percent respectively.

Whose best interests?
There are also concerns regarding respect for children’s rights to freedom of expression, thought, conscience and religion. In its review of the UK, the CRC Committee will also be focusing on the steps the UK has taken to ‘ensure that counter-terrorism measures, including the Prevent Strategy, do not undermine [these children’s rights]’.

As regards child-specific provisions, there are questions regarding Prevent’s compliance with children’s best interests. The best interests of the child must be a primary consideration in all actions concerning children. This includes the application of Prevent to individual children, as well as decisions made about children as part of the broader issue of the Prevent policy.

Many case studies show that an individual child’s best interests are not being actively considered when a decision is made about them under Prevent. More broadly, there seems to be a tendency to treat national security as the top concern in Prevent cases involving children, to the detriment of their best interests. For example, children’s rights standards recognise that their best interests are served by keeping them out of contact with the criminal justice system wherever possible. By bringing children who are not suspected of an offence into contact with the police and security services, the Prevent policy prioritises intelligence-gathering over children’s welfare.

Under Prevent, it is also questionable whether the UK fully upholds children’s right to be heard in all matters affecting them and to have their views be given due weight in accordance with their age and maturity.

Again, case studies show that a child’s views about whether and to what extent to engage with the Prevent programme are not sought as a matter of course. Where children contest the relevance of Prevent to their case, they are often ignored.

Box 19: Children’s best interests
1. A substantive right - “The right of the child to have his or her best interests assessed and taken as a primary consideration when different interests are being considered in order to reach a decision on the issue at stake, and the guarantee that this right will be implemented whenever a decision is to be made concerning a child, a group of identified or unidentified children or children in general.”

2. An interpretive legal principle - “If a legal provision is open to more than one interpretation, the interpretation which most effectively serves the child’s best interests should be chosen.”

3. A rule of procedure - “Whenever a decision is to be made that will affect a specific child, an identified group of children or children in general, the decision-making process must include an evaluation of the possible impact (positive or negative) of the decision on the child or children concerned.”
A teenager does not consent to Prevent and is put on a Child Protection Plan

Yunus is a straight A secondary school boy who is well-liked by his peers and teachers.

Yunus was on a Child in Need plan which included a recommendation for Yunus to be seen by an intervention provider who would assess Yunus’s views and see if he was vulnerable to radicalisation from one of his parents.

Yunus did not want to take part, and the parent with whom Yunus lives was also uncomfortable taking part in anything Prevent-related, however had complied with all of the other social care recommendations without hesitation.

The case was however escalated to a Child Protection Plan, and Yunus and his family believe that the reason for this is that they have failed to engage with Prevent.

Once the matter had escalated to a Child Protection Plan, Yunus was asked about his views as to whether he would like to engage with an intervention provider under Prevent.

He made it very clear that he did not want to. Yunus does not have any issues that would deem him incompetent, and yet his views were not taken into consideration. The assessment was still deemed necessary and incorporated as part of his plan.

The Prevent programme also threatens the legal ‘responsibilities, rights and duties of parents (...) to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of their rights’.

Numerous case studies show a lack of respect for families’ role in raising, teaching and guiding children to exercise their rights. For example, the application of Prevent can lead to the undermining of Muslim parents’ role in guiding children in the exercise of the children’s freedom of religion. Prevent fails to adequately uphold children’s rights which the UK has committed to respect.

Our conclusion is: Prevent is overwhelmingly directed at children and young people where it represents an abuse of their rights and the obligation to put their needs first. There is no national security justification for its policies and practices.

Evidence has been provided which suggests that Prevent infringes children’s rights to non-discrimination, to freedom of expression, thought, conscience and religion, to have their best interests taken as a primary consideration, and to be heard. The right of parents to provide their children with direction and guidance, in accordance with the children’s evolving capacities, has also been found to be infringed.
Prevent is primarily directed at children and young people. It also draws a smaller proportion of adults directly into its remit, especially through their involvement in higher education and health. However, the rights of children and young people are also intimately bound up with the rights of their parents and carers, and rights to family and private life.

3.3 Considering key principles of human rights

Raheel is a Muslim father who is raising his children according to the Islamic faith. Raheel has never been convicted of any crime but Prevent officers have tried to engage him several times for a ‘chat’. Raheel has always refused to engage.

This has led to at least two attempted social care interventions initiated by the police. The social services have stated that the police have informed them that Raheel is friends with people who have ‘extremist views’. Consequently, the child assessment recommended that Raheel stop being friends with these people as they may be a bad influence on his children.

Raheel says: “I cannot believe that I work hard to raise my children in the best way possible, and yet social services waste their time telling me who I should be friends with because the police have put pressure on them.”

“How many parents have friends who have gone to prison? My friends haven’t even been charged or convicted, yet not only am I being harassed – my children are being implicated too.”

“I have a large immediate family and wider family to take care of, so I am not with my friends all the time anyway, let alone spending so much time with them that my children would be influenced by them.”

“Since when are we told who we can and can’t be friends with and since when did that decision become a deciding factor in social care interventions?”
As set out by the EHRC, Article 8 of the Human Rights Act (1998) provides rights to family and private life where parents have the right to have their children educated according to their religious and philosophical convictions, and a right not to be discriminated against when exercising these (and their other) rights.

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

Ignoring concerns

The long list of individuals, organisations and bodies who have expressed concerns about the impact of Prevent, also includes various UN bodies. For example, concerns were expressed by the Committee on the Elimination of Racial Discrimination in 2016 immediately following the publication of the Counter Terrorism and Security Act in 2015 (see Box 20).

Box 20: UN Committee on the Elimination of Racial Discrimination

“The Committee expresses concern that the new counter-terrorism measures adopted by the State party, including the Counter-Extremism Strategy and the creation under the Counter-Terrorism and Security Act 2015 of a statutory duty for public authorities in a broad range of fields to have due regard to prevent individuals from being drawn into terrorism (the “Prevent duty”) have created an atmosphere of suspicion towards members of Muslim communities. In particular, the Committee is concerned at:

(a) the ambiguity of terms such as terrorism and extremism, creating a wide scope of interpretation and leading to increased profiling of individuals based on ethnicity and/or religion; (b) the negative impact on the rights to freedom of expression, education and freedom of religion, given the uncertainty as to what can be legitimately discussed and worn in academic settings; (c) the collection, retention and sharing of information on individuals, particularly children, without their consent or the consent of their parents/guardians (arts. 2 and 5).”

The Prevent strategy has featured as a concern within at least two other recent UN Special Reports from independent experts mandated by the UN to investigate human rights issues (see Box 21). None of these reported concerns about Prevent were investigated by the UK Government (or its designated independent body, the Equalities and Human Rights Commission); instead, Prevent continues to be promoted by the government as a model of preventing terrorism across the globe.
Box 21: UN Rapporteurs’ statements about Prevent

The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association wrote in June 2017.191

“One of the biggest concerns brought to the Special Rapporteur’s attention during his mission was the Government’s focus on countering non-violent extremism without a narrow and explicit definition, at the expense of basic human rights and fundamental freedoms.” (Paragraph 6)

“The Special Rapporteur concurs with civil society that the Prevent strategy is inherently flawed... unclear guidelines give excessive discretion to decision makers, which subsequently makes the overall application of Prevent unpredictable and potentially arbitrary, hence rendering it inconsistent with the principle of the rule of law.” (Paragraph 6)

“The Prevent strategy appears to draw a nearly automatic link between extremism and terrorism. However, British law makes a clear distinction between the two. The Terrorism Act 2000 defines terrorism as the ‘use or threat of action ... designed to influence the government ... or to intimidate the public or a section of the public ... for the purpose of advancing a political, religious or ideological cause’.

“Extremism’, meanwhile, is vaguely defined in Prevent as ‘opposition to British values’. These flaws, combined with the encouragement of people to report suspicious activity, have created unease and uncertainty regarding what can legitimately be discussed in public.” (Paragraphs 12 and 13)

Overall, it appears that Prevent is having the opposite of its intended effect: by dividing, stigmatizing and alienating segments of the population, Prevent could end up promoting extremism, rather than countering it” (Paragraph 12)

THE SPECIAL RAPPORTEUR ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS WHILE COUNTERING TERRORISM wrote in February 2020.192

“The Special Rapporteur is particularly concerned by the so-called ‘whole of society’ approach, in which responsibilities to detect ‘signs of radicalisation’ fall upon various actors in society, including teachers, social workers, medical staff and other health-care professionals, prison staff, neighbours and family members, community leaders and members of faith-based groups. She views the securitisation of care professions, including medical professions and social work, as impinging on the unique ethical obligations of professionals in those fields to those they serve.” (Paragraph 32)

“It is increasingly clear that human rights defenders are targeted in the strategies aimed at preventing and countering violent extremism pursued by Governments that recognise the value of the new nomenclature to be directed against those who disagree with them. Less worrisome, but equally true, is that Governments see civil society actors as a vehicle for advancing policy aimed at countering violent extremism and have co-opted the efforts of civil society into a top-down agenda for preventing and countering violent extremism for a political or security objective.” (Paragraphs 43 and 44)

The most recent of the Special Rapporteur reports – that on contemporary forms of racism, racial discrimination, xenophobia and related intolerance – gave special attention to the racial – that is discriminatory – impact of laws and policies on counter-terrorism and counter-extremism. The Rapporteur’s conclusions are stark: “no government review of, or findings regarding, the impact of the Prevent Strategy on human rights and racial equality has been made public. This state of affairs is untenable given the widespread evidence that enforcement of the ‘Prevent duty’ disproportionately targets groups on the basis of religious and ethnic belonging, in violation of their human rights”.194

The United Nations’ treaty bodies have repeatedly emphasised that signing and ratifying treaties or even legislating them is not enough to ensure an improvement in the general application of universal human rights principles in individual countries and more broadly. Administrative, judicial, and other measures must be put in place to ensure those human rights are real; rights must be implemented. In so far as Prevent policy advocates have stressed ‘human rights’, they have done so as an instrument for challenging extremist ideologies as being opposed to human rights.195 They have conspicuously failed to address the implementation of Prevent as itself potentially in breach of human rights.
Failing to review Prevent

International human rights organisations, as well as domestic organisations and commentators, have also consistently expressed their concerns about the failure to provide a proper, independent review of Prevent, and to do so in the context of human rights. Recently, there was approval that the government would address systematic racial and ethnic inequalities through the Race Disparities Unit. That expectation was dashed by the way in which the Unit – in the recent Sewell Report – disavowed the very idea of systematic inequalities. Similarly, there was approval that an Independent Review of Prevent would take place. That expectation has also been dashed.

With the appointment of William Shawcross in January 2021 to lead the review came narrow terms of reference to focus only on the effectiveness of the strategy for supporting people vulnerable to being drawn into terrorism. However, the effectiveness of Prevent cannot be so easily separated from the question of human rights. Once again highlighting the contradictions within Prevent, the latter are integral to the ‘British values’ that schools, for example, have a duty to promote.

For example, the Special Rapporteur on Contemporary forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance concluded that the Prevent strategy had, “transformed public institutions such as hospitals, schools, universities and even the police – institutions through which the work of national integration should otherwise be achieved – into sites of exclusion, discrimination and national anxiety. Formal integration policies risk being no match for the “dis-integration” and political and social exclusion currently being achieved, at the behest of the Government, through the robust and pervasive Prevent Strategy and its accompanying ‘Prevent duty’”.

We should not have had to wait for an Independent Review for this conclusion to be confirmed, even as we expect that the Shawcross Review will fail to properly address issues of human rights. The Equality and Human Rights Commission (EHRC) was established to promote and uphold the rights and equalities expressed in the Human Rights Act and the Equalities Act. It is obliged to report to the UN, which accredits national human rights institutions under the Paris Principles of 1992, and where the EHRC enjoys an A-rating.

But it has failed to take any significant action regarding concerns about Prevent. In 2016 two parliamentary committees, the Committee on Women and Equalities and the Joint Parliamentary Committee on Human Rights, called for a review of Prevent over concerns it was discriminatory against Muslims.

The EHRC did not respond. Instead it tracked the government’s own idea that there was a potential problem in schools, declaring that one of its priorities over the three years from 2019 would be to ensure “the education system promotes good relations with others and respect for equality and human rights”, as if this might be in doubt in some publicly funded schools, when its own earlier reports found no evidence that it was. There is no expressed concern that the Prevent policy in schools might itself be in breach of equality and human rights.

Because of its obligation to report to the UN, it has raised its concerns about Prevent externally, even where it has taken no action internally. Indeed, its last report in March 2020 highlighted concerns, “that Prevent is discriminatory and risks undermining freedom of speech, the right to private life and the right to manifest a religion.”

It went on to state that, “in January 2019, the UK Government announced an independent review of the Prevent strategy. However, the scope and independence of the review have been criticised. In particular, civil society organisations are concerned that the review does not consider the past delivery and impact of Prevent.”

The deadline for submission to that review was December 9th 2019 (just before it was temporarily suspended after Lord Carlile stepped down). The EHRC did not make a submission. We might expect that the government would reject UN Special Rapporteur reports, but it is a serious matter when they are ignored by a body like the EHRC. Indeed, its response to the report made no reference to the criticisms of Prevent.

In 2013, the then Independent Reviewer of Terrorism Legislation, David Anderson QC, expressed his scepticism about the need for a special category of legislation associated with terrorism. Such legislation had not been necessary to combat IRA terrorism – just as Prevent has not been applied in Northern Ireland – and ordinary legislation against violence would be sufficient (together with political motivation as, perhaps, an aggravating factor).
More serious was the risk that the label could be used by authoritarian regimes in actions against domestic opposition. It constituted “an international obligation, no less, to prevent terrorist acts, coupled with a liberty to define terrorist acts in whatever way they wanted. And to attack not only those who take up arms, but those who promote ideas”.  

David Anderson QC, former Independent Reviewer of Terrorism Legislation, cited Conor Gearty’s discussion of state action in Russia and China.  

How much more serious is the consequence of extending concerns with terrorism to non-violent extremism, as occurs with Prevent? At times, this has been actively encouraged by the British Government as they have offered training in counter-extremism to other governments that have then gone on to commit atrocities against their Muslim populations. This can be seen in both India and in China. The problem is not simply that criticism of authoritarian state actions is undermined, the very ‘technologies’ of counter-extremism are transferred as part of an ‘export-oriented’ Prevent industry (see Box 22).

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**Box 22: Prevent in China**

News of China’s ‘re-education’ camps for its Muslim Uyghur people were officially documented by the UN, Amnesty International and Human Rights Watch in 2018. The incarceration and ‘re-education’ of Muslim Uyghur people began in May 2014, driven by China’s ‘Strike Hard against Violent Terrorism Campaign’.

It recently emerged that the Royal United Services Institute, together with the Foreign Commonwealth and Development Office in March 2016 offered its advice on ‘Countering the root causes of violent extremism undermining growth and stability in China’s Xinjiang Region by sharing UK best practice’.

In July 2017, director of international security studies at the Royal United Services Institute in London, Raffaello Pantucci, penned an article for the South China Morning Post. This set out arguments for greater cooperation with China on the international terrorist threat.

It identified, “China’s ongoing problems in Xinjiang and an angry Uygur minority who are finding more active support in the international jihadist milieu...” But what can China do about this? In the first instance, Beijing needs to find some way to resolve its problems in Xinjiang – letting the situation fester there is not going to improve China’s standing in the eyes of the international jihadist community. Looking abroad, Beijing still officially stands behind its sacred principle of non-interference, but it is clearly starting to build a legislative framework to provide a mandate for its forces to go out into the world and protect its national interests...

“China continues to be a hesitant player in international cooperation. This is in part the product of a lack of trust and different views on the root causes of terrorist problems, but there are a number of places around the world where China and the West share a common threat...”

“International terrorism is a common problem facing the world. While there are always going to be disagreements and difficulties in countering these threats, there are some things which can be done together...”

“China can no longer hide in the shade of terrorist groups’ desire to strike primarily at the West. As it expands its international footprint, it is going to be increasingly exposed and will need to build relations with friends around the world to manage this growing menace effectively...”
The efficacy of international standards of human rights are diminished in their critical purchase on authoritarian regimes elsewhere, but they are undermined domestically, too. We have seen that the UK government has resisted the application of such standards in the operation of its Prevent strategy. This has been associated with more general authoritarian tendencies.

The Shawcross Review is expected to recommend extending the scope of Prevent and putting it more directly under the direction of the security services. At the same time, the government is proposing changes to weaken judicial review, a crucial process that gives the courts oversight of parliament and ensures that public bodies act properly within the law.278

It has inserted amendments to the Crime, Sentencing and Courts Bill after the committee stage which criminalise ‘disruptive’ demonstrations and include stop and search powers and Serious Disruption Prevention Orders.277 It has also proposed mandatory voter-ID, which is widely believed will suppress the legitimate votes of poor and ethnic minority citizens.278 It is also planning an overhaul of the Human Rights Act itself, to the alarm of the Parliamentary Joint Committee on Human Rights.278

Our conclusion is: Prevent is an abuse of fundamental human rights and protected equalities, especially involving discrimination on the grounds of race and ethnicity, and religion. The government proposes that terrorist activities threaten human rights and yet it breaches them in its own Prevent policies and evades scrutiny. Furthermore, Prevent ‘expertise’ is being shared with oppressive regimes, including those who terrorise their Muslim populations, and is part of a broader drift towards authoritarianism and efforts to reduce long-established human rights principles.

Conclusion

As we set out in the Preface to this report, Prevent is one strand in the government’s counter-terrorism strategy, CONTEST. The other strands being Protect, Prepare and Pursue. Pursue has some overlap with Prevent in the sense that it also has a ‘pre-crime’ element, one which is often conflated with Prevent. As we have seen, the failures in recent terrorist cases, whether in the Manchester Arena bombing, or in the stabbings at Fishmongers’ Hall, have been failures within Pursue with few implications for Prevent.

In this report, we have restricted ourselves to consider only Prevent. Its concerns lie much further back than Pursue – pre, pre-crime, as it were. It is our conclusion that it provides no additional value to counter-terrorism than is provided by the other three strands. It does, however, have damaging consequences for democracy and thereby contributes to the very risks it purports to mitigate.

Prevent is necessarily discriminatory. It represents a system of surveillance and preemptive intervention – a comprehensive system of stop and search, albeit with no actual offence as its object, as we have seen – that depends on profiling. This profiling occurs through the designation of Prevent Priority Areas where the criteria that are used and even the areas themselves are not transparent. Nor are the Prevent Panels which exist in each local authority in England locally accountable. The operation of Prevent is not made subject to evaluation according to the Public Sector Equalities Duty, a duty which the government has treated as discretionary since 2012. This means that Prevent both reinforces and perpetuates a broader institutional Islamophobia, while at the same time being unaccountable for doing so.

The discriminatory nature of Prevent is intrinsic to it, at the same time as the Prevent Duty is unnecessary. We do accept that public authorities have a safeguarding duty, but it is one that can be carried out under the normal professional ethics of the respective practitioners. The additional behaviours that some are pressing to include within Prevent, for example, misogyny, antisemitism, bullying etc, can easily be accommodated within normal practices of schools and other services without them being regarded as issues of national security.

Covid-19 has had a major impact on young people. It has also come on the back of serious cuts to the funding of youth services and investment in young people.
Prevent has become a means of getting some mitigation of those cuts, but it comes at the cost of incorporating young people into a wider security apparatus. Our view is that all children and young people merit investment in their future as a public good outside the framing of national security.

We do not object to the teaching of values within schools. Indeed, under section 78 of the 2002 Education Act, schools are required to provide for the moral, spiritual and intellectual development of children and young people. This need not mean the teaching of fundamental British values (and, of course does not take that direct form in the devolved administrations). Instead, we understand it to mean the teaching of values fundamental to living together with difference.

We have already noted that the teaching of ‘fundamental British values’ as part of Prevent is made mandatory under section 78. This makes it a national curriculum (indeed, a nationalist curriculum), but it also subordinates the spiritual and moral development of children, and the religious and philosophic convictions of their parents, to a national security interest. This particular form of secular hostility – in co-opting safeguarding – determines what is in a child’s best interests according to a political agenda, rather than the child’s own wellbeing. The Westminster government’s assertion of the ‘Britishness’ of the values is necessarily divisive. Most government policy documents are accompanied by the trumpeting of Britain as one of the ‘most successful multi-ethnic societies’ in the world. That claim is accompanied by a deep hostility to multi-culturalism and a wish for all minorities to pass their voice into that of a majority that insists on claiming its native right to define what is British and what is not.

It implies that the ‘majority’ thought of as ‘native British’ have a natural association to the values, whilst ‘minorities’, whether ethnic or religious, are understood potentially to exhibit a cultural deficit. The denial of difference is, in effect, an argument that ethnic and religious minorities must assimilate and their participation as citizens is under sufferance.

The Covid-19 pandemic has revealed a different Britain. It has shown that the key workers relied on to deliver the nation’s health and well-being – hospital workers, care workers, cleaners, shop workers and distribution workers – are disproportionately from migrant or ethnic minority backgrounds and disproportionately made up of the low paid (they have also been disproportionately likely to be its victims). It has not been a nation divided between ‘the people’ and ‘others’.

Rather there has been a demonstration that people with differences in thought and values could not only live together, but in a crisis, save the nation.

Terrorist outrages always elicit the response that the nation must come together and that the perpetrators must not be allowed to win against our values. We have conducted our review of Prevent in the light of these injunctions and we conclude that Prevent fails on each count.

What has been undermined is multi-cultural equality grounded in rights of citizenship and protections against arbitrary state action. The latter is no less arbitrary if it is by an elected government claiming a popular mandate (albeit in the UK it is one mediated by devolved assemblies in Scotland, Wales and Northern Ireland, and in England operates on the basis of the delivery of parliamentary seats on a declining proportion of the vote).

The US political philosopher, Danielle Allen, has written powerfully of the danger of the intolerance of difference that lies within the idea of popular sovereignty, albeit that it is frequently represented as a democratic ideal (whether by the left or the right).\textsuperscript{20} The idea is incorporated in the US Declaration of Independence, and reproduced daily in US schools, in the ‘pledge of allegiance’ to ‘one Nation indivisible with liberty and justice for all’.

A commitment to the whole nation would require an obligation toward multicultural equality. It is precisely that commitment that is under threat. This is a consequence of falsely proposing that the traditions of some members of our political community renders them inherently ‘risky’.

The outcome of this is an undermining of people’s rights, especially their rights to religious belief and expression, which is placed under suspicion by Prevent. A core question that arises is how muscular liberalism can be, if this denies one of its own claimed values of tolerance toward different religious beliefs? How muscular can liberalism be before it creates second-class citizenship for some and denies them full participation?
In this report we have shown that Prevent operates in a way that reinforces divided citizenship. It is the primary mechanism for communicating that understanding of ‘others’ (alongside, perhaps, the creation of a ‘hostile environment’ for migrants).

The conclusion we reach is a necessary one: Prevent must be withdrawn, for the sake of our children and young people and for the sake of our democracy. Its purpose is ‘ideological’ and its withdrawal would have no detrimental consequence for national security. In fact, its withdrawal will make it more likely that vitally important conversations will take place about the urgent need to challenge injustice and create a fair society for all.

We call on the government to withdraw its Prevent strategy on the grounds that it is ineffective, disproportionate and discriminatory.

We call on practitioners caught up in Prevent, community groups, trades unions and professional associations, and civil society groups to demand that Prevent be withdrawn.

Appendix 1: Summary of Cases

The cases presented in this report have been anonymised and are provided with the consent of those concerned. They are taken from 596 cases submitted to Prevent Watch between Oct 2014 to Dec 2021 as well as some submitted directly to the People’s Review of Prevent call for submissions. We have also reproduced additional cases from research reports such as Medact in their report ‘Racism, mental health and pre-crime policing: the ethics of Vulnerability Support Hubs’ and from the ‘Islam on Campus’ report by Professor Alison Scott-Baumann and her colleagues.

300 of the cases provided to Prevent Watch involved children under the age of 18 with more than half of these being of primary school age or younger (i.e. under 11 years of age). The youngest of the children – one for whom a Prevent referral was made – was 4 years old. In one extraordinary case a Prevent officer and social worker sought to interview a mother who had not yet given birth because they feared her soon-to-be-born child was at risk of radicalisation by the absent father.

Almost all of the cases involving children also engaged children’s services. Almost half of these children had not been known to social services until they were referred under Prevent or referred to social services after a concern about ‘radicalisation’.

Over 100 of the cases indicated ‘increased religiosity’ as a major factor in the Prevent referral – either in the initial rationale for the referral, or in the subsequent questioning by Prevent officers. We have seen first hand evidence from the clients where increased religiosity was indicated as a factor on the vulnerability assessment frameworks used to consider suitability for referring to Channel.

In 78 of the cases, those involved reported feeling coerced into engaging with the Prevent programme.

In 29 cases there was a direct impact on employment, including the loss of jobs.

All of the cases were from within England and Wales. 70% of the total cases were from within Greater London with the remaining cases mainly spread across the North West of England and the East and West Midlands regions.

The most common source of a referral was from within the education sector.

The case archive includes 101 cases where the police had instigated the referral. The majority of these cases did not meet the threshold of any concern to warrant anything other than a voluntary intervention under a s17 assessment.
Appendix 2: Prevent Reports

The following reports formed part of our evidence base:


Durham University, School of Oriental and African Studies, Coventry University and Lancaster University, (2020) Professor Mathew Guest, Professor Alison Scott-Baumann, Dr Sariya Cheruvallil-Contractor, Dr Shuruq Naguib, Dr Aisha Phoenix, Islam and Muslims on UK University Campuses: Perceptions and Challenges, https://www.soas.ac.uk/representingislamoncampus/publications/file148310.pdf


Just Yorkshire, (2017), Dr. Waqas Tufail, Dr. Bano Murtuja, Rethinking Prevent: A case for an alternative approach


Cage, (2016), Dr. Asim Qureshi and Ben Hayes, We are completely independent: The Home Office, Breakthrough Media and the Prevent Counter Narrative Industry, https://www.cage.ngo/product/we-are-completely-independent-report


References


(4) Pat Thomson (2020) School scandals: Blowing the whistle on the corruption of our education system (Policy Press)


(9) The phrase is from Kawtar Najib (2021) Spatialized Islamophobia (Routledge)

(10) In a response (Ref 6293, dated 21st December 2021), to a Freedom of Information request from Children’s Rights International, the Home Office declared, “The Home Office holds partial data on the ethnicity and religion of those referred to Prevent that were deemed suitable for the Channel Programme and therefore were discussed at a Channel Panel. However, it was decided that this information was exempt from disclosure under section 24(1) of the FOI Act. The balance of the public interest was considered to fall in favour of non-disclosure”.


(20) See, Paul Thomas, ‘British Muslims. A suspect community?, Chapter 4, Responding to the Threat of Violent Extremism Failing to Prevent (Bloomsbury Academic, 2017, Open Access)


John Holmwood ‘Ratcheting up the Prevent agenda’, op cit.


Ibid, page 4


Elshayyal, ‘Securitisation, fundamental British values and the neutralisation of dissent within the UK’. Maydan, 2020.


(60) See, the Policy Exchange History Matters webpages. https://policyexchange.org.uk/publication/history-matters-project/.


(65) Ibid, page 774


(71) MPs on the Education Committee (2021). ‘How white working-class pupils have been let down and how to change it’. https://houseofcommons.shorthandstories.com/disadvantaged-white-working-class-pupils-index.html.


(77) Ibid, page 74


(81) Robin Simcox, March 29, 2021. ‘To combat far right, government must first understand how it ticks’. The Telegraph. https://www.thetimes.co.uk/article/to-combat-far-right-government-must-first-understand-how-it-ticks-tsfrndwfd


(83) M. Berger, Extremism (MIT Press, 2018). Page 174


(87) Open letter. 10 July 2015. ‘PREVENT will have a chilling effect on open debate, free speech and political dissent’. The Independent. https://www.independent.co.uk/voices/letters/prevent-will-have-chilling-effect-open-debate-free-speech-and-political-dissent-10381491.html.


(89) Elshayyal op cit.

(90) Massoumi op cit.


(98) Mill op cit, page 65.


(104) Op cit.

(105) See, for example, Charles Hymass, October 18 2021. The Telegraph. ‘Deradicalise extremists over three years instead of one; review to say: Prevent programme is “broken” and requires a major overhaul, report will say in wake of Sir David Amess’s death. https://www.telegraph.co.uk/politics/2021/10/18/deradicalise-extremists-three-years-instead-one-review-say/.


(107) The CREST advisory report laid some store by the government’s actions on ‘anti-Muslim hatred’, citing a cross departmental group representing different departments and involving external advisers. We have been unable to find any publicly available reports by this group.


(112) Multi-Agency Public Protection Arrangements were put in place in 2000 to deal with risks associated with released violent and/or sexual offenders. They were extended to cover released terrorist offenders in 2009. See Disley, Emma; Mafalda Pardal; Kristin Weed & Anais Reding (2016) Using Multi Agency Public Protection Arrangements to manage and supervise terrorist offenders: Findings from an exploratory study, RAND Corporation Report RR-441-RE. Available from https://www.rand.org/pubs/research_reports/RR441.html. The Police Crime and Sentencing and Courts Bill 2021 introduces a new category of ‘non-terrorist offenders’ deemed to be at risk of ‘radicalisation’. This blurs the line with the ‘pre-crime’ space since it can involve serious restrictions on civil liberties based upon a suspicion of a future crime unrelated to the original offence for which an individual was punished.


(116) The most egregious perhaps is associated with the appointment of Robin Simcox as Interim Commissioner for Countering Extremism. He had previously founded a new consultancy, the Counter Extremism Group, with former member of Policy Exchange on secondment as Head of Research at the Commission for Countering Extremism, Hannah Stuart. Lord Carlile has recently joined the group. See, https://counterextremism.org.uk/.


(121) For example, Tim Squirrel of the Institute for Strategic Dialogue (a London-based extremism thinktank) was reported in the Guardian commenting that, “we need to recognise that many people, particularly young men, who essentially need some combination of social services, mental health support and other kinds of non-securitised intervention are instead being caught up by counter-terrorism programmes.” Ben Quinn, Jan 3, 2022. ‘Glorification of Plymouth shooter by ‘incels’ prompts calls for action’, The Guardian. https://www.theguardian.com/uk-news/2022/jan/03/glorification Plymouthe-sinner-inceps-prompts-calls-for-action.

(122) Madeleine-Sophie Abbas (2021) Terror and the Dynamism of Islamophobia in 21st Century Britain (Palgrave)

(123) See, Lucia Zedner and Andrew Ashworth op cit, Tarek Younis op cit.


(125) Although the school leaving age was raised to 18 in England in 2013, after which young people over the age of 16 were required to be in education or some form of training, the government routinely estimates young people over the age of 16 not in education, employment of training (NEETS). This reflects the fact that young people cannot guarantee progression from school to a sixth-form college or other place of training and there is no local monitoring of attendance since many educational establishments are outside local authority responsibility as a consequence of the academies programme. Of course, only about half of the age cohort go on to higher education, where the Prevent duty applies.

As provided by the Home Office, January 2022, in response to a Freedom of Information Request.

(126) Op cit, page 108


(128) See, Asim Qureshi op cit.


(131) Op cit, para 17.


The guidelines were for the teaching of sex and relationships education, but they went beyond that domain to provide generic advice. See, Department for Education, September 24, 2020. Guidance: Plan your relationships, sex and health curriculum. https://www.gov.uk/guidance/plan-your-relationships-sex-and-health-curriculum.


Medact, False Positives, op cit.


Channel Duty Guidance, op cit, paragraph 12. In either case the assessment is carried out by the police.


Medact False Positives, op cit.


Ibid, page 5

Ibid, section 2.4


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Para 59

Para 75(i)


See, Medact False Positives, of cit.

(181) Convention on the Rights of the Child, Articles 3 and 40, Committee on the Rights of the Child, General Comment No. 24 (2019) on children’s rights in the child justice system, CRC/C/GC/24, para. 2, http://docstore.ohchr.org/Seff/Files/Handler.ashx?enc=6QkGiGSp9FPPRCAaQ7hKgB77svs-ql7kKrGZLk2M8RF%2F5F0vEnG3GGKUxVfWToQyGx+yV05TUAigpOwHj35PFdJXc(FO5Drwow-8HeKLh8cgOw5NvJ%2BtFRR959 Um0L4A.


(193) See Box 22 below.


(198) Reference

(199) See, End of Mission Statement of the Special Rapporteur on Contemporary Forms of Racism, op cit, paragraph 45
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(201) Reference


(205) Ref

(206) https://www.middleeasteye.net/opinion/uk-ehrc-prevent-equality-islamophobia-failed-muslims

(207) Joint statement from the UK NHRIs to the Human Rights Council in response to the report from the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the UK - titled ‘UK NHRIs Response to SR Racism Report on the UK’


(209) Paragraph 54

(210) Conor Gearty (2013) Liberty and Security (Polity)

(211) Foreign & Commonwealth Office. 2018. UK-India working together to counter extremism.


