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# Meeting between David Anderson QC and the MCB

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## Concerns on Prevent

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**About us:** The Muslim Council of Britain is the UK's largest Muslim umbrella body with over 500 affiliated national, regional and local organisations, including mosques, charities and schools.

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## Context

The Muslim Council of Britain (MCB) met the Independent Reviewer of Terrorism Legislation, David Anderson QC on Tuesday 28 July 2015, and discussed a range of issues pertaining to the background of the MCB, its area of interest, its previous work and the views of many parts of the Muslim community on counter-terror legislation.

## Purpose of document

This document has been put together to share case studies to help support some of the key concerns raised during the meeting, as requested by Mr Anderson.

## Background to case studies

The Muslim Council of Britain has long spoken out against terrorism and violent extremism. Ever since the atrocities of 11 September 2001, the MCB has initiated statements and campaigns to speak out against the scourge of terrorism. Our message - ever since 9/11 - has been unequivocal and focussed: to call on all members of society to eschew criminality and participate positively in society.

The Muslim Council of Britain echoes the concerns held by a wide number of stakeholders that the “Prevent” policy, has flawed analytical underpinnings and leads to the Muslim community being viewed through the prism of security.

The excellent work of Mr Anderson within his in-depth report entitled: “*A Question of Trust - Report of the Investigatory Powers Review*” (June 2015) demonstrates the value of an independent reviewer. The MCB strongly agrees with Mr Anderson, who said in evidence to the Joint Committee of Human Rights on the Counter-Terrorism and Security Act in November 2014 that: “Prevent needs oversight” and that such a committee should have “breadth of experience”.<sup>1</sup>

Mr. Anderson has argued in December 2014 that there is a “monstrously wide” definition of terrorism, and that this is “certainly not ideal”.<sup>2</sup>

When it comes to tackling “extremism” as part of the Prevent duty, the definition of “extremism” is even broader than that of terrorism, and the situation is even more “not ideal”. Our concerns have been exacerbated following the extension of the Prevent duty to public bodies after the passing of the Counter Terrorism & Security Act, given the number of people implementing the duty has grown significantly, leading to many documented excesses, some of which are outlined below.

## Case studies

We highlight below several instances that underscore the shortcomings of Prevent – firstly at schools, and secondly more broadly. In sum, they show how Prevent has led young children being viewed through the lens of security, how there are serious concerns about discrimination in the implementation of terror legislation, and how it has led to self-censorship of young children in schools.

### 1. The Prevent duty extension to public bodies has led to Muslim young children in particular being viewed through the lens of security

There are police officers who believe that children as young as 4 could be radicalised<sup>3</sup> and guidance documents promote the idea that signs of radicalisation include discussion of Palestine and international conflicts,<sup>4</sup> subtle changes to behaviour in teenage (Muslim) children.<sup>5</sup>

<sup>1</sup> [http://www.parliament.uk/documents/joint-committees/human-rights/Daivd\\_Anderson\\_Transcript\\_271114.pdf](http://www.parliament.uk/documents/joint-committees/human-rights/Daivd_Anderson_Transcript_271114.pdf)

<sup>2</sup> <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/draft-protection-of-charities-bill-committee/draft-protection-of-charities-bill/oral/16289.html>

<sup>3</sup> BBC, 2009: <http://news.bbc.co.uk/1/hi/uk/8408305.stm>

<sup>4</sup> Leaflet for Public Sector Workers: <http://www.preventforschools.org/download/file/Channel%20leaflet%20Updated%2020141.pdf>

<sup>5</sup> By Commander Mak Chishty, a key advisor to the Commissioner of the Metropolitan Police e.g. see The Guardian in May 2015: <http://www.theguardian.com/world/2015/may/24/jihadi-threat-requires-move-into-private-space-of-uk-muslims-says-police-chief>

This has led to many worrying case studies with children being referred to the Channel de-radicalisation programme as part of the Prevent policy.

- i. **Broad-brushed policy:** 80% of Channel referrals between 2006 and 2013 were rejected by Channel panels,<sup>6</sup> demonstrating that children are being viewed through the lens of security and practitioners are finding threats where none exist in many cases. This can be seen by the following case studies:
  - One schoolboy was accused of holding "terrorist-like" views by a police officer due to possession of an Israel Boycott, Divestment and Sanctions leaflet; "Free Palestine" badges were deemed "extremist"; and another teenager required "deradicalisation" for attending protest against an Israeli diplomat.<sup>7</sup>
  - Teachers confirmed to the MCB that they were trained to find out the views of young children by making them do presentations on sensitive topics:
    - A parent told the MCB how a young child was asked to do a presentation on Syria, showing both sides of the conflict, to find out the parents' views.<sup>8</sup>
    - A young child in south London referred to social services for signs of radicalisation after he was specifically asked to write a piece on British foreign policy and he mentioned the history of the Caliphate.<sup>9</sup>
  - A two year old child in East London who has a diagnosed learning disability, sang an Islamic song and said "Allahu Akbar" spontaneously – he was subsequently referred to social services for "concerning behaviour".<sup>10</sup>
  - Parents in Stoke-on-Trent were brought in because their children were using inappropriate language, such as "Alhamdulillah", which is a religious term used, meaning "Praise be to God".<sup>11</sup>
  - Two college students were stopped by a lecturer who noticed that they had made way for two female students and lowered their gaze. They were reported to the senior team for concerning behaviour.<sup>12</sup>
  - Sermons at Friday prayers at a secondary school, which used to be delivered by other children, were now only allowed if conducted by a non-Muslim teacher whose understanding was limited to the extent that he told the children that it was not an obligation to pray Friday prayers.<sup>13</sup>
  
- ii. **Discriminatory application of the law in schools:** Where religious affiliation data was collected, c. 60% were Muslim (vs. 5% in the population)<sup>14</sup>. We have been led to believe that the proportion of far-right extremists taken through Channel in recent years is c. 10%, in spite of the worrying growth in Islamophobia and far-right extremism becoming more mainstream, with even 31% of young children believing Muslims are taking over England and 26% who believe that Islam encourages terrorism.<sup>15</sup> Examples of discriminatory application include:
  - Schools in BNP and EDL heartlands are monitoring only Muslim pupils<sup>16</sup>
  - Multiple teachers told the MCB that a Muslim young child who is deemed anti-Semitic (or having specific views about a utopian state) will be treated differently to another child of another or no faith who is anti-Semitic.<sup>17</sup>
  - One physics teacher told the MCB how, when nuclear fission was being explained, no concern was raised when those of no faith or a faith other than Islam, queried how to build a bomb; but when a Muslim young boy asked, there was a request for him to be referred.<sup>18</sup>

<sup>6</sup> Freedom of Information Request:

<http://site.npccms.coraidr.com/documents/FoI%20publication/Disclosure%20Logs/Terrorism%20&%20Allied%20Matters%20FOI/2013/117%2013%20ACPO%20Response%20-%20Channel%20Project%20Referrals.pdf> and <https://yahyabirt1.wordpress.com/2015/07/17/channel-referrals-are-shrouded-in-too-much-secrecy-we-need-better-figures-and-more-transparency-and-accountability/>

<sup>7</sup> Al Jazeera English, July 2015: <http://www.aljazeera.com/indepth/features/2015/07/stifling-freedom-expression-uk-schools-150721080612049.html>

<sup>8</sup> Case study shared with the Muslim Council of Britain

<sup>9</sup> Case study shared with the Muslim Council of Britain

<sup>10</sup> Case study shared with the Muslim Council of Britain

<sup>11</sup> Case study shared with the Muslim Council of Britain

<sup>12</sup> Case study shared with the Muslim Council of Britain

<sup>13</sup> Case study shared with the Muslim Council of Britain

<sup>14</sup> <https://yahyabirt1.wordpress.com/2015/06/04/safeguarding-little-abdul-prevent-muslim-schoolchildren-and-the-lack-of-parental-consent/>

<sup>15</sup> Largest survey of schoolchildren by Show Racism the Red Card: <http://www.theguardian.com/education/2015/may/19/most-children-think-immigrants-are-stealing-jobs-schools-study-shows>

<sup>16</sup> The Bureau of Investigative Journalism: <https://www.thebureauinvestigates.com/2015/03/31/prevent-policy-schools-barnsley-edl-bnp-heartland/>

<sup>17</sup> Case study shared with the Muslim Council of Britain

<sup>18</sup> Case study shared with the Muslim Council of Britain

iii. **Impact on self-censorship of young children:**

- A week after the Charlie Hebdo atrocity, in a school where news items are discussed on a weekly basis, no young Muslim child brought the issue up because they feared they would be “put on a register”.<sup>19</sup>
- Parents told the MCB that after hearing the story of a three-year old child being placed in the government’s anti-extremism programme,<sup>20</sup> they are training their children at home not to speak about their beliefs or rituals at school.<sup>21</sup>

Further to this, there are concerns about transparency and accountability as many young people are referred even **without the consent of their parents**,<sup>22</sup> and Freedom of Information requests have regularly been rejected. In addition, because there is no requirement by the Department for Education for schools to publish any risk assessments carried out for Prevent, information is scarce.<sup>23</sup>

This demonstrates the importance of putting “protections” for programmes in Prevent, as Mr Anderson suggested in November 2014,<sup>24</sup> and as the MCB proposed in its Parliamentary Briefing in January 2015.<sup>25</sup> Whilst there are many other concerns with the Prevent duty, as outlined in our previous press releases and Parliamentary briefings, the above demonstrates the specific concerns highlighted in the discussion on 28 July.

**2. There is a serious concern about discrimination in the implementation of terrorism legislation**

- After a threatening letter was sent to Torbay Islamic Centre in September 2013, one of those who had also daubed graffiti and admitted conspiracy, had a terror manual on his computer (inspired by Breivik and EDL) and he only received a suspended sentence;<sup>26</sup>
- The leader of the UK arm of the Jewish Defence League, Roberta Moore, was found guilty of assaulting two people at a pro-Palestinian event in Haringey after invading the platform whilst being armed<sup>27</sup> and received a sentence of 150 hours of community service and a small fine with no involvement of anti-terror officers.
- 2 years in prison for EDL member Ryan McGee for building a viable nailbomb as he was "not terrorist but immature teenager"<sup>28</sup> vs. 6 years in prison for Ms Runa Khan who put promoting terrorism on Facebook<sup>29</sup> and 12 years for Yusuf Sarwar and Mohammed Ahmed who came back from Syria whilst the mother told them about it<sup>30</sup>
- Sir James Munby reunited a child with his EDL-supporting father saying "we must guard against the risk of social engineering...as the state does not and cannot take away children" but when it comes to Muslims, "More than 30 children have been subjected to judicial orders because they are at risk of indoctrination or are already deemed extremist"<sup>31</sup>
- Liam Lyburd told police that he intended to “shoot a bunch of people” and blow up Newcastle college – this was not seen as an act of terrorism.<sup>32</sup>

The above small number of case studies demonstrate some of the key concerns with the terrorism legislation, and demonstrate that many of the concerns previously raised have proven well-founded.

<sup>19</sup> The Guardian, July 2015: <http://www.theguardian.com/commentisfree/2015/jul/01/muslim-children-enemy-radicalisation>

<sup>20</sup> The Independent, July 2015: <http://www.independent.co.uk/news/uk/home-news/threeyearold-child-from-london-placed-in-government-antiextremism-programme-10419346.html>

<sup>21</sup> Case study shared with the Muslim Council of Britain

<sup>22</sup> <https://yahyabirt1.wordpress.com/2015/06/04/safeguarding-little-abdul-prevent-muslim-schoolchildren-and-the-lack-of-parental-consent/>

<sup>23</sup> The Bureau of Investigative Journalism: <https://www.thebureauinvestigates.com/2015/03/31/prevent-policy-schools-barnsley-edl-bnp-heartland/>

<sup>24</sup> [http://www.parliament.uk/documents/joint-committees/human-rights/Daivd\\_Anderson\\_Transcript\\_271114.pdf](http://www.parliament.uk/documents/joint-committees/human-rights/Daivd_Anderson_Transcript_271114.pdf)

<sup>25</sup> <http://www.mcb.org.uk/wp-content/uploads/2015/01/MCB-Briefing-on-introducingPrevent-as-a-statutory-duty-for-all-public-bodies.pdf>

<sup>26</sup> Herald Express, September 2013: <http://www.torquayheraldexpress.co.uk/Torquay-Knights-Templar-inspired-Breivik-murders/story-19824726-detail/story.html>

<sup>27</sup> Jewish News, March 2015: <http://www.jewishnews.co.uk/jdls-uk-leader-convicted-palestine-solidarity-event-violence/>

<sup>28</sup> The Guardian, November 2014: <http://www.theguardian.com/uk-news/2014/nov/28/soldier-jailed-nailbomb-ryan-mcgee-manchester-bomb>

<sup>29</sup> BBC, December 2014: <http://www.bbc.co.uk/news/uk-england-30439913>

<sup>30</sup> The Guardian, December 2014: <http://www.theguardian.com/world/2014/dec/06/yusuf-sarwar-mother-british-jihadist-police-betray-syria>

<sup>31</sup> The Times, July 2015: <http://www.thetimes.co.uk/tto/news/uk/article4509122.ece>

<sup>32</sup> BBC, July 2015: <http://www.bbc.co.uk/news/uk-england-33718094>