COUNTER EXTREMISM GROUP

Counter-Terrorism and Extremism in Great Britain Since 7/7

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EXECUTIVE SUMMARY

This month marks the 15th anniversary of the al-Qaeda terrorist attacks on the London transport system that left 52 dead and over 700 injured. Four weeks later, the Prime Minister at the time, Tony Blair announced that "the rules of the game have changed" as he set out a series of commitments to keep the country safe.

Yet Great Britain faces a persistent threat from terrorism and extremism. The stabbing in Reading last month that left three dead and several injured was the fourth suspected terrorist attack in Great Britain in seven months. It follows terrorist stabbings in Streatham and HM Prison Whitemoor earlier this year and at Fishmongers' Hall last November.

Unfortunately, there remains insufficient understanding of the scale of extremism, the reach and influence of extremist ideologies and what interventions work. This has negatively impacted policymaking and delivery.

Two of the most keenly debated facets of post-7/7 policy have been the Prevent strategy, which aims to stop people becoming terrorists or supporting terrorism, and the Counter-Extremism strategy, designed to tackle the social harms caused by extremism.

However, the relationship between Prevent and the Counter-Extremism Strategy has become confused. The ways in which the policies share overlapping objectives and a broad definition of extremism has led to confusion and a lack of focus regarding outcomes and activities. Many projects have focused on promoting integration and cohesion rather than

actively challenging the ideology of non-violent and violent extremists alike.

Furthermore, the lack of clarity over what extremism is and who the Government is prepared to work with has led to inconsistent decisions being made by government departments and the public sector.

There has been an assumption within the civil service that the process of engagement is positive in of itself. Consequently, the Government and its partners continue to engage with, and be advised by, extremism-linked individuals seeking to influence counter extremism policy. A lack of transparent principles of engagement has meant there remains a level of ambiguity about who the Government will and will not work with.

While there are issues to resolve, scrapping the preventative element of counter-terrorism work should not be countenanced, given the scale of the threat. What is needed is a clear vision to effectively counter extremism and radicalisation into terrorism.

To address these issues, the Government should consider merging Prevent and elements of the Counter-Extremism strategy into one programme, with the refined objective of preventing people from being radicalised into terrorism and extremism. This would include the safeguarding element known as the Prevent Duty, a refocused civil society funding programme and a combined effort to address terrorist and extremist content online. It should also include a refocused effort to better understand and

challenge hate crime that contains an extremism element or motivation.

The forthcoming Prevent Review is well placed to consider this approach, how the overlap in functions could be addressed and what the structural relationship between a new programme and CONTEST would look like.

The Government must re-affirm its commitment not to work with extremism-linked groups or individuals, by publishing clear criteria of engagement for Government and its partners.

The criteria should be informed by democratic principles and be limited to identifiable behaviours as opposed to beliefs. In determining these criteria, the Government should additionally pay attention to the ways in which the two predominant threats – Islamist Extremism and the Far Right – have manifested themselves.

Publishing clear intelligible criteria would provide civil society groups and the public a degree of certainty with regards to the standards of behaviour the Government expects from its partners – and would help ensure fair and transparent decisions across Government.

The criteria should inform the decision making of local authorities, regulators, and the wider public sector (including the Police, operational issues notwithstanding), and the Government should consider introducing a requirement for local authorities to have due regard to these criteria.

Underpinning these efforts should be an improved understanding in key areas and better responses to the undermining of CE and Prevent. The Government should consider a longitudinal social science study to better understand the prevalence of support for extremist ideologies and behaviours across the UK and how they change over time. It should prioritise understanding why and how interventions are successful and sharing information on local responses.

The Government should identify and respond to the narratives which can have the effect of undermining Prevent and CE. This includes providing accurate information about the areas of work that are commonly misrepresented. It also includes identifying and learning lessons from aspects of Prevent and CE which have not been successful and increasing transparency, for example, by publishing Prevent and CE research, evaluation, and training materials.

Introduction

This month marks the 15th anniversary of the al-Qaeda terrorist attacks on the London transport system that left 52 dead and over 700 injured. Four weeks later, the Prime Minister at the time, Tony Blair, announced that "the rules of the game have changed" as he set out a series of commitments to keep the country safe, including rooting out Islamist extremism, deporting foreign extremists and doing more to encourage integration with Britain's multicultural communities.[1]

Then – as now – such ideas were met with support from the police and others responsible for ensuring public safety and security, and with apprehension from those concerned about the potential cost to individual rights and to Muslim communities.[2]

Two of the most keenly debated facets of post-7/7 policy have been the Prevent strategy, which aims to stop people becoming terrorists or supporting terrorism, and the Counter-Extremism Strategy, designed to protect society from the harm caused by extremism.

Critics say these policies foster Islamophobia or anti-Muslim hatred and stifle free debate and dissent. Supporters contend that countering extremist ideologies before they may manifest as terrorist action is a fundamental component of counter-terrorism work.

With the expiry of the Counter-Extremism Strategy and the Government's independent review of Prevent due to resume later this year, such debates are key to improving our response. As a contribution to that debate, this paper focuses on three issues: the nature of the threat from terrorism and extremism; how Prevent and counter-extremism policy have developed; and what the priorities should be in the coming years.

Nature of the Threat from Terrorism and Extremism

Terrorist Attacks and Investigations

Great Britain faces a persistent threat from terrorism and extremism. The stabbing in Reading last month that left three dead and several injured was the fourth suspected terrorist attack in Great Britain in seven months. It follows terrorist stabbings in Streatham and HM Prison Whitemoor earlier this year and at Fishmongers' Hall last November. In all four incidents, the suspects were known to the authorities and had served – or were serving – time in prison.[3]

In 2017, the country witnessed three Islamist terrorist attacks between March and June – with a fourth attack carried out near Finsbury Park mosque shortly thereafter by a Far Right terrorist. Together, these attacks killed 36 people. Later that year, an Iraqi teenager – motivated by Islamic State extremism and a hatred of Britain[4] – partially exploded a bomb on a London underground train, injuring over 50 people.[5] Again, the Islamist perpetrators were all known to the authorities already; the man convicted of the terrorist murder of a Muslim worshipper was not known to the authorities in respect of extremism.[6]

Since the al-Qaeda-directed London bombings on 7th July 2005 (still the country's deadliest terrorist attack), Islamist-inspired extremists have targeted and killed Fusilier Lee Rigby in 2013 and Rochdale Imam Jalal Uddin in 2016, while Far Right terrorists murdered Mohammed Saleem in 2013 and Jo Cox MP in 2016. British people have also been killed or injured in at least 13 terrorist acts abroad since 2013,

1. "Full text: The prime minister's statement on anti-terror measures", *The Guardian*, August 5, 2005, https://www.theguardian.com/politics/2005/aug/05/uksecurity.terrorism1 (accessed July 2, 2020).

2. Patrick Wintour, "Blair vows to root out extremism", *The Guardian*, August 6, 2005, https://www.theguardian.com/politics/2005/aug/06/terrorism.july7 (accessed July 2, 2020).

3. Jamie Grierson et al, "Libyan held over Reading multiple stabbing 'known to security services'", *The Guardian*, June 21, 2020, https://www.theguardian.com/uk-news/2020/jun/21/reading-stabbings-libyan-held-after-three-killed-in-park-attack (accessed July 2, 2020).

4. "The Queen -V Ahmed Hassan Sentencing Remarks of the Hon. Mr Justice Haddon-Cave", Judiciary of England and Wales, March 2018, https://www.judiciary.uk/wp-content/uploads/2018/03/r-vhassan-sentencing.pdf, para. 17.

5. Ian Cobain, "Parsons Green tube bomber Ahmed Hassan jailed for life", *The Guardian*, March 23, 2018, https://www.theguardian.com/uk-news/2018/mar/23/parsons-green-tube-bomber-ahmed-hassan-jailed-for-life (accessed July 2, 2020).

6. Katie Forster and Benjamin Kentish, "Finsbury Park mosque attack: Suspect Darren Osborne, 47, previously unknown to security services", *The Independent*, June 19, 2017, https://www.independent.co.uk/news/uk/home-news/finsbury-park-mosque-attack-suspect-darren-osborne-not-known-security-services-47-years-old-a7797661.html (accessed July 2, 2020).

the majority of which were directed or inspired by Islamist militants overseas.[7]

Behind these figures are numerous other planned attacks, primarily prevented by good intelligence and policing.[8] Twenty-five terrorism plots have been foiled since the Westminster attack in March 2017,[9] comprising 16 Islamist plots, eight Far Right plots and one described as "other".[10] A further 13 had been prevented in the preceding four years.[11]

There has been a gradual decline in counter-terrorism-related arrests since 2018,[12] in part a response to the demise of Islamic State's physical Caliphate. In addition, the terrorism threat was reduced from severe (meaning an attack is highly likely) to substantial (meaning an attack is likely) in November last year.[13]

However, the number of credible threats being investigated is higher than at any time. Counter-terrorism policing are currently working on 800 live investigations;[14] an increase of 60% from 2017.[15] There are 3,000 subjects of interest,[16] and as many as 40,000 'closed' subjects of interest, "where MI5 judges there to be some risk of engaging in terrorist activity",[17] up from 20,000 in 2017. The current figure has been updated to include individuals outside of the UK, based on information from foreign intelligence services.[18]

To put these figures into context, at the time of the 7th July 2005 attacks, the security services were aware of around 800 "primary investigative targets", up from 500 the year before and from 250 at the time of the 9/11 terrorist attacks of 2001.[19] On the first anniversary of the 7/7 attacks, then Head of the Metropolitan Police Service Anti-Terrorist Branch, Peter Clarke, revealed that police were working on an unprecedented 70 live investigations "spanning London, the UK and the globe", having disrupted

7. "Compensation for victims of terrorist attacks abroad", HM Government, https://www.gov.uk/compensation-victim-terrorist-attack

8. Others were thwarted because of simple good luck. For example, in June 2012 an al-Qaeda-inspired cell travelled from Birmingham to Dewsbury in a car containing a cache of weapons, including an improvised explosive device, shotguns and knives, planning to attack an English Defence League rally. However, they arrived only to find that the rally had already finished. On their return to Birmingham, their plans were discovered by chance after a routine stop by a South Yorkshire police motorway patrol officer led to the car being impounded (the driver of the car, Omar Khan, admitted giving a false name when purchasing the car and it had shown up as uninsured on the police national computer, because the registration number had been entered incorrectly on the online application). When the car was searched, the weaponry was subsequently discovered. See Hannah Stuart, Islamist Terrorism: Analysis of Offences and Attacks in the UK (1998-2015), Henry Jackson Society (March 2017).

9. "25 terror plots have been foiled since 2017 Westminster attack, minister reveals", Sky News, June 22, 2020, https://news.sky.com/story/25-terror-plots-have-been-foiled-since-2017-westminster-attack-minister-reveals-12012317 (accessed July 2, 2020).

10. Lizzie Dearden, "Far-right terrorism driven by austerity in UK, former head of MI5 says", The Independent, March 25, 2020, https://www.independent.co.uk/news/uk/home-news/far-right-terrorism-uk-austerity-cuts-mi5-a9424596.html (accessed July 2, 2020). Helen Carter, "Metropolitan Police chief says 24 terror plots have been foiled in two years", Manchester Evening News, October 22, 2019, https://www.manchestereveningnews.co.uk/news/uk-news/met-police-uk-terror-attacks-17125151 (accessed July 2, 2020).

11. "Security services 'prevented 13 UK terror attacks since 2013", BBC News, March 6, 2017, https://www.bbc.co.uk/news/uk-39176110 (accessed July 2, 2020).

12. In the year ending 31st March 2020, there were 261 arrests for terrorist-related activity in Great Britain, 19 fewer than the previous 12-month period (a fall of 7%). This was the lowest number of arrests for terrorist-related activity in the last six financial years and is close to the annual average of 257 arrests over the entire time series (since the year ending 31st March 2002). See "Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes, and stop and search Great Britain, financial year ending March 2020", Home Office, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/891341/police-powers-terrorism-mar2020-hosb1520.pdf, p. 5.

13. "Terrorism threat level lowered to Substantial", HM Government, November 4, 2019, https://www.gov.uk/government/news/terrorism-threat-level-lowered-to-substantial (accessed July 2, 2020).

14. "25 terror plots have been foiled since 2017 Westminster attack, minister reveals", Sky News, June 22, 2020.

15. In March 2017, Assistant Commissioner Sir Mark Rowley also said there were 500 live counter-terror investigations at any time. "Security services 'prevented 13 UK terror attacks since 2013", BBC News, March 6, 2017.

16. "Home Office Terrorism Arrest Statistics Released", Counter Terrorism Policing, March 5, 2010, https://www.counterterrorism.police.uk/home-office-terrorism-arrest-statistics-released/ (accessed July 2, 2020).

17. Dipesh Gadher, "Terrorism in the UK: number of suspects tops 40,000 after MI5 rechecks its list", The Times, April 12, 2020, https://www.thetimes.co.uk/article/terrorism-in-the-uk-number-of-suspects-tops-40-000-after-mi5-rechecks-its-list-pqm6k62ph (accessed July 2, 2020); "Transparency Report: Disruptive Powers 2018/19", HM Government (March 2020), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873362/HM_Government_Transparency_Report_Text__1__2020.pdf, p. 31.

18. Dipesh Gadher, "Terrorism in the UK: number of suspects tops 40,000 after MI5 rechecks its list", The Times, April 12, 2020.

19. "Report into the London Terrorist Attacks on 7 July 2005", Intelligence and Security Committee (May 2006), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/224690/isc_terrorist_attacks_7july_report.pdf, p. 8.

"three, and probably four attack plans in the UK" in the preceding year.[20]

Terrorism-Threat Picture

Terrorism directed or inspired by militant Islamist groups poses the greatest risk to national security.[21] Far Right terrorism is increasing when measured by the rate of attacks, plots and prisoners holding such ideologies, and, this year, MI5 and the Joint Terrorism Analysis Centre took over from the police as the lead agency for detecting Far Right terrorism.[22] Nonetheless, Islamist extremism remains the dominant terrorism threat, with approximately 10% of counter-terrorism policing caseloads relating to the Far Right.[23]

The nature of the terrorism threat in Great Britain is becoming increasingly complex and changing rapidly.[24] The number and tempo of credible threats are high and the threat is evolving, with rapid, low-tech attacks featuring alongside more traditional sophisticated bombings. In the years following the 7/7 attacks, the most serious terrorists typically engaged in long-term planning, often involving explosives or terrorist training overseas. As the Head of the Metropolitan Police Counter Terrorism Command at the time commented in 2007, al-Qaeda had retained its ability to deliver centrally-directed attacks in the UK, and suicide was a frequent feature of attack planning.[25]

Terrorism has since diversified to include less sophisticated methods, often using vehicles or knives with a relatively short planning time but with a lethal effect – and, for counter-terrorism policing, online radicalisation is an increasingly common component of terrorism cases.[26] The Home Secretary has warned that Great Britain faces a growing threat from so-called lone actors. While three of the four fatal terrorism attacks in recent months and in 2017 were carried out by individual attackers,[27] 'lone actors' may nonetheless have social networks, which include links to radicalisers, conspirators and even terrorist groups. To take one British example, Hashem Abedi was recently found guilty of 22 counts of murder for his planning role in his brother's suicide bombing of the Manchester Arena in May 2017.[28]

Terrorism and the Criminal Justice System

It is the Government's position that conviction in a UK court is "one of the most effective tools we have to stop terrorists".[29] The chart below shows the total number of people convicted for terrorism since 11th September 2001 in Great Britain by year of charge.[30] Of the 1,293 people charged with a terrorism-related offence until year ending 31st March 2020, 865 have been convicted for terrorism-related activity. The numbers in the most recent years are likely to be revised upwards as ongoing proceedings are completed.

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20. "A statement made (03/07/06) by Deputy Assistant Commissioner Peter Clarke, Head of the Metropolitan Police Service Anti-Terrorist Branch", Communities Together, http://democraticservices.hounslow.gov.uk/documents/s22156/DAC%20Clarke%20-%20statement%20from%2003.07.06%20re-%20counter%20terrorism.pdf; "Terror probes at unprecedented level", Police Professional, July 13, 2006, https://www.policeprofessional.com/news/terror-probes-at-unprecedented-level/ (accessed July 2, 2020).

21. "Transparency Report: Disruptive Powers 2018/19", HM Government (March 2020), p. 5.

22. "Fact sheet: Right-wing terrorism", Home Office Media Blog, September 20, 2019, https://homeofficemedia.blog.gov.uk/2019/09/20/fact-sheet-right-wing-terrorism/ (accessed July 2, 2020).

23. "Fastest-growing UK terror threat 'from far-right", *BBC News*, September 19, 2019, https://www.bbc.co.uk/news/uk-49753325 (accessed July 2, 2020).

24. Kate Forrester, "Reading attack: Threat from 'lone actors' growing, warns Priti Patel", *Politics Home*, June 22, 2020, https://www.politicshome.com/news/article/threat-from-lone-actors-growing-warns-priti-patel-in-wake-of-reading-stabbing-attacks (accessed July 2, 2020).

25. Peter Clarke, "Learning from experience: Counter Terrorism in the UK since 9/11", Policy Exchange, June 1, 2007, https://policyexchange.org.uk/wp-content/uploads/2016/09/learning-from-experience-jun-07.pdf (accessed July 2, 2020).

26. Mark Rowley, "Extremism and Terrorism: The need for a whole society response", Policy Exchange, February 26, 2018, https://policyexchange.org.uk/pxevents/the-colin-cramphorn-memorial-lecture-by-mark-rowley/ (accessed July 2, 2020).

27. The two exceptions are the attacks at HMP Whitemoor in January 2019 and on London Bridge in June 2017.

28. "Manchester Arena bombing: Hashem Abedi guilty of 22 murders", *BBC News*, March 17, 2020, https://www.bbc.co.uk/news/uk-england-manchester-51926162 (accessed July 2, 2020).

29. "Transparency Report: Disruptive Powers 2018/19", HM Government (March 2020), p. 6.

30. This includes offences under both terrorism legislation and other legislation where the offence is considered terrorism related by National Counter-Terrorism Police Operations Centre.


Figure 1 – Charging outcomes: conviction for terrorism-related activity following charges under terrorism and non-terrorism legislation[31]
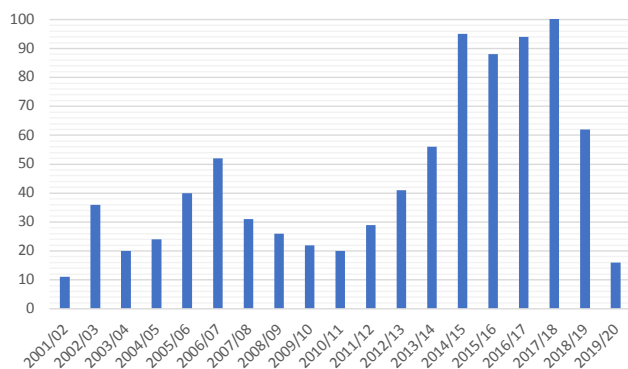
As at 31st March 2020, there were 238 people in custody for terrorism-related offences; the highest number in over a decade.[32] Of those in custody, almost one in five (77%) were categorised as holding Islamist-extremist views, with a further 18% categorised as holding Far Right ideologies, and the remaining prisoners (5%) holding beliefs related to other ideologies.[33] The graph below shows that the proportion of prisoners holding Far Right ideologies has increased in the last three years, likely as a result of the proscription of the Neo-Nazi group National Action (the first right-wing extremist group to be banned in the UK) in December 2016.

Figure 2 – Persons in custody for terrorism-related offences, by ideology
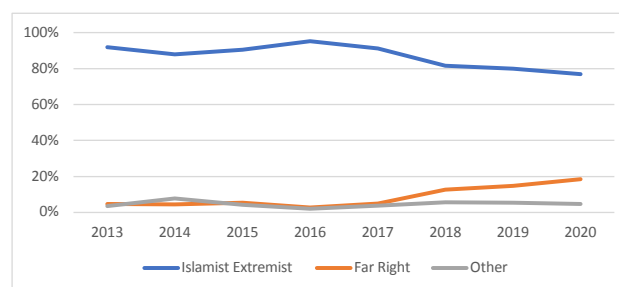
Overseas Links to Terrorism

The Islamist-terrorism-threat picture in Great Britain also involves individuals fighting or training overseas. Official estimates suggest that more than 900 individuals from the UK travelled to engage in the conflict in Syria and Iraq, of which 20% were killed overseas and 40% have returned to the UK.[34] In February 2019, the Security Minister told Parliament that around 40 returnees had been successfully prosecuted "because of direct action they have carried out in Syria or, subsequent to coming back, linked to that foreign fighting",[35] while a significant proportion were assessed as no longer being of concern to national security.[36] Ministers have also stressed the difficulties in gathering so-called battlefield evidence, which may also account for the low conviction rate.[37] The Government has also estimated that there are 30 British men among 2,000 foreign Islamic State fighters in Kurdish detention in northern Syria.[38]

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31. In line with the general convention for Home Office criminal justice statistics, when a person is charged or prosecuted for multiple offences at the same time, only the most serious offence is counted – usually the one that carries the highest penalty. This "principal offence rule" means the statistics provide a count of individuals charged rather than the total number of charges. "Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes, and stop and search Great Britain, financial year ending March 2020", Home Office (June 2020), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/891341/police-powers-terrorism-mar2020-hosb1520.pdf, p. 7.

32. The Home Office has been provided this information about the prison population for 11 years from 31st March 2010 to 31st March 2020. Home Office, Operation of police powers under the Terrorism Act 2000: financial year ending March 2020: annual data tables, table P.01, June 11, 2020 https://www.gov.uk/government/statistics/operation-of-police-powers-under-the-terrorism-act-2000-financial-year-ending-march-2020

33. 'Other' also includes any prisoners not classified as holding a specific ideology. "Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes, and stop and search Great Britain, financial year ending March 2020", Home Office (June 2020), p. 17.

34. "Factsheet: Syrian Travellers", Home Office Media Blog, November 5, 2019, https://homeofficemedia.blog.gov.uk/2019/02/15/fact-sheet-returnees-from-the-conflict-zone-in-syria/ (accessed July 2, 2020).

35. Lizzie Dearden, "Only one in 10 jihadis returning from Syria prosecuted, figures reveal", *The Independent*, February 21, 2019, https://www.independent.co.uk/news/uk/home-news/shamima-begum-isis-return-uk-syria-jihadis-terror-threat-prosecute-nationality-a8790991.html (accessed July 2, 2020).

36. "Factsheet: Syrian Travellers", Home Office Media Blog, November 5, 2019.

37. HC Deb, February 18, 2019, c1199.

38. Dan Sabbagh, "Thirty Britons believed to be among Isis fighters held in Syria", *The Guardian*, December 6, 2019, https://www.theguardian.com/world/2019/dec/06/thirty-britons-believed-to-be-among-isis-fighters-held-in-syria (accessed July 2, 2020).

In recent years, responding to returning foreign fighters has been top of the policy agenda. The Government has several disruptive powers to deter foreign travel for terrorism purposes or to prevent suspected returning fighters from entering the UK:

- The Home Secretary has the discretion, under the Royal Prerogative, to refuse to issue or to withdraw a British passport, on national security grounds, to disrupt individuals seeking to travel on a British passport. This power was used on 89 occasions between 2013 and 2018, with around half (52%) occurring between 2014 and 2015.[39]

- The Counter-Terrorism and Security Act 2015 introduced temporary exclusion orders (TEOs), making it unlawful for a subject to return to the UK without engaging with the authorities (e.g. reporting to a police station or attending a deradicalisation programme). No TEOs were imposed in 2016, nine were imposed in 2017 and 16 were imposed in 2018. Of these, four returned to the UK in 2017 and five returned in 2018.[40]

- The Home Secretary may deprive an individual of their British citizenship on the basis that to do so is 'conducive to the public good' (including on national security grounds or in response to specified unacceptable behaviours, such as glorification of terrorism) on the condition that the individual concerned would not be left stateless.

In practice, this means the power may be used against dual nationals.[41] The Government has deprived 172 people of citizenship in this manner between 2010 and 2018, six in ten (104) of them occurring in 2017.[42]

- The Home Secretary has the power to remove citizenship obtained by naturalisation from people who have no other citizenship in certain circumstances.[43] To date, this has not been used.[44]

These developments are significant but also decades too late.

For several generations, Great Britain had seen thousands of its citizens and residents fight or train in Bosnia, Chechnya, Pakistan, Afghanistan, Iraq, Somalia and Yemen. While early reports on the numbers of British Muslims fighting or training overseas vary (with extreme Islamist groups almost certainly exaggerating the numbers for propaganda purposes[45]), in the month before the 7/7 attacks, *The Times* reported that 70 British Muslims had travelled to Iraq to fight coalition troops.[46] In 2008, the Security Service revealed that over 4,000 British Muslims had previously attended terrorist training camps in Afghanistan and Pakistan.[47]

Yet the response to this from the Government was either non-existent or insufficient. After 7/7, there was an increased awareness of how extremists based overseas could impact UK security.

39. "Transparency Report: Disruptive Powers 2018/19", HM Government (March 2020), p.19.

40. *ibid.*, p.21.

41. David Anderson QC, "Citizenship Removal Resulting In Statelessness: First Report Of The Independent Reviewer On The Operation Of The Power To Remove Citizenship Obtained By Naturalisation From Persons Who Have No Other Citizenship", Independent Reviewer of Terrorism Legislation https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/518120/David_Anderson_QC_-_CITIZENSHIP_REMOVAL__web_.pdf , p.3.

42. Between May 2010 and the end of December 2013, 24 people were deprived of British citizenship on the basis that to do so was 'conducive to the public good'; four people in 2014; five in 2015; 14 in 2016; 104 in 2017; and 21 in 2018. "Transparency Report 2015: Disruptive and Investigatory Powers", HM Government (November 2015), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/473603/51973_Cm_9151_Transparency_Accessible.pdf, p. 26; Victoria Parson, "Theresa May deprived 33 individuals of British citizenship in 2015", The Bureau of Investigative Journalism, June 21, 2016 https://www.thebureauinvestigates.com/stories/2016-06-21/citizenship-stripping-new-figures-reveal-theresa-may-has-deprived-33-individuals-of-british-citizenship#:~:text=In%202015%20Home%20Secretary%20Theresa,becoming%20Home%20Secretary%20in%202010 (accessed July 2, 2020); "Transparency Report 2018: Disruptive and Investigatory Powers, HM Government, July 2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/727961/CCS207_CCS0418538240-1_Transparency_Report_2018_Web_Accessible.pdf, p. 27; "Transparency Report: Disruptive Powers 2018/19", HM Government (March 2020), p. 22.

43. This action may only be taken if the Home Secretary is satisfied that 1) the individual has acted in a manner seriously prejudicial to the vital interests of the UK, and 2) the individual has reasonable grounds to acquire the citizenship of another country.

44. "Transparency Report: Disruptive Powers 2018/19", HM Government (March 2020), p. 22.

45. For example, an al-Muhajiroun spokesperson claimed that 500-700 British Muslims arrived to fight for the Taliban in October 2001, compared to reports in *The Guardian* that "no more than a few dozen" had travelled. 'The British prepared to die fighting the British', *Yorkshire Post*, October 30, 2001; '"We will replace the Bible with the Koran in Britain"', *The Guardian*, November 4, 2001

46. David Leppard and Hala Jaber, "70 British Muslims Join Iraq fighters," *The Times*, June 26, 2005

47. 'British Muslims have become a mainstay of the global "jihad"', *The Independent*, November 29, 2008

Following legislation passed in the wake of the 7/7 attacks, the Home Secretary may exclude or refuse visas to foreign nationals on the grounds that they have engaged in "unacceptable behaviours", such as preaching, running a website or writing an article that is intended to foment or provoke terrorism or criminality or foster hated that might lead to inter-community violence.[48] However, despite the presence of British extremists in conflict zones in which British soldiers were operating post 9/11, it was not until the Syrian conflict that governments began to treat the foreign fighter phenomenon with the seriousness it deserved.

Terrorism Suspects

The Home Secretary may also impose a range of restrictions on individuals whom they judge pose a threat to national security but who cannot be prosecuted or, in the case of foreign nationals, deported. These restrictions, known as Terrorism Prevention and Investigation Measures (TPIMs), include residency requirements, an electronic tag, and limits on association or use of phones and computers.[49]

TPIMs and their more restrictive predecessors, Control Orders, were introduced after the courts struck down the indefinite detention in Belmarsh of foreign nationals who were suspected of terrorism (a policy introduced following 9/11).[50] Curtailing the liberties of individuals who have not been convicted of an offence is a serious power, and these measures have been used sparingly against a small number of individuals.

In total, 52 individuals were subject to Control Orders between 2005 and 2011 (with a peak of 20 in June 2009); all were men suspected of involvement in Islamist terrorism.[51] As of June 2020, there are five TPIMs in force,[52] with no more than 10 having been in force at any time since they were introduced in 2012.[53] When Control Orders were introduced, all the subjects were foreign nationals; a trend that has started to reverse from 2009.[54]

The Counter-Terrorism and Sentencing Bill proposes removing the two-year limit on TPIMs and lowering the standard of proof from "on balance of probabilities" back to that of Control Orders, whereby the Home Secretary has "reasonable grounds for suspecting" that the individual was or had been involved in terrorism-related activity, against the advice of the Independent Reviewer of Terrorism Legislation, Jonathan Hall QC, who has stated that the purpose of changing the law is not clear.[55] During the Bill's second reading, the Government would not be drawn on how many cases in the last two years had not met the current threshold but would have met the lower threshold. However, the Government has suggested the possibility of using TPIMs against terrorism offenders upon release from prison,[56] and, with respect to non-dual nationals who go overseas to assist terrorist organisations, on their return.[57]

Radicalisation and Extremism

There are no agreed-upon measures of radicalisation and extremism. The Government and researchers rely instead on several proxy indicators, including data on individuals referred to the Government's Prevent strategy due to concerns that they are at risk of radicalisation.

The Home Office has published data on the four years since the Prevent duty on public sector organisations came into force. Data includes the number of individuals who are subsequently referred for specialist, multi-agency support from the Channel pro-

48. HC Deb, 20 Jul 2005, c1254; "Exclusion from the UK", Home Office (April 2017), https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/608797/exclusion-from-the-uk-v1.0EXT.pdf, p. 13.

49. "Transparency Report: Disruptive Powers 2018/19", HM Government (March 2020), p. 16.

50. "Draft Enhanced Terrorism Prevention and Investigation Measures Bill", Joint Committee on the Draft Enhanced Terrorism Prevention and Investigation Measures Bill, Session 2012-13, Oral Evidence, https://www.parliament.uk/documents/joint-committees/Draft%20ETPIMS%20Bill/JC%20on%20Draft%20EPIMS%20Bill%20-%20consolidated%20oral%20evidence%20PUBLISHED.pdf, p. 2.

51. "Terrorism in Great Britain: the statistics", House of Commons Library, (March 2020), http://researchbriefings.files.parliament.uk/documents/CBP-7613/CBP-7613.pdf, p. 27.

52. HC Deb, June 9, 2020, c256.

53. "Terrorism in Great Britain: the statistics", House of Commons Library, (March 2020), p. 28.

54. ibid., pp. 27-28.

55. Jonathan Hall QC, "Note on Counter-Terrorism and Sentencing Bill: TPIM Reforms (1)", Independent Reviewer of Terrorism Legislation, (June 2020), https://terrorismlegislationreviewer.independent.gov.uk/wp-content/uploads/2020/06/IRTL-TPIM-1-Note-1.pdf, p. 3.

56. "End to automatic early release of terrorists", Ministry of Justice (February 2020), https://www.gov.uk/government/news/end-to-automatic-early-release-of-terrorists (accessed July 2, 2020).

57. ibid.; HC Deb, June 9, 2020, c256.

gramme and those who are then taken on as a Channel case.[58] While the data is still of limited use, we can begin to describe broadly who has been referred, for what reasons and from where, over the past four years:

- The data shows fluctuations in Prevent referrals and Channel cases over time, with the highest quarterly number (2,444) of referrals between April and June 2017 and the lowest quarterly number (1,063) between July and September 2019. However, the highest quarterly numbers of those discussed at a Channel panel (405) and adopted as a case (177) – in practice, those determined to be more at risk – were recorded in the third and fourth quarter of the financial year ending 31st March 2019, respectively.[59]

- In the year ending March 2019, the majority (between 58% and 66%) of those referred, discussed at a Channel panel and adopted as a Channel case were aged 20 years or under. This is in line with previous years. Similarly, approximately one in seven of those referred, discussed and adopted have been female, with a slight increase in males over the four years.[60]

- In the year ending March 2019, the number of referrals for concerns related to Far Right radicalisation increased and, for the first time, the number of those with concerns relating to the Far Right discussed at a Channel panel and adopted as a Channel case were higher than concerns relating to Islamist radicalisation.[61]

- Of referrals for concerns related to Islamist radicalisation, the police made the highest number of referrals (36%), followed by the education sector (23%). Conversely, the education sector made the highest number of referrals (38%) for concerns

related to Far Right radicalisation, followed by the police (30%).[62]

- In the year ending March 2019, London and the North West accounted for a significant proportion of those referred (40%), discussed at a Channel panel (42%) and adopted as a Channel case (49%) for Islamist radicalisation. For referrals with Far Right concerns, the largest proportion of those referred (22%), discussed at a panel (19%) and adopted as a Channel case (20%) were from the North East.[63]

Overall, the figures suggest that it is young men who are more likely to be referred to Prevent, mostly through education or the police, for Islamist and, increasingly, Far Right concerns. While annual figures have remained between 5,700 and 7,000, the numbers can vary hugely across three-month periods and by region.

Outside of Prevent referrals, data on hate crime has been used as a proxy indicator of extremism. In its inaugural report in 2019, the independent Commission for Countering Extremism identified data on both offences involving stirring up hatred on the grounds of protected characteristics and hate crime more generally, to better understand the scale of behaviours it assessed as 'hateful extremism', in particular inciting or amplifying hate. The threshold for stirring up hatred based on race, religion or sexual orientation is high (balancing the right to freedom of speech with public safety) and so, with one exception (2011–2012), there have been fewer than 10 convictions annually since the year ending 31st March 2012.[64]

The figures for hate crime – defined as any criminal offence which is perceived, by the victim or any other person, to be motivated by hostility or prejudice based on these characteristics – are much higher. Police-recorded hate figures in 2018/19 have

58. "Individuals referred to and supported through the Prevent programme, England and Wales, April 2018 to March 2019", Home Office (December 2019), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853646/individuals-referred-supported-prevent-programme-apr2018-mar2019-hosb3219.pdf p. 2.

59. *ibid.*, Annex A, table D.15.

60. *ibid.*, "Individuals referred to and supported through the Prevent programme, England and Wales, April 2018 to March 2019", Home Office (December 2019), pp. 9-10.

61. *ibid.*, Annex A, table D.16

62. *ibid.*, p. 12.

63. *ibid.*, pp. 15-16.

64. "Challenging Hateful Extremism", Commission for Countering Extremism (October 2019), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874101/200320_Challenging_Hateful_Extremism.pdf, p. 46.

more than doubled since 2012/13, from 42,255 to 103,379 offences, motivated by hostility towards five protected characteristics: a victim's race (76%), sexual orientation (14%), religion (8%), disability (8%) or transgender identity (2%), and while most hate crime offences last year were less serious than incitement, they nonetheless typically involved public order offences (54%) or were for violence against the person offences (36%).[65] Hate crime data should be treated with caution, however. Data limitations mean that the true prevalence is unknown. The most recent estimate for hate crime by the Crime Survey for England and Wales (for 2015/16 to 2017/18), for example, suggests a decline in incidents.[66]

The relationship between hate crime and extremism is complex. First, not all hate crime is linked to terrorism and extremism. Terrorist attacks that fit within the five monitored strands, for example the Far Right attack on Finsbury Park mosque in 2017, are included, while terrorism that instead indiscriminately targets the British people or the country's values are not. Second, hate crime data does not record whether the offence was a consequence of extremism.[67] However, if we adopt a social-identity-theory perspective of extremism – that it arises when one social group, the in-group, believes that its survival depends on hostility to another group with which they do not identify, the out-group[68] – we can start to identify the types of hate crime perpetrators who may be more likely to be motivated in part by extremist ideas.

Academic research has found that two thirds of hate crime perpetrators were motivated by the thrill of offending – they typically act in groups after consuming alcohol. These perpetrators may be less likely to be united by an extremist element or motivation. By contrast, one in four perpetrators were categorised as 'defensive' (motivated by perceived threat to

their local area or resources), one in ten were 'retaliators' (who acted in response to feeling under attack from an out-group) and less than one per cent of cases featured 'mission' perpetrators (motivated by an extreme ideology of hate towards another group). It is possible that up to one third of hate crime may feature an extremism element. However, a greater understanding of these categories and the dynamics within them – the role played by both 'mission' offenders in inspiring or justifying 'defensive' or 'retaliatory' hate crime, for example – is needed.[69]

In practice, this typology may help explain the spikes in hate crime recorded after certain incidents, such as the EU Referendum and the 2017 terrorist attacks (that cannot be solely attributed to improvements in recording).[70] There have also been increases in religious hate crime against Muslims – some of which will contain a Far Right element or motivation – in the immediate aftermath of Islamist terrorist attacks.[71]

Offences motivated by Islamist extremism, however, are less likely to fit within the monitored hate crime strands. One notable exception is the first conviction for inciting hatred on the grounds of sexual orientation, which involved three associates of the Islamist group al-Muhajiroun, for distributing leaflets outside mosques in Derby on the day of Gay Pride that called for the "destruction" of homosexuals.[72]

There are gaps in our understanding of terrorism and extremism. The interplay between terrorism and extremism, for example, remains much debated.[73] We do not have accurate data on the scale and prevalence of extremist beliefs, and there remains a dispute about how people come to possess them, as well as why and how some are drawn into violence or terrorist movements and others are not. The Government has little understanding of the reach and in-

65. Hate Crime, England and Wales, 2018/19", Home Office (October 2019), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/839172/hate-crime-1819-hosb2419.pdf, p. 5.

66. "Hate Crime, England and Wales, 2017/18", Home Office (October 2018), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748598/hate-crime-1718-hosb2018.pdf, p. 7.

67. *ibid.*, p. 8.

68. J.M. Berger, *Extremism*, MIT Press, 2018, p. 44.

69. Mark A. Walters and Rupert Brown with Susann Wiedlitzka, "Causes and motivations of Hate Crime", Equality and Human Rights Commission (July 2016), https://www.equalityhumanrights.com/sites/default/files/research-report-102-causes-and-motivations-of-hate-crime.pdf, pp. 34-36.

70. Hate Crime, England and Wales, 2018/19", Home Office (October 2019), p. 6.

71. "Hate crime against Muslims", OSCE Office for Democratic Institutions and Human Rights, https://www.osce.org/files/f/documents/1/6/373441_1.pdf, p. 3.

72. 'Three Jailed Over Gay-Hate Leaflet', *Press Association*, February 10, 2012.

73. These challenges are exacerbated by a lack of consensus on (a) what constitutes 'extremism' and (b) the helpfulness of the current government definition.

fluence of those who promote extremist beliefs and the role of content online and in the media in amplifying them. This has resulted in an ongoing debate about ideas as a driving factor that attracts people to terrorism, among other drivers (such as socio-economics and disenfranchisement); the importance of online versus face-to-face recruitment; and whether it is technology companies or the Government that should be doing more to challenge extremist – albeit legal – propaganda online (or even whether either should be trying to do so).

Development of Counter-Terrorism and Extremism Policy Responses

Prevent is attempting to stop people becoming terrorists or supporting terrorism. Many European countries run similar programmes, yet, arguably, none are as controversial as Prevent is in Great Britain. This section assesses how Prevent, and later, the Counter-Extremism (CE) Strategy, itself designed to tackle the social harms caused by extremism, have developed, and the validity of the criticisms levelled against them.

It contends that the ways in which the policies share overlapping objectives and a broad definition of extremism, have led to confusion and a lack of focus regarding outcomes and activities. The core aim of preventing people from being drawn into terrorism by countering the ideological motivations inherent in terrorism – in theory, uncontroversial – has become mired in accusations of racism and Islamophobia, some of which can be shown to have been not in good faith. Finally, the Government and its partners continue to engage with, and be advised by, extremism-linked individuals seeking to influence counter-extremism policy.

Origins of Prevent – and the Conflation of Theology and Ideology

Prevent aims to stop people becoming terrorists or supporting terrorism. It is part of the Government's wider counter-terrorism strategy CONTEST and sits alongside three other key principles, each with a specific objective – Pursue, to stop terrorist attacks; Protect, to strengthen our protection against a terrorist attack; and Prepare, to mitigate the impact of a terrorist attack.[74]

When CONTEST was first developed in 2003, in response to the threat from Islamist terrorism, Prevent in the UK was limited to "building enhanced links with Muslim Council UK and promoting community leadership", although officials acknowledged that more work was needed in preventing "the radicalisation of Muslim youth" and resolving "international causes of tension".[75] The assumption that the process of engagement is positive in itself and leads to a reduction in the threat from "the next generation of terrorists" was an early glimpse of problems to come.

Prevent, as we would recognise it today, began in 2005 in the aftermath of the 7th July 2005 attacks, in the form of 'Preventing Extremism Together' (PET) working groups with Muslim faith and community leaders set up to provide practical recommendations on the themes of young people, education, women, civil society, mosques, community security and extremism.[76] In November 2005, the PET taskforce published an action plan containing 64 recommendations,[77] including a public inquiry into 7/7, a national advisory board for mosques and imams, and actions to tackle assumed drivers of radicalisation, such as inequality and discrimination.

These seemed reasonable suggestions. However, the PET taskforce also recommended a roadshow of Muslim scholars to counter extremist ideas – "a national, grass-roots-led campaign of events targeted at Muslim youth enabling influential scholars to theologically tackle extremist interpretations of Islam".[78] From the beginning, this approach erroneously con-

74. "CONTEST The United Kingdom's Strategy for Countering Terrorism", HM Government, June 2018, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/716907/140618_CCS207_CCS0218929798-1_CONTEST_3.0_WEB.pdf, p. 8.

75. "Countering Violent Extremism, The UK Approach", British High Commission Ottawa, https://www.tsas.ca/wp-content/uploads/2018/08/TSAS_SA2017_Farrell_UK-High-Commission.pdf, p. 11.

76. 'Preventing Extremism Together' (PET) working groups August – October 2005, https://webarchive.nationalarchives.gov.uk/20100519161311/http://www.communities.gov.uk/documents/communities/pdf/152164.pdf, p. 1.

77. James Ball, "After the bombs", *The Guardian*, July 2, 2006, https://www.theguardian.com/politics/2006/jul/04/uksecurity.terrorism (accessed July 2, 2020).

78. 'Preventing Extremism Together' (PET) working groups August – October 2005, p. 5.

flated theology and ideology. It assumed that if a wicked interpretation of a religion is the problem, then more or better religion is the solution. But the 7/7 bombers were not driven by theology: It was the ideology to which they adhered, Islamism, that provided them with a worldview and an obligation to act. Confusing theology and ideology is understandable. As Sheikh Abdalhaqq Bewley has said, "One of the most pernicious aspects of the various groups that are loosely known as 'Islamist' is precisely the fact that they appear to confidently claim Islamic authority for the positions they hold and the actions they take".[79]

The scholars' roadshow materialised shortly after in the form of the Radical Middle Way, run by the Muslim newspaper, *Q News*, the Young Muslim Organisation and the Federation of Islamic Student Societies (FOSIS). Supported financially by the Home Office, the Foreign and Commonwealth Office and the newly created Department for Communities and Local Government (CLG), the show toured areas judged to be especially vulnerable to extremism, including London, Bradford, Birmingham and Manchester.

However, analysis by the think tank, Policy Exchange, showed that several speakers were from organisations that opposed many of the project's stated goals, such as developing human rights and the rule of law.[80] A speaker in 2008 was Kemal al-Helbawy, previously a spokesperson for the global Islamist movement, the Muslim Brotherhood, and a founding chair of the Muslim Association of Britain (MAB), itself an intrinsic part of the Brotherhood's activist network in the UK and later identified by the Government as having been set up to promote the Islamist ideology of the Brotherhood.[81] Another worked at the Muslim Public Affairs Committee-UK, which had been 'no-platformed' by the National Union of Students (NUS) in 2004 for sharing antisemitic and Holocaust-denying material.[82]

On what basis, Policy Exchange asked, were these speakers deemed suitable for participation in conferences designed to curb radical sentiments. The Radical Middle Way was a high-profile example of a debate that continues to this day; that is the extent to which non-violent Islamists or Salafis – adherents of a conservative global Islamic movement who emulate the beliefs and practices of the early generations of Muslims – can be co-opted to reduce the threat from militant Islamists, such as al-Qaeda, who are prepared to use violence to achieve their aims.[83]

The PET action plan also warned of the relationship between Islamist terrorist attacks and retaliatory actions, describing working with a backdrop of "unprovoked and marked attacks on Islam and Muslims by the media and in other more direct forms of physical attacks on mosques and individuals". It was to take another six years for Prevent to address the Far Right and longer still before the Government required police forces to record anti-Muslim offences as a category of hate crime. However, the PET taskforce also appeared to suggest that the religion deserved protection in addition to that for its followers and holy places: Two recommendations focused on presenting a positive image of Islam, establishing an "Islamic Media Unit" within the Department for Digital, Culture, Media & Sport to "encourage a more balanced representation of Islam and Muslims" and instilling "a more faithful reflection of Islam and its civilisation across the entire education system". It is not the role of the Government to interfere in religion and, while in practice, the distinction between a faith and followers is not clear cut and sensitivity is required, no set of ideas – religious or otherwise – should be beyond public scrutiny.

Prevent under Labour – and Debates on Government Engagement

The next iteration of Prevent was published as part of the public launch of CONTEST in July 2006, and

79. Rashad Ali and Hannah Stuart, "Refuting Jihadism: Critiquing radical Islamist claims to theological authenticity", Henry Jackson Society (January 2014), http://henryjacksonsociety.org/wp-content/uploads/2014/02/Refuting-Jihadism.pdf, p. 7.

80. Shiraz Maher and Martyn Frampton, "Choosing our friends wisely Criteria for engagement with Muslim groups", Policy Exchange (2009), https://policyexchange.org.uk/wp-content/uploads/2016/09/choosing-our-friends-wisely-mar-09.pdf, p. 32.

81. Dr. Kamal Tawfik ElHelbawy Curriculum Vitae, archived at https://web.archive.org/web/20081120173512/http://www.khelbawy.com/about.html; "Muslim Brotherhood Review: Main Findings", HM Government (December 2015), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/486948/53163_Muslim_Brotherhood_Review_-_PRINT.pdf, para. 23.

82. Emma Yeomans, "Malia Bouattia responds to growing concerns from Jewish societies", *London Student*, 2016 https://londonstudent.coop/malia-bouattia-responds-growing-concerns-jewish-societies/ (accessed July 2, 2020).

83. Shiraz Maher and Martyn Frampton, "Choosing our friends wisely Criteria for engagement with Muslim groups", Policy Exchange (2009), p. 52; see also Jonathan Githens-Mazer and Robert Lambert, "Why conventional wisdom on radicalization fails: the persistence of a failed discourse", International Affairs 86: 4, 2010, https://www.chathamhouse.org/publications/ia/archive/view/163799/86_4githensmazer_lambert.pdf

CLG took responsibility for its delivery. In October 2006, the Government launched the Preventing Extremism Pathfinder Fund "to support priority local authorities in developing programmes of activity to tackle violent extremism at the local level".[84] New guidance was released in both April 2007[85] and July 2008,[86] before CONTEST was updated in March 2009. During this time, three distinct approaches emerged to address the challenge of radicalisation: tackling "disadvantages" and "grievances" that can contribute to radicalisation; deterring or disrupting those who promote violent extremism, for example, by criminalising the glorification of terrorism; and "engaging in the battle of ideas" to debunk the ideologies behind violence.[87] An additional objective of supporting individuals who may be vulnerable to recruitment by violent extremists – the precursor to today's safeguarding focus – appeared in the Government's first formal Prevent Strategy, published in 2008.[88] Overall, Prevent envisaged "winning hearts and minds" through community-centred and community-led counter-terrorism work.

However, local authorities and the police were tasked with leading the delivering of Prevent, encouraging involvement of statutory institutions, such as schools and civil society groups. Police involvement in Prevent and the delivery of community-led cohesion-related programmes led to accusations in *The Guardian* of Prevent being used "to gather intelligence about innocent people who are not suspected of involvement in terrorism".[89] Academics contended that the police working alongside Muslim communities, at the same time as being involved in multi-agency investigations, blurred the lines between policing and the security services, having the effect of securitising Muslim communities and integration efforts.[90] This perception was not helped by revelations in national newspapers that Project Champion, a surveillance camera scheme in Muslim areas in Birmingham – marketed as an antisocial behaviour initiative – had in fact been paid for with counter-terrorism funding.[91]

The police were not immune from the prevailing orthodoxy of engagement. In fact, at times, it appeared as though they were driving it. The Metropolitan Police Special Branch established the Muslim Contact Unit (MCU) to promote partnerships with Muslim communities. Under the leadership of Robert Lambert, the MCU partnered with Salafi or Islamist groups, believing, in Lambert's words, that "Islamists can be powerful allies in the fight against al-Qaida influence… they can be the levers that help get young people away from the most dangerous positions".[92] From this perspective, it is only Islamists or Salafis who have the religious or political credibility to make Channel-style interventions. The police, it follows, should refrain from making judgments on the nature of political Islamists and their beliefs in return for security. In 2005, Lambert and the MCU helped facilitate the takeover of Finsbury

84. "Preventing violent extremism pathfinder fund 2007/09 Case studies", Communities and Local Government (April 2007), http://www.tedcantle.co.uk/publications/022%20Preventing%20violent%20extremism%20pathfinder%20fund%20case%20studie.pdf, p. 4.

85. "Preventing violent extremism – winning hearts and minds", Communities and Local Government (April 2007), https://webarchive.nationalarchives.gov.uk/20070506201536/http://www.communities.gov.uk/pub/401/PreventingviolentextremismWinningheartsandminds_id1509401.pdf.

86. HC Deb, July 17, 2008, c42WS.

87. In 2006, the three objectives were: tackling disadvantage and supporting reform – addressing structural problems in the UK and overseas that may contribute to radicalisation, such as inequalities and discrimination; deterring those who facilitate terrorism and those who encourage others to become terrorists – changing the environment in which the extremists and those radicalising others can operate; and engaging in the battle of ideas – challenging the ideologies that extremists believe can justify the use of violence, primarily by helping Muslims who wish to dispute these ideas to do so. "Countering International Terrorism: The United Kingdom's Strategy", HM Government (July 2006), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/272320/6888.pdf, pp. 1-2; In 2009, the five objectives were: to challenge the ideology behind violent extremism and support mainstream voices; disrupt those who promote violent extremism and support the places where they operate; support individuals who are vulnerable to recruitment, or have already been recruited by violent extremists; increase the resilience of communities to violent extremism; and to address the grievances which ideologues are exploiting. "Pursue Prevent Protect Prepare The United Kingdom's Strategy for Countering International Terrorism", Home Office (March 2009), https://webarchive.nationalarchives.gov.uk/20100416125641/http://security.homeoffice.gov.uk/news-publications/publication-search/contest/contest-strategy/contest-strategy-2009, p. 14.

88. "The Prevent Strategy: A Guide for Local Partners in England May 2008", HM Government (May 2008) https://webarchive.nationalarchives.gov.uk/20130321045720/https://www.education.gov.uk/publications/eOrderingDownload/Prevent_Strategy.pdf, p. 5.

89. Vikram Dodd, "Government anti-terrorism strategy 'spies' on innocent", *The Guardian*, October 16, 2009, http://www.theguardian.com/uk/2009/oct/16/anti-terrorism-strategy-spies-innocents (accessed July 2, 2020).

90. Arshad Isakjee and Chris Allen, "'A catastrophic lack of inquisitiveness': A critical study of the impact and narrative of the Project Champion surveillance project in Birmingham", Ethnicities 13(6) 751-70, 753 http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.835.7387&rep=rep1&type=pdf

91. *ibid.*, p. 755 & 761.

92. Seumas Milne, "We need to listen to the man from special branch", *The Guardian*, February 14, 2008, http://www.theguardian.com/commentisfree/2008/feb/14/uksecurity.terrorism (accessed July 2, 2020).

Park mosque by MAB, following the expulsion of jihadist cleric Abu Hamza al-Masri.[93] However, the line between non-violent Islamism and the violence of Islamist terrorism was not as clear cut as Lambert presented it. For example, in 2019, Mohammed Sawalha stood down as a trustee of the mosque after he had been named by the proscribed terrorist group, Hamas, as a member of its political bureau in 2017.[94]

Local councils made similar errors when administering the Pathfinder Fund. A lack of clarity regarding Prevent's aims and evaluation resulted in engagement that was, at best, unfocused and, at worst, counter-productive. At times, funding went to Islamist or sectarian groups, while some public institutions gave platforms to hate preachers. In the year 2007-08, for example, the Cordoba Foundation – founded in 2005 by former MAB president Anas Altikriti,[95] and later identified in a 2015 Government report as "a think tank which is associated with the Brotherhood" – received £17,000 to organise a series of debates.[96] At one of these events, Cordoba invited Dr. Abdul Wahid, chair of the revolutionary group Hizb-ut-Tahrir, which advocates for an expansionist Caliphate, reportedly persuaded the Muslim audience to vote overwhelmingly for the motion that political participation had failed British Muslims.[97] The London Muslim Centre & East London Mosque also received Prevent funding in 2007-08.[98] In a 2019 paper assessing the mainstreaming of Islamism for the independent Commission for Countering Extremism, Sheikh Dr. Usama Hasan described how the

mosque had, from the 1990s onwards, invited guest preachers who promoted Islamism, including some who had encouraged followers to hate non-Muslims – describing non-Muslims as "worse than animals" and warning against being friends with or behaving like non-Muslims.[99]

The sensitivities concerning government engagement with Muslim groups shot to prominence in February 2009, when then Secretary of State for CLG, Hazel Blears, severed ties with the Muslim Council of Britain (MCB), the UK's largest umbrella Muslim body. This came about after the MCB refused to disassociate itself from Deputy Secretary-General Daud Abdullah after he had signed a public statement, known as the Istanbul Declaration, which appeared to condone violence against British forces enforcing an arms blockade on Gaza. In a letter to the MCB, Blears made clear her view that Abdullah's signing would be "incompatible" with the MCB's unequivocal stance denouncing terrorist violence.

Abdullah maintained that Blears had misinterpreted the meaning behind the statement he signed and that he did not actually support attacks on British troops.[100] In reality, however, his was not an isolated case. At the beginning of the Iraq War in 2004, several members of key MCB affiliates had signed two declarations that appeared to consent to the targeting of British soldiers in Iraq.[101] What is more, it was not the only recent controversy featuring the MCB. In 2006, Ruth Kelly, then Communities Secretary, appeared to criticise the MCB for taking more

93. Shiraz Maher and Martyn Frampton, "Choosing our friends wisely Criteria for engagement with Muslim groups", Policy Exchange (2009), p. 53.

94. Lizzie Dearden, "Finsbury Park Mosque says it was 'unaware' trustee is senior member of Hamas", *The Independent*, November 7, 2017, https://www.independent.co.uk/news/uk/home-news/finsbury-park-mosque-hamas-trustee-mohammed-sawalha-political-bureau-russia-visit-terrorist-group-a8042721.html (accessed July 2, 2020); Mohammad Kathem SAWALHA, Companies House, https://beta.companieshouse.gov.uk/officers/BH0tAx30G7sllKhURL9snz3T4js/appointments.

95. Anas Altikriti, "Full profile", *The Guardian*, June 3, 2008, https://www.theguardian.com/global/2007/jun/03/resource2 (accessed July 2, 2020)

96. 'Council spending uncovered II: No.5 THE PREVENT STRATEGY', Tax Payers Alliance, 8 September 2009, archived at https://web.archive.org/web/20091006074819/https://www.taxpayersalliance.com/prevent.pdf, p. 39.

97. 'Muslim pressure group wins democracy debate', *East London Advertiser*, February 27, 2008

98. 'Council spending uncovered II: No.5 THE PREVENT STRATEGY', Tax Payers Alliance, September 8, 2009, p. 39.

99. Imam Sheikh Dr Usama Hasan, David Toube, Muna Khan, "Mainstreaming Islamism: Islamist Institutions and Civil Society Organisations", Commission for Countering Extremism (October 2019), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836965/mainstreaming-islamism-islamist-insitutions-and-civil-society-organisations.pdf, p. 12.

100. Daud Abdullah, "My reply to Hazel Blears", *The Guardian*, March 26, 2009, https://www.theguardian.com/commentisfree/2009/mar/26/hazelblears-islam (accessed July 2, 2020).

101. In August 2004, this included Ahmed Al-Rawi (MAB) and Professor Khurshid Ahmed (then chair of the Islamic Foundation). "A call to the Islamic Nation [umma] Muslim and national scholars and personalities denounce the American and Israeli crimes in Iraq and Palestine", al-Quds al-Arabi (London), August 23, 2004, http://www.hurryupharry.org/wp-content/uploads/2010/02/MB_bayyan.pdf. In November 2004, this included Ahmed al-Rawi, Suhaib Hasan (then chair Masjid Tawhid in Leyton), Hafiz al-Karmi (then MCB National Council) and Wanis al-Mabrouk (then Muslim Welfare House). Ayman El-Masry, "IUMS Backs the Iraqi Resistance", International Union of Muslim Scholars, http://web.archive.org/web/20080511110431/http://www.iumsonline.net/english/articles/2005/11/article01.shtml

than £200,000 of government funding but refusing to attend Holocaust Memorial Day.[102]

Following the controversy surrounding the Istanbul Declaration, the MCB were at the centre of a row within Whitehall on Government engagement with Muslim communities. There were some – including a 2009 Home Affairs Select Committee[103] – who took their lead from Robert Lambert and argued for the inclusion of radical voices, so long as they were willing to reject terrorism in the UK.

Others argued that the Government should only work with or fund organisations that uphold its values – and that it should exclude those who believe that, in certain contexts, the targeting of civilians or Western forces in Muslim-majority countries is considered "defensive jihad" and therefore legitimate.[104] With the UK being the target of several other al-Qaeda linked plots in the years after 7/7, and with the threat showing no sign of abating, it was those voices that would increasingly rise in prominence.

From Prevent Review to Prevent Duty – and the Genesis of #Preventing Prevent

The Coalition Government established an independent review into Prevent, led by the former Independent Reviewer of Terrorism, Lord Carlile QC.

The 2011 Review re-cast Prevent, transforming what was previously a narrow focus on opposing violent extremism (on British shores) into a commitment to tackle extremism in all its forms. It did so by widening the policy to address the growing threat from the Far Right and other ideologies, and by ruling out working with or funding organisations that did not accept the fundamental values of "universal human rights, equality before the law, democracy and full participation in our society".

Lord Carlile criticised programmes that had failed to sufficiently challenge "the extremist ideology at the heart of the threat we face" and singled out Muslim student society umbrella group FOSIS for

"not [having] always fully challenged terrorist and extremist ideology within higher and further education sectors. [...]".[105]

The objectives of this revamped version of Prevent were described as follows: responding to "the ideological challenge of terrorism"; preventing people from being drawn into terrorism; and working with sectors and institutions where there are risks of radicalisation.[106]

The Islamist murder of Drummer Lee Rigby in May 2013 then compelled the Prime Minister to establish a taskforce to identify what more could be done to tackle radicalisation and extremism. It found that some local authorities had not fully supported counter-radicalisation efforts and promised to "take steps to intervene where local authorities are not taking the problem seriously".[107] At the same time, increasing numbers of British citizens and residents were leaving the UK for Syria, with many joining ISIS. In response, in 2015, the Government placed a duty on specified authorities, including the police, prisons, local authorities, schools and universities, to "prevent people being drawn into terrorism" by making the delivery of Prevent a legal requirement.

This takes the form of institutions training staff to understand and identify radicalisation and putting in place policies to prevent venues and resources, such as IT facilities, being used to promote extremism or extremist content. It also aims to counter "terrorist ideologies specifically by tackling the causes of radicalisation" by challenging pro-terrorist propaganda online and delivering Home Office-funded civil society projects within local areas where the threat is highest.

From the outset, the Prevent Duty was met with hostility, notably in the education sector. Many students and teachers were concerned that the strategy targeted Muslim students and stifled debate. In April 2015, the National Union of Students had resolved to "not engage with the PREVENT strategy" and to "en-

102. Toby Helm, "Back British values or lose grants, Kelly tells Muslim groups", *The Telegraph*, October 12, 2006, https://www.telegraph.co.uk/news/uknews/1531226/Back-British-values-or-lose-grants-Kelly-tells-Muslim-groups.html (accessed July 2, 2020).

103. "Radicalisation: the counter-narrative and identifying the tipping point", Home Affairs Committee (August 2016), https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/135/135.pdf, para. 55.

104. Shiraz Maher and Martyn Frampton, "Choosing our friends wisely Criteria for engagement with Muslim groups", Policy Exchange (2009), p. 8.

105. "Prevent Strategy", HM Government (June 2011), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/97976/prevent-strategy-review.pdf, p. 74.

106. "Prevent Strategy", HM Government (June 2011), p. 7.

107. "Tackling extremism in the UK", HM Government (December 2013) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/263181/ETF_FINAL.pdf, p. 4.

courage Unions and institutions to not comply with or legitimize PREVENT";[108] while in March 2016, one of the largest teaching unions in the UK, the National Union of Teachers (NUT), passed a motion calling for Prevent to be scrapped over concerns that it causes "suspicion in the classroom".[109] Academics and students mobilised against Prevent: In July 2015, an open letter in *The Independent*, signed by hundreds of academics, said that Prevent "sows mistrust of Muslims" and would have "a chilling effect on open debate, free speech and political dissent", while in September 2016, another letter in *The Guardian* criticised Prevent referral processes as lacking "proper scientific scrutiny or public critique".[110]

Students were supported by organisations such as CAGE, the Islamist advocacy group.[111] At a CAGE fundraising event in March 2015, the outgoing Vice President of Student Affairs at FOSIS, Ibrahim Ali, gave a speech in which he said: "And what we do, and what CAGE does, is we actually create a broad coalition of organisations, of activists on campuses, to say that Prevent in itself is a racist agenda; it's an Islamophobic agenda."[112]

In fact, analysis of student sentiment towards Prevent by the think tank, the Henry Jackson Society, showed that several of the key allegations about the strategy – allegations of racism, of constructing Muslims as a 'suspect community' and of stigmatising student with mental health concerns, as well as claims that the policy justifies spying on Muslim students – is strikingly similar in language and tone to Islamist groups[113] such as CAGE, the Islamic Human Rights Commission (IHRC) and Hizb ut-Tahir.[114] Research from the University of Bristol has shown that much of the anti-Prevent campaign rests largely on these "myths".[115]

At times, anti-Prevent campaigners appeared, inadvertently or otherwise, to have shared misinformation about the strategy. In 2016, *The Telegraph* reported that leaked emails appeared to show that a senior NUT official and a representative from the Muslim activist group Muslim Engagement and Development (MEND) had organised a statement accusing Prevent of targeting "normal Muslim religious practice", suggesting that the policy had led to the banning of Friday prayers and Islamic dress in local schools; a claim which the schools said was untrue.[116]

Inaccurate stories concerning Prevent referrals – collated by organisations like Prevent Watch – were reported uncritically in the media. One story of a young boy, allegedly questioned by Prevent police because he wrote that he lived in a 'terrorist house' when he meant 'terraced house', was later revealed

108. Rupert Sutton, "Preventing Prevent? Challenges to Counter-Radicalisation Policy On Campus", Henry Jackson Society (July 2015), http://henryjacksonsociety.org/wp-content/uploads/2015/10/Preventing-Prevent_webversion3.pdf, p. 43.

109. Richard Adams, "Teachers back motion calling for Prevent strategy to be scrapped", *The Guardian*, March 28, 2016, https://www.theguardian.com/politics/2016/mar/28/teachers-nut-back-motion-calling-prevent-strategy-radicalisation-scrapped (accessed July 2, 2020).

110. "PREVENT will have a chilling effect on open debate, free speech and political dissent", *The Independent*, July 10, 2015, https://www.independent.co.uk/voices/letters/prevent-will-have-a-chilling-effect-on-open-debate-free-speech-and-political-dissent-10381491.html (accessed July 2, 2020); "Anti-radicalisation strategy lacks evidence base in science" *The Guardian*, September 29, 2016, https://www.theguardian.com/politics/2016/sep/29/anti-radicalisation-strategy-lacks-evidence-base-in-science (accessed July 2, 2020). There is significant crossover between the signatories and both statements are hosted by the website Protecting Thought (www.protectingthought.co.uk).

111. Dominic Kennedy, "Extremist leads Muslim lobby group" *The Times*, April 10, 2017, https://www.thetimes.co.uk/article/extremist-leads-muslim-lobby-group-7q2hg30zc (accessed July 2, 2020).

112. Hannah Stuart, "Understanding CAGE: A Public Information Dossier An Examination of Ideology, Campaigns and Support Network", Henry Jackson Society (March 2015), http://henryjacksonsociety.org/wp-content/uploads/2017/08/Understanding-CAGE.pdf, p. 22.

113. Many of the groups who lobbied against Prevent – such as CAGE and IHRC – are mainstream Islamist groups in Britain, described by academic Damon Perry as a network or movement connected by overlapping personnel, personal relationships and "a shared way of perceiving and evaluating the world", which includes "the way in which they understand Islam and the importance they attach to the authority to determine normative social values". Damon L. Perry, "Mainstream Islamism in Britain: Educating for the "Islamic Revival", Commission for Countering Extremism, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836571/Mainstream-islamism-in-britain-education-for-the-islamic-revival.pdf, p. 2. In practice, many groups focus on promoting their politicised interpretation of Islam as a communal identity and way of life. It follows that an important component of this promotion is the idea that Islamist beliefs are in fact common Islamic practice, or 'normative Islam' and that, by extension, efforts to counter Islamist extremism are Islamophobic. CAGE literature refers to jihad, shariah and khilafah – which they define as "war, political governance and the unity of Muslim lands" – as "core Islamic doctrines" that are under attack. This is an Islamist interpretation that conflates theology and ideology. Hannah Stuart, "Understanding CAGE: A Public Information Dossier An Examination of Ideology, Campaigns and Support Network", p. 14.

114. Rupert Sutton, "Preventing Prevent? Challenges to Counter-Radicalisation Policy On Campus", Henry Jackson Society (July 2015), pp. 53-54.

115. Steven Greer and Lindsey Bell, "Counter-Terrorist Law in British Universities: A Review of the 'Prevent' Debate", University of Bristol, December 8, 2017, https://www.bristol.ac.uk/law/news/2017/six-myths-about-the-prevent-duty-in-universities.html (accessed July 2, 2020).

116. Andrew Gilligan, "NUT leaders 'colluding to undermine anti-terror policies'", *The Telegraph*, January 23, 2016, https://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/12117736/NUT-leaders-colluding-to-undermine-anti-terror-policies.html (accessed July 2, 2020).

to be a social services referral, because he had also written that his uncle beat him. In another case, a high school boy alleged he was referred for wearing a Free Palestine badge when in fact he had been distributing literature by a group whose leader has glorified Hamas.[117] An IPSO ruling in 2016 upheld the characterisation by *The Telegraph* of CAGE, Mend and Prevent Watch as having used and promoted each other's work and of Cage and Prevent Watch having "presented case studies with identical wording".[118]

It is in this context that the former Independent Reviewer of Terrorism, Lord Anderson, stressed that it was "important not to accept all these claims uncritically", stating that he was "well aware of the potential for mismatch between concerns voiced by "community leaders" and the views of ordinary people" and that "it is quite possible that some of those attacking Prevent (not, of course, all) are motivated by a wish not to promote harmony but to sow grievance and division".[119]

Prevent was updated most recently in June 2018 with the publication of CONTEST 3.0, which reflected a change in approach to counter the shifting terrorism threat and to take account of the recommendations of MI5 and CT Policing's Operational Improvement Review (overseen by Lord Anderson) following the 2017 terrorist attacks. The objectives of Prevent were laid out as follows:

- Tackle the causes of radicalisation and respond to the ideological challenge of terrorism.
- Safeguard and support those most at risk of radicalisation through early intervention, identifying them and offering support.

- Enable those who have already engaged in terrorism to disengage and rehabilitate.

While the first two objectives are a continuation of partnerships with communities and civil society groups and the Prevent Duty respectively, working with people who have already engaged in terrorism – through the Desistance and Disengagement Programme (DDP) – was a new element to Prevent work. The DPP programme was designed to manage the risk from returning foreign fighters (subject to TPIMs or TEOs, for example) or terrorism prisoners on licence – and the Government stated that it complements the work being done under Pursue to "disrupt terrorist activity, including through prosecutions".[120]

The widening of Prevent to include working with people who had already crossed the threshold into criminal activity, is a significant policy shift away from the programme's previous emphasis on the "non-criminal" or (unhelpfully titled) "pre-criminal" space.[121]

The sustained hostility towards Prevent – much of which had been activist-led – came to a head when, in January 2019, during the passage of the Counter-Terrorism and Border Security Act 2019, the Government committed to carrying out an independent review of Prevent. The then Security Minister, Ben Wallace, bullishly told Parliament: "This review should expect those critics of Prevent, who often use distortions and spin, to produce solid evidence of their allegations."[122]

In December 2019, former Independent Reviewer of Terrorism Legislation, Lord Carlile QC, was stood down by the Government as independent reviewer of the Prevent programme, following a legal challenge

117. "Anti-terror police question schoolboy for wearing pro-Palestine badge", The Independent, February 14, 2016, https://www.independent.co.uk/news/uk/anti-terror-police-question-schoolboy-for-wearing-pro-palestine-badge-a6873656.html (accessed July 2, 2020); Hannah Stuart and Martyn Frampton, "Manchester attack brings renewed prominence to debate around Britain's counter-radicalisation strategy, Prevent", Policy Exchange, May 30, 2017, https://policyexchange.org.uk/manchester-attack-brings-renewed-prominence-to-debate-around-britains-counter-radicalisation-strategy-prevent/ (accessed July 2, 2020).

118. 00615-16 Prevent Watch v The Sunday Telegraph, IPSO, July 15, 2017, https://www.ipso.co.uk/rulings-and-resolution-statements/ruling/?id=00615-16

119. Supplementary written evidence submitted by David Anderson Q.C. (Independent Reviewer of Terrorism Legislation), Home Affairs Committee, http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/countering-extremism/written/27920.pdf, para. 4.

120. "CONTEST The United Kingdom's Strategy for Countering Terrorism", HM Government, June 2018, pp. 8, 29 & 40.

121. "Prevent" Dorset Healthcare, https://www.dorsethealthcare.nhs.uk/application/files/5815/0072/1256/workbook_-_Prevent.pdf, p. 3.

122. "Government announces independent review of Prevent", Home Office Blog, January 22, 2019, https://homeofficemedia.blog.gov.uk/2019/01/22/government-announces-independent-review-of-prevent/ (accessed July 2, 2020).

over his appointment,[123] and, in April 2020, an open competition was launched to appoint his replacement.[124] The forthcoming review has the potential to transform Prevent – in particular by moving beyond the unresolved challenges already outlined in this paper and by addressing the strategy's confused relationship with the Counter-Extremism Strategy.

The Counter-Extremism Strategy – and Defining Extremism

In October 2015, the Government published its first CE Strategy, designed to challenge "the full spectrum of extremism: violent and non-violent, Islamist and neo-Nazi – hate and fear in all their forms" and to address the wider harms of extremism, identified as justifying violence, promoting hatred, encouraging isolation, rejecting democracy, and harmful and illegal cultural practices. The aims of the new strategy were laid out in the following way:

- Increasing understanding of extremism
- Countering extremist ideology
- Building a partnership with all those opposed to extremism
- Disrupting extremists
- More cohesive communities[125]

The strategy also promised new targeted powers, such as banning orders and disruption orders, to disrupt extremists and "key radicalisers",[126] following on from the Prime Minister's 2013 taskforce pledge to consider actions to disrupt preachers and groups who spread extremist views but who have not broken the law.[127] The context for this was the high-profile public activities of Anjem Choudhury, the extremist cleric and leader of the first UK-based proscribed Islamist group, whose supporters had carried out the murder of Lee Rigby. At the time, former lawyer Choudhury had managed to evade disruption (he was later jailed for inciting support for Islamic State) and his group's deliberately provocative activities, described by academic Michael Kenny as "media jihad", were successful in amplifying their message.[128]

The proposed Counter-Extremism Bill – contained in the Queen's Speech in 2015 and 2016[129] – proposed powers to "ban extremist organisations that promote hatred and draw people into extremism; restrict the harmful activities of the most dangerous extremist individuals; and restrict access to premises which are repeatedly used to support extremism".[130] However, the strategy was based around the broad understanding of extremism contained in the Prevent strategy – "vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs"[131] – which, as was made clear by many, including the Joint Committee on Human Rights, at the time,[132] would have captured legitimate speech. Lord Anderson later described the Bill as "the most alarming document I had seen in my years as Independent Reviewer", one which would have made it "legitimate for the state to scrutinise, and the citizen to inform

123. Owen Bowcott, "Lord Carlile removed from Prevent review after legal challenge", *The Guardian*, https://www.theguardian.com/uk-news/2019/dec/19/lord-carlile-prevent-review-legal-challenge, December 20, 2019 (accessed July 2, 2020).

124. "Recruitment for Independent Reviewer of Prevent launched", HM Government, 27 April 2020, https://www.gov.uk/government/news/recruitment-for-independent-reviewer-of-prevent-launched (accessed July 2, 2020).

125. Counter-Extremism Strategy, HM Government (October 2015), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/470088/51859_Cm9148_Accessible.pdf, p. 17.

126. "Counter-Extremism Strategy", HM Government (October 2015), p. 6.

127. "Tackling extremism in the UK", HM Government (December 2013), p. 3.

128. Michael Kenney, "What is to be Done about al-Muhajiroun? Containing the Emigrants in a Democratic Society", Commission for Countering Extremism, October 2019, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/836686/what-is-to-be-done-about-al-muhajiroun.pdf, pp. 3-4.

129. The Queen's Speech 2015, HM Government, May 2015, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/430149/QS_lobby_pack_FINAL_NEW_2.pdf, p. 8; The Queen's Speech 2016, HM Government, May 2016, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524040/Queen_s_Speech_2016_background_notes_.pdf, p. 49.

130. "Counter-Extremism Strategy", HM Government (October 2015), p. 34.

131. Included in this definition was "calls for the death of members of our armed forces, whether in this country or overseas". "Counter-Extremism Strategy", HM Government (October 2015), p. 9.

132. "Counter-Extremism", Joint Committee on Human Rights (July 2016), https://publications.parliament.uk/pa/jt201617/jtselect/jtrights/105/105.pdf, pp. 24-25.

upon, the exercise of core democratic freedoms by large numbers of law-abiding people".[133]

The lack of a precise definition of extremism resulted in a policy U-turn, and the Government instead established the Commission for Countering Extremism (CCE) as an independent body in March 2018 – headed by human rights campaigner Sara Khan – to support society to fight all forms of extremism and advise the Government on new policies to deal with extremism. In October 2019, Khan published a report assessing the Government's delivery of the CE Strategy and setting out an approach based on a new concept of 'hateful extremism'.

Overall, Khan found that the Government's approach had been "unfocused, unnecessarily broad, and at times confusing" by including within the strategy projects that sit within the remit of Prevent or integration policy. This, she argued, has led to confusion about what is and what is not counter-extremism work, as well as some duplication between the roles of Prevent and Community Coordinators and the programmes they fund.[134]

Khan found that not enough was being done to actively challenge extremist ideologies and the groups that promote them. The Government's civil society funding programme, Building A Stronger Britain Together (BSBT), for example, was found to be doing important work, but many of the projects focused on promoting integration and cohesion or tackling harmful cultural practices. Few programmes actively challenged the ideology of non-violent and violent extremists alike – a core aim.[135]

Khan criticised the Government for not being clear about who it would and would not work with by failing to publish principles of engagement, a strategy commitment. Warning that engaging inappropriately could "give legitimacy to extremists and further harm their victims", she said that authorities have made mistakes because of a lack of understanding or a lack of "courage to challenge divisive narratives put to them by community leaders".[136] Khan singled out Lewisham Council's continued engagement with Imam Shakeel Begg, after he was found by a high court to have publicly promoted and encouraged violent jihad, noting the senior official's view that "they had no role to play in sanctioning Begg, because of the requirement that they remain impartial and objective unless a criminal or safeguarding matter is brought to their attention".[137]

Finally, Khan assessed that the Government had not built up an effective understanding of extremism and that the Extremism Analysis Unit - the central hub of knowledge on extremism for the whole of Government - was "particularly lacking in the local, on-the-ground picture". While many of the individual commitments in the strategy have been delivered, the Government was unable to show performance against its overall objective of countering extremism and could benefit from improved understanding of the growing threat from the Far Right or the role played by social media.[138]

A Way Forward for Counter-Terrorism and Extremism

The CE Strategy has recently expired and an independent review of Prevent is imminent. Scrapping the preventative element of counter-terrorism work, however, is not realistic, given the threat. What is needed now is a clear vision to move beyond these debates, to effectively counter extremism and radicalisation into terrorism.

Successive governments have made significant progress in tackling terrorism and extremism. But several unresolved problems are holding their efforts back. This paper has identified three key issues for the Government to consider, before decisions can be made about the future of the policies.

While this approach does not provide all the answers – extremism is a complex area which has proven difficult to understand and to grasp – it is intended to help focus current debates.

Issue: Unclear distinction between Prevent and the CE Strategy

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133. David Anderson, "The Fly in the China Shop", British Embassy Lecture On International Law
The Hague, September 26, 2018, https://www.daqc.co.uk/wp-content/uploads/sites/22/2018/10/Hague-Lecture-1.pdf (accessed July 2, 2020).

134. "Challenging Hateful Extremism", Commission for Countering Extremism (October 2019), p. 94

135. *ibid.*, pp. 95-97.

136. *ibid.*, p. 98.

137. *ibid.*, p. 76.

138. *ibid.*, p. 134.

Way forward: Consider merging CE and Prevent work into one programme, with the refined objective of preventing people from being radicalised into terrorism and extremism

There is a lack of clarity over what extremism is. The Government's definition of extremism has been widely rejected as overly broad and unhelpful. In 2016, the Joint Committee on Human Rights criticised the vagueness of the terms used in the definition as legally unworkable and confusing,[139] while last year, the Lead Commissioner for Countering Extremism called for a narrowing of the definition after three quarters of public respondents to the Commission's call for evidence found the term "very unhelpful" or "unhelpful".[140] The current definition is not specific enough to be of practical use. This has led to confusion over what counter-extremism work is, a lack of focus on the crucial issue of radicalisation, and a lack of impact.

The CE Strategy did not make a clear distinction between its remit and that of Prevent, especially in the area of tackling the causes of radicalisation. This has led to duplication of work, with Prevent Coordinators and CE Community Coordinators operating in local areas and carrying out similar roles, as well as civil society projects which describe their approach to extremism in similar ways being funded by both policies.

However, many CE projects have focused on promoting integration and cohesion and tackling illegal practices, such as honour-based violence and FGM. While this is important work, these issues are a consequence of wider societal and cultural factors, and their inclusion in CE diverts attention away from countering radicalisation.

There is insufficient work being done across Prevent and CE to push back against individuals and groups, who, while not advocating violence or terrorism, nonetheless create a radicalising environment by promoting a coherent 'us' and 'them' worldview and mobilising support using a range of reductive narratives.

This lack of focus is exacerbated by structural problems, with Prevent and CE sitting in different directorates within the Home Office.

To address these issues, the Government should consider merging CE and Prevent work into one programme, with the refined objective of preventing people from being radicalised into terrorism and extremism. This would include the Prevent Duty, a refocused civil society funding programme and a combined effort to address terrorist and extremist content online. It would include the Desistance and Disengagement Programme and work being done to disrupt extremists. It should also include a refocused effort to better understand and challenge hate crime that contains an extremism element or motivation.

The forthcoming Prevent Review is well placed to consider this approach, in particular how the overlap in functions could be addressed and what the structural relationship between a new programme and CONTEST would look like.

Effective counter extremism requires the cooperation of practitioners and public sector employees, wider civil society, and the public. The Government must take steps to ensure proportionate responses to people and groups across this remit. It should consider introducing permanent independent oversight of the programme.

Issue: Lack of clarity over who the Government is prepared to work with

Way forward: Publish clear criteria for external engagement for Government and its partners

The lack of clarity over what extremism is and who the Government is prepared to work with has led to inconsistent decisions being made by government departments and the public sector.

There has been an assumption within the civil service that the process of engagement is positive in itself. Consequently, the Government and its partners continue to engage with, and be advised by, extremism-linked individuals seeking to influence counter-extremism policy.

The Government must re-affirm its commitment not to work with extremism-linked groups or individuals, by publishing clear criteria of engagement for Government and its partners, based on democratic principles.

Publishing clear intelligible criteria would provide civil society groups and the public a degree of certainty with regards to the standards of behaviour the Government expects from its partners – and

139. "Counter-Extremism", Joint Committee on Human Rights (July 2016), pp. 3–4.
140. "Challenging Hateful Extremism", Commission for Countering Extremism (October 2019), pp. 4 & 6.

would help ensure fair and transparent decisions across Government. It would also provide an opportunity of reform for groups who have previously been excluded to better understand why their behaviour was unacceptable.

The criteria should be informed by democratic principles (human rights, pluralism, and accountability) and be limited to identifiable behaviours (as opposed to beliefs) of people and groups. In determining these criteria, the Government should additionally pay attention to the ways in which the two predominant threats – Islamist Extremism and the Far Right – have manifested themselves, including within local areas, institutions, semi-private settings and online.

The criteria need to take account of the range of external engagement Government undertakes, from external visits and advisory positions to formal partnerships and funding, and what that means for the standards required. Guidance regarding officials attending public events involving extremism-linked groups in order to challenge their messages publicly, for example, would be useful. Those using the criteria should also consider the purpose of the engagement and the message that it would send, including the risk of mainstreaming groups with unresolved extremism concerns and the perceived sanctioning of negative treatment of women and minorities by these groups.

The criteria are for Government departments. However, they should also inform the decision making of local authorities, regulators, and the wider public sector (including the Police, operational issues notwithstanding). Given that engagement decisions are often taken at a local level and Prevent Coordinators and CE Community Coordinators operate in local authorities, the Government should consider introducing a requirement for local authorities to have due regard to these criteria. The criteria must comply with the public sector equality duty to eliminate discrimination, advance equality of opportunity and foster good relations.

However, extremism is not only for Government to address. The best response to extremism is arguably John Stuart Mill's open marketplace of ideas – in which general civility within society is reached not through policing by law but through rational discourse and self-regulating public debate.

A growing sense of incivility online and in public life has led to a wider societal discussion around the rules of engagement for public debate. There is no easy consensus, and it is not the role of Government to determine a new *cordon sanitaire*. The Government can provide leadership, however, in this wider debate by clearly setting out basic, essential parameters for its public engagement.

Issue: Insufficient understanding of extremism

Way forward: Build understanding in key areas and improve Government response efforts to the undermining of CE and Prevent

There remains insufficient understanding of the nature and scale of extremism, the influence of extremist ideologies and what interventions work. This has negatively impacted policymaking and delivery. The Government has also proven to be insufficient in responding to Islamist political activism that undermines public confidence in Prevent and CE work.

To address these issues, the Government should prioritise improving understanding of the reach and influence of extremism linked people and groups within local areas and communities. It should consider a longitudinal social science study to better understand the prevalence of support for extremist ideologies and behaviours across the UK and how they change over time.

The Government should consider the advice of the Commission for Countering Extremism about the importance of understanding why and how interventions are successful and sharing information on local responses in developing more effective counter extremism interventions.

To build public confidence in Prevent and CE the Government should identify and respond to the narratives which can have the effect of undermining Prevent and CE. This includes providing accurate information about the areas of work that are commonly misrepresented. It also includes identifying and learning lessons from aspects of Prevent and CE which have not been successful and increasing transparency, for example, by publishing Prevent and CE research, evaluation, and training materials.

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