



Muslim Council of Britain Parliamentary Briefing – Amendment calling for an Independent Review of Prevent Counter-Terrorism & Border Security Bill, 05 November 2018

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

Background: The Counter-Terrorism and Border Security Bill (the **Bill**) is the latest counter-terrorism legislation in Parliament. It is currently being debated in the House of Lords. Lord Rosser and Lord Kennedy of Southwark have proposed the following amendment (Clause 19)¹:

Page 21, line 25, at end insert—

“(8) The Secretary of State must within 6 months of the passing of this Act make arrangements for an independent review and report on the Government strategy for supporting people vulnerable to being drawn into terrorism.

(9) The report and any recommendations of the review under subsection (8) must be laid before both Houses of Parliament within 18 months of the passing of this Act.

(10) The laying of the report and recommendations under subsection (9) must be accompanied by a statement by the Secretary of State responding to each recommendation made as part of the independent review.

There is another similar amendment from Baroness Hamwee, Baroness Jones of Mouslecoomb, Lord Stunell and Baroness Lawrence of Clarendon. This briefing applies to both amendments.

Commentary: This clause is referring to an Independent Review of the “Prevent” part of the broader CONTEST strategy which is the UK’s strategy for countering terrorism. A number of key considerations are listed below:

- **Prevent has lost the trust of communities across the United Kingdom** despite the title of the government’s action plan to isolate, prevent and defeat violent extremism in 2007 being “Winning hearts and minds”²:
 - The former Independent Reviewer of Terrorism Legislation Max Hill QC, stated: *“Prevent remains a source of grievance for many in the community as what some still believe to be a programme aimed at ‘spying’ or specifically targeting British Muslims”*³.
 - The former security official and Prevent strategy’s architect, Sir David Omand, observed: “The key issue is, do most people in the community accept [Prevent] as protective of their rights? If the community sees it as a problem, then you have a problem.”⁴
 - The Chair of the Women and Equalities Committee, Conservative MP Maria Miller, said that Prevent has become “a significant source of tension” in Muslim communities⁵
- **Prevent has had a number of serious failings (or perceived failings according to proponents of the Prevent) and is renowned for a lack of transparency:**
 - A perception that Prevent is targeting Muslims and treats Muslims differently and in a discriminatory way e.g. the BMA stated: “We believe that the Prevent programme leads to racial profiling”⁶
 - Prevent is “clearly not working,” according to the former head of MI5, Baroness Eliza Manningham Buller⁷
 - Conservative MP Lucy Allan stated: “Prevent is not working, and it undermines trust between teachers and pupils”⁸ and the National Union of Teachers have said that the Prevent Strategy causes “suspicion in the classroom and confusion in the staffroom”.⁹
- **A number of senior figures and committees have called for an independent review of Prevent:**
 - The former Independent Reviewer of Terrorism Legislation, **Lord Anderson** of Ipswich KBE QC called Prevent “*controversial to British Muslims*”, “*The lack of transparency in the operation of Prevent encourages rumour and mistrust to spread and to fester*” and “*the Prevent strategy as a whole should be the subject of review by an independent panel with the relevant range of expertise (for example in schools and prisons), and with direct input from the internet generation*”¹⁰
 - The equalities think tank, the Runnymede Trust has stated: “*There should be a full independent and fully transparent inquiry into the government’s counter-terrorism strategy.*”¹¹
 - The Joint Committee on Human Rights, stated: “*An independent review of the Prevent Strategy and Duty should be published as part of the consultation on the Bill*”¹²
 - The independent UN special rapporteur called as follows: “*Allow an independent review of the Prevent strategy to determine its impact upon the enjoyment of fundamental freedoms, including freedoms of association and peaceful assembly, with a view to amending/repealing it; this review should seek inputs from all relevant stakeholders*”¹³

Recommendation

The Muslim Council of Britain believes that an independent review of Prevent will be the most effective way to regain the hearts and minds of Britons across all communities. We urge you to support these amendments.

¹ CTSB: AMENDMENTS TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE [Supplementary to the Second Marshalled List] - HL Bill 131—II(a), 5 November 2018 (link [here](#))

² “Preventing violent extremism – winning hearts and minds”, Department for Communities and Local Government: London, 2007 (link [here](#))

³ UK ‘Building Bridges’ Programme Community Roundtables: A report on the aftermath of the terrorist attacks in London and Manchester, July 2017, Forward Thinking (link [here](#))

⁴ Eroding Trust: The UK’s PREVENT Counter-Extremism Strategy in Health and Education, Open Society Justice Initiative (link [here](#))

⁵ “Counter-terrorism initiative is fuelling inequality, MPs say”, Financial Times, August 2016 (link [here](#))

⁶ Anti-radicalisation strategy: confidentiality and doctors’ responsibilities, September 2018 (link [here](#))

⁷ Tony Blair’s anti-jihadist programme has failed, says ex-MI5 chief, Telegraph, January 2015 (link [here](#))

⁸ Lucy Allan MP: Prevent is not working, and it undermines trust between teachers and pupils, Politics Home, January 2017 (link [here](#))

⁹ Teachers back motion calling for Prevent strategy to be scrapped, Guardian, March 2016 (link [here](#))

¹⁰ Supplementary written evidence submitted by David Anderson Q.C. to the Home Affairs Select Committee (link [here](#))

¹¹ Islamophobia: still a challenge for us all, Runnymede Trust, November 2017 (link [here](#))

¹² Counter-Extremism: Second Report of Session 2016–17, Joint Committee on Human Rights (link [here](#))

¹³ Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association on his follow-up mission to the United Kingdom of Great Britain and Northern Ireland*, 2017 (link [here](#))