

UK: Family wins case against anti-democratic Prevent legislation

By Tania Kent
10 February 2017

The family of two young children, aged five and seven, have won a discrimination case against Bedfordshire Council's Local Education Authority—following the interrogation of their two young children at their school under the “Prevent Duty.”

The disturbing events confirm that the “Prevent” legislation, which is ostensibly aimed at countering the supposed threat of religious radicalisation, is centred on targeting the Muslim community and creating wider anti-Muslim sentiment.

The case was taken up by the human rights group Liberty, and revealed that the two siblings were isolated from other pupils and questioned by uniformed police officers for 90 minutes in March last year following a referral. The referral was a consequence of teachers' duty under the Prevent counter-extremism strategy to monitor students “deemed to be at risk of being drawn into terrorism”.

The Bedfordshire school called police to question the two British Asian brothers about concerns they were at risk of radicalisation, after the older boy said they had been given toy guns as presents. Teachers also claimed the child had spoken Arabic and that one of the children had said that his father had taken him to a mosque.

Liberty said that neither of the boys, who come from a mixed Indian and Middle Eastern background, spoke Arabic nor had ever visited a mosque. Their father is a non-practising Muslim and their mother is a non-practising Hindu.

Following the incident, the boys' mother said the children had become more guarded and reserved as a consequence of the incident and had both suffered nightmares. They have since moved schools.

According to the mother's account, when she went to pick the boys up from school she was told that the police had been called because of an incident and that she was not allowed to see her children until police had spoken to them.

The boys were isolated in the school library for 90 minutes before being questioned by police officers who decided there was no matter to pursue.

“To this day, I cannot fathom why a teacher who has known my family for years would suspect terrorist activities based upon a plastic toy gun,” the mother said.

“Our only distinguishing feature is the colour of our skin. I was utterly humiliated by this experience—but more importantly my sons were confused and terrified.

Bedfordshire Local Education Authority admitted breaching the boys' rights to a private and family life, freedom of religion and freedom of expression, which are protected under the UK's Human Rights Act.

Last July, Rights Watch (UK) concluded that Prevent stifles free speech and should be abandoned in schools. Yasmine Ahmed, the director of the organisation, told the *Middle East Eye* that the case of the two brothers was “as unsurprising as it is shocking” and “emblematic of the inherent structural flaws of Prevent”.

“A strategy based on a dangerously vague definition of extremism, and implemented by teachers who receive inadequate training and guidance but are anxious to be seen to be complying with the statutory duty, can only lead to these outcomes,” said Ahmed.

The Prevent Strategy, costing £40 million was first introduced by the then-Labour government of Tony Blair, following the 2005 London terrorist bombings.

The Conservative-Liberal Democrat coalition reviewed the Prevent Strategy in 2011.

In 2014, the Prevent Strategy led to the introduction of “British values” in the school curriculum. The inspection criteria of Ofsted—the body that inspects English Schools and Local Education Authorities—also entrenches these values. This includes the promotion of British “democracy” and the “rule of law,” under conditions in which civil liberties and democratic rights are being eviscerated in a sustained offensive.

The Counter-Terrorism and Security Act 2015 added “Prevent Duty” to the responsibility of schools, colleges, universities and health care professionals.

Since July 2015, teachers have been legally obliged to report any suspected “extremist” behaviour to police. This

has turned teachers into a spying agency for the authorities, with children as young as four being referred to police, leading to great unease among teachers.

Two reports in the past year have exposed the thoroughly undemocratic character of the legislation, as calls for its scrapping by both teaching and health professionals, as well as human rights organisations, have increased.

Following a nine-month examination of the programme, the Open Society Justice Initiative recommended a major government rethink, particularly on its use in the education and health systems.

The US-based NGO studied 17 cases in which individuals had apparently fallen foul of the Prevent programme, or had been referred to a sister programme, called Channel.

They included instances in which information was apparently gathered from Muslim primary school children without their parents' consent; Prevent being used to bypass disciplinary processes during the attempted dismissal of a school dinner lady; a 17-year-old referred to the police by his college authorities because he had become more religious; and the cancellation of university conferences on Islamophobia.

The Justice Initiative report, "Eroding Trust," says, "The current Prevent strategy suffers from multiple, mutually reinforcing structural flaws, the foreseeable consequence of which is a serious risk of human rights violations.

"These violations include, most obviously, violations of the right against discrimination, as well the right to freedom of expression, among other rights. Prevent's structural flaws include the targeting of 'pre-criminality', 'non-violent extremism', and opposition to 'British values'." This leads the government to interfere in everyday lawful discourse, the report says.

The report warns there is cause for serious concern about the treatment of children who come into contact with the Prevent programme, arguing that the best interests of the child are not always regarded as a primary consideration.

It notes that the statutory responsibility on public bodies to take steps to prevent radicalisation—introduced under the 2015 Counter-Terrorism and Security Act—jeopardises health bodies' responsibility of confidentiality to their patients.

Among the case studies in the report is that of a four-year-old who drew a picture of a cucumber while at nursery, and then told staff it was a "cuker-bum". The staff, believing he was referring to something called a cooker bomb, told the child's mother that he was being referred to Channel, and might be taken away from her.

The Royal College of Psychiatrists produced a report in which it argued that Prevent was based on questionable science. The College demanded the Home Office be

transparent about its Prevent policy and publish the evidence that underpins a key plank of it—for "peer review and scientific scrutiny."

In a new Counter-terrorism and Psychiatry report, leading doctors warn that government policy could be traumatising refugees fleeing the horrors of groups like ISIS in Syria and Iraq because it is identifying them as potential terrorists in need of de-radicalisation. The concerns centre on the Channel part of the scheme, which has already drawn criticism from Muslim communities. Under the scheme thousands of mostly Muslim men have been flagged up as "at risk" and sent on "de-radicalisation" courses.

The report says, "Those fleeing war-torn parts of the world have a high risk of psychological distress, and many are escaping terrorist violence in their country of origin. The College is concerned that there should not be a system that overly identifies them with the terrorism from which they have fled, as this could add to their trauma."

Latest figures show a sharp jump in referrals to Channel after the government placed a statutory duty on teachers, doctors and social workers to pass on the names of those they believe are vulnerable to radicalisation. Some 8,000 referrals have been made thus far.

In response, the government announced that Prevent is to be toughened rather than scaled back. The Home Office confirmed that a secret Whitehall internal review of Prevent, ordered last year by Prime Minister Theresa May when she was home secretary, concludes that the programme "should be strengthened, not undermined" and has put forward 12 suggestions on how to reinforce it.

The author also recommends:

UK: Children referred for "deradicalisation" under "anti-terrorist" strategy [15 July 2016]

UK government counter-terrorism bill would criminalize speech, political activity [18 May 2015]

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Socialist Equality Party visit:

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