CAGE

CHALLENGING THE COUNTER-TERRORISM AND SECURITY BILL

RESPONDING TO THE PUBLIC CONSULTATION

2015

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BACKGROUND

As part of the UK government's proposed Counter-Terrorism and Security Bill, Part 5 deals specifically with the threat of those at risk of being drawn into terrorism.

The draft Bill is intended to bring the UK government's Prevent strategy within a statutory framework, although the text of the Bill fails to make any mention of Prevent within its sections and sub-sections.

It is within the guidance documents that are issued around the draft Bill, which the framework of the Bill becomes increasingly clear. More importantly, it presents a picture of the full extent of the powers that are being centralised to public bodies and ultimately the Home Secretary.

The framework of Prevent is already very much in place. The question is posed, to what extent are these statutory powers required? What is assumed, is that currently the Prevent strategy and its accompanying policies do not have the sufficient strength of law to be enforced. Thus by building a statutory framework, the Home Secretary will be able to push those bodies, groups or individuals who have thus far been uncomfortable in implementing Prevent, will come under the scrutiny of a statutory obligation.

The draft Bill proposed by the Home Secretary has many flaws, many of which provide no clarity in the law, and thus no standard by which individuals can know and understand their rights.

PUBLIC CONSULTATION

Over the course of January 2015, the UK government has opened a public consultation to those who will be expected to implement the Counter-Terrorism and Security Bill within their institutions, whether they are educators, health care professionals or social service providers.

The consultation provides an opportunity for those providers to critique the expectation that they should be involved in frontline reporting of those they deem susceptible to 'radicalisation'. This report serves to provide those providers with a detailed assessment of the Bill, and its potential impact on the communities those providers seek to serve.

By responding to the consultation, the providers will be able to feed back into the way in which this Bill is counterproductive to the way in which they interact with their clients or those under their care.

A PROBLEM WITH DEFINITIONS

Chapter 1 of Part 5 of the draft Bill raises the intent of this statute, which is to create an obligation on specified bodies to, *"prevent people from being drawn into terrorism."*[1] Immediately, the Bill begins to provide some issues in relation to definitions, which remain unclear throughout the document.

The Bill refers to the offence of terrorism, but what does this mean then in terms of those offences that have nothing to do with violence? Section 58 of the Terrorism Act makes it an offence to possess 'terrorist material or publications', without any intent for their use being involved. Cases such as that of Ruksana Begum show how individuals, despite good character, can be accused and convicted of 'terrorism-related offences', but were on no pathway towards political violence.

Of more significance, is the use of the word 'prevent' in the Bill. While the guidance documents that accompany this draft Bill clearly establish that the Prevent strategy is the framework under which all prevention activity will take place, no direct reference is made to it within the document itself.

Part 5 does not reference the PREVENT strategy in particular, neither does it provide any of the definitions or indicators of what draws individuals into terrorism. Without further clarification on this point, the bodies or individuals responsible for fulfilling the requirement of the statute will be liable to base decisions on arbitrary concerns.

What are the actual boundaries of when it is deemed an individual has been, *"drawn into terrorism"*[1]. At one point does the government consider this to have then place? Could it be considered that when an individual becomes interested in politics, starts to practice their religion more regularly, or when they read certain types of literature? The vague wording of the first subsection provides very little guidance as to the conceptual framework that is being implemented to draw conclusions as to who is being drawn in.

It is the additional documentation to the draft Bill that clarifies that the prevention work is within the context of the Prevent strategy that was outlined in 2011 and has formed a key part of the government's counter-terrorism work. The delivery mechanism for the Prevent strategy is Channel, which seeks to provide a multi-agency panel approach to intervening where there may be individuals at 'risk'. The lack of presence of Prevent in the wording of the statute, however, betrays the unease of the government of opening their key policy to the rigour of being challenged by placing its language and built-in assumptions on a statutory footing.

CASE STUDY: RUKSANA BEGUM

In 2013, Ruksana Begum plead guilty to possession of the magazine *Inspire* which is considered by the UK government and police to be a terrorism publication. Her possession of the document was in relation to trying to understand a case against her brothers in the UK courts. During her sentencing, the judge recognised that she posed no threat to UK society,

"She is of good behaviour and a good Muslim. Against this background, I accept on the evidence before me that this defendant gathered together the contents of the SD card in order to explore and understand the charges which her brothers faced. There is no evidence that she was motivated by their ideology or was preparing to follow them."

Despite the judge's recognition that the 'terrorism' offence that had taken place was one of strict liability, where the defendant had no intention to be involved in terrorism or pursue a pathway to any form of political violence, his sentence still required a reporting element which would include licencing restrictions as part of Channel/Prevent. According to Begum,

"…despite all the recognition by the judge, he gave me a twelve month sentence because in his words, he was unsure whether I was a fellow traveller, or if I was pretending to be something I was not. In order to ensure that I would be watched after my release, the twelve month sentence brought in the licensing element which allowed the probation service to keep a closer eye on me through notification requirements."

While technically Begum had been convicted of a terrorism offence, the idea that she required deradicalisation went far beyond any offence that had occurred. Yet it is precisely such cases that buffer the government's argument in relation to the extent that Prevent and Channel are used as interventions with individuals.

WHY ARE STATUTORY POWERS BEING PUSHED?

Until now, the Prevent strategy has taken the form of a non-enforceable power that has been promoted through the office of the Home Secretary. The strategy has been included in all aspects of counter-terrorism, without any clear statutory enforcement, something the CTS Bill seeks to address. According to the government's fact-sheet accompanying the draft legislation,

"The Prevent programme relies on the cooperation of many organisations to be effective.

Currently, such co-operation is not consistent. Our intention is to improve the standard of work on the Prevent programme across the country."[1]

As a soft-policy, Prevent has encountered a great many problems since its inception, particularly in relation to those bodies unwilling to play the role of counter-terrorism officials as a normal part of their safeguarding exercises. Further, Prevent has gained the reputation of targeting the Muslim community, something recognised by the Home Office in its risk assessment in promoting the creation of statutory powers,

"Risk that legislating will give greater prominence to criticism that the programme is there to spy on individuals receiving support or that it targets Muslims."[1]

This criticism has been well recognised as being a consistent feature of Prevent. In a feature in the economist in 2009 entitled, *Britain and its Muslims – how the government lost the plot*, the magazine explained about the government's approach to preventing violence,

"Another gripe is that the Prevent programme has poisoned relations between central government and the city councils through which the money is channelled. Some say councils are being strong-armed into carrying out "community" programmes that are really thinly disguised police and intelligence work.

In Birmingham the council's loudest activist, Salma Yaqoob, complains that Prevent money goes only to those who avoid suggesting that British foreign policy helps to foment extremism, even though the link obviously exists. (Indeed, a government security minister, Lord West, admitted in January that to deny it was "clearly bollocks".)"[1]

As recognised in the government's own risk assessment, there remain serious concerns about the way in which the statutory powers will impact on communities and their relations with public bodies and government agencies. A number of human rights and trade union groups have criticised the role of Prevent and the way in which it undermines communities, particularly those from a Muslim background.

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It is in such an environment, that the UK government is seeking to ensure compliance with their Prevent agenda, as it will become a legal requirement for bodies to comply with the government's Prevent policies, regardless of concerns they may have over its efficacy. The key difference in enforcement though, is the power that will be centralised to the Home Secretary to enforce the implementation of Prevent,

"…the Bill will give the relevant Secretary of State power to direct a body to take action where they consider the body is failing to fulfil the new duty. This direction would be enforceable through the courts."[1]

Through the new powers to be centralised to the Home Secretary, bodies required to take part in prevention work will have no option other than to comply with government narratives on risk and counter-risk, even where such considerations will be politically motivated, rather than having an evidentiary base.

The centralisation of powers to the Secretary of State under the Bill seems to be of particular concern. While little is known of the guidance document that the Home Secretary will provide to the bodies responsible for the implementing the prevention aspect of this Bill, it can be assumed that decisions will be made in prevention cases by technocrats responsible in their respective bodies. While the methodology of such bodies being able to make the kinds of assessments that are even being suggested is questionable, the idea that the Secretary of State may overturn decisions they make or enforce directions in specific cases provides an imbalance of power to one institution.

HOW WILL LOCAL PANELS ASSESS TERRORISM PATHWAY RISKS?

Section 28 of Chapter 2 in the draft Bill presents a structure based on as the Multi-Agency Public Protection Agency (MAPPA) that forms as part of the way those at risk are managed for crimes such as terrorism and beyond. Under the Prevent strategy, two tools were used side by side in order to tackle those who were considered to be under the threat of 'extremism': Channel and MAPPA – both of which used in order to bring the wider public services into identifying and managing the risk of 'extremism'

The UK Government describes Channel as:

"a key element of the Prevent strategy. It is a multi-agency approach to protect people at risk from radicalisation. Channel uses existing collaboration between local authorities, statutory partners (such as the education and health sectors, social services, children's and youth services and offender management services), the police and the local community…"[1]

In his recent book, *The Muslims are Coming*, Arun Kundnani explains that Channel,

"…sought to profile young people who were not suspected of involvement in criminal activity but nevertheless were regarded as drifting towards extremism. Through an extensive system of surveillance involving, among others, police officers, teachers, and youth and health workers, would-be radicals were identified and given counselling, mentoring, and religious instruction in an attempt to reverse the radicalisation process. In some cases individuals were rehoused in new neighbourhoods to disconnect them from local influences and considered harmful."

The CHANNEL process uses the MAPPA approach by gathering together individuals from the council to make determinations about the way interventions can take place. What is unclear, is the qualifications of those who make decisions about placing someone through an intervention programme, and to what extent they are trained in the religion, culture, social structures of the community they are assessing.

While the Channel process is not specifically used for those in custody, the National Offender Management Service (NOMS) works with the programme in order to implement the very same strategies in relation to those they believe are at risk of 'extremism'.

In May 2013, NOMS issued guidance under the Multi-Agency Public Protection Agency (MAPPA) in association with HM Prison Service, Association of Chief Police Officers (ACPO) and the Probation Service. The basic idea was for MAPPA to provide a multi-agency approach to manage risks around those who were convicted of terrorism, or had been assessed as a risk due to their belief or behaviour. [1]

The standard for referrals is whether a chief of police officer believes that there are reasonable grounds, *"that the individual is vulnerable to being drawn into terrorism."* It is unclear what the objective

standards of this referral may be? The test suggested under the Bill is that the officer only need to 'believe' there is an at risk individual, rather than there being a specific objective test that must be met.

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If communities are going to be subjected to scrutiny by public bodies and the police, they should be permitted to have clarity in the law so that they can understand the lines by which they can operate within a legal environment. Without having such clear lines, it will be difficult for the community to build trust with public bodies and the police.

WHO WILL BE REQUIRED TO IMPLEMENT THIS PREVENTION WORK?

The bodies or individuals that are obligated to 'prevent' individuals from being drawn into terrorism spread across a wide range of public sector services. While there is a general implication that applies across the whole concept of public sector services taking a securitised approach to their public duties, there are also specific implications that result from the obligation that is raised.

In many cases around the UK, Prevent is already in application as local authorities, schools, universities, health care providers and others have taken on the Prevent strategy and implemented it. However, there remains many institutions who are uncomfortable with the civil liberties implications of such policy and the way it will encroach on legitimate belief and expression. As part of its impact assessment, the Home Office recognised that part of the need to push for statutory footing for its Prevent policies, was to force bodies that had previously been unwilling to come into line,

"Every authority has an established board which carries out the duties outlined in the legislation, implying there will be no costs associated with authorities starting to participate.

Authorities that may not have continued to participate in the programme will do so because it is a statutory requirement."[1]

The statutory nature of the prevention requirement will extend an obligation to the following bodies, with the implications that will be discussed below:

1. LOCAL GOVERNMENT

There are serious concerns about the way in which communities will engage in local politics if they feel that they are not able to have their grievances. The government narrative on the route towards acts of terrorism, as highlighted in the report produced by the Task Force on Extremism (2013) establishes a framework under which those who are potentially at risk should be viewed. Often individuals with both serious domestic and foreign concerns will attempt to raise their issue at local levels through their councils or other bodies. The concern is that such individuals will refuse to involve themselves in local government knowing that public expression of their opinions will result in unwarranted scrutiny by the council and police. Such forms of disenfranchisement are of particular concern, as they will force expressions of grievance underground and outside of safe spaces where they can be discussed.

CASE STUDY: LUTFUR RAHMAN

In 2014, the communities secretary, Eric Pickles sent commissioners into Tower Hamlets council in order to take over from the mayor Lutfur Rahman over accusations of extremism and corruption. There have been numerous attacks against the Tower Hamlets mayor, none of which have ever amounted to findings of wrongdoing. Rather, rooted in well-established Islamophobia against the Muslim mayor, the attacks against Lutfur Rahman seem to form as part of the wider pattern of attempting to neutralise popular Muslim sentiments.

The local authorities are also under a duty to ensure that those institutions under the control of the authority, such as public buildings for hire, should not disseminate 'extremist views'[1]. The statute makes no mention of extremism, however a link is made within the factsheet guidance document released by the Home Office in accompanying the Bill to understanding how prevention by the government is understood.

CASE STUDY: CAGE

After months of planning, CAGE had organised and advertised the event, Caged in the USA in order to highlight the plight of those who were being detained under solitary confinement in prisons run by the US government. The event brought together an exonerated member of the Angola 3, Robert King, who had spent close to thirty years in solitary confinement as well as Omar Deghayes, a former Guantanamo detainee and other prominent speakers.

On 18 October 2012, the day the event was supposed to take place, Prevent officers visited the venue at the Karibu Education Centre in Brixton, in order to advise the centre from permitting the event from proceeding. Prevent provided no legal justification for why the event should be shut down, except to advise that there could be reputation damage to the venue by permitting the event from going ahead as the speakers might be preaching extremist opinions. Considering the line-up of speakers on the day, and the subject matter that was to be

discussed, there was no risk of any form of violent speech being promoted. However, Prevent police took it upon themselves to harass the venue and claim false risks. Such subjective approaches to assessment making have been replicated across a number of other events but also a number of other organisations.

The venue did not give into pressure by the police and the event was permitted to proceed without incident. All those who attended recognised the importance of the event taking place and the hostile environment in which discussing key themes was being silenced.

2. CRIMINAL JUSTICE

The extent of the threat posed by prisoners in UK prisons who were turning to more 'radical' views on Islam was covered by a BBC Panorama programme on 12 May 2014. Of the claims that were made in the in the programme, was that one prison had a 40% Muslim population, 10 individuals were convicted terrorists – and then the government statistics claimed that there were 30 individuals who had 'extremist' views. Very little evidence was provided as to the nature of the terrorism convictions. The public has never been told whether these offences were due to technicality offences, or actual plots leading to loss of life against the British public. It is difficult to gauge the extent to which those in prison would require deradicalisation.

CAGE has produced data around those actually involved in violent plots and convicted of terrorism. Of the 838 individuals charged since the start of the War on Terror, 66 were involved in acts of violence. A great deal of the terrorism convictions have rather been for offences such as possession or training, where no particular plot could be identified.

Adding a secondary layer of criminalisation to those who already been convicted or facing trial for terrorism-related offences can serve as a disenfranchising process that does not place rehabilitation at the centre of the care, but rather places concerns over belief and thought at the centre of working with these men and women.

CASE STUDY: RUKSANA BEGUM

As mentioned previously, Begum had been imprisoned for pleading guilty to a possession offence. Despite the judge recognising that she was a good Muslim and citizen with no intention to carry out acts of violence in the UK, she was still subjected to Channel's deradicalisation programme as part of her release from prison. Ruksana Begum described to CAGE the process she had to go through,

"In the determination for my release, there was also something called an ERG conducted – Extremism Risk Guidance – which is really about stats to say that they have successfully rehabilitated 'x' number of prisoners. The ERG is an assessment that they conduct which assists in showing that they have secured the rehabilitation of an offender.

A group of trained people get you to speak about your views and opinions, talk to you about current events – the purpose being to gain a picture of your mentality if you have any 'extremist' traits, if you do have any, do you pose a threat to the public. All of this gets fed back to MAPPA (Multi-Agency Public Protection Arrangements) – this in a nutshell is the way you will get treated as it is the culmination of police, Home Office, MI5, OASys and any other assessment that is conducted on your status to determine your level of risk. The levels of risk are 1-3, and I was designated the highest MAPPA category of 3. Probation, MAPPA, police and even the imams they bring in for deradicalisation all play a role in the final assessment that is made.

MAPPA set the guidelines for how a person will be treated when they are released. Going back to the ERG, it is relatively dangerous in fact, as it is based on your involvement, but it is designed to look into every aspect of your life and belief. I remember when they conducted my [OASys] assessment, they explicitly stated that they did not consider me any kind of threat, or that I saw the UK public as a target or enemy, but during the ERG they were keen to know about my feelings on proscription of organisations. This was at the time of a post-Woolwich environment where those associated with the EDL (English Defence League) were going around hurting Muslims. They asked about al-Muhajiroon, and I explained that under their categorisation, then yes they could potentially be proscribed, but then I said that the same standard should be applied to the EDL. The woman conducting the interview said she agreed with my viewpoint and that the EDL was a dangerous organisation – however – she still wrote into my record that I displayed having an "us versus them" mentality".

Determinations regarding threats are very much based around a subjective analysis by individuals who are 'trained' as part of Channel's deradicalisation programme. As evidenced by Begum's experience, there is a strong risk that the lack of clarity in the law as to what is considered to be 'problematic' beliefs of ideas, can lead to assumptions and decisions being made about individuals that can follow them throughout their lives and careers.

3. EDUCATION AND CHILD CARE

The bodies highlighted in this section cover the full range of child educational experience in England and Wales. The Bill requires that all those who are engaged with children, from children minders, through to nursery level teachers all the way through to university students, are required to monitor those in their care. This Bill makes no distinction between independent/informal schooling as opposed to state maintained schools whatever form they take. The bodies covered by the Bill are all encompassing although does not make clear how those who care for children in a more informal capacity are to play a role in preventing potential terrorism.

The institutionalisation of the security sector into the education system is a dangerous development due to notions of safeguarding. While safeguarding is an extremely important part of the responsibilities that educators have towards their students, there is a real risk that a mismanagement or misunderstanding of the way that risks of 'terrorism-related activity' can be managed, will result in the over-reporting of children or university students and ultimately may lead to serious abuses to their future. Free and open-space thinking, can potentially be limited and as stated by the chief executive of Universities UK, Nicola Dandridge,

"You cannot draw the conclusion that because wild things are said at university that automatically equates to radicalisation…We have to be really careful about what we are saying about cause and effect. I don't think there has been any evidence suggesting that speakers who are offensive to many people cause violent extremism in the student audience. There is no evidence of that."[1]

Schools and universities are being asked to take on a prevention role that is not only beyond their scope of knowledge and training, but further, are being asked to effectively police their students based on subjective understandings of what constitutes 'radicalised thoughts/ behaviours'. Such subjective assessments will inevitably lead to abuses as bodies will be required to meet targets or prove they are meeting the objectives of preventing individuals from terrorism.

There is concern of the way in which the prevention will be required to be implemented in independent schools, particularly due to the way in which safeguarding is being linked to the definition of 'extremism' within the PREVENT strategy, but without any clear definable boundaries. The definition as it stands is difficult for schools to implement due to its vagaries.

CASE STUDY: JAMEEL SCOTT

In 2010, a 17-year-old member of the Socialist Workers Party, Jameel Scott, attended a protest at Manchester University against the Israeli ambassador who was due to speak there. During the protest, Jameel was hit by the ambassador's car, but he was the one to be arrested for alleged criminal damage. Although the charges were dropped, Jameel was subsequently subjected to a two-year intervention by Prevent. As Scott's father was a Muslim, he was targeted by the police for requiring such an intervention, during which time Prevent officials would constantly place pressure on him, his family, wider relatives, school and even went as far as to have him banned from the Conservative Party Conference as part of a school trip. Scott's lack of identification with the belief of Islam as a religion is particularly poignant, as his cultural link to the faith formed as part of the indicators of his potential risk.

4. HEALTH AND SOCIAL CARE

The idea that medical practitioners will somehow use their position in order to report on patients they feel require some form of intervention would seem to be a breach of the trust they have been given. The need for patients to be able to interact with health care professionals without concern over being assessed as a potential terrorism risk, should be a basic courtesy and standard of care that is afforded to all those who work for the NHS or other health care providers.

Further, healthcare is a sector where trust among staff is extremely important in the delivery of services. The delivery of Prevent in its processes requires that staff notify on one another where there they feel there is a risk posed to patients in terms of 'radicalisation' by health care professionals. Expectations on staff to conduct such reporting, will foster environments of mistrust, and ultimately be detrimental to patient safety.

CASE STUDY: SB

After a year off from work due to medical reasons, SB returned to her position as an NHS worker who held positions at two different hospitals. During her time away from work she began to practice her faith and returned to work wearing the hijab. Her outward change in appearance resulted in accusations of mental health issues from her senior management, coupled with a great deal of bullying and abuse.

On 18 November 2013, SB was called to an appointment with staff, thinking that she was about to be offered a promotion for having worked diligently despite the problems she had faced. Instead she was placed in a room with police officers from Channel, who used the opportunity to question her about al-Qaeda, personal questions about whether or not she had a boyfriend, and many other questions about her views, religion and political opinions At the end of the questioning they explained to SB that she felt she was a vulnerable individual and needed their assistance.

Over a month later, the Channel officers approached the parents of SB, who are not able to speak correct English. They questioned SB's mother for almost an hour, concentrating on whether SB had any history of mental health issues. The officers had specifically told the parents not to inform their daughter which left them terrified for her safety.

Eventually the officers issued a report to her colleagues explaining that they felt she had a mild mental health issue, despite SB having cleared of any such thing twice by experts. Eventually she sought legal assistance over this harassment and has issued proceedings against her employers and the police.

HOW CAN CONSENT FOR PANEL BASED INTERVENTIONS BE COERCED?

Section 28 (4) of the Bill specifically states that any intervention by a panel into intervention for prevention purposes is based on a 'consent' system based on the age of majority. Those under the age of 18 are engaged by receiving consent of parents, whereas those over the age are required to give their own consent.

Any support plan that is produced by the panel is under a constant review, and is subject to be changed at any time. 'Consent' in and of itself is not a barrier to the end of support plan recommendations. The panel has within its structure the right to present alternative plans until consent is taken.

The question must be posed, what are the "further assessments" that will be made should consent be refused? What form do these assessments take and how are those being subjected to the assessments fit into that picture? A further question that requires further clarification, what if those refusing the consent are the parents? What powers can be used by the panel to compel them?

A key section of the bill here is 28(5)(a) – as it presents an option based approach to the way in which consent can be reached for the support plan. It would seem that built into the Bill is an assumption that consent may not be given. The power to find alternative solutions is included. This is made more relevant by the following section 28(6)(a) which gives some more detail as to further referral.

Where consent is not gained from the individual or by their parents/guardians [28(5)(a)], or where the panel, "determines that support should not be given", other options then become available, such as referring cases to health or social services.

While the implication maybe that the panel is not able to assess properly from the text, a real world reading of the Bill would suggest that this method could be used where the panel feels an individual is vulnerable, but are not able to approach with their support plan. In that case, custody of minors could be transferred to social services away from parents who do not provide consent – as alarmingly, an individual above the age of 18 could be forced into a support plan through the use of healthcare professionals.

Guidance provided to panels should be scrutinised in order to ascertain whether this provision exists in order to manufacture consent.

WHY ARE THE SECURITY SERVICES EXEMPTED?

The draft Bill has made a specific exception in a number of cases in relation to those bodies that should be exempted from being under a duty to try and prevent individuals from following a path towards an act of terrorism.

It is assumed that the reason the security services have been excluded from performing a function that should be a normal part of their duties is due to the role they play in entrapment situations as well as attempting to get those on the periphery of their interest to cooperate with them, rather than placing them through any specific deradicalisation programme. This seems counter-intuitive to the role they should be playing in protecting the UK from threats, however, these exceptions exist in order to permit the security agencies to conduct themselves in a way that may prima facie be considered to be detrimental to UK interests.

CONCLUSIONS

The UK Prevent strategy and its accompanying programme Channel have left a divisive mark on communities in British society. The first iteration of Prevent was considered by all to be a complete failure, while the second iteration has left communities feeling that Prevent is no longer about stopping the threat of political violence, but rather an exercise in trying to engineer singular ideas of citizenship and identity within society.

Under the guise of preventing individuals from becoming involved in 'terrorism' the Counter-Terrorism and Security Bill attempts to place Prevent on a statutory footing, without directly referencing the policy. The statute presents itself as a general safeguarding exercise for local authorities and other bodies, however all the supplementary documentation refer to Prevent and Channel as being the specific frameworks that will be used to comply with the created statutory obligations.

Prevent as both a strategy and policy requires root and branch rethinking. There is no doubt that political violence exists as a phenomenon in UK society, however the current approach completely neglects to take into account the factors that lead to such a disenfranchised expression of anger, and the way that expression should be understood and managed.

Before turning to cementing a failed policy into law, a genuine discussion must take place about the root causes of political violence in the UK, and then an open and honest debate about how those who have genuine roots in communities, can provide an alternative approach to shepherding their communities.

The current thinking creates risk factors out of every day human behaviour and even rites of passage that many normal young people go through. Assuming such factors as markers of risk only serves to place the normalcy of behaviour within the realms of criminality, thus creating offences and sanctions where often wisdom, community and the passage of time would suffice as a treatment.

Pushing through statutory powers for a strategy that is empirically unsound and in actual fact harmful to communities, presents a deep problem for British society. As bodies will be forced to report on individuals based on subjective risk assessments, greater degrees of disenfranchisement will emerge, leading to less, rather than more security.

RECOMMENDED RESPONSES TO THE CTS BILL PUBLIC CONSULTATION

Those expected to be the frontline of reporting those under the risk of being on a pathway to 'terrorism' have been provided an opportunity to respond to a government public consultation until the end of January 2015.

This consultation serves as an opportunity to highlight how unworkable and fundamentally flawed the Bill is, and the expectations is places on these service providers.

When responding to the consultation, the following points should be considered as part of any submission:

1. The terms of reference of how an individual may be on a pathway towards 'terrorism' is unclear and so cannot be functionally used.

2. The definition of 'extremism' in the Prevent strategy cannot be used as a reference point for determining risk due to its wide terms. The definition provides little clarity in the law and would allow for abuses against those children and families that might be wrongly assessed as part of overzealous reporting.

3. The Bill and supporting documents provide no guidance on how religious practice and indeed legitimate difference of opinion within normative practice of religion is to be understood by the service providers.

4. Such policies only serve to politically disenfranchise communities, rather than allowing for them to express themselves religiously and politically. Fear of being reported will drive opinions underground and will force communities to become introverted.

5. Some parents may become fearful of sending their children to schools or healthcare services, if they feel they may come under unwarranted scrutiny by those who do not understand their beliefs or culture.

6. Concerns over the extent to which health and social services will be able to intrude into the lives of families based on reporting by service providers presents itself as the most contentious aspect of this Bill. A lack of clarity in the law and what could result in a family coming under scrutiny raise serious questions about the administration of this risk exercise.

The Counter-Terrorism and Security Bill 2014 presents itself as being the single most intrusive piece of legislation in the lives of communities across the UK. By placing a requirement on public sector services to police those under their duty of care, an alternative system of criminalisation is being established. The public sector must respond to these developments, otherwise they risk potentially alienating from their services many who will become fearful of being misunderstood.