

What is the 'Prevent' Strategy?

Prevent is a controversial and intrusive UK government strategy supposedly intended to stop people turning to terrorism. The STUC, the UCU, the EIS, the NUT and the NUS are all opposed to it. SACC believes that the best way to oppose Prevent is by boycotting it.

The Government's Prevent strategy is supposedly intended to stop people being "radicalised" and turning to terrorism. Its application in public sector workplaces is escalating under provisions of the Counter Terrorism and Security Act that came into force in the summer of 2016.

The Government says that Prevent aims to "protect" vulnerable individuals who are at risk of being drawn into terrorism, with a particular focus on "international" terrorism. Its effects are much wider than that. Prevent is trying to change the way we think about Britain's wars in the Middle East. It works by casting suspicion on Muslims. It is turning public sector workers into spies for the government.

The Prevent strategy was introduced in 2003 as part of the UK's overall 'Contest' counter-terrorism strategy. It remained secret until 2006 and has undergone a series of changes over the years.

The Counter-Terrorism and Security Act (CTSA) 2015 gave Prevent a statutory basis for the first time. Provisions that came into effect in summer 2016 require specified public bodies in England, Wales and Scotland to "have due regard to the need to prevent people from being drawn into terrorism." Guidance issued under the Act links this requirement to the Prevent strategy.

"the Prevent strategy and Channel programme insofar as they apply to schools must be repealed and abandoned."

Rights Watch UK, July 2016

The Prevent strategy is part of the UK's counter-terrorism strategy and is therefore reserved to Westminster, but it is implemented in Scotland through Scottish public bodies (eg local authorities, schools, HE and FE colleges, the NHS, Police Scotland, the prison service) and so mainly involves functions that are devolved to Holyrood.

Prevent deals with views and conduct that are not criminal, but that are supposedly "extremist" and that the Government regards as being linked to terrorism.

According to guidance issued under the CTSA and approved by Parliament, Prevent deals with all kinds of "violent extremism". But the guidance has an Islamophobic twist, because it has an additional focus on "Islamist extremism", whether violent or not.

Thousands of Scottish public sector workers (teachers, social workers, university and college lecturers, NHS staff etc) have been trained in Prevent. The training legitimises

the institutional harassment of Muslims and promotes an Islamophobic outlook in the majority community.

The training encourages workers to report service users or colleagues thought to "vulnerable to radicalisation" to the police. The police may then trigger a multi-agency case conference involving social workers, teachers etc where appropriate. This may result in the person concerned being encouraged to "voluntarily" participate in a "de-radicalisation" programme. In England and Wales this process is called "Channel". In Scotland it is called "Prevent Professional Concerns" (PPC). It is shrouded in much greater secrecy than the "Channel" process.

"Prevent is an attempt to recruit civil society into a kind of open conspiracy against Muslims."

Richard Haley, SACC Briefing, November 2009

There have been thousands of Channel referrals in England and Wales. But according to figures recently obtained from Police Scotland there have been just 3 PPC referrals since 2011, all of them of people described by police as "white Scottish". Police say there have been no referrals since October 2013, even though the wider Prevent strategy has been sharply stepped up in Scotland since then.

It seems likely that police and public-sector officials in Scotland have been targeting people over Prevent concerns without triggering the PPC process. Individuals affected are apt to be unwilling to talk about their experiences. Information about these interventions and their effects is extremely sparse.

Prevent can result in counter-terrorism police gathering intelligence on innocent people (including children) and their families. Strathclyde Police said in 2010: *"The Force's priority in respect of CONTEST Prevent is to gather actionable intelligence in relation to International Terrorism, Irish Related Terrorism, domestic extremism and public order matters."*

Police and government officials deny that Prevent, as it currently operates, is about intelligence-gathering. But the secrecy surrounding Prevent, and official tenacity in implementing it despite the absence of visible results, suggests otherwise.

Prevent, the Workplace and the Law

- Section 26(1) of the **Counter Terrorism and Security Act (CTSA)** requires public bodies specified in the legislation to "have due regard to the need to prevent people from being drawn into terrorism". This is a very general requirement and subject to wide interpretation.
- Clarification provided by "**duty guidance**" issued under the CTSA is only to "assist" public bodies in deciding what the duty means. They are required only to give "appropriate weight" to it, and to consider all the other factors.
- Public bodies are forbidden under UK law from violating the **European Convention on Human Rights**. This takes precedence over other requirements unless domestic law allows no choice. The CTSA's Prevent-related requirements are so vague that they are unlikely to trigger this exemption. There are many areas of potential conflict between Prevent and Convention rights.
- Failure to implement, comply with or cooperate with Prevent **is not a criminal offence**.
- The Home Secretary can seek a **civil court order** against bodies ("specified authorities") listed in the CTSA, requiring them to carry out specific actions to implement Prevent.
- The Home Secretary has **no power** under the CTSA to seek a civil court order in connection with Prevent against staff members, trade unions, student organisations etc.
- Public bodies in Scotland are not under meaningful legal compulsion to impose any measures promoted by Prevent unless an order of specific implement requires them to do so.

Nothing in this briefing should be taken as legal advice. If in doubt, consult a lawyer.

More information

For additional notes and links to sources see the web version of this briefing at:
www.sacc.org.uk/spring17

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Why We Must Dissent from Prevent

- Prevent is **discriminatory**.
- Prevent promotes **Islamophobia**.
- Prevent undermines the confidence of the Muslim community and **deters** Muslims from participating in political discussion and activity.
- Prevent legitimises ideas that foster the far-right (despite claiming to tackle far-right extremism).
- Prevent is at least as likely to **drive people towards terrorism** as away from it.
- Prevent is based on a sinister concept of "**pre-crime**" that threatens all our freedoms.
- Prevent spreads a **climate of suspicion**.
- Prevent **erodes trust** between professionals (eg in health and education) and those they serve.
- By emphasising psychological and ideological factors and downplaying the political roots of terrorism, prevent **undermines progressive politics**.
- The Prevent guidance for Scotland mentions **Northern Ireland terrorism** and "**sectarianism**" (ie Catholic-Protestant sectarianism). Any application of Prevent to these problems is likely to exacerbate them.
- By emphasising links between "extremism" and **mental health issues** (including issues that are very widely experienced), Prevent erodes the civil liberties of people with mental health problems.

Resisting Prevent

Prevent has attracted widespread criticism and is routinely said to be on the brink of being scrapped or reformed. It has nevertheless proved popular with a succession of governments. It will most likely continue to erode civic and political life unless trade unionists and the wider community act collectively to stop it.

SACC welcomes the policies against Prevent that have been adopted by the STUC and a number of trade unions. We urge trade unions to spread awareness of these policies amongst members and to help branches act on them in ways that actively counter Prevent.

We urge trade unions to support members and service users who are adversely affected by Prevent.

We strongly urge trade unions to adopt a policy of **boycotting Prevent** (including Prevent training), either nationally or on a branch-by-branch basis.