

Briefing on amendment 466 to the Higher Education and Research Bill: removing the statutory Prevent duty for universities

Liberty and Rights Watch UK urge Peers to support **amendment 466** in the names of **Lord Dubs, Baroness Jones of Moulsecoomb, Baroness Garden of Frognal and Lord Macdonald of River Glaven.**

Insert the following new Clause—

“Disapplication of duty in Counter-Terrorism and Security Act 2015 to higher education institutions

(1) The Counter-Terrorism and Security Act 2015 is amended as follows.

(2) In section 27(2) at the end insert—

- “(k) a qualifying institution as defined by section 11 of the Higher Education Act 2004;
- (l) an institution providing courses of a description mentioned in Schedule 6 to the Educational Reform Act 1988 (higher education courses);
- (m) an institution providing fundable higher education as defined by section 5 of the Further and Higher Education (Scotland) Act 2005.”

(3) In section 31(1)—

- (a) in paragraph (a) after “1996” insert “or the Further and Higher Education Scotland Act 2005”;
- (b) omit paragraphs (b) and (c).

(4) In section 32 (monitoring of performance: further and higher education bodies)—

- (a) in subsection (1) omit from “2015” to end;
- (a) in subsection (2) omit “or a relevant higher education body”;
- (b) in subsection (4) omit “or a relevant higher education body”;
- (c) omit subsection (5)(b);
- (d) in subsection (9)(a) omit “, and includes the Open University”.

- (5) In section 33 (power to give directions: section 32)—
- (a) in subsection (1) omit “or a relevant higher education body”;
 - (b) In subsection (4) omit “, “relevant higher education body””.
- (6) In Schedule 6 (specified authorities)—
- (a) in Part 1 omit —
 - (i) “The governing body of a qualifying institution within the meaning given by section 11 of the Higher Education Act 2004.”;
 - (ii) “courses of a description mentioned in Schedule 6 to the Education Reform Act 1988 (higher education courses).”;
 - (b) in Part 2 after “post-16” insert “further”.
- (7) In Schedule 7 (partners of local panels)—
- (a) in Part 1 omit—
 - (i) “The governing body of a qualifying institution within the meaning given by section 11 of the Higher Education Act 2004.”;
 - (ii) “courses of a description mentioned in Schedule 6 to the Education Reform Act 1988 (higher education courses).”;
 - (b) in Part 2 after “post-16” insert “further”.

Amendment 466 would disapply the statutory Prevent duty, set out in the Counter-Terrorism and Security Act 2015 (“the 2015 Act”), in so far as it applies to higher education institutions. We understand that prevention is a vital part of counter-terrorism work. The amendment would not prevent the Government from having a strategy to prevent individuals from being drawn into terrorism. It would simply remove a statutory structure that has compounded the impact of Prevent on free expression in our universities.

Liberty and Rights Watch UK further urge Peers to support the call of the Joint Committee on Human Rights (“JCHR”),¹ the Home Affairs Select Committee (“HASC”),² and the Reviewer of Terrorism Legislation, David Anderson QC,³ for an independent review of Prevent.

¹ JCHR, *Counter-extremism: Second Report of Session 2016-17*, paragraph 42. Available at: <http://www.publications.parliament.uk/pa/jt201617/jtselect/jtrights/105/105.pdf>.

² HASC, *Radicalisation: the counter-narrative and identifying the tipping point. Eighth Report of Session 2016-2017*, paragraph 69.

³ Supplementary written evidence submitted by David Anderson QC, Independent Reviewer of Terrorism Legislation, to the Home Affairs Select Committee inquiry into Countering Extremism, 29 January 2016. Available at: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/home-affairs-committee/countering-extremism/written/27920.pdf>.

A coercive, statutory framework

The creation of a statutory Prevent framework was a source of considerable criticism during the parliamentary passage of the 2015 Act. Statutory requirements were variously described as an “*elaborate infrastructure or superstructure*”;⁴ the employment of a “*top-down approach*”;⁵ a movement “*from co-operation to co-option*”;⁶ “*too restrictive and prescriptive*”;⁷ “*impractical*”;⁸ “*too blunt an instrument*”;⁹ and a form of regulation “*likely to provoke what [the Government] seek to prevent*”.¹⁰ Former Director of MI5, Baroness Manningham-Buller, powerfully summarised the core concern: “*Prevent needs to be conducted with sensitivity, proportionality and care, and I fear that making it statutory in universities will jeopardise all three.*”¹¹ These concerns were mirrored by the JCHR as part of its legislative scrutiny of the 2015 Act:

...because of the importance of freedom of speech and academic freedom in the context of university education, the entire framework which rests on the new ‘prevent’ duty is not appropriate for application to universities.¹²

Monitoring and enforcement

The statutory Prevent provisions set out in the 2015 Act did far more than impose a statutory duty on universities to “*have due regard to the need to prevent people from being drawn into terrorism*”.¹³ They created a coercive structure involving monitoring and enforcement of the Prevent duty. Under the 2015 Act, performance of the duty is monitored on an ongoing basis, with relevant higher education bodies (RHEB) required to relay “*any information that the monitoring authority may require for the purpose of monitoring that body’s performance in discharging the duty imposed by section 26(1).*”¹⁴ Currently, the Higher Education Funding Council for England (HEFCE) has responsibility for monitoring compliance with the statutory Prevent duty. In guidance published in November 2015, HEFCE required the publication of “*detailed information*” by universities and – at the Government’s imperative - also quickly

⁴ Baroness Hamwee, Lords Hansard: 4 Feb 2015: Column 666.

⁵ Baroness Hussein-Ece, Lords Hansard: 28 Jan 2015: Column 213.

⁶ Baroness Lister of Burtersett, Lords Hansard: 28 Jan 2015: Column 225.

⁷ Baroness Buscombe, Lords Hansard: 28 Jan 2015: Column: 231.

⁸ The Lord Bishop of Chester, Lords Hansard: 28 Jan 2015: Column 248

⁹ Lord Pannick, Lords Hansard: 28 Jan 2015: Column: 239.

¹⁰ Baroness O’Neil of Bengrave, Lords Hansard: 28 Jan 2015: Column 249.

¹¹ Baroness Manningham-Buller, Lords Hansard: 28 Jan 2015: Column 242.

¹² JCHR, Legislative Scrutiny: Counter-Terrorism and Security Bill, Fifth Report of Session 2014–15, paragraph 6.11: <http://www.publications.parliament.uk/pa/jt201415/jtselect/jtrights/86/86.pdf>.

¹³ Higher Education and Research Bill, provisions around registration, deregistration and monetary penalties set out in Part 1.

¹⁴ Section 32(2).

established an assessment and reporting timetable for universities.¹⁵ HEFCE's guidance provides for the outcome of assessments to be reported directly to Government.¹⁶ The present Bill proposes to dissolve HEFCE and replace it with the Office for Students (OfS) and a new research council "UK Research and Innovation". The Government envisages the OfS – a powerful new body with the capacity to award or remove university status and impose monetary penalties on universities - will take on responsibility for monitoring Prevent compliance.¹⁷

If satisfied that a particular body has failed to discharge its duty, the Home Secretary may give enforcement directions to that body.¹⁸ The Government can further apply to have a direction enforced by mandatory order,¹⁹ prompting former DPP, Lord Macdonald of River Glaven, to question:

...whether we have really reached a state of affairs in this country in which it is now necessary for a senior politician, even a politician as senior as the Home Secretary, to be granted the power to influence, by power of direction if necessary, what can and cannot be said in a university in the absence of any crime being committed.²⁰

Government guidance

The impact of state regulation of speech and assembly in our academic institutions is most obvious when viewed in conjunction with deeply problematic Government guidance. The 2015 Act requires universities to have regard to guidance issued by the Secretary of State.²¹ The definition of "*extremism*" reproduced in the Government's revised Prevent guidance is astonishingly loose and broad including: "*vocal or active opposition to fundamental British values*" such as democracy or individual liberty.²² This definition not only jeopardises freedom of expression, it also offends against the principle of legal certainty. As part of its legislative scrutiny of the 2015 Act, the JCHR concluded that: "*Broad terms such as*

¹⁵ HEFCE, *The Prevent duty: Monitoring framework for the higher education sector*, November 2015: http://www.hefce.ac.uk/media/HEFCE,2014/Content/Pubs/2015/201532/HEFCE_2015_32.pdf.

¹⁶ http://www.hefce.ac.uk/media/HEFCE,2014/Content/Pubs/2015/201532/HEFCE_2015_32.pdf

¹⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/527757/bis-16-292-ofs-case-for-creation.pdf

¹⁸ Section 30(1).

¹⁹ Section 30(2).

²⁰ Lord Macdonald, Lords Hansard: 28 Jan 2015: Column 235.

²¹ Section 29(2).

²² HM Government, *Revised Prevent Duty Guidance for England and Wales*, revised on 16th July, paragraph 7.

*'extremist' or 'radical' are not capable of being defined with sufficient precision to enable universities to know...whether they... risk being found to be in breach of the new duty.*²³

These concerns were echoed by many Peers during the passage of the 2015 Act, with former Conservative Minister for Faith and Communities, Baroness Warsi, warning that: *"It is incredibly dangerous to be stepping into the realms of a statutory basis for a Prevent programme that is going to rely on a definition of extremism that is not entirely defined and clear..."*²⁴

The Government's Prevent guidance is at times both hopelessly vague and impractically prescriptive. The *Prevent Duty Guidance: for higher education in England and Wales*, for example, prescribes:

"...when deciding whether or not to host a particular speaker, RHEB [Regional Higher Education Bodies] should consider carefully whether the views being expressed, or likely to be expressed, constitute extremist views that risk drawing people into terrorism or are shared by terrorist groups. **In these circumstances the event should not be allowed to proceed except where RHEBs are entirely convinced that such risk can be fully mitigated without cancellation of the event.**"²⁵

This guidance, placed in the context of a heavy-handed statutory structure, seems designed to prevent anything but the most anodyne of events from taking place in our universities. In evidence to HASC, Megan Dunn, the then President of the National Union of Students, expressed concern that the guidance required the risk of being drawn into terrorism to be completely mitigated: *"while we are all working towards that aim"* she asked *"how can that possibly be proven?"*²⁶

While many institutions are working hard to uphold a commitment to the free and vibrant exchange of ideas, they are swimming against the tide of law and policy. Notwithstanding the inclusion in the 2015 Act of an important statutory requirement for higher education

²³ HM Government, *Prevent Duty Guidance: for higher education in England and Wales*, paragraph 11.

²⁴ Baroness Warsi, Lords Hansard: 28 Jan 2015: Column 212.

²⁵ Insofar as Government guidance is consistent with statutory duties public authorities are usually required to follow its clear requirements. See *R v Islington LBC ex p Rixon* [1996] 32 BMLR (Para 140).

²⁶ *Ibid.*, paragraph 68.

bodies to “*have particular regard to the need to ensure freedom of speech*”,²⁷ some institutions have yielded to the pressure created by the statutory Prevent structure. In the process they have seriously compromised freedom of expression and increased feelings of discrimination and alienation amongst Muslim students. The examples summarised below - and others explored in greater detail in Open Society Justice Initiative’s comprehensive report “*Eroding Trust: The UK’s PREVENT Counter-Extremism Strategy in Health and Education*”²⁸ - illustrate this worrying reality.

Huddersfield University: cancellation of a conference on Racism and Islamophobia²⁹

At one stage in an extensive correspondence between the event organisers and the University, the latter warned that “*there is a risk that given the topics to be discussed, it may attract attendees which hold extremist views*”.³⁰ Much of the University’s documented concern about the event focused on the participation of a local human rights organisation critical of Prevent, but in no way supportive of violent extremism. The university suggested that particular conditions be met in light of the group’s participation and raised more general concerns about public and community participation in the event.

Cambridge University: cancellation of an Islam in Europe event³¹

Staff of two colleges involved with the organisation of an event due to be hosted by Cambridge University Islamic Society raised concerns about the involvement of a speaker a week before the event, arguing that universities were required, by a new law, to be more careful about the platform given to speakers.³² The speaker in question had appeared on media outlets in the UK and internationally. No attempt was made by the College representatives to facilitate the event whilst allowing for any unpleasant or extreme views which might have been expressed to be countered.

Statutory Channel requirements on universities

²⁷ Section 31. It also requires RHEB to have “*particular regard to the importance of academic freedom*”.

²⁸ Open Society Justice Initiative, *The UK’s PREVENT Counter-Extremism Strategy in Health and Education*, October 2016. Available at: <https://www.opensocietyfoundations.org/reports/eroding-trust-uk-s-prevent-counter-extremism-strategy-health-and-education>.

²⁹ *Ibid.*, case study 12, p 91-95.

³⁰ *Ibid.*, p. 95.

³¹ *Ibid.*, case study 13, p. 95-97.

³² *Ibid.*, p. 96.

The 2015 Act also enshrined the police-led Channel referral process for individuals deemed “*vulnerable to being drawn into terrorism*” in statute, requiring local authorities to create local panels, comprised of police and local authority representatives to oversee the delivery of individual Prevent plans.³³ The governing bodies of higher education institutions are specified partners of local panels.³⁴ As such they are required by the 2015 Act to co-operate with these panels, including by feeding them information.³⁵ They are also explicitly required to cooperate with police in the process of determining whether an individual should be referred to a Prevent panel.³⁶

The proposed amendment would remove this statutory requirement on universities, but it would not remove the responsibility of staff and institutions to co-operate with police to tackle suspected criminality as discussed below. Universities would further remain bound by a common law duty of care towards their students, by statutory health and safety obligations and by the public sector equality duty.³⁷ In removing the statutory requirement which sees university staff co-opted into policing lawful speech and association, however, this amendment would help to mitigate the unfair and discriminatory impact of Prevent in our universities and rebuild trust between teaching staff and students. The impact of the statutory referral process in educational institutions is again illustrated by OSJI’s report ‘*Eroding Trust*’:

Mohammed Umar Farooq³⁸

Mohammed was studying for a Masters in Terrorism and Security Studies at Staffordshire University. When reading one of his course books, “*Terrorism Studies: A Reader*”, in the library he was approached by two women, one of them a member of university staff, who asked Mohammed about his book and sought his views on ISIS and Sharia law. A security guard was then sent to check out Mohammed. The guard revealed that the university employee had reported that she suspected Mohammed to be “*a radical terrorist*”.³⁹ A University investigation into a complaint made by Mohammed initially rejected his allegations of racism and discrimination. Months later, the University did apologise, explaining that the

³³ Counterterrorism and Security Act 2015, Part 5, Chapter 2.

³⁴ Schedule 7.

³⁵ In accordance with legal restrictions, subsection 38(3)-(4).

³⁶ Section 38(8).

³⁷ The Equality Act 2010, section 149. The public sector equality duty requires universities to, in the exercise of their functions, have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not and foster good relations between people who share a protected characteristic and those who do not.

³⁸ *Ibid.*, case study 14, p. 97-99.

³⁹ *Ibid.*, p. 98.

Counterterrorism and Security Act 2015 imposed “a duty on the University to have due regard to the need to prevent individuals from being drawn into terrorism... this is a very broad duty, devoid of detail”.⁴⁰ The University argued that it could be challenging to distinguish “between the intellectual pursuit of radical ideas and radicalisation itself”, referencing the lack of experience University employees have in this area.⁴¹

The requirements of the criminal law

The criminal law already includes ample and overlapping provision restricting support for or encouragement of criminal activity, including by speech and association, for example:

- The Serious Crime Act 2007 created three inchoate offences of intentionally encouraging or assisting an offence; encouraging or assisting an offence believing it will be committed; and encouraging or assisting offences believing one or more will be committed;⁴²
- The Terrorism Act 2000 criminalises membership of groups deemed to promote, encourage, or glorify terrorism, the support of any of these groups, and the wearing of their uniform;⁴³
- Terrorism Act 2006 criminalises the ‘encouragement of terrorism’ and acts preparatory to terrorism.⁴⁴

The Terrorism Act 2000 also criminalises failure to disclose information to the police where an individual knows or believes it could assist in the prevention of an act of terrorism or lead to the apprehension of a suspected terrorist. If university staff fail to report anything which amounts to acts preparatory to terrorism, they risk prosecution.⁴⁵

A number of speech offences also exist, criminalising hate speech and the expression of views liable to cause to cause harassment, alarm or distress. The Public Order Act 1986 criminalises using:

- Words or behaviour which are threatening, abusive or insulting which are intended or likely to stir up racial hatred;⁴⁶

⁴⁰ Ibid., p. 98-99.

⁴¹ Ibid., p. 99.

⁴² Sections 44-46.

⁴³ Sections 11-13.

⁴⁴ Section 1 and section 5 respectively.

⁴⁵ Section 38B.

⁴⁶ Section 18.

- Threatening words or behaviour with the intention to stir up religious hatred;⁴⁷
- Threatening or abusive words or behaviour, or disorderly behaviour, liable to cause harassment, alarm or distress;⁴⁸ and
- Threatening, abusive or insulting words or behaviour, or disorderly behaviour, with the intent to cause harassment alarm or distress.⁴⁹

There are also offences dealing with communications deemed indecent, offensive or menacing.⁵⁰

The net of the criminal law is cast extremely wide. There is no shortage of powers to ensure that genuinely dangerous individuals can be prevented from furthering a criminal agenda in our universities. As Baroness Manningham-Buller pointed out during Committee consideration of the 2015 Act:

...it is a profound irony that we are seeking to protect our values against this pernicious ideology by trying to bar views that are described, too vaguely, as “non-violent” extremist but which fall short of incitement to violence or to racial or ethnic hatred – which is already forbidden by law...⁵¹

The statutory Prevent duty facilitates a closing down of the legitimate communication of ideas considered extreme by public authorities and ultimately Government. Liberty and Rights Watch UK agree with Baroness Manningham-Buller that it is far safer for unpleasant or extreme views to be aired and challenged in universities.⁵² If they are not, the clear potential exists for them to be driven underground where the opportunity for effective challenge is lost.

Independent Review of the broader Prevent strategy

The Government has shown a disappointing unwillingness to openly confront the fundamental flaws in the Prevent strategy. It reports that an internal review of Prevent has taken place and concluded that Prevent should be “*strengthened*” to address 12 undisclosed issues.⁵³ Repeal of the statutory duty should be accompanied by an open and independent

⁴⁷ Section 29B.

⁴⁸ Section 5.

⁴⁹ Section 4A.

⁵⁰ E.g. the Communications Act 2003, section 127.

⁵¹ Baroness Manningham-Buller, Lords Hansard: 28 Jan 2015: Column 242.

⁵² Baroness Manningham-Buller, Lords Hansard: 28 Jan 2015: Column 242.

⁵³ Lords Hansard, 26 October 2016: Volume 776, column 205.

review of the strategy as advocated by the JCHR, HASC and the Reviewer of Terrorism Legislation.⁵⁴

An independent review should critically examine Prevent's focus on non-violent extremism. Liberty and Rights Watch UK are not aware of any evidence to support the Government's 'conveyor belt' theory that the expression of extreme or radical view leads to violent criminality. This is a concern drawn out by the JCHR, which concluded in its July 2016 report that: *"it is by no means proven or agreed that religious conservatism, in itself, correlates with support for violent jihadism."*⁵⁵

An independent review could further address the widely expressed concern that Prevent is divisive and counter-productive in practice:

- In evidence to the Home Affairs Select Committee, the outgoing Reviewer of Terrorism Legislation, David Anderson QC, argued that *"the Prevent programme is clearly suffering from a widespread problem of perception"*⁵⁶ and perversely *"has become a more significant source of grievance in effected communities than the police and ministerial powers (extended arrest and detention powers, port powers, passport removal, TPIMs with relocation) that are exercised under the Pursue strand of the CONTEST strategy."*⁵⁷ He further acknowledged the clear possibility *"that aspects of the programme are ineffective or being applied in an insensitive or discriminatory manner."*⁵⁸
- The Muslim Council of Britain, following extensive engagement with communities across the UK, reports: *"a widespread concern that Muslims are singled out as potential extremists"*, with particular concerns expressed about the requirement for Muslims to pass *"subjective and discriminatory counter-extremism litmus tests, as a condition of engagement"*.⁵⁹
- Concern around the discriminatory impact of the scheme is reflected in an open letter, signed by 360 academics to date, which argues that Prevent *"reinforces an 'us' and 'them' view of the world, divides communities, and sows mistrust of Muslims"*.⁶⁰

⁵⁴ See e.g. David Anderson QC, Supplementary written evidence to the Home Affairs Committee *Countering Extremism Inquiry*.

⁵⁵ JCHR, *Counter-extremism* report, summary, Available at: http://www.publications.parliament.uk/pa/jt201617/jtselect/jtrights/105/10503.htm?utm_source=105&utm_medium=sumbullet&utm_campaign=modulereports.

⁵⁶ David Anderson QC, Supplementary written evidence to HASC, paragraph 7.

⁵⁷ *Ibid.*, paragraph 11.

⁵⁸ *Ibid.*, paragraph 7.

⁵⁹ *Ibid.*

⁶⁰ *Joint statement by academics and public figures on the government's implementation of PREVENT through the Counter-Terrorism and Security Act 2015*, available at: <http://www.preventwatch.org/joint-statement-on-prevent/>.

- In passing a motion against the Prevent duty at its 2015 conference, the NUS concluded: “...[The Government] are attempting to monitor and control Muslim students, and attacking freedom of speech, organisation and discussion on campus more generally.”⁶¹
- The University and College Union, UCU, responded to the statutory duty with a warning that: “Prevent, and the government's approach to fighting extremism, risk stifling our right to question and challenge ideas with which we disagree.... It risks silencing those who are most vulnerable, leaving them no space in which to express their opinions or be challenged safely. Due to the Islamophobic narrative surrounding 'extremism', it also risks certain communities being targeted unfairly.”⁶²
- The UN Rapporteur on Freedom of Peaceful Assembly and of Association, at the conclusion of his visit to the UK in April 2016, expressed concern that: “Prevent is having the opposite of its intended effect: by dividing, stigmatizing and alienating segments of the population, Prevent could end up promoting extremism, rather than countering it”.⁶³
- In an interview with Open Society Justice Initiative, Former Director of GCHQ and architect of the original Prevent strategy, Sir David Omand, argued that “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.”⁶⁴

Effective engagement

In November last year, the Muslim Council of Britain initiated a grassroots national conversation aimed at engaging British Muslims in the debate about ways to effectively challenge the threat of terrorism. A mid-programme progress report released in October suggests that: “...communities overwhelmingly believe that the best way to tackle violent extremists is to demonstrate that British Muslims are part and parcel of British life”. The Council further reported a widespread concern about obstacles to effective engagement.⁶⁵ Similar sentiments were expressed during the Parliamentary passage of the 2015 Act. A

⁶¹ NUS conference 2015, *Motion 517: Counter-Terrorism and Security Act*. Available at:

https://nusdigital.s3-eu-west-1.amazonaws.com/document/documents/15469/84ddb0975328cbf3209bda92be723d8f/CD13_NC2015_Final%20Resolutions%20DRAFT%201.pdf?AWSAccessKeyId=AKIAJKEA56ZWKFU6MHNQ&Expires=1480527222&Signature=ehTcWUHV%2Bd0JWcqhY3dDKsDUxvA%3D

⁶² UCU and NASUWT statement on the Counter-Terrorism and Security Act 2015, available at:

<https://www.ucu.org.uk/counterterrorismact>.

⁶³ *Statement by the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association at the conclusion of his visit to the United Kingdom*, 21 April 2016. Available at:

<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=19854&LangID=E#sthash.Nyaj5BKA.dpuf>.

⁶⁴ OSJI, *Eroding Trust: The UK's Prevent Counter-Extremism Strategy in Health and Education*, Interview of Sir David Omand, London, 30 March 2016.

⁶⁵ Muslim Council of Britain, *The Threat of Terrorism: How Should British Muslims Respond? – A Progress Report*, <http://www.mcb.org.uk/the-threat-of-terrorism-how-should-british-muslims-respond-a-progress-report/>.

number of Peers argued that Prevent, as currently envisaged, involves a “*top-down approach*”,⁶⁶ and recommended consideration of an alternative not based on statute, but rather “*a community and bottom up approach*”.⁶⁷

Baroness Warsi has described “*a policy of disengagement... with British Muslim communities*,”⁶⁸ and HASC has expressed similar concerns and ambitions for a new approach incorporating effective engagement:

The Prevent strategy must be reviewed to produce a new and different inclusive approach that is much more transparent — and it should be renamed Engage, to attempt to remove its already “toxic” associations in the Muslim community. Allaying these concerns and building trust will require full and wide engagement with all sections of the Muslim community, including at grassroots level — and not just with groups which already agree with the Government.⁶⁹

An independent review should consider the roll of effective community engagement in addressing the terror threat.

Liberty and Rights Watch UK urge Peers to support amendment 466 to the Higher Education and Research Bill which would repeal of the statutory Prevent duty in universities. We further urge Peers to call for a wider independent review of the Government’s Prevent strategy.

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⁶⁶ Baroness Hussein-Ece, Lords Hansard: 28 Jan 2015: Column 213.

⁶⁷ Lord Scriven, Lords Hansard, 28 Jan 2015: Column 216.

⁶⁸ Baroness Warsi, Lords Hansard: 28 Jan 2015 : Column 212-213.

⁶⁹ HASC, *Internet giants “consciously failing” to tackle extremism on the web, Radicalisation: the counter-narrative and identifying the tipping point*. Available at: <https://www.parliament.uk/business/committees/committees-a-z/commons-select/home-affairs-committee/news-parliament-2015/radicalisation-report-published-16-17/>.