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The impact of counter-terrorism measures on Muslim communities

Tufyal Choudhury and Helen Fenwick

Durham University

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Contents

Tables	i
Acknowledgements	ii
Foreword	iii
Executive summary	v
1. Introduction	1
1.1 Background	1
1.2 Methodology	2
1.3 Structure of this report	3
2. The community, security and policing context	5
2.1 The community context	5
2.2 The security context	9
2.3 The legal and policy context	13
2.4 The policing context	15
2.5 Summary	17
3. Ports and airports	18
3.1 Security measures	18
3.2 Schedule 7	19
3.3 Summary	28
4. On the streets	30
4.1 Powers of stop and search under the Terrorism Act 2000	30
4.2 Use of s44 stop and search	31
4.3 Experiences of s44 stop and search	34
4.4 Surveillance cameras	36
4.5 Demonstrations and marches: the English Defence League	38
4.6 Summary	41
5. Neighbourhoods and communities	42
5.1 The local context	42
5.2 Relationships with others	44
5.3 Preventing Violent Extremism	46
5.4 Summary	65

6.	Schools, universities and mosques	67
6.1	Schools	67
6.2	Universities	68
6.3	Mosques	70
6.4	Summary	72
7.	Homes and families	74
7.1	Arrests, charges and convictions	74
7.2	The impact of arrests	75
7.3	The role of local authorities	81
7.4	Media coverage	82
7.5	From arrest to charge	83
7.6	Summary	84
8.	Conclusion	85
	References	88
	Appendix	98
	Endnotes	105

Tables

4.1	Searches of pedestrians, vehicles and occupants under s44	31
7.1	Terrorism-related arrest, charge, prosecution and conviction	75
A1	Profile of focus group participants	100

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Foreword

One of the most important duties of any government is to protect its citizens. We need safety and security in order to live our lives. The prevention of terrorism is about protecting some of our most basic human rights – a fact which sometimes gets lost in the debate about terror prevention and civil liberties.

The question for any government is how best to provide that protection. Experience from Northern Ireland teaches us that counter-terrorism measures have the potential to stigmatise whole communities, to fuel resentment and even to bolster support for terrorist movements.

There is a danger that Muslims in contemporary Britain may become the new suspect community. Policymakers and operatives are grappling with the old dilemma: it is an inescapable fact that the majority of those suspected of terrorist activities are Muslim, and that counter-terrorism measures are likely to target Muslims. Clearly, however, those measures will be counter-productive if they make ordinary British Muslims, who are of course just as affected by the terrorist threat as anyone else, feel they are constantly under suspicion.

This study, in a small-scale but in-depth way, seeks to explore these issues by giving voice to the experiences of some residents of four cities across Britain: Birmingham, London, Glasgow and Leicester. In a series of focus groups local residents, both Muslim and non-Muslim, were asked about their experiences and perceptions of counter-terrorism measures. We also conducted interviews with local and national policymakers and practitioners.

Some clear messages emerged from the research. There was a strong sense from those participating that Muslims and non-Muslims were living parallel lives, with Muslims much more aware of the impact of counter-terrorism measures than their non-Muslim neighbours. Some Muslim participants had experienced specific measures first hand, while others were simply concerned that such policies were contributing towards a wider hostility towards Muslims.

Among Muslim participants there was also a perception that the government was not giving enough attention to other very real problems affecting their communities (such as drugs, gangs, unemployment and racism), and simply focusing on counter terrorism.

These findings provide a timely snapshot, reminding us of the impact of counter-terrorism measures on the lives of ordinary people. They also raise some cause for

concern. Policymakers will only avoid the mistakes of the past if they listen and respond to voices such as those in this report.

Baroness Hussein Ece OBE
Commissioner

Executive summary

This report has been commissioned by the Equality and Human Rights Commission (the Commission) to develop and deepen understanding of the impact of counter-terrorism legislation on Muslim communities. There has been concern regarding the compliance of counter-terrorism laws and policies with human rights, and their potential discriminatory impact on specific communities.¹ In Great Britain, counter-terrorism measures are overwhelmingly experienced by Muslims. Since the terrorist attacks of 9/11 there has been a raft of legislation and policies specifically designed to counter terrorism: many of these have departed from the usual criminal justice or other policy and practice and have been subject to criticism and concern. Furthermore, the courts have found some measures to be non-compliant with human rights.

The need to understand the impact of counter-terrorism laws, policies and practices is critical, as counter-terrorism measures may be counterproductive, especially if they fail to protect human rights, discriminate, increase repression, or stigmatise and alienate certain groups. This can undermine the trust and confidence needed for effective cooperation and may, in itself, bolster the terrorist's narrative.

This is, primarily, a small scale, in-depth, qualitative study. It examines the experiences of counter-terrorism laws, policies and practices through case studies of local communities in four areas across Britain: Birmingham, East London, Glasgow and Leicester. In each of these areas four focus groups were held involving local residents (both Muslim and non-Muslim), exploring participants' experiences and perceptions. In addition, 60 interviews were held with individuals working in the civil society and community organisations, practitioners and officials at the local and national level.

Overall findings

When it comes to experiences of counter-terrorism, Muslims and non-Muslims from the same local areas who participated in this research appear to live 'parallel lives'. Counter-terrorism measures are contributing to a wider sense among Muslims that they are being treated as a 'suspect community' and targeted by authorities simply because of their religion. Many participants, while not referring to specific laws or policies, felt that counter-terrorism law and policy generally was contributing towards hostility to Muslims by treating Muslims as a 'suspect group', and creating a climate of fear and suspicion towards them.

A disconnect was identified between the insistence by the state that the primary threat to society is one of international terrorism, and the reality of Muslim

communities, where the key threats to society are perceived to be those of drugs, gangs, unemployment, and racist violence.

Muslims in this study had strong perceptions of the impact of counter-terrorism measures on their lives, particularly when those measures seemed to target people on the basis of religion, rather than any form of immediate threat or suspicion. There was widespread concern about the use of Schedule 7 of the Terrorism Act, stop and search, without suspicion at airports, as it affected a cross section of the Muslim population and involved questioning individuals about their religious beliefs and practices. For many young Muslim men on the streets, stop and search under Section 44 of the Terrorism Act (s44) has become their most frequent and regular contact with the police and in one specific area that had been subject to targeted CCTV surveillance, this was raised as the issue of most concern. Such measures were seen to add to perceptions of racial and religious profiling and discrimination.

Detailed findings

Varied and diverse experiences of Muslims

The Muslim population in Britain of 2.5 million people is very diverse in terms of its ethnicity, culture, religious practice and adherence, and individuals' experiences of counter-terrorism measures differ. Some aspects of the population mean they are more likely to come into contact with counter-terrorism measures than other communities: Muslims are younger than the general population - 60 per cent are below the age of 34; and their concentration in specific neighbourhoods and cities ensures that policing operations and practices in particular local areas have a disproportionate reach into Muslim communities.

The threat from international terrorism

Britain faces a real and serious threat from domestic and international terrorism. Since 2001, 237 people have been convicted for terrorism-related offences, a further 48 individuals have been placed under control orders and 228 individuals have been referred to intervention programmes for those who are deemed to be at risk of violent radicalisation. Government figures indicate that at least 2,000 individuals are of concern to security services. They do not indicate how many are of Muslim background but the security services maintain that their main focus is on Al Qa'ida-inspired international terrorism. However, data from the prison service show that 87 per cent of terrorism related prisoners in Great Britain in 2010 identified themselves as Muslim.

Given the nature of the actual and planned attacks from Al Qa'ida-inspired terrorism in Britain, these numbers reflect a real and grave challenge to the police and security services.

From the perspective of a Muslim population of over 2.5 million, however, these individuals are a tiny and virtually invisible minority. Muslims are told there is a 'severe' threat to the UK from international terrorism that they must help prevent and yet, for most in this study, this does not resonate with their everyday experience in their communities. This contributes to a perceived disconnection between state insistence on the primacy of the threat from international terrorism, and communities, where a wider range of social issues - drugs, gangs, unemployment and racist violence - are identified as posing a more real and concrete threat to society. This suggests that policy needs to acknowledge that communities' perceptions of threat are genuine and engage with these in their approach to working with them.

Ports and airports

Stops at airports under Schedule 7 of the Terrorism Act 2000 are having some of the most significant negative impacts across Muslim communities according to participants in this study. The power can be used to question any person, for up to nine hours, in order to determine if they are involved in terrorism. Crucially, anyone can be stopped; there is no need for 'reasonable suspicion' before a person is stopped. It is not possible to have a full picture of the extent to which Schedule 7 has been used in Britain since 2001 because the Home Office published figures for the total number of Schedule 7 examinations for the first time only in 2010. This revealed that 85,557 examinations took place in ports in Great Britain in 2009/10; of these 2,687 lasted for more than one hour (Home Office, 2010: 40). Between 2001 and 2009, 13,272 Schedule 7 examinations lasting over one hour were made. The impact is felt by the individuals who are stopped, and also by those friends and family members travelling with them or awaiting their arrival. For some Muslims, these stops have become a routine part of their travel experience, whereas non-Muslim focus group participants had no experience of Schedule 7 stops. Officials said that it plays an important role in deterrence, as well as providing a means for gathering information and recruiting informants.

The perception that Schedule 7 stops are based on religious profiling was reinforced by the questions posed to passengers. Individuals report being asked the number of times a day they pray, the names of mosques they attend, their understanding of the term jihad, their knowledge of Muslim community groups and organisations. Such questions intensified anger about Schedule 7 stops. The interviews suggested that this power is silently eroding Muslim communities' trust and confidence in policing. Although government officials and police officers are aware of the impact it is having, Schedule 7 was not part of the government's recent review of counter-terrorism and security powers. The evidence from this research suggests there should be a review of the use of Schedule 7, and continued publication of data on the actual number of stops and examinations.

On the street

Since 2001, there have been over half a million stop and searches in the streets using s44 of the Terrorism Act, but they have not led to any convictions in relation to terrorism. For many Muslims in the research, particularly young men, being stopped and searched in the streets, whether under s44 or other policing powers, has become their most frequent and regular contact with the police. For some, the frequency with which they are being stopped or observing others being stopped contributes to a sense of alienation and fuels perceptions of racial and religious discrimination. These dangers were recognised by police officers and policymakers. Interviewees referred to s44 as a 'blunt tool' and one that risks damaging community relations because, where it is used, it is often carried out by the least experienced officers. While the extent of its use by some police forces was criticised, practitioners argued that it was an important tool in specific circumstances.

The use of surveillance cameras was a major issue in Birmingham where, under project Champion, the police placed a net of cameras around several areas with large Muslim populations. The measure was criticised for collectively stigmatising and targeting Muslims in these areas. The lack of transparency and the failure to consult and take the views of local communities into account was also a key criticism. Anger over the surveillance cameras was particularly intense among individuals from community organisations that had been working closely with the police in the area of counter-terrorism. They felt it undermined the trust and confidence carefully developed over several years.

Counter-terrorism policymakers and practitioners are having to consider the impact of English Defence League (EDL) marches as, increasingly, this is the most direct manifestation of violent extremism many Muslims experience in their areas. Where there is consultation with local communities, research participants stated that policing around EDL marches can, in fact, provide an opportunity for building positive relationships across groups and communities in a city and strengthen cohesion and resilience to extremism.

Communities and neighbourhoods

The relationship and context that exist in local areas shapes the impact of counter-terrorism legislation on Muslim communities. Research participants reported that areas where good relationships between local authorities and a broad range of Muslim civil society groups were developed prior to 2001 were in a better position to meet the challenges that arose after 9/11.

Participants felt that Muslims have faced far greater hostility since 2001, in the form of verbal and sometimes physical abuse. Most felt this is because Muslims, as a

group, are seen as responsible for the actions of terrorists, with hostility greatest after a terrorist attack or incident. However, there is also some hostility from the political and media debates around the enactment of new counter-terrorism laws and policies.

The Preventing Violent Extremism (PVE or Prevent) programme was a considerable area of concern in interviews with those who work in Muslim community organisations and civil society, but hardly featured in the focus groups; where only a few Muslim participants had heard of Prevent, non-Muslims had not come across it. Interviews with policymakers and practitioners emphasise the extent to which PVE was an entirely new area of policy without any benchmarks and templates to follow and learning has, necessarily, had to be through trial and error. The targeting of funding to Muslim communities under PVE, particularly where it was directed at capacity-building and community cohesion, contributed towards a sense among Muslims in this study of being treated as a 'suspect community' and generating resentment from other communities, thereby undermining cohesion. Others felt that PVE was leading communities to misrepresent their activities and to exaggerate the threat in order to secure funding. In some areas, PVE was thought to be undermined by the lack of transparency around allocation of funding to groups. There was also concern about the lack of focus and clarity around the nature and scope of the programme.

Schools, universities and mosques

Schools, universities and mosques, as spaces where young people explore ideas as well as develop their sense of identity and belonging, have come within the scope of counter-terrorism policies. There is greater awareness in all three about their role and contribution in addressing violence and extremism. The actions of police and security services have led some student Islamic societies to feel that they are under close watch.

Mosques are responding to the agenda around counter-terrorism in a variety of ways. Some are active in directly addressing issues of extremism and terrorism; others focus on developing their governance structures and skills of their imams to ensure that they communicate and connect more effectively with young Muslims. However, a few mosques do not engage with issues around counter-terrorism. Some imams feel that they lack the skills or training for this task but for others, this reflects a sincere belief that mosques should focus on the spiritual needs of their congregation and steer clear of any political issues.

Families and homes

Since 2001 there have been 1,834 terrorism-related arrests in Britain. Over three-quarters of those arrested are released without charge and only 13 per cent have

been convicted of any terrorism-related offences. In those areas where there were a significant number of arrests, awareness and knowledge of these were high and a cause of concern raised by Muslim focus group participants. Non-Muslim focus group participants from these same local areas tended to have less knowledge of the arrests, and did not feel that they had any impact on them.

The fact that the majority of those who are arrested are innocent made many Muslims in this study feel that they too are vulnerable to being caught up in this way. Anxieties are exacerbated by a lack of understanding of key aspects of the judicial process, including the length of pre-charge detention, and the processes of charging individuals. Careful planning and consideration of various needs, particularly those of family members affected by a raid, are seen as important in communities. In general, given that the majority of arrests do not lead to a charge, efforts directed at ensuring low-key arrests with minimal publicity were viewed positively. Evidence suggests that local authorities have a critical role to play in containing the fallout from arrests and raids in their areas.

Conclusions

Counter-terrorism laws and practices are not experienced in isolation but do contribute to a wider sense among Muslims who participated in this study, of being treated as a 'suspect community'. Some Muslims are responding to this through greater engagement and in challenging the misperceptions about them. But many more report feeling increasingly alienated and isolated, with raised levels of anxiety and vulnerability. Some measures, in practice, specifically target Muslim communities and, as the courts have shown, may breach human rights and equality laws. They also run the risk of undermining trust and confidence in the police and security services. Furthermore, for the communities in this research, their experience of counter-terrorism measures highlights the disconnect between the level of importance given to key social issues within those communities and the emphasis on terrorism, and the attention these receive by law and policymakers.

1. Introduction

1.1 Background

The need to understand the impact of counter-terrorism laws, policies and practices on community cohesion, equality and human rights is critical. Concerns have been raised that counter-terrorism laws and policies are increasingly alienating Muslims, especially young people and students, and that counter-terrorism measures may themselves feed and sustain terrorism². This report has been commissioned by the Equality and Human Rights Commission (the Commission) to develop and deepen understanding of the impact of counter-terrorism legislation and policies in general, and on Muslim communities in particular. Building on existing studies, this report contributes to the research and wider public discussion through an examination of the experiences of counter-terrorism legislation and policies on Muslim communities in four local areas across Britain and interviews with practitioners and officials at a national and local level. This is, therefore, primarily a small-scale, in-depth, qualitative study.

Previous research suggests that counter-terrorism policies and practices may create a well of sympathy and silence among sections of society, especially if they increase repression, or stigmatise and alienate these groups (Silke, 2005). Studies show that Al Qa'ida and organisations closely linked to violent extremism operating in Western Europe use discrimination and the social and political marginalisation of Muslims as part of their narrative for recruiting people to violence (Wiktorowicz, 2005). The United Kingdom's own experience in Northern Ireland provides significant evidence of the potential ways in which counter-terrorism measures can be counterproductive (Campbell and Connelly, 2008; Hillyard, 1993, 2005; McEvoy, 2001; Sluka, 1989).

In June 2008, the then Home Secretary, Jacqui Smith, made a commitment to review the impact of counter-terrorism legislation on communities in the UK.³ A government review of the existing research base on *perceptions* of the impact of legislation identified a number of studies, both qualitative and quantitative, that address aspects of this issue, focusing in particular on perceptions of discrimination, human rights and confidence in public bodies. It noted a number of polls and studies which suggest a perception among UK Muslim populations that counter-terrorism laws are applied in an unfair or discriminatory manner. However, it concludes that few firm conclusions can be drawn from the existing research about the perceptions of the impact of counter-terrorism law due to the limitations of the methodology of these studies (DSTL, 2010).

In understanding the impact of counter-terrorism laws on Muslim communities today, parallels are inevitably drawn with the earlier experiences of Irish Catholic communities in Britain and Northern Ireland (Nickels et al., 2008; Peirce, 2008; McGovern, 2010). One starting point for research that seeks to compare the experiences of the two communities is Paddy Hillyard's 1993 study of the impact of the Prevention of Terrorism (Temporary Provisions) Act (PTA) 1974 on Irish communities in Britain. Hillyard noted aspects of the legal and policy framework that contributed to the treatment of Irish communities in Britain as 'suspect communities'. This included: the broad scope of offences and powers created under the PTA; the disproportionate use and focus of anti-terrorism legislation and policy on members of one community; the use of police powers for gathering intelligence and information; and the treatment of terrorism and terrorist suspects as distinct from other crimes and criminal offenders through the creation of different rules and procedures of questioning and detention. Using Hillyard as their starting point, Pantazis and Pemberton (2009) have argued that Muslims are the new 'suspect community'. Others, however, suggest that the diversity of Muslims in Britain makes it difficult to talk about the experiences of some Muslims as amounting to treatment of all Muslims as a 'suspect community' (Greer, 2010). Reflecting the need for an analysis of the differentiated impact of counter-terrorism across diverse Muslim communities, some researchers have focused on the experiences of particular sections and minorities, including Salafi and Islamist groups (Lambert, 2008) and Pakistani Muslim communities (Mythen et al., 2009).

The impacts of a range of specific counter-terrorism laws, policies and practices have also been explored. This includes the use of police stop and search powers (Human Rights Watch, 2010), the Preventing Violent Extremism policy (Kundnani, 2009; Innes et al., 2011), control orders (Brittain, 2008) and regulations directed at the financing and funding of terrorism (de Goede, 2003; Amoore and De Goede, 2005; McCulloch and Pickering, 2005; Quigley and Pratten, 2007). There appears to be less attention and focus on the impact of other aspects of counter-terrorism law and policy such as stops at ports and airports, arrests and pre-charge detention, indirect incitement and banning of organisations.

1.2 Methodology

This report is largely qualitative in nature, drawing on focus groups in four case study areas and interviews with national and local practitioners and officials. Qualitative research is illustrative, not statistically representative. It provides insight on people's views and perceptions but it is not possible to draw conclusions in the same way that they can from a robust, valid sample.

The four case study areas are Birmingham, East London, Glasgow and Leicester. Two areas, Birmingham and East London, had been the focus of high-profile counter-terrorism arrests and raids. Both London and Glasgow had also been the targets of Al-Qa'ida-related terrorist attacks.

In each of these areas four focus groups were held with local residents (both Muslim and non-Muslim) in local areas with significant Muslim populations. These focus groups aimed to explore participants' experiences and perceptions. Three focus groups in each area were with Muslim participants and one with non-Muslim participants. While the focus of the report is on the experiences of Muslims, the inclusion of non-Muslim focus groups allows for a comparison with the experiences of others living in the same local areas. At least one focus group in each area for Muslim participants was female only and one male only. A total of 96 individuals participated in the focus groups.

The research also involved 60 semi-structured interviews with individuals working in civil society and community organisations, as well as practitioners and officials at the local level in each of the four case study areas, and at the national level, in England, Scotland and Wales. All interviews were conducted on the basis that individuals would not be identified. In the report, quotes from the focus group participants only identify the gender, location and whether the quote is from a Muslim participant or not. Quotes from the stakeholder interviews give a broad indication of the professional background of the individual or the nature of the organisation for which they work. The detailed methodology, including the profile of focus group participants and the topic guides used at interviews and focus groups, is in the Appendix.

1.3 Structure of this report

Chapter 2 outlines the key contextual issues that are relevant in understanding the impact of counter-terrorism laws on Muslim communities. This includes the demographic features of Muslim communities, as well as the security, legal and policing context. The report is then structured around the impact of counter-terrorism laws, policies and practices as they are encountered in key geographical spaces or locations.

Chapter 3 examines encounters at the UK border. This covers both security measures taken at airports for reasons of flights safety and also powers used to stop and question individuals in relation to terrorism under Schedule 7 of the Terrorism Act 2000.

Chapter 4 moves on to the street where, again, people may be stopped and searched by the police, this time using powers under Section 44 (s44) of the

Terrorism Act. It then focuses on the experience of one case study area, where the intensive use of CCTV to track people as they travelled around specific neighbourhoods faced a significant backlash from local residents. This chapter also points to the way in which marches and demonstrations on the street by the English Defence League have become a feature of people's experience of violent extremism and, therefore, an important consideration of policymakers and practitioners working with local communities.

Chapter 5, on neighbourhoods and communities, looks at the importance of the local dynamics in different case study areas; as well as impacts on relationships between Muslims and other communities. The chapter then provides a detailed discussion of one strand of counter-terrorism policy, Preventing Violent Extremism (Prevent), which seeks to work with communities.

Chapter 6 examines experiences in three key institutional settings - schools, universities and mosques, which have been the focus of counter-terrorism policing and policies. They are seen as having a significant role in supporting the state's efforts in counter-terrorism, while in the case of universities and mosques, they are also viewed as potential locations where radicalisation may occur.

Chapter 7 sets out the data on arrests and convictions before examining the impact of arrests and raids on homes, families and individuals.

Finally, Chapter 8 identifies the central conclusions to emerge from this research.

2. The community, security and policing context

This chapter focuses on the community, security, legal and policing context which shapes the implementation and impact of counter-terrorism laws and policies. It begins by outlining key features of the Muslim population in Britain and focuses on how differences and diversities within the Muslim population mean that experiences of counter-terrorism policies and practices differ across a range of characteristics. The chapter then examines the security context in which counter-terrorism legislation and policies are applied. It outlines the nature and scale of the threat from international terrorism that the UK faces, and explores the perceptions of that threat among research participants. It then sets out the key legal and policy framework for the implementation of counter-terrorism measures. Finally, the chapter looks at the ways in which experiences of the wider criminal justice system impact on interactions and experiences of counter-terrorism and perceptions of the ways in which policing in this context differs from those in others.

2.1 The community context

The 2001 census found a Muslim population of 1.6 million in the UK. More recent estimates suggest that the population was over 2.5 million by 2010 and will increase to over 5.5 million by 2030 (Pew, 2011).⁴ Notwithstanding these figures, Muslims in the UK are not a single homogeneous community. Understanding this is critical in any attempt to assess the differing impacts of counter-terrorism policies on British Muslim communities.

Migration and settlement patterns

Muslims first arrived in Britain over 300 years ago. Yemeni sailors, who arrived after the opening of the Suez Canal, formed some of the oldest Muslim communities in the port cities of London, Cardiff, Liverpool, Hull and South Shields (Ansari, 2004). A senior government official recalls meeting the Yemeni British community for the first time in 2009 following increasing government concern about the impact of Al Qa'ida's presence in Yemen on communities in Britain. For some community groups this was the first time in over 100 years that the government had contacted them.

In the post-war period, migrants from the new Commonwealth came to fill shortages in the labour market. Most South Asians arrived as unskilled labour migrants to work in the mills and factories in the industrial areas of the West Midlands and North West England. The unskilled labour migrants began to be joined in the late 1960s and early 1970s by East African-Asians (Hansen, 2000). These were largely highly skilled urban, often middle-class, professionals and entrepreneurs. They tended to settle in London and the East Midlands. It is estimated that 20,000 of the group of 150,000 East African-Asians were Muslims, mainly Ismaili Shias, with family roots in Pakistan

or the Indian state of Gujarat (The Runnymede Trust Commission on British Muslims and Islamophobia, 1997).

Alongside Muslims of South Asian origin, other significant Muslim populations also settled in Britain in this period. There are, for example, estimated to be around 120,000 Turkish Cypriots and 80,000 mainland Turkish and Kurdish people in the UK (Enneli et al., 2005). Oil wealth combined with political instability in the Middle East also attracted investors and professionals from that region from the 1970s onwards. Muslims arriving in Britain from the Middle East have more diverse national and class backgrounds (El-Sohl, 1992).

In the course of the 1980s and 1990s, increasing numbers of Muslims arrived as refugees seeking asylum. Following the disintegration of the former Republic of Yugoslavia, this included large numbers of Bosnian and then Kosovar Muslims. Arabs, Afghans, Kurds, North Africans and Somalis formed a significant proportion of those seeking asylum in Britain. Some were political activists who maintained transnational political ties, including activists from organisations that were banned in the Middle East and North Africa. It was in this period that key figures connected to the subsequent radicalisation of young people in Britain, such as Omar Bakri Mohammed⁵ and Abu Qatada,⁶ arrived in the UK seeking asylum. This link between refugees and those involved in radicalisation has contributed to increasing public hostility towards refugees and new migrants (Crawley, 2005). Given their already insecure and precarious status, refugees' and asylum seekers' experience of state counter-terrorism policies is significantly different to that of Muslims who are British citizens (Rudiger, 2007). This was most clearly signified by the distinction made in the Anti-Terrorism Crime and Security Act 2001 Part 4 between the treatment of UK and foreign nationals in relation to detention without trial.

While, the 2001 census suggests Muslims make up only 3 per cent of the UK population, their concentration in specific neighbourhoods and cities ensures that policing operations and practices in particular local areas have a disproportionate impact and reach into Muslim communities. For example, a greater proportion of Muslims than the general population are affected by arrests, raids and the use of stop and search. Around two-fifths of Muslims in the UK (38 per cent) live in London, where they make up 8.5 per cent of the population. After London, the regions with the largest share of the Muslim population are the West Midlands (14 per cent), North West (13 per cent), and Yorkshire and Humber (12 per cent) (Hussain and Choudhury, 2007:15). Even within these regions, Muslims are highly concentrated spatially.

Diversity of Muslim populations

People's experiences and perceptions of policing are mediated by their age, ethnicity, gender, and socio-economic position. Here, the ways in which the demographic profile of the Muslim population in the UK differs from that of the general population are relevant. In relation to age, Muslims have the youngest demographic profile of any faith group in England and Wales. At the last census, one third of Muslims were under 16 years of age and about 60 per cent were under the age of 34 (Office of National Statistics, 2004).

Muslims in Britain are ethnically diverse. Data from the 2001 census shows that three-quarters of Muslims (74 per cent) are from an Asian ethnic background, predominantly Pakistani (43 per cent), Bangladeshi (16 per cent), Indian (8 per cent) and other Asian (6 per cent). Eleven per cent are from a White ethnic group, of which 4 per cent are of White British origin, and 7 per cent from another White background, including Turkish, Cypriot, Arab and Eastern European. A further 6 per cent of Muslims are of Black African origin, mainly from North and East Africa, particularly Somalia. A recent estimate suggests that the Somali population in the UK is now 100,000 (Wynne-Jones, 2009). There are also estimated to be up to 100,000 converts to Islam in Britain from a variety of different ethnic groups, including from the White British population (Brice, 2010).

Social deprivation is a feature of life for many Muslims. One third of the Muslim population in England and Wales live in the 10 per cent most deprived neighbourhoods (Beckford et al., 2006). Muslims have the highest unemployment rate and economic inactivity rate and the lowest employment rate of any faith group (Bunglawala, 2005). Berthoud and Blekesaune suggest that 'religion rather than ethnicity is the characteristic associated with employment disadvantage' (2007: 72). Analysis of Labour Force Survey data finds a decrease in the employment rates, real earnings and hours worked for immigrant men aged 16-25 from Muslim majority countries in the period after 9/11 and 7/7, compared to other immigrants (Rabby and Rodgers, 2010).

These data on social and economic disadvantage are relevant to understanding the impact of counter-terrorism legislation and policy, as communities and individuals that experience social marginalisation are more likely to be concerned about increased state policing powers. For such groups, increased state policing powers are likely to be seen as 'simply hardening the state's capacity to maintain the social status quo by enforcing their marginal status' (Pickering et al., 2008: 39).

Religion and identity

The British Muslim population is religiously diverse, covering both the Sunni and Shia traditions. It also covers a broad range of adherence and practice (Ferguson and Hussey, 2010; Change Institute, 2009). The extent to which a person is visibly identifiable as a Muslim shapes their experiences of life in the UK. Most research suggests that the greatest public hostility and prejudice is directed towards those who are visibly identifiable as, or perceived to be, Muslim, including non-Muslims, such as Sikhs wearing turbans (Choudhury, 2010; Sheridan and Gillett, 2005; Ameli et al., 2004). In the context of counter-terrorism policing and policy, focus has often been on specific minorities within the Muslim community; in particular, individuals and organisations that are affiliated to Salafi and Islamist traditions feel that they come under greater suspicion and scrutiny (Lambert, 2008).

The importance of religion in the identity of many Muslims, which has become clear since the 1990s (Modood et al., 1997; O'Beirne, 2004), is likely to influence their experiences of, and responses to, policing practices and counter-terrorism policies. Religion becomes a more salient and important marker of identity in response to experiences of discrimination (Ballard, 1996). Experiences of state repression and perceptions that Muslims are being treated as a suspect community and targeted by police because of their religion may increase in-group solidarity and identification with their religious identity. This could be a cause for concern among policymakers, given that some groups use Muslim identity as a way to challenge the possibility of integration, and to create an identity in opposition to British and European identity and values (Wiktorowicz, 2005).

Concern that the increasing importance of religion to the identity of Muslims may have a negative impact on integration needs, however, to be balanced against increasing evidence suggesting that religious identity plays a positive role for young second generation Muslims in Britain. A Muslim identity and Islamic discourse can be an empowering experience for young British Muslims in allowing them to critique and challenge the cultural practices of their parents (Knott and Khokher, 1993; Jacobson, 1998; Dywer, 1999). Archer's (2003) study of young Muslim men suggests that, for some, a strong Muslim identity provides a positive role model as an alternative identity that they can have pride in. This is in contrast to the ethnic 'Asian' identity of their parents (who are seen as economically weak and disempowered) and as an alternative to the gang and drug cultures of the 'street'. Modood (2006) also suggests that, for Muslims, religion has a positive role in encouraging and supporting educational aspirations. He argues that Islam in Britain is 'finely poised between a religion of a ghetto and a religion of social mobility – a kind of "Protestant ethic" – capable of sustaining the hope and discipline that the taking-up of opportunities requires'. He believes that 'for the latter trajectory to be actualised, mainstream Islam

requires encouragement not demonisation' (Modood, 2006: 250). The danger remains that counter-terrorism policies contribute to the demonisation of Muslims in public discourse, presenting Muslims and Islam as a threat to society, thereby tipping the balance towards Islam becoming 'a religion of a ghetto' rather than 'a religion of social mobility'.

2.2 The security context

The threat level

Perceptions of the threat that Britain faces from terrorism also inform people's evaluation of the necessity and proportionality of counter-terrorism measures. In January 2010, the Home Office announced that the security services' assessment of the UK's threat level had increased from 'substantial' to 'severe'; this means that a terrorist incident is 'highly likely'.⁷ According to Jonathan Evans, the Director of MI5, the United Kingdom 'continues to face a real threat from Al Qa'ida-related terrorism' which is 'persistent and dangerous'.⁸ In 2006, Evans' predecessor at MI5, Dame Eliza Manningham-Buller, indicated that the security services had identified 1,600 individuals who were 'actively engaged in plotting, or facilitating, terrorist acts here and overseas'.⁹ By July 2007 the Prime Minister suggested an increase in the number of individuals being tracked by security services to 2,000 individuals (Wintour and Travis, 2007). In the decade since 9/11, 237 individuals have been convicted of terrorism-related offences (see Chapter 7). A further 48 individuals have been made the subject of control orders (HM Government, 2011: 36) and 228 individuals have been identified as vulnerable to radicalisation and referred to the Channel Programme (see Chapter 5). As these figures are not disaggregated by religion, and as Britain also faces threats of other forms of domestic terrorism and extremism, it is not possible to say how many of the individuals in these figures have a Muslim background. Data from the prison service which cover religious identity of prisoners show that 87 per cent of terrorism-related prisoners in Great Britain in 2010 identified themselves as Muslim (Home Office, 2010: 13) These numbers, while serious and significant in terms of national security, are small - almost 'invisible' - in the context of a UK Muslim population of over 2.5 million.

Much of the work that is being undertaken by security services is, by its nature, closed to the general public. This makes it difficult for individuals to assess whether particular measures or policies are necessary or proportionate.

Perceptions of the threat level

In general, focus group participants, both Muslims and non-Muslim, questioned government information about the level of the threat from terrorism. Most agreed there was a threat but that it felt exaggerated, as it was amplified by media reporting. Some acknowledged that it was difficult to assess the credibility of the government's

assessment of the threat level as much of the information on which it is based is not public. Many, in justifying their scepticism towards the government assessment of the threat level, referred to the way they felt intelligence information was misused by the government to justify the 2003 invasion of Iraq.

For most in the case study areas, the high threat level generally from international terrorism claimed by government, although significant and obviously real, did not resonate with their everyday experience of living in their local area. In the case study areas where there had been only a small number of terrorist-related arrests, those who felt that there was a threat, suggested that it was located in other cities or communities:

'I think it could go anywhere; I don't feel at all threatened in Britain, I don't know anyone who personally feels they are threatened by terrorism but there is a general fear... it may be different in Bradford; but in Leicester we feel very blest [sic] and lucky... We are supposed to feel that the hammer could fall and crush our heads at any time. Just this week we are told that if Britain were to withdraw from Afghanistan then this would happen or that would happen, before a bomb has even gone off. We are supposed to be revved up; the climate of terror is not something that terrorists create, we do that ourselves.' (Non-Muslim, male, Leicester)

'Maybe we are cocooned. Everybody else thinks we're terrorists and yet we can't find them in our areas.' (Muslim, male, Birmingham)

The diversity of the Muslim population may play an important role here. While many Muslims identify themselves as being part of a 'Muslim community' and the threat of terrorism is also identified as coming from 'the Muslim community', in their everyday lives Muslims live in specific localities and through networks based on family, work, education and connections, developed through more particular ethnic and religious ties:

'People don't think there is that much of a problem. I don't know whether people are in denial of it, or whether, because it doesn't happen in their social circle, they don't see it as a problem.' (Volunteer, Muslim youth organisation)

'The general Muslims in this area just want to try and get a job, earn money, get through life and practise their faith, this idea that people are extremists is I think so, so, minuscule, it's so, so minuscule that it doesn't translate to the reality of what's being perceived.' (Youth worker)

The lack of contact between most Muslims and extremists is highlighted in the response by Muslims to a YouGov poll in 2005.¹⁰ Forty-seven per cent of Muslims in the poll believed that radicalising imams existed. At the same time, 69 per cent had

never come across one, whereas 22 per cent had heard one once or twice and only 5 per cent reported coming across them frequently. A counter-terrorism officer interviewed for this report found there was little pressure from communities to take action as ‘so much of the activity appears to be unknown to the community’.

Interviewees who worked with young Muslims also argued that claims that Muslim communities were in denial about violent extremism and radicalisation needed to be placed in the broader context of the disconnection between young Muslims and their parents across a range of social and cultural issues:

‘Yes, there is denial about extremism, but it sits alongside denial about pre-marital sex, drugs, gangs, domestic violence, abuse and all the other things parents find too difficult to talk about.’ (Youth worker)

A government official also drew an analogy between the lack of acknowledgement about the threat of violent extremists to the denial, in some Muslim communities a decade ago, about problems of drug addiction. The issue of drug addiction, he argued, was acknowledged as it reached a scale where the problem could not be ignored by communities. By contrast, shifting community perceptions of the threat from radicalisation is more difficult because, in his view, it is never going to reach the same scale. Among focus group participants, those who were willing to trust the government’s assessment of the threat level were generally more supportive of the measures that are being taken.

‘I prefer it: to know that government is taking measures; it makes you feel more secure. I was in London on the anniversary of 7/7; I have felt a bit scared. To know the government is taking measures, you know you can sleep peacefully at night. [Compared to] living in a country where nothing is being done. I’ve spoke to people who have come here to live in England after they’ve lived in such a country where there is so much terrorism that’s been imposed on them that they can’t even sleep and they feel so much happier to know that there are measures, there are police, and there are people that they can go to, to feel that protection. We are getting it right. If there was nothing being done you wouldn’t feel safe in your community.’ (Muslim, female, Leicester)

Community conceptions of threat

A significant theme in interviews and focus groups across all case study areas is the disjuncture between state perceptions of threat and community perceptions of threat. Statements from politicians, policymakers and practitioners reinforce a message that, for the British state, international terrorism is the greatest threat to national security. While clearly it is a threat, focus group participants in all the case study areas identified other issues as being of an equal or far greater threat to families and communities in their local area. These ranged from illegal drugs and

gang violence to youth unemployment and educational underachievement. As one youth worker recalled, for most young people extremism was a marginal issue: 'what affected them more immediately was drugs being sold on the street or relationship problems or those everyday things'. Another youth worker, citing the wider social problems that young Muslims face, criticised Muslims for their focus on the impact of counter-terrorism laws:

'The biggest issue [here] isn't terrorism or counter-terrorism, it's the breakdown of families. That is the issue that has killed the community here... The whole thing is blown out of proportion. How many families have been ripped apart because the police have asked stupid questions? How many have had a nervous breakdown, because of that? I'm not saying you shouldn't be dealing with that issue... but nobody is catering for these guys who are on drugs, on alcohol.' (Youth worker)

Several interviewees contrasted the visible engagement and action in dealing with extremism with the perceived lack of engagement from the police, government, or local authorities on these other issues. For some, the perceived lack of visible action against drug dealers was compared unfavourably to the attention and visibility of counter-terrorism policing, and taken as a sign that the police were not concerned about the issues that were having a more direct impact in their neighbourhoods.

'The people who are terrorists are the drug dealers; they are also terrorising people. There are people who bomb places... I don't think terrorism is restricted to those people, I feel like a drug dealer is as much a terrorist as the next man because he's killing the people from the inside. You don't see them [drug addicts] blow up, but they're taking drugs and dying and their families are just as affected. They're just as bad... I don't believe that the police don't know who the dealers are, everyone in the local area knows. How can they not see that?' (Muslim, male, Birmingham)

An experienced counter-terrorism officer agreed that the failure to address the security concerns of communities, and to understand community perceptions around threats, was damaging community police relations and undermining the willingness of people to talk to the police. He argued that increasingly the police 'record everything but do nothing'. He gave the example of counter-terrorism community engagement officers that receive information about non-terrorism policing matters such as anti-social behaviour, parking issues and vandalism. The officers record this information and pass it on to colleagues to deal with the matter. The problem arises when other officers do not see these issues as a priority for their work and fail to follow-up. There are signs, he said, that the failure to address these local issues is leading to individuals disengaging, as they feel, 'what's the point of talking to them [the counter-terrorism officer] if they can't do anything [about these other issues]'.

2.3 The legal and policy context

A large number and range of counter-terrorism legislative measures and policies have been introduced in the UK in recent years in response to a perceived heightened risk of terrorist attack. The starting point for this legislation is the Terrorism Act 2000 and its definition of 'acts of terrorism'. The definition in Section 1 of the Act is broad; it includes the use or threat of action that involves serious violence against a person, serious damage to property, endangering another person's life, creating a serious risk to the health and safety of the public or a section of the public and action designed seriously to interfere with or seriously disrupt an electronic system.¹¹ These actions become 'acts of terrorism' where two conditions are met. Firstly, the use or threat of action is designed to influence the government or to intimidate the public or a section of the public. Secondly, the use or threat of action is designed to further a political, religious or ideological cause.¹² The broad nature of the definition of 'acts of terrorism' in the Terrorism Act was justified on the basis that its primary role was to provide a platform for allowing the use of investigative police powers, and was not a term on which a criminal offence is based (Walker, 2002). Since then there have been a number of other statutes or related pieces of legislation.¹³

Two of the main issues to emerge from this research concern the use of counter-terrorism legal powers. The first is the use of powers under the Terrorism Act Schedule 7 to stop, search and examine people at ports and airports in order to determine whether they are concerned with the commission, preparation or instigation of an act of terrorism (see Chapter 3). The second concerns the powers under s44 of the Terrorism Act to stop and search individuals in designated locations in order to look for articles which could be used for the commission of acts of terrorism (see Chapter 4). Both these powers can be used without the need to have any reason to suspect the person being stopped. The scope and nature of these powers is discussed in further detail below.

The period of pre-charge detention was also raised as an issue of concern in focus groups (see Chapter 7). The maximum period of detention, applicable to a person arrested under s41 of the Terrorism Act, was seven days; it was extended to 14 days by amendment to s41(7) and Schedule 8 of the Terrorism Act under the Criminal Justice Act 2003, and then, after the July 2005 bombings in London, it was extended again, by further amendment under the Terrorism Act 2006, to 28 days. The government sought to extend the period of time to 90 days but was defeated in the House of Commons. The government sought to bring forward the 90-day period once again in the Counter-Terrorism Bill 2008 but was again defeated. Thus terrorism suspects could be held in detention for almost a month, in strong contrast to non-terrorist suspects, who can only be held for up to 72 hours, even for the most serious

offences. The power allowing for up to 28 days pre-charge detention was subject to an affirmative order of up to one year. If no order was made, the maximum period returned to 14 days. In July 2010 the government renewed this power for six months pending the outcome of a review of counter-terrorism and security powers.¹⁴ This order expired on 24 January 2011 and was not renewed so the maximum period for pre-charge detention returned to 14 days.

Both s44 and the period of pre-charge detention were part of the government's review of counter-terrorism and security powers. The government's Protection of Freedoms Bill includes provisions for repealing the powers contained in the Terrorism Act 2006, allowing the extension of the period of pre-charge detention from 14 to 28 days, and replacing these with a permanent provision for up to 14 days pre-charge detention. At the same time, the government has published draft emergency legislation to allow the period of pre-charge detention to return to 28 days for a period of three months, where there are circumstances that require this.¹⁵

Following the review, the Protection of Freedoms Bill contains provisions for the repeal of s44 with new powers that allow persons or vehicles to be stopped and searched, without the need for any reasonable suspicion in a specified area or place.

CONTEST, the name given to the government's overarching counter-terrorism strategy, provides a wider policy context for understanding the use of specific legal provisions. This is a multi-dimensional strategy corresponding to the multi-faceted nature of terrorism. The strategy has four strands – Prevention, Pursuit, Protection and Preparedness. Prevention takes in long-term goals, such as working to reduce tendencies leading to 'radicalisation', through, for instance, helping to resolve international disputes which terrorists can exploit; addressing issues of inequality and discrimination, thus ensuring that all citizens in the UK 'feel fully part of our society'; fighting the 'battle of ideas'; deterring those who facilitate terrorism and those who encourage others to become terrorists, thus 'changing the environment within which extremist and those radicalising others can operate'. Pursuit goes wider than actually seeking to prevent terrorist attacks, and includes: the disruption of terrorist activities, through better understanding of their capabilities and intentions; prosecutions, deportations, control orders and proscriptions of organisations; working with communities; making it harder for terrorists to operate domestically and abroad; and targeting their funds. Protection entails working to safeguard critical national infrastructure and other sites at risk and maintaining border security. Preparedness means ensuring effective contingency arrangements are in place for dealing with terrorist attacks (HM Government, 2006).

2.4 The policing context

Experiences of policing

Attitudes towards counter-terrorism policing are shaped by experiences of policing and the criminal justice system in other areas. The young demographic profile of the Muslim population, its ethnic composition, and the over-representation of those who are poor means that Muslims are at greater risk of being victims of crime than the general population (Spalek, 2005). Their experiences of interactions with the police as victims of crime can, therefore, be an important influence on trust and confidence in the police. Pakistanis and Bangladeshis are the group most likely to be victims of household crime and racially motivated crime, and report the highest levels of anxiety about crimes such as burglary and robbery (Clancy et al., 2001). They are more likely than the general population to believe that the police will treat them worse than people from other racial groups (Green et al., 2004: 98). Poor relationships between local Muslim youths and the police underpinned the tensions that existed in Oldham, prior to the riots that took place there in the summer of 2001 (Ahmed et al., 2001).

Across all the focus groups, individuals reported both negative and positive experiences of policing. Positive experiences were discussed in terms of individual officers that were particularly helpful, courteous, or viewed as going out of their way to address a situation. The negative experiences ranged from a failure of police to respond to reports of crime or to take such reports seriously, through to instances of bullying or abuse from individual officers. The ways in which police deal with hate crimes are particularly important, as they are identified as 'signal crimes' that have a major effect on Muslim community perceptions of safety and an 'important role in stimulating processes of radicalisation' (Innes et al., 2007: 29). Evidence from the focus groups suggests that where such crimes are not always taken seriously by the police, they severely undermine trust and confidence in the police and criminal justice process. One woman recalled her experience after youths threw down a lit cigarette on to her headscarf in a shopping mall shortly after 7/7:

'It was such a traumatic experience, because we've been spat at before, we've been sworn at, but this is physical harm; somebody actually physically harming you. And my daughter was with me as well. But what happened was eight hours I had to wait to be interviewed and even during that process the police kept saying that they're just young lads and trying to discourage me; that they are may be just playing around. But it's the principle of the matter... in the end the case was dropped; it didn't go as far as the court but nobody informed me. It was only when we chased it up that they said that it was too far ahead and there is nothing we can do. There wasn't sufficient evidence. They made excuses... The legal remedy wasn't there for me. I'm quite angry actually.' (Muslim, female, London)

Co-operation and partnership

Community engagement is said to be the cornerstone of effective counter-terrorism policy (Briggs et al., 2006). The need to build trust and support with communities is recognised in the National Policing Plan 2005–2008. It provides that the counter-terrorism strategy of government is underpinned by ‘strong community ties to build and increase trust and confidence within minority faith communities’ (Home Office, 2008: 22). The importance of trust and confidence has contributed to the application of models of community and neighbourhood counter-terrorism policing (Bettison, 2009; Innes, 2006). They also serve several purposes: improving communication with Muslim communities, marginalising extremists and promoting social integration (Klausen, 2009). Perceptions of procedural justice – whether participants think the police will treat them fairly, with dignity and respect – are important predictors of cooperation in relations between the police and British Muslim communities (Huq et al., 2011).

Community participation and empowerment are critical elements of successful partnerships between the police and Muslim communities (Spalek et al., 2009). Building trust and developing effective partnerships is, however, more difficult in the context of counter-terrorism policy and practice. Initiatives and activities aimed at building trust may be seen as a mechanism for gathering intelligence and take place alongside the use of other measures, such as covert surveillance, stop and search, arrests and lengthy periods of pre-charge detention (Spalek, 2010).

Across all the case study areas a consistent theme was the extent to which relationships of trust between the police and communities are often critically dependent on relationships with particular individuals, and are shaped by the personality and commitment of individual officers. In some cases, individuals remain a central contact point for communities in their interaction with the police, even after they retire. In two case study areas, relationships with individual police officers were sufficiently strong that they were called on to mediate internal community or organisational disputes or disagreements.

However, officers who work with local communities recognise that even where there is a high level of trust, challenges remain in gaining information. This, however, is not necessarily because people are not willing to provide information, but because most people are unaware that the information they have is relevant or important.

Counter-terrorism policing

Both police officers and interviewees from Muslim community organisations suggest that some features of counter-terrorism policing make it different from other areas of policing. This includes the difficulties that arise from a perceived lack of a clear line

between lawful and unlawful activity. In interviews, police officers referred to the importance of the wider social, political, religious and cultural context in evaluating the significance of information, particularly where the focus is on preventing violent extremism:

‘Around intelligence you have to understand the context... we think we can interpret the context but can we? It’s about being able to place groups, and people affiliated to different groups. We need a knowledge level that is quite sophisticated... if I think of our policing organisation we are quite clinical... you work in the actual. Whereas [in counter-terrorism], to a certain degree, you are dabbling in ideology, beliefs, capability. All of these are in the melting pot and at what point does somebody’s curiosity turn into a belief? When does that belief turn into some extremism? When does extremism turn into violent extremism?’ (Senior police officer)

An experienced counter-terrorism officer is harsher in her assessment: ‘We’re not good at context,’ she argues, ‘partly because we don’t understand what the context is and we are reluctant to get involved; because it is political.’

2.5 Summary

There is no single monolithic Muslim community and, therefore, no single monolithic Muslim experience of counter-terrorism policing. The experiences and impact of counter-terrorism policing are likely to be shaped by a range of characteristics, including ethnicity, citizenship status, age, gender, and socio-economic position. This diversity also affects perceptions of the threat level. Muslims are told there is a severe threat from international terrorism that they must help prevent and yet, for most in this study, this does not resonate with their everyday experience in their communities. This contributes to a disconnection between state insistence on the primacy of the threat from international terrorism, and communities, where a wider range of social issues are identified as posing a more real and concrete threat to society. The state needs to acknowledge that communities’ perceptions of threat are genuine and engage with these in their approach to working with communities.

3. Ports and airports

The British government's national security strategy cites the maintenance of 'strong borders' as 'essential to protect against terrorism' (Cabinet Office, 2008: 56-7). Ports and airports are, therefore, an important place where individuals have direct experience of policies, practices and powers relating to counter-terrorism. This chapter explores two specific ways in which counter-terrorism powers are experienced at ports and airports. The chapter begins with an examination of the experiences and views of focus group participants towards the range of security measures that have been introduced at airports to ensure the safety and security of flights. It then focuses on the impact of stops under the Terrorism Act Schedule 7.

3.1 Security measures

The use of airplanes in the 9/11 attacks, and subsequent attempts and plans to detonate explosives on airplanes in the UK and elsewhere, have led to more stringent security checks at airports. Restrictions on the quantity of liquids that can be carried on to flights in cabin luggage were introduced in response to a plot in Britain to blow up trans-Atlantic flights. Following the attempt by Umar Farouk Abdul Muttalib to blow up Northwest Airlines Flight 253 in December 2009 using explosives sewn into his clothing, the UK government began trials on the use of body image scanners at some UK airports. An interim Code of Practice on the use of body scanners was introduced, which provides that individuals may not be selected for scanning on the basis of personal characteristics which may constitute discrimination (Department for Transport, 2010). The Code also provided that a passenger can request, but not require, that the person viewing the image be the same gender as him/her. Since its introduction, there have been two reported cases of Muslims who refused to undergo a body scan and were, therefore, denied boarding on to their flight (Pavia, 2010).

In focus groups and interviews there was broad support from Muslim and non-Muslim participants for security measures that are necessary and important in ensuring the safety of flights. The security checks at airports (that is, the process of putting luggage, shoes and clothes through scanners, stepping through metal detectors and having pat-downs) were viewed as fair and carried out with respect, because it was clear that the measures were applied to all passengers equally. In the experience of most participants, selection of passengers for enhanced checks was random:

'A man in front, who wasn't Muslim, was asked to take off his shoes, while I wasn't. And he said, why isn't she being asked? She looks more like someone who is going to blow someone up than me. I don't mind to take my shoes off, but the security guard said we don't want her to take her shoes off, it's random. I was embarrassed.' (Muslim, female, Leicester)

A few participants reported feeling singled out, but even here most recognised that there was a need for the measures:

'I fly to London once a month and I don't wear a single piece of jewellery, nothing, and I still beep [going through security machine]... but I'm calm I let them do [a pat down] and I fly... and yeah, there is an element of me that thinks why me every time, but then on the flip side of it I think what if there is someone dressed like me, who looks like me, who is doing something illegal, who is jeopardising safety on the flight, I wouldn't want that on my shoulder just because they didn't check.' (Muslim, female, Glasgow)

There was, however, considerable concern among focus group participants about the use of body image scanners at airports. None of the focus group participants had personal, direct or indirect experience of the use of body scanners. Concern focused on the nature of the images that the scanners would produce, who would view these images and how they would be stored. Several Muslim participants referred to the possibility of being subjected to scanners as 'humiliating'. For some, it reinforced a sense that there was a significant difference between Muslims and other members of British society on issues of modesty in relation to clothing, while others recognised that concern about the use of scanners was not limited to Muslims. Many questioned the necessity of scanners and wanted alternatives to be considered for those who were uncomfortable with scanners:

'Is there a better way of doing it [than body scanners]? We don't mind people being strip searched, do it woman to woman or man to man; why have men looking at women; it raises the heart beat of the Muslims.' (Muslim, Male, Leicester)

'Full body scanners, the idea is disgusting, it's like pornography. I would rather be taken into a separate room and strip searched.' (Muslim, female, Leicester)

In some areas, police responded to concerns about the use of body image scanners by arranging visits to airports for individuals from local community groups.

3.2 Schedule 7

The use of Schedule 7

Schedule 7 of the Terrorism Act 2000 gives 'examining officers' at ports and airports the power to stop, search and examine an individual in order to determine whether or not a person is concerned in the commission, preparation or instigation of an act of terrorism. The examining officer does not need to have any reasonable suspicion in order to question or examine an individual under this power. A person may be detained for up to nine hours for the purposes of a stop. This was described by one

interviewee as amounting to a 'de facto arrest'. Several interviewees viewed Schedule 7 as equivalent to a s44 stop and search at the airport, as both allowed individuals to be stopped without any need for grounds of suspicion.

A statutory Code of Practice for Examining Officers provides guidance on the application and interpretation of Schedule 7 powers (Home Office, 2009). The Code provides that an examining officer should 'make every reasonable effort to exercise the power in such a way as to minimise causing embarrassment or offence to a person who is being questioned'. The power must be 'used proportionately, reasonably, with respect and without unlawful discrimination'. Furthermore, examining officers should take particular care to ensure that the selection of persons is not 'solely based on their perceived ethnic background or religion' and 'a person's perceived ethnic background or religion must not be used alone or in combination with each other as the sole reason for selecting the person for examination.' While the examining officer can stop a person without any suspicion, the Code makes it clear that decisions should not be arbitrary but based on the nature of the threat posed, including information on the origin or location of terrorist groups, and the trends of travel patterns of those linked to terrorist activity.

Data on the extent and use of Schedule 7 is limited. A distinction is made in recording data, between a stop and an examination.¹⁶ There is no recording of data on stops. Data on all examinations of less than one hour are kept locally. However, the Code of Practice only requires data on examinations of more than one hour to be collected centrally. As a consequence, until recently, the Home Office only provided data on Schedule 7 examinations that last for more than one hour. Requests for information about examination of less than one hour from individual ports and airports are refused on the grounds that such information would reveal the pattern of use across particular locations. It is, therefore, not possible to have a full picture of the extent to which Schedule 7 has been used in Britain since 2001. In 2010, for the first time, the Home Office published figures for the total number of Schedule 7 examinations in 2009/10. This revealed that 85,557 examinations took place in ports in Great Britain in 2009/10; of these 2,687 lasted for more than one hour (Home Office, 2010: 40). Between 2001 and 2009, 13,272 Schedule 7 examinations lasting over one hour were made. There is no data on the number of individuals that have been convicted following these Schedule 7 examinations. Data from the Home Office only states that Schedule 7 examinations between 2004 and 2009 resulted in 99 arrests, this resulted in 17 people being charged under the Terrorism Act and 31 under other terrorism-related offences and 43 convictions. However, this does not mean that 43 individuals have been convicted, as some individuals may have been convicted of more than one charge.¹⁷

The Home Office data, for Schedule 7 examinations of over one hour for the period April 2009 to March 2010, is disaggregated into five broad ethnic/racial categories. Based on the perceived ethnicity of the respondent as defined by the examining officer, the data shows that the largest group to be stopped is defined as White (46 per cent). This is followed by Asian (27 per cent); Chinese and Other (19 per cent); African/Caribbean (7 per cent), and Mixed Race (2 per cent).

Reasons for Schedule 7 stops

Officials have argued that arrest and convictions should not be the primary measure of the success of Schedule 7. In his review of the use of counter-terrorism powers, Lord Carlile maintains that the 'obvious presence of port officers is a deterrent to terrorists... knowledge, on their part, that a port is manned efficiently and the subject of strong and well-informed vigilance is a significant inhibition against targeting that port' (Lord Carlile, 2010: 39). He has, however, repeatedly argued that 'the number of random or intuitive stops could be reduced considerably' without undermining national security (Lord Carlile, 2010: 37).

In interviews, police officers indicate that Schedule 7 stops serve a variety of purposes including information and intelligence-gathering, questioning persons of interest or persons who may be of interest, and recruiting informants. A senior counter-terrorism police officer insisted that the recruitment of informants was not the primary purpose but 'an important by-product' of the stops. He maintained that the primary role of Schedule 7 is deterrence:

'If I were to claim a value for [Schedule 7] it would be deterrence. I think it's just the same as customs. You and I know we will probably not ever be stopped if we go through the green channel but the minute there is a chance that you might be and you might be examined and your belongings might be examined... that a significant number will be stopped and will be examined is [a deterrence]. Again, proving that, research wise or academically, is very difficult.' (Senior police officer)

Police interviewees argue that decisions on Schedule 7 stops are not based on ethnic profiling but can be based on risk assessment around specific routes and in response to intelligence and information they receive:

'The airports present, for us, a filter point for people accessing the country... intelligence feeds will give us, if not specific individuals using certain flights going to and from certain destinations, at least a profile, which isn't just racially based but can be seen that way so that people that present the highest threat and risk of harm in terms of radicalisation and extremism will be coming and going from certain countries... the intelligence may well be that someone will be coming on this flight from whichever country, but more often than not, the intelligence falls short of

that. It will be, something has been picked up somewhere that a someone is coming from this destination or on a certain route, the day of the week may not even be known... In order to maintain some security there is a feeling that a general approach is needed, a general approach leads to suggestions and feelings of stereotyping and all the rest of it... flights and routes are risk assessed, it's not that every flight is stopped.'
[Senior police officer]

They acknowledged that the use of flight risk assessments meant that those travelling on particular routes were more likely to be stopped. This creates an impression of racial profiling. The interviews with community groups and civil society organisations suggest a significant concentration of Schedule 7 stops among individuals of Afghan, Pakistani and Somali background. While the interviews suggest that most relate to flights to and from South Asia, the Middle East or East Africa, there are also examples of Muslims who have been stopped on domestic and European flights.

Experience of Schedule 7

Non-Muslim participants in the focus groups did not recall any experiences of Schedule 7 stop at ports or airport. By contrast, the indications from Muslim participants across the focus groups and interviews with community groups and practitioners in the case study areas were that Schedule 7 stops at airports are perceived to have a widespread negative impact on Muslim communities. Interviews with those working in Muslim communities suggest that the prominence of this issue reflects the profile of those stopped. As Schedule 7 stops involve airline passengers, it has a greater impact on businessmen and professionals. In several areas, the stops have involved imams and those working in local community organisations, including those working with the police. Furthermore, when one person is stopped, it impacts on those travelling with them. Focus group participants suggest that for some Muslims, stops have become a routine part of their travel experience:

'I went to Turkey recently with my uncle, and he always gets stopped. Every single time he comes to the UK he gets stopped. The business that he is in is import and export.' (Muslim, female, Leicester)

'The first thing you always ask your friend when they come from travelling is, did they stop you... it's not how was the holiday, it's did you get stopped and what did they ask you. That is the first question people ask each other now.' (Muslim, male, Glasgow)

'If you look at Schedule 7 there is barely a family in the community that will not have been affected by it... to varying degrees but people will have been offended by it... they get picked out they get asked this set of questions that other passengers don't get picked out... there is no reason

to stop innocent people that you have no information on at an airport.’
(Muslim civil society activist, Glasgow)

‘The one that captures the attention is Schedule 7... that is the one that is most felt... everybody, but everybody knows somebody that has been stopped... not just stopped but also hassled at the same time... it comes back and permeates through the community.’ (Civil society practitioner, Leicester)

‘Stopping at the airport that has caused a lot of resentment, not only the young people but older people, families coming back from India and Pakistan or flights from Dubai, they are singling out either the parent, the father or a brother, and it means the rest of the family is kept waiting for five hours. You are not just alienating that individual, you’ve got a family and the family go into the community; they then tell their community and before you know it you’ve got the community saying what’s happened to you.’ (Local police officer)

The interviews suggest that the experience of being stopped and questioned at an airport is often more stressful than a stop in the street. This may be a function of the general stress of travelling; individuals are with families or may have families or friends awaiting their arrival. Added to this are concerns about missing flights or connections and losing baggage if a flight is missed. For those who are not British citizens, there are additional concerns and feelings of vulnerability that arise from their less secure immigration status, for example, those who are arriving to join family, on holiday or as students.

Taken together, interviews and focus groups reveal two distinct experiences of being stopped. In the first group are individuals who are stopped at airports and find themselves questioned on a range of issues that to them seem, at best, irrelevant and, at times, provocative. Focus group participants in this category who had been stopped under Schedule 7 are particularly surprised by the nature of the questions they were asked. Questioning under Schedule 7 is not related to the safety or security of a particular flight but aims to determine whether a person is concerned with the commission, preparation or instigation of acts of terrorism. In many cases, anger arises from the nature of the questions asked as these intensify their sense of being targeted because they are Muslim. Individuals recalled being asked questions relating to their religious and political beliefs, as well as their personal activities in their communities. One interviewee recalls being questioned about his understanding of jihad; another about polygamy and his views of different political Islamic organisations and Muslim community groups. Such questions led most to feel that they were being targeted as Muslims, and that the questions were being used to build up profiles of them and to gather information in general about Muslim communities.

'My husband and I were stopped at the airport... They asked him, if somebody gave him a gun would he be likely to carry it. And has he ever been offered one. They asked him ridiculous childish questions... to stop a plane being blown up you need me to take my clothes off, and you've got to search me. I've not got a problem with that. But to put me in a room and ask me do I want to buy a gun and how did your wife buy a ticket, is kind of daft.' (Muslim, female, Leicester)

'I don't mind them stopping people but they are trying to get people on any issue: their financial situation; their marriage. I understand your concern is terrorism, check on that, but why go through their lives? I don't mind. But, to ask whether a person takes the dole, or not, is that their business?' (Muslim, male, Leicester)

'A big complaint is the kind of questions that were being asked, like do you know where Osama Bin Laden is? Which mosque do you pray at? In one meeting [with the police about Schedule 7] it led to comical moments with someone asking "which mosque don't you want us to pray at? Which are the problem mosques?" To which the answer was, none... If you have information you should question them at any point... to have a special regime that you have to wait for someone to go on holiday to question them doesn't make sense. It's just a fishing expedition... in that respect it's a complete waste of time.' (Muslim civil society activist)

Interviews with police officers suggest that screening questions asked by port officers include asking individuals which mosque they attend, the number of times a day they pray and whether they know the whereabouts of Osama bin Laden:

'One individual from Afghanistan, an asylum seeker, was asked, "do you know the whereabouts of Osama bin Laden?" He said, "If I did I would be claiming a reward"... he was held for 4 or 5 hours... mobile phone taken off of him... SIM card taken... all his credit cards taken.' (Local police officer)

A senior counter-terrorism officer suggests that the implementation of questions at airports is a challenge because of the level of knowledge of the wider context that is needed to use them effectively:

'I always worry about the level of training you need to give an officer; at the end of the day I could probably engage with you about world affairs, about politics, about Egypt just now. I could have a chat about all aspects of the Muslim religion. I could probably understand the values that you have. Now that has come from many years of exposure... It's the ability to have a sensible conversation. My worry is that some clever person is given a series of questions [the Schedule 7 screening questions], all of which I think I could probably use, cause I'm experienced quite well... and we've made it tick box, and of course it looks stupid... but how do you overcome that. Its huge training; it's asking police officers to read papers, to understand about cultural issues. It's asking a lot.' (Senior police officer)

There is a second group of individuals who face questioning which suggests that they, or an organisation or institution with which they are connected or affiliated, have been under surveillance. Here, the interest may not be in the individual directly but a particular mosque, community organisation or student Islamic society that the individual is associated with. Some mosques also feel that their congregations are the targets of Schedule 7 stops. The impact of Schedule 7 stops on individuals in this group is perhaps more profound:

‘People definitely think they are being targeted because they are from a particular Muslim background. As a result of that it is definitely having a knock-on effect; it is definitely affecting a lot of people. People feel they are being targeted, that they are the victims of what is going on... close to one hundred of our congregation have been stopped, including imams and mosque committee members.’ (Mosque official)

An interviewee who works for a civil society organisation reported coming across examples of refugees, asylum seekers and those seeking citizenship or permanent residency being targeted for recruitment as police informants in the course of Schedule 7 examinations, with promises that their applications would be dealt with favourably if they cooperated.

An interviewee who works with young people explains the impact of Schedule 7 stops on some students:

‘The kinds of questions that are asked make them [Muslim students] really feel that they are targeted, marginalised. Also, it’s reduced their trust in the police to keep them safe; it’s made them feel less safe. And, in the longer term, a lot of them feel as if they are constantly under surveillance... It has left some feeling paranoid as well... it may be an exaggerated feeling to think that you are being watched but that is the impact that this is having on people.’ (Student officer)

Furthermore, for some individuals, the perception that they are under surveillance that arose from the questions they were asked during their Schedule 7 stop has led to a withdrawal from wider social participation:

‘A lot of them, before they were involved in social events, organising charity work and stuff; they have now stopped that completely, or reduce that to a huge extent... Police say if you have nothing to hide you have nothing to fear, that is not right, in fact, people who have nothing to hide have been given something to fear by all the stops and searches.’ (Student officer)

Police and Muslim civil society organisation interviewees suggest that the likelihood of being stopped, and the experience of individuals when stopped, differs between airports. Such information appears to gather credibility within communities, and leads some to re-route their flights away from airports where they feel they are more likely to be stopped, or poorly treated when they are stopped. In one area, a local travel agent began to route flights from Pakistan through airports in other areas as passengers preferred this to the inconvenience of a Schedule 7 examination.

Individuals who discussed Schedule 7 examinations suggested a lack of consistency in the approach taken by examining officers. When an individual misses their flight as a consequence of a Schedule 7 examination, the examining officer retains discretion over whether to assist them in rebooking their flight. The interviews suggest that in most cases, they will do so, but the practice is not consistent and there are instances recalled where the examining officer has agreed to contact the airline to explain the situation but then failed to do this. Furthermore, while the police are able to help, for example by contacting the airline to explain why a passenger missed their flight, the decision of whether to provide them with a seat on the next available flight or require them to rebook their ticket remains with the airline. Depending on availability of seats on flights the delay to travel plans can be far longer than the examination itself. The interviews suggest the need for greater consistency and clarity around the help and support that is needed for those who, as a consequence of the examinations, have their travel plans disrupted.

Among the concerns of those examined under Schedule 7 is a fear that their names are retained on a database which will affect their future travel. An MP in one of the local case study areas, who has had to deal with a number of Schedule 7 cases, raised this issue with the police and asked for clear confirmation that this information would not be retained, but has not been able to obtain that assurance, characterising the answer received from the police as ‘at best evasive’.

Responses to concerns about Schedule 7 stops

The impact of Schedule 7 stops on communities is usually picked up by police in local areas rather than by port officers. This has led local police officers in some case study areas to take action to address community concerns. However, officers in one case study area felt that the first time they raised their concerns with ports’ examining officers it was not taken seriously, as the impact on community trust and confidence was, at that time, not regarded as a significant consideration:

‘...we facilitated a meeting between ports’ police and key [community] individuals so that they knew what it felt like... but at that [time] there was no interest in what they called this “pink and fluffy stuff”.’
(Local police officer)

The interviewee notes, however, that these attitudes have now changed; they feel that there is now far greater recognition of the need to understand the impact of policing on the wider context and on local communities. Another experienced counter-terrorism officer, weighing up the benefits from Schedule 7 stops against its impact on trust and confidence of police in Muslim communities, argued that overall, 'in terms of balance we lose more than we gain', although he acknowledged that 'port officers wouldn't agree... they would say we are doing a very valuable job'. In another case study area, a local police officer refers to Schedule 7 stops as something that is 'bubbling under the surface... eroding trust'. A senior officer acknowledged that it was an issue that was 'festering' in communities. Senior government officials and local police officers are aware that the scale and nature of Schedule 7 stops are a significant source of discontent in some Muslim communities.

Local police officers who are aware of the impact of Schedule 7 stops in undermining trust and cooperation in their local area point to the difficulties in addressing these issues, as priorities differ across different parts of the police force. In particular, the impact of a port stop on relations between the community and police in a local area may not be the primary concern of port officers:

'[Port officers] were looking to gather intelligence... so while they may have hit their target of the number of people from a particular region that they need to stop and question (and I don't know that they have such a target) they have no consequence of the damage to our reputation when the person they stopped passes through the gates, comes home and retells the story that 'I was stopped for three hours and one of the questions was, what do I think of President Bush'. And that was one of the questions that people were routinely being asked. So it's really damaging.' (Police officer)

One response to Muslim community concerns by local police forces has been the creation of advisory or reference groups around Schedule 7. In one of the case study areas, all individuals who made complaints about Schedule 7 stops were contacted to participate in the group, while in others, members of key community institutions such as mosques which have raised concerns about the stops were invited to participate. Police interviewees, nevertheless, acknowledge that there are difficulties in establishing the legitimacy of any group that is formed by the police.

A key function of the advisory and reference group, from the perspective of the police, is to observe the stops and dispel what they feel are community myths about them. In the experience of Muslim civil society organisations, compared to other areas of policing, including s44 and PVE, Schedule 7 stops remain an area where there is limited community engagement. Their key concerns included the lack of data on the use of Schedule 7 powers and the perceived lack of effective accountability mechanisms to oversee the use of the powers. In relation to data, Muslim civil society

groups have called for more comprehensive data to be collected and released showing the extent and ethnic background of those who are examined under Schedule 7. Data, based on the examining officers' perception of a person's ethnicity, is now published. However, data based on the self-defined ethnicity of those subject to a Schedule 7 examination, while collected, is still withheld from publication on the ground of national security. Most also felt that there was limited awareness in communities about the rights individuals had when they were stopped and questioned.

Some community activists have argued for greater democratic and political accountability of the use of Schedule 7 stops. Given the sensitive nature of information that informs decisions to make stops, one suggestion is for greater parliamentary oversight and scrutiny of their use. Other suggestions include the use of an independent body to carry out post-interview surveys on passengers who have been stopped.

Others have focused on the need to change the scope of Schedule 7 powers. One Muslim civil society group, while recognising that Schedule 7 stops are an important tool for disrupting would-be terrorists, maintains that examinations of several hours should only be possible if there is 'reasonable suspicion' of an individual (FOSIS, 2010).

3.3 Summary

Muslims in this study are supportive of a wide range of the measures that have been introduced at airports in response to the threat from international terrorism, where it is clear that they are treated in the same way as other passengers and are not subjected to discrimination on the basis of their religion. There is concern about the violation of norms of privacy and modesty that arise from the use of body scanners; however, the research did not pick up any examples of individual adverse experiences in relation to the use of scanners.

By contrast, where Muslim participants feel that the state is using its powers to target them because of their religious identity, this becomes a source of intense resentment and anger. Schedule 7 stops fall into this category. The interviews suggest that this power is silently eroding Muslim communities' trust and confidence in policing. It was raised as an issue in focus groups and interviews across all four case study areas. Many individuals were particularly outraged by the nature of the screening questions posed which intensified a feeling of religious profiling. Police forces are increasingly aware of the impact it is having and there are efforts in some areas to address concerns; however, so far most seem to concentrate on explaining rather than changing the use of this power. Evidence suggests there is a need for greater

transparency and accountability around its use, and that data on the precise scale of the use of Schedule 7 is needed.

4. On the streets

This chapter explores the ways in which counter-terrorism policing and practices affect Muslims in the case study areas as they go about their daily lives in the streets and public spaces of the towns and cities where they live and work. It begins with an examination of, perhaps, the most widely experienced counter-terrorism policing power: the use of powers to stop and search individuals in the street. It then focuses on an issue that is of particular concern in one case study area, the creation of a 'net' of surveillance cameras on the streets in several areas of Birmingham with large Muslim populations. Finally, the chapter looks at how Muslim communities, police and public bodies have responded to anti-Muslim marches and demonstrations by the English Defence League (EDL) and their Scottish and Welsh counterparts through the streets of British towns and cities with significant Muslim communities.

4.1 Powers of stop and search under the Terrorism Act 2000

The right of the police to stop individuals as they go about their lawful business is a significant intrusion on an individual's liberty. The police can stop and search individuals and vehicles under a range of different powers.¹⁸ There are two specific provisions in the Terrorism Act that allow the police to stop a person. The first of these, Section 43 (s43), allows a police officer to stop and search a person (but not a vehicle) where there is a 'reasonable suspicion' that the person is a terrorist. The second, Section 44 (s44), empowers police officers, where an appropriate authorisation has been made, to stop any person or vehicle within the specified locality in order to look for articles which could be used for the commission of acts of terrorism.

Crucially, while the s44 power can only be used to stop and search a person in order to look for articles that can be used for the commission of acts of terrorism, it arises independently of reasonable suspicion relating to objects suspected of being carried, or of reasonable grounds to believe that acts of terrorism may occur in the area covered by the authorisation. Furthermore, if a person fails to stop and submit to a search¹⁹ when asked by a constable acting under s44 of the Terrorism Act to do so, or wilfully obstructs the constable in exercising these powers, he or she will be liable to a fine of £5,000 or a prison sentence of six months, or both, under Section 47.

The PACE Code of Practice (Code A) on the use of stop and search powers applies to the use of s43 and s44. In relation to s43 it provides that 'reasonable suspicion can never be supported on the basis of personal factors'; rather it needs to be based on 'intelligence or information about, or some specific behaviour by, the person concerned'. Furthermore, 'it cannot be based on generalisations or stereotypical images of certain groups or categories of people as more likely to be involved in

criminal activity' and the code makes it clear that 'a person's religion cannot be considered as reasonable grounds for suspicion and should never be considered as a reason to stop or stop and search an individual'. However, the discriminatory and disproportionate use of stop and search powers generally against individuals from ethnic minorities has been a wide spread concern over the years (Bowling and Philips, 2007; Equality and Human Rights Commission, 2010).

4.2 Use of s44 stop and search

Table 4.1 Searches of pedestrians, vehicles and occupants under s44²⁰

Year	S44 stops and searches	Arrests for terrorism offences from s44	Convictions for terrorism offences from s44
2001/02	10,200	20	0
2002/03	32,100	19	0
2003/04	33,800	19	0
2004/05	37,000	64	0
2005/06	50,000	105	0
2006/07	42,800	28	0
2007/08	126,500	19	0
2008/09	210,000	9	0
Total	542,400	283	0

Source: Home Office; data cover the period 1 April to 31 March, see also footnote above.

Note: Data for 2009/10 are available and show that 101,248 s44 stop and searches were carried out. However, these data are not directly comparable to previous years. The 2009/10 data include s44 stops for the whole of Great Britain while earlier data relate to England and Wales only; furthermore, they include s44 stops by the British Transport Police which are not included in the data for the previous years.

Since February 2001 when s44 came into force, it has been used to carry out over half a million stops, although the use of s44 stop and search was suspended for individuals in July 2010. The Metropolitan Police Service (MPS) substantially increased their use of s44 powers after the attempted bombings at the Haymarket in London in June 2007. The stops have led to 283 terrorism-related arrests but, so far, no one has been convicted for terrorism-related offences as a result of a s44 stop (HM Government 2011: 16).. Most recent data show that in the year ending September 2010, there were 45,932 s44 stops and searches in Great Britain, a 77 per cent fall over the previous 12 months. The number of stops and searches in the second quarter of 2010/11 (666) was 98 per cent below the same quarter in 2009/10, largely accounted for by the suspension in its use. Nineteen per cent of those stopped and searched under these powers classified themselves as Asian or Asian British (Home Office, 2011).

The extensive use of s44 has been criticised by a range of individuals and organisations including Lord Carlile (2009), the independent reviewer of counter-terrorism legislation, Human Rights Watch (2010), and the Metropolitan Police Authority (2004). This is the counter-terrorism power that the public has most direct experience of and the one that gives rise to the most grievances (HM Government, 2011).

In 2008/09, black people were six and a half times more likely and Asians five times more likely to be stopped under s44 than the white population of England and Wales (House of Commons Library, 2011). Lord Carlile has argued that the impact of the extensive use of s44 is 'undoubtedly negative' (Lord Carlile, 2009: 31).

The use of s44 powers varies across Britain and this is observed in its differential use across the four case study areas. The most extensive use was by the MPS in London. The second most frequent use of s44 was by the British Transport Police (BTP). In other case study areas, s44 was used by local police forces for short periods of time, usually in the immediate period after a terrorism-related arrest or incident. In Scotland, the extensive use of s44 stop and search by BTP in the months after the Glasgow Airport bombings, led to criticism of its use by the Scottish Justice Minister, Kenny MacAskill. One senior Scottish police officer felt that BTP appear to have 'their own performance regime dictated by London' which was at variance with the emphasis and importance placed on policing by consent in Scotland. There was nevertheless recognition that the pressures on the BTP and their approach reflected in part the specific threat to transport infrastructure:

'I think [the BTP] were going for big numbers. I'm not saying that was wrong, at the end of the day they don't have all the huge advantages that an airport regime has. They are dealing with a transport network... I can understand their nervousness and unfortunately a lot of the implementation of that sort of terrorism legislation is a bit blanket because it's not really intelligence led, other than there is intelligence in the system. It's not Dr C is coming through here on this day... so I can understand their nervousness after the underground being targeted. I just think, probably, it didn't quite feel right in a Scottish context.' (Senior police officer)

Interviews with Muslim community groups in Scotland indicate that the stance taken by the Scottish Government and police in challenging the use of s44 by the BTP was viewed positively, and contributed to an overall sense that the impact of counter-terrorism policing and policies were different in Scotland compared with the rest of Britain.

'In my conversations with police forces they saw great harm in what it [s44 stops by the BTP] did to community relations... and no benefit...

it was like looking for a needle in a haystack when there wasn't any evidence that a needle even existed... Strathclyde Police were not particularly amused by BTP and how they were doing this because of its impact on community relations.' (Muslim community activist)

A senior police officer in an area which has resisted the use of s44 powers, in recognition of its damage to community relations, and was critical of its apparently undifferentiated use by the MPS nevertheless felt that the power was needed in some circumstances:

'I felt even just morally or ethically the non-use of it here was the right thing to do but I also, in many times, considered it... on several occasions I saw it as a tactical option... if you get a message through on a Friday afternoon of a threat to a public place in [this city] or to the transport system and no further details... well you get into trying to police that out and prevent it... you can do that with lots of police saturating the areas using Section 43; having Section 44, for a threat that is specific enough to be a concern but not specific enough to go and target the individual whose gonna cause the threat, is useful.'

He felt that s44 had been overused due to a failure in the application of principles of proportionality and necessity in authorising its use: 'We should have been using it in a way we were seeking society's approval to use it, rather than using it because parliament said we could.'

In July 2010, following a ruling by the European Court of Human Rights that the use of s44 created a violation of Article 8 of the European Convention on Human Rights (the right to respect for private and family life)²¹, the Home Secretary announced the suspension of the use of s44 in relation to individuals. It will continue to be used in relation to vehicles. In stopping individuals the police are henceforth required to rely on powers under s43 of the Terrorism Act 2000, which requires 'reasonable suspicion' before a person can be stopped and searched.

The government review of counter-terrorism and security powers concluded that there remained a need to allow stop and search of people in exceptional circumstances, without the need for reasonable suspicion of the individual. The use of this is, however, to be restricted by limiting the circumstances in which this power can be authorised. In particular, it requires that a senior police officer reasonably suspects that a terrorist attack will take place, and reduces the period of authorisation from 28 to 14 days (HM Government, 2011). Provisions giving effect to these recommendations are contained in the Protection of Freedom Bills 2011.

4.3 Experiences of s44 stop and search

For many Muslims in the focus groups, particularly young men, being stopped and searched in the street by the police was one of the most common encounters with counter-terrorism policing. Most Muslims in the focus groups, particularly in Birmingham and East London, had direct experience of being stopped and searched, had close friends and family that had been affected, or had witnessed the police carrying out stops and searches in their local area. Non-Muslims in the focus groups, particularly those from ethnic minority groups and those in London, also had experiences of police stop and searches in the street.

In general, individuals did not make a distinction between stops under s44 relating to terrorism compared to stops under other police powers. Concerns focused around three main issues: the extent of stops (that is the number of stops being carried out); the treatment of individuals when they are stopped; and the perceived discriminatory use of the powers. For non-Muslims from other ethnic minority groups, concerns about stop and search were also strong. For other non-Muslim focus group participants, experiences of police stop and search was only reported by those in London. Among Muslim participants, the strongest negative feelings arose from perceptions that individuals were being stopped because of their religion or race. Such perceptions were more likely among individuals who had been stopped, or had observed groups of Muslims being stopped several times in the course of the preceding 12 months. The absence of the need for the police to provide any reason for stopping a person, combined with individual experiences and accounts of stops from friends and family, led most Muslim participants to feel that they are stopped because of their ethnicity or religion:

‘A random stop and search is not really that random. If all the people look similar then it’s not random... black and Asian people get searched more often than white people, Asians are getting searched even more and more now.’ (Muslim, Male, Birmingham)

‘Stop and search makes everyone feel very, very, uneasy; very, very unsure of themselves. It’s like with every other experience you go through; you are sitting there questioning - is it my hijab? Is it Islam? Or is it just me that they’ve stopped? It’s that uncertainty that I don’t think helps.’ (Muslim, female, London)

‘Whenever I’m going into the city centre I always see the police officer stopping a young group of Asian boys. You always see that. At first, I used to think they’ve done something; but when I realise that you can be stopped without a reason I look at it in a different light. It’s given me a negative portrayal of the police.’ (Muslim, female, Birmingham)

‘My experience of stop and search will stay with me. It won’t stop me from doing anything, as I wasn’t doing anything wrong, but it will create a little bit of ill feeling towards the police.’ (Non-Muslim, female, Leicester)

‘Use of counter-terrorism powers puts people’s backs up... my son was stopped and searched. It’s not a nice experience. You are just going about minding your own business when you are being stopped and searched, there is no other reason you are being stopped and searched... if he travels on the underground with a rucksack he gets stopped all the time... he accepted the fact that this is going on... some people take it nicely... a lot of people have come to accept that because of our race and religion we are being targeted.’ (Muslim, male, London)

The focus groups suggest that perceptions of discrimination or unfair treatment arising from stop and search can affect levels of trust and confidence in the police and in an individual’s willingness to report crime to them:

‘With like stop and search, the police are... we know they’re kind of biased in a way as well. So it’s like hard for us to go and report it to them when you feel at a disadvantage.’ (Muslim, male, London)

‘These stop and search, all of them have been Muslims, it means when you see a police officer you don’t feel safe, you feel endangered by that now.’ (Muslim, male, Leicester)

The concerns about the impact of stop and search were also shared by practitioners both in the police and local authorities. Across all the case study areas those who work with young people identified police stops as the most regular contact young Muslim men have with the police:

‘In this area you have accounts of young people being stopped and search four or five times in the same day. They come in here [the youth centre] and show us four or five different slips... The relationships with the police aren’t very good because of young people’s experiences with the police.’ (Youth worker)

A senior police officer interviewed in one area said that police were reluctant to use s44 powers in his area because of its potentially damaging impact on relations with local communities. In his experience, where s44 powers are used on a significant scale, they become the main point of contact between the police and local residents. The damage to community relations from poor treatment or profiling can occur because, when large numbers of stops are carried out, it is inevitably, ‘the least experienced officers who are then asked to carry out what is, from the perspective of community policing, one of the most important tasks’. The officer who said this had been left with the impression that the actions of some officers may be based on racial or religious profiling or, at the very least, created the perception that they are:

'I was hearing horrendous stories, one particular story was a young professional Pakistani women who I knew who was travelling on a bus with a rucksack, and the bus was stopped and she was asked to get off by a police officer, who got on the bus and took her off, searched her bag and then let her back on. She was the only person of Asian appearance. What we found was that it is very, very, difficult to release notification of a power like that and be on the spot with quite young officers, most of the officers that are driving around in a car have less than four years experience. They have the most responsibility for our force but they are some of our youngest officers, least experienced.'

Another referred to s44 as a 'blunt tool' that should not be used unless there was specific intelligence for its need. He explained how the s44 search could escalate tensions:

'We realised the collateral damage of introducing something like [s44 stop and search powers] is quite massive because if you've been encountered a couple of times between college and home and the third one, the cop that's stopping you, he doesn't know this is your third; you get a bit fractious. The cop thinks, why is he being fractious, I've been perfectly polite, has he got something to hide... and then all of a sudden people are putting hands on each other. The collateral damage of that encounter - as he goes on to tell everyone else - doesn't add up.' (Police officer)

4.4 Surveillance cameras

The use of surveillance cameras was of particular concern in focus groups in Birmingham. During the course of the fieldwork for this study, the deployment of surveillance cameras in several areas of Birmingham with significant Muslim populations became a critical issue in relations between the police and local communities. As part of Project Champion, over 200 surveillance cameras, including a number of 'covert' cameras and cameras with automatic number plate recognition systems, were deployed in these areas. Reducing crime and anti-social behaviour appears to have been highlighted as the main reason for the cameras in their discussions with the police authority and elected officials. Protests from local residents, MPs and councillors erupted after it was discovered that the money for these cameras came out of a counter-terrorism funding stream.²² At a public meeting in July 2010, the Assistant Chief Constable for West Midlands Police accepted that 'the police are going to have to work hard to rebuild trust'.²³ A review into Project Champion carried out in response to community concerns found 'little evidence of thought being given to compliance with the legal or regulatory framework', that consultation over the project was 'too little too late' and 'the lack of transparency about the purpose of the project has resulted in significant community anger and loss of trust' (Thornton, 2010: 48-9). In response to the review, the police authority has decided to remove the cameras although, at the time of writing, while covered and unused, the cameras remain in place.

In the focus groups with Muslims in Birmingham carried out during this period, the cameras were identified as the policy that was having the most impact on people's lives. There was some support for the cameras as a measure that would help reduce crime and anti-social behaviour. But among most participants there was anger that the cameras were a measure that targeted areas with significant Muslim populations and, therefore, Muslims as a group. For many in the focus groups, it reinforced a sense that innocent Muslims were being treated as part of a 'suspect community'. The cameras were seen not only as an invasion of privacy, but as adding to the stigmatisation of Muslim communities and the areas where they lived. Criticism was also directed toward the lack of consultation and openness by the police and local authorities about the reasons for the cameras.

'I'm not saying I've got something to hide but I don't like to be watched. I don't want to step out of my house and have somebody there picking his nose watching me. What's the need for that!' (Muslim, male, Birmingham)

'Recently, they've got all these cameras in every street. I don't want somebody watching me, why are they watching me? It's like big brother's watching you. The government's got too much control and too much power.' (Muslim, female, Birmingham)

F1: 'Why do you need to watch people? The crime rates are not high in this area. They want to watch people, they want to keep a tab on people... cameras are having the major impact as they are watching you all the time.'

F2: 'I don't have a problem with that. It's better to be safe than sorry.'

F3: 'Why are they watching me? Why are they targeting me? If I've not done anything why are they stopping me?' (Muslim, females, Birmingham)

'If they did have a consultation it would have been fifty-fifty; some would have agreed to it. But there was no consultation, they expected the community to stay quiet.' (Muslim, male, Birmingham)

Among non-Muslim participants in the focus groups there was some opposition to the cameras but there was also more support for them, particularly where it was felt they could be used for deterring crime and anti-social behaviour.

The cameras were installed as part of the 'pursue' strand of Contest and were felt to have undermined the work being done in relation to the 'prevent' strand of Contest. In the interviews, anger over the surveillance cameras was particularly intense among individuals from community organisations that had been working closely with the police in the area of counter-terrorism. Many felt that their success in building trust and cooperation between Muslim communities and the police had been undermined by this incident. There was also intense frustration among some working on counter-terrorism in the police and local authority, that the measure had been

taken without sufficient thought and consideration of its long-term impact. Several felt that it had undermined years of work in building community trust and confidence in the police. They accounted for this as largely a failure of internal communications and joined-up thinking among various branches of the police, but recognised that members of the public were not going to differentiate between the actions of different branches of the police:

‘It destroyed the trust that had been developed over 4-5 years. It means in practice, people will be suspicious of the police; they will always think there is a hidden agenda. They won’t think that they are truthful and obviously it impacts relationships as well. There are members in the police force who would never have agreed to this or who are suffering as a consequence. They did all the hard work, forged the relationships, and now have to justify these actions or apologise for it, which isn’t really fair, is it?’ (Muslim youth organisation worker)

There were, however, indications that the community campaign in opposition to the cameras had some positive outcomes; one activist said that the campaign had ‘given ordinary people hope that they can make a change in society’ and had ‘empowered people... this was the people rising and empowering themselves and achieving what they set out to get... a lot of people were left with a very happy feeling that they’ve made a difference’. Another argued that it had led community activists to develop a more nuanced, sophisticated understanding of policing accountability structures, and increased demands for greater accountability of counter-terrorism policing.

Interviews in other case study areas indicate that the issue of surveillance cameras has permeated and impacted on trust in the relations between Muslims and public bodies there. As one local authority official explained, ‘the suspicion is that if they can do it in Birmingham, they can do it here’.

4.5 Demonstrations and marches: the English Defence League

The interviews with government officials indicate that the emergence of the English Defence League (EDL) is having an impact on their approach to counter-terrorism. Since it came to prominence in 2009, the EDL has organised demonstrations in towns with large Muslim communities. Its demonstrations have been focused on what it sees as the threat posed by Muslim communities to Britain. A government official noted how the EDL had changed the ‘dynamic’ of community engagement around preventing extremism. Both government officials and Muslims working in the community who were interviewed for this research felt that for many Muslim communities, the EDL demonstrations, and the tensions and violence that surround them, are the most direct and overt experience of violent extremism. The officials are finding that initiatives seeking cooperation and partnership from Muslim communities

in dealing with violent extremism that do not recognise and address the EDL, are unlikely to gain widespread support:

‘The EDL has changed the dynamic... in a number of ways... if you are trying to get buy-in on CT strategy and the problem [of Al Qa’ida radicalisation] is underground, it’s not overt, and you are telling Muslim communities there is a problem, you need to help us, and all they can see is the EDL... you’re going to find it difficult to get buy-in from the Muslim communities.’ (Government official)

The local case studies and other interviews suggest that policing around marches by the EDL provide a genuine opportunity for building relations and trust with local Muslim and minority communities. It provides an opportunity for working together on an issue that relates to extremism but is not focused negatively on Muslims. In one of the case study areas, the local authority and police worked closely with the Muslim community in the weeks preceding the proposed EDL march. According to a senior official in the local authority, their approach was to ask their communities about how the proposed EDL march and demonstration should be handled. Their communities wanted both the march and the demonstration banned. The local authority and police explained that their powers were limited to applying to the Home Secretary to ban the march through the town: the EDL retained a legal right to hold a static demonstration. Banning the march and restricting the EDL protest to a static demonstration was viewed as crucial by all sides:

‘To us here in [this city] there was something quite symbolic about allowing EDL to own our streets, to physically march through this city saying “Look at us, we are great aren’t we. We can do this, we can come, we can stop [this city], we can take it over and we can own these streets and march through them.” There was a very strong drive here to stop that happening and we applied for a ban and were successful... the approach we took here was very much to say the EDL was not welcome in the city... and to say that any organisation that comes into this city promoting a message of hate towards one of our groups of citizens, that is perceived as a message of hatred about all of us actually. So, they are not welcome... I think the way we handled it here has been hugely positive and recognised by a number of organisation.’ (Senior local government official)

While the local authority was successful in applying to the Home Secretary to have the march banned and the protest restricted to a static demonstration, local practitioners remain critical of the application process. In particular, they feel that it did not allow for the impact of EDL marches on cohesion and counter-terrorism to be taken fully into account by government officials. The application for banning the march is made by the local authority on behalf of their local police force. The application itself is restricted to justifying the ban on a march in terms of the safety of policing it, and did not, it was felt, allow for the wider issues of the impact of the

demonstration to be identified. Officials were left to signal to the Home Office that this application needed to be read in conjunction with the wider context of the local counter-terrorism profile:

'We had to work really hard with colleagues from the police to go down that route [of having the march banned] because, from a policing perspective, the message they [the police] were getting was that you have to assume that you can safely police this and you have to produce the evidence that tells us why you can't. So it's a very deficit kind of model but it was done in complete isolation from any analysis of community cohesion or its impact. It's a straight forward policing application... the stuff around the broader context, cohesion, the counter-terrorism profile, the risks around that. It felt like they were a bolt on too late... they were not included in the application... [The application] goes in and then we had to signal that we felt that there were other things that needed to be read at the Home Office that were part of the [local] counter-terrorism profile... The lack of an integrated joined up process at the Home Office bothered me... it's a police application so the wider community leadership role of the local police feels divorced from the process.' (Local government official)

In this case study area, opposition to the demonstrations came from across the different communities in the city and, therefore, contributed to building and deepening networks and cohesion in the area:

'In a bizarre way [the EDL] did more to unite the city than any other external group in the last 20 years... a by-product of it was to strengthen networks... it brought faith communities together. We had peace vigils and rallies together... it was good for the city because we have a reputation as a multi-faith city but we became a resilient city... they tried to play the divide and rule game and credit goes to the Hindu, Sikh, Jewish and Christian communities who stood shoulder to shoulder with the Muslim community and drove these thugs out.' (Local interfaith community group worker)

A youth worker who was on the streets on the day of the demonstration describes the interaction across the different communities:

'On the day we had a lot of young lads from the Afro-Caribbean community and some from the White community who supported the Muslim boys... there was riots and stuff in the 70s and 80s and their parents, who were very involved in that, were able to say to them, "look this is not just about the Muslim community... this is a race thing... if they get rid of the Muslim community who do you think they are going to attack next?"... I was walking the street on the day... there was people from other communities who were there to support them to say we are also here... it reiterated to some people in the community that actually we're not on our own... it probably indirectly challenged some of their prejudiced views

about people in the Afro-Caribbean community or white community...
the subtle impact was massive.' (Youth worker)

The interviews suggest that the extensive positive community relationships that had been developed over a long period of time were critical in the united response to the EDL demonstration. Interviews in Scotland also indicate that the strong stance taken by the major political parties, faith communities and civil society groups against the EDL and their Scottish counterparts, the Scottish Defence League, had a positive impact on Muslim communities and their sense of belonging, as well as trust and confidence in the public authorities.

4.6 Summary

Politicians and policymakers invoke the need to 'keep our streets safe' from terrorism in support of counter-terrorism measures. For many Muslims in this study, however, the streets are places where they feel they are likely to be stopped for no reason by the police. Many Muslims, particularly young men, reported that being stopped and searched in the streets, whether under s44 or other policing powers, has become their most frequent and regular contact with the police. For some, the frequency with which they are being stopped or observing others being stopped contributes to a sense of alienation and fuels perceptions of racial and religious discrimination. These dangers are recognised by some police officers and policymakers. The repeal of s44 in its current form is an important step to addressing these concerns; however, careful scrutiny is needed of the proposed powers that will replace this, as well as of the use of other stop and search powers.

The case studies illustrate examples of police losing and winning trust and confidence of local communities. Perceptions that the police behave in ways that are consistent with procedural justice by taking their views into account in formulating and implementing decisions can be important to encouraging cooperation (Tyler, 2006). In Birmingham, the lack of consultation and transparency over the decision to place a net of CCTV cameras around several areas with large Muslim populations has significantly undermined trust and confidence in a police force which, until that point, was praised by a wide range of individuals from community and civil society organisations in its handling of some high-profile terrorism arrests (see Chapter 7). By contrast, early and intense cooperation and discussions with Muslim and other communities in developing the city's response to the EDL demonstrations, turned a situation that posed a real threat to cohesion and safety into an experience from which the city emerged more united and resilient.

5. Neighbourhoods and communities

This chapter explores how counter-terrorism policies have impacted on relationships between individuals, between different groups, and also with public authorities in the local case study areas. It begins with a discussion of the extent to which the local context of the four case study areas shapes the impact of counter-terrorism laws, policies and practices. It then explores their impact on the lives of Muslims in their relationships and interactions with others in their neighbourhoods. The chapter then shifts its focus to a detailed discussion of a strand of counter-terrorism policy (Prevent Violent Extremism) which is delivered through local authorities and public bodies and has been most directly focused on local communities.

5.1 The local context

One of the strongest themes to emerge from the discussions groups and interviews across the four case study areas is the extent to which the dynamics within local areas impact on and shape individual experiences of counter-terrorism policies and practices. The nature of the relationships and experiences between local authorities and local civil society organisations appear to have a significant impact on levels of trust and confidence in the local authority, police and other statutory agencies.

This was most evident in the discussions and interviews in Scotland, where extremism was seen by most as a problem that existed largely south of the border, and emphasis was placed on the fact that those involved in the attacks at Glasgow Airport were not part of the local Scottish Muslim community. Furthermore, the approach and response of the Scottish Government to 7/7 and the Glasgow bombings were seen by interviewees as distinct from and better than that of the British government. The fact that national security and counter-terrorism policies are a reserved matter for the UK government was also important. In interviews, both community activists and Scottish officials pointed out that the increased use of stop and search powers at Glasgow Central Station, after the attempted bombing at Glasgow Airport, was implemented by the London-based British Transport Police, while public opposition to this came from the Scottish Justice Minister.²⁴

‘Muslims in Scotland are more likely to see themselves as Scottish compared to the English... more political responsibility is shown by Scottish political leaders than is shown down south.’ (Muslim community activist)

‘The idea of Scottishness is very inclusive, you can have Scottishness with different cultures... the previous Labour government came up with the idea of “One Scotland Many Cultures”. At a time when across Europe there was a role back of multiculturalism the Scottish Government and Executive will still implement and defend multiculturalism... we are the only

government in Europe still doing that...the Scottish Defence League... look at the reaction to that... we were able to get support of all four political parties, the Church of Scotland, the Catholic Church, the trade union movement, and antiracism groups to come under one banner of "Scotland United" and organise a counter demonstration on the same day... In England I don't feel the political parties or faith groups rose to the occasion.' (Muslim community organisation)

It was generally felt that devolution had made a significant and positive impact on relations between Muslim communities and public authorities. The Scottish Government was seen as more open and accessible to Muslims, especially as Muslims were concentrated in Scotland's central belt. Furthermore, the Scottish Government set up the Race, Religion and Refugee Integration Fund which was open to faith groups and organisations, including Muslim organisations. Several interviewees, both Muslim and non-Muslim, also argued that Scotland's experience of sectarianism had created a greater understanding of the impact of religious discrimination.

The case studies suggest that the trust and confidence needed for cooperation and partnership between Muslim communities and public authorities was easier to establish in those areas where relations between a broad spectrum of local community organisations and the local authority had existed prior to 2001. Individuals from civil society and public bodies in these areas felt that their ability to respond to events such as 9/11 and 7/7 was stronger because their relationships had been nurtured in 'good times' rather than in the heat of a crisis. These developed networks of contacts enabled communities and public bodies to take coordinated and inclusive actions, such as peace vigils or making joint statements that were seen as providing important reassurances to the concerns and anxieties of the local population. By contrast, in an area where the relationships between the local authority and Muslim communities were less developed, a mosque official commented on the lack of contact or support they received in the days after an arrest that was close to his mosque (see also 7.3 below on the role of local authorities in addressing community tensions after a raid or arrest).

Several experienced police officers also stressed the extent to which policing cultures and approaches differ across local areas which, in turn, affect interactions between the police and local communities. According to one experienced officer, this can sometimes be the consequence of leadership as well as small variations in practices; for example, whether officers are deployed alone or in pairs, whether they walk or travel in cars. Officers also commented on ways in which they felt policing approaches and cultures differ between policing specialisms, such as public order, neighbourhood policing and counter-terrorism.

5.2 Relationships with others

Participants in the focus groups were asked whether counter-terrorism policing and polices had affected relations with people in their neighbourhoods and communities. Most reported that *existing* relationships with individuals from other faith and ethnic groups were not affected and, in many instances, had grown stronger. However, there was a feeling that the more general ‘atmosphere’ towards Muslims in their cities and neighbourhoods had deteriorated as a consequence of the attacks of 9/11 and 7/7. This is consistent with research reports that have documented changes in the level of anti-Muslim harassment and violence in Britain since 2001 (EUMC, 2006a and b; Lambert and Gitzens-Mazer, 2011) The change in atmosphere was attributed to Muslims and Islam being held collectively responsible for the actions of a small numbers of terrorists.

‘It was a few individuals that committed the acts in 7/7. But why generalise it to the whole of the Muslim community? Oh yeah... every Muslim is a potential terrorist... because that is exactly what they are saying.’
(Muslim, male, London)

‘Every Muslim is not part of my community; the people who live with me are part of my community. I couldn’t stop a bomber from Leeds because he’s not part of my community.’ (Muslim, male, Leicester)

The increased hostility manifested itself in a variety of ways. For some, it was felt through the accumulation of a series of small moments and incidents. It was experienced through a sense of increased incivility: in feelings that people had less time for them, were less polite, tolerant and patient with them in their every day interactions. A further example was that Islam was assumed to be the source of the problems a person faced. An interviewee, who had moved to a shelter for women facing domestic violence, recalled how other women at the shelter assumed the abuse from her husband was connected to her religion.

The majority of Muslims who took part in focus groups recounted experiences - both direct or involving relatives and friends - of verbal and even physical abuse, particularly directed towards those who had a visible religious identity:

‘Some women had a meeting with the police about reporting hate crime. They were asked about incidents and why they weren’t reported. The women said, “this happens to us very day, what do you want us to do, report every day?” It’s part and parcel of our life. We’ve tried to become resilient to it now. Immune to it. Because every single day we are spat at.’
(Muslim, female, London)

Many felt that counter-terrorism law and policy was contributing to this hostility by treating Muslims as a ‘suspect group’ and creating a climate of fear and suspicion

towards them. In general, focus group participants did not refer to particular laws or policies, but to the impact of 'terrorism laws' in general in contributing to an increasingly hostile atmosphere towards Muslims. Radio adverts that called on members of the public to look out for patterns of suspicious behaviour were singled out by non-Muslim focus group participants in one area as encouraging people to view Muslims with suspicion.²⁵ In another area, a senior police officer explained their decision against such advertising:

'Some areas have done counter-terrorism hotline numbers... my concern is that if we have a public hotline number, in certain areas of the city, one, we are actually appealing to a very, very, small percentage of people... and two, it's going to fuel others to feel that we have a far greater problem than we have.' (Senior police officer)

Counter-terrorism laws were seen as operating alongside media and wider public and political discourse in constructing Muslims as a suspect community. Interviewees reported that incidents of hostility or violence also increased during periods when government was passing counter-terrorism legislation that aimed to increase police powers, when the public and media debate intensified as to the threat of terrorism that was needed to justify new powers.

'Good things are never said about Muslims when they make a contribution or do a good thing... [the negative portrayal is] coming from the media, and the politicians and the laws, certain terror laws come into it. Did they really think through the impact that it would have on the Muslim community, not just the Muslim community, the wider community, in terms of like, on the one hand you're talking about community cohesion on the other hand there's this suspicion and all this fear, climate of fear, that is created within society. So it has a negative impact.' (Muslim, female, London)

'[Anti-terror laws have] done nothing to build community cohesion or bring communities together. It's created a climate of fear and suspicion, getting people to spy on each other. That's not fruitful or productive in any society in terms of building community cohesion.' (Muslim, female, London)

'Every time you have talk about legislation, Contest or Prevent or any of these things when government was doing all those constant initiatives, it brought it back into the media. It comes across in an Islamophobic way from lots of the media... All these measures often up the ante and up the feeling of threat level for a while, and therefore the situation gets worse for a while. So, therefore, if we can have no counter-terrorism legislation for a while, or terrorist atrocities either, then life will go on getting better.' (Muslim, male, Glasgow)

Some Muslim interviewees indicated that the general atmosphere had made them more wary of non-Muslims and careful in approaching strangers. At the same time, they felt that other communities had become more suspicious of Muslims.

'In predominately white areas, I would be apprehensive about walking in those areas, because of how I've been portrayed and stereotyped. I'd be reluctant to ask a person for the time or directions as I am afraid that they will swear and shout at me, I would go to an old lady. You think you will get treated in certain ways so you avoid those people.' (Muslim, male, Leicester)

'With respect of other communities, people do feel [Muslims] are not being understood; they are being demonised. Other communities don't understand... there is an element of doubt against the Muslim community from other communities. Are they really saying who they are? Or, is the media right in portraying them as extremists or terrorists? And do they have the best interest of British society? These are all questions that the wider community is asking.' (Muslim, male, Birmingham)

The interviews also reveal tensions within Muslim communities that are perceived to be connected to counter-terrorism policies. In particular, those connected to mosques that may be seen as following a Salafi tradition feel that they are viewed with greater apprehension and suspicion by other parts of the Muslim community (see Chapter 6). They feel that the 'stereotyping' of their congregations is no different from the wider religious profiling that other Muslims complain of. At the same time, others feel that the intense scrutiny created by the climate around terrorism has resulted in greater solidarity across different Muslim groups, and has forced Muslims to take positive action in addressing issues.

5.3 Preventing Violent Extremism

Preventing Violent Extremism (PVE or Prevent) is a central plank of the government's overall counter-terrorism strategy. Prevent aims to stop radicalisation, reduce support for terrorism and discourage people from becoming terrorists (HM Government, 2009). Within Whitehall, the Department for Communities and Local Government (DCLG) has the lead responsibility of working with communities and local authorities on Prevent (DCLG, 2007; HM Government, 2008). In local areas, Prevent also involves those working in education, youth services, health, social services and offender management. There are two main ways in which DCLG works with communities in Prevent. Firstly, this is through DCLG funding to local authorities to support and engage local civil society organisations in working towards the goals of the PVE strategy. An initial £6.5 million allocated in 2007 to the PVE Pathfinder Fund was followed by £45 million for local authorities for the period 2008-2011. Local authorities in the three case study areas in England received significant Prevent money from DCLG. In Scotland, Prevent is delivered by the Scottish Violent

Extremism Unit.²⁶ Concerns have been raised about Prevent by some community groups (Haley, 2009). However, interviews in Scotland suggest that the more limited funding for PVE means that it has not had the same impact and profile as in England.

Second, in addition to funding to local authorities, DCLG also supports civil society groups through the PVE Community Leadership Fund (CLF). Between 2007–2010, the fund distributed £4.3m in grants.²⁷

In November 2010 the Home Office announced a wide ranging review of Prevent policy which is due to report in 2011. Some of the Muslim community organisation interviewed had received Prevent funding.

Knowledge of Prevent

The interviews suggest that knowledge, understanding and concerns about Prevent lie primarily with those who work in Muslim civil society organisations and in the statutory agencies that are involved in delivering Prevent. In contrast, reference to and knowledge of Prevent among focus group participants was far more limited. No non-Muslim and only a few Muslim focus group participants knew of, or had heard about, Prevent. This disconnect between the focus group participants and civil society was echoed in comments by those working in Muslim civil society organisations:

‘I don’t think there is a lot of knowledge around Prevent outside of very informed and active Muslims who are active in religious organisations, community organisations, and NGOs... the ordinary Muslim man on the street would not have a clue what Prevent is.’ (Director, Muslim women’s organisation)

The main response among focus group participants who were aware of Prevent was scepticism about the ability of projects to prevent terrorism. None of the focus group participants raised concerns about intelligence-gathering or spying in the context of Prevent. By contrast, this is a key issue raised by practitioners and Muslim civil society organisations (see below). Among civil society organisations, Prevent funding was a core issue of concern and identified in interviews as having a significant impact in their local areas.

Analysis of the British Crime Survey data from 2005-9 by Innes et al. (2011) finds that measures for levels of trust and confidence in the police among Muslim respondents remained stable during the period since Prevent has been rolled out. This, they suggest, is evidence that Prevent policing ‘does not appear to be causing widespread damage to police and Muslim community relations’ (Innes et al., 2011:7). The qualitative evidence from participants in this report suggests that the lack of

knowledge of Prevent among Muslims, beyond those who are active in Muslim civil society, may be one reason for its limited impact on general evaluations of the police by Muslims.

Development of Prevent policy

In interviews, several government officials emphasised the need to place concerns about and criticisms of Prevent in the context of the challenges they faced in developing policy in an entirely new area where there were no templates, best practice or benchmarks to follow. As one government official noted, 'people underestimate the extent to which it was all new and the extent to which we were making it up as we went along'. A number of factors are identified as impacting on the development of policy. First, there was the paucity of evidence on which to base policy. This meant that learning would necessarily be through trial and error:

'We will make mistakes and learn difficult lessons through trial and error really... unfortunately it's a long process and if a strategy is only three years old... you're gonna take years and years before you get it right... and even then you might not get it right.' (Government official)

The urgent need to develop the strategy following the attacks of 7/7 meant that there was limited time to carry out the research needed to inform policy. As one official noted, research was commissioned but by the time the results came in, spending on projects had already started.

Secondly, the public profile of counter-terrorism policy made it an area of competition between ministers and between Whitehall departments:

'At that time of the Labour government everybody was very eager to get a bit of the Prevent pie... it was very exciting, interesting, politically for them to have that and to have some announcements to say what they are doing to tackle terrorism... it was political, but well meaning... but it led to internal turf wars between departments. After Ruth Kelly did this big set of announcements in March 2007 and launched a PVE Action Plan the Home Office thought, "hang on a minute we've let a big part of our CT strategy go to another government department, quick we must ramp up our Prevent activity". So DCLG were ramping up their Prevent activity, the Home Office were ramping up their Prevent activity and also the Foreign Office thought this was a good thing to do. It creates a bit of healthy competition to get there quickly.' (Government official)

Thirdly, there was intense scrutiny of Prevent from media and think tanks. Officials found this made the Ministers and civil servants 'defensive' and sometimes 'closed off sensible debate'. Fourthly, the policy brought together a range of stakeholders - security and counter-terrorism officials, local authority workers and Muslim community civil society organisations and activists - that had not previously engaged

with each other on security issues. They often came to the discussions with a different analysis of the nature, extent and causes of the threat from international terrorism. One senior government official recalls a meeting between some local authority chief executives and a senior security service official in which a chief executive, who said that he did not feel violent extremism was an issue in their area, was shocked to learn that his area was one of the top five locations of greatest concern to the security services. Furthermore, government officials and individuals from Muslim civil society organisations felt that during the initial period of developing PVE, discussions were made more difficult by the refusal of Ministers to acknowledge that foreign policy was an issue. Finally, the broad spectrum of policy that could be covered by Prevent, together with the lack of clarity or definition around the scope of Prevent, led to officials using the terms to refer to very different aspects of Prevent:

‘Prevent was trying to do too many things. It was trying to deal with the individuals who were going to tip over the edge, then also trying to deal with individuals who held views that were deemed incompatible with British values, it was trying to build resilience, it was also just doing mainstream social justice, dealing with equality and discrimination all of which you can justify directly or indirectly... The blunt truth is we could do stuff by linking it to counter-terrorism which would mean we could get money and ministerial time and do good. The problem is it had a Prevent label. A lot of good work will not happen now as it does not come with the political imperative that comes with being linked to the Prevent agenda.’
(Senior government official)

Engaging with communities

The 2007 Prevent strategy is based on working with communities, particularly Muslim communities. This raised a critical issue as to who government and local authorities should engage with. The debate on extremism after 7/7 brought the values of Muslim organisations to greater prominence and sharper focus. The Labour government was criticised by some for failing to pay sufficient attention to the values of Muslim organisations that it engaged with (Bright, 2007). It was within this context that the government announced that it was ‘fundamentally rebalancing’ its relationship with Muslim civil society to direct resources towards those that ‘uphold shared values and reject and condemn violent extremism’ (DCLG, 2007: 9). There is some indication of what lies at the core of ‘our shared values’. The duty on individuals and communities is ‘to challenge those who, for whatever reason or cause, reject the rights to which we are committed, scorn the institutions and values of our parliamentary democracy, dismiss the rule of law and promote intolerance and discrimination on the basis of race, faith, ethnicity, gender or sexuality’. While these are important social policy goals in a liberal democracy, situating them as the responsibility of a counter-terrorism strategy that is largely directed towards Muslim communities appears to single out the beliefs and practices held by some Muslims as ‘anti-social’ and

'extreme'. This reinforces perceptions that the policy is aimed at 'controlling the expressions of Muslim identity' (Spalek and MacDonald, 2009: 131).

After 7/7, a number of new Muslim organisations emerged in response to the limited range of Muslim voices in the public sphere; this was helped by the government's commitment to broaden the range of organisations that it worked with in order to reach 'those voices that too often have been excluded' (DCLG, 2007: 9). Some, such as the Sufi Muslim Council and British Muslim Forum vied with existing organisations, particularly the Muslim Council of Britain, to be seen as the 'representative' of Muslims in Britain. While any claims of representation and widespread support should be treated with caution, each nevertheless reflects different confessional and ethnic strands across the Muslim communities. The interviews with many community organisations and activists reveal a strong perception that government, through its decision on who to speak to and engage with, and through the use of PVE funding, was seeking to bolster and support Muslim community groups that avoided linking the radicalisation to foreign policy, and supported proposals around extending counter-terrorism powers.

A central issue was whether and how to engage with those who held illiberal views, but were opposed to violence and seen to have sufficient credibility with those moving towards violent extremism that they were able to reach out and engage with them. Officials and practitioners argued that the question of who to engage with needs to be nuanced, and to recognise that it differs across different parts of PVE. For those who were working at the 'hard end' of Prevent, that is with individuals who were at the threshold or tipping point of the shift to violence, this issue was perhaps more acute. Most officials who worked at the hard edge of Prevent took what they felt was a pragmatic approach, of working with such individuals where they would be useful. A senior police officer drew on his experience of policing in Northern Ireland:

'In Ireland there were large numbers of people who didn't actually want to blow buildings or murder people because of their political views... but if they were passionate in those views there was a danger that we would start to label them as terrorists or sympathisers of terrorists... and instead of engaging with them and harnessing them and using them as a force of good and respecting their right to hold those views which would be different to mine... all we did was nudge them further in that direction... I don't think we've fully grasped the opportunities that we have for engaging with people who are radical but not violent extremists. It's pulling those two things apart... radicalisation and being passionate about ones religion or even ideology... there is something about us being intelligent enough to understand how to engage with those people, not to change their views, but to make sure that any influence they have is geared towards stopping other people from flipping over into violent extremism.'

(Senior police officer)

Reasons for engaging with Prevent

Many Muslim community groups and practitioners have engaged with Prevent. The research reveals a variety of motivations for doing so. Muslims working on Prevent often referred to the process of having to rationalise and justify participation, in light of their concerns about its nature and impact. For some, their concerns were countered by realism and pragmatism about the opportunity that PVE created for making a difference in their communities:

‘I have chosen to engage with the work, even though I am sceptical of the work and the connotations and associations it makes of the Muslim community and have my reservations. I see the need for it because of the denial that works within the community about the problems of extremism... For me it’s all about, post 9/11 post 7/7, we haven’t had the space, generally as a Muslim community, to talk about some of the difficult issues... there are people who want to bomb this country. We haven’t had the space to [discuss] that.’ (Muslim PVE practitioner)

‘I work on this agenda primarily on the basis that I see some threats. I see a fundamental threat to young people’s psyche, of how they see themselves as Muslims. I see a fundamental threat about how other people see Islam, and, therefore, how young people who are not Muslims come to feel about how they should respond to their own identities, and I see a misunderstanding of Islam itself. I see an opportunity here of understanding how you work with faith and the role of Islam as a protective factor. And [an opportunity to] focus on challenging people’s understanding of radicalisation, and what we mean by vulnerability.’ (Muslim PVE practitioner)

‘At the end of the day it’s about keeping young people out of the youth justice system, the police system, and informing them about who they are and what they can do... it’s really essential for us as a Muslim community to be part of it.’ (Director, youth organisation)

Many interviewees from Muslim civil society groups took a very pragmatic view of PVE funding, seeing this as providing an important funding stream that allowed investment in communities. They placed this in the context of the difficulties that Muslim organisations, as faith-based organisations, have in accessing funding from public authorities and other grant-making bodies.

Implementing Prevent

The challenges of delivering policies in an entirely new area were echoed by local level practitioners who were at the forefront of implementing PVE. Some cited pressures in the initial pathfinder phase to have projects that delivered in a short period of time, without time for a clear consideration of the aims and objectives. As one local PVE practitioner noted:

'What does success look like? No one knew... because they were not asked to look at success, they were just asked to get these projects up and running. I was given my brief which was three lines... I had no leadership, no advice... some of the projects were successful because of the passion of the individuals... not because of a thorough evaluation of work that needs to be done.' (Local PVE practitioner)

It is argued that the time frame for implementing Prevent projects (one year for the pathfinder and three years subsequently) did not create the space needed for engagement with hard-to-reach groups.

The case studies suggest that approaches to the implementation of PVE vary across the different areas and are shaped by the specific dynamics that exist within each local context. These are shaped by a range of factors, including the size, demographic profile and ethnic diversity of local Muslim populations. The nature of the existing relationships between local communities and public bodies are also important. The case studies suggest that PVE has a greater buy-in from Muslim communities in those areas where there has been a long-standing engagement of relationships between Muslim communities and public bodies, that were formed outside the context of counter-terrorism and policing, for example in addressing the needs of Muslims in areas such as education, health, social care or burials.

In England, the funding for Prevent was not 'ring-fenced'. It was a contribution to the overall grant that a local authority receives from central government. In some areas the local authorities tried to mainstream the funding into their general approach to communities. Such authorities nevertheless say they found themselves under pressure from central government to direct the money towards Muslim communities.

Many Muslim civil society participants criticised what they perceive as the top-down approach of Prevent. They feel that there was a lack of engagement with Muslim communities in developing the ideas and approaches to Prevent before it was implemented. Some felt that discussions at an earlier stage would have meant greater understanding and recognition of the needs and capacity of local communities.

'Soft' and 'hard' Prevent

In their discussion on PVE, most interviewees made a distinction between the 'hard' and 'soft' ends of PVE. Projects at the 'hard' end of Prevent are interventions directed at individuals that have been identified as 'at risk' of radicalisation. These include mentoring projects and the Channel Programme (see below). Projects identified as being at the 'soft' end of PVE supported community development, capacity-building, general youth and cohesion work. In the case study areas, the

'soft' PVE-funded projects included media training, a visual arts project around identity and belonging, sign language interpreters for Friday sermons at mosques and young leadership development programmes.

The practitioners and policymakers interviewed provide a range of different explanations for the 'softer' projects that have been funded. For some, improving skills and capacity for civil participation was seen as contributing to community resilience to extremism:

'Capacity building, empowering youngsters... give the tools to young people to participate civically, get engaged in their communities and actually make a difference there. The rationale there is that the more people that become engaged and actually take pride in their communities and step out the boundaries that Muslims communities have, and mix with other people, that is going to have a knock on effect and improve things in the future.' (Police officer)

'The main body of Prevent was about working with vulnerable communities... so they are more resilient; so that when someone with radical ideology comes along, people in that community are less influenced by it... it's more about working on the environment in which young people were growing up and the debates that were taking place... it wasn't about the directly radicalised end of things.' (Government official)

Practitioners also saw funding towards capacity-building as a necessary prerequisite to reaching a position where Muslim communities were able to deliver Prevent projects, particularly if the aim was to engage organisations that worked with young people and women.

For others, these projects were necessary investments needed to develop relationships of trust with Muslim communities. A local councillor in one case study area explained that it was not reasonable to have ignored Muslim civil organisations and their needs and concerns for several decades then to approach them and expect them to trust and work with public bodies. To build up trust and confidence in the absence of significant prior engagement, it was necessary for public bodies to work with local community groups on issues and projects that were a priority to them. A local authority official in another case study area, where there was widespread community distrust of PVE, saw the funding of softer cohesion projects as the only way to begin to develop trust. From the perspective of some officials, the value of PVE lay in the relationships and networks that were developed as consequence of the projects that were commissioned:

'Even if we waste 2 million and not a single project is any good, the fact is now there are 30 odd people from the projects and all the people that they have been engaged with are now on first name terms with uniformed

counter-terrorism officers and also neighbourhood officers. That is worth 2 million quid, for all the work we should have been doing for years, those networks and that communication and dialogue is in place now.’ (Senior police officer)

‘A lot of the useful beneficial work... came out of the informal conversations rather than any of the more formal things we proposed to do: just the chats over coffee, between mosques and the local authority. Those are more useful in terms of Prevent than any of the formal work.’ (Local authority official)

Cricket and football projects were seen as good examples of the use of sports as an ‘engagement tool’; a project in which police and community support officers provided sports coaching was valued, as it allowed for engagement with young people from which there would be opportunities for discussing issues around violent extremism.

Perception of PVE as targeting Muslim communities

Among Muslim community and civil society organisations in this study, the funding of the ‘softer’ PVE projects - precisely because they are seen as directed towards the community as a whole rather than at specific individuals – has led PVE to be seen by many as treating Muslims a ‘suspect community’. The chief executive of a large Muslim community organisation described his concerns:

‘About 3-4 years ago I was travelling to Pakistan on one of the FCO delegations. I was with a government official who was involved in Prevent and told them I thought the strategy would probably fall flat on its face. The nature of it is very negative. If you are trying to engage with the communities why not just call it engage; rather than prevent. Prevent means I’m doing something wrong and you are going to stop me from doing that. Community cohesion and Prevent are completely two different agendas; two different areas of policy. I don’t think you will achieve one with the other. Although there might be some overlap... If you are trying to engage then call it engage and look at other successful methods of engagement of community programmes that focus on engagement... but if you are looking to Prevent then don’t look at community grassroots organisations to engage at that level and then fulfil your Prevent objectives.’ (Chief executive, Muslim community organisation)

For several organisations, the reluctance to engage with Prevent was centred on the feeling that it was treating Muslims as a threat and labelling all Muslims as potential terrorists.

‘Prevent is being set up, it’s targeting Muslims in a negative way, not in a positive way. You can’t have a specific strategy for a specific community and the Prevent strategy is about a specific community. It could have been a strategy for a wider group or communities working together. You are

right that Al Qa'ida will go to Muslim communities but that does not mean our resources should be then labelled for that community.' (Trustee, Muslim Women's organisation)

Some senior policymakers who work on cohesion regard the focus of PVE funding towards capacity-building in one community as particularly problematic, as it goes against general policy on cohesion which is against single group funding. Funding, it is argued, should be based on themes and issues rather than communities and groups:

'By giving a single focus it has caused, what I would call, "suspect communities". It's created hostility between Muslims and other communities, it's created the impression that Muslims have, in a sense, bombed their way to the table or are getting preferential treatment or are getting more resources than others, just because of the fact that they are Muslims. It's actually prevented cohesion at the local level as opposed to promoted it at the local level.' (Government advisor)

In some local areas there was a recognition that funding directed at Muslim communities was, on balance, likely to create more hostility towards Muslims from organisations that work with other communities, as well as contributing towards feelings of disaffection among Muslim community groups whose cooperation and confidence was needed for the policy to succeed. In one area, the local authority developed a policy that was broader in its approach toward extremism, and faced challenges to this from central government:

'When we received funding we did our Prevent action plan. We mentioned issues around the white working class community but the Home Office made it clear they didn't want us to look at other communities; they wanted us to focus on one community. At the time I did say that I thought we weren't supposed to focus on one community, it has to be about wider community dynamics.' (Local authority official)

Several practitioners in the case study areas reflecting on their approach to Prevent also recognise that some of the initial funding was too unfocused:

'Looking at it in hindsight, have we done too much of a broad brush approach to the whole Muslim community, when 99 per cent of the Muslims we engage with will never ever in a million years go down that radical path? But I think we are getting more sophisticated and learning as the programme goes on.' (Local PVE practitioner)

'They spent a lot of money on mosque governance which, value for money wise, is awful... They do this for two reasons... one is buying a relationship, which is fine... the other is to build the resilience of the mosques so it is not open to radicalisers. Anyone watching the process

of this agenda would have realised that Pursue will have displaced radicalisation in mosques, except for the very small [mosques]. Except we are only doing all the big ones... Everyone could have predicted that.'
(Local PVE practitioner)

Several government officials made a robust defence of the focus of PVE funding in areas with large Muslim populations. Government, it was argued, has not chosen to target Muslim communities; rather it is Al Qa'ida that is targeting individuals in these communities. While acknowledging the advantages of a more general mainstreamed approach, in the context of limited resources concerns centred on the risk that mainstreaming this policy would limit its impact. Practitioners who support the direction of PVE funding to Muslim communities argue that more needed to be done, to place the modest scale of PVE funding into the context of overall regeneration and renewal funding that is going into other areas and towards other groups. It was also argued that the perception that Muslim communities are being treated as a suspect community is exacerbated by the failure of government departments to engage with Muslim communities in other policy areas. This analysis was shared by a number of policymakers working at the national level in the Home Office and DCLG:

'I felt the problem with Prevent is that it was the only channel through which government was engaging the Muslim community. And that is what made it seem like all [government] cared about was terrorism... and [gave the impression that government thought that] all Muslims are terrorists... it wasn't the fact that Prevent was all about Muslims... I think it was the fact that there was no other policy for engaging Muslims other than Prevent. The only contact they have with the state is through the prism of terrorism.'
(Government official)

'It has created opportunities for engagement that didn't exist before... albeit within the prism of violence, which is not helpful as Muslims have so much more to offer... and should be consulted on so many more issues than just violence... What hasn't been helpful has been that then the only way they ever engage is around the Prevent agenda; that's not been helpful because for Muslim communities at the local level, Prevent isn't their key priority, it's actually schooling, housing, education etc... and yet they can't engage with local authorities in any other way... The state is bad at engaging with minority communities in general, Prevent has forced them to engage but the problem is that it has now become the main contact that people have with the state. Education, employment, and health should be engaging.'
(Government advisor)

Concern of PVE leading to an exaggeration of the threat

There were concerns that PVE funding has forced organisations to misrepresent their activities; that in order to receive funding, community groups have reframed their activities in grant applications to make them more relevant to Prevent. For

some this was a practical necessity, and seen as similar to the way in which all funding applications require appropriate framing. For others, it reinforced a sense of disempowerment, of feeling that they could not express themselves in their own terms. Others were concerned that it was leading Muslim community groups to exaggerate the extent and nature of the problem that existed in their local area, and to over-emphasise their own potential for dealing with extremism:

‘Everybody will be bending over backwards to make out that they are more ex-jihadi than the next person. From a professional perspective, people are advocating the fact that their communities might become radicalised solely for the fact that they are trying to raise revenue. The Council are looking at the best written applications depending on how well versed you are in making your application fit the radicalisation criteria. You can dot the i’s and cross the t’s slightly differently to make it fit. You can write an application that you are engaging young people in a youth work capacity, which can easily be changed to “I’m going to work with a very, very at risk community of Muslim youth from a Pakistani background who are likely to become radicalised...” Same work, different impact.’ (Director, Youth Organisation)

Transparency of PVE funding

PVE funds represent a significant investment of public funding directed primarily towards Muslim communities and civil society organisations. The allocation of this funding, the success of some groups in gaining funding and the failure of others, inevitably raises concerns around the decision-making process. A significant number of concerns, among community groups and some local level practitioners, centred on the perceived lack of transparency and accountability in the processes by which funding was allocated, particularly during the early period of the Pathfinder fund. In some areas, during the Pathfinder period, perceptions of mis-spending were confounded by the absences of any tendering, clear application processes and limited engagement with communities in developing the projects. This contributed to a widespread feeling that funding was often awarded to organisations with existing and developed relationships with public bodies in the local area.

There is also recognition among senior officials at the local and national level that there were mistakes made in the distribution of funding, due to lack of understanding and knowledge around communities:

‘In the early days we were given loads of money and resources and not much understanding of what the issues were or guidance on what to do... We naturally fell into that trap of recognising we need to be doing something and anyone who came knocking on the door saying “I’ve got a bag full of stuff that will sort it all out... it costs an awful lot of money”, some of those things worked, some were terrible... But we know, we have moved from single individuals to queues of people claiming to be experts...

we also have a better understanding of what the threat is and the risk is... we can vet people... we can get rid of the snake oil salesman quickly.’
(Local authority official)

There is a widespread perception that PVE has created a significant number of ‘Prevent entrepreneurs’ attracted into this area by the funding opportunities, but with limited commitment to community and little track record of having worked in the community before. Furthermore, there were also concerns from those working in Muslim civil society about the long-term impact of PVE funding on community groups in relation to criticism of government policies:

‘Prevent has... given rise to a generation of project managers in Muslim communities, Prevent managers... in the same way that there was race relations industry fifteen years ago... it’s exactly analogous... it’s now become a counter-terrorism industry. You have a generation of bright articulate people who are clued on but basically uncritical of the system because their livelihood depends on it... they move round in different project management jobs.’ (Muslim community activist)

Spying, information and intelligence

One of the greatest concerns about PVE expressed by individuals working in Muslim civil society organisations is that it is being used to gather information and intelligence about Muslim communities. In the experience of interviewees across the board, the perception that PVE is being used to gather intelligence became more acute after the publication of the Institute of Race Relations report on PVE (Kundnani, 2009). Its effect was described by one community-based practitioner as having had ‘more impact than any other report I’ve read’. Practitioners working on Prevent who were interviewed for this project reject the accusations that PVE is about ‘spying’. They recognise, however, that these concerns are not helped by the terminology used by police, particularly their references to ‘intelligence’ or ‘community intelligence’.

‘We used to talk about “gaining intelligence”, we’ve even dropped that title now as we’ve realised that intelligence has a certain currency in local communities, intelligence means spying... So we now talk about information and actually, to be fair, it is probably better described as information... because it’s not intelligence that we are going to feed into some computer that means that we are going to arrest somebody... It’s information about how do communities feel about this... what bothers them...what are the grievances driving whatever is happening.’
(Police officer)

Kundnani (2009) does not claim that the police were ‘spying’ on Muslim communities through Prevent; rather, he argues that PVE is being used to gather information.

In fact, police and other practitioners are open about the fact that Prevent includes an element of gathering and sharing information, as one officer confirmed:

‘One of the problems... in terms of Prevent is that we’re asking people to help, give information... Prevent is not just about giving information, it’s certainly one of the major spin offs.’ (Senior police officer)

‘Some partners saw it as, “it’s not my job to spy on behalf of the police”. What we need to be doing is coming from a different angle. Say, look there is a real threat out there, a risk to people and to communities. You have a responsibility to share information to help manage that risk. It may be that the management of that is not law enforcement, it may be education, through mosques or the voluntary sector... if someone has got their head messed up around that radicalisation stuff, well, rather than lock them up as it would probably just reaffirm their radical views, we should probably try to find a way of Prevent in that sense of untangling their views.’ (Senior police officer)

The problem, the police argue, is not that people were deliberately withholding information, but rather that individuals are often unaware of the value of the information they hold.

Scope of Prevent

A further obstacle in engaging communities around Prevent is the lack of clarity many feel there is around what the policy is seeking to prevent. The fact that radicalisation is a complex process, rather than a single event, makes identifying the focus of preventing violent extremism more challenging.

‘The problem with extremism - how do you distinguish what is bad, what is not? You don’t know what will lead to someone becoming an extremist. There is no profile. You can’t say social deprivation is leading to extremism... some of the bombers, the doctors up in Glasgow, they weren’t socially deprived.’ (Activist, Muslim youth organisation)

This lack of a clear definition is also a concern raised by some police officers. As one experienced counter-terrorism officer notes:

‘As much as the government will claim it’s clear in the legislation, I don’t think it’s clear in many people’s minds. People will say there is nothing wrong with being radical. It’s not a simple process... it’s not a ladder... And then you ask people what is the route, “we don’t know”... How do you expect police and others to know when to intervene... that is one of the stumbling blocks in terms of PVE - where is that line... unfortunately it’s rather grey... it’s not sharp. You don’t suddenly go from one day in legal political activity to illegal political activity. If somebody is being radicalised that does not mean they are preparing a bomb. So, you can stand clear

of that. It comes back on to the prevention side: what role does the community play?’

Underlying these concerns is the fact that PVE is, at one level, a battle of ideas. One local authority official noted the challenge this posed for public authorities:

‘The notion of the call to violence in global jihadist discourses poses a very fundamental question about are we fit for purpose for that nature of vulnerability? What are we talking about, are we talking about people just being angry, people actually having ideas, are we talking about predicting behaviour in the future... to what extent do we engage in interventions at an early stage?... It is difficult because there are ideological bits people are uncomfortable with.’ (Local authority official)

Some who work on PVE are more comfortable with this than others. Some youth workers, for example, felt they had the training and experience in challenging the views and ideas, that this was part of their vocation:

‘There is all this debate on should we police ideas? Absolutely! There is nothing wrong in that... you wouldn’t say to a white young person who says “I really think Pakis are the problem” and not think we should challenge it until they become violent. The idea itself. They may never become violent; but it makes them vulnerable to violence.’ (Youth worker)

By contrast, some police officers were more hesitant about taking on such a role:

‘We’re policemen... we do law enforcement... But what we are being expected to do is to do something that is slightly strange... which is prevention of ideas... I know they try and say it’s the same as drug prevention, crime prevention, alcohol prevention, I’m sorry but I don’t buy it.’ (Police officer)

‘Prevent, challenging ideas, we do find that uncomfortable. Its okay with me kicking about these issues... you’re going to get a pro-Palestinian view but, see, if you interpret that as anti-British, you’re off to a bad start. Again, it’s the level of knowledge... There is no clarity around what Prevent is trying to prevent... how far do you go?’ (Senior police officer)

For some Muslim community activists, this lies at the heart of their unease around PVE. They either feel that there is no clear definition of the idea that is being addressed, or that the ‘ideas’ that are being countered reach out further than necessary, and are seeking to suppress broader forms of Muslim political activism.

Support for Prevent

Some Muslims in community groups and organisations identified some positive long-term outcomes for Muslim civil society from PVE funding, both in terms of the investment and development of civil society groups:

‘The most positive thing to come out of Prevent has been the ability of Muslim communities to start taking action and taking leadership on these issues. I look at organisations that have emerged and will continue post Prevent... I have more confidence than I did five years ago, we are moving in the right way. We are seeing the emergence of more confident, articulate, savvy people coming in and understanding the system and how it works.’ (Muslim community activist)

Several practitioners also identified some positive learning that has emerged. They argue that PVE has forced local authorities to consider how they engage with minority faith communities, and how they address issues of faith when it is relevant to the people they are working with. In one local area, youth workers found that Prevent makes it easier for them to address and discuss issues around religious identity. PVE has forced youth service and local authorities to overcome their discomfort around issues of religious identities.

‘The engagement strategy has been great, [public authorities] are engaging more with communities and have understood communities better, understand the nuances within Muslim communities, the differences of thought and systems, whatever you have... whatever is distinctive of that particular Muslim community or communities... that has been useful.’ (Muslim community activist)

Youth workers found that it was possible to obtain support for projects that ‘educate and empower young people to understand the concept of what their religion is about, and also help them to understand some of the terms around extremism’.

The Channel Programme

Channel is a programme within Prevent that identifies individuals deemed to be vulnerable to recruitment to violent extremism. The programme covers both Al Qa’ida-related extremism and right wing extremism. Such individuals are then ‘channelled’ away from violent extremism, through interventions involving counselling, faith guidance, civic engagement, support networks and mainstream services (HM Government, 2010). The programme relies on a range of professionals that have contact with those at risk of violent radicalisation, such as police, teachers, social workers, youth workers as well as community groups, to identify individuals who are potentially ‘at risk’. According to government guidelines to local partners, after an initial screening to ensure referrals are not malicious, misguided or compromising ongoing investigations, a preliminary assessment of whether an

individual is suitable for a Channel intervention should be made by the Channel co-ordinator and senior statutory partners. If the case passes this stage then a referral is considered by a 'multi-agency panel', which can include representatives from local community organisations and charities. While the panel's main role is to develop the package of interventions, it can also make a further assessment of the individual. It may find that they are not vulnerable to being drawn into violent extremism and make a recommendation to those who made the preliminary assessment (HM Government, 2010).

The Channel Programme operates in 12 police force areas. The arrangements for Channel differ across different areas. In general, it is led by the police. So far, there have been over just 200 individuals involved in Channel interventions (House of Commons, 2010: Ev.73). Officials indicate that 93 per cent of referrals to Channel interventions are men, with an average age of 15-24 years. In one of the case study areas, a significant proportion of the referrals have been of those vulnerable to far right extremism.

In the case study areas where Channel was operating, cases of individuals who passed the preliminary assessment were considered by a multi-agency panel that included representatives from the local Muslim civil society organisations. Most interviewees who are involved in the panels, either from civil society organisations or as professionals, feel that their assessment process has been robust and they have been able to identify cases where the preliminary assessments were judged to be wrong once the evidence was placed into context by those with greater understanding of Muslim communities. Some were, however, more sceptical about the value of Channel. One interviewee, a community representative on a Panel, felt that so far there were no genuine cases in their areas, that is, people whom he felt posed a real threat of becoming terrorists. A police officer, noting the low number of Channel interventions, suggested that those being referred were 'what I would consider misfits, the usual suspects, people who are not really sure what to do but for whom Channel provides a way of referring them'.

Although Channel is now part of Prevent, awareness of Channel among those active in Muslim community and civil society was lower than of Prevent in general. This is not surprising, as the interviews suggest a lack of open dialogue and discussion about Channel outside statutory agencies and Muslim organisations directly involved in Channel.

Initial interviews with practitioners and Muslims who were aware of Channel reveal several concerns. First, there appears to be a lack of clear or robust guidelines around the understanding of 'vulnerability'. According to interviewees who provide

training for Channel, the lack of clarity around who to refer exists precisely because 'there is no tick box exercise that you can go through to identify whether someone should be referred to Channel'. Rather, whether a person should be referred 'is a judgement call' and the judgement made 'depends on their level of knowledge... what might appear as a massive risk to some people might be perfectly normal in some households'. Success therefore depends on increasing understanding of vulnerability:

'What you have to do is get people confident enough to deal with the agenda and not refer everything because they are so unconfident they don't want to take any risks; or they don't see anything they are so blasé they just don't bother to care for anybody... That is a process that you have to feel people are confident in dealing with.' (PVE Practitioner)

'Young people say things. Will they really act on it? I trust my judgement as a youth worker. I've been doing youth work for 12,15 years. You have a gut feeling if a young person is going to attack you or not. You go with your instinct. I would say all the young people that I work with are harmless. They might have extreme views, but it doesn't mean they are going to blow up a place.' (Youth worker)

This difficulty of making an assessment as to whether to make a referral to Channel was a central concern among practitioners and community organisation. According to one local authority official, there was a 'real sense in the Muslim community that if one of their kids goes out in the playground and says an Arabic word, they are going to be referred to Channel'.

The difficulty of deciding whether to make a Channel referral was most clear in a discussion with a teacher who recalled the uncertainty shortly after 2005 of knowing what to do when a student mistakenly sent a teacher a link to a website that appeared to incite hatred and violence towards British troops. At the time there were no clear guidelines to schools on how to handle the situation. For her, the development and rolling out of Channel provides clarity:

'Now we have Channel. I have a name and number to contact and I can get straight through to a policeman if I have any worries at all. And I do share information if I have concerns. And it's not about not wanting to avoid recriminations. It's about wanting to protect young people from what are perceived to be some of the dangers that they face in terms of being radicalised.' (Teacher)

However, the interview with this teacher also points towards the lack of clarity around the use of Channel. She referred a parent to Channel whose behaviour was causing concern. The description of the incident indicates some of the ambiguities around the process of making a referral. The teacher described the parent as 'overtly anti-

British'. The parent's actions had already raised concerns, although it is not clear from the explanation the extent to which this was rooted in a personality clash:

'He is so antagonistic to me personally, that could be that he just doesn't like me... there really was something in him that made me think... I wonder what you really think about the British... I spoke to the police, I didn't give it to them outright, I said what will you do if I give you a name... they said, there are certain protocols for sharing information, you are allowed to do that... they said we can make some inquiries and investigations, we can cross reference with other agencies over concerns that we've got... But they never actually got back to me on that... I had such an unpleasant encounter with him, it was something and nothing... his children haven't done anything wrong and that's half the problem and yet he's still got a terrible downer on us. It could be that he just doesn't like the school. Well then, go to another school, you don't have to stay here. But I did just wonder if there was something a bit more.'

One senior policymaker acknowledged that many initial referrals may be from teachers who are not sure how to judge comments that a young person makes about events in Iraq, Afghanistan or Palestine. The process of assessing the referrals to determine whether it is a case that should be of genuine concern is, in this context, quite critical.

There is concern that Channel, and the training around Channel that is delivered to those who work with young people, is changing the relationship between Muslims and public bodies, as they are required to look for signs of potential radicalisation. It is argued by some in this study that Channel does not differ from other forms of youth prevention interventions, and forms part of the safeguarding agenda. However, others suggest that the nature of the threat around terrorism means that the potential risk that an individual might be radicalised into violent extremism is different from the consequences of joining a gang or being involved in drugs. This, it is suggested, is likely to make practitioners err on the side of caution.

There is also a concern that Prevent could lead those who work with young Muslims to refrain from engaging with them in debates or discussion for fear of what might be said. One youth worker feared that Prevent has 'created a culture where adults are frightened to engage with Muslims in case they are terrorists'. The greater danger is that these young people will, if they are not engaged in these debates, continue to have these questions and to have their discussions on the Internet.

Furthermore, some practitioners whose background is in working with young people and with Muslim communities are concerned about the leading role of police in Channel. There were several concerns expressed here: firstly that the police are not specialists in child safeguarding and, secondly, that the police lead in Channel can

create reluctance on the part of those who work with young people and communities to actually engage in Channel:

‘All Channel coordinators are police sergeants... absolutely the wrong move. One of the key factors that would restrict people making a referral is if it went straight to the police or security services... If you want to give a message that this is about caring for young people, you don’t put in place people whose role this is not... you put in people involved in safeguarding young people. Of course, you work with police.’ (Local PVE practitioner)

Those working with safeguarding children report feeling unsure as to the challenges that emerge from the issues raised by PVE and Channel. Many are still working through the questions that arise of how to respond to and interpret the safeguarding needs of children that emerge out of the agenda, as the factors that are identified as creating vulnerabilities to violent extremism are also relevant to the risks of other harms that young people face, such as involvement in drugs or gangs.

In one local area, concern was also expressed by local authority officials about a conflict of interest. This appeared to arise from allowing an organisation that referred young people they have contact with to the Channel Programme at a time when the organisation received funding to provide Channel interventions. In effect, the organisation was identifying young people it worked with as vulnerable, and then called for them to be referred to their Channel projects. Officials in the local authority were concerned that the organisation was trying to make itself ‘look busy’, by increasing the number of referrals to its Channel intervention. The issue was picked up as a growing number of its referrals were determined to be inappropriate for Channel interventions.

5.4 Summary

The relationship and context that exist in local areas shapes the impact of counter-terrorism legislation on Muslim communities. Areas in this study, where good relationships between local authorities and Muslim civil society groups were developed prior to 2001, were in a better position to meet the challenges that arose from the events of the past decade. They had relationships that were not forged in crisis, but from working together on a range of wider issues.

The focus on Muslim communities has not undermined relations that already existed between Muslims and others and has strengthened some. However, in general, Muslims have faced increased hostility since 2001 (EUMC, 2006a and b Lambert and Gitzens-Mazer, 2011). Most of this has been the consequence of terrorist incidents but some of this is attributed to the atmosphere created by counter-terrorism legislation, policy and practice, and its focus on Muslim communities.

Prevent is an issue of particular concern among Muslim community organisations who participated in this research, but hardly featured in the focus groups where only a few Muslim participants had heard of Prevent, non-Muslims had not come across it. PVE funding was targeted at Muslim communities. This contributed towards a sense among Muslims of being treated as a 'suspect community' and generated resentment from other communities, thereby undermining cohesion. Some felt that PVE was leading communities to exaggerate the threat of radicalisation in order to secure funding. In some areas, PVE was undermined by the lack of transparency around allocation of funding to groups. There was also concern about the lack of focus and clarity around the nature and scope of Prevent.

6. Schools, universities and mosques

This chapter focuses on the impact of counter-terrorism laws, policies and practices on schools, universities and mosques. Schools have to address the needs and concerns of their pupils and parents to issues that arise from both terrorism and counter-terrorism measures, including arrests and raids in their local areas. Concerns around radicalisation of young Muslims has led to a greater focus and scrutiny on the role of all three in preventing violent extremism.²⁸

6.1 Schools

The research reveals several ways in which schools have been impacted by terrorism and the policy responses to it. The attacks, particularly in 2005, gave rise to both immediate and medium term issues that needed to be addressed. The most immediate needs arose on the day of the 7/7 bombings, when schools in the case study area in East London were concerned to get children home where parents or carers were available. In the days following this, schools were monitoring for a potential backlash against Muslim pupils and considered ways to address the concerns, worries and anxieties that arose from the bombings. One head teacher, in an ethnically and religiously mixed school, recalls the days following the July 2005 bombings:

‘There was some backlash, it was along the lines of “you Muslims are killing us lot”. I don’t want to create the impression that it was widespread, but I don’t think it has to be widespread to say that you’ve potentially got a problem. I felt that I needed to make a statement... The whole school and whole staff needed to be united in the message, saying this is deplorable... that the action was by a tiny group of radical Muslims, it does not mean that all Muslims should be judged by their actions. That, in fact, Islam is a peaceful religion... And on the surface, things really calmed down.’
(Head teacher)

Concerns about a possible backlash against Muslim pupils led the school to amend its incident report forms to include Islamophobia as one of the categories for reporting. In the longer term, schools had to consider how to address issues arising out of wider discussions around terrorism: the questions, fears and anxieties that pupils had. One school hired a specialist for a short period to provide training to teachers and to talk to pupils on issues around cohesion and terrorism. The head teacher noted that ‘he talked about his fear and how scared he was after the bombings; for the non-Muslim pupils that was important, to hear that Muslims were just as scared as them’.

Schools have been drawn into the sphere of counter-terrorism policy, particularly through the implementation of the Prevent strand of the Contest strategy. Teachers,

alongside youth workers, are seen as having a crucial role in the Channel Programme in identifying young people who are perceived to be vulnerable to radicalisation and, therefore, requiring referral to Channel. Prevent training has focused on making teachers aware of the Al Qa'ida narrative and resulted in initiatives that aim to challenge it. There is also government advice to schools using the curriculum to provide young people with the skills and knowledge to challenge the Al Qa'ida narratives (HM Government, 2009).

The interviews with teachers suggest that, for some, training on issues around radicalisation has created greater awareness and understanding of the role that schools and teachers can play in addressing political and social concerns that may be exploited by violent extremists. One example is a school's response to the 2008 war in Gaza. As a consequence of the training and advice they received, the school, for the first time, saw the conflict in Gaza as an issue that they needed to respond to. It was anticipated that the conflict and the death of civilians was likely to give rise to feelings of anger among pupils. The school sought to address this in the classroom, by providing an opportunity for pupils to externalise their feelings:

'It's... about giving young people an opportunity to say what they think, or perceive to be happening or how they feel, but also, giving them the other side of the argument.' (Head teacher)

6.2 Universities

Since the 1980s, British university campuses have been the focus of Islamic student activism. The presence of organisations, such as Hizb ut-Tahrir and Al-Muhajiroun on campuses have made universities the focus of concern among some counter-terrorism commentators, policymakers and practitioners. The government has issued guidelines on 'tackling violent extremism in the name of Islam at universities and colleges' (Department for Education and Skills, 2006; see also Department for Innovation, Universities and Skills, 2008). In particular, concerns have focused on the role of student Islamic societies. The conviction for terrorism-related offences of former members of student Islamic societies at UK universities has led some to place the spotlight on the role of such societies (Glees and Pope, 2005; Throne and Stuart, 2008; Quilliam Foundation, 2010).

Interviews indicate a sense, within some universities' Islamic societies, of being under siege and surveillance. The research points to awareness, among Muslim civil society organisations, of security service activity on university campuses that focuses on some Muslim students. In the experience of a number of participants, students active in student Islamic or other social or political societies are often approached and questioned by security services. One interviewee recalls the types of questions that he and other students have been asked:

'We are asked about our involvement in ISoc [student Islamic Society]; the kinds of activities that ISoc is involved in, and the types of speakers they have and the types of speakers they listen to. We are asked about specific speakers; have they been invited? Do you listen to them? What are your views of jihad? Do you know the [ISoc] President? What sort of activities are you thinking of holding? What kinds of things are happening on campus itself? Some feel that the kinds of questions they are asked indicate that they have been under surveillance for some time.'

(Student activist)

Student society membership lists

There is also concern about the protection of information relating to student society membership lists. Of particular concern to students has been the transfer of Islamic society membership data to the police by university authorities in the aftermath of the attempted bombing of the airplane in the US by Abdul Muttalib. Muttalib was a student at University College London (UCL) and during his time there, was the President of the Student Islamic Society, although an Independent Inquiry Panel found that there was no evidence to suggest that he was radicalised while at UCL (Caldicott, 2010). According to one interviewee, while the society acknowledged that it was legitimate for the police to have this data, they wanted the police to obtain a warrant for it in order to ensure that there were clear judicial guidelines and oversight of the transfer and use of the data. A central concern was the extent to which the data would be shared with other intelligence agencies outside the UK, beyond the scope of the investigation for which the information was gathered. The fear is that individuals, through joining a student Islamic society, could find themselves on a database that can lead to problems in the future: greater scrutiny and questioning at airports or refusal of a visa to travel. According to the interviewee, the student society also wanted the matter to be dealt with through the courts, to ensure the establishment of clearer protocols and guidelines to ensure that all individuals who had their details handed over to the police were contacted and informed.

According to participants who are active in student Islamic societies, there are a number of trends that have emerged as a response to this security focus. Some individuals and societies have become more active as a form of defiance and protest. After the incident at UCL there was even a campaign by some non-Muslim students to organise a mass sign-up to the ISoc as an act of solidarity. For others, the experience has been one of significant change in the atmosphere in student societies. One interviewee referred to the creation of 'a climate of fear' in some Islamic societies, and a greater reluctance by many students to sign up formally to Islamic societies. It is suggested that most Islamic societies assume they are being watched by security services.

6.3 Mosques

Mosques and radicalisation

The vast majority of Muslim interviewees and focus group participants did not believe that mosques played a direct role in radicalisation. However, some identified mosques as contributing to the vulnerability of young people to violent radicalisation in two indirect ways. Firstly, many mosques were said to be alienating young people through their traditional methods of rote learning, and teaching by imams from overseas who were unable to communicate effectively with young people in English or answer questions they had that arise from the context of living in the UK. This, it was argued, left some young people to seek out answers on the internet or from other groups. Interviews indicate changes taking place in some mosques, with the emergence of a new generation of imams, who have a better understanding of the British context. Secondly, it is the apolitical rather than political nature of mosques that is seen as a weakness in relation to radicalisation. The apolitical nature of many traditional mosques, as spaces which prohibit discussion of political issues such as overseas conflicts involving Muslims, has, it is argued, left young people seeking alternative spaces in which to engage in discussion on these issues. In the words of one Muslim community activist, ‘traditional mosques in their silence on politics, left the door wide open for more radical political groups’.

Tackling violent extremism

As part of its response to extremism the government has encouraged better governance of mosques through supporting the creation of the Mosque and Imams National Advisory Board (MINAB).

In the case study areas, funding has been directed towards mosque governance on the basis that improved governance contributes towards building capacity and community resilience, and supports mosques in confronting extremist groups. Most interviewees working with mosques suggested that there is greater awareness among mosque officials about the risks posed by extremist groups and the ways in which they operate:

‘They issue a leaflet for a talk on a topic which is very spiritual... they never give their names so people think it’s good, you go and listen and you hear an emotional speech but he won’t say anything [extreme]... they take the contact details of those who come and then chase them and follow them and build up relationships.’ (Muslim Community Organisation)

The interviewee suggests that there has been a shift in the recognition of the threat from terrorism among senior mosque officials.

Some mosques have chosen not to engage with public authorities on issues around counter-terrorism. However, the interviews suggest that this can reflect a 'quietist' religious tradition underpinned by a desire to avoid mixing religion and politics. Officials at a mosque in one of the case study areas explained that they were not going to engage with the police and public authorities around PVE. They felt that as a religious institution, the mosque's primary responsibility was to ensure order within its institution and that its rules were observed and obeyed. Where an individual was disruptive or conveying extremist messages within the mosque, it would expel them. The mosque officials said they did not feel it was their role to challenge or de-radicalise individuals whose activities were outside the mosque:

'We can't stop people coming in... as long as they abide by the rules of the masjid... we don't say don't come. They [extremists] may not agree with us, but we can't stop what they do on the high street. The police want us to engage with them [the extremists] but I say, no. If we engage with them, we bring the trouble out there, into here. We don't want that. They [extremists] come to this mosque, they come in for specific things, [to pray or read the Quran]... they can't congregate, they can't give you lectures... they can't do meetings here... as long as they come in and follow simple rules we've got no problems... it's not our role to police what people are doing outside... they [the police] don't have enough power to stop them; how are we going to stop them? And they [the extremists] are not going to listen to us. They've already got their own thinking. We can't change their thinking. We will not engage with them. What the police are saying is we've got to come up with ideas to counter what [the extremists] are doing.' (Mosque official)

The imam of another mosque noted that its primary role was meeting the spiritual needs of its congregation and not to be engaged in politics. It did not want a role in tackling extremism from either Muslim groups or the EDL.

Several mosques across the case study areas were primarily concerned with the way in which Islam has been linked to terrorism in public discourse. They have responded to this by initiating programmes and projects that aim to provide a greater understanding of Islam to Muslims and the wider community:

'With respect of other communities, people do feel they are not being understood; they are being demonised. Other communities don't understand. On that front, the Muslim community, mosques and centres, have gone out of their way to try to promote a peaceful image of Islam. Saying, this is what Islam is about, this is what we're about. And we try to give examples of what Islam has brought to British society and so on and so forth.' (Mosque official)

Another practitioner argued that more needed to be done in supporting mosques to communicate with the wider community:

‘We should have been investing in helping mosques being open to schools, to create a dynamic that opens them up in order to be prepared for the attack on Islam and the misunderstanding of Muslims, and the way this adds to the radicalisation agenda.’ (PVE local practitioner)

Minorities within the Muslim community

Lambert (2008) suggests that the focus of counter-terrorism policing and practice is targeted at particular sections and minorities within the Muslim community. One group that has come in for particular attention in this context are Salafis. This was echoed by interviewees from Salafi mosques in this study, who feel that they have been unfairly singled out for attention. They focus on the context of counter-terrorism policing, and feel they are seen by other members of the Muslim community as the source of the problem. Some find this particularly painful, as they were often addressing issues around violent radicalisation and confronting violent extremism before 2001.

Individuals in these mosques report that their relationship with the police and wider community has changed over time, as initial hostility towards the mosque has given way to greater understanding and recognition of their work and role.

‘We’ve been talking about issues like suicide bombing... before 9/11... Initially we were the most vocalist of groups on that front. Now for people to come back to point fingers at us! Now, it’s calmed down quite a bit but initially it was the Salafis are this or that. It comes from various different quarters. But our actions prove about intentions louder than their words... They’ve realised we’ve been doing this stuff for a long while... We’ve never sought any funding, everything that’s we’ve done on counter-terrorism we’ve sourced within ourselves... Primarily because we look at this as a religious duty, not because of what the political clout is or what the media say. Our religious duty is to guide people to the straight path and divert people from issue of takfir. We’ve held that above everything else.’
(Mosque official)

A senior figure in one Salafi mosque reported that a significant number of their congregation had been regularly stopped at airports. Police are also aware that mosques feel they are under surveillance: ‘I’ve been told by several people that they think that there is a spy in every mosque working for MI5.’ At the local level, such perceptions have a direct impact on the willingness of some mosques to engage with the police.

6.4 Summary

Schools, universities and mosques, as spaces where young people explore ideas as well as develop their sense of identity and belonging, have come within the scope of counter-terrorism polices. There was great awareness by interviewees from all three

about their role and contribution in addressing violence and extremism. The actions of police and security services have led some student Islamic societies to feel that they are under close watch from security services.

Mosques are responding to the agenda around counter-terrorism in a variety of ways. Some, interviewed for this study, are active in directly addressing issues of extremism and terrorism; others focus on developing their governance structures and skills of their imams to ensure that they communicate and connect more effectively with young Muslims. However, a few mosques do not engage with issues around counter-terrorism. Some imams feel that they lack the skills or training for this task but for others this reflects a sincere belief that mosques should focus on the spiritual needs of their congregation and steer clear of any political issues.

7. Homes and families

The focus in this chapter is on the impact of raids, arrests and convictions relating to terrorism offences on Muslim communities. The chapter begins with an outline of the data on the numbers of arrests, charges and convictions for terrorism-related offences. It then looks at accounts of the impact of raids and arrests on individuals, their families and the community in the case study areas, including evidence from the case studies which identifies a number of factors and actions by the police which affect this. Finally, the chapter looks at the role of local authorities in containing any negative fallout from arrests and raids in local communities.

7.1 Arrests, charges and convictions

Since 2001 there have been 1,834 terrorism-related arrests in Britain, from which 404 people were charged, 332 prosecuted and 237 convicted of terrorism-related offences.²⁹ In other words, over three-quarters of those arrested are released without charge and only 13 per cent have been convicted of any terrorism-related offences. These stark figures must, however, be understood in the context of the different role and evidential requirements for arrests compared to convictions in the criminal justice system. Across the criminal justice system, the majority of people who are arrested are released without charge. For example, in 2007-08 less than one-third, 29 per cent, of adults arrested for an indictable offence were prosecuted (Home Office, 2010). An arrest is, therefore, just the starting point for a process that can lead to a conviction.

The decision to make an arrest lies with the police. They are able to make an arrest where there is information that leads them to reasonably suspect that a person is a terrorist.³⁰ Importantly, 'information' on which the 'reasonable suspicion' for an arrest is based is not the same as admissible 'evidence' that can be put before a court. The maximum period of time the police have to detain a person, question them and collect evidence to determine whether they can be charged has changed over time. It was set at seven days in the Terrorism Act; this was increased in 2003 to 14 days and increased again in 2006 to 28 days. Since January 2011 it has returned to 14 days, however, draft emergency legislation has been published that can be put to parliament to increase the period of pre-charge to 28 days for a limited period of time, should this be deemed necessary (see Chapter 2).

While these constitute the maximum periods for pre-charge detention, in order to detain a person for more than 48 hours the police must obtain judicial approval. The Terrorism Act Schedule 8 provides that the detention must be under a warrant issued by a 'judicial authority'.³¹ The warrant may be issued if there are reasonable grounds for believing that 'the detention of the person to whom the application relates is

necessary to obtain relevant evidence whether by questioning him or otherwise or to preserve relevant evidence'.³² The detainee or his solicitor also has the right to make written or oral representations.

The decision on whether there is sufficient evidence to charge is not made by the police but by the Crown Prosecution Service (CPS). The CPS's decision is based on whether there is a realistic prospect of conviction in light of the evidence available.³³ Out of the 404 individuals that have been charged, 72 individuals have not been prosecuted. Of these, 14 await prosecution and 58 have not had any proceedings brought against them (Home Office, 2010: 21). Thus, around three-quarters of those who are prosecuted are subsequently convicted. There is no data on the religious background of those arrested.

Table 7.1 Terrorism-related arrest, charge, prosecution and conviction³⁴

	Arrest	Charge	Prosecution	Conviction
2001-2010	1,834	404	332	237

(Source: Home Office 2010, see also endnote³⁴)

7.2 The impact of arrests

In all four case study areas there have been arrests of individuals in relation to terrorism. Often the arrests are preceded by a raid on the property where the individual is living. Following an arrest, a suspect's home is carefully searched for evidence. This has an impact not only on the individual, but also on other family members living in the home and, sometimes, on neighbours. Some of the Muslim participants in the focus groups had direct or indirect experiences relating to raids on homes in their local area.

'When you hear about families that have their houses raided, I think that it's awful the way they barge into your house and, you know, go through everything, the way they trash everything, and then, you know, we made a mistake, we're sorry, if you even get that. Our people don't put in complaints because they want it to be over.' (Muslim, female, Birmingham)

The increasing number of raids has led the Association of Muslim Lawyers to publish 'a guide to anti-terror raids for Muslim communities'. The guide notes that the impact of anti-terror raids 'can be quite overwhelming on the Muslim community', is 'often underestimated, and can lead to communities falling out within themselves due to the huge pressure that surrounds the community, and also within the wider community' (Nawaz and Warrich, 2007). The guide identifies the need for communities to prepare for the impact of the arrests on the family members of the individuals arrested as well

as on the local Muslim community, and any potential backlash. They also refer to the need for communities to have a strategy in place to deal with concerns that arise in the wider community and schools, and to inquiries from the media.

The impact of pre-charge detention

In those areas where there were a significant number of arrests, awareness and knowledge of these were high and a cause of concern raised by Muslim focus group participants. Non-Muslim focus group participants from these same local areas tended to have less knowledge of the arrests, and did not feel that they had any impact on them. Significant and deep after-effects continue to be experienced by individuals, even where they are innocent and released without charge. In some cases, individuals and their families continue to face stigmatisation and isolation from the wider community. As over three-quarters of those arrested are released without charge, the focus of anger and concern is on the impact of arrests on those who are innocent.

‘The police knocked on the door at 7 in the morning, they arrested my son. He was 15 and they took him away for 36 hours. We called the lawyer and everything. They let him go. They said they made a mistake. I was 36 hours crying and praying... they take all his stuff, they couldn’t find anything.’ (Muslim, female, Birmingham)

‘Relatives have had their houses searched; they were raided and kept in custody for half a day. In the end all charges were dropped. I don’t know the ins and outs. They want to forget about it... They felt completely helpless... even though they are innocent they feel like they’ve been branded. Even to mention it; what’s happened to them, people feel like they are guilty. It makes you feel like you are being punished already for nothing.’ (Muslim, female, London)

‘There was an arrest... the impact on the family has been very detrimental... children have been subject to bullying... subject to abuse in the streets in the shops... it’s very difficult to rebuild your life after an event like that... people have distanced themselves.’ (Muslim NGO outreach worker)

Some recognised that innocent people would inevitably be caught in the policing process, but felt that the powers were nevertheless important in tackling terrorism:

‘If there was an incident where my friends were involved, in a stabbing or something, if it helped to solve the crime I would be happy to be arrested and spend seven nights in a prison. Trust me, I would... For someone to be locked up for a week they must have been doing something. I mean, I’m not accusing someone or taking anyone’s side, but at the end of the day that person could have come out and could have done a terrorist

attack. I know everyone is quick to blame the police but what more can they do to prevent it.' (Muslim, female, Leicester)

For most non-Muslim focus group participants, the release of individuals without charge after a raid and arrest is evidence that the system works to protect the innocent; however, for most Muslim and some non-Muslim focus group participants the arrests and raids can also be a source of anxiety, leading to feelings of vulnerability and insecurity. Muslims here identify themselves with other innocent Muslims and fear that anyone who is innocent can find themselves entangled in a counter-terrorism investigation:

'Also the anti-terror legislation, where you can just raid, that concerns me as that happened local to where I live. Their houses were raided and nothing came out of it. That means that I could be the next target; my dad could be the next target; my cousins could be the next target. You just don't know.' (Muslim, female, London)

Furthermore:

'I feel less safe because of legislation, I feel that if I or a family member were to fall foul of that legislation by accident it's very difficult to get out of it. You hear reports of people who have gone through the system. For every person who is convicted you hear of a dozen people who are freed because there is no case against them. Many who are caught up with the laws are innocent. My eldest son is 25 he is of mixed race background and does look a wee bit exotic, so I fear for his safety... I am worried that if he gets sucked into that sort of system how would you get out? When I think of personal circumstances I feel less safe now because of those draconian laws.' (Non-Muslim, male, Leicester)

This sense of insecurity and vulnerability is intensified by the persistent circulation of inaccurate information about police powers to arrest and detain. For example, while the law at the time of the focus groups allowed up to 28 days for pre-charge detention in terrorism cases, in the focus groups the length of time was frequently cited as 40, 60 and 90 days. It was also believed that such detention could occur without any evidence:

'60 days devalues human rights. You can't give a rapist 15 years, but can lock a guy for 60 days to ask questions. But we have to put up with it. It's putting people into a corner.' (Muslim, male, Leicester)

'Keeping people for 90 days without charge, I think that's having an impact. You wouldn't approach the police, especially if you are Asian or something, because they will start questioning you, they don't even have to have a reason to put you in suspected terrorism. Then that's it, you know.' (Muslim, female, Birmingham)

‘We’ve spoken to many families in our communities... Every one of them fears that their son, their brother, their nephew, could be detained without even any evidence to back it. It contradicts the whole thing about innocent until proven guilty.’ (Muslim, female, London)

Local connections

While arrests and raids appear to have a greater impact on Muslim than non-Muslim focus group participants, interviews suggest that even within local Muslim communities, the impact of particular arrests varied and appears to depend on a number of factors. Firstly, the impact depends on whether those arrested are viewed by others as part of their local community. This is more likely to be the case where there is a shared ethnic and cultural background with those arrested and where those arrested had lived in the local area for a long period of time. In Glasgow, the individuals involved in the 2007 attacks on the airport, while working in the local area, were not active or established members of the local Muslim community; consequently the arrests are regarded as having had a limited impact on the local community:

‘We were really happy that it was people who were not from Glasgow... they were from somewhere else... okay they worked in Glasgow... [but] they weren’t part of the local community.’ (Community organisation)

Most interviewees felt that the incident would have had a far greater impact had those involved been from the local Scottish Pakistani Muslim community.

In Leicester there have been arrests of men of Somali origin. Both Somali and local authority interviewees felt that these arrests did raise concerns and create feelings of insecurity in the local Somali community. By contrast, interviewees from the longer and more established South Asian Muslim communities felt that these arrests had limited impact on local Muslim communities, but assigned this to the fact that those who were arrested were recent arrivals.

‘In Leicester there were two arrests a few years ago involving Somalis... they were not part of the settled community... they tried to hide themselves in the community... [the arrests] didn’t have much of an impact as they were not really known or part of the community... people were baffled as they did not know them... they were individuals who happened to live in the city.’ [Muslim civil society activist]

In two case study areas, Birmingham and London, there have been arrests involving individuals whose families were established and in some cases prominent members of local Muslim communities. As a consequence, these arrests had a greater impact on local communities as greater numbers of people in the local communities knew of the families. News of the arrests and subsequent release or charging of individuals,

as well as the treatment of the families during this process, was recalled in detail, both by participants in focus group discussions and interviews with civil society activists.

Police preparation and planning for raids

Secondly, police preparation and planning prior to a raid can significantly shape its impact on a community. In one case study area, even among activists critical towards overall national counter-terrorism policy, there was positive recognition of the measures taken by the local police in handling arrests and raids in their area. In particular, the planning sensitively took into account the ways in which the wider family, parents, siblings and children living in a property, who are not part of the investigation, are affected by a raid and cultural norms and sensitivities of Muslim households:

‘We identified the need for female officers in the raids... you need to ensure that you were not sending men into rooms with women... we asked, have we checked that there isn’t a prayer time on during this time? If there was, what are we going to do? On one occasion there was a prayer time due about 30 minutes after the planned time for going into the premises. So, what are you going to do if somebody wants to pray? How are you going to facilitate it?... It was that sort of awareness that had never previously been part of planning.’ (Police officer)

There were positive comments about these measures in interviews with community organisations:

‘The raid was conducted well, respectful in going into people’s houses. [They] had female officers in the raids and were mindful of the fact that some rooms had prayer books in them.’ (Mosque official)

The interviews with community activists and statutory agencies underline the importance attached to having clear and unequivocal messages from public figures, that those charged are a small number of criminals and any incident or arrest should not be used to stigmatise or divide communities. Several Muslim interviewees in Glasgow emphasised the importance of the way in which the local police and national government responded to the attacks at the airport:

‘Police were really good following Glasgow Airport... they talked to people, they went out of their way to speak to people, organisations and young people... one of the ministers, Kenny MacAskill he came onto TV and emphasised that we don’t want to tarnish the whole community and he quoted Robbie Burns. It was really good... he defended the Muslim community. He said, we don’t want any riots here; there is good and bad in every community. The message from the people at the top and the police was reassuring.’ (Chief executive, Muslim civil society organisation)

Police sharing information

Thirdly, information sharing remains a significant issue in developing trust and confidence in relations between local communities and the police. Even within the police, intelligence and information around counter-terrorism operations are carefully controlled. Much of the direct contact with local communities is through local area-based police officers who have to explain the necessity of a particular raid or arrest but may not have direct access to the intelligence or evidence on which the decision to make the arrest was made. Local police officers are often only given information about an arrest a few hours ahead of the operation. In some areas where there is a planned raid and arrest, mechanisms are in place for some individuals in the Muslim community to be informed, sometimes just before police action or immediately afterward:

‘When we know there is going to be a sensitive arrest, we identify key individuals from that location or position in the community. On the morning of the arrest they are notified and given a number for further information. They can say they are aware of what we are doing. They are briefed at the beginning, and sounded out in the middle and updated at the end. These are individuals that are given information immediately after the arrests.’
(Police officer)

Such briefings of key individuals, while important, does not address the need to ensure that those who are most directly affected by police operations, those living in the streets where a raid has taken place, should be informed as much as possible about the incident. The lack of direct information to residents following the raids on houses in Forest Gate in East London was an issue that was highlighted by the Newham Monitoring Project. They argued that ‘an “information vacuum” was created by the Metropolitan Police Service’s refusal to provide any meaningful information to local people’ and that ‘no efforts were made to communicate with residents whose roads were suddenly closed’ (Newham Monitoring Project, 2006).

In the absence of being able to share actual information with communities, police have developed role-play exercises in which members of the public, often those who are viewed as active and key individuals in communities, are given scenarios involving receipt of information and asked to make decisions around how the police should respond. A senior police officer explained that the aim of these is to provide individual participants with an insight into the operating environment of the police and the challenges and difficulties around the judgements they make: ‘they hopefully go back into communities as ambassadors... they hopefully say they understand the reasons for this’. Interviews with individuals in Muslim communities suggest that while this goal may have been achieved there was also a feeling that this exercise was a one way process. Communities were asked to understand the complexity and

difficulties of the judgements police are required to make without any reciprocal exercise for police to understand the impact of their actions on communities:

‘The police have been involved in workshops showing police perspectives... the workshop is good but the feedback I’ve got from women is that it’s the police’s perspective. They are not asking us what we think. They are showing us, for instance, in the event of a terrorist attack what things do police have to look at... it does not show or reflect in any way how us, as individuals or human beings, how it effects us... The exercises are useful in showing what the police have to consider and the impact of a terrorist attack but I feel it’s one sided they also need to consider our side as well... unless they can do that they are not going to get the people to open up to them.’ (Muslim NGO outreach worker)

7.3 The role of local authorities

Like local communities, local authorities are rarely given advanced warning of counter-terrorism arrests. They, nevertheless, retain a critical role in managing the impact of arrests on community relations. The case studies suggest that in local areas where there were developed mechanisms for engaging with local communities, local authorities were well placed in addressing community concerns arising from police raids. Areas where there was less contact between Muslim civil society groups and the public bodies faced greater challenges:

‘Last year we had quite high profile arrests in the Somali community... we were able to talk with the community before the arrests, because there is a level of trust, and I guess that that is because we’ve had established mechanisms to have those conversations for years... [when] the arrests were made, the community were anxious about it... but there were events in play to mitigate that... there were community meetings very quickly set up, stuff appeared on Youtube [from the police]... which explained how the criminal justice system worked, what to expect... the worse thing I think you can do is to... start having conversations with people when it’s tough. You’ve got to have those conversations when you are talking about the good stuff.’ (Local authority official)

In another case study area, officials at a mosque that received significant public attention in the wake of some arrests felt that they received limited support at the time. This changed as the local authority began to understand the potential impact of the events on community relations:

‘At [the time of the arrests] we didn’t have any support from the council and police. When we started protesting with the council and police they realised they should have communicated that something on our door step is going to happen, at least come and spoken to us... obviously they can’t give us the details of what is going to happen. Since then the local council has become very much proactive... their hands are tied at times but they do try and pre-empt certain things to us... the relationship has changed.

In the aftermath of all this they realised they are going to be left behind to clear up the mess... That was a bad experience. The community was taken aback; there was a lot of ill feeling against the police and council. The statutory bodies should have done more to protect us; given us guidance before rather than after... the situation was salvaged but not before a lot of heart ache and anger... there was a lot more engagement after that.' (Mosque official)

The appointment of a faith liaison officer to improve contact with the local Muslim community was regarded as a positive move by the mosque officials. Policymakers, practitioners and non-Muslim community activists felt that the local authority was successful in preventing a breakdown in community relations. The key action of the local authority in this context was its recognition of the potential fallout from the arrests on community relations. Within 24 hours of the arrests, there was a meeting in the town hall involving senior police officers, community organisations, local mosques, in which there was discussion about how to react and prevent the arrest being a source of tension between and within communities.

7.4 Media coverage

One consistent concern expressed in discussion groups and Muslim community interviews is the imbalance between the attention given to an arrest and raid, compared to the lack of reporting when an individual is released without charge. This imbalance in the coverage contributes to the concerns about the media attention that descends on a local area as a consequence of a high-profile series of arrests. In one case study area, following extensive media coverage of one set of arrests, steps were taken by police to minimise media coverage of arrests in subsequent raids:

'In the first raid we had the houses for 2-3 days, to do full forensics. We were putting lines of officers across the roads. The media would see the line of officers and speak to people as they go past. The feedback was that, because the police were so visible, the media came and were asking provocative questions, it drew disproportionate responses. For all arrests since we go in early, secure the premises, and then have a uniformed officer inside the premises behind the front door, so there is less visible indication of where the raid has been so media can't park up next to someone's house. We do things low key, try not to attract the media. We get positive feedback for that.' (Police officer)

Individuals from local mosques and community groups also felt that the steps by the police to limit media coverage were positive:

'The second operation one was handled much better. Less media. Information was not leaked out to the media.' (Mosque official)

Some interviewees felt that legal rules, limiting the information that can be reported on a case once an individual has been charged, helped to dampen the impact.

7.5 From arrest to charge

Individuals in several focus groups also felt that new laws were being introduced, or existing laws changed, in order to make it easier to arrest and prosecute Muslims. Some referred to the legislation as being ‘for Muslims’, and specifically targeted at them. The lack of a clear definition of terrorism and extremism was a recurrent concern among some; for many the broad range of activities that could come within the scope of counter-terrorism laws was a source of anxiety and concern. There was particular concern around the criteria used to identify a person as an extremist. Several interviewees reported an increasing caution in attending political protests or meetings, because of fears that this could draw them to the attention of counter-terrorism police:

‘Sometimes it’s like you might not have even done anything but certain views that you have you can be detained for that. So that’s quite scary. All of these laws all together, what it does is, just, it silences Muslims. They are scared to speak out about what is happening in Iraq, they are scarred to openly talk about their beliefs... you do feel targeted, it is scary.’
(Muslim, female, London)

The interviews suggest that charges and convictions that relate to specific planned attacks and plots can play an important role in creating greater recognition of the potential threats of terrorism. However, there is less support for convictions that relate to offences, such as acts preparatory to terrorism or having materials that could be used for terrorism, particularly where the evidence centres on material that can be downloaded from the internet. The interviews and focus groups suggest that such convictions contribute to a narrative that the police ‘are trying to look for anything to charge Muslims with’.

Some interviewees, in arguing that prosecutions were discriminatory or unfairly targeting Muslims, point to the different approaches to convictions against right wing extremists compared to the treatment of Muslims linked to international terrorism. One experienced counter-terrorism police officer argued for the need for a more effective communication strategy and information-sharing around the conviction of right wing extremists. He noted that a perception that right wing extremists were not being dealt with in the same manner as Muslims, as they are not charged under terrorism legislation, was a source of anger that needed to be addressed by better information and communications.

7.6 Summary

Over three-quarters of those arrested for terrorism-related offences are released without charge and only 13 per cent have been convicted of any terrorism-related offences. Although the detailed figures were not known by research participants, they firmly believed that the majority of those arrested were innocent and released without charge, and were angry that so much publicity often surrounded an arrest, compared to the silence around a subsequent release without charge. Muslim participants in focus groups had far greater knowledge and concern about arrests and raids than non-Muslim focus group participants living in the same area.

The impact of an arrest on those involved can be significant and long-lasting since, even where they are released without charge, they can continue to face social isolation and ostracism. Evidence from the case studies suggests that the impact of arrests and raids on the wider community can be partially mitigated by careful planning and consideration of various needs, particularly of innocent members of families that are caught up in a raid. In general, given that the majority of arrests do not lead to a charge, efforts directed at ensuring low-key arrests with minimal publicity were viewed positively by research participants. Local authorities have a critical role to play in containing the fallout from arrests and raids in their areas. In general, the focus groups revealed a lack of understanding of key aspects of the judicial process, including the length of pre-charge detention, and the processes of charging individuals. The fact that around three-quarters of those who are arrested are innocent and the breadth of some of the offences for which individuals can be arrested contributed to anxiety among many in this study that any Muslim can be caught up in an arrest or raid.

8. Conclusion

The report points to the varied and diverse experiences that arise in the context of counter-terrorism. The experiences vary across the four case study areas and also across groups within the case study areas. The starkest difference to emerge from the research is the disparity in the experience of Muslim and non-Muslims who live in the same local areas in terms of their encounters with counter-terrorism policing. Counter-terrorism law and policies are experienced and recalled more intensely, acutely and directly by Muslims than non-Muslims in the focus groups. Muslims were more likely than non-Muslims to recount incidents around counter-terrorism policing and policies that either involved themselves or concerned close friends, family or neighbours. When it comes to experiences of counter-terrorism policing, particularly of stops at airports, stops on the street and arrests and raids, Muslims and non-Muslims from the same local areas appear to live 'parallel lives'.

There is a damaging disconnect between the state and communities in their conceptions of 'threat'. From the perspective of the state and officials who work in counter-terrorism, the threat from international terrorism is the most significant and real threat that Britain faces today. Given the nature of the actual and planned attacks from Al Qa'ida-inspired terrorism in Britain and elsewhere, the existence of networks and groups involving around 2,000 individuals that are involved in planning or supporting attacks in this country or abroad pose a real and grave challenge to national security. From the perspective of a Muslim population of over 2.5 million, however, those individuals are a tiny and virtually invisible minority. In the face of state claims about the threat posed by Al Qa'ida, focus group participants consistently identified a range of other issues, from drugs and gangs to unemployment and racism, that to them posed an equal or more immediate and real threat to their families and local communities. The research suggests that a state-centric approach to threat that is unable to acknowledge or respond to community conceptions of threat will struggle to attract community acknowledgement and cooperation. For example, it should be recognised that the English Defence League (EDL) are, for many Muslims in this research, a visible and real manifestation of violent extremism and one that many are more likely to encounter than an Al Qa'ida extremist. The research suggests that the policing of EDL marches, if handled correctly, could provide an opportunity for partnership and cooperation between local Muslim communities, the police, local authorities and other communities.

Experiences of counter-terrorism policing and practice differ across age, gender and ethnicity. Stops on the street are largely experienced by young men, often when they are alone or with other young men. Stops at airports appear generally to be experienced by men as well, but there is also an impact on those travelling with

them, or meeting them, including partners and families. There is greater awareness of incidents, stops, searches, raids and arrests, involving those of the same ethnic background than in relation to those of other such backgrounds. However, where experienced, the impact on those affected and the wider community was significant.

Measures that are perceived as targeting Muslims as a group or community were of greater concern to those in this study than measures that target individual suspects. Measures such as stop and search on the streets or at airports, PVE funding, and the use of surveillance cameras, which bring a wide range of individuals within the ambit of police attention and which rely on the exercise of judgement in an area of wide discretion, were most frequently identified as 'stereotyping' or 'profiling' Muslims. The refrain that such measures are 'affecting ordinary law-abiding Muslims like us' was heard in most focus groups. By contrast, there was less focus in the discussions on laws and policies such as the length of pre-charge detention or control orders, reflecting the fact that they affect a smaller number of people.

There is no precise data on the scale of Schedule 7 stops as, prior to 2010, the Home Office only published data for examinations lasting over one hour. However, the research for this report finds that Schedule 7 stops at airports are having the single most negative impact on Muslims across all four case study areas. The nature of the questions asked during the stops and examinations intensify feelings that the stops are based on religious profiling. Senior officials and police officers are aware of the negative impact that Schedule 7 is having on relations with Muslims, and some have reached the view that the negative impact on communities outweighs the benefits it provides. However, Schedule 7 was not part of the recent review of counter-terrorism and security powers.

The PVE programme was a considerable area of concern in interviews with those who work in Muslim community organisations and civil society, but hardly featured in the focus groups; where few had even heard of Prevent. While mistakes were made in the development and implementation of PVE, much of this reflected the fact that this was a new area where policymakers were starting without any benchmarks and templates to follow and learning has, necessarily, been through trial and error. The targeting of funding to Muslim communities under PVE, particularly where it was directed at capacity-building and community cohesion, contributed towards a sense of being treated as a 'suspect community' and was perceived to generate resentment from other communities. This would appear to suggest that such projects should, therefore, be delivered through mainstream funding mechanisms.

In interviews with key stakeholders from community-based non-government organisations (NGOs) and civil society organisations, the need for more information,

transparency and accountability around counter-terrorism policing and policies, was a recurring theme. While it was recognised that an asymmetry of information was inevitable in the area of counter-terrorism policing, many felt that more creativity was needed in developing mechanisms for sharing and disseminating information in relation to counter-terrorism policing.

Counter-terrorism laws are not experienced in isolation but contribute to a wider sense among Muslim participants of being treated as a 'suspect community'. While some Muslims are responding to this through greater engagement, in challenging the misperceptions about them, many more report feeling increasingly alienated and isolated. This research outlines some of the drivers for this and provides the basis for further analysis and action by policymakers.

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Appendix Detailed methodology

The report is primarily based on a case study of four local areas (Birmingham, Glasgow, Leicester and East London). The case study approach is ideally suited to the research theme because it enables an understanding of processes that underpin the impact of counter-terrorism legislation and policy. It provided a method of triangulation of differing data types and enabled a qualitative and in-depth exploration of the real issues affecting communities. Qualitative research is illustrative, not representative, and it is not possible to generalise from the findings as one can from a robust and valid sample. Findings may be specific to the local context and to individual participants. The case study approach, nevertheless, provided in-depth information for an under-researched area of policy and practice. The four locations were chosen as they represent diverse Muslim communities and are areas with differing histories of policing in the context of counter-terrorism. Two of the local areas were the focus of high-profile counter-terrorism arrests (Birmingham and East London). The use of comparative case studies across Britain also helped identify differences in the implementation of legislation and polices across the four geographical locations.

Empirical data in each case study area was generated from focus groups and interviews with key informants through semi-structured open-ended questions. The use of focus groups was deemed appropriate as it provided access to a targeted group of individuals who were brought together for a carefully planned in-depth discussion on a sensitive topic within an informal yet non-threatening space. This is particularly important for marginalised or stigmatised groups (Krueger, 2003). Furthermore, the participant's voice within a focus group is more clearly apparent than views gathered through a questionnaire survey (Hall and Hall, 1996).

The groups were arranged by local community-based organisations with outreach elements (such as youth groups, volunteering organisations, groups that worked with families, conflict mediation groups, women's domestic violence support groups, ethnic community and inter-faith groups) in each of the case study areas. In the majority of cases, these were through organisations based in the local areas that had contacts across different sectors of the local community, rather than Muslim-specific organisations. In two instances, the focus groups were arranged by organisations that worked specifically with Muslim women. One focus group was held both in Urdu and Bengali; all other focus groups were held in English.

As the focus of the research is on the impact of counter-terrorism legislation and policy on Muslim communities, the focus groups participants were largely Muslim: around three-quarters of focus group participants identified themselves as Muslims.

However, one focus group in each area was held with non-Muslims from the same local area as the Muslim focus group participants. The data from this aimed primarily to pick up on whether the attitudes and experience were unique to Muslim communities or were shared by others in their local area, and to identify any significant differences in the experiences and views of Muslims compared to non-Muslims.

Data in the local case study areas was also gathered through key informant interviews with practitioners and officials working in counter terrorism, as well as key individuals in the local community. The data from the local case studies was supplemented by national level key informant interviews with policymakers, practitioners and community organisations in England, Scotland and Wales. The key informant interviews provided an opportunity for semi-structured face-to-face in-depth discussions with individuals who have first-hand knowledge of implementing counter-terrorism legislation and policies, as well as of its impact in local communities. Almost all interviewees consented to their interviews being recorded and transcribed, provided that it remained confidential.

The key informant practitioners included senior police officers, local community police and experienced counter-terrorism specialists. There were also local level practitioner interviews with local authority officials, youth workers, teachers, local councillors, MPs and community outreach workers. The national level interviews included senior government officials and advisors. The national and local practitioner interviews also included Muslims working in professional capacities in these different areas. In addition to key informant interviews with practitioners, there were interviews with local community organisations, including mosques, women's organisations, and community safety groups.

Table A1 Profile of focus group participants

		Interviewees (n)
Religion	Muslim	70
	Non-Muslim	26
Gender	Male	46
	Female	50
Location	Birmingham	24
	Glasgow	24
	Leicester	24
	London	24
Age	18-29	41
	30-39	24
	40-49	21
	50+	10
Education	No formal education	8
	Primary school	4
	O-level/GCSE	14
	A-Level/College	28
	Undergraduate	27
	Postgraduate	15
Employment status	Employed	51
	Self-employed	3
	Unemployed	17
	Retired	4
	Student	7
	Housewife	14
Ethnic origin	Arab	5
	Bangladeshi	6
	Black African	2
	Black British	2
	Black Caribbean	2
	East African Asian	5
	Eritrean	2
	Indian	6
	Mixed	2
	North African	6
	Pakistani	32
	Somali	10
	Turkish	3
	White British	12
White Other	1	

Interview questions

A. General questions (all)

1. What counter-terrorism legislation, policy and practice are you aware of?
2. What is your experience of counter-terrorism legislation/policy/practice?
3. Are there particular measures that are working well or working badly?

B. The answers to questions 1-3 will be used to identify and select the counter-terrorism law or policy that will be the focus of the following questions

4. What is the impact of the legislation/policy/practice on the Muslim community?
5. What has been the impact of the legislation/policy/practice on relations between different parts of the Muslim community? (ethnic, generation, gender, sects) Are there particular legislation/policies/practices that have affected these relations?
6. What has been the impact of the legislation/policy/practice on relations between Muslim communities and other communities? (ethnic minority communities, faith groups, wider society). Are there particular legislation/policies/practices that have affected these relations?
7. What has been the impact of the legislation on relations between Muslim communities and public agencies that are enforcing or delivering on counter-terrorism legislation? (police, local authorities, border agencies). Are there particular legislation/policies/practices that have affected trust, confidence in or cooperation with public bodies?
8. How has the Muslim community responded to the legislation/policy/practice?
9. What effect has the legislation/policy/practice had on your own work? (Eg directly on an individual's work, in respect of their wider objectives, and more broadly in relation to the wider perspective of community relations and community cohesion.)
10. How useful/necessary has the specific legislation, policy and practice been?
11. How much has it been used?
12. How effective do you think the legislation/policy/practice has been in preventing terrorism?
13. Do you feel the legislation/policy/practice is a reasonable response to the level of threat?

14. Do you feel that any of the legislation/policy/practice has been discriminatory?

15. Are there any alternatives to the current legislation/policy/practice that might be more effective?

General questions 2

16. How clear and consistent are guidelines given on the implementation of counter-terrorism legislation and policy?

17. What training/support is given to assist in the understanding of the legislation/policy/practice?

18. What measures are in place to ensure that those carrying out a policy/practice/measure adhere to any guidelines or advice?

19. To what extent is the impact of counter-terrorism legislation/policy/practice on communities an important consideration in the work that you do?

20. Have you/your agency adapted/adjusted your work in response to concerns about its impact on Muslim communities?

21. Are there other measures that you have taken to build confidence and cooperation with Muslim communities?

22. To what extent is the impact of counter-terrorism legislation/policy/practice on human rights an important consideration in the work that you do?

23. Have you/your agency adapted/adjusted your work in response to concerns about its impact on human rights?

Topic guide for focus groups

A. Focus groups

As part of the research for this project there will be four focus groups in each of the four case study areas: East London, Birmingham, Leicester and Glasgow. Each will consist of around 6-8 persons. Three of the focus groups will be with Muslims and one will be of non-Muslims. The focus groups will be between one and half to two hours long.

B. General policing questions

Session begins with general questions about crime and security as these provide a broader context for understanding people's perception of counter-terrorism legislation and policy.

1. What are your main concerns relating to crime and disorder in your neighbourhood?
2. How likely are you to report these issues to the police/local authority?
[If there is a reluctance to report to the police explore the reasons for this.]
3. How successful have the police/local authority been in dealing with these issues in your neighbourhood?
4. Have you contacted the police to report a crime or any other reasons in the past 12 months? If so, how do you feel you were treated by them?
5. Have you contacted the local authority relation to policing, crime or anti-social behaviour in the past 12 months? If so, how do you feel you were treated by them?

C. Perceptions and understanding of the threat from terrorism

6. How much of a threat from terrorism do you think there is in the UK? Why do you think this?
7. Where do think this threat comes from? Do you think it comes from particular groups or individuals?
8. Compared to five years ago do you think the threat is now than more/less or about the same? [Why do you think this?]

D. Knowledge of counter-terrorism legislation and policy

The questions here focus on participants understanding and knowledge of counter-terrorism legislation or policy measures in general.

9. What measures are you aware of that are being taken to in response to the threat from terrorism?
10. Do you have any direct experience of any of these measures?

E. Impact of counter-terrorism legislation and policy

Here the participants will be asked to identify particular measures that they are concerned about. Where they identify more than four, ask them to identify the four that they think are the most important. There are a set of questions focusing on their understanding or perception of a legislation or policy before exploring perceptions of impact.

11. Is there particular legislation and policy that has had a significant impact on you/your local area/others in your local area or that you are particularly concerned about?
12. How do you feel about this measure? Why do you think it has been introduced? Do you think it is necessary? Do you think the measure is effective?
13. Does it affect your *views/attitudes* towards or *relationship* with the government, the police, the local authority, other public bodies? If so how?
14. Does it affect your *views/attitudes* towards or *relationship* with other people in this city? If so how?
15. Does it affect *views/attitudes* towards or *relationship* with other people/particular groups in your community? If so how? [Ask participants to explain what they understand by their community, explore whether there are specific impacts on women, children and families]
16. Are there any changes that you would like to see in relation to particular legislation or policy?

Endnotes

¹ See: <http://www.equalityhumanrights.com/legal-and-policy/parliamentary-briefings/crime-security-policing-and-counter-terrorism-bill-briefings/counter-terrorism-bill-including-proposals-to-allow-detention-for-up-to-42-days/>

² As above, endnote 1.

³ House of Commons Hansard, 11 June 2008, col 398.

⁴ Estimates by Pew for the Muslims population in the UK for 2010 and 2030 are given in the online interactive map, available at <http://features.pewforum.org/muslim-population/>

⁵ Omar Bakri Mohammed sought asylum after arriving in the UK in 1986, and was subsequently granted indefinite leave to remain. He initially headed the radical Muslim organisation Hizb ut-Tahrir and then set up an offshoot Al-Muhajiroun.

⁶ Abu Qatada claimed asylum in 1994. He is said to have influenced Richard Reid and Zacarias Moussaoui, both convicted of offences related to terrorism. Qatada was placed under a control order in June 2008 after attempts to extradite him to Jordan were blocked by the Court of Appeal in England (see: <http://news.bbc.co.uk/1/hi/uk/7459773.stm>).

⁷ The Home Office uses a five-point scale for identifying the threat level: [1] low, an attack is unlikely; [2] moderate, an attack is possible but not likely; [3] substantial, an attack is a strong possibility; [4] severe, an attack is highly likely, and [5] critical, an attack is expected imminently, <http://www.homeoffice.gov.uk/counter-terrorism/current-threat-level/>

⁸ Jonathan Evans' speech to the Worshipful company of security professionals, 17 September 2010 <http://www.telegraph.co.uk/news/uknews/terrorism-in-the-uk/8008252/Jonathan-Evans-terrorism-speech.html>

⁹ MI5 tracking 30 UK Terror plots, <http://news.bbc.co.uk/1/hi/uk/6134516.stm>

¹⁰ See: http://api.ning.com/files/D55WrS2s9*TiQtcySwOGuwGy5fi*qwcs5X-2PJrTOra591OIIUrUfV90AiXu9TLw1RNRe7rM0*iz5beSRiQTsokt0oBE*kXT/YougovsurveyMuslimsonIslamicterrorism.pdf and http://www.marketresearchworld.net/index.php?option=com_content&task=view&id=156&Itemid=48

¹¹ Terrorism Act 2000 s1(2).

¹² Terrorism Act 2000 s1(1).

¹³ These include the: Anti-Terrorism, Crime and Security Act 2001; Criminal Justice Act 2003; Prevention of Terrorism Act 2005; Terrorism Act 2006; the Counter-Terrorism Act 2008, Terrorist Asset-Freezing (Temporary Provision) Act 2010 and Terrorist Asset-Freezing etc. Act 2010 plus the Civil Contingencies Act 2004.

¹⁴ SI 2010/645.

¹⁵ Draft Detention of Terrorist Suspects (Temporary Extension) Bills <http://www.homeoffice.gov.uk/publications/counter-terrorism/draft-detention-terrorist-bills?view=Binary>

¹⁶ An examination begins after screening questions have been asked.

¹⁷ Letter from Home Office in response to an FIO request by the Federation of Islamic Student Societies.

¹⁸ There are a range of powers that allow the police to stop and search a person or vehicle. These include Police and Criminal Evidence Act 1984 section 1; Misuse of Drugs Act 1971 section 23, Criminal Justice and Public Order Act 1994 section 60; Firearms Act 1968 section 47.

¹⁹ The search only authorises a constable to require a person to remove headgear, footwear, outer coat, jacket or gloves (Code A para 4A).

²⁰ Data for 2001-2008/9 from David Povey (editor), Timothy Hand, Amartej Singh Rishiraj and Ravi Mulchandani (2010) *Police Powers and Procedures, England and Wales 2008/09* Home Office Statistical Bulletin, table 2(c) they refer to data for England and Wales only. The data for 2009/10 is taken from *Operation of police powers under the Terrorism Act 2000 and subsequent legislation: Arrests, outcomes and stops & searches Great Britain 2009/10* Home Office Statistical Bulletin 18/10 table 2.1 the data for this is for the whole of Great Britain. The figure for the number of convictions from s44 is extrapolated from the statement in the Report of the Government Review of Counter-terrorism Powers that 'In Great Britain section 44 searches have not led to convictions for terrorism offences' (HM Government 2011: 16).

²¹ *Gillian and Quinton v The United Kingdom*, Application No 4158/05, Judgment of 12 January 2010.

²² 'Legal fight over spy cameras in Muslim suburbs' *The Guardian*, 11 June 2010, <http://www.guardian.co.uk/uk/2010/jun/11/project-champion-numberplate-recognition-birmingham>

²³ 'Police Apologise for Birmingham Spy Camera Outrage' *The Birmingham Mail* 05 July 2010 <http://www.birminghammail.net/news/birmingham-news/2010/07/05/police-apologise-for-spy-camera-outrage-97319-26787014/>

²⁴ 'SNPs Random Rail Search Concerns' BBC News 16 December 2007 <http://news.bbc.co.uk/1/hi/scotland/7146957.stm>

²⁵ In fact the ad was later banned following complaints the advertising standards authority for being offensive. 'Anti-Terrorist Hotline Ad Banned for Being Offensive' BBC News, 11 August 2010 <http://www.bbc.co.uk/news/uk-10929203>

²⁶ This is a joint initiative of the Scottish Government and the Association of Chief Police Officers in Scotland.

²⁷ The six strands of the CLF are: capacity building, supporting young people, supporting women, local forums, supporting faith leaders and leadership capacity: see Hansard, House of Commons 5 November 2009 col. 1144W <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm091105/text/91105w0012.htm>

²⁸ House of Commons Hansard, 19 March 2008, col.925-929, National Security Strategy Statement made by Prime Minister Gordon Brown to Parliament.

²⁹ The term 'terrorism-related offences' covers both conviction for offences contained in terrorism legislation as well as convictions for offences.

³⁰ Terrorism Act 2000, s 41.

³¹ Paragraph 29(4) provides: 'In this Part "judicial authority" means (a) in England and Wales, the Senior District Judge (Chief Magistrate) or his deputy, or a District Judge (Magistrates' Courts) who is designated for the purpose of this Part by the Lord Chancellor, (b) in Scotland, the sheriff, and (c) in Northern Ireland, a county court judge, or a resident magistrate who is designated for the purpose of this Part by the Lord Chancellor.'

³² Terrorism Act 2000, Schedule 8 para 32.

³³ It is also possible to charge a person where the threshold test of a realistic prospect of a conviction based on the evidence available is not met if there is a requirement to hold the person in custody for public safety reasons and it is assessed that the evidence needed to meet the threshold test will be forthcoming in a reasonable time: see Hemming (2010).

³⁴ Data are taken from Home Office (2010) table 1.1, table 1.8(a) and table 1.8(b).

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This report aims to develop and deepen understanding of the impact of counter-terrorism legislation on Muslim communities. Using in-depth interviews and focus groups, it finds that when it comes to experiences of counter-terrorism, Muslims and non-Muslims from the same local areas who took part in this research appear to live ‘parallel lives’. Many participants in the study, while not referring to specific laws or policies, feel that counter-terrorism law and policy generally is contributing towards hostility to Muslims by treating Muslims as a ‘suspect group’, and creating a climate of fear and suspicion towards them.