



# Joint Committee on Human Rights

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From Rt Hon Harriet Harman MP, Chair

Rt Hon Theresa May MP  
Secretary of State for the Home Department  
Home Office  
2 Marsham Street  
London  
SW1P 4DF

25 November 2015

Dear Theresa,

As you will be aware, the Joint Committee on Human Rights is intending to scrutinise the Government's proposed Extremism Bill in light of the requirements of human rights law.

I thought it would be helpful to write and set out some initial concerns and questions that are likely to be the focus of the Committee's scrutiny. The overarching questions of interest are as follows:

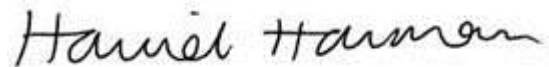
- How are 'non-violent extremism' and 'British values' to be defined by the Bill?
- Will individuals come within the definition of 'extremism' (or be considered to be against British values) as a result of their beliefs, or as a result of materials in their possession; or will they have to be involved in a specifically defined activity (e.g. publishing material or making speeches)?
- Does the Bill ensure equality before the law, or is there a risk of a disproportionate and/or undue focus on Muslim communities?
- Will decision-making on legal rights and liability under these measures be based on well-defined law, or be the subject of wide and arguably arbitrary discretion?
- Will the Bill lead to a diminution in the law's protection of fundamental rights and freedoms such as freedom of speech, freedom of religion and freedom to protest?
- In particular, will the legal uncertainty inherent in the foundational concepts of the counter-extremism strategy have a "chilling effect" on the exercise of those freedoms?
- To what extent are the restrictions imposed by the Bill justified by the benefit of greater security?
- Will the restrictions in the Bill create legitimate grievances which increase support for extremist ideologies?
- How will the success of the new legislation be measured?

In addition, the Independent Reviewer of Terrorism Legislation, David Anderson QC, posed a series of 15 questions at paragraph 9.29 in his most recent report ([Review of the Terrorism Acts in 2014](#)). I would ask that you respond directly to the Committee on these questions.

Finally, it would be extremely useful if you were able to provide the Committee with some case studies which set out where the Government believes the current law is insufficient to meet the problem that it is seeking to counter.

It would be helpful if we could receive your reply to these questions by **10 December 2015**. I would also be grateful if your officials could provide the Committee secretariat with a copy of your response in Word format, to aid publication. I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink that reads "Harriet Harman". The signature is written in a cursive, flowing style.

Rt Hon Harriet Harman  
Chair of the Joint Committee on Human Rights