

UNITED KINGDOM NATIONAL SUBMISSION: BEST PRACTICE AND LESSONS LEARNED ON HOW PROTECTING AND PROMOTING HUMAN RIGHTS CONTRIBUTES TO PREVENTING AND COUNTERING VIOLENT EXTREMISM

Introduction

1. The United Kingdom strongly endorses and supports the UN Secretary General's Plan of Action to Prevent Violent Extremism, which sets out the mutually reinforcing relationship between preventing and countering violent extremism (P/CVE) and the protection and promotion of human rights. Extremism struggles to thrive in inclusive, tolerant and open societies which enjoy good governance, respect for human rights and the rule of law. Where violent extremism festers unchecked, it can lead to human rights violations and abuses and create barriers to the universal enjoyment of the full spectrum of human rights.
2. The United Kingdom sees this mutually reinforcing relationship as an essential underpinning of our national approach to the challenge of P/CVE. The UK Counter-Extremism Strategy makes clear our commitment to countering the threat extremism poses to fundamental British values, including "the rule of law, democracy, individual liberty and the mutual respect, tolerance and understanding of different faiths and beliefs." These rights and values underpin our diverse, multi-racial and multi-faith society, and their protection and promotion constitutes a powerful bulwark against the influence of extremist ideologies.
3. The UNSG's Plan of Action underlines that in order to be effective, sustainable and meet Member States' obligations under international law, all legislation, policies, strategies and practices to prevent violent extremism must be grounded in human rights and the rule of law. The UK takes these obligations seriously. Our P/CVE interventions are designed and implemented in the wider context of a robust domestic legal framework which defines, protects and promotes human rights, ensures compliance with our international human rights obligations, and offers access to independent remedy. This context, with illustrative case studies, is set out in more detail in Part I.
4. Over and above the importance of making P/CVE interventions human rights-compliant, the UK firmly believes that the systemic protection and promotion of human rights is fundamental to tackling the root causes of extremism. Part II offers illustrative case studies of UK best practice in this respect.

Part I: Best practice: safeguarding human rights in P/CVE interventions

5. The UK's P/CVE interventions must be understood in terms of the broader context of the UK's robust and extensive institutionalised framework of safeguards for human rights. This context includes:

- an environment in which national and devolved regional Parliaments, a vibrant and free media and a vigorous civil society can conduct robust and comprehensive scrutiny of government policy and practice;
 - a domestic legal framework which defines, protects and promotes human rights, complies with the UK's international human rights treaty obligations, and offers access to independent remedy;
 - a set of well-established national human rights institutions, each accredited with A status by the ICC¹
 - constructive national engagement and cooperation with international human rights mechanisms, including openness to peer scrutiny through the Universal Periodic Review process;
 - an education system which instils the principles of equality, tolerance and mutual respect;
 - An accessible, transparent and fair justice system with an independent judiciary capable of holding government to account.
6. The UK's domestic legislative framework provides extensive safeguards against discrimination, which are applicable to all government strategies, policies and practices. P/CVE measures that specifically target individuals or groups, whether in law or practice, should not be discriminatory, and wherever rights-limiting P/CVE measures are considered, their potential impact on women, children, ethnic and religious communities or any other specific group must be considered.
7. The UK is a State Party to a range of core international human rights instruments which protect and promote the right to non-discrimination, and our obligations in this respect are fully reflected in domestic law. In England, Scotland and Wales, the **Equality Act (2010)** simplified, harmonised and strengthened legislative frameworks to protect the rights of individuals and advance equality of opportunity for all². The Equality Act provides extensive protection from discrimination (direct and indirect), harassment and victimisation on the grounds of **nine protected characteristics**: race, religion or belief (including no belief), age, disability, gender reassignment, marriage or civil partnership status, pregnancy or maternity, sex and sexual orientation.
8. The Equality Act also includes a **public sector equality duty**, which requires public bodies to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between different groups when carrying out their activities. This means that public sector bodies are required to consider how their decisions and policies affect people with different protected characteristics, and should have evidence to show how this has been done.

¹ The Equality and Human Rights Commission (covering England and Wales), the Scottish Human Rights Commission and the Northern Ireland Human Rights Commission.

² The provisions of the Equality Act (2010) did not, in large part, apply to Northern Ireland, which retains a number of equality laws focused on specific protected characteristics, and has its own approach to the public sector equality duty.

9. Should individuals experience discrimination, harassment or victimisation, or believe that the public sector equality duty has been breached, they have a **variety of channels for seeking remedy and redress**. These may include making a formal complaint directly to the relevant organisation of public body; using mediation or alternative dispute resolution services, or bringing legal action via a court or tribunal.

Case study: monitoring, assessment and removal of violent extremist online content

10. The UK has a long tradition of valuing the right to freedom of speech, which encompasses the right of individuals to hold and express views which may well be contrary to those of the majority of the population, and which many may find distasteful or even offensive. Successive UK governments have taken the view that individuals have the right to express distasteful or offensive views so long as they are not expressed violently, do not incite hatred or violence, and do not otherwise breach the criminal law. We believe this strikes the right balance between the protection of the rights enshrined in Articles 19 and 20 of the International Covenant on Civil and Political Rights (ICCPR), to which the UK is a State Party.
11. This balance underpins our approach to the growing challenge of violent extremist content in the online space. In recent years, both Islamist extremist groups and right-wing extremist groups have proven adept at using the internet and social media platforms to spread their violent extremist ideology and seek recruits. In response, in 2010 the Association of Chief Police Officers³ established the **Counter Terrorism Internet Referral Unit (CTIRU)**, run by the Metropolitan Police Service, to refer violent extremist or terrorist online content that they assess as breaching UK legislation to communications service providers (CSPs) such as social media platforms. Under UK legislation (the Counter Terrorism Act 2006) terrorist content includes information which would be useful for committing an act of terrorism (e.g. bomb making instructions contained in Inspire magazine) and content which glorifies/encourages an act of terrorism (e.g. Daesh propaganda videos).
12. It is up to CSPs to assess whether a referred piece of content or account breaches their terms of service and should be removed. To date this process has facilitated the removal of over 160,000 pieces of violent extremist or terrorist online content. Should an individual wish to dispute the grounds for removal of their content, they can take up the issue directly with the ISP or social media platform concerned.
13. The UK Counter-Extremism Strategy sets out further plans for responding to the significant recent increase in extremist use of the internet. This is not only about removal of illegal content, but about working in partnership with a wide

³ A non-governmental, non-profit private limited company which provided a strategic coordination forum for chief police officers in England, Wales and Northern Ireland and advised government, ACPO was replaced in 2015 by the National Police Chiefs' Council.

range of civil society groups to support them to build and maintain their online presence, contesting and presenting alternatives to violent extremist ideology.

Case study: interventions to support individuals most at risk of radicalisation

14. Channel is a multi-agency safeguarding programme available in every local authority in England and Wales; it was placed on a statutory footing by the UK's Counter Terrorism and Security Act 2015. It works to protect vulnerable people from being drawn into terrorism and provides a range of support, including mentoring, counselling and assistance with finding employment. It is a confidential programme and participation does not show up on any checks, or negatively affect individuals' future in any way. The UK Government's Prevent Strategy makes clear that Channel is not a means for covert activity. It should pre-empt, and not facilitate, law enforcement activity.
15. Channel is a voluntary programme. It is up to an individual, or their parents where appropriate, to decide whether to take advantage of the support it offers. It is not any form of criminal or civil sanction but rather an early intervention to protect vulnerable people from being drawn into committing terrorist-related activity and it addresses all forms of extremism. Channel receives referrals from a range of individuals or bodies concerned about an individual's wellbeing, including from schools, health and social services and communities. Channel can provide support to anyone who is at risk of any type of radicalisation, including from far-right concerns. All referrals are assessed by a local authority Multi-Agency Safeguarding Hub and/or a Police Channel Coordinator to see if they are suitable for Channel. In many cases where Channel is not suitable, individuals have been passed to other mainstream services, such as social services, for support. For others, no further action has been taken.
16. Channel has clear, published guidance and a vulnerability assessment framework to support decision-making and enable the evaluation of outcomes. The vulnerability assessment framework was introduced in April 2012, and applies a psychological vulnerability assessment of 22 factors built around three dimensions: engagement with a group, cause or ideology; intent to cause harm; capability to cause harm. The dimensions are considered separately as experience has shown that it is possible to be engaged without intending to cause harm and vice versa. The capability factors refer to a person's knowledge and skill set, which can indicate how able they would be to carry through an intention to cause harm.

Part II: Best practice: tackling the root causes of extremism through systemic promotion and protection of human rights

Case study: preventing and countering hate crime

17. The UK is clear that hate crime is a human rights issue, and in this context attaches importance to balancing ICCPR Article 19 and 20 rights as described in paragraph 10. Where the expression of offensive or distasteful views crosses the criminal threshold of inciting hatred, it becomes a manifestation of, and a means of sustaining, discrimination, prejudice, sectarianism and stigma against certain groups in our society. Through fear, abuse and violence, hate crime limits people's equality of opportunity and impedes full enjoyment of the entire spectrum of human rights. Hate crime poses a threat to community cohesion and inclusion, and constitutes an affront to our fundamental values of tolerance, peace, understanding and mutual respect.
18. Preventing and tackling hate crime can also contribute to countering violent extremism. Some extremist groups and individuals actively seek to incite hatred and violence on the basis of **antisemitic, anti-Muslim or racist** beliefs. Such extremist narratives and ideologies may be used to incite specific criminal acts, but they can also contribute to an enabling environment for hate crime, by undermining the shared principles of tolerance and mutual respect which underpin a multi-faith, multi-racial society. This is to protect individuals from potential harm, not to protect beliefs or ideas, which are always open to challenge.
19. Police and prosecutors in the UK treat as hate incidents any incident which the victim or anyone else believes to have been motivated by hostility or prejudice based on race, ethnicity or nationality; religion, faith or belief; sexual orientation; disability or gender identity. Police forces monitor and report annually on hate incidents and hate crime statistics in their areas across these five strands.
20. The UK has one of the world's strongest **legislative frameworks to protect individuals and communities from hate crime and deal with hate crime offenders**. In England and Wales, specific hate crime offences are dealt with under the 1986 Public Order Act (as amended) and the 1998 Crime and Disorder Act. The 2003 Criminal Justice Act requires courts to impose heavier sentences where an offence is shown to be motivated by hostility towards the victim on the grounds of race, religion, disability, transgender identity or sexual orientation.
21. In Scotland, the Criminal Justice and Licensing (Scotland) Act 2010 and the Offences (Aggravation by Prejudice) (Scotland) Act 2009 protect the victims of hate crimes by strengthening statutory aggravations for racial and religiously motivated crimes (2010 Act) and creating new statutory aggravations for crimes motivated by sexual orientation, transgender identity and disability (2009 Act). In Northern Ireland the legislative provisions underpinning hate

crime offences and penalties are set out in the Public Order (Northern Ireland) Order 1987 and the Criminal Justice (No2) (Northern Ireland) Order 2004.

22. As set out in the UK Counter-Extremism Strategy, the UK government is committed to working in partnership with communities to develop a **new Hate Crime Action Plan** as a successor to the 2012-2015 'Challenge It, Stop It, Report It' national action plan. The UK already maintains a national police-funded website which provides information on hate incidents and hate crimes, and enables individuals to report hate incidents and hate crime online (True Vision⁴). We are working closely with **civil society organisations such as the Jewish Community Security Trust and Tell MAMA (Measuring Anti-Muslim Attacks)** to improve reporting and monitoring of specifically antisemitic and anti-Muslim hate crime. UK police forces already disaggregate data on antisemitic hate crimes in their annual reporting – under the UK Counter-Extremism Strategy, the UK government has committed to work with police forces to ensure that anti-Muslim hate crimes are similarly recorded and monitored in a consistent way nationwide.
23. The UK government also continues to support the good work of the **Inter-Faith Network (IFN)** in encouraging inter-faith dialogue across the country. The IFN shares good practice and provides resources for facilitating inter-faith dialogue and cooperation; runs a national Inter-Faith Week every November; celebrating the contributions of different faith communities to an integrated UK society, and works with public authorities to promote religious literacy.

Case study: protecting and promoting the rights of the child in educational settings

24. As a State Party to the Convention on the Rights of the Child (CRC), the principles and rights enshrined in the CRC naturally underpin all aspects of the UK's counter-extremism strategy relating to children. In this, as in other areas of law, policy and practice concerning children in the UK, the best interests of the child are a primary consideration. Failure to protect children from violent extremist influences exposes the child to the risk of mental, emotional, physical and social harms. Equally, the promotion of the full enjoyment of CRC rights contributes to the protection of the child from extremist influences. In this context, the UK attaches particular importance to the protection and promotion of **CRC Article 2, 3, 13, 14, 28 and 29 rights**.
25. A number of measures which the UK has taken to protect and promote the rights of the child also contribute to preventing and countering violent extremism. Under Article 29 of the CRC, the UK is committed to ensuring that the education of the child is directed to, *inter alia*, the development of respect for human rights; fundamental freedoms; the principles enshrined in the UN charter; his or her cultural identity and values; the national values of the child's country of residence, and civilisations different from his or her own. We attach the utmost importance to ensuring that all children receive a **broad and**

⁴<http://www.report-it.org.uk/home>

balanced education which prepares them for life in a free society, including by instilling the values of peace, tolerance and equality.

26. Ensuring children are prepared for life in modern Britain includes protecting them from 'grooming' by extremists seeking to promote extreme views and values (including online). Under the Counter Terrorism and Security Act (2015), all UK schools and providers of supplementary education now have a statutory duty to have due regard to the need to prevent people from being drawn into terrorism (**the Prevent duty**). Protecting children from the risks of extremism and terrorism forms part of schools' wider safeguarding duties, and the Prevent duty should be taken as seriously as any other safeguarding responsibility (e.g. child sexual exploitation).
27. The Prevent duty is not intended to stifle open debate and discussion in schools – on the contrary, we are clear that schools should provide a safe space in which children and young people can discuss the risks associated with extremism, and develop the knowledge and critical thinking skills which will equip them to challenge extremist arguments. Nor is it intended to interfere with the right of the child to learn about their religious faith or beliefs in informal or faith-led extracurricular settings. Rather, it ensures that all children are safeguarded from extremism in both school and extra-curricular settings, irrespective of religion or belief.
28. To ensure that schools are effectively protecting pupils from the risks of extremism and radicalisation, and promoting our national values and fundamental freedoms, the Office for Standards in Education, Children's Services and Skills (Ofsted) has strengthened its **schools' inspection framework**. Ofsted inspectors now inspect schools on the requirement to actively promote the values of democracy, the rule of law, individual liberty, and mutual respect and tolerance for those of different faiths and beliefs.
29. Parents, teachers and school leaders all have a vital role to play in protecting children from extremism, and ensuring that all our children are prepared for life in our modern, multi-cultural society. In January 2016, the Department for Education and the Home Office launched the **Educate Against Hate** campaign and website, designed in response to requests from the education sector for more advice and support in understanding and addressing the risks of extremism and radicalisation. Based on evidence regarding the forms of extremism which pose the most urgent threats in the UK, it covers both Islamist extremism and far-right extremism.
30. Educate Against Hate is designed not only to raise awareness of the risks to children and young people, but to provide practical advice and guidance for schools leaders, teachers and parents. For example, it provides teachers with information to help them better understand the risks posed by extremism, but also provides them with links to quality-assured teaching resources which they can use to discuss issues relating to extremism with their students, and help build their students' critical thinking skills. The campaign and website were developed in close consultation with relevant civil society organisations,

including the National Society for the Prevention of Cruelty to Children and a range of internet safety NGOs.

Conclusions

31. Based on UK's experience of best practice and lessons learned to date, the following principles may be considered as underpinning the effective protection and promotion of human rights which also contributes to preventing and countering violent extremism:

- Partnership with a wide range of civil society actors to design and deliver demand-driven, evidence-based approaches to countering extremism
- Engagement and empowerment of stakeholder communities via improved access to information, relevant training and capacity building
- Comprehensive national legislative frameworks which promote and protect human rights and fundamental freedoms and offer access to independent avenues of remedy and redress
- Transparency and openness to robust scrutiny of all relevant policy and practice, including by Parliament, civil society, the media and international mechanisms

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