



## Universal Periodic Review: UK UPR, 3<sup>rd</sup> Cycle Prevent Strategy

### Suggested Questions for the UK:

- What measures have the UK and the devolved governments taken to assess counter-terrorism legislation in terms of its impact on children's rights?
- How have children and young people's views been taken into account in this process?
- What steps are being taken to monitor, evaluate and review the effects of the Prevent strategy and duty on an ongoing basis?

### Suggested Recommendations for the UK

- UK and devolved governments should assess measures taken to counter terrorism to ensure they do not breach children's rights. Measures should be developed in collaboration with children mostly likely to be affected and be monitored, evaluated and continually reviewed.

### Background

**No progress has been made on recommendations 110.58, 110.119, 110.120 and 110.121:**

#### *Discriminatory effect of Prevent*

Although the current version of Government's counterterrorism Prevent Strategy<sup>1</sup> does not explicitly target Muslims, in reality most reported cases involve Muslims. UK Government publishes little statistical information to aid assessment; but Muslim communities are clear that they perceive themselves as the target.<sup>2</sup>

The UK's Independent Reviewer of Terrorism Legislation raised concerns that "*aspects of the programme are ineffective or being applied in an insensitive or discriminatory manner*".<sup>3</sup> Reported incidents under Prevent back up this assertion.<sup>4</sup>

#### *Prevent statutory duty*

Serious concerns have been raised about the Prevent Strategy. In 2015, the Counter Terrorism and Security Act created the Prevent Duty. This places a statutory duty on public sector workers including carers of young children and teachers to identify possible signs of extremism and refer these children on to the Governments 'channel programme' which is a police led de-radicalisation programme. A report by Rights Watch UK concludes that Prevent – and in particular the introduction of the statutory duty on teachers and many public servants to report signs of radicalisation – is stifling fundamental rights and freedoms of children, including to freedom of expression and belief, and education. The report demonstrates that Muslim children have been disproportionately impacted by the Strategy and fear being reported for expressing political and religious views.<sup>5</sup> Rights Watch UK have reported that on average every day one child under the age of ten years is referred under Prevent.

The UK's Independent Reviewer of Terrorism Legislation has raised concerns that '*aspects of the programme are ineffective or being applied in an insensitive or discriminatory manner*'.<sup>6</sup>

Reported incidents back up this assertion: examples include a four year old boy being referred for drawing a picture of his Dad chopping a cucumber and his description of the picture being misheard as his father having a “cooker bomb.”<sup>7</sup>

In March 2016, the National Union of Teachers passed a motion rejecting the Prevent duty<sup>8</sup> and in August 2016, Home Affairs Select Committee called for an independent review of the decision to place the Prevent duty on a statutory basis. It concluded that Prevent is proving counterproductive by alienating those who may be susceptible to radicalisation.<sup>9</sup>

### *UN criticism of Prevent*

In April 2016, the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association notes during a visit to the UK that *‘It appears that Prevent is having the opposite of its intended effect: by dividing, stigmatising and alienating segments of the population, Prevent could end u promoting extremism, rather than countering it.’*

In June 2016, the UN Committee on the Rights of the Child called on the UK to *‘Strengthen the oversight mechanism, including regular independent reviews, to assess and ensure that the implementation of the counter-terrorism measures...will not have a discriminatory and stigmatising impact on any group of children.’*<sup>10</sup> In August 2016, the UN Committee for the Elimination of Racial Discrimination concluded that Prevent had created *“an atmosphere of suspicion towards members of the Muslim community.”*<sup>11</sup>

### **Recommendations referenced from the UK’s UPR 2012 (2nd Cycle)**

110.58	Put an end to the use of religious profiling in combating terrorism by inserting legal safeguards against abuse and the deliberate targeting of certain religious groups	Malaysia: A/HRC/21/9 - Para. 110 & A/HRC/21/9/Add. 1 - Para. 14	Supported/Noted
110.119	Continue to ensure that its terrorism prevention legislation and measures comply with the international human rights standards	Japan: A/HRC/21/9 - Para. 110 & A/HRC/21/9/Add. 1 - Para. 13	Supported
110.120	Continue to review all counter-terrorism legislation and ensure that it complies with the highest human rights standards	Norway: A/HRC/21/9 - Para. 110 & A/HRC/21/9/Add. 1 - Para. 13	Supported
110.121	Steadily review the implementation of its new system of terrorism prevention and investigation to ensure the effectiveness in practice of safeguards against abuse and the deliberate targeting of certain ethnic groups	Netherlands: A/HRC/21/9 - Para. 110 & A/HRC/21/9/Add. 1 - Para. 13	Supported

#### **About us**

##### **Children’s Rights Alliance for England (CRAE)**

CRAE works with over 150 organisational and individual members to promote and campaign to protect children’s rights and the UNCRC in England. See: [www.crae.org.uk](http://www.crae.org.uk)

##### **Together (Scottish Alliance for Children’s Rights)**

Together is an alliance of over 340 NGO and individual members that works to improve the awareness, understanding and implementation of the UNCRC in Scotland. See: [www.togetherscotland.org.uk](http://www.togetherscotland.org.uk)

##### **Wales UNCRC Monitoring Group**

The Wales UNCRC Monitoring Group is a national alliance of non-governmental and academic agencies tasked with monitoring and promoting the UNCRC in Wales. It is currently facilitated by Children in Wales, the national umbrella organisation. See: [www.childreninwales.org.uk](http://www.childreninwales.org.uk)

### Contact details

**Louise King, Director, Children's Rights Alliance for England**

[lking@crae.org.uk](mailto:lking@crae.org.uk) +44 7890 583512

**Juliet Harris, Director, Together (Scottish Alliance for Children's Rights)**

[juliet@togetherscotland.org.uk](mailto:juliet@togetherscotland.org.uk) +44 7775 866518

**Sean O'Neill, Wales UNCRC Monitoring Group**

[sean.oneill@childreninwales.org.uk](mailto:sean.oneill@childreninwales.org.uk) +44 029 2034 2434

---

<sup>1</sup> HM Government (2011) *Prevent Strategy*

<sup>2</sup> Versi. M. (25 January 2016) 'The Tories may as well accept that new education proposals target Muslims alone' *The Independent*

<sup>3</sup> David Anderson QC, supplementary written evidence to The Home Affairs Committee on Countering Extremism, 29 January 2016

<sup>4</sup> This includes a four-year old child who drew a picture of his father cutting a cucumber being considered at possible risk of radicalisation because his pronunciation was interpreted as 'cooker bomb'. Another Muslim boy discussed écoterrorisme in a French lesson and was referred under Prevent. Both incidents, among many others, reported by PreventWatch at [www.preventwatch.org](http://www.preventwatch.org)

<sup>5</sup> Rights Watch UK (2016) *Preventing Education? Human rights and UK counter-terrorism in schools*

<sup>6</sup> David Anderson QC, supplementary written evidence to the Home Affairs Committee on Countering extremism 29 January 2016

<sup>7</sup> [www.preventwatch.org.uk](http://www.preventwatch.org.uk)

<sup>8</sup> National Union of Teachers (28 March 2016) 'Prevent Strategy' Press Release

<sup>9</sup> Home Affairs Select Committee (2016) *Radicalisation: the counter-narrative and identifying the tipping point: Eight Report of Session 2016-2017*

<sup>10</sup> UN Committee on the Rights of the Child (2016) *Concluding Observations on the United Kingdom of Great Britain and Northern Ireland*

<sup>11</sup> UN Committee on the Elimination of Racial Discrimination (2016) *Concluding Observations to the United Kingdom* Para. 9.