



Labour Campaign for Human Rights

**THE PREVENT STRATEGY IN EARLY
YEARS EDUCATION**

MARCH 2017

Executive Summary

This briefing, produced by The Labour Campaign for Human Rights is written in support of Private Members' Bill, 'Counter Terrorism and Security Act 2015 (Amendment) Bill' sponsored by Conservative MP Lucy Allan. The bill was introduced to Parliament in June 2016 in response to the Government's Prevent strategy legislation. It provides an exemption for carers, teachers and "other responsible persons to report potential signs of extremism amongst, or radicalisation of, children in primary or early years educational settings".¹ The second reading of the bill will take place on 24 March 2017 and we are asking Labour MPs to attend the debate and support the bill.

The following briefing covers the implications of the Prevent strategy legislation with regards to primary schools and nurseries. It will examine the efficacy of Prevent and highlight the lack of consistent training provided to education professionals, as set out by the NUT at their annual conference. This briefing will also argue that since its inception the Prevent strategy has risked encouraging an atmosphere of distrust and discrimination within our schools.

Introduction

The Prevent strategy has undergone a number of changes in the 12 years since it was first introduced. In 2015, the Counter-Terrorism and Security Act gave Prevent legal status in schools and colleges in England and Wales. This means that schools now have a legal obligation to have "due regard to the need to prevent people from being drawn into terrorism".² Ofsted are also obliged to look closely at schools' safeguarding procedures and their "approach to keeping pupils safe from the dangers of radicalisation and extremism".³ This means that a school's overall performance is now at least partly contingent on how well they implement the Prevent strategy.

Since this legal obligation for schools was introduced, the number of under 18s being referred to the police has escalated. After a year of the new legislation, the number of referrals from schools more than doubled from 537 to 1,121 according to the National Police Chiefs' Council.⁴ 352 of the cases referred were for children aged nine or under. In the West Midlands alone, "68 children aged nine or under were referred including, it is reported, one four-year-old".⁵ However, despite the growing number of referrals it has been reported that in 90% of cases, no action has been taken.⁶

Discrimination

There have been numerous allegations and suggestions that the Prevent duty has resulted in racial and religious stereotyping and discrimination.

Case Study: The Toy Gun

The Guardian published a report in February this year detailing the experience of a mother whose two sons, aged 5 and 7, were detained and questioned by the police without parental consent for two hours because of a toy gun. The mother, who wrote for The Guardian anonymously, said, "My husband and I are British, and of no faith. In our case, the school's suspicions were based on the

¹ House of Commons Library, 'Counter Terrorism and Security Act 2015 (Amendment) Bill 2016-2017', 24th January 2017. <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7878>

² 'Prevent Duty Guidance, 2015.

http://www.legislation.gov.uk/ukdsi/2015/9780111133309/pdfs/ukdsiod_9780111133309_en.pdf

³ NUT, 'Education and extremism advice for members in England and Wales', 24th February, 2017.

⁴ Suzanne O'Connell, 'Prevent for primaries – a misplaced strategy?', Headteacher Update, 10th November 2016. <http://www.headteacher-update.com/best-practice-article/prevent-for-primaries-a-misplaced-strategy/147878/>

⁵ Suzanne O'Connell, 'Prevent for primaries – a misplaced strategy?', Headteacher Update, 10th November 2016. <http://www.headteacher-update.com/best-practice-article/prevent-for-primaries-a-misplaced-strategy/147878/>

⁶ Richard Adams, 'Teachers back motion calling for Prevent strategy to be scrapped', The Guardian, 28th March 2016. <https://www.theguardian.com/politics/2016/mar/28/teachers-nut-back-motion-calling-prevent-strategy-radicalisation-scrapped>

colour of our children's skin, rather than any suggestion of terrorist activities...our case shows Prevent to be an instrument for prejudice and racism".⁷

School governors at the school in Bedfordshire subsequently found that teachers were unsure and lacked confidence in dealing with Prevent related issues. They admitted that in this case the teachers had demonstrated "a degree of racial stereotyping"⁸ and central Bedfordshire council agreed to pay damages.

Distrust

The Center on the Developing Child at Harvard University argues that when a child is distressed within an environment of supportive adults, the child can develop healthy stress response systems. However, when a child is distressed over a long period of time without feeling that they are in an environment of supportive adults, "the result can be damaged, weakened systems and brain architecture, with lifelong repercussions".⁹ A huge part of a young child's development is built around their relationships with parents, caregivers, relatives, teachers, and peers "which shape the architecture of the developing brain. Disruptions in this developmental process can impair a child's capacities for learning and relating to others, with lifelong implications".¹⁰ If a child goes to school every day and feels under suspicion by both teachers and peers this is bound to have a hugely detrimental effect on their development.

Case Study: The 'Cooker-bomb'

Another, now widely reported, case in 2013 centered around a child at a nursery in Luton. Staff at the nursery had threatened to report the child after mistakenly believing he had drawn a picture of his father making a "cooker bomb".¹¹ The boy had actually been drawing a picture of his father chopping a cucumber and the staff had misheard him. The boy's mother said, "I've never felt not British. And this made me feel very, very, like they tried to make me feel like an outsider. We live here. I am born and bred here, not from anywhere else. I feel this Prevent duty is picking on you because you are Muslim, Asian, Pakistani, or whatever. I don't feel it's working at all. They need to look at it and change it".¹²

It is unlikely that a child of nursery school age would be able to understand, let alone hold, extremist beliefs. The Prevent strategy is encouraging suspicion amongst staff and distrust amongst pupils. It is crucial that children, particularly very young children, are able to trust adults and learn in a supportive and inclusive environment.

Case Study: The Inappropriate joke

The Open Society Justice Initiative produced a report last October entitled, 'Eroding Trust: The UK's Prevent Counter-Extremism Strategy in Health and Education', The report detailed the case of a nine-year-old boy targeted for telling a joke. The boy had been discussing the upcoming prom with his friends and fantasising about a limousine which would take them, filled with chocolate. One of his

⁷ Anonymous, 'my little children were detained because of a toy gun. Prevent has gone too far', The Guardian, 1st February 2017. <https://www.theguardian.com/commentisfree/2017/feb/01/children-detained-toy-gun-prevent-strategy>

⁸ Esther Addley and Alexandra Topping, 'Council admits racially discriminating against two boys over Prevent toy gun referral', The Guardian, 27th January 2017. <https://www.theguardian.com/uk-news/2017/jan/27/bedfordshire-local-education-authority-admits-racial-discrimination-brothers-toy-gun-school-police>

⁹ Center on the Developing Child, Harvard University, 'Early Childhood mental health'. <http://46y5eh11fhgw3ve3ytpwxt9r.wpengine.netdna-cdn.com/wp-content/uploads/2015/05/InBrief-Early-Childhood-Mental-Health-1.pdf>

¹⁰ Center on the Developing Child, Harvard University, 'Early Childhood mental health'. <http://46y5eh11fhgw3ve3ytpwxt9r.wpengine.netdna-cdn.com/wp-content/uploads/2015/05/InBrief-Early-Childhood-Mental-Health-1.pdf>

¹¹ Telford MP Lucy Allan tables Parliamentary bill over school counter-terrorism measures', 30th June 2016, The Shropshire Star. <http://www.shropshirestar.com/news/politics/2016/06/30/telford-mp-lucy-allan-tables-parliamentary-bill-over-school-counter-terrorism-measures/>

¹² Ian Cobain, 'UK's Prevent counter-radicalisation policy 'badly flawed'', The Guardian, 19th October 2016. <https://www.theguardian.com/uk-news/2016/oct/19/uks-prevent-counter-radicalisation-policy-badly-flawed>

friends told the boy that he wouldn't be allowed to attend the prom because of his religion. The boy responded by saying that in order "to get to the chocolate [he] would use bombs and guns".¹³

On hearing the joke second-hand another child from the class reported the boy to a teaching assistant saying that he was "going to use bombs and kill them at the prom and that it comes from Islam".¹⁴ The boy was then questioned, surprised by the intensity of the questioning, felt "threatened"¹⁵ and was unable to provide a clear account of what had happened. He was subsequently reported to the Metropolitan Borough Council Prevent Coordinator. The boy's mother asked the head teacher the following day if the school were treating the incident in this manner because her son was a Muslim. The head teacher said that they were and that they were following Prevent strategy guidelines. Despite eventually being able to set the school straight on the events surrounding the incident it obviously caused the boy and his family a great deal of stress. According to the report the boy is now "scared to speak up in school, worried that anything he says may be misconstrued".¹⁶

This case clearly underlines how damaging for young children a lack of trust can be and the inherent prejudice within the Prevent legislation. The head teacher at the school agreed that they would be behaving differently had the child not been a Muslim. It also highlights that the statutory nature of the strategy for primary schools and nurseries is forcing teachers to hastily report cases rather than dealing with them in common sense ways.

In a written submission to the home affairs select committee, David Anderson QC, the government's independent reviewer into terror legislation, argued that the programme encourages "rumour and mistrust to spread and to fester"¹⁷ which is clearly damaging for young learners and suggested that "Prevent could benefit from an independent review".¹⁸

Following Anderson's submission and their own review, the Home Affairs Select Committee found that "the current oversight arrangements for Prevent are too opaque and do not engender confidence"¹⁹ and that "an independent review of the Prevent Strategy and Duty should be published".²⁰

Poor Training

Gary Kaye a teacher from North Yorkshire, told delegates at the last National Union of Teachers conference that training on the Prevent Strategy "has been genuinely crude and often involves lazy stereotypes... What the Prevent strategy has so far achieved has been suspicion in the classroom and confusion in the staffroom."²¹ NUT members voted unanimously to request that the government conduct an independent review into Prevent and develop an alternative strategy.

¹³ Open Society Justice Initiative, 'Eroding Trust: The UK's Prevent Counter-Extremism Strategy in Health and Education' October 2016. https://www.opensocietyfoundations.org/sites/default/files/eroding-trust-20161017_0.pdf

¹⁴ Open Society Justice Initiative, 'Eroding Trust: The UK's Prevent Counter-Extremism Strategy in Health and Education' October 2016. https://www.opensocietyfoundations.org/sites/default/files/eroding-trust-20161017_0.pdf

¹⁵ Open Society Justice Initiative, 'Eroding Trust: The UK's Prevent Counter-Extremism Strategy in Health and Education' October 2016. https://www.opensocietyfoundations.org/sites/default/files/eroding-trust-20161017_0.pdf

¹⁶ Open Society Justice Initiative, 'Eroding Trust: The UK's Prevent Counter-Extremism Strategy in Health and Education' October 2016. https://www.opensocietyfoundations.org/sites/default/files/eroding-trust-20161017_0.pdf

¹⁷ David Batty, 'Prevent strategy 'sowing mistrust and fear in Muslim communities'', 3rd February 2016, The Guardian. <https://www.theguardian.com/uk-news/2016/feb/03/prevent-strategy-sowing-mistrust-fear-muslim-communities>

¹⁸ Joint Committee on Human Rights, 'Counter-Extremism, Second Report of Session 2016-2017, 20th July 2016. <https://www.publications.parliament.uk/pa/jt201617/jtselect/jtrights/105/105.pdf>

¹⁹ Joint Committee on Human Rights, 'Counter-Extremism, Second Report of Session 2016-2017, 20th July 2016. <https://www.publications.parliament.uk/pa/jt201617/jtselect/jtrights/105/105.pdf>

²⁰ Joint Committee on Human Rights, 'Counter-Extremism, Second Report of Session 2016-2017, 20th July 2016. <https://www.publications.parliament.uk/pa/jt201617/jtselect/jtrights/105/105.pdf>

²¹ Eleanor Busby, 'Withdraw the Prevent anti-terror strategy from schools, say teachers', 28th March 2016, tes. <https://www.tes.com/news/school-news/breaking-news/withdraw-prevent-anti-terror-strategy-schools-say-teachers>

The Home Affairs select committee report into radicalisation published in August 2016 found that:

“The Prevent Duty has placed a responsibility on educational establishments and other public bodies which they are finding very hard to fulfil. We are concerned about a lack of sufficient and appropriate training in an area that is complex and unfamiliar to many education and other professionals, compounded by a lack of clarity about what is required of them.”²²

Case Study: The T-Shirt

In East London an 8-year-old boy was questioned, without a parent in the room, by social services after wearing a t-shirt which read, ‘I want to be like Abu Bakr al-Siddique’ (Abu Bakr the Truthful), believed to be one of the first converts to Islam and not, as teachers had believed, ‘Abu Bakr al-Baghdadi’ the leader of Daesh/ISIL. Subsequent communications with the school and local authority revealed a confusion about whether the school’s behavior was in keeping with the Prevent strategy or not. The child’s mother recalled the word ‘deradicalisation’²³ used in her initial telephone call with social services and yet the case was not referred to the Channel Police Practitioner or the formal Prevent process begun.

In addition to a lack of consistent training, teachers have also raised concerns that a perceived ‘missed’ referral would have implications for an Ofsted inspection and may result in a rating of ‘inadequate’ or ‘requires improvement’ from the school’s inspector. The number of referrals under the Prevent strategy has rapidly increased to an average of one child a week under the age of 10 being reported.²⁴

Recommendations

The statutory obligation of the Prevent Strategy is forcing teachers and educators, without any prior background in counter-terrorism, to identify and report students who express so-called extremist views. They are forced to make these judgements based on a few hours training, often provided by way of a training video. It is clear that Muslim children are disproportionately affected by this and that in all cases outlined above the children suffered significant distress as a result. Making children as young as 4 distrustful of adults and suspicious of their peers is clearly counter-productive to their education and to creating an inclusive society. Before they even get to High School very young children are having their right to education, their right to freedom of expression, their right to freedom of religion, their right to privacy and their right to freedom from discrimination, violated.

We would urge Labour MPs to add their support to the ‘Counter Terrorism and Security Act 2015 (Amendment) Bill’ which has its second reading in Parliament on Friday 24th March. We support the amendment to remove the statutory requirement of Prevent for primary schools and nurseries and encourage the return of safeguarding in early years’ education that is cooperative and voluntary where a reasonable level of suspicion exists.

²² Home affairs select committee, ‘Radicalisation: the counter-narrative and identifying the tipping point’, 2nd August 2016. <https://www.publications.parliament.uk/pa/cm201617/cmselect/cmhaff/135/13502.htm>

²³ Rights Watch UK, ‘Preventing Education? Human rights and UK counter terrorism policy in schools’, July 2016. <http://rwuk.org/wp-content/uploads/2016/07/preventing-education-final-to-print-3.compressed-1.pdf>

²⁴ Harry Yorke, ‘Children who go to badger protests could be reported to anti-terror programme, MP warns’ The Independent, 1st February 2017. <http://www.telegraph.co.uk/education/2017/02/01/teachers-reporting-children-governments-anti-terror-programme/>