

Counter Terrorism and Security Act 2015

Background

The Prevent strategy is a key part of CONTEST, the Government's counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism. The strategy aims to respond to the ideological challenge of terrorism and those who promote it, prevent people from being drawn into terrorism, and work with sectors and institutions where there are risks of radicalisation.

Work includes disrupting extremist speakers, removing material online, intervening to stop people being radicalised, and dissuading people from travelling to Syria and Iraq and intervening when they return.

The most significant terrorist threat is currently from Al Qai'da-associated groups and from terrorist organisations in Syria and Iraq, including ISIL. Terrorists associated with the 'extreme right' also pose a threat.

Top Lines

The Prime Minister's Task Force on Tackling Radicalisation and Extremism committed to make delivery of Prevent a legal requirement in those areas of the country where extremism is of the most concern.

Travellers to and returnees from Syria and Iraq come from a wide geographical spread. It is clear that all local areas need to ensure that, as a minimum, they understand the local threat and judge whether activities underway are sufficient to meet it.

The Act:

- Creates a new duty on certain bodies to have due regard to the need to **prevent people from being drawn into terrorism**. The duty applies to bodies including local authorities, the police, prisons, providers of probation services, schools, colleges, and universities.
- Allows the Secretary of State to **issue guidance to those bodies on how the duty should be fulfilled**.
- Gives the Secretary of State power to **direct a body to take certain action**, which would be used to enforce compliance where the Secretary of State is satisfied that the body has failed to discharge the duty. These directions are enforceable by a court order.
- The detail of how this duty should be fulfilled by each sector will be set out in guidance.

Key quotes

“The UK deplores and will fight terrorism of every kind, whether based on Islamist, extreme right-wing or any other extremist ideology. We will not tolerate extremist activity of any sort, which creates an environment for radicalising individuals and could lead them on a pathway towards terrorism.”

Tackling extremism in the UK, Report from the Prime Minister’s Task Force on Tackling Radicalisation and Extremism December 2013

Key facts

Prevent is delivered locally areas considered to be at greatest risk. Thirty local authority areas are currently classed as *Prevent* “priority” areas and receive funding from the Home Office for a local co-ordinator. These 30, plus 14 more “supported” areas, are eligible for funding for *Prevent* projects. Fareham is not one of these areas, however our neighbouring City of Portsmouth is.

Since early 2012, local projects have reached over 45,000 people and have helped young people and community groups to understand and challenge extremist narratives.

Over 120,000 frontline staff in the public sector have received training to help them identify the signs of radicalisation, and know how to access support.

What will the guidance say?

- The guidance sets out the main expectations the Home Office has of the main bodies subject to the duty: local authorities, schools, further education institutions, universities, prisons, probation and health. The Home Office is co-ordinating the guidance with relevant government departments contributing based on sector specific knowledge.

What will the Prevent duty mean for bodies in practice? Can you give us examples of what steps they should take?

- **Local authorities** should ensure that publicly-owned premises are not used to disseminate extremist views.
- **School** frontline staff should understand Prevent, be able to recognise vulnerability to radicalisation, and know where to go to seek further help.
- **Universities** should have policies and procedures in place for the management of events on campus, and the use of all university premises, that apply to all staff, students and visitors.
- **Police** should support individuals vulnerable to radicalisation, for example through the Channel programme, and support partner organisations to deliver Prevent work.
- **Prisons** should offer support to an individual vulnerable to radicalisation or move them away from an individual of concern. Those who are at risk of radicalising others should face the removal of privileges and segregation from others.

What is the purpose of the power for the Secretary of State to issue a direction?

This power is restricted to the purpose of enforcing the performance of the duty when the Secretary of State is satisfied that the authority has failed to discharge the duty.

In practice, the Prevent Oversight Board, which is chaired by a Minister and includes representatives from across Government, would decide on all the evidence available whether or not to recommend that the Secretary of State issue a direction.

Why is new legislation needed?

The Prevent programme relies on the co-operation of many organisations to be effective.

This is particularly important in areas of the country where terrorism is of the most concern, but it is clear that all areas need, at the minimum, to ensure that they understand the local threat, and come to a judgement as to whether activities currently underway are sufficient to meet it.

Who will the new duty apply to?

The duty will apply to bodies which have significant interaction with people who could be vulnerable to radicalisation. This ensures that the duty is proportionate.

These include: local authorities, police forces, some NHS bodies, schools, further and higher education providers, prisons and young offender institutions and providers of probation services.

Why have private providers been included in the list of bodies the new legislation applies to?

Some private providers supply public functions. For example, in the education sector this includes independent schools, universities and many providers of 16-18 education.

How will the duty be monitored and enforced?

Monitoring and enforcement primarily will be through existing inspection mechanisms.

In addition, the Office for Security and Counter-Terrorism (OSCT) in the Home Office will enhance its own monitoring arrangements to assess delivery in priority areas and concerns emerging from other areas.

In addition, the Act gives the relevant Secretary of State power to direct a body to take action where they consider the body is failing to fulfil the new duty. This direction is enforceable through the courts.

Doesn't this restrict freedom of speech?

The Government will continue to protect the right to freedom of expression. These proposals do not restrict legitimate and lawful comment and debate.

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