

Home Office

Independent review of Prevent

Submission from the University and College Union – May 2021

Recent governments have chosen to make fighting extremism a defining policy with this formalised in the Counter-Terrorism and Security Act, which enshrines into law the government's Prevent agenda, first published in 2011 as part of a wider counter-terrorism strategy.

The 2011 Prevent strategy had three specific strategic objectives:

- respond to the ideological challenge of terrorism and the threat from those who promote it
- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support
- work with sectors and institutions where there are risks of radicalisation

Prevent puts the onus on various public bodies, including colleges and universities, to have 'due regard to the need to prevent people from being drawn into terrorism'. What this means in reality is that teachers, doctors, lecturers, and other public officials are expected to monitor behaviour and report anything they suspect as being "extreme" or people they believe may be drawn to extremism.

UCU has always held the view that Prevent, and the government's approach to fighting extremism, risks stifling our right to question and challenge ideas with which we disagree. Political discussion, whether we agree with it or not, should not be shut down or classed as extreme simply because it runs counter to the government's own agenda. To be clear, we oppose any statement or political discussion that incites racial or religious hatred.

The Prevent duty has risked doing more harm than good by shutting down debate on contentious topics and creating mistrust between teachers and students. University and college staff have always taken their duty of care to students very seriously, so the focus on implementing the Prevent duty is both unnecessary and potentially counterproductive.

UCU does not believe that draconian crackdowns on the rights to debate controversial issues will achieve the ends the government has said it seeks. The best response to acts of terror against UK civilians is to maintain and defend an open and democratic society in which discriminatory behaviour is effectively challenged. The right to raise difficult and unpopular issues is a vital part of this. Universities and colleges should be about education, not monitoring and surveillance.

UCU continues to oppose Prevent in Scotland, as elsewhere across the UK, and regard its imposition as entirely unsuitable for an education environment. The union is invited to attend meetings of the Scottish Higher Education Prevent Network as an observer, and is able to take some comfort from the more collegiate nature of that body. Attending allows us to continue to critically monitor and observe the implementation of the duty, while ensuring the continuation of a collaborative and self-regulated approach in Scotland.

There was widespread disquiet across the academic community about the government's ill-conceived counter-terrorism and security legislation and the threat it still poses to free speech on campus.

The duty is now a legal requirement but we must continue to ensure that it does not erode the freedoms it purports to protect.

Universities and colleges, and the staff that work for them, already take their responsibilities seriously. We have questioned whether it is reasonable to expect staff and institutions to actively prevent people from being drawn into terrorism, and sought clarification on what specifically constitutes terrorism in its broadest sense. There were also major questions around what reasonable, and practical, mechanism would allow teaching staff to flag up students who may, or may not, be in danger of being drawn into terrorism.

UCU campaigned against the Prevent aspects of the Counter-Terrorism and Security Act which members feared would damage the relationship between staff and students, curtail academic freedom and create an atmosphere of mistrust on campus.

The government acknowledged the strength of feeling and amended the legislation, adding a new clause, which aimed to ensure that colleges and universities must consider legal freedom of speech obligations when complying with any new duties to tackle terrorism. This was an important amendment to the legislation which means that universities and colleges implementing the Prevent duty must continue to pay particular regard to academic freedom.

One of the purposes of post-compulsory education is to foster critical thinking in staff, students and society more widely. Our universities and colleges are centres for debate and open discussion, where received wisdom can be challenged and controversial ideas put forward in the spirit of academic endeavour.

The best response to acts of terror against UK civilians is to maintain and defend an open, democratic society and this must always include the right for colleges and universities to debate difficult and unpopular issues.

Whilst we are glad that, after calls from UCU and other stakeholders, a review of Prevent was eventually forthcoming, we call on those working and studying in education, and in all the sectors impacted, to be listened to. The government must be open to overhauling the current system or at the very least making changes to improve the way it works. This review must not be a box ticking exercise and neither should it be the final say on Prevent as there should be a commitment to regular appraisals of how it is working and the impact it is having.

Only by listening to those directly impacted by Prevent can government hope to ensure that, for this and future generations, the duties do not have the negative effect that many of our members fear.

Definitions of extremism and British values

The government has stated that the Prevent duty is designed to, 'Deal with all forms of terrorism and with non-violent extremism, which can create an atmosphere conducive to terrorism and can popularise views which terrorists then exploit. It also made clear that preventing people becoming terrorists or supporting terrorism requires challenge to extremist ideas where they are used to legitimise terrorism and are shared by terrorist groups. And the strategy also means intervening to stop people moving from extremist (albeit legal) groups into terrorist-related activity.'

Extremism is described as 'vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.'

It is this nebulous and vague language used to describe 'British values' and the potentially very broad range of individuals and groups who may at some point fall foul of such a negatively constructed definition that has caused concern amongst staff working in teaching settings.

A UCU member that contacted us to emphasise that use of the phrase British values seems to imply that other cultures were potentially inferior or that different communities needed to be seen to conform to the "right" way of doing things.

They highlighted the contradictory aspect of the idea of 'British' values, when a Muslim colleague questioned whether it was 'a British value to put elderly relatives in a care home', something that is common practice in the UK but frowned upon in many other communities and countries.

The promotion of somewhat vague notions as 'British' values over universal values is in danger of creating a sense of otherness for students, and staff, from elsewhere and should be challenged.

Academic freedom and critical thinking

UCU has raised concerns about the risk of obligations that could undermine the academic freedom enjoyed by staff and students in UK universities, where controversial views can and should be heard and contested. These freedoms underpin not just our country's global reputation but also our liberal and democratic values, and they must be maintained so that staff and students feel they can debate issues openly.

We had previously raised concerns about how English universities in particular are expected to balance their duties under the 1986 Education Act to ensure freedom of speech, whilst at the same time preventing people from being drawn into terrorism.

It is essential that in order to explore views and opinions and where necessary, challenge them, we actively promote a climate of free discussion and debate. There should be no fear that this will incur suspicion, or limit on free expression within the boundaries of equality and diversity and disciplinary codes on harassment or abuse.

It is essential that legitimate political opinions expressed by staff or students are not in any way regarded as 'extreme' or legitimising 'extremism'. In the context of Prevent, it is perfectly legitimate for example, to criticise government foreign policy; to criticise wars or hold that the rise of terrorism or hostility to western governments is a direct result of certain policies.

One may agree or disagree with such views, however they form part of legitimate discussion and debate; they are widespread in the political and academic sphere and in society at large. They are neither 'extreme', nor should they be presented as 'excusing' or providing cover for 'extremism' or acts of violence or terror.

The insistence on freedom of expression and free debate, within the boundaries of established policies and codes of behaviour, is paramount. Everyone is entitled to their own political view or opinion but no-one should privilege one view over that of others, or present one political explanation as 'expert' or not subject to challenge.

For some staff there are concerns that Prevent appears to have a negative impact on critical thinking and results in a reluctance to discuss particular sensitive topics such as terrorism for fear of being labelled a 'controversial' academic. This could particularly be the case for staff on temporary and casual contracts who fear rocking the boat.

One member described how the perceived lack of space to discuss certain issues 'leaves students without the opportunity for critical interrogation of Prevent, terrorism and surrounding issues, even within Politics or Criminology courses'.

There are also concerns that Prevent is having a 'negative impact on critical thinking in producing a reluctance to discuss particular sensitive topics (e.g. terrorism) for fear of offending students or being targeted as a 'controversial' academic'. As one member put it, 'all Prevent is preventing is critical scholarship'.

Unclear definitions

The government's vague definitions of British values and inconsistent advice have offered little help to providers that can struggle to understand the duty while still needing to protect open discussion and academic freedom.

On the vague nature of the Prevent duty in education, a member highlighted the issue that many kinds of materials could be inadvertently covered by an overzealous interpretation of the duty, saying 'The prohibition on material which promotes terrorism can capture all kinds of material which discusses political violence by non-state actors, whether or not it explains, defends or justifies that violence. This is obviously unacceptable in further and higher education, where, particularly but not only in higher education, staff should be to discuss and encourage students to critically consider an important feature of not just historical but also contemporary societies.'

The same member goes on to echo concerns about academic freedom and calls on the government to issue clearer guidance about the role of prevent in further and higher education and the concerns it is trying to address.

Staff training

Training for staff was another area where our members raised concerns that the 'definitions and examples it uses are at best muddled and at worst dangerous for how they might lead to suspicion of completely innocent people.'

Where any safeguarding or more general duty of care concern is raised that may put a student or other persons at risk of harm, there are established procedures of prompt referral which every member of staff should be aware of and should be able to act on accordingly.

There were concerns that Prevent training is often linked to passing probation or getting promotion with questions raised as to whether something as 'ideologically charged' as Prevent should become a tool that 'forces academic staff to silence their consciences and critical thinking for fear of being cast as non-compliers'.

Another member said of the training, 'I found the Prevent training to be wholly inappropriate. Though it is cast as a programme to identify/prevent any extremism (and there were some examples of right wing extremism) the overwhelming tone of the session, to me, was about preventing attacks by brown people against white people....I felt that the programme and the training was very biased and my concerns about this were brushed aside.'

A tutor at a college in the south of England had concerns that they had been asked to deliver Prevent training but did not feel skilled enough, and questioned why it was not being delivered by a specialist external organisation, a view echoed by other colleagues at the institution.

A university lecturer recalled how they had had to take part in an obligatory on-line course that they were unable to complete 'in good conscience'. This was due to the way the course focussed on labelling certain views as extreme rather than focuses on the responses to violent behaviour or threats.

In their view, as a lecturer, 'people should be allowed to express and discuss views that are different from whatever the mainstream happens to be at the moment' and so they were uncomfortable in labelling certain views as 'extreme'. Without labelling certain views as extreme the member of staff was unable to complete the training. They went on to say that if they had any concerns that a violent act was being planned they would contact colleagues and the police but they 'refuse to offer judgemental surveillance of my student's opinions'.

Questions were asked about a lack of effective training and why staff carrying out research into Prevent are not routinely consulted on the training that institutions are delivering?

Some staff felt that Prevent didn't provide the apparatus needed to educate those perceived as vulnerable to acquire skills that would make them less vulnerable. As one member pointed out 'it largely ignores contributing factors that could make one vulnerable - racism, economic deprivation, poor mental health etc'.

Prevent and discrimination

As a union we are proud of our commitment to, and record of, challenging any expression of prejudice or discrimination directed against any group or individual, whether in form of racism, Islamophobia, anti-Semitism; attitudes to sexuality, gender or disability.

The government's approach is a dangerous strategy as it risks silencing those who are most vulnerable, leaving them no space in which to express their opinions or be challenged safely. Due to the Islamophobic and potentially race based narrative surrounding 'extremism', it also risks certain communities being targeted unfairly.

The discriminatory aspects of Prevent are also something that must be properly investigated, with one tutor saying how students 'felt that one person's idea of being radical would almost always be different from another's', and that "radicalisation" was actually a byword for "Muslimisation" and therefore, they felt, racist, and was actually likely to be counter-productive'.

One-third of Muslim students surveyed by the [National Union of Students](#) in 2018 felt that they had been negatively affected by Prevent. Of those impacted, 43% felt unable to express their views or be themselves as a result.

Research published in 2020, as part of a [three year project by SOAS](#), showed that Prevent reinforces Islamophobia, rather than stopping students being radicalised.

The research found that Prevent discouraged discussion about culture, identity and religion – especially, but not exclusively, about Islam. It found that students and staff are discouraged from raising concerns about Prevent and self-censor their discussions in order to avoid becoming the object of suspicion.

Prevent referrals continue to pick up more and more right-wing extremists and given this, there is a case for the government itself to carry out a review of its own rhetoric and policies on issues such as Brexit, immigration and attacks on multiculturalism, as this populist approach is adding fuel to the fire and underlines the issue of it being a sledgehammer to crack nuts.

Staff workload

Another key issue of complaint was the administrative burden that the Prevent duty as a ‘sledgehammer to crack a nut’ has place on already overworked staff with concerns that staff were being ‘co-opted as an agent of the state in surveilling our students’ or asked ‘to do the Government’s dirty work’, which was inevitably impacting on staff/student relations.

Some staff report having reluctantly accepted the policy since it is now compulsory but feel that it is a bureaucratic burden that doesn’t add to the safeguarding that staff already do.

Many UCU members from across further and higher education have raised ideological and practical concerns with Prevent, describing it as damaging trust ‘between administrators and educators on the one hand and students on the other’. The relationship between staff and students is key but is potentially put under threat by the need for staff to monitor students’ behaviour and flag up not just those that might cause harm to themselves and others but those that might be drawn into such behaviour. This mean staff are left under pressure to predict what students might do in the future.

Poor employment practices are a major barrier to academic freedom alongside the impact of government’s counter extremism agenda. UCU’s research has shown that widespread casualised employment practices across the higher education sector are a major barrier to academic freedom. More than two thirds of researchers and almost half of teaching-only staff in the sector are on fixed term contracts.

Rather than enjoy the freedom to shape their own research and teaching, academics employed on precarious contracts often have the goals and focus of their research dictated by managers, who hold power over grants, funding streams, and promotions.

As our [Second Class Academic Citizens](#) report points out, endemic casualisation ‘explicitly curtails’ the possibility of career development stressed by UNESCO as an important aspect of academic freedom. Precariously employed staff are less able to speak out freely, and to challenge authority.

The University and College Union (UCU) is the UK’s largest trade union for academics and academic-related staff in higher and further education, representing over 100,000 members working in universities, colleges, training providers, adult education settings and prisons.

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