

By: Nick Wilkinson – Prevent and Channel Strategic Manager -
Education and Young People's Services, KCC

To: Kent Community Safety Partnership – 13th October 2016

Subject: **The Prevent Duty and Dovetail Pilot Update**

Classification: Unrestricted

Summary:

In September 2015 Joint Kent Chiefs agreed to the establishment of the Kent Prevent Duty Delivery Board and a County Channel Panel as required by the Prevent Duty contained within the Counter-Terrorism and Security Act 2015. This report updates significant developments during the last year and includes draft terms of reference for the Dovetail Pilot Steering Group:

Kent Community Safety Partnership are asked to:

- i) **Note** this report.
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Introduction

- 1.1 The Counter-Terrorism and Security Act 2015 contains a range of Local Authority (LA) statutory duties collectively known as the “Prevent Duty” which requires LAs, both upper and lower tier councils, and other specific bodies to act to “prevent people from being drawn into terrorism”. In September 2015 Joint Kent Chiefs (JKC) agreed to the establishment of the Prevent Duty Delivery Board (PDDB) as the strategic body overseeing the delivery of the Prevent Duty across Kent.
- 1.2. This report serves to update the Kent Community Safety Partnership on the activity of the Board during the past year and associated developments, notably the Home Office Dovetail Pilot.

Current National and Local Context

- 2.1 Over the past 12 months there have been a significant number of terrorist attacks including large scale incidents in Paris and Brussels. The threat of lone actor terrorist attacks is a reality in the UK and on mainland Europe.
- 2.2 Within the UK there are a number of terrorist threats – but currently the most serious threat is from DA’ESH. Nationally the number of terrorist offences has increased by a third from the previous year and all plots were either linked to, or inspired by, DA’ESH. The threat level, relating to international terrorism remains at severe and consequently the Kent Resilience Forum is developing plans in relation to a rise in threat to critical level.

- 2.3 The updated Counter-Terrorism Local Profile (CTLP) 2016/17 (the detail of which will be verbally shared at the meeting) provides the Kent context and highlights the risks and threats of all forms of extremism, including the challenges presented by extreme right wing activity within the county.
- 2.4 In response to these threats the government launched the Counter -Terrorism and Extremist Strategy in the autumn of 2015. It is anticipated that many elements of this strategy will be enacted via the Counter Extremist and Safeguarding Bill detailed in the Queen's Speech in May 2016. A briefing, prepared for the PDDB, is given in Appendix 1.
- 2.5 No published parliamentary timetable for the Bill was available at time of writing, unlike some other areas but the Bill has not been postponed and a separate Directorate for Counter Extremism has recently been established within the Home Office.

Prevent Duty Delivery Board

- 3.1 The PDDB brings together partners from the historical Prevent Steering Group and additional members, from health, education, higher and further education who have responsibilities under the Prevent Duty. The inaugural meeting of the PDDB took place on 19 November 2015 and the Board has subsequently met on four occasions.
- 3.2 The PDDB has received feedback from Channel, shared information regarding Prevent awareness raising and training activity within individual agencies and, as required by the Prevent Duty, agreed to the development of a joint Kent wide action plan.
- 3.3 The Counter-Terrorism and Security Act 2015 identifies the bodies known as Specified Authorities to whom the Prevent Duty applies: education and child care providers, further education and higher education institutions, the health sector, criminal justice commissioned provision penal institutions and providers and the Police. This autumn the PDDB will be conducting an audit in relation to how each specified authority is complying with the statutory requirements of the Prevent Duty.
- 3.4 Previously, Community Safety Managers from District and Borough Councils across the county were core members of the Prevent Steering Group. Recently, in order to facilitate connectivity between their work on community cohesion in relation to Prevent and Channel, the KCC Prevent and Channel Strategic Manager has convened meetings with Community Safety Managers. It is envisaged that the PDDB will formally adopt these meetings as a sub-group to ensure engagement with local developments and issues of community cohesion that impact on the Prevent agenda.

Channel Panels

- 4.1 In September 2015 JKC, as required by the Counter-Terrorism and Security Act and associated Channel Guidance, agreed to the reconfiguring of the 12 existing Channel Panels in Kent and the chairing of a single panel by KCC. In replacement of the 12 local panels, the Kent Channel Panel (not including Medway) was formed on 22nd October 2015.
- 4.2 Channel is a voluntary early intervention mechanism used before a person engages or becomes involved in criminal terrorist activity. All agencies and members of the community can refer individuals to Channel via the Kent Police Channel inbox¹
- 4.3 Channel provides tailored support to people who have been identified as at risk of being drawn into terrorism. Channel Panels are responsible for managing the safeguarding risk to both children and adults and, as such, there is a need to establish processes that are compliant with the Children Act 1989 and " Working Together to Safeguard Children 2015" ².
- 4.4 In December 2015 the Home Office required Channel Panels to move from being called on an ad hoc basis as need arises to meeting on a monthly basis. This has increased pressure on partner agencies; particularly those who have core Channel members³.
- 4.5 The Kent Channel Panel has now met on nine occasions (October 2015 – August 2016). The meetings have been extended to four hours duration and there is strong commitment from the core members. The District or Borough Community Safety Manager for the area in which individuals considered by the panel lives is always invited to provide information on local context. Partner agencies attend as appropriate to discuss their cases and there is notably good representation from head teachers.
- 4.6 A high proportion of the referrals are young people under the age of eighteen; many of these young people have complex and multiple vulnerabilities. Within this group there are a number of other local authority children (OLA) placed in private children's homes in Kent
- 4.7 Since the inaugural meeting of the Kent Channel Panel six cases have been adopted by Channel (all under 18), these individuals have gone on to receive support from a Home Office intervention provider.

¹Channel@kent.pnn.police.uk

²

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf

P19.27

³ These are: Prevent and Channel Strategic Manager KCC ;Assistant Director Safeguarding SCS KCC; Head of Public Protection KCC; Kent Police, South East Counter Terrorism Unit.

- 4.8 A recent trend has been the increase in the number of referrals of Unaccompanied Asylum Seeking Children (UASC). Some present with very challenging and worrying backgrounds in their countries of origin. As a result of this change in demographic, Kent Police and Kent County Council are working to ensure that staff working with this cohort of children and young people are aware of the Counter-Terrorism context and vulnerabilities associated with radicalisation and extremism.
- 3.8 The reconfigured Kent Channel Panel is working effectively and now provides the platform for further development in light of the Dovetail Project.

4 Home Office Dovetail Pilot

- 4.1 During the past year the Home Office have indicated that it is their intention to move the entirety of Prevent activity (with the exception of the Police Terrorism de-confliction checks) into the LA by the end of 2017/18. The aim of this move appears to reflect a desire by the Home Office to position Prevent activity closer to local communities and link more effectively with Safeguarding and other partnership activity within the LA.
- 4.2 To achieve this change, the Home Office are launching a national pilot to test the proposed arrangements. The Dovetail Pilot will assess the efficacy of moving the case management and administration (excluding Police Terrorism de-confliction checks) from the Police to the LA. Within the Pilot the Home Office will continue to act as data controllers and the Police will retain the Terrorism risk. Kent has been invited to take part and considerable work has taken place between Kent Police and KCC to prepare for the Pilot.
- 4.3 The Home Office are providing limited funding to support the delivery of the Pilot; however the full cost far exceeds the amount provided. KCC are working with Kent Police and the Office of the Police and Crime Commissioner to adequately resource the project.
- 4.4 During the Pilot it will be important for all agencies to monitor the impact of the change in process on existing resources in this area of delivery and monitor any additional unfunded burdens.
- 4.5 It is clear that in Kent, Channel represents a growing area of activity that has significant implications for all agencies. Taking part in the pilot will present the opportunity to influence the future delivery of Channel in a large two-tier local authority area. As a Tier 3 area in terms of risk, it may also enable us to highlight the additional challenges Kent faces in respect of our position as a national gateway, the associated pressures of UASC and the complex issues presented by the vulnerability of the large number of OLA children placed in the county.
- 4.6 To achieve appropriate governance the PDDB has established a time limited Dovetail Project Board that operates as a Sub-Group of the PDDB to oversee

the delivery of the Pilot. A schematic outlining the inputs, work streams and reporting lines for the Dovetail Pilot is given in Appendix 1.

6 Conclusion

- 6.1 This report outlines key activity and significant progress on the delivery of the Prevent Duty across Kent.
- 6.2 It is encouraging that the Home Office have sufficient confidence in our current delivery to invite us to take part in their national Pilot. The PDDB, via the proposed Project Board, will oversee the delivery of the Dovetail Pilot and regular updates will be provided to relevant strategic forums including Joint Kent Chiefs and the Kent Community Safety Partnership.

Recommendations

Kent Community Safety Partnership are asked to:

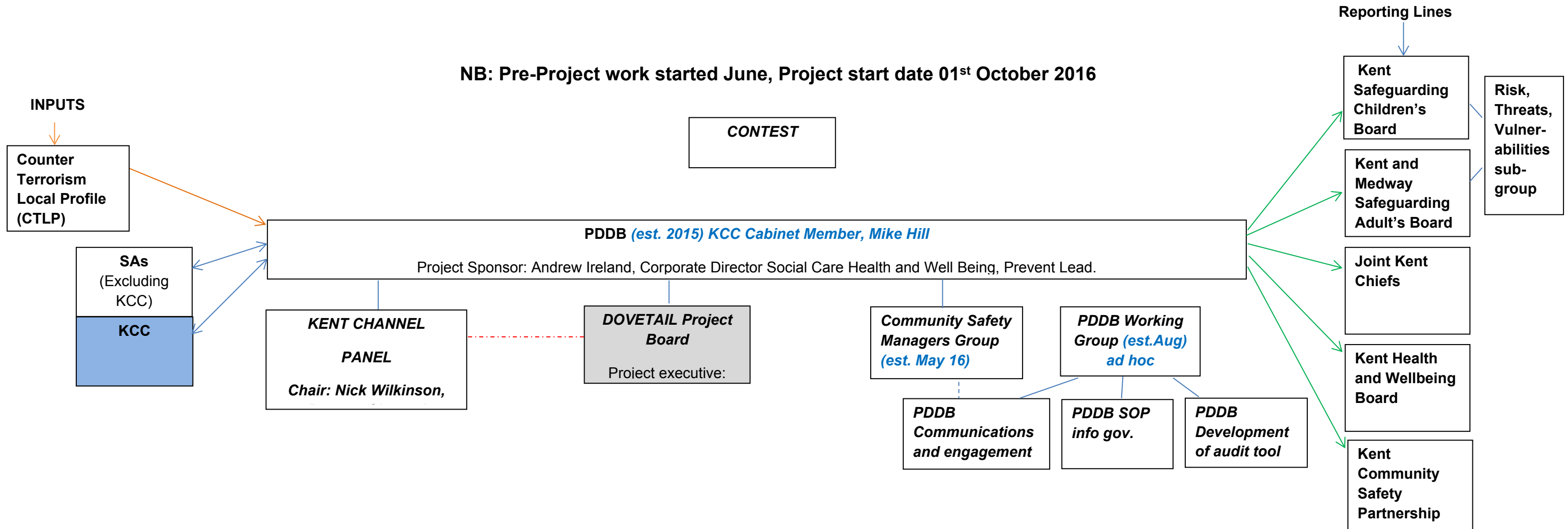
- i) **Note** this report

Lead Officers/Contact:

Nick Wilkinson, FCMI Prevent and Channel Strategic
Manager Direct line: 03000 417201
Nick.wilkinson@kent.gov.uk

Amanda Hornsby
Policy Advisor, ST Directorate
Direct Line: 03000 416271
Amanda.hornsby@kent.gov.uk

NB: Pre-Project work started June, Project start date 01st October 2016



Briefing: The Counter-Extremism Strategy and the proposed Counter-Extremism and Safeguarding Bill

In October 2015 the Government published The Counter-Extremism Strategy. The purpose of the strategy is to protect people from the harm caused by extremism. Within the strategy extremism is defined as: *'the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs'*.

Subsequently it has become apparent that the direction of travel outlined within the Counter-Extremism Strategy will be established through the measures proposed in the Counter-Extremism and Safeguarding Bill and a range of other legislative provisions rather than a single all-encompassing act of parliament.

The Threat

The Counter-Extremism Strategy identifies that the threat to British society comes from all types of Neo-Nazi, Far Left and Islamic extremism.⁴ The strategy aims to tackle the violent intent of the terrorists and potential terrorists, the adoption of cultural practices that result in discrimination on the basis of race or gender, the exclusion of some areas of society from the rule of law and the fear of racism preventing the identification of criminal behavior.

The Response

The strategy identifies four specific areas of activity which will aim to counter the anticipated threat from extremist activity in the UK, these are:

- Counter extremist ideology;
- Build partnerships with all those opposed to extremism ;
- Disrupt extremists; and
- Build more cohesive communities.

The measures proposed within in each of these four areas include the following key elements.

Counter extremist ideology

- Work with other nations, the UN and EU to disrupt extremists activities at home and abroad, to address the underlying causes of extremism and communicate the aims of foreign policy to all our communities⁵;
- Work with academics to understand extremism and develop The Extremism Analysis Unit and Joint Terrorism Analysis Centre which will provide support the public sector in tackling extremism in local communities;
- An independent commission to investigate as to whether Shari'a Law is being misused and a separate review into measures to safeguard public institutions against infiltration by extremists;
- Countering the propaganda of extremist groups, both on-line and in communities, by building a network of credible commentators to challenge extremist ideology;
- Working with social media providers to ensure extremists are denied a platform and establish a group of industry, public and government to explore ways of limiting extremists' access to the internet without compromising the principles of a free internet;⁶
- Appointment a team of independent Further Education advisors to conduct inspections of education institutions not covered by Ofsted;
- New powers under the Charities (Protection and Social Investment) Act 2016 to prevent extremists infiltrating charities and prevent foreign monies from fueling extremism;⁷
- A review of the training given to faith leaders in public institutions;
- A new mandatory de-radicalisation programme for those found to have been engaged in extremist activity:

⁴ In recent weeks the Home Secretary has added the threat from Northern- Ireland related terrorism. Hansard 13 June 2016

⁵ In April 2016, the Home Office and HM Treasury published their *Action Plan for Anti-Money Laundering and Counter-Terrorist Finance*. Legislation is anticipated in 2017.

⁶ Legislative provision: Investigatory Powers Bill

⁷ Section 9

- Expanding the reach of the Prevent Duty by increasing the number and range of institutions covered by the Duty, introducing new responsibilities for specific authorities and reviewing current activity including:
 - requiring schools to publish details of all governors, a national data base of governors will be established later this year;⁸
 - introducing a new system of intervention for supplementary schools where there are concerns about radicalization;
 - reviewing measures to tackle extremism in prisons and the management of high risk offenders: and
 - ensuring training for NHS staff, already delivered to over 250,000 people, is kept under review.

Work in partnership with organisations that are against extremism

- The establishment of a network of anti-extremist groups;
- The development of a set of principles to ensure that extremist groups are not given legitimacy by being allowed to speak at public events or receive state funding; and
- Challenging broadcasters who give a platform to extremists.

Disrupt Extremists

- More information and guidance for those judging visa applications, including greater use of face-to-face interviews and 'good character' rules for citizenship applications to include whether a person has promoted extremist views;
- Consistent reporting of anti-Muslim attacks across police forces;
- Legislation to immediately suspend radio and TV outlets which broadcast extremist content;
- Powers to ban, through the High Court, extremist organisations, restrict the activities of the most dangerous extremists and access to premises repeatedly used to support extremism;
- Extending the scheme that enables a parent to cancel the passport of a child to apply to 16-17 year olds; and
- Strengthening the Disclosure and Barring Service to enable employers to prevent extremists working with children and vulnerable people, including notifying employers of new information about an existing worker.

Building Cohesive Communities

- The expansion of the National Citizen Service, to involve more 16 and 17-year-olds from isolated communities;
- The establishment of a Female Genital Mutilation Unit in the Home Office to co-ordinate preventive activity;
- The commissioning of reviews to establish how best to :
 - provide English language training and support to local partners in target areas;
 - response to honour-based violence, which will provide an evidence base for future action;
 - boost opportunities in our most isolated communities to inform the funding for a new Cohesive Communities programme later in 2016.

The Counter- Extremism and Safeguarding Bill

The Queens Speech (May 2016) included proposals for the anticipated The Counter-Extremism and Safeguarding Bill which will deliver some of the measures outlined above. Currently, it appears that the primary focus of the measures within the Bill will be on protecting the public against the most dangerous extremists and ensuring that the government and law enforcement agencies have a full range of powers to deal with extremism. The bill will:

- introduce a new civil order regime to restrict extremist activity (following broad consultation);
- safeguard children from extremist adults by taking powers to intervene in intensive, unregulated education settings that teach hate and drive communities apart and through stronger powers for the Disclosure and Barring Service'

⁸ Education Excellence Everywhere: Education White Paper 17 March 2016 It is anticipated work will begin this September

- close loopholes so that Ofcom can continue to protect consumers who watch internet-streamed television content from outside the EU on Freeview; and
- consult on powers to enable government to intervene where councils fail to tackle extremism.

Although the majority of these provisions are mentioned in the Counter-Extremist Strategy, as a result of emergent issues, in some there has been a shift or expansion of emphasis. For example, it appears that provisions in relation to the safeguarding of children in unregulated schools may have been influenced by Ofsted's recent identification of a large number of illegal unregistered schools.⁹

Commentary

Publication of the Counter-Extremism and Safeguarding Bill was anticipated in the Queens Speech 2015. The delay and the current (at time of writing) lack of detail regarding the proposed measures within the Bill is likely to relate to the reported difficulty the Government has faced in:

*"...getting agreement about the thresholds for what constitutes extremism and what needs to be protected as free speech [was] not going to be easy or straightforward."*¹⁰

In 2015 the Independent Reviewer of Terrorism Legislation, David Anderson QC identified fifteen issues of "particular sensitivity" regarding the outline proposals. Further to this, there has been cross party concern regarding the difficulty of defining extremism and the unintended consequences of the debate which MPs fear may further isolate some elements of the Muslim community and could amount to a possible "home goal" in creating: *"a propaganda victory to those who preach hatred."*¹¹

In July The Counter Extremist Select Committee¹² made a number of recommendations regarding the development of the Counter-Extremism and Safeguarding Bill. These include:

- reinforcing the need to look again at the legislation surrounding the safeguarding of children educated in out of school settings;
- an independent review of Prevent Strategy and operation of the Prevent Duty; and
- the requirement that hate crime should be viewed as part of the counter-extremist strategy and considered within the development of the forthcoming legislation.

Government response to these recommendations is expected in the autumn and this may have an impact on the provisions within the Bill.

We are yet to see the detail of the majority of measures identified in the Counter-Extremism Strategy translating into legislative proposals. It is clear, however, that the government will look to the Prevent Duty as the vehicle for the delivery of many of the legislative requirements suggested in the strategy.

Conclusion

The complexity and sensitivity of the measures likely to be proposed in the Counter-Extremism and Safeguarding Bill and other related legislation is well rehearsed nationally. It is likely that, under the Prevent Duty, the responsibility for the discharge of a significant proportion of the measures contained within the final legislation will, in Kent, fall to the Specified Authorities represented at the Prevent Duty Delivery Board. As such, it is suggested that this Board receive regular updates on the development of the range of legislative streams that will establish the detail of these proposals, the method of implementation and the impact on member agencies.

Author: Amanda Hornsby Policy Advisor ST SPRCA KCC

Amanda.hornsby@kent.gov.uk Tel: 03000 416271

⁹ Letter to Secretary of State from Education from Sir Michael Wilshaw 16 May 2016

¹⁰ Home Office Source : The Times May 2016

¹¹ Liberal Democrat Home Affairs Spokesman Alistair Carmichael

¹² Counter Extremist Select Committee July 2016

http://www.publications.parliament.uk/pa/jt201617/jtselect/jtrightts/105/10506.htm#_idTextAnchor011