Written evidence submitted by David Miller, Narzanin Massoumi and Tom Mills

The challenge of Islamophobia

Summary
This submission summarises research on Islamophobia conducted by the authors and others. It notes the increased hostility towards Muslims in recent times and relates this to the broader policy context, rather than simply focusing on public attitudes. It describes the ways discriminatory counter terrorism practices have affected Muslims, using official data as far as possible. It goes on to describe the ways in which particular think tanks have pressed the government (with some success) to take a more overt anti-Islam approach to Prevent. Lastly, it discusses the far right and the counterjihad movement.

1. **Introduction.** We have researched Islamophobia and related issues separately and collectively for over a decade along with a variety of collaborators. We are in the process of completing an edited collection on the topic of Islamophobia which is due to be with the publishers in the new year. Our approach is to examine the concrete disadvantages suffered by Muslims, and then to trace the sources of such disadvantage. This approach is in keeping with the concept first brought to public attention by the MacPherson report on the killing of Stephen Lawrence: institutional racism. This concept of institutional racism is useful since it draws attention both to the disadvantage caused by those operating on prejudice and conscious bias, and that caused by practices that do not necessarily flow from such views or ideas. It directs our attention not just to obvious manifestations of racism, such as hate crimes, but also to more subtle and routine practices that create both concrete disadvantages for Muslims and, we argue, a broader climate that encourages more overt forms of racism.

2. There is abundant evidence that a wider climate of hostility towards Muslims as people and Islam as a religious faith is fuelling an increase in discrimination, bullying as well as direct intimidation and violence. Dealing with this problem means not only trying to combat hate crime only at the point of offending, but addressing the wider antecedents of Islamophobia.

3. **Institutional Islamophobia:** It is clear that counter terrorism policy and practice disproportionately affects Muslims. There is a wide variety of evidence of this, but it is clear even if we keep in the main to official statistics.

4. **Section 44 searches:** Under Section 44 of the Terrorism Act 2000, which was declared unlawful by the European Court of Human Rights, the police were entitled to stop and search any person or vehicle without any requirement for ‘reasonable suspicion’. Due to the draconian nature of this power, Section 44 was originally intended to be restricted to specified areas and for limited periods. But in the event the Metropolitan Police were granted rolling authorisation, meaning that for almost a decade this power was in operation in the whole of the Greater London area. Guidance on Section 44 published by the Home Office in 2004 stated that

   There may be circumstances where it is appropriate for officers to take account of a person’s ethnic background when they decide who to stop in response to a specific terrorist threat (for example, some international terrorist groups are associated with particular ethnic groups, such as Muslims). (quoted in Kundnani 2006)

5. Comparing the self-identified ethnicity of those stopped and searched under Section 44 with that of the population of England and Wales as a whole, Quinlan and Derfoufi note that Asians and Blacks were disproportionately targeted compared with whites, with
Asians in 2009/10 on average over six times more likely to be stopped and searched, and black people on average almost eight times more likely (the respective average disproportionality ratios for each group being 6.2 and 7.86) (Quinlan and Derfoufi 2015, 136) Parmar's examination of the impact of Section 44 stop and searches in London concluded that they had 'criminalised' minorities on the basis of their religious background and had deepened intra-ethnic tensions. (Parmar 2011, 369) In January 2010, Section 44 was declared unlawful by the European Court of Human Rights, which noted in its judgment that 'none of the many thousands of searches has ever resulted in conviction of a terrorism offence.' (Gillan and Quinton v UK, para.148)

6. **Schedule 7 searches:** Schedule 7 of the Terrorism Act 2000 is a similarly draconian power which applies to port and border controls. Described by the civil liberties group Liberty as 'a breathtakingly broad and intrusive power', it allows police to detain people at ports and airports for up to nine hours, to conduct searches of their person and to seize their belongings for up to seven days. Those detained under Schedule 7 are not entitled to a publicly funded lawyer, are obliged to answer questions and, if detained at a police station, to provide biometric data, including fingerprints and DNA. All this can be done without any requirement for 'reasonable suspicion', meaning that those detained under this power need not be suspected of any crime, yet have less legal rights than criminal suspects.

7. The religion of those detained under Schedule 7 is not recorded in official statistics, but there are figures on the ethnicity of those examined or detained. Hurrell (2013) has examined disproportionality in the use of Schedule 7 powers for the period 2010/11 to 2012/13 by comparing Home Office statistics on its use with demographic data from the 2011 census and passenger data from the Civil Aviation Authority and the Department of Transport. She uses the race disproportionality ratio (RDR), which has been used by the Equality and Human Rights Commission as a measure of disproportionality in police stop and searches. The RDR can be calculated by (1) dividing the proportion of the total individuals targeted by the authorities who identify with a particular minority by the proportion of white people targeted, (2) dividing the proportion of that ethnic minority in the population by the proportion of white people in the population, and then (3) dividing the former figure by the latter. A value of 1.0 indicates no disproportionality. Anything above that indicates that that minority is being disproportionally targeted. Hurrell's calculations comparing 2011 census data with the use of Schedule 7 power at airports in 2010/11 suggested that travellers identifying as Pakistani, African or as a member of 'any other' ethnic group (a category which includes Arabs) have experienced extremely high levels of disproportional targeting under Schedule 7. Pakistani people in particular stood out. The estimated RDRs for Pakistani travellers were: 52.6 for total examinations, 135.9 for over the hour examinations and 154.5 for detentions. (Hurrell 2013, 28) What this means is that someone with Pakistani ethnicity is over 150 times more likely to be detained under Schedule 7 than a white person. By way of comparison, the headline figure for the EHRC's 2010 report *Stop and Think* which revealed the continuing discriminatory use of police stop and search powers, was based on a black/white RDR finding of 6.5. (Equalities and Human Rights Commission 2010)

8. **Referrals to Channel:** 'Channel' is the UK government's 'pre-criminal diversionary programme', which it claims 'provide[s] support for people vulnerable to being drawn into any form of terrorism'. Whilst the government does not publish figures on referrals to the programme, some data has been released, under the Freedom of Information Act, by the National Police Chief's Council. According to one such disclosure, between April 2007 (when Channel was established) and May 2015, a total of 6,306 individuals have been
referred to the programme. Of those, as many as 2,015 referrals were made in the first five months of 2015 alone.

9. An earlier disclosure in 2013 stated that between April 2007 and December 2011, 67% of those referred to the programme were Muslim. No data on the religion of persons referred was then recorded between January 2011 and March 2012, whilst the proportion recorded as Muslims from April 2012 to March 2013 fell to 57.4%. These figures, however, are somewhat misleading since they include a substantial proportion of individuals for whom their religion is not known, a different category to those of no religion, or who preferred not to state their religion. Excluding this unknown category suggests that in the earlier period of the programme over 90% of those referred were Muslims. Then from April 2012 to March 2013, it would suggest that Muslims made up approximately 78% of those referred. Over the whole of that period, according to the same disclosure, 14% of referrals were categorised as being related to far-right extremism. Figures subsequently disclosed for 2013/4 state that 689 of the 1,252 individuals referred were categorised as Muslims, which again excluding those for which their religion is not known (388), suggesting that Muslims made up over 79% of referrals in that more recent period.

10. The most recent figures released under the Freedom of Information Act show that there has been a sharp jump in Channel referrals since the introduction of the Counter Terrorism and Security Act. Between July 2015 and June 2016 there were 4,611 referrals – a 75% increase on the previous year. Notably, of these some 2,311 were of children (including 352 under 9 years old).

11. In short, the available data on Channel reveals that Muslims certainly make up the majority of referrals and likely make up the great majority, with the far right making up the remainder. Whilst the proportion of Muslims making up the referrals to the Channel programme is remarkable enough in itself, to appreciate the significance of these figures one has to compare them to the proportion of the population as a whole which Muslims make up, which according to the 2011 England and Wales Census is 4.8%. If being Muslim had no significant impact on the probability of referral to the programme therefore, we would expect Muslims to make up roughly the same proportion of persons referred to the Channel programme. This is obviously not the case and even taking the lowest proportion of referrals suggested by these somewhat patchy official figures (78%) would suggest Muslims are overrepresented by a figure of 16.25, and that a Muslim is over 70 times more likely to be referred to the Channel programme than a non-Muslim.

12. Prison population: Over the course of the 'War on Terror' the proportion of Muslim prisoners in UK prisons has increased from 7.7% in 2002 to 13.4% in 2012 (Ministry of Justice 2013, 9), suggesting a Muslim prisoner population of around 11,000. Only a tiny proportion (just over 1%) of these have been imprisoned for terrorism related offences. According to Home Office statistics, as of 31 December 2014 there were 183 people in custody in the UK for terrorism-related offences and domestic extremism. These prisoners fall into two categories: those in custody for 'terrorism-related offences' and those in custody for 'domestic extremism'. Of the 124 people falling into the former category, 123 identify as Muslim. (Home Office 2015a) 'The majority in the latter category, according to the Home Office, 'belong to extremist animal rights groups, or are members or associates of far-right groups.' (Home Office 2015b, 14) Of the 59 prisoners classified as 'domestic extremists', two identify as Muslims and 53 are white (one prisoner identifies as Asian, another as 'Chinese or Other' and four were unrecorded).

13. The influence of think tanks. There have been a range of think tanks active on counter terrorism and Islam. There are serious concerns over the quality and integrity of the evidence these organisations produce, and there have been several controversies over
their research. An early example was when a report by the Policy Exchange was withdrawn by the think tank after the BBC established that some of the receipts purporting to establish that 'extremist' literature was being sold in British Mosques had been forged. There have since been other examples where think tanks’ research alleging 'extremist' activities by British Muslims has been challenged on the basis that it was either non factual or was exaggerated. The specific examples that have come to light reflect broader concerns about the integrity of their research.

14. The spreading of Islamophobic ideas in the public sphere is one effect of these think tanks’ activities. Another effect appears to be influencing government policy in a more Islamophobic direction.

15. **2011 revision of Prevent:** The Centre for Social Cohesion (CSC), which was later incorporated into the Henry Jackson Society (HJS), and the Policy Exchange, all widely described as ‘neoconservative’, were at the forefront of pushing for the revision of Prevent towards a focus on non-violent ‘extremism’.

16. For instance, a Policy Exchange report in 2009 – *Choosing Our Friends Wisely* – criticised the Labour Government for, ‘stress[ing] law enforcement and strict security concerns over and above everything else.’ Furthermore, they argued that government policy should expand its focus from ‘preventing violent extremism’ to countering what they call ‘non-violent radicals,’ who it is claimed were ‘indoctrinating young people with an ideology of hostility to western values.’

17. The Coalition Government’s Prevent Strategy, published in June 2011, was clearly influenced by the kind of neoconservative ideas pushed by the Centre for Social Cohesion and Policy Exchange. It stated that: ‘preventing terrorism will mean challenging extremist (and non-violent) ideas that are also part of a terrorist ideology,’ and later lamented that, ‘work to date has not recognised clearly enough the way in which some terrorist ideologies draw on and make use of extremist ideas which are espoused by apparently non-violent organisations very often operating within the law.’

18. Advocates of this approach – such as the CSC/HJS – have justifiably claimed some success in influencing the 2011 review of the government’s Prevent strategy. This can also be seen in the fact that the official Prevent strategy document cited the CSC on five occasions.

19. The Counter Terrorism and Security Act (2015) was consonant with the ideas of the neoconservative think tanks. In July 2015, The Henry Jackson Society’s Douglas Murray praised David Cameron’s Birmingham speech on radicalisation saying it was his best yet. In September Cameron publically named four universities that had allegedly hosted speakers with views ‘contrary to British values’ – claims denied by the universities concerned. Shortly thereafter, the *Times Higher Education* reported that the source of much of the data was the HJS itself, via:

- a recent report by Student Rights, an arm of the Henry Jackson Society. Written by Student Rights director Rupert Sutton, the *Preventing Prevent* report lists the four London universities mentioned by Downing Street in its own table of the most-visited universities.
- It also includes a list of former students later convicted of terrorism-related offences – of whom eight are also mentioned in the Downing Street statement using terms that are identical or almost identical to ones used in the Student Rights report.
- For instance, both reports state that Umar Farouk Abdulmutallab ‘had repeatedly contacted extremists who were under MI5 surveillance’ while he was a student at University College London, before being ‘convicted in 2012, of attempted murder and terrorism, after trying to bomb a passenger flight to Detroit in 2009’.
It can be noted that the basis of the allegations against each of the universities is contested and denied by the universities concerned.

20. The evidential basis of this and other reports by Student Rights has also been called into question on a number of occasions.\textsuperscript{13}

21. These examples indicate that neoconservative think tanks are attempting to influence government counter terrorism policy and have at least arguably had some effect.

22. \textbf{The Counterjihad movement.} Finally we should also mention the far right as an obvious contributor to the climate of hate and fear that contributes to hate crimes. We have studied the far right including especially the self-styled Counterjihad movement.\textsuperscript{14} It is important to note, in particular, that this is not simply a street level phenomenon, but a transnational political movement supported by some significant resources from wealthy backers. This has been shown in the most comprehensive study of the US counterjihad movement,\textsuperscript{15} as well as in work in Europe and the UK.\textsuperscript{16}

\textbf{Biographical notes}

\textbf{Prof. David Miller} is Professor of Sociology in the Department of Social and Policy Sciences at the University of Bath. He has written widely on propaganda, spin and lobbying and was co-founder of Public Interest Investigations, a non profit company of which Spinwatch and Powerbase are projects. Recent publications include: \textit{Cold War on British Muslims, An examination of Policy Exchange and the Centre for Social Cohesion}, September, (Public Interest Investigations, 2011, co-author); \textit{Stretching the Sociological Imagination: Essays in Honour of John Eldridge}. (Palgrave Macmillan, 2015, co-editor); \textit{The Henry Jackson Society and the Degeneration of British Neoconservatism}. (Public Interest Investigations, 2015, co-author); \textit{The new governance of addictive substances and behaviours}. (Oxford University Press, forthcoming 2017, co-author). \textit{Impact of Market forces on Addictive substances and Behaviours: The web of influence}. (Oxford University Press, forthcoming 2017, co-author).

\textbf{Dr. Tom Mills} is Lecturer in Sociology at the University of Aston. Recent publications include: \textit{Cold War on British Muslims, An examination of Policy Exchange and the Centre for Social Cohesion}, September, (Public Interest Investigations, 2011, co-author); \textit{The Britain Israel Communications and Research Centre: Giving peace a chance?} (Public Interest Investigations, 2013, co-author) and \textit{The BBC: The Myth of a Public Service} (Verso, 2016).

\textbf{Dr. Narzanin Massoumi}, is a postdoctoral fellow in the School of Law and Social Justice at the University of Liverpool. She will shortly take up a British Academy postdoctoral fellowship (2016 -2019) based at the University of Bath. She formerly worked on an ESRC funded project ‘\textit{Understanding and Explaining Terrorism: Expertise in Practice}’ project at Bath, building policy partnerships and research collaborations with civil society groups, policy makers, criminal justice and media professionals. She is the author of \textit{Muslim women, Social movements and the ‘War on Terror’} (Palgrave Macmillan, 2015).


\textsuperscript{2} We should mention in particular Tom Griffin and Hilary Aked.


\textsuperscript{4} \textit{Press Association} Jump in Channel referrals after duty to combat extremism Daily Mail, 12 September 2016.


8 Ibid. p.50.


10 p. 25 x2, 67, 72, 73


