

# Police and Crime Commissioner Elections

ENGAGE briefing

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**ENGAGE**

Media Awareness • Political Participation

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## Introduction

On Thursday 15<sup>th</sup> November, the electorate in England and Wales will vote for the newly created position of Police and Crime Commissioner (PCC) in 41 constabularies across England and Wales.

Each PCC will effectively take over the role currently performed by local Police Authorities, and will be responsible for ensuring efficient and effective policing as detailed in the policing plan and crime strategy formulated for each police force area. The PCCs will also be responsible for appointing and, if necessary, dismissing chief constables.

ENGAGE have developed a manifesto which we believe deals with the most urgent priorities in policing affecting British Muslims. We are working with grassroots communities and Muslim organisations to urge all PCC candidates to pledge their support for our key campaign issues:

1. **Recording Islamophobia** – The Association of Chief Police Officers (ACPO) identifies the number of anti-Semitic hate crimes as a subtotal within the faith or religion category. This level of detail is not currently captured in relation to other race and faith groups. It is paramount that *all religions and faith communities be treated equally* and that statistics are disaggregated to disclose the number of hate crimes affecting Muslims, Christians, Sikhs, and other faiths too.
  - ***We are asking all PCC candidates to pledge to record Islamophobia as a separate category of hate crime, as is currently the case with anti-Semitism; and to commit adequate resources to local specialist services that deal with victims of faith based hate crimes***
2. **Reforming Stop and Search** – the disproportionate use of stop and search powers against minority communities has been a constant feature of reports and appraisals on police powers covered by the Police and Criminal Evidence Act and the Terrorism Act (2000) Section 44 (now Section 47a) and Schedule 7
  - ***We are asking all PCC candidates to review their force's use of stop and search and to tackle racist or discriminatory use of the powers by regularly reviewing local statistics; and working with equalities bodies, specialist agencies and community organisations to ensure policing is conducted in a non-discriminatory manner***
3. **Tackling far right hate groups** – Recent years have seen a growth in far right hostility and violence targeting British Muslims and Islamic institutions. Studies suggest that there is a strong propensity among members of far right organisations to consider and sympathise with violence as a means of addressing their anxieties over immigration, multiculturalism and the 'Islamification of Britain'.
  - ***We are asking all PCC candidates to take action to deliver safe and robust service responses to harassment, intimidation and violence perpetrated by far right groups against Muslim communities in local areas; and to provide effective leadership and partnership with Muslim organisations to challenge threats of violence and risks to security of Muslims persons, property and institutions***
4. **Developing partnerships with Muslim communities** – Trust in policing in recent years has been diminished with cases of police brutality, stop and search and the 'excessive enthusiasm' with which counter-terrorism powers have been used. British Muslims have been particularly affected with research reinforcing the perception and treatment of Muslims as a 'suspect community'.
  - ***We are asking all PCC candidates to consult with local Muslim groups and organisations by establishing regular forums for consultation on the setting of local policing priorities,***

***and to ensure fair representation and inclusion of Muslim community concerns in the development of local crime strategies***

From the sometimes disproportionate methods and powers used by Counter Terrorism Units to intimidation and harassment at ports and airports, from stop and search powers to police brutality – these are just some of the reasons why actively participating in the PCC elections is absolutely essential.

This is your opportunity to influence the way your local community and force area is policed with due regard for the law and community concerns. It is vital that you make the most of this opportunity.

We have produced this election briefing guide to provide you with useful background information on our key campaign issues; recording Islamophobia, reforming stop and search, tackling far right hate groups and developing partnerships with Muslim communities, and to offer you some questions to consider putting to your PCC candidates at a locally run election hustings.

You can find more information about our campaign on our dedicated election website – [www.getoutandvote.info](http://www.getoutandvote.info)

To contact us with any queries or questions, send an email to [info@iengage.org.uk](mailto:info@iengage.org.uk) or post us a message on Facebook (/iengageuk) or Twitter (@iengageuk)

## Recording Islamophobia

- ***We are asking all PCC candidates to pledge to record Islamophobia as a separate category of hate crime, as is currently the case with anti-Semitism; and to commit adequate resources to local specialist services that deal with victims of anti-Muslim hate crimes***

Islamophobia is an irrational hatred, anxiety, fear, or anger directed to Muslims in as a faith group. Islamophobia, or anti-Muslim hate crimes and verbal abuse, is often encountered in low-intensity forms of violence, such as vandalism, desecration, abuse, and intimidation. Such anti-Muslim incidents render Muslims vulnerable and constrain their rights to free expression of religious identity and religious practice

According to the Equality and Human Rights Commission,

*'The rights to life, liberty and security, and to live without fear and harassment, are fundamental human rights. These rights are not available to people who experience targeted violence, harassment and abuse because of their age, disability, race, religion and belief, sexual orientation, transgender status or other aspects of their identity'<sup>1</sup>*

Freedom of religion is enshrined in UK law as part of the Human Rights Act (1998, Article 9) and the European Convention on Human (ECHR). It affirms that threats of violence and abuse directed at religious communities are key concerns for safety and security. Article 9 of the Human Rights Act and ECHR states:

*Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, and to manifest his religion or belief, in worship, teaching, practice and observance.*

Any form of anti-Muslim hate, or hate directed at any race or religion, is a threat to human rights and is a concern that local policing can address through targeted resources and robust recording and monitoring mechanisms.

Police forces differentiate between 'hate crimes' and 'hate incidents.' According to ACPO (Association of Chief Police Officers), the organisation in charge of recording hate crimes until 2012, hate incidents are defined as:

*'any non-crime incident which is perceived by the victim or any other person, as being motivated by hostility or prejudice based on a person's race, sexual orientation, faith, or disability.'*

Unlike hate incidents, hate crimes are criminal offences. Hate crimes, consequently, are defined by ACPO as:

*'any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate based on a person's race, sexual orientation, faith, or disability.'*

Hate crimes are a specific form of hate incident in which the offence is criminal and can be prosecuted in court. However, on both counts, whether a hate incident or hate crime, the police should be informed and the suspect may be charged with racially or religiously aggravated harassment or assault.

A daunting number of Islamophobic crimes have occurred in recent years in the UK. The security agenda and counter-terrorism policy and powers continue to influence and shape public and political discourse on British Muslims. In fact, according to the Equality and Human Rights Commission report on

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<sup>1</sup> Equality and Human Rights Commission, 2009. *Tackling Hate Together: Local partnership approaches to tackling hate incidents in the North East of England.*

Religious Discrimination in Britain, Muslims’ reports on experience of discrimination is greater in frequency and severity than of any other religious group in England, Scotland and Wales, and attacks have intensified since 9/11 and 7/7.<sup>2</sup>

ENGAGE documents anti-Muslim hate crimes and incidents under four categories:

- assaults or attacks on persons of Muslim background,
- attacks on Muslim property and institutions,
- verbal abuse and hate speech, and
- anti-Muslim public discourse.

The table below details the number of hate crimes and incidents logged by ENGAGE in our submissions for the years 2010 and 2011 to the Organisation for Security and Cooperation in Europe for the annual ‘Hate Crime Report’ on the status of hate crimes in the OSCE region.

Table 1: Hate Crimes and Incidents directed towards British Muslims in 2010-2011

Type of Hate Crime or Hate Incident	Recorded occurrences in 2010	Recorded occurrences in 2011
Assaults or attacks on persons of Muslim background	16	20
Attacks on Muslim property and institutions	19	41
Verbal abuse and hate speech	5	15

Hate crimes come in a variety of forms. One assault involved a robber who stole thousands of pounds worth of valuables from a Muslim woman’s home. The criminal wrapped the woman in a carpet and set her alight, saying ‘this is your Eid present, you Muslim.’<sup>3</sup>

Mosques and other Muslim institutions as well are frequently targeted emphasising the extent to which hateful attitudes are formed by assumptions of Muslims as ‘terrorists’ and ‘invaders.’ A frequent occurrence, seen in a number of hate crimes and incidents, involved racist graffiti and desecration of mosques. Alongside vandalism, the incidence of low-intensity intimidation and abuse has increased dramatically since 9/11 and 7/7 according to the EHRC, but is frequently not reported and not always reflected in figures like those illustrated above. The framing of Muslims around ‘suspicion’ and ‘risk’ in counter-terrorism discourse influences popular attitudes and justifies hateful and incendiary speech.

One study compiled by academics found that

*‘...the targeting of specific groups by counter-terrorist measures offer wider society [the] ‘permission to hate,’ and, consequently, may provide an ‘ideological and moral license to anti-Muslim hate crime.’...[thus,] the suspicion that underlies the policing of Muslim communities would appear to have legitimated...the hate crime experienced by Muslims’.*<sup>4</sup>

The influence of Islamophobic ideologies in right-wing networks such as the English Defence League, where this ‘permission to hate’ is widespread, uniquely target British Muslims.

The revised counter-terrorism strategy strand on *Prevent* covers ‘far-right terrorism’ with guidance on what police force areas must do to protect communities from this threat to social cohesion and security. The *Prevent* strategy also points to the directly Islamophobic nature of right wing groups, stating:

<sup>2</sup> P. Weller. 2011. *Religious discrimination in Britain: A review of research evidence, 2000-10, Research report 73*. London: Equality and Human Rights Commission. pg. 49

<sup>3</sup> ‘This is your Eid present’: What attacker told Muslim woman as he wrapped her in a carpet and set her alight,’ *Daily Mail*, 6 May 2010

<sup>4</sup> Pantazis, C. and Pemberton, S., 2009. ‘From the “old” to the “new” suspect community: examining the impacts of recent UK counter-terrorist legislation’. *British Journal of Criminology*, 49, p. 661.

*'Islamophobia has increasingly become part of extreme right-wing terrorist ideology. People have justified their actions as a response to Al Qa'ida-influenced terrorism, extremist organizations and to alleged threats from Muslim communities'.<sup>5</sup>*

Various studies recently published by British academics argue that British Asians and more specifically, British Muslims, are the primary target group for far-right violence. The hostility of far right social movements and political parties is motivated by deep hatred of Muslim communities and organizes around a popular myth of 'Islamification'.

Far-right terrorism and anti-Muslim hate crimes or incidents committed by far right groups exist on a spectrum where terrorism is one extreme end. The actions of Anders Behring Breivik in Norway in 2010, or of Neil MacGregor, the man who threatened to 'behead a Muslim a day' until all mosques in Scotland were shut down, in 2009, point to the different positions occupied by individuals allied to far right groups or sympathies.

Muslim vulnerability is intensified when it is not met with adequate response from the police. For example, worshippers at the Finsbury Park mosque took offense to a severed pig's head impaled on a gate outside the building. While nobody was injured, such offenses are an incitement to hatred and a deliberate attempt to make a community or group feel insecure. No arrests or prosecutions were made following the mosque's provision of CCTV footage clearly identifying the vandals. According to the director of the mosque, Mohammed Kozbar, the lack of follow-up from the police has left the congregation frustrated and distrustful.



*Growing number of mosques have been petrol-bombed or vandalised*



*Dozens of women who wear the headscarf have been physically and verbally abused*



*Imams attacked on their way to mosque*



*An ex British soldier (now a member of the EDL) sentenced to 10 years for attempted arson wrote 'Burn the lot of them out'*



*Muslim graves in cemeteries in Manchester and High Wycombe have been desecrated*



*Arson attack on Islamic Relief Scotland HQ*

Unfortunately, these low-intensity forms of Islamophobia are eclipsed by events of direct violence. An European Muslim Research Centre report notes that just in London, death threats, arson, gang assaults, and even homicide have been directly motivated by Islamophobia.

### *Roadblocks to better policing of anti-Muslim crime*

The primary impediment to better policing of anti-Muslim hate crime is the disorganisation of official and statutory bodies recording hate crime, such as the police, third party reporting centres and non-governmental self-reporting agencies. Figure 1 maps the different institutions and agencies involved in reporting and monitoring hate crime.

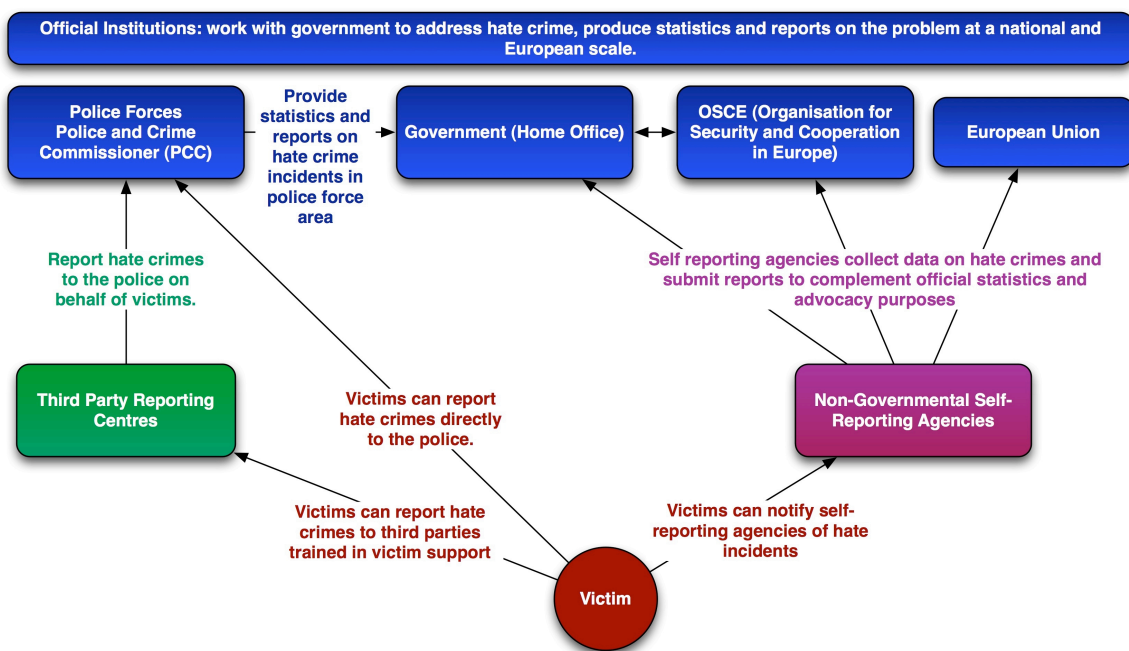
<sup>5</sup> HM Government, 2011. *Prevent Strategy*. London: The Stationery Office Limited on behalf of the Controller of Her Majesty's Stationery Office, p. 21.

1. Victims are presented with three options in reporting hate crime. Victims may report hate crime directly to the police. Police data forms the basis of official statistics on hate crimes published by the Home Office.
2. Victims may report the hate crime at a third-party reporting centre, which are often organized by housing councils, faith communities, and other local organizations. Third-party reporting centres forward information on hate crimes and incidents to the police on behalf of victims following a report. They may also provide victim support services.
3. Victims can also report hate crimes to non-governmental agencies that offer hate crime reporting services usually on behalf of a particular community of interest. At ENGAGE, we provide an online self-reporting form on our website for British Muslims.

Non-governmental agencies supplement official data by collating information gathered through self-reporting and making it available to international and regional bodies, such as the OSCE and European Union.

Self reporting mechanisms are also available on local councils websites, for example, and on the Police run True Vision website – which is used by 36 police forces across the country. True Vision offers self reporting packs for Faith and Race hate crime which comprises a form and a prepaid envelope for victims to return to the police.

Figure 1: Current mapping of hate crime reporting services



Available statistics on anti-Muslim hate crimes suggest that these are severely under-reported. This is primarily because victims fail or refuse to report hate crimes, often because they think the attack is 'trivial' or because they do not know how or where to report a hate crime.

Third party reporting centres, organized frequently by housing trusts or community centres, such as mosques, offer a safe place for victims to report hate crimes. Third party hate crime reporting centres are a key component of existing strategies around better self-reporting of Islamophobia and hate crime more generally. These centres were established following recommendations made in the Macpherson Report. The report recommends the set up of third party reporting centres to ensure:

*that all possible steps should be taken by Police Services at local level in consultation with local Government and other agencies and local communities to encourage the reporting of racist incidents and crimes. This should include: (1) the ability to report at locations other than police stations; and (2) the ability to report 24 hours a day.*<sup>6</sup>

Unfortunately, the poor publicity surrounding these centres has made them largely ineffective and under-utilised by individuals. This problem is compounded by the fact that Muslims under-report hate crime quite frequently. In fact, according to a recent study of Muslim women in London,

*“verbal and physical abuse against them was frequent and they had normalized this as part of everyday experience”.*<sup>7</sup>

A BBC Asian network report found that only 1 in 4 female victims of hate crime actually report it. The report provides evidence that victims are encouraged to ‘turn the other cheek.’ A victim interviewed in the report explained

*“If I tell people the kind of abuse I get they always say, ‘Oh just ignore it’.”*<sup>8</sup>

A report produced by researchers at Birmingham University, found that Muslims tend to ‘internalise’ experiences of Islamophobia:

‘There is a certain level of acceptance that Islamophobic instances are the norm rather than the exception, a part of individuals’ everyday lives. In addition, individuals do not want to ‘create a fuss’ around their experiences.’<sup>9</sup>

Any sort of verbal or physical abuse can be a hate crime or hate incident, which requires police to respond. Under-reporting is disturbing because it allows much Islamophobia and low-intensity anti-Muslim violence to go unnoticed and unaddressed. The trend within the Muslim community is frequently to ‘turn the other cheek’ when being spat at, or in cases of verbal and physical abuse.

A report by the European Union Fundamental Rights Agency on ethnic minorities in the EU found that in 14 member states, 1 in 3 Muslims experienced discrimination in a 12 month period but a staggering 79% of these people did not report their experiences of discrimination. Reasons provided were partially because they felt that ‘nothing would change,’ it was part of everyday life, and most surveyed were not confident of a positive or serious response by the police. Finally, 80% of respondents – 4 out of 5 – were not able to name a single agency or organisation capable of offering support to victims of discrimination and hate crime.

Table 2: Reasons for not reporting hate crimes, British Crime Survey, 2009-2011

Reason	Hate Crime	General Crime
Trivial/no loss/police would not/could not do anything	55%	73%
Private/dealt with ourselves	19%	15%
Inconvenient to report	6%	6%
Reported to other authorities	4%	5%
Common occurrence	9%	3%
Fear of reprisal	5%	2%

<sup>6</sup> The Stephen Lawrence Inquiry Report (London: The Stationery Office, 1999). Available on: <http://www.archive.officialdocuments.co.uk/document/cm42/4262/4262.htm>

<sup>7</sup> Open Society Foundations, 2012. *Muslims in London: Key Findings and Recommendations*. New York: Open Society Foundations.

<sup>8</sup> Nye, C. ‘Muslim women avoid reporting racism’. *BBC News*, 6 August 2009.

<sup>9</sup> Spalek, B. et al. 2008. *Police-Muslim Engagement and Partnerships for the Purposes of Counter-Terrorism: an examination, summary report*. Birmingham, UK: University of Birmingham. pg 10



Dislike or fear of the police/previous bad experience with the police or courts	7%	2%
Other	21%	6%

Table 2 shows that there is a gross under-reporting of hate crime across British society. In 55% of cases, victims did not report hate crimes because they were considered 'trivial;' however, according to ACPO, no hate incident is trivial and regardless of whether or not a crime has been committed. It is still a concern that the police must be involved in.

Given the proper information and buy-in from the community, third party reporting centres do present a number of advantages. They already exist, funded by local councils, and are positioned to pass on information to police forces, but the Muslim community needs to be proactive in reporting hate crimes.

The problem with third-party reporting centres and non-governmental agencies is that the population at risk is frequently not aware of their services. This is a challenge for mosques, Islamic community centres, and families to address: making sure that British Muslims are aware of services that will treat *any* hate incidents or crimes with confidence and sincerity is a cornerstone to better policing.

We encourage police forces across the UK to develop strong partnerships with existing hate crime reporting centres to accurately report *all* Islamophobic incidents under a specific crime flag. Such information will not only reveal more accurately the scale and spread of the problem, but it will also mitigate the diffident attitude among Muslims on reporting all hate crimes, no matter how trivial. It will also provide the necessary metrics for police forces to act on hate crime and against which communities can appraise police efforts to tackle hate crime.

#### *Police recording approaches*

Current figures and statistics on hate crime are insufficient to address Islamophobia effectively. This is because the latest statistical data on the topic does not disaggregate hate crime statistics by religion. Table 3 reproduces the latest hate crime statistics published by the Home Office (2011/2012) for England and Wales by Police Force Area showing the categories used by police force areas to record hate crimes.

The categories disaggregate hate crime directed to individuals based on race, faith, sexuality, transgender identity, and disability but there is no further disaggregation on grounds of specific races and faiths targeted by hate crime. The Association of Chief Police Officers identifies the number of anti-Semitic hate crimes as a subtotal within the faith or religion category. This level of detail is not currently captured in relation to other race and faith groups. It is paramount that ***all religions and faith communities be treated equally*** and the statistics must disaggregate the number of hate crimes affecting Muslims, Christians, Sikhs, and other faiths too.

Table 3 – Hate Crimes 2011 - 2012

Police force area	Monitored hate crime strand					Total
	Race	Religion	Sexual orientation	Disability	Transgender	
Avon and Somerset	1,241	48	150	113	16	1,568
Bedfordshire	269	11	18	9	1	308
British Transport Police	1,349	41	136	25	1	1,552
Cambridgeshire	338	10	26	6	1	381
Cheshire	289	1	58	7	4	359
Cleveland	307	1	25	15	0	348
Cumbria	194	17	45	17	9	282
Derbyshire	440	1	54	12	0	507

Devon and Cornwall	737	11	53	7	3	811
Dorset	226	1	26	9	2	264
Durham	227	23	31	13	4	298
Dyfed-Powys	80	4	22	8	0	114
Essex	739	16	85	36	23	899
Gloucestershire	212	13	28	5	3	261
Greater Manchester	2,974	180	303	73	17	3,547
Gwent	183	7	41	7	3	241
Hampshire	946	19	198	40	0	1,203
Hertfordshire	632	21	43	15	7	718
Humberside	415	6	56	14	3	494
Kent	747	15	59	34	10	865
Lancashire	766	60	92	40	13	971
Leicestershire	880	77	103	97	5	1,162
Lincolnshire	205	19	23	5	12	264
London, City of	56	3	5	2	1	67
Merseyside	1,107	30	138	134	6	1,415
Metropolitan Police	7,983	607	1,234	120	74	10,018
Norfolk	347	18	62	120	4	551
North Wales	359	5	62	31	8	465
North Yorkshire <sup>5</sup>	141	2	20	9	2	174
Northamptonshire <sup>5</sup>	456	6	49	50	3	564
Northumbria	557	13	33	22	1	626
Nottinghamshire	542	18	78	42	0	680
South Wales	746	38	119	76	10	989
South Yorkshire	443	6	35	9	3	496
Staffordshire	645	7	62	53	6	773
Suffolk	351	30	73	130	17	601
Surrey	544	21	28	40	0	633
Sussex	520	23	111	23	4	681
Thames Valley	1,237	78	112	32	20	1,479
Warwickshire	262	5	19	8	1	295
West Mercia	568	7	58	36	3	672
West Midlands	2,531	52	210	46	10	2,849
West Yorkshire	1,840	45	36	137	3	2,061
Wiltshire	185	5	33	17	2	242
<b>England and Wales</b>	<b>35,816</b>	<b>1,621</b>	<b>4,252</b>	<b>1,744</b>	<b>315</b>	<b>43,748</b>

Notable among the statistics captured in the table is the number of bias motivated hate crimes affecting religious communities recorded by the Metropolitan Police Service. The figure is significant as it is startling, it far eclipses the figures gathered by all other police forces. In 2010/2011 the Met Police recorded 401 Islamophobia offences and 395 Islamophobic incidents.

The MPS is the only police force to record Islamophobia as a category of hate crime allowing for improved data to be available on monitoring the religion strand in hate crimes.

Similarly, disaggregation of race would highlight the races most particularly affected by hate crime. Currently, it is impossible to measure the extent to which certain races are affected by hate crimes. The lack of these disaggregated statistics makes it impossible for ethnic and faith-based communities to hold police forces to account in regard to hate crimes affecting their particular community. This is especially a concern to the Muslim community and among British Asians because they are more likely than any other group to be victims of hate crime according to the British Crime Survey.

Table 4 explains the proportion of religiously-motivated hate crime victims. The data clearly indicates that Muslims are victim to the largest proportion of hate crime. However, this chart gives no indication of where these hate crimes have occurred and which police areas are responsible for addressing the problem, making it difficult to hold constabularies accountable on this issue.

Table 4 - Proportionality of Hate Crime by Ethnic Group and Religion (British Crime Survey, 2009-2011)

<b>Ethnic group</b>	Personal religion-motivated hate crime	All religion-motivated hate crime	Unweighted base
White	0	0	84,217
Non-White	0.2	0.5	6,942
Mixed	0.1	0.1	666
Asian or Asian British	0.4	0.8	3,158
Black or Black British	0	0.2	1,883
Chinese or other	0	0.1	1,235
<b>Religion</b>			
Christian	0	0	69,854
Buddhist	0	0	408
Hindu	0	0.5	897
Muslim	0.5	0.8	2,167
Other	0.1	0.7	1,142
No religion	0	0	16,596

If police forces were to record Islamophobic crimes on a flag separate to race or ethnicity, it would be easier to understand, diagnose, and resolve the emerging problem of anti-Muslim sentiment and Islamophobic crime.

Our analysis suggests three main problems or challenges in combating Islamophobia that can be addressed through positive intervention by police forces:

1. Tackle under-reporting of anti-Muslim hate crimes
2. Develop coherence and inter-agency links between agencies recording anti-Muslim hate crime
3. Record anti-Muslim hate crime under a separate crime flag

### *Challenges for the Muslim Community*

Encouraging the ignorance of hate crime makes it impossible for police forces to adequately address the problem and prosecute criminals. In an update to the Macpherson report, it is clear that under-reporting is a concern recognized by Parliament. Emphasizing that victims often fail to report hate incidents because they do not perceive them as crimes, a Home Affairs select committee report observes:

*'there are some barriers...about where people determine something is a crime that they want to tell us and where they just think it is the way that things happen in life'*<sup>10</sup>

While British Muslims can do their part by being better informed of victim services and encouraging a culture of reporting hate incidents, the institutional architecture must be modified in order to hold the police to account.

<sup>10</sup> Home Affairs Committee, House of Commons, 2009. *The Macpherson Report—Ten Years On: Twelfth Report of Session 2008-09*. London: The Stationery Office Limited by authority of the House of Commons, p. Ev 14-15.

### *Challenges for reporting centres*

Recording centres are scattered and disorganised, operating at different scales and across different communities. Third-party reporting centres are present in all police force areas in England and Wales. These institutions are frequently advertised on police force websites and can be found with basic internet searches. Given the distrust amongst BME communities, police force websites may not be the first place someone looks for help. Reporting institutions, to be more effective, could reach out to Muslim faith organizations and disseminate information on the availability of reporting centres. This is an effort that can be made to increase awareness about reporting hate crime in the Muslim community.

Information sharing and digital technology can make a strong impact in this regard, and is an excellent point on which Police and Crime Commissioners can take a leading role. The PCC might consider the development of a hate crime database that third-party reporting centres and non-governmental agencies can contribute to. This is an information-sharing scheme where a variety of organizations can be involved in providing the information needed to get a grasp on the extent of anti-Muslim and provide a site for interfaith and interethnic collaboration.

### *Key Points for Police and Crime Commissioners*

The duty of the PCC is to act as a liaison between the police force and the communities policed. The simple implementation of 'anti-Muslim' or 'Islamophobia' as a separate crime flag – comparable to 'anti-Semitism,' which labels a similar hatred directed towards British Jews – would work towards this goal. A separate crime flag will allow police and communities to understand the difference between racially- and religiously-motivated crime. Without any statistical indicators on Islamophobia, it is near impossible to hold the police to account based on widely-accepted, accurate figures.

The PCC can draw on the existing expertise in anti-Muslim hate crime reporting by reaching out to existing reporting centres and faith community-based NGOs for assistance and consultation. In doing so, opportunities for information sharing across horizontal lines between police forces and communities will emerge, simplifying the complicated task of recording Islamophobia.

### **Key Questions for PCC Candidates**

1. Will you support the introduction of Islamophobia as a distinct category of hate crime, as is currently implemented by the Metropolitan Police Service, to provide clear data on the number of hate crimes directed at British Muslims? Will you commit to establishing recording mechanisms that are equal and consistent for all race and faith groups?
2. How do you plan to work with specialist agencies and faith communities to better educate the public about hate crimes and the avenues available for reporting and prosecuting of anti-Muslim hate crimes?
3. What measures will you take to inform the public of what constitutes a hate crime or hate incident and to tackle under-reporting?
4. Will you allocate resources to consolidate the efforts of third-party reporting centres and self-reporting agencies into a single, central database that monitors hate crimes and works with police forces to support victims and increase criminal prosecutions?

## Reforming ‘Stop and Search’

- ***We are asking all PCC candidates to review their force’s use of stop and search and to tackle racist or discriminatory use of the powers by regularly reviewing local statistics; and working with equalities bodies, specialist agencies and community organisations to ensure policing is conducted in a non-discriminatory manner***

Stop and search powers were introduced by the Government in the Police and Criminal Evidence Act (1984) and greatly expanded by the Terrorism Act in 2000 and 2006. Since then, over 1 million individuals have been stopped-and-searched by the police. Stop and search has been disproportionately used against minority ethnic communities. Police are significantly more likely to stop young, male Black and Asian individuals than any other category.

This disproportionality has led to severe conflicts between ethnic communities and the police and has negatively impacted on community-led and supported approaches to tackling criminality and violent extremism. The over use of stop and search powers has generated a widespread perception that the police are institutionally racist and inequitable in their use of police powers. Such negative perceptions undermines trust in the police force as an institution, results in few arrests, and impedes the fight against crime and threats to our collective security. While stop and search is an important and useful power for the police and mandated by law, its use must be reformed and reassessed if it is to be brought under the purview of the public and to adhere to non-discrimination principles codified in the Equality Act (2010).

### *Stop and search powers and use*

There are three main laws that authorise the police to stop-and-search.

Stop and search powers typically allow a police officer to stop and perform a search on any person if the officer has “reasonable suspicion” of an offence – with the law not expressly clarifying what constitutes a reasonable suspicion of an offence. The three most commonly used clauses to perform stop and search in 2010/11, in order:

- Section 1 on the Police and Criminal Evidence Act (1984) - 1,222,378 stop and searches
- Section 60 of the Criminal Justice and Public Order Act (1994) - 60,963 stop and searches
- Section 44 of the Terrorism Act (2000) - 11,792 stop and searches

From these 1,295,133 stop and searches - 9% led to an arrest for an offence. Not a single search of the 11,792 searches conducted under Section 44 of the Terrorism Act led to an arrest for a terrorist offence.

It is clear that stop and search is an extensively used tool in policing with the number of searches in 2010/11 carried out under Section 1 of the PACE Act (1984) setting a new record.

Table 5: Stop and search legislation, 2011

<b>Legislation</b>	<b>Requirements for use of stop-and-search power by constable in uniform</b>	<b>Minimum police rank for authorisation</b>
S1 PACE 1984	Constable must have ‘reasonable suspicion’ of criminal activity in a public area	Constable
S60 CJPO 1994	Constable must be in an authorised area where an officer of rank believes that violent incidents may occur. The constable does not need reasonable	Inspector may define the area where S60 powers may be used to prevent violence for <i>up to 24 hours</i> .

	suspicion to stop-and-search, but simply needs to be in the <i>area</i> authorised.	Superintendent may extend the time by another 24 hours if s/he believes it expedient to do so.
S43 Terrorism Act 2000	Constable must have 'reasonable suspicion' that s/he will discover evidence that proves the suspect is a terrorist.	Constable
S44 Terrorism Act 2000	Constable must be in an authorised area where a senior officer believes there is a high risk of acts of terror. Anybody in this authorised area may be subject to search without any suspicion to prevent acts of terror.	Assistant Chief Constable (or Commander in the Metropolitan Police or City of London Police). The authorisation must be confirmed by the Home Secretary within 48 hours, and will be in place for 28 days.

S44 has come under intense criticism by minority communities, human rights advocates, and organisations such as Liberty and ECHR.

According to David Anderson QC, the current independent reviewer of counter-terrorism legislation,

*Section 44 was one of the most contested provisions of TA 2000. Its very wide use, particularly in London and on the rail network, caused resentment among minority communities and was repeatedly deprecated by my predecessor, Lord Carlile – understandably so, since the power produced not even one successful prosecution for a terrorist offence in Great Britain.*<sup>11</sup>

Section 44 powers have been rightly taken out of statutory law as of March 2011, and replaced with Section 47 which changes the standards for authorising areas for blanket stop-search powers. The change follows the ruling by the European Court of Human Rights in the case *Gillan and Quinton v. UK* (2010) where the ECHR held that S44 in fact violated Article 8 of the European Convention. The court found that S44 powers are 'not sufficiently circumscribed nor subject to legal safeguards against abuse,' and therefore, 'not in accordance with the law'.<sup>12</sup>

The controversial nature of stop-and-search has led to a rather volatile legislative environment. However, as of today, Section 1 of PACE (1984), Section 60 of CJPO, and Section 43 and Section 47(A) of the Terrorism Act authorise the police to conduct stop-searches. Despite some small improvements, stop-and-search remains highly controversial and disproportionately affects Black and Asian communities.

### *Disproportionality*

The Equality and Human Rights Commission report *Stop and Think* is the most detailed, critical analysis of stop and search to date. It proves that stop and search powers are disproportionately used on Black and Asian minorities in most police force areas.<sup>13</sup> It is necessary to reform the pervasive bias in the use of these powers against BME communities and to address the way in which the police form their suspicions that result in their disproportionate use on Blacks and Asians.

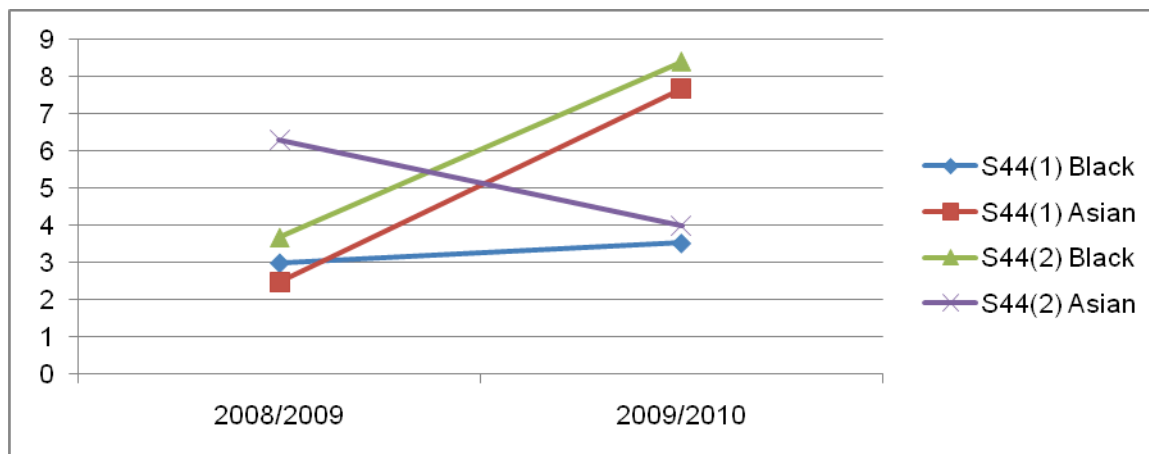
<sup>11</sup> Anderson, D. QC, 2011. *The Terrorism Acts in 2011: Report of the Independent Reviewer on the Operation of the Terrorism Act 2000 and Part 1 of the Terrorism Act 2006*. London: The Stationery Office.

<sup>12</sup> *Gillan and Quinton v UK* (2010). European Court of Human Rights.

<sup>13</sup> Equalities and Human Rights Commission, 2010. *Stop and think: A critical review of the use of stop and search powers in England and Wales*.

Using the data provided by the Ministry of Justice, we have calculated the disproportionality of stop-and-search powers under each piece of legislation (see appendix 1). The following four pages contain the data tables on disproportionality for Section 44(1)–vehicles–and 44(2)–pedestrians–as well as S60 of CJPO and S1 of PACE. We have found that in almost all instances there is disturbing evidence of stop-and-search disproportionality.

Figure 2: Disproportionality in counter-terrorist stop-and-search powers



In the chart above, there are a few interesting trends in stop-and-search around counter-terrorism across England and Wales. These numbers are based on the average for each ethnic group and stop-and-search power used in all police force areas in England and Wales, with the exception of Cumbria.<sup>1</sup> We note an extremely high increase in disproportionality in *vehicular* (S44(1)) searches of ethnic Asians. A similar rate of increase is visible on *pedestrian* (S44(2)) searches of Black persons.

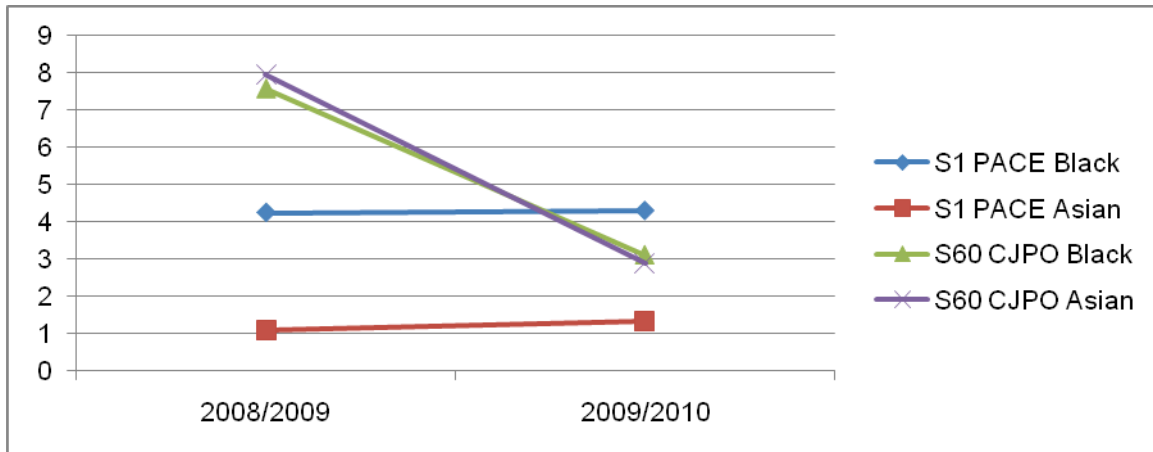
However, there is a clear decrease in proportionality of pedestrian searches of Asians. Based on recent studies done by academics, these numbers are in line with expectations that the police view Muslims as a 'suspect community'. While 'Muslim' is a religious label and all races can be Muslim, the high disproportionality of Asians (despite the reduction in S44(2) searches) suggests that concepts around Muslims as 'risky' or 'suspect' are evident in the statistics on counter-terrorist searches.

The chart below, we see slightly more encouraging trends. Disproportionality in S60 powers, which require no reasonable suspicion, have decreased by a significant amount over the two-year period on average in England and Wales. S60 powers have been used to address crimes well outside its original intent, which was to police violence. In fact, a study commissioned by the Runnymede Trust found that S60 'has become a useful police resource for responding to low-level disorder' and that it 'was being used inappropriately to deal with routine crime problems with no justifiable reason why normal police powers based on a reasonable suspicion were not being used'.<sup>14</sup>

There remains an obvious disproportionality in S60 use, where Asian or Black people are 3 times as likely as a white person to be stop and searched.

<sup>14</sup> Delsol, R., 2010. 'Section 60 Stop and Search Powers'. In: K. P. Sveinsson, ed. 2010. *Ethnic Profiling: the Use of 'Race' in UK Law Enforcement*. London: Runnymede Trust. Ch. 4, p. 15.

Figure 3: Stop-and-search disproportionality outside of counter-terrorist powers



### *Police stereotyping and stop and search*

The police frequently rely on categories and stereotypes to make their decisions to stop and search an individual.<sup>15</sup> Police officers make this decision based on ‘general signals of disorder and demeanour [as well as] threatening or abusive behaviour, challenges to police authority, and acts of criminal damage’.<sup>16</sup> Suspicion for stop and search is extremely subjective; in fact, in addition to the ‘signals of disorder’, other practices such as ‘staring, not making eye contact, driving too fast and driving too slow’ were behaviours that encouraged police to become suspicious.<sup>17</sup> This wide range of factors suggests that stop and search is not a hard-and-fast rule and police officers rely on a variety of environmental and subjective factors when making their decisions to stop and search an individual.

Youth, in particular, are viewed by police as suspicious and consequently are very likely to be stopped-and-searched. Race too is an important category with some studies demonstrating that ‘blackness’ was often grounds for suspicion in a number of cases. Similarly, Muslims are widely assumed by police as a ‘suspect’ community and so it is likely that the categories that misrepresent Islam in media and popular discourse frame police suspicion around Muslims (Pantazis and Pemberton, 2009).<sup>18</sup>

### *Problems created by excessive use of stop-and-search*

The widespread and uncautious use of stop and search has greatly contributed to harming trust in policing and affected the possibilities for police forces to build partnerships with communities. The stop-searching of Muslims based on their outward appearance adds to a sense of discriminatory use and harassment with this being particularly the case in relation to stop and search conducted at ports and airports under Schedule 7 powers.

A report commissioned by the Equalities and Human Rights Commission on the impact of counter-terrorism policies on Muslim communities found that, in relation to stops conducted under Schedule 7 powers:

*“Individuals recalled being asked questions relating to their religious and political beliefs, as well as their personal activities in their communities. One interviewee recalls being questioned about his understanding of jihad; another about polygamy and his views of different political Islamic organisations and Muslim community groups. Such questions led most to feel that they were*

<sup>15</sup> Quinton, P., 2011. ‘The formation of suspicions: police stop and search practices in England and Wales’. *Policing & Society*, 21(4).

<sup>16</sup> *Ibid.*, p. 360.

<sup>17</sup> *Ibid.*, p. 361

<sup>18</sup> Pantazis, C. and Pemberton, S., 2009. ‘From the “old” to the “new” suspect community: examining the impacts of recent UK counter-terrorist legislation’. *British Journal of Criminology*, 49.



*being targeted as Muslims, and that the questions were being used to build up profiles of them and to gather information in general about Muslim communities.*"<sup>19</sup>

Statistics on Schedule 7 stops for the period 2009-2010 are presented in the table 6 below. It is worth noting that this data has only been publicly available from 2009/2010. Statistics for previous years have not been made available adding to concerns over transparency and oversight in the use of Schedule 7 powers.

The targeting of young Black and Asian men for stop-and-search has also contributed to a breakdown in trust with reports on the breakout of riots in towns and cities last year evidencing the extent to which trust has broken down. Some efforts, such as the Muslim Safety Forum and 'Young Muslim Voices' have been effective in creating avenues for dialogue between ethnic communities and police forces by providing forums for dialogue and community representations on issues affecting Muslims.

Table 6 – Examinations / detentions under Schedule 7 (TACT 2000)

Year: 2009-2010			
Examinations/Detentions under Schedule 7 TACT 2000	Under 1 HR	Over 1 HR	Detentions
W1 - White = British	16892	124	8
W2 - White = Irish	7247	69	6
W9 - White = Any Other Background	13423	222	27
M1 - Mixed = White and Black Caribbean	100	2	0
M2 - Mixed = White and Black African	269	17	4
M3 - Mixed = White and Asian	319	11	5
M9 - Mixed = Any Other Mixed Background	1275	50	6
A1 - Asian or Asian British = Indian	2775	97	12
A2 - Asian or Asian British = Pakistani	9082	417	138
A3 - Asian or Asian British = Bangladeshi	988	63	10
A9 - Asian or Asian British = Any Other Asian Background	7798	320	56
B1 - Black or Black British = Caribbean	295	11	2
B2 - Black or Black British = African	4832	162	37
B9 - Black or Black British = Any Other Black Background	952	30	6
O1 - Chinese or Other Ethnic Group = Chinese	1129	8	41
O9 - Chinese or Other Ethnic Group = Any Other Ethnic Background	15494	598	128
Column Total	82870	2201	486
Total (Person	85557	4402	972

The statistics show that the highest number of resultant arrests comes from the use of S1 PACE powers, which require reasonable suspicion. These stop-searches are authorised by constables themselves upon having witnessed or cause to believe that an individual may be up to criminal activity, and can intervene using a stop-and-search tactic. The searches done under S44 and S60, which do not require any reasonable suspicion, have the lowest rates of arrest and relatively high rates of disproportionality when compared to S1 PACE. Now that S44 is no longer a police power, and S47(A) of the Terrorist Act has strict limits to its use, it remains to be seen if counter-terrorist stop-searches may yield more arrests. However, S60 powers under the Criminal Justice and Public Order Act have not been curtailed, and while a downturn in disproportionality is noticeable, the law does not yield effective results in terms of arrests. The Joint Committee on Human Rights recommended, in relation to S47(A) of the Terrorist Act:

<sup>19</sup>Choudhury, T. and H. Fenwick (2011) 'The impact of counter-terrorism measures on Muslim communities'. London: Equality and Human Rights Commission, Research report, 72. pg. 23.

“considered...inadequacies in the procedure for authorisation, and made some suggestions including an amendment to the statutory test so that reasonable belief would be required as to the necessity of an authorisation for the purposes of preventing an act of terrorism, and the introduction of a requirement of prior judicial consent for authorisations.”<sup>20</sup>

One way to encourage more ‘intelligent’ stop-and-search use is through, as Nick Glynn, Chief Inspector of Leicestershire Constabulary, advises:

"An uplift in the awareness and understanding of police officers regarding the effect they have on individuals and the wider community every time they stop someone. It is my belief that this will lead to stop encounters of a higher quality and efficiency."<sup>21</sup>

More than just better education, Glynn argues that an amount of empathy on the part of constables to the people they are stop-searching can be crucial in encouraging more effective policing.

Stop-and-search reform requires specific attention in police force areas, but by following a few key principles that we have derived from research, we believe that stop-and-search policing can be made more effective. This involves the use of reasonable suspicion rather than blanket, area-based stop-and-searching. This means that S60 of the CJPO, in practice, should be focused back *only* on preventing violent crime and not in relation to the low-level crimes that it is currently used for, as was its original intent. Similarly, if S47(A) of the Terrorist Act is to be invoked, it should strictly be limited to searches to prevent imminent terrorist acts.

### Key Questions for PCC Candidates

1. What do you believe is the best way to reduce disproportionality in stop-and-search and to ensure the powers are practiced in a non-discriminatory manner?
2. Studies suggest that the excessive use of stop and search and the negligible arrests that it yields have damaged trust in policing. How will you ensure that policing is conducted on evidence and intelligence led bases to prevent stigmatizing communities?
3. How will you address concerns around the use of Section 47(A) of the TACT 2000 to ensure practice complies with necessity of use?
4. Schedule 7 powers are another area of counter-terrorism powers which studies show are used disproportionately against minority communities and which reinforce notions of Muslims as a ‘suspect community’. How will you work with Muslim community organizations and equality bodies to ensure the powers are not abused or misdirected?

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<sup>20</sup> Anderson, D. QC, 2011. *The Terrorism Acts in 2011: Report of the Independent Reviewer on the Operation of the Terrorism Act 2000 and Part 1 of the Terrorism Act 2006*. London: The Stationery Office, p. 93.

<sup>21</sup> Glynn, N., 2010. ‘Police Stops and Stop/search – It’s Quality not Quantity that Counts’. In: K. P. Sveinsson, ed. 2010. *Ethnic Profiling: the Use of ‘Race’ in UK Law Enforcement*. London: Runnymede Trust. Ch. 6, p. 23.

## Tackling Far Right hate groups

- ***We are asking all PCC candidates to take action to deliver safe and robust service responses to harassment, intimidation and violence perpetrated by far right groups against Muslim communities in local areas; and to provide effective leadership and partnership with Muslim organisations to challenge threats of violence and risks to security of Muslims persons, property and institutions***

Far right extremism is a serious security threat across the UK. On the national and European levels, the policing of right-wing terrorism has been effective and the lack of coordination and cooperation across the far right is a serious impediment to its capability to engage in large scale terrorist activity.<sup>22</sup> However, violent attitudes exist across the spectrum of far right groups and are expressed through direct and indirect forms of violence. The far right is particularly threatening to the Muslim community with academic studies demonstrating the extent to which 'cultural racism' or Islamophobia has replaced the far right's traditional racism based on colour. While the revised prevent strategy recommends police force areas to prevent local forms of radicalisation in the far right, the scale of far-right organising is increasingly at inter-state and global levels, emphasising the importance of cooperation and information sharing at regional, national and international levels.

This section will begin by mapping the major groups and political parties on the far right and identifying the activities of the three most influential: the British National Party (BNP), UK Independence Party (UKIP), and the English Defence League (EDL, and associated Welsh and Scottish Defence Leagues, WDL/SDL). All of these groups share anti-Muslim prejudices and present a salient threat to the safety and security of British Muslims. The section concludes with recommendations on how the police can better tackle far right hate and ends with questions to be put to PCC candidates.

### *Mapping the Far Right*

Though the far right enjoys a growing number of supporters, it remains quite marginal in British politics compared to mainstream political parties. The far right rejects multiculturalism outright and frequently employs exclusionary rhetoric about 'Britishness.' While a legal challenge brought by the EHRC against the BNP's discriminatory membership policy led the party to change its policy in order to present itself as non-racist, the BNP along with the EDL, harbours strong and deep anti-Muslim hostility.

The EDL is more a loose network that organises demonstrations and protests, while the BNP and UKIP are established political parties. Outside of these three, the British Freedom Party (organised by a former UKIP member and allied with the EDL), and the National Front are also among political parties, albeit with marginal influence in politics, which predominate in the sphere of far-right anti-Muslim parties. Notable for the PCC elections, is the standing of candidates from the British Freedom Party and English Democrats for posts in Bedfordshire (Kevin Carroll, BFP) Lincolnshire (Elliott Fountain, ED) and Northamptonshire (Alan Spencer-Bennett, ED), Cambridgeshire (Stephen Goldspink, ED), Essex (Robin Tilbrook, ED), Kent (Steve Uncles, ED) and Merseyside (Paul Rimmer, ED). The English Democrats have in recent times attracted a significant number of ex-BNP members to their party ranks.

Supporters of the right wing are frequently middle aged and generally male. The EDL, however, enjoys a more youthful membership than the other parties. In the BNP, EDL and UKIP, only a small number have university-level education. Despite generalisations that the right wing is composed of 'white, angry, working-class men,' a report by Chatham House shows that UKIP and the EDL include those in professional and managerial classes.<sup>23</sup> The report also notes that a majority of BNP, EDL, and UKIP supporters hold atheist/agnostic or Anglican religious identities. As well, an overwhelming majority of these supporters are not former military, though some sources suggest that extreme right-wing attitudes are evident in the Armed Forces.

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<sup>22</sup> Europol, 2012. *TE-SAT 2012: EU Terrorism Situation and Trend Report*. The Hague: European Police Office.

<sup>23</sup> Goodwin, M. and Evans, J., 2012. *From voting to violence: Far right extremism in Britain*. London: Searchlight Educational Trust.

The appeal of the EDL to youth might be due to its strategic use of social media and its roots in football, with the sport being used as a vehicle to attract members. The EDL provides a home for anti-social individuals to couple their anti-Muslim politics with a desire to pick fights and engage in low intensity violence and street thuggery.

### *Activities of the Far Right: producing conditions for violence*

Far right activity spans electoral politics and civil society. The BNP, UKIP, and BFP and National Front all contest or have contested elections and published manifestos. However, the far right has recently failed to make a strong impact with the BNP vote in the 2010 local and general elections collapsing with the loss of its remaining councillorships.

Increasingly, the far right articulates its political claims through online social media and chooses to organise outside of traditional political lines. The English Defence League has only recently expressed its intent to become a political party, but it formed a short lived alliance with the BFP this year and has put forward its co-founder, Kevin Carroll, to contest the PCC contest in Bedfordshire.<sup>24</sup> The EDL largely uses strategic communication, social media, and networks to mobilise supporters.

A key activity across the far right is 'counter-jihad,' which is political and social organising in opposition to Islam in all its forms, the incitement of anti-Muslim hatred, and fear or anxiety towards Muslims. Such activities foment widespread anti-Muslim prejudice.

There are a number of ways in which the far right presents a threat to Muslims, anti-Muslim hate crimes and the distribution of material that incites religious hatred that can be effectively tackled through policing and criminal prosecution.

The British National Party uses inflammatory elections literature that frequently paints immigrants and Muslims as the problem. A significant portion of their electoral literature contains material which is, arguably, incitement to hatred of race and religion. In the London Elects 2012 Mayoral Elections, leaflets distributed to all households in London featured a Rev. Robert West, who in a testimonial supporting the candidate Mr. Carlos Cortiglia, of the BNP, said:

*'I'm backing the British National Party because they support our traditional Christian faith. We need strong leadership to protect our national identity from the threat of Islam.'*

A similar case brought to the European Court of Human Rights resulted in conviction of a Belgian electoral candidate spreading rumours about 'Islamification' on grounds of incitement to hatred.<sup>25</sup>

Other BNP elections material blamed the heroin trade on Muslims and the 2010 general election manifesto of the BNP set out the classic 'clash of civilisations' thesis, accusing Islam of being incompatible with democracy based on 'historical' experience. Furthermore, the BNP endorses a ban on the burqa, halal slaughter and mosque-building throughout the country. The BNP also asserts that all forms of Muslim immigration represent an attempt at 'colonisation' of Britain.

UKIP is not as vehemently anti-Muslim as the BNP, however, the party does subscribe to similar policies with regards to calling for a ban of the burqa and the deportation of 'radical preachers'. It also echoes the BNP in calling for a ban on shari'ah law in the UK.

Frequently, UKIP, BNP, the EDL and the NF are involved in drafting petitions against Islamic institutions, schools, and mosques. These petitions are often coupled with marches and protests led by right wing parties that attempt to impede the development of adequate religious resources for British Muslims, presenting these as examples of the 'Islamification of Britain'.

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<sup>24</sup> English Defence League 'to become political party and stand candidates in European elections', says 'Tommy Robinson,' *The Independent*, 11 October 2012

<sup>25</sup> *Féret v Belgium* (2009). European Court of Human Rights.

The EDL's activity is significantly different than other right wing parties. While only recently disclosing an interest in contesting elections, the EDL has one specific *raison d'être*: to combat the 'Islamification' of Britain. The EDL presents itself as a bulwark against 'radical Islamism' and 'militant Islamists' but its activities and proclamations have, invariably, targeted British Muslims as a whole. The primary strategy of the EDL is to use social media and online forums to organise street marches. In these marches, the EDL attempts to provoke young Asian men into violent response by shouting abuse and using intimidation tactics.

### *Violent Islamophobia in the far right*

There have been a number of prosecuted cases of violent manifestations of Islamophobia involving supporters or sympathizers of far right movements. These include the sentencing in 2011 of an ex-soldier, who had been a member of both the EDL and BNP, for his role in an attempted arson attack on a mosque in Stoke on Trent.

While policy interventions have been quick to address the problems posed by violent extremism engaged in by Muslims, reciprocal interest and resource allocation to tackle far right terrorism and extremism has been slow to keep pace. Anna Turley, in a report published on the previous Prevent strategy argued that,

*The recent election of two BNP representatives to the European Parliament, as well as 55 local councillors around the country, underlines the fact that racial hatred and extremist ideology is not limited to any one faith or community...Indeed, recent reports show that Scotland Yard have genuine fears of major right-wing terrorist attacks against Muslim communities.*<sup>26</sup>

The anxiety towards Muslims in the far right does not stop at fear; surveys and studies show that the far right is becoming more extreme, and in the case of the BNP, violence is increasingly accepted as an inevitable response. Such violent attitudes are frequently directed towards Muslims, as illustrated in the tables illustrated below:

Table 7 Perceived threat from Islam<sup>27</sup>

<b>Statement: Islam does not pose a serious danger to Western civilisation</b>		
	<b>BNP</b>	<b>UKIP</b>
Strongly agree	3.7	2.8
Agree	3.1	5.8
Neither agree nor disagree	5	6.3
Disagree	11.5	21.9
Strongly disagree	76.6	63.1
<b>Total</b>	<b>381</b>	<b>1390</b>

The members of the BNP as well are the most prone to violence. 21.5% of BNP members argue that preparing for violent inter-group conflict is 'always justifiable,' and 12.3% believe that armed conflict is 'always justifiable,' whereas UKIP members respond with 7.6% and 3.1% respectively. Further, 34.8% of BNP members strongly agree that 'violence may be needed to protect any group from threats'. BNP members further emphasise that violence between ethnic groups is inevitable in much greater proportion to counterparts in UKIP and the EDL. Clearly the BNP is the most open of the three main right wing organisations to violence.

<sup>26</sup> Turley, A., 2009. *Stronger Together: A new approach to preventing violent extremism*. London: New Local Government Network, p. 11.

<sup>27</sup> Goodwin, M. and Evans, J., 2012. *From voting to violence: Far right extremism in Britain*. London: Searchlight Educational Trust, p. 19.

Table 8 - Perceived need to prepare for Group conflicts<sup>28</sup>

<b>Which of the following do you regard as justifiable actions to defend the "national way of life" in this country? Responses to 'preparing yourself for conflict between groups' and 'armed conflict'</b>				
	Preparing for Intergroup conflict		Armed conflict	
	BNP	UKIP	BNP	UKIP
Always Justifiable	21.5	7.6	12.3	3.1
Sometimes Justifiable	28.8	23.3	27.3	17.4
Rarely Justifiable	23.4	23.2	20.6	19.6
Never Justifiable	26.3	46	39.8	59.9
<b>Total</b>	<b>372</b>	<b>1277</b>	<b>374</b>	<b>1364</b>

Table 9 - Perceived necessity of violence to protect group<sup>29</sup>

<b>Statement: 'Violence may be needed to protect my group from threats'</b>		
	<b>BNP</b>	<b>UKIP</b>
Strongly agree	34.8	10.1
Tend to agree	29.3	24.1
Neither agree nor disagree	19	27.4
Tend to disagree	9.8	21.3
Strongly disagree	7.1	17.1
<b>Total</b>	<b>368</b>	<b>1316</b>

The English Defence League, though its members are less radically violent than the BNP, is also a home for anti-social behaviour and violence. A number of EDL activists have been incarcerated following marches, including the leader, Tommy Robinson. They have attacked shops and restaurants, homes of Muslim MPs, and direct attacks on individuals. The chief strategy of the EDL is to provoke unrest through intimidation taken from its roots in football hooliganism. In a number of cases, most of the EDL's street marches have descended into violence.

The costs of EDL protests have been excessive, reaching totals of £233,000 in Bolton, £850,000 in Leicester. In fact, the typical EDL protest costs a council around £500,000. The table below identifies all the places where EDL rallies and demonstrations have taken place, up until October 2012, with estimates on numbers of supporters and members in attendance.

Table 10: EDL demonstrations and rallies to October 2012

08-Aug-09	Birmingham	Not available	28-May-11	Blackpool	1500
05-Sep-09	Birmingham	200	11-Jun-11	Maidenhead	100
13-Sep-09	London	Not available	12-Jun-11	Dewsbury	500
10-Oct-09	Manchester	700	09-Jul-11	Plymouth	150
31-Oct-09	Leeds	900	09-Jul-11	Cambridge	300
05-Dec-09	Nottingham	500	09-Jul-11	Halifax	450
13-Dec-09	Harrow, London	20-30	09-Jul-11	Middlesbrough	500

<sup>28</sup> Goodwin, M. and Evans, J., 2012. *From voting to violence: Far right extremism in Britain*. London: Searchlight Educational Trust, p. 26.

<sup>29</sup> Goodwin, M. and Evans, J., 2012. *From voting to violence: Far right extremism in Britain*. London: Searchlight Educational Trust, p. 26.

11-Jan-10	Wootton Bassett	200	16-Jul-11	Portsmouth	500
23-Jan-10	Stoke-on-Trent	1500	04-Aug-11	Irvine	Not available
05-Mar-10	London	300	09-Aug-11	Enfield and Eltham, London	50
20-Mar-10	Bolton	2000	13-Aug-11	Telford	350
03-Apr-10	Dudley	2000	03-Sep-11	Tower Hamlets, London	1000
01-May-10	Aylesbury	800	10-Sep-11	Bedford	100
29-May-10	Newcastle	1500	10-Sep-11	Edinburgh	200
15-Jun-10	Barking, London	100	11-Sep-11	London	60
24-Jun-10	Kilmarnock	40	08-Oct-11	Downing Street, London	150
17-Jul-10	Dudley	500	17-Oct-11	Sandwell	25
28-Aug-10	Bradford	700	17-Oct-11	Birmingham	500
11-Sep-10	Oldham	120	11-Nov-11	Whitehall, London	179
09-Oct-10	Leicester	1000	14-Jan-12	Barking, London	100
25-Oct-10	London	250	14-Jan-12	Whitechapel, London	15
30-Oct-10	Amsterdam, Netherlands	60	04-Feb-12	Leicester	800
21-Nov-10	Wolverhampton	100	23-Feb-12	Rochdale	200
27-Nov-10	Nuneaton	500	25-Feb-12	Hyde	600
27-Nov-10	Preston	1000	05-May-12	Luton	800
11-Dec-10	Peterborough	500	09-Jun-12	Rochdale	300
05-Feb-11	Luton	3000	30-Jun-12	Dewsbury	250
05-Mar-11	Rochdale	500	14-Jul-12	Bristol	300
12-Mar-11	Dagenham, London	130	18-Aug-12	Chelmsford, Essex	70
02-Apr-11	Blackburn	2000	01-Sep-12	Waltham Forest, London	200
06-May-11	Grosvenor Square, London	60	29-Sep-12	Walsall	150
			13-Oct-12	Rotherham	300

### *Policing the far right - Demonstration and protests*

There are a number of major challenges to policing the far right. The first is the fine line between impeding rights to free speech and preventing incitement to hatred. The EDL and other parties have a right to organise and voice their opinions publicly, but it should not be permissible for them to incite hatred against Muslims or commit act of violence, or shout abuse and engage in intimidation. The EDL's tactics are to agitate and disrupt community cohesion rather than articulate political claims; it is for this reason that they should be allowed to hold a rally only with extreme trepidation. Councils have acted to prevent the EDL from demonstrating where local politicians feel a threat to community relations and security – this was the case in the London Borough of Tower Hamlets, Glasgow and Edinburgh.

The London Borough of Tower Hamlets, where a marching ban was placed on the EDL forcing them into a static protest is an example of successful collaboration between elected officials, communities and the local police force. While this did not eliminate the ability of the EDL to incite hatred, it did prevent serious violent conflict while maintaining their right to demonstration.

### *Vandalism, verbal and physical assaults*

A second issue is that the police must take vandalism and attacks against Islamic institutions more seriously. Such attacks should be seen as a form of right-wing terrorism that intends to strike fear at ordinary people. The police should be proactive in increasing security where Muslim institutions are being targeted and *all* cases of vandalism should be quickly prosecuted.

### *Social media and hate speech*

An increasing amount of far right organising takes place on the internet. Sites such as Stormfront (a white pride forum) and the EDL Forum allow for Islamophobic discussions to take place. A study of Stormfront membership suggests it is composed of individuals looking for a place to express their hate in

modern societies which are not accepting of such extremist views.<sup>30</sup> Because so much organising does occur online, the police should make use of anti-terror powers to monitor these groups for incitement, hate speech and planning for violent activity. For example, a user on Stormfront, when presented with the question on what to do in regards to 'Islamification' answered 'deportation or genocide'. This highly disturbing and obviously inflammatory remark suggests these forums are sites where violent ideas are being spread and should be taken seriously by the police.

A serious problem that can easily be mediated by the Police and Crime Commissioner is a lack of shared information between the police and councils. With information that can help 'identify particular hotspots,' councils can assist the police in addressing radicalisation. Working with the Muslim faith community to reassure them of their commitment to dealing with far-right threats is key.

We believe police and crime commissioners should take far right movements and activities as a serious threat and utilise anti-terror powers, as well as other community-based means, to counter these violent tendencies. There should be no toleration of rallies and marches whose sole purpose is to incite hate and provoke violence from the Muslim community.

### **Key Questions for PCC Candidates**

1. What measures will you take to monitor and prevent violent far right extremists from inciting hate as well as conducting violent attacks in your police force area? What is your crime strategy for tackling the far right?
2. Will you treat far right terrorism and violence as an equally salient form of violence similar to separatist and religiously-inspired violence, and allocate adequate resources to deal with the problem?
3. What precautions will you take to reduce the impact of EDL marches in terms of cost to the council and police force as well as preventing violent clashes and hooliganism?
4. How will you engage with the Muslim community to reduce the incidence of hate crimes and incitement to hatred emanating from far-right groups and movements?

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<sup>30</sup> De Koster, W. and Houtman, D., 2008. 'Stormfront is like a second home to me'. *Information, Communication & Society*, 11(8).



## Developing partnerships with Muslim communities

- **We are asking all PCC candidates to consult with local Muslim groups and organisations by establishing regular forums for consultation on the development of the policing plan and local crime strategy, and to ensure fair representation of Muslim community concerns**

There have been many incidents in recent years that have had an impact, often negative, on policing and community engagement. Many studies have researched the effect of counter-terrorism policy on Muslims concluding on the construction of Muslims as a 'suspect community'.

Researchers on the 'Suspect Communities'? Counter-terrorism policy, the press, and the impact on Irish and Muslim communities in Britain' report investigated the parallels and differences in the treatment of the Irish in the era of the 'Troubles' in Northern Ireland and of Muslims under the current counter-terrorism strategy, CONTEST.

Professor Mary Hickman and her team conclude that, 'Despite anti-discrimination legislation, Muslim communities today are subjected to a similar process of construction as 'suspect' as Irish communities in the previous era.'

Among recommendations put forward in the report, is this:

'...[A] major concern for public authorities should be to ensure that security policies do not isolate and threaten communities and do not undermine their trust in state institutions and their sense of belonging.'<sup>31</sup>

A study undertaken by researchers at the University of Birmingham on Muslim-Police Engagement and Partnerships for the Purposes of Counter-terrorism, found that:

Individuals argue that their experience of anti-terror laws has reduced their motivation to engage with state authorities. This is illustrative of the ways in which 'hard' approaches to counter-terrorism can significantly undermine any attempts at engagement between Muslim communities and police.<sup>32</sup>

Moreover, a report commissioned by the Association of Chief Police Officers (ACPO) from Cardiff University on the Prevent strand of the counter-terrorism strategy, observed that 'many of the reservations expressed [by Muslims] about Prevent policing centred upon the means sometimes implemented.'<sup>33</sup>

Among 'means' that has generated negative perceptions and responses in recent years are cases such as:

- The brutality shown to terrorism suspect, Babar Ahmad, during his arrest at home in south London<sup>34</sup>
- The shooting of one and injury caused to the other of brothers, Mohammed Abdulkahar and Abul Koyair, in Forest Gate in 2006<sup>35</sup>

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<sup>31</sup> Hickman, M. J. and L. Thomas, et al. 2011. *'Suspect Communities'? Counter-terrorism policy, the press, and the impact on Irish and Muslim communities in Britain*. London: London Metropolitan University. pg 5

<sup>32</sup> Spalek, B. et al. 2008. *Police-Muslim Engagement and Partnerships for the Purposes of Counter-Terrorism: an examination, summary report*. Birmingham, UK: University of Birmingham. pg 9

<sup>33</sup> Innes, M., C. Roberts and H. Innes. 2011. *Assessing the Effects of Prevent Policing: A Report to the Association of Chief Police Officers*. Cardiff, Wales: Universities' Police Science Institute, Cardiff University. Pg 6

<sup>34</sup> Stunning victory for Babar Ahmad, *The Guardian*, 18 March 2009

<sup>35</sup> Forest Gate brothers 'lost faith in the system'. *Daily Telegraph*. 8 November 2007

- The admission by West Midlands Counter-Terrorism Unit of sending officers to monitor Muslim toddlers in nursery schools<sup>36</sup>
- The placing of spy cameras in neighbourhoods Washwood Heath and Sparkbrook, areas populated by Muslims in Birmingham, by West Midlands Police<sup>37</sup>
- The infiltration of mosques in Manchester by North West Counter-terrorism Unit<sup>38</sup>
- The boycott of Glasgow airport by Muslims concerned at the use of racial profiling<sup>39</sup>
- The arrest and detention of postgraduate student Rizwaan Sabir and the later disclosure of evidence claiming that police officers fabricated witness testimony to justify the arrest and detention<sup>40</sup>
- The detention of Shaikh Asif Farooqui and his later release without charge<sup>41</sup>

These are just some of the incidents which have fueled perceptions of Muslims being a 'suspect community' and of counter-terrorism policy inverting the principle of innocent until proven guilty. The excessive use of stop and search against minority communities and the use of powers to stop and question passengers travelling through UK ports and airports has created considerable unease in Muslim communities.

However, surveys show that Muslims express higher levels of trust and confidence in the police than do the general population. Better policing, taking stock of community impact and addressing community concerns via community engagement strategies, can enable policing to overcome the perception of stigmatising the Muslim community.

The aforementioned ACPO report affirms that 'configured targeted policing interventions did receive community support and backing' and that 'where communities can be engaged in influencing how problems are addressed, then any longer-term repercussions may be less pronounced.'

The 'community-led' partnership approach has been best captured in the work of the Metropolitan Police Muslim Contact Unit. Dr Robert Lambert, who headed the unit, captures the ethos and activities of the Unit, working in partnership with Muslims in London to counter the terrorism threat in his book, 'Countering Al-Qaeda in London: Police and Muslims in Partnership'.

The approach was also the basis of a report published by Demos which, among its recommendations for enhancing and deepening the role of communities in intelligence generation and community impact management, suggested:

'Community liaison work should become a precondition of promotion, and the police should develop indicators to judge the richness of an officer's community relationships, partly drawing on feedback from the communities. They should also ensure that officers have a proper understanding of the countries of origin of their communities and that training on Islam is available and prioritized.'<sup>42</sup>

<sup>36</sup> Nursery visited by counter-terrorism police officer, *BBC News*, 11 December 2009

<sup>37</sup> Birmingham Project Champion 'spy' cameras being removed, *BBC News*, 9 May 2011

<sup>38</sup> Community rift over undercover police in mosques, *BBC News*, 24 November 2011

<sup>39</sup> Muslims boycott airport, *The Herald*, 13 July 2011

<sup>40</sup> Police 'made up' evidence against Muslim student, *The Guardian*, 14 July 2012

<sup>41</sup> MP calls for calm after arrest of terror suspect, *Bolton News*, 18 November 2009

<sup>42</sup> R. Briggs, C. Fieschi and H. Lownsbrough. 2006. *Bringing it Home: Community-based approaches to counter-terrorism*. London: Demos. pg 89

An example of a successful liaison body is the Muslim Safety Forum in London. Spalek et. al. in their study of the Muslim Safety Forum and the Met's Muslim Contact Unit, recognise both the 'multi-agency approach' and 'proactive engagement' as successful strategies on engaging with Muslim communities. The multi-agency approach entails 'the police, communities, statutory and other agencies work in partnership to address violent extremism', while proactive engagement, involves 'communities being actively involved in the development of initiatives with police, [and] having a decision-making role whereby communities are consulted and actively engaged at all stages of a project.'<sup>43</sup>

It is noteworthy that the response to the community unease caused by stopping of a Gaza-bound aid convoy on the M65 motorway by police officers from GMP was to hold a public meeting to address questions from the local community on the incident.<sup>44</sup> The ability to foster and maintain good community relations is of paramount importance and something that, in the area of counter-terrorism policy, should not be underestimated.

We are asking all PCC candidates to establish regular forums for consultation with communities on local policing. We are also asking PCC candidates to prioritise the community partnership approach to policing by recognising and evaluating senior officers' community relationships in job appraisal and promotion.

The British Crime Survey data notes that Muslim communities indicate concerns on the following in relation to community safety: Youth disorder; Drug use and dealing; Burglary; and Hate crime. The BCS also states that Muslims are much less likely to report crime victimisations to police.

According to various studies completed on the topic and as stated earlier in this briefing, Muslims are prone to under-reporting incidents of hate crime. The permissive attitude is explained in part by the internalisation of the abuse or assault with Muslims believing that the incident is 'normal' or 'usual' and not therefore worthy of reporting.

Developing better community relationships and educating communities on the importance of reporting every incident, however minor it may appear, to the local police can help to ensure that all victims of hate crimes are sufficiently protected.

In relation to the four points on community safety assessment by Muslims, captured in the BCS, the ACPO report observes that 'Configuring a policing response that deals effectively with these key concerns might therefore be a good investment in terms of building trust and confidence.'

Local policing ought to be about protecting local communities. It is also about local communities believing that they are protected from crime and insecurity. Developing community partnerships is an important step in involving communities, and of ensuring that by allowing space for the articulation of their concerns, communities can feel safe.

There have been numerous instances in recent months and years of police forces working successfully with local Muslim communities to enhance protection and security when, for example, threatened by probable disorder arising from the far right, such as protests in Luton, Harrow and Tower Hamlets to name a few regions.

Successful prosecution of anti-Muslim hate crimes and the rigorous monitoring and investigation of incitement to racial and religious hatred on social media platforms inspires and reinforces confidence and trust in the police. As stated previously, levels of trust among British Muslims in the police is greater than the general population. We hope through good policing policies and initiatives adopted by the Police and Crime Commissioners, to see this continue.

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<sup>43</sup> Spalek, B. et al. 2000). *Police-Muslim Engagement and Partnerships for the Purposes of Counter-Terrorism: an examination, summary report*. Birmingham, UK: University of Birmingham. pg 13 and 15, respectively.

<sup>44</sup> 'Clear the air' meeting after M65 aid convoy swoop, *Lancashire Telegraph*, 16 March 2009

## Key Questions for PCC Candidates

1. What initiatives do you propose to establish as PCC to put communities at the heart of the policing plan and local crime strategy development?
  2. Will you set up a 'community consultative forum' to ensure regular and sustained dialogue with Muslim communities in your police force area?
  3. Will you develop initiatives to improve recruitment and retention of Muslim police officers?
  4. Will you place onus on 'community partnerships' in performance appraisal and promotion?
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