

# Christian Concern Christian Legal Centre

## **Challenges arising from HM Government's 'Counter-Extremism Strategy'**

**Some initial observations**

**Briefing document for a meeting of the  
National Church Leaders' Forum  
on Monday 9<sup>th</sup> November 2015**

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## Introduction

In this document, we take a brief look at some fundamental problems with the government's recently published "Counter-Extremism Strategy" and identify a number of worrying implications, especially for Christian freedoms.

We are very critical of the government's approach at certain points.

We need to recognise, however, that the government is trying to address a serious problem. Islamic radicalisation in the UK and abroad is a real and urgent challenge. It needs to be tackled.

We believe, however, that the government's strategy, in its current form, is not the way to proceed – not least because it threatens the freedom of the innocent and will not be as effective as it should be in tackling the real problem.

So, in service of the common good, the Christian community needs not only to challenge the government over the problems with the strategy but also, where it can, to help the government to formulate a better approach.

### 'Counter-Extremism Strategy'

The government published its long-awaited "Counter-Extremism Strategy" on 19 October 2015. It is wide-ranging. The government plans to implement many aspects through policy, guidance, existing legislation and cooperation with other groups. It hopes to implement some elements through forthcoming legislation, especially a Counter-Extremism Bill.

The strategy has four "pillars":

- Countering extremist ideology
- Building a partnership with all those opposed to extremism
- Disrupting extremism
- Building more cohesive communities

The strategy has been published because the government sees a serious and increasingly urgent problem.

The prime minister says:

*"One of the greatest threats we face is the scourge of extremism from those who want to divide us.... We know that terrorism is really a symptom; ideology is the root cause. But the stakes are now rising. The menace of ISIL and the sophisticated efforts of extremists to groom and radicalise young British people demands a response of a different magnitude."*<sup>1</sup>

The home secretary adds:

*"Yet, in recent times, we have seen extremists operating at an unprecedented pace and scale, seeking to divide our communities and cause great harm... A new approach is required to tackle this growing threat and protect people from the damage extremists cause."*<sup>2</sup>

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<sup>1</sup> HM Government, *Counter-Extremism Strategy*, 19 October 2015, Prime Minister's foreword

<sup>2</sup> *Ibid*, Home Secretary's foreword

# You wouldn't want to be an 'extremist', would you?

The government's strategy is tough on 'extremism' and those who promote it. You wouldn't want to be labelled an 'extremist'. If you were, here are some of the things you could perhaps expect.

## Your website and social media channels blocked?

*"We will go further to **limit access to extremist content online**.... [We will] continue to support greater use of filtering, working with industry to develop more effective approaches."*<sup>3</sup>

*"We now look to [communications service providers] to step up their response to **protect their users from online extremism**.... We need industry to strengthen their terms and conditions, to ensure fewer pieces of extremist material appear online, and that any such material is taken down quickly."*<sup>4</sup>

## An end to your TV or radio broadcasts?

*"We should not stand by where extremists are given a platform to preach lies without critical challenge ... we will legislate in this Parliament to ensure Ofcom's existing powers to **immediately suspend TV services** that broadcast unacceptable extremist material **also extend to all radio services**. We will also work with Ofcom to look at any potential issues in relation to content which is broadcast through internet-provided TV channels, and consider if any changes are required."*<sup>5</sup>

## Community complaints and police investigations?

*"We will introduce a new **Extremism Community Trigger** to guarantee that concerns about local extremism will be taken seriously. A new legal duty will ensure that the police and local authorities fully review any complaints about extremism. They will be expected to **work in partnership to tackle local extremist issues**, and keep the public informed about their actions."*<sup>6</sup>

NB: Imagine the resources and time that will be involved in responding to such complaints, even if no further action is taken by the police.

## No Sunday school involvement or working in education, health, welfare or prisons?

*"We will also strengthen the role of the Disclosure and Barring Service (DBS) to **enable employers to identify extremists and stop them working with children and other vulnerable groups**.... We will introduce measures for the DBS to notify eligible employers if it has new information about extremism relevant to an employee. We will also introduce changes to make anyone with a conviction or civil order for extremist activity subject to the DBS's automatic barring arrangements. This will mean that we can bar the most harmful extremists from working with vulnerable people."*<sup>7</sup>

NB: Think of the impact on those working or volunteering with children or vulnerable people – e.g. Sunday school volunteers, nursery teachers, care workers and social workers.

## An end to being a school governor?

*"Governing bodies can take action to **suspend or potentially remove governors** if they are not upholding the ethos of the school, including fundamental British values."*<sup>8</sup>

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<sup>3</sup> HM Government, *Counter-Extremism Strategy*, 19 October 2015, page 25

<sup>4</sup> Ibid, page 25

<sup>5</sup> Ibid, page 35

<sup>6</sup> Ibid, page 35

<sup>7</sup> Ibid, page 35

<sup>8</sup> Ibid, page 26

## Your beliefs challenged at your child's school?

*"Ofsted inspections now routinely assess schools on how well they promote fundamental British values and **safeguard pupils from the risk of extremism**.... Training is updated regularly to reflect current government policy and any guidance that has been issued to providers of education and care."<sup>9</sup>*

## No speaking to university and college students?

*"The Prevent duty requires institutions to take action to reduce the risk of radicalisation and mitigate fully any risks when **deciding whether or not to host a particular speaker**, making sure extremist speakers, on or off campus, do not go unchallenged. We expect student bodies such as the NUS to avoid providing a platform for extremist speakers."<sup>10</sup>*

*"To mitigate the safeguarding risks presented by non-publicly funded further education institutions that are not covered by Ofsted, the Government is recruiting a team of external Further Education Advisers, who will mirror the role of Ofsted inspectors and advise Ministers if they have concerns that an institution may be **allowing extremism-related activities** on their site."<sup>11</sup>*

## No British citizenship?

*"We will strengthen the 'good character' requirement in citizenship **applications to include whether an individual has promoted extremist views**, or acted in a way which undermines our values. In our review we will also consider who should be automatically entitled to citizenship and how we can **more easily revoke citizenship from those who reject our values**."<sup>12</sup>*

## No asylum?

*"In some cases extremists – including non-violent extremists – may pose a national security risk, particularly when they actively promote views that are anti-democratic, intolerant of the rule of law or call for the persecution and exclusion of minorities. We will therefore provide more detailed guidance on the definition of extremism to caseworkers, to ensure that it is consistently applied to bar those who pose a national security risk."<sup>13</sup>*

## An end to visitors, students and workers from overseas?

*"We can **already refuse to grant a visa** to those whose presence in the UK is not conducive to the public good. We will ensure that **more information on an individual's extremist behaviour** is available to the officers making these visa decisions, through better data-sharing and casework interviews where needed."<sup>14</sup>*

## British overseas aid money spent on countering your beliefs?

*"We will also ensure that our **aid programmes address the underlying drivers, enablers and narratives of extremism**, particularly through efforts to build stability and security overseas."<sup>15</sup>*

## Work as a chaplain only if you've had the training?

*"The Government will therefore work in partnership with faith groups to **review the training provided** to those who work as faith leaders in public institutions."<sup>16</sup>*

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<sup>9</sup> Ibid, page 26

<sup>10</sup> Ibid, page 27

<sup>11</sup> Ibid, page 27

<sup>12</sup> Ibid, page 33

<sup>13</sup> Ibid, page 34

<sup>14</sup> Ibid, page 33

<sup>15</sup> Ibid, page 18

<sup>16</sup> Ibid, page 29

## An end to your partnership with schools, prisons, hospitals or local government?

*“Building on measures taken since 2010, we will ensure that the public sector consistently avoids giving extreme groups the air of legitimacy by meeting or working with them. We will therefore set out publicly the principles that will **guide the whole of government when deciding whether to engage with individuals and groups in this country.**”<sup>17</sup>*

*“We will ensure **Local Authorities** have clear guidance on the full range of tools available to them to tackle extremism. We will also **review the powers available to enable government to intervene where Councils fail.**”<sup>18</sup>*

## An end to your Sunday school, after-school club or summer holiday camp?

*“There are concerns that some supplementary schools may be teaching children views which run contrary to our shared values, encouraging hatred of other religions. That is why, to address concerns about supplementary schools, the Department for Education will introduce a **new system to enable intervention in unregulated education settings which teach children intensively.** This intervention will apply if there are concerns about the safety or welfare of the children attending them, including from **extremism.** This will provide for the **registration of settings** so that they can be inspected and will introduce appropriate sanctions to protect children.”<sup>19</sup>*

NB: It is unclear exactly what settings the government has in mind, but not impossible to imagine that this could be extended to include Sunday schools, after-school clubs or residential events.

## A change in location?

*“We will therefore introduce new powers to...**restrict access to premises** which are repeatedly used to support extremism.”<sup>20</sup>*

NB: Think of the potential impact on churches, Christian groups and social projects that use schools or other meeting spaces.

## An end to being a charity trustee? Perhaps an end to the charitable status of your group?

*“The Protection of Charities and Social Investment Bill will create a new power so that the Commission can disqualify a trustee for wider reasons, including where their conduct – past or present – would damage the public’s trust and confidence in charities. Once the legislation is enacted, the Commission will be able to take **stronger action against a variety of abuses, including extremism.**”<sup>21</sup>*

## Say goodbye to your group or organisation altogether?

*“We will therefore introduce new powers to: **ban extremist organisations** that promote hatred and draw people into extremism”.<sup>22</sup>*

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<sup>17</sup> Ibid, page 32

<sup>18</sup> Ibid, page 27

<sup>19</sup> Ibid, page 26 – 27

<sup>20</sup> Ibid, page 34

<sup>21</sup> Ibid, page 28

<sup>22</sup> Ibid, page 34

## No more preachers from overseas?

*“We will continue to use [powers to exclude foreign hate preachers from entering the UK] when it is necessary and proportionate to do so. We will make it more explicit that the criteria for **exclusion on the grounds of unacceptable behaviour include past or current extremist activity, either here or overseas.** Those who intend to travel to the UK should be clear about our expectations.”<sup>23</sup>*

## Restrictions on your preaching and evangelism through the use of extremism disruption orders?

*“We will therefore introduce new powers to ... **restrict the harmful activities of the most dangerous extremist individuals**”.<sup>24</sup>*

*“The powers will not be able to be used against privately held views or people expressing their religious beliefs. They will not curtail the democratic right to protest nor will they close down debate or limit free speech: these are rights we will always protect.”<sup>25</sup>*

NB: The government claims that extremism disruption orders (and the powers banning organisations or banning the use of premises) will not be used to stop people expressing their religious beliefs. Part of the *purpose*, however, is surely to stop at least some people expressing their religious beliefs (e.g. ‘Islamic extremists’). Few specific details of these powers have yet been released but, given the definition of extremism used (see next section), it is hard to see how they couldn’t, in principle, be used to stop expression of religious belief.

## Some ‘compulsory’ help from the government?

*“Individuals further down the path to radicalisation need a **particularly intensive type of support.** When necessary this support will be mandatory. The Home Office will therefore develop a new de-radicalisation programme to provide this support by spring 2016. This scheme will be **available to be used in conjunction with criminal sanctions.**”<sup>26</sup>*

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<sup>23</sup> Ibid, page 33

<sup>24</sup> Ibid, page 34

<sup>25</sup> Ibid, pages 34 – 35

<sup>26</sup> Ibid, page 29

## But you're not an 'extremist', are you?

Surely the government doesn't think that you or your church is 'extremist'? It may not, but it could easily do so, given its definition.

**The government's definition of 'extremism' has been left wide open – and that's a big problem.**

**It is naïve to think that Christians and churches couldn't become a focus of the government's "Counter-Extremism Strategy".**

This is because:

- The government's strategy seeks to *"tackle all forms of extremism"*.
- The government's definition of 'extremism' is both broad and vague.
- Certain Christian beliefs (e.g. about the uniqueness of Jesus and sexual ethics) are **already** considered 'extreme' and 'hateful' by some in society.
- Using the definition in the strategy, this (or future) governments could label Christian beliefs and behaviour 'extreme' and target Christians, using the measures outlined in the strategy.

### A fundamental problem

The definition of 'extremism' is dangerously vague and leaves the door wide open for Christians (and others who hold beliefs considered hateful by some) to be targeted with a wide range of 'counter-extremism' powers.

### What is an 'extremist'?

The **presentation** of the government's strategy suggests that it is primarily focused on two forms of 'extremism':<sup>27</sup>

- Islamic extremism
- Right-wing and neo-Nazi extremism (including Islamophobia and anti-Semitism)

**The strategy itself, however, is not limited to these two particular areas**, as both the prime minister and the home secretary make clear.

The strategy is intended *"to defeat extremism in all its forms"*:

*"This strategy sets out how we will work across government, and with individuals and groups across Britain, **to defeat extremism in all its forms**" (emphasis added).*

*Rt Hon Theresa May, home secretary<sup>28</sup>*

The prime minister makes clear that 'extremism' is much wider than terrorism or physical violence:

*"In government, we have already overhauled our approach so that it tackles **both violent and non-violent extremism**. We know that terrorism is really a symptom; **ideology is the root cause.**"*

*Rt Hon David Cameron, prime minister<sup>29</sup>*

<sup>27</sup> See, for example, the Prime Minister's foreword or Chapter 3 of HM Government, *Counter-Extremism Strategy*, 19 October 2015

<sup>28</sup> HM Government, *Counter-Extremism Strategy*, 19 October 2015, Home Secretary's Foreword, page 7

In fact, the government has previously stated:

***“Non-violent extremism’ is extremism, as defined above, which is not accompanied by violence”***  
*(emphasis added).*<sup>30</sup>

In the government’s view, ‘extremism’ is not restricted to terrorism or violence. ‘Extremism’ includes the practice or expression of certain beliefs, ideas and ideologies.

The criteria that the government uses to define which beliefs or behaviours are ‘extremist’ are, therefore, critically important.

The strategy states that:

***“Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. We also regard calls for the death of members of our armed forces as extremist.”***<sup>31</sup>

The second sentence is specific, clear and closed: *“We also regard calls for the death of members of our armed forces as extremist.”*

**The first sentence, however, is highly problematic and dangerous.** It is ill-defined, open-ended and, in the context of the wider strategy, incoherent:

***“Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs.”***<sup>32</sup>

## What are ‘fundamental values’?

The government doesn’t seem sure of exactly what they are. In fact, the government doesn’t even seem sure what they are called: “fundamental values”, “our values”, “shared values”, “national values” and “British values” appear to be used almost interchangeably throughout the document.

A clear, closed definition isn’t provided. In the definition of ‘extremism’, we’re told that “fundamental values” *include* things such as “individual liberty”. A list of examples isn’t a definition. What else is included? Who will decide what else constitutes a “fundamental value”? When will they decide, and how?

Elsewhere in the document, there are hints of other things that are included among “our values”. For example, a few paragraphs later, we read: *“Our belief in equality followed a history in which we have seen injustice, misery and damage caused by discrimination on the basis of religion, race, gender, disability or sexual orientation.”*<sup>33</sup>

In fact, in a speech on ‘extremism’ in July, the prime minister told us:

*“We are all British. We respect democracy and the rule of law. We believe in freedom of speech, freedom of the press, freedom of worship, equal rights regardless of race, sex, sexuality or faith. We*

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<sup>29</sup> HM Government, *Counter-Extremism Strategy*, 19 October 2015, Prime Minister’s Foreword, page 5

<sup>30</sup> Revised Prevent Duty Guidance: for England and Wales, page 21

<sup>31</sup> HM Government, *Counter-Extremism Strategy*, 19 October 2015, Chapter 1, page 9

<sup>32</sup> *Ibid*, page 9

<sup>33</sup> *Ibid*, page 9

*believe in respecting different faiths but also expecting those faiths to support the British way of life. These are British values.*<sup>34</sup>

So, back then at least, it seems that “fundamental values” (or at least British values, if they are the same), included freedom of speech, of the press, or worship – and equal rights, regardless of “sexuality and faith”! These ‘values’ seem a bit of a moveable feast.

Even in this document, the home secretary tells us, in her introduction, that:

*“This strategy therefore addresses the full spectrum of extremism: violent and non-violent...**hate and fear in all their forms.**”<sup>35</sup>*

Now it seems that ‘extremism’ includes “*hate and fear in all their forms*”. But, in a cultural context of vaguely-defined but frequently-used ‘phobia’ terms (e.g. Islamophobia, homophobia, transphobia), who determines what constitutes “hate and fear”, and what speech or activity is evidence of it?

(And that’s not to mention the utopian aim of banishing all hate and fear, which seems to afford this strategy messianic ambitions!)

## What is vocal or active opposition?

It’s also not clear what “vocal or active opposition” is. If ‘extremism’ just meant terrorism, then perhaps we could understand “active opposition” to mean violence. But the government is deliberately including “non-violent extremism”. So, this must include expressing my opposition in speech or through action (e.g. non-violent protest).

But how does that relate to “fundamental values”?

We’re told that one of the “fundamental values” is “individual liberty”. But in society, “individual liberty” is not an absolute right. Our “individual liberties” are curtailed all the time (often by the government!).

Take an example. A few years ago, smoking inside public buildings was banned. The ban involved a curtailment of “individual liberty”. Imagine if, in the months before the law was passed, I had been a passionate campaigner for the ban and had written about it, spoken on the media and attended rallies.

Would I have been a vocal and active opponent of the fundamental value of individual liberty? It’s easy to see how my actions could be construed that way, because “*opposition to individual liberty*” is so vague.

A more recent example might make the issue even plainer. It’s not hard to see how campaigning against the introduction of same-sex ‘marriage’ could be construed as “active opposition” to the “fundamental value” of “individual liberty”, since some would argue that same-sex ‘marriage’ is a fundamental right and a matter of “individual liberty”.

Yet, surely, freedom to campaign in the way described above is part of the democratic process, another of the “fundamental values”. As such, it should be safeguarded and not considered ‘extreme’.

The government’s definition of ‘extremism’ doesn’t recognise the subtle interrelation between even the “fundamental values” that it does name, let alone the ones that it perhaps assumes are so obvious that it doesn’t need to name them.

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<sup>34</sup> Prime Minister’s speech on Extremism, 20 July 2015, [www.gov.uk/government/speeches/extremism-pm-speech](http://www.gov.uk/government/speeches/extremism-pm-speech)

<sup>35</sup> HM Government, *Counter-Extremism Strategy*, 19 October 2015, Home Secretary’s foreword

## The strategy makes the government 'extremist'!

The bottom line is that the definition is unclear and open to wide-ranging, even arbitrary, interpretation. All manner of speech and practice could be deemed 'extremist', especially where the definition of "fundamental values" is left open for further inclusions and where "active opposition" can be non-violent activity.

In fact, the government's definition of 'extremism' renders the strategy incoherent. This is because, **according to the government's own definition, the strategy makes the government itself extremist!**

We see this point illustrated through one of the other "fundamental values" that the government lists:

*"Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the **mutual respect and tolerance of different faiths and beliefs.**"<sup>36</sup>*

'Extremism' includes active opposition to the fundamental value of mutual respect and tolerance of different faiths and beliefs.

Yet, the **whole thrust** of the government's strategy document is that **certain beliefs** (e.g. 'Islamic extremism') **should not be respected or tolerated.**

Logically, the strategy requires the government to deploy the measures of its own strategy against itself, because it is actively opposing "*respect and tolerance of different faiths and beliefs*"!<sup>37</sup>

We don't make this point just for the sake of it, but to highlight that the current strategy doesn't stand even on its own terms – and therefore needs revision.

The definition is far too broad and vague, especially where the government is using it to claim very severe punitive powers. It is open to mission creep, redefinition and refocus, both now and in the future.

## The real problem isn't 'extremism'

In fact, the most basic problem with the definition and the entire approach is the focus on 'extremism'. There is nothing wrong, in and of itself, with being extreme. It all depends what you are 'extreme' about.

According to the Oxford English Dictionary, 'extreme' can mean "*furthest from the centre or a given point.*"

An 'extreme' view could be one that is some distance from the centre ground, from the consensus, from the commonly held viewpoint. But that, in itself, doesn't mean that it is wrong or problematic. It could just mean that it is a minority viewpoint, or one that is quite different from what many others think.

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<sup>36</sup> HM Government, *Counter-Extremism Strategy*, 19 October 2015, Chapter 1, page 9

<sup>37</sup> This incoherency is exacerbated because the government makes the fundamental error of calling for respect for *ideas, beliefs and practices*, rather than respect for *the persons* who hold those ideas, beliefs and practices. In fact, there is inconsistency in the government's wording. For example, an amendment made last year to an education regulation describes "mutual respect and tolerance *of those* with different faiths and beliefs" as a fundamental British value. The inclusion of "*of those*" may appear to be a minor difference, but it is of huge significance. It means that this "fundamental British value" involves respect and tolerance *for persons* but not necessarily for their ideas, beliefs and practices. One can strongly express disagreement with a belief whilst still respecting a person. See Department for Education, *Improving the spiritual, moral, social and cultural (SMSC) development of pupils: supplementary information - Departmental advice for independent schools, academies and free schools*, November 2014 and The Education (Independent School Standards) (England) (Amendment) Regulations 2014.

In 1543, Nicolaus Copernicus published his theory that the earth revolved around the sun, not the sun around the earth.

In his cultural context, it was a radical step. It was certainly a minority viewpoint and a long way from the centre ground, consensus position. In fact, it was absolutely opposed to the prevailing orthodoxy. But it wasn't for that reason wrong (although some at the time considered it dangerous). In fact, over time, the consensus shifted and he is now recognised as being 'right'.

Nicolaus Copernicus was a radical, an 'extremist'. But, he was right.

The validity or acceptability of an idea or belief should be established, **not simply by how far it is from the 'orthodox', 'common' or 'consensus' view**, but through consideration of **the content of the belief**.

But there is yet another reason to defend 'extremism'. The Oxford English Dictionary also explains 'extreme' as:

*"Reaching a high or the highest degree; very great".*

The heart of an idea or belief can often be seen in its most extreme manifestation.

Jesus says:

*"This is my commandment, that you love one another as I have loved you. Greater love has no one than this, that someone lay down his life for his friends. You are my friends if you do what I command you."*

*(John 15:12 – 14)*

Jesus' love is extreme, and he calls on his followers to practice extreme love.

Love for God and for one's neighbour is to be extreme – not half-hearted, but whole-hearted:

*"And [Jesus] said to them: 'You shall love the Lord your God with **all** your heart and with **all** your soul and with **all** your mind. This is the great and first commandment. And a second is like it: You shall love your neighbour **as yourself**. On these two commandments depend all the Law and the Prophets.'"*

*(Matthew 22:37 – 39)*

Jesus calls for radical, extreme discipleship. Such 'extremism' is not a threat to the peace and prosperity of a society, but a contributor to it.

The government's approach is fundamentally flawed because 'extremism' is not the problem. **Specific ideas, beliefs and ideologies are the problem.**

Just because someone holds a belief strongly or because the belief that they hold is different from – even in disagreement with – the current orthodoxy doesn't mean that it is a belief that should be treated with suspicion.

The *content* of the belief needs to be examined, not its distance from the centre or the strength with which it is held.

The government makes a category error in its approach. It has created a category of 'extremism' to be opposed, implying that any belief that is too far from the consensus or that is held too strongly is suspect. This is dangerous and wide open to abuse.

## **Naming the specific problem**

The government needs to define very carefully and specifically the beliefs and viewpoints that it wishes to sanction, so that these can be scrutinised and addressed appropriately.

A generalised approach to 'extremism' puts a sharp tool in the hands of the government with few safeguards.

Framing the problem as generic 'extremism' gives rise to a lazy, underhand and arbitrary means of squeezing out viewpoints that are considered unpopular, unattractive or inconvenient (by some at least).

This approach risks sliding into the policing of thought and belief – and the expression of that thought and belief. It represents a serious curtailment of vital freedoms. It robs society of an important mechanism of change, reformation and progress (remember Copernicus). It tends to privilege the *status quo*, the reigning orthodoxy and the position of the ruling elite.

Failing to specifically identify the beliefs and practices to be tackled and adopting instead a generic 'extremism' approach must be countered for two reasons:

- It will punish the innocent (because benign 'extremism' will be sanctioned too).
- It will prove less effective in tackling the issue that the government claims to have in its sights, because the focus of the approach is unclear and resources will be expended where they are not really needed.

Even if the government defines the problematic beliefs, ideas and practices very specifically, we still need to ask whether banning their expression outright is both acceptable and the most effective way to tackle them.

## So, could you be an ‘extremist’, after all?

If you, or your church, hold to orthodox patterns of Christian belief and behaviour, then **yes – especially if you dare to be public about your beliefs.**

In fact, **you don’t need to wait** for this strategy to be implemented to be accused of promoting “hate and fear” or of being extremist.

### Rev Barry Trayhorn

In November 2015, an employment tribunal considered the case of ordained Pentecostal minister **Barry Trayhorn**. Barry worked as a gardener at a prison for sex offenders, but helped with chapel services on a voluntary basis. Whilst leading worship at one such service, he spoke about the joy of repentance and forgiveness and quoted verses from 1 Corinthians 6, which reference many sins, including adultery, homosexual practice, drunkenness and greed.

He was told by prison authorities that the mention of these verses in a Christian chapel service was “homophobic” and contravened national prison policy. He later resigned from his job.

During an interview about the case, he was told by a BBC presenter, on air, that he was “obnoxious” and that what he was saying was “poisonous” and “hateful”.

### Sarah Mbuyi

In January 2014, nursery worker Sarah Mbuyi lost her job after she explained that God does not condone homosexual practice, when she was asked about the issue by a lesbian colleague.

A lawyer, acting for the nursery, told an employment tribunal: *“Those views whilst they may be held in private, are fundamentally discriminatory against homosexuals and have no place in being expressed in the workplace, or in the manner of working, particularly in a nursery. To suggest that homosexuality should be repented is discriminatory. Whether harassment or not, unlawful discrimination, without apology or reticence is wholly unacceptable in the work place.”*

### Mike Overd

In March 2015, street preacher Mike Overd was convicted of a public order offence, following a conversation that he had with a man who identified as homosexual. The judge told Mike that he shouldn’t have made reference to a verse from Leviticus 20, although the judge suggested that a verse from Leviticus 18 would have been acceptable.

At the time, Mike commented: *“I am amazed that the judge sees it as his role to dictate which parts of the Bible can and can’t be preached. I did not quote the full text of Leviticus 20 or make reference to the death penalty but the judge is telling me that I should use other parts of the Bible. This is not free speech but censorship. The judge is redacting the Bible.”*

### Christian Concern

In 2014, Christian Concern’s website was blocked for many readers because filters used by many mobile and internet providers classed the site as ‘hate material’. It took weeks of effort and an appeal to a regulator to get the setting overturned.

In 2012, after the government had announced plans to redefine marriage, Christian Concern organised a conference to consider the case for 'one man, one woman' marriage. Shortly before the event, our booking was cancelled by the Law Society, who said that the colloquium breached its 'equality and diversity' policy. The event was then cancelled by the government-owned Queen Elizabeth II Conference Centre, the night before it was due to take place, on similar grounds.

In 2013, Trinity College, Oxford indicated that it wouldn't host Christian Concern's Wilberforce Academy. A statement on its website read:

*"Trinity takes very seriously its role in safeguarding equality and diversity and will ensure that the policies we have are always respected and implemented fully by all organisations who seek to make use of Trinity's facilities. Trinity regrets that any current or old members were upset by the fact that we gave houseroom unwittingly to Christian Concern."*

## The 'extremist' label

These are just a small sample of the cases that the Christian Legal Centre has dealt with in recent years.

There is no shortage of people who already label Christian teaching as full of "hate and fear". And the home secretary says that the "Counter-Extremism Strategy" will address "*hate and fear in all their forms.*"

The strategy is presented as being a response to 'Islamic extremism' and 'right-wing / neo-Nazi extremism'. **However, we need to look at what the strategy actually says, not just at how it is presented.**

We need to scrutinise the strategy as it stands. We cannot simply rely on a 'common sense' interpretation or the vague assurances of politicians.

- The strategy sets out to "*to defeat extremism in all its forms*" (according to the home secretary) and the government's approach is to tackle "*both violent and non-violent extremism*" (according to the prime minister).
- The strategy hinges on a definition of 'extremism' that is vague, broad, incoherent and inconsistent.
- In our current cultural context, orthodox Christian belief and behaviour (especially where it comes to sexual ethics) is increasingly portrayed as 'extremist', 'hateful' and 'fearful' by some in society.
- **There is nothing in the strategy itself to prevent the powers it outlines being used against Christians, now or in the future.**

**We need to take the strategy at face value and engage with the challenges it presents.**

This is particularly important, given earlier statements about the Counter-Extremism Bill from the prime minister:

*"For too long, we have been a **passively tolerant society, saying to our citizens: as long as you obey the law, we will leave you alone.** It's often meant we have stood neutral between different values. And that's helped foster a narrative of extremism and grievance. This government will conclusively turn the page on this failed approach.... That means **actively promoting certain values.**"*<sup>38</sup>

and the home secretary:

*"We will introduce legislation to combat groups and individuals who reject our values and **promote messages of hate.** We will empower institutions to stand up against the extremists and challenge bigotry and ignorance."*<sup>39</sup>

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<sup>38</sup> Press release: Counter-Extremism Bill - National Security Council meeting, 13 May 2015,

<https://www.gov.uk/government/news/counter-extremism-bill-national-security-council-meeting>

<sup>39</sup> Ibid

## What others have said

Various public figures have already raised concerns about the impact of the government's approach on freedoms for Christians.

In October 2014, for example, Conservative MP Dominic Raab (who is now a justice minister) wrote:

*"The public should certainly expect the security services to track terrorists online, but the broad powers of proposed Extremism Disruption Orders (EDO) could be abused. Those engaged in passionate debates – such as Christians objecting to gay marriage – could find themselves slapped down."*<sup>40</sup>

In July 2015, Lord Evans, former head of the Security Service MI5, wrote:

*"The forthcoming Counter-Extremism Bill aims to crack down on extremism but definitions will be crucial, and implementation of the new powers will be fraught with risk. One can imagine already the powers being used against harmless evangelical street preachers or the like, out of misplaced zeal and a desire to demonstrate that they are not directed against one religion alone."*<sup>41</sup>

In September 2015, Polly Harrow, who is responsible for implementing the government's Prevent strategy at a college in Huddersfield, told BBC Radio 4 that expressing "out loud" the view that homosexuality is wrong could be illegal:

*"If that's what you think and that's what you believe and you want to hold that in your head, that is your business and your right, but bear in mind that if you speak it out loud you might be breaking the law."*<sup>42</sup>

Others have raised questions about whether the approach will actually be effective in tackling Islamic radicalisation. Commenting on the government's approach to tackling 'extremism' in universities, former Cabinet minister Vince Cable reportedly said:

*"This will not stop terrorism or terrorist recruitment, and may make the problem worse by driving underground those who are regarded as extreme but are currently non-violent."*<sup>43</sup>

Also in October 2015, the Chief Constable of Greater Manchester Police, Sir Peter Fahy, said:

*"The efforts to control extremism and limit protest by those caught by too wide a definition may undermine the very rights and British values you seek to protect."*<sup>44</sup>

A few days later, Ian Hopkins, who replaced Sir Peter as Greater Manchester Police's Chief Constable (following the latter's retirement), said:

*"It's not just about counter-extremism, it's also about protests. We are in a very difficult position. We tread a very thin line in terms of making sure people can air views, there can be proper debate, that people can protest peacefully. For me that's the real challenge, just making sure that police maintain that line and don't become the thought police because that's dangerous."*<sup>45</sup>

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<sup>40</sup> Dominic Raab, *Banning online 'extremists' isn't the answer*, Telegraph, 2 October 2014

<sup>41</sup> Jonathan Evans, *To defeat terrorism, police and spies need better tools*, Telegraph, 2 July 2015,

<sup>42</sup> [www.christianconcern.com/our-concerns/freedom-of-speech/opposing-same-sex-marriage-now-illegal](http://www.christianconcern.com/our-concerns/freedom-of-speech/opposing-same-sex-marriage-now-illegal)

<sup>43</sup> Mark Tran, *Efforts to combat campus extremism may worsen problem, says Vince Cable*, 27 October 2015, Guardian

<sup>44</sup> Vikram Dodd and Alan Travis, *Anti-extremism drive puts British values at risk, says police chief*, Guardian, 19 October 2015

<sup>45</sup> Josh Halliday, *Manchester chief constable airs fears of 'thought police' over counter-extremism*, Guardian, 29 October 2015

## What should we do?

We need to act quickly and collectively to challenge the government over its “Counter-Extremism Strategy”.

We need to focus on at least four areas:

- (1) Redirect the focus away from ‘extremism’:** The government cannot define the problem generically and vaguely as ‘extremism’. If the government believes that there are **specific ideas and beliefs housed in particular ideologies or religions** that give rise to terrorism or treason, then the government must list and define those carefully and narrowly. Negative definitions should also be included to protect other beliefs (e.g. the belief that marriage is between a man and a woman). The current definition cannot be allowed to stand.
- (2) Question the effectiveness and acceptability of each proposed sanction:** Even if the ‘evil to be tackled’ is clearly and narrowly defined, careful consideration should be given to the acceptability and effectiveness of each of the proposed sanctions – especially those that involve ‘banning’ of individuals, of organisations and of the use of premises. Some important detail has yet to be published. Curtailing someone’s liberty, through civil procedures, as a result, not of violent activity, but of words and the effect that ‘they may have’, raises huge issues. Experience with terrorist groups in the past (e.g. Irish terrorism) suggests that the power of ideas is not necessarily diminished by trying to prohibit the public expression of those ideas.
- (3) Provide the government with a proper understanding of, and basis for, “British values”:** There are elements of truth in the government’s approach. In his foreword, the prime minister says:

*“In responding to this poisonous ideology, we face a choice. Do we close our eyes, put our kid gloves on and just hope that our values will somehow endure in the end? Or do we get out there and make the case for those values, defend them with all that we’ve got and resolve to win the battle of ideas all over again?”<sup>46</sup>*

The public square is not, and cannot be, neutral. There is always a value framework. It is just a question of which one is used.

We do need a debate about “values”. The reality is that “values” such as the “rule of law” and “democracy” have, in Britain, arisen from a Christian framework. Without a Christian framework, many important principles for our life together will, sooner or later, evaporate.

The government’s strategy recognises that *“our values...have been shaped by our history,”* but fails to make any mention of the Christian gospel in that account of their development.

We need to demonstrate how only a Christian framework can provide a robust defence against, for example, *Islamic* radicalisation.

- (4) Engage with the government about “British values” in education:** We also need to engage with the government’s “British values” drive. This is currently being implemented in the education sphere where it is already causing problems for Christians and others. This initiative shares many of the fundamental problems and vulnerabilities as the government’s more general ‘extremism’ approach.

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<sup>46</sup> HM Government, *Counter-Extremism Strategy*, 19 October 2015, Prime Minister’s Foreword, page 5