

SEPARATING FAMILIES

How PREVENT Seeks the Removal of Children



IIICAGE

Witness | Empower | Justice

CAGE is an independent advocacy organisation working to empower communities impacted by the War on Terror policies worldwide. The organisation highlights and campaigns against such policies in the hope of achieving a world free from oppression and injustice.

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📍 CAGE Advocacy UK Ltd, Premier Business Centre,
47-49 Park Royal Road, London, NW10 7LQ

☎ +44 (0) 207 377 6700

✉ contact@CAGE.ngo

🌐 www.CAGE.ngo

ABOUT THE AUTHOR

Asim Qureshi

Asim Qureshi graduated in Law (LLB Hons) LLM, specialising in International Law and Islamic Law and is currently completing his PhD in International Conflict Analysis. He is the Research Director at the advocacy group CAGE, and since 2003 has specialised in investigating the impact of counterterrorism practices worldwide. He has published a wide range of NGO reports, academic journals and articles. In 2009, he authored the book 'Rules of the Game: Detention, Deportation, Disappearance' (Hurst, Columbia University Press) and the 2018 book, 'A Virtue of Disobedience' (ByLine Books). In 2010, he began advising the legal teams involved in defending terrorism trials in the US and at Guantanamo Bay, Cuba.

GARETH PEIRCE

FOREWORD

Societies have repeatedly only revisited, investigated and eventually condemned the worst of their cruelties to children after the passage of sometimes generations. Grotesque elements of the history of the British Isles within our lifetimes have involved the permanent transportation of British children on their own across the world to Australia and the condemnation of children to coerced servitude by religious orders. The sheer weight of authority enjoyed by the government departments, churches and schools involved in what is now acknowledged to have been a wholesale betrayal of those children, was sufficient to stifle questioning.

Today's revulsion and anger at those events, generated by eventual enlightenment, focus on two elements of that history - the obscenity and brutality of the permanent removal of children not from brutal parents, but from parents (single mothers), who could provide love and care, and in parallel, the judgmental misconceptions that deemed those mothers (young unmarried women) to be unfit parents. Claimed on behalf of society generally were institutionalised fixed ideas of what was right and what was wrong. Examples, such as those set out in this report, of many of today's intrusions into family units separating children from their parents, mirror the same blindness, overlooking as they do, irreplaceable features of

kindness, trust and love between parent and child and instead carrying out brutal and inappropriate amputation, without warning, without choice and without true understanding.

The construct of the drastic state intervention discussed in this report is extraordinary in its reach - the assessments separating mothers from children based in significant part on unreliable and un-researched criteria, half digested concepts and categorisations, on mandatory interaction with inappropriate "mentors", selected frequently from individuals deemed to have been themselves "de-radicalised", and the overarching belief that the construct constitutes a safe and right way to determine that the future of a child, often very young must be apart, on occasion permanently, from a loving parent.

Ignorance, blinkered thinking and prejudice allowed for the separation of children from their parents in the past and the devastating effects of those separations haunt those children and in turn their children today. Such understanding as to how easily we can offend against the children of our society as we have recently acquired from those tragic histories is essential in attempting to inform ourselves about the present.

Gareth Peirce

MOAZZAM BEGG

FOREWORD

Looking back to the origins of the government's original PREVENT strategy that followed the London July 7 bombings in 2005, one could understand the climate that triggered a discussion around Preventing Violent Extremism (PVE). However, with time, PREVENT became less about preventing violence and more about policing ideas. By the time it was incorporated into legislation under the Counter Terrorism and Security Act (2015), PREVENT entered the pre-crime space and many of its targets were children.

In 2015-16 there were 7,631 referrals to PREVENT following the new statutory regulations. A quarter of these were children under 15. In 2017, 6,093 individuals were referred to PREVENT. This time, 2000 of these were children under 15.

Today, proponents of PREVENT cite the number of people that have been stopped from travelling to Syria as the measure of success but, offer very little evidence regarding how many lives PREVENT interventions have saved in Britain. The original aims of PVE seem quite distant to what they have evolved into today. Further, there is almost no analysis by government as to the long term cost to the thousands who are engaged by counter-terrorism officials, but there was never any cause for concern.

In this way, attempts by the state to make the children of "extremists" into wards of court may

have been fuelled by the idea of safeguarding and protecting vulnerable children. Indeed, much recent and impending legislation has been justified by the very real threat posed to the British public by groups like ISIS or far right groups. Certainly, that ongoing threat needs to be tackled by the state but, Britain has more anti-terror laws in place now than its had in its history and removing children from parents - even those deemed to have "extreme views" - is a step too far.

In several of the cases presented in this report this has also been the view of the courts. However, as a society where these measures are likely to increase we need to ask ourselves some fundamental questions. Will separating children from parents whose views we may abhor make everyone - including those very children - safer? Will these children grow into young men and women thanking the state for its intrusion into their lives or will they become victims of the same "radicalisation" the government is claiming to fight?

And, if the state normalises this practice as one of the tools in fighting terrorism, where will it end?

The answers to these questions are not just about safety and security but also about what kind of society Britain wants to become over the coming years.

Moazzam Begg

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“Due to vague terms, and the opaque nature of the ‘science’ underpinning the theories of ‘radicalisation’, there will have resulted a great number of miscarriages of justice, especially where children have been made ‘wards of the court’.”

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CHAPTER ONE: INTRODUCTION

This is a report unlike any that CAGE has produced before, and it comes at a crucial time. In today's global paradigm we have become acquainted with the images and stories of children being removed from their parents in countries that espouse "freedom and democracy". This has happened under the guise of "immigration control and preventing terrorism".

We have seen this happening in the United States and, at a lower profile but no less significant extent, in Australia. Such policies have long roots in colonialism and empire, which we will not explore here but which deserve acknowledgement as a backdrop.

Now, for the first time, CAGE is offering documentation that PREVENT is facilitating the removal of children, and the attempted removal of children in the family courts of the United Kingdom. This is being done using an unreliable and highly subjective method of measuring "extremism" and "radicalisation", themselves subjective terms that have not been adequately defined.

The science behind the method used in the

government's approach to "radicalisation" and "de-radicalisation" is questionable – its substance remaining vague and, arguably, flawed. Despite this, the method, known as the ERG22+, has been implemented since 2011, without much critical engagement by the courts, and particularly in cases determining the removal of children.

However, CAGE critiqued the "science" of the ERG22+ method in a 2016 report. We presented evidence that revealed the tool's lack of evidence base and questionable "scientific" methodology. With the government having placed the psychological tool on statutory footing, we continue to voice these key concerns:

- The theory and conclusions of the ERG22+ study are unproven.
- The use of the factors from the study to introduce the concept of pre-criminalisation stands a real chance of violating due process and broader civil liberties.
- The use of ERG22+ extends far beyond the original remit.
- The non-recognition of political context as being a significant factor within a multitude that result

in disenfranchisement and alienation, is a glaring omission.

- No external oversight from the psychology community of the government's ERG22+ study raises questions about ethics. The authors of the study worked for NOMS (National Offender Management Service), and two members of the advisory committee overseeing the study, were chosen as independent reviewers
- A lack of credible peer review processes to verify the 'science' upon which the authors relied to validate the assessment tool means it was at its basis 'unscientific'.
- There is a lack of replicated research supporting the findings of the NOMS study, a process that should have been a precondition to the UK government using the findings, and by extension the tool, as part of its PREVENT and Channel policies.

Despite these crucial weaknesses – which were flagged not only by CAGE but since then, have been called into question by lawyers, academics, psychologists and social workers – the ERG22+ is still the current method used to determine the outcome of family court proceedings related to "extremism".

Despite this shaky basis, and the fact that there is no agreed upon definition of "extremism", the current head of counter terrorism policing Mark Rowley has called for a "whole society response" to the "chronic threat" of "extremism". As a part of this "whole society response", he has said that

around 100 children have been removed from their families.

Through our experience with some of these families, we have concluded that in many cases, the courts are employing a flawed method to remove Muslim children from the care of their parents, based on notions of ideology. There are many things that CAGE had to consider carefully when coming to this conclusion: the details of each case and whether they warranted highlighting under this theme; the way we presented detailed and analytical research of the ERG22+ done previously by CAGE but now with inimitable and important links to this report; and the allegations themselves which are serious and deeply troubling.

We deliberated carefully over making such statements and were mindful that we were absolutely sure of them, not only by backing them up with legal evidence, but with real testimonies, from people who had experienced, and are still experiencing, what is to us – and we are certain to most people – the most terrifying form of state oppression.

As a result, we had to be transparent, in our research and in the way we interviewed and portrayed the stories of those families who have been, and are in the midst of being, subject to the attempted removal of their children. In the end, as with all our work, these accounts

were core to getting the story across. As a result, we have presented them as separate, standalone sections. These stories speak volumes and can no longer be ignored.

Critics will no doubt claim that CAGE is being alarmist and will accuse us of fear-mongering. On the contrary, we view these accounts from real people as testimony to their courage, and we hope that this report is seen as such – as both a warning, and an inspiration. This is because there have been instances where individuals and families have stood alone against the state, and succeeded. There are others, however, who have lost a great deal.

Another criticism which may arise from this, is that we did not provide adequate balance. It is important for us to state that CAGE is about being committed and truthful to our clients and their experiences. Our duty is to communicate the impact state policies have had on them and their families, and this drove our approach.

However, we must categorically state that in circumstances where children are at risk of actual harm, we should resort to well established principles of safeguarding that exist long before safeguarding became securitised. But in the cases illustrated in this report, Muslim parents are being threatened with removal of their children or are having their children removed, based on ideological reasons, and not on abuse.

It is crucial that we must not rely on and implement a suspect system of intervention that seeks to police belief. Doing so not only shatters families and children, it calls into question the very notion of “safeguarding” – which we still believe to be a key social concern – and can damage well-established existing frameworks.

We trust and pray that this report is a call to all concerned with justice and equality, to challenge these developments with unity and persistence.

Asim Qureshi, September 2018

CHAPTER TWO:

PROBLEMS WITH LEGAL DEFINITIONS OF 'RADICALISATION'

Engagement by the courts with the issue of 'radicalisation' seems to take the veracity and accuracy of the government's narrative of what constitutes 'radicalisation', how it occurs, and why it is a risk, for granted. Although it is acknowledged that "Radicalising is a vague and non-specific word which different people may use to mean different things",¹ the attitude that seems to prevail across many cases where 'radicalisation' is discussed seems to have embedded itself in a way that is best expressed by Mr Justice Hayden: **"Those words are sadly now so much a part of contemporary life – 'extremism' and 'radicalisation' - that they scarcely need definition."**²

Even where definitions are explored, as indeed in *Re K*, the definitions relied upon are frequently lifted from texts such as the Prevent Duty Guidance and the Channel Vulnerability Framework³. In the case of *London Borough of Tower Hamlets v B*⁴ where the judge engages at great length with the work by an 'expert' – Professor Silke – on 'radicalisation', it is worth noting that a CAGE report identified Professor Silke's involvement in the creation of the ERG22+⁵. This shows that the courts are engaging

in an uncritical manner with a single narrative on 'radicalisation': the state's narrative.

Ignoring for a moment the inherent issues in the isolation and proliferation of any single narrative without any attempt to engage with or explore alternatives, the unquestioning acceptance of the state's discourse around 'radicalisation' seems problematic due to the serious shortcomings that a CAGE report has already highlighted around the 'scientific' basis for the ERG22+. Nonetheless, the ERG22+ is a key part of PREVENT, Channel, and seemingly the whole state approach to 'radicalisation'⁶.

The implications of this one-sided engagement and the employment of the flawed ERG22+ on families cannot be understated. It means that coercion is built into the system of removing children, since parents are forced into a binary situation, which is to accept there is an issue and not risk having their children taken away, or to challenge the subjective views of those fearful of their beliefs.

This was the position that Yusra*, a single mother

of five, was forced into when social services and counter-terrorism police visited her home, and during a subsequent meeting between the social worker, his supervisor and herself. During the home visit, Yusra had boxes around the house from having moved six months previously. She saw the officials eyeing the boxes, and tried to explain that she had just moved, and, being a busy single mum on one income, had not settled and properly decorated yet. But, she said, they assumed otherwise, and treated her as such. A day later, she brought her tenancy agreement to the meeting to prove herself. However, the officials continued to assume that she was a “flight risk”, and, she said, were “nitpicking” asking her questions “straight from the ERG22+”.

She said: “They asked me what I thought of ISIS and what I thought about democracy, whether it was a viable system to live under. I felt like it was my religion and belief that was on trial. It was not about whether I was caring for the children properly.” Yusra also said that the entire process was led by counter-terrorism, and was not about children’s services. In the end it was one officer “quick-firing” her about her thoughts on the Paris attack, and other incidences around the world at that time. She specifically mentioned the way in which the officer had asked questions, rapidly, as if to catch her out.

Yusra was supported by her family doctor and

many teachers at her children’s school who felt awkward and coerced into the line of questioning precipitated by the use of the ERG22+ by PREVENT. During court proceedings, she was found to be a warm and caring mother, her children’s needs seen to, but when authorities wanted to perform the “radicalisation” assessment, she refused to take part, saying: “They told me: you pick who will do the risk assessment, but I said: ‘This is ridiculous; I would not even pick my dad, as it’s all based on the ERG22+ so it’s completely untrustworthy and the outcome is predetermined.’”

The entire discourse on ‘radicalisation’ is inherently problematic when it is seen in connection with the criminalisation of certain ideologies or beliefs. Although the courts have been keen to state repeatedly that the measures being taken are not intended to undermine basic human rights including freedom of thought, belief or religion⁷, there seems to be something distinctly Orwellian not only about the PREVENT strategy in so far as it attempts to regulate these freedoms, but also in the shocking ‘double-think’ that is required by the courts, the government, and bodies endorsing these strategies.

This is exemplified by the judgment of Holman J in the case of M (Children):

“Radicalising’ is a vague and non-specific word which different people may use to mean different things. There is quite a lot of material in this case



Coercion is built into the system of removing children. [Parents] are forced to either accept there is an issue and not risk having children taken away, or to challenge the subjective views of those fearful of their beliefs.



to the effect that the elder of these children are committed Muslims who like to attend, and do attend, at a mosque and wish to display religious observance. This nation and our culture are tolerant of religious diversity, and there can be no objection whatsoever to any child being exposed, often quite intensively, to the religious practices and observance of the child's parent or parents. If and insofar as what is meant in this case by "radicalising" means no more than that a set of Muslim beliefs and practices is being strongly instilled in these children, that cannot be regarded as in any way objectionable or inappropriate. On the other hand, if by "radicalising" is meant, as appears in paragraph 12 of the draft addendum report that I have already quoted, "negatively influencing [a child] with radical fundamentalist thought, which is associated with terrorism" then clearly that is a very different matter altogether. If any child is being indoctrinated or infected with thoughts involving the possibility of "terrorism" or, indeed, hatred for their native country, which is England, or another religion, such as Christianity which is the religion of their grandparents and now, again, their mother, then that is potentially very abusive indeed and of the utmost gravity."⁸

This definition was endorsed by the President of the Family Division, Justice Munby in *Re X*⁹ and *Re Y*.¹⁰ Without delving into the merits of *M (Children)*, it is the language of the court that is deeply problematic, as what the juTe may refer to

as 'radical fundamentalist thought' – a notion that is not defined by any statute or policy document – may for many Muslims be considered mainstream Islamic doctrinal opinion.

Just one such example of this is senior Conservative politician Nadhim Zahawi linking the distribution of inheritance in the Qur'an to extremism and violence. In a debate with Dr Rizwaan Sabir on Channel 4 News, Zahawi said, "If you look at inheritance laws under shariah courts, inheritance laws are not equal between man and woman, and equality is a British value."¹¹ Such links being made is indicative of the subjective nature of the terms that are being applied in the courts – this is particular in the way that individual juTments determine what is considered traditional belief, as opposed to what is 'fundamentalist'.

This honing in on, and criminalisation of, certain beliefs and practices of Islam is counter-productive and results in an attitude of non-co-operation in parents. This then increases hostility and increases anxiety. In Yusra's case, the entire process resulted in her suffering a heart attack, and being hospitalised - a harrowing ordeal that was eventually acknowledged by the juTe in her case, who also "reprimanded the local authorities for prolonging a case that should have been resolved quickly and outside of court. She also lamented the amount of public funding that had been spent".

Indeed, the thrust of the government's problem with 'radicalisation' seems to lie in the opposition that they claim is fostered by 'fundamentalist thought' to 'British values'. These 'values' are said to include commitment to civil liberties and human rights, the rule of law, and tolerance. One might suggest that the best way to protect these values would be, firstly, not to undermine them, since this is more prone to drive disenfranchisement than to stem it.



““I had a one-to-one meeting with the social worker, his supervisor and myself. They were asking me a number of different questions about my views and it was clearly straight from the ERG22+.

“They asked me what I thought of ISIS and what I thought about democracy, whether it was a viable system to live under. It was all about my belief. I felt like it was my religion and belief that was on trial. It was not about whether I was caring for the children properly.

“This wasn’t about safeguarding or children’s services, because the whole thing was led by the police ... he was asking me questions about the Paris attack, and other incidences around the world at that time. It was November 2015 and there was a lot of attacks. He was quick firing me about what my thoughts were.

I said to him: what has a terror attack in Paris got to do with a single mother in London? I said: your questions are irrelevant, as they have nothing to do with how I care for the children.”.”

Yusra, single mother of five.





When it came to the “radicalisation” assessment, they said, you pick who will do the risk assessment, but I said: this is ridiculous; I would not even pick my dad, as it’s all based on the ERG22+ so it’s completely untrustworthy and the outcome is predetermined..

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I said to him: what has a terror attack in Paris got to do with a single mother in London? I said: your questions are irrelevant, as they have nothing to do with how I care for the children.”.”

Yusra, single mother of five.



CHAPTER THREE:

THE USE OF THE ERG22+

Most significant in this discussion on the way in which radicalisation theory is implemented within the UK legal system, is the official document marked 'sensitive' that is shared in cases where the ERG22+ is used as an official tool. The document that CAGE has obtained (from proceedings begun in 2016), is entitled: Appendix 1: Background on the Extremism Risk Guide 22+. It provides information for both defence and prosecution teams about the use of the ERG22+ as a tool to determine 'radicalisation' and risk in each individual case. The key paragraph states:

"Limitations of the ERG. 'The ERG factors are essentially working hypotheses to account for how an individual became engaged and to capture the features of their mindset, their intentions and their capability for terrorism. Over time outcomes studies may increase our confidence in their validity. The ERG cannot predict risk with any certainty, but it provides a structure and transparent methodology for making judgments about the likelihood of future offending. It helps to direct attention to aspects of the individual associated with their offending where

intervention may be targeted, or proportionate risk management approaches deployed.' (ERG-22 Overview and Summary NOMS 2011 page 5)" [our emphasis added]¹².

Without having to go through a detailed analysis, for the courts to be making decisions about processes of 'radicalisation' and predicting future harm based on a 'science' that admits to being a set of "working hypotheses" unable to "predict risk with any certainty" brings the legal process around 'radicalisation' into disrepute.

Significantly, the document assumes that the ERG22+ is supposed to be used to make decisions around 'future offending', but the method has largely been based on a series of factors developed where the majority of the individuals that formed the data sample had not committed a violent offence, rather they had been accused of 'non-violent extremist' offences:

"Most of those convicted of terrorist offenses in the United Kingdom have no history of violence, although some do. Their convictions are rarely for

violent offenses but essentially for contributing to, supporting, or plotting extremist offenses.”¹³

All cases where the ERG22+ or the Channel Vulnerability Assessment Framework (which is based on the ERG22+) have been used must be revisited, as cases have been argued and decisions made on the basis of a ‘scientific’ method and conclusions that lack validity.

This dissonance where perceived ‘scientific’ theory conflicts with reality, to bring about considerable trauma in families, has played itself out in many CAGE cases, Yusra’s case above being one of them, with PREVENT officers “nitpicking” on a number of small issues stemming from the ERG22+ (including her decision not to vaccinate her children). In her case, she was fully aware of the unscientific basis of this method of assessing “radicalisation” and she complied with the children protection orders, allowing a number of professionals into the privacy of their family life, most of whom repeatedly insisted that there was no cause for concern and the children were well cared for.

Fully aware of the fact that this was a case in which for the first time the state was using ideology as a deciding point in child custody, the juTe eventually ruled that Yusra was “religious” but not “extremist”. She was evidently a good mother.

Such cases, which often are compounded by a large amount of media attention, have at their heart

the employment of the ERG22+. This misuse must be questioned and challenged to avoid similar abuse.



“The ERG factors are essentially working hypotheses ... Over time outcomes studies may increase our confidence in their validity. The ERG cannot predict risk with any certainty.”

ERG 22+ Report Authors





We had a round table meeting, all of us. It was very awkward. My housing officer was there and my children's teachers. They kept apologising for having to be present. However, PREVENT required them to engage. As unfair and arbitrary as they thought it was, they had no choice; they had to be there – and they were not allowed to dissent. One opted not to respond to certain questions and they did not allow her. They forced her to answer.

Yusra, single mother of five.





The kids had long discussions with their guardian about the Manchester attacks, and I told him: I don't really talk about this with my children. I felt it confused my kids.

I always teach them: think before you speak, because you can offend people. But this was so stressful. They had to keep justifying and checking their beliefs, and I felt really sorry for them, sitting on the sofa, thinking, is there a right answer? What should I say to help? There is an enormous amount of stress on the child in these circumstances.

Yusra, single mother of five.



CHAPTER FOUR:

HOW THE 'RADICALISATION' NARRATIVE FACILITATES VICTIMISATIONS

While the perceived 'signs' of 'radicalisation' are controversial and appear to be built to disempower individuals who subscribe to a certain set of political and religious beliefs the state perceived as a threat, notions around the dynamics of 'radicalisation' as a process also serve to remove political agency from individuals and communities.

The rhetoric of 'radicalisation' portrays a process that happens to a passive victim, and the courts generally fail to recognise 'agency' on the part of those perceived to be 'at risk' of 'radicalisation'. This seems to create a dichotomy of passive victims and active 'radicalisers' – with the former being constantly in need of protection from the latter.

The form this protection takes is for the state to increase intervention and policing of the everyday lives of 'vulnerable' (mostly Muslim) individuals across the country, and to disrupt and, if necessary, sever families.

According to Sarah Williams, the Legal Team Leader at the London Borough of Tower Hamlets:
"The leading cases that have since come before

the courts fall broadly into three categories. First, cases where the identified risk is that older children have become radicalised themselves, including the possibility of attempting to travel unaccompanied to Syria or Iraq. Second, where parents have allegedly attempted to travel to IS- held territories with their children, placing them at risk of physical as well as emotional harm. Finally, where concerns are held that parents or older siblings hold extremist ideologies and may be indoctrinating children into those beliefs, placing them at risk of emotional and psychological harm."¹⁴

This can be seen in many of the family cases that discuss the risk of harm to minors from 'radicalisation' – of their parents or of themselves. Justice Hayden takes this narrative even further, comparing 'radicalisation' to sexual grooming¹⁵.

However, this argument, which enforces a victimhood upon Muslim youth, alienates families within their society and criminalises parents through oversimplifying and conflating issues of politics, belief and ordinary teenage mistakes and miscalculations, with real criminal behaviour. This

has devastating consequences.

In a CAGE case involving a teenager, Ghada*, this simplistic view gave impetus to an overzealous police response, a media storm which gave rise to a trial that became somewhat of a cause célèbre, and her eventual removal and fostering for a year, at great damage to her health and general well-being.

Ghada's father tells their harrowing story in full at the end of the report. For now, it is worth highlighting that he called counter-terrorism police immediately upon realising that his daughter had attempted to leave for Syria. When Ghada was returned home, police thanked him and told him that he would be helped. As any good father would, he sat Ghada down and asked her what on earth she had been thinking. She quickly admitted that she had made a mistake, explaining to him that she had been convinced by a woman who had told her on social media that she would be able to complete a medical degree quicker in Syria than in the UK. Combined with her natural and perhaps somewhat idealistic desire to assist the people of Syria, who, as is widely acknowledged, are in dire need of medical care, the invitation was too good to resist. However, Ghada apologised to her father and he said he felt assured that she would not make the mistake again.

Nonetheless, he said he was willing to cooperate fully with police to track down the women who had lured his daughter.

However, instead of embarking on an investigation into these women, the police appeared to turn their focus on the family of two parents and eight children. In an atmosphere of panic around the disappearance of the Bethnal Green girls, the state and social services seldom stopped to give the young Ghada or her parents the benefit of the doubt, despite repeated assurances from her father that he would cooperate with investigations into the ISIS recruiters.

Within a short space of time, they were hit by a storm. Care proceedings were implemented to remove Ghada from her parents, their home was raided, and a media frenzy ensued. Photographs her father had taken on an aid convoy to Gaza with George Galloway depicting civilian damage in Gaza were spun as "beheading videos", and his equipment to extract oils for natural medicine was claimed to be "bomb-making equipment".

Justice Hayden was assigned to the proceedings. Hayden called Ghada's father "a liar", "a Jekyll and Hyde" and "faithless". He also questioned why the children were home-schooled and did not watch television, inferring that this was a cause of their "radicalisation" and "lack of integration". This, despite Ghada and her siblings achieving impressive academic results.

Eventually, despite admissions that the children including Ghada were well cared for, especially

Ghada, were well cared for, the case became somewhat of a cause celebre and Ghada was removed from her family. During her fostering period, she was barred from Muslim company, and not allowed to read the Qur'an. She gained weight from unhealthy, processed food and her asthma worsened. She could not attend school or study due to the stress and attention drawn by the case.

Eventually, the juTe ruled that Ghada be returned to her family as her mental and physical health had severely deteriorated. The family is reunited but her father is unable to secure employment due to "pressure" exerted on potential employers. As an apology for the trauma caused, a social worker offered him 200 pounds "compensation".

What is most pertinent about this case is that a family has been almost irrevocably criminalised, despite offering to communicate fully with what could have been a decisive criminal investigation.

Instead of adopting a pragmatic and nuanced approach that is guided by conventional criminal justice norms and a grounded view of young people and others who may be deemed "radicalised", or genuine attempts to understand their 'agency' – whatever that agency might be – the "remedy" in many of these cases is aggressive PREVENT-based state intervention in the family.

This occurs through removing the child from their

parents – as for example in the case of *Leicester City Council v T*¹⁶ – granting emergency protection orders, or granting the Local Authority wardship of the child.¹⁷

The justification behind seeking such interventions is either to protect the child from their parents who have been 'radicalised', as in the cases of *Re X* and *Re Y* where the parents had attempted to travel to Syria, or – as some juTes have seen it – to save children from themselves.¹⁸ In *London Borough of Tower Hamlets v B* the juTe engages with the failure of B's parents to "protect and to safeguard their children".¹⁹

The counter-position to this manufactured victimhood is the position of 'radicaliser'. This is the descriptor that can be applied to many of the individuals to whom control orders/TPIMs have been applied, to prisoners under stringent licence terms or under high risk classifications. In such cases, these individuals are viewed as at risk of spreading their own 'radicalisation' to others, and the obligations and limitations placed upon them are justified as a means of protecting the public, other inmates and indeed, in some cases their own children.²⁰

The underlying assumption in control order/ TPIM cases is quite well summarised in the case of *DD v Secretary of State for the Home Department*²¹, that the individual "would if not subject to TPIM measures continue to be involved in radicalisation"²².

In the case, for example, of *R (Bary and others) v Secretary of State for Justice*,²³ where stringent conditions were placed on a number of prisoners awaiting extradition, the justification was “the need to manage issues of radicalisation of prisoners”²⁴ because there was a risk of “radicalisation of main stream prisoners by [these] detainees”.²⁵

Several immigration cases refer to the risk individuals might put to the British public at risk of ‘radicalisation’ – for example in *Naik v Secretary of State for the Home Department* [2010],²⁶ and *Raed Salah Mahajna v Secretary of State for the Home Department* [2012].²⁷

The state’s one-sided view of what constitutes “radicalisation” informs and lies at the heart of these decisions. This view is given impetus through the misguided application of the ERG22+ as part of PREVENT, and it has been especially detrimental to children and families in wardship cases.

Moreover, there is a real threat to the rule of law and the independence of the executive. This ‘radicalised’ and ‘radicaliser’ narrative has succeeded in pitting certain juTes against Muslim families in a fear-based paradigm constructed by state and media, without giving young people and parents the right to be assumed innocent and the right to protect and preserve their family unit.

The result is the perception that the state is out to

break Muslim families. This has a deeply counter-productive effect.



Hayden also questioned why the children were home-schooled and did not watch television, inferring that this was a cause of their “radicalisation” and “lack of integration”.

Ghada's father





The judge was very biased. He sat at three different meetings with officials and did not sit with us. He also refused demands to provide the details of these meetings. This is a violation of due process.

In court, I found myself thinking that these people really hate Islam. They didn't listen to anything I had to say. Even on my website, I was writing against IS, but when the judge saw this, he just said: "You are a liar."

The media coverage also didn't help. The newspapers were saying all these things and worse."

Ghada's Father





“The case affected all my children, because after they reached GCSE and I tried to put them in a school, they told me the kids would brainwash other kids and they couldn’t go to school.

They really isolated us. The local authority was really watching us closely all the time.

When I went to visit my daughter at her foster family, which did not let her associate with any Muslims, I saw they were smoking cigarettes and there was a smell of bacon cooking.

She used to cry a lot.”

Ghada’s Father





“The case for the removal of my daughter took place in the context of the disappearance of the three Bethnal Green girls.

You see, the bar for the state to prove its case was low. At that time, everything was crazy. They would rather make a mistake than take a risk. In this environment, it’s easy to take children away.”

Ghada’s Father



CHAPTER FIVE:

HOW NOTIONS OF SOCIALISATION ARE HYPOCRITICAL

Across the board – and also featuring in Ghada’s case – ‘radicalisation’ is linked to socialisation. Children’s risk of ‘radicalisation’ is often linked to their perceived social isolation.

In *A Local Authority v M and others*²⁸ the juTe discusses the home schooling of the children as creating a “sheltered, contained existence” where they are “deliberately kept apart from wider society”.²⁹ Key in an earlier iteration of the case of *M and others* was the juTe’s acceptance that there was a low risk that the girls would attempt to travel to Syria, and yet he still invited the local authority to apply for wardship over them.³⁰ The juTe provides little in the way of explanation as to the calculus of risk against intervention, and ultimately it became a matter of his subjective discretion, which provided little clarity in the law.

In *Re X* and *Re Y* the Local Authority argues that if the children are returned to their families they would “lose any opportunity to build a trusting relationship with non-familial adults” – emphasis is placed on “attempts to safeguard children through monitoring and relationship building”,³¹ a view that seems to summarise the government’s overall approach to ‘radicalisation’.

Likewise, in the case of *R v Yusuf Sarwar and Mohammed Ahmed*³² the juTement makes mention of a psychologist – Dr Michael Korzinski – who concludes that the appellants were “isolated, socially inexperienced and emotionally immature”,³³ and that part of the answer to ‘de-radicalising’ them, tends to be tackling this isolation and ensuring their socialisation with a wider pool of people.

But whilst the answer to the risk of ‘radicalisation’ in these cases is presented as greater socialisation, in immigration, criminal, control order and prisoner cases, by contrast, ‘radicalised’ individuals are placed under measures to isolate them – their socialisation with others is seen to spread ‘radicalisation’. Before they can re-join society, they must be ‘de-radicalised’.

Both approaches show the inherent contradictions and weaknesses in the state’s “radicalisation” narrative and subsequent approach to Muslim families. Not only this, but as we have seen from numerous cases, they are simplistic and counter-intuitive, and their results damaging.

CHAPTER SIX:

HOW AND WHY POLITICAL CONTEXT IS IGNORED

It is worth noting that ‘radicalisation’ is never described as a possible response to political context – this reflects the government approved narrative of the ERG22+. As pointed out in a CAGE report, in the section entitled “The ‘omission’ of political grievance as a factor”, this is a very significant oversight.³⁴ It is peculiar that the discourse on ‘radicalisation’ is always linked to ‘terrorism’ – itself defined as the use of violence for political aims – and yet it is so rarely linked with politics.

Frequently, there is a link made with ‘ideology’, but even this is divorced from political realities. In many cases, there is a discussion of terms like extreme/ extremist ideology/ies³⁵, “ideology-based violence”³⁶, “Jihad ideology”³⁷, “Isis ideology”,³⁸ Islamic/Islamist ideology³⁹ but these are described almost as if they exist in a vacuum and have not developed, as all political ideologies have, in response to political circumstances.

Features of these ideologies however, are sometimes explored – namely their links to violence, their views of the role of women,⁴⁰ and the idea that they are fuelled and underlined

by hatred.⁴¹ It is emphasised that “recruits and supporters often have a simplistic and relatively shallow understanding of the ideology the movement endorses”.⁴²

In some ways, this can be considered a trivialisation of the issue – which is particularly easy to apply where young people are concerned – as in London Borough of Tower Hamlets,⁴³ Brighton & Hove City Council,⁴⁴ and R v Yusuf Sarwar and Mohammed Ahmed⁴⁵. In cases like these, political grievances are overlooked in favour of a more paternalistic view of protecting people from themselves. People are seen as engaging in political violence not for political reasons. Rather, they engage with ideologies espousing political violence because they are vulnerable,⁴⁶ isolated,⁴⁷ searching for identity,⁴⁸ or because others have taken advantage of them.

This does not mean that these cannot all be factors – or indeed significant ones at that. But doing so should not exclude other factors from being considered, especially political context.

The issue of ideology appeared in the case of Re A (A Child), where the courts determined that being



It is peculiar that the discourse on ‘radicalisation’ is always linked to ‘terrorism’ – itself defined as the use of violence for political aims – and yet it is so rarely linked with politics.



a member or supporting an organisation such as the English Defence League was not grounds for removal of the child, as mere membership and ideology could not reach the bar of 'significant harm'. In the case the President of the Family Courts, Munby J said:

"The mere fact, if fact it be, that the father was a member, probably only for a short time, of the [English Defence League] is neither here nor there, whatever one may think of its beliefs and policies. It is concerning to see the local authority again harping on about the allegedly "immoral" aspects of the father's behaviour... Membership of an extremist group such as the EDL is not, without more, any basis for care proceedings."⁴⁹

When juxtaposed with the earlier discussion in the case of *M (Children)*, there seems to be a great deal of dissonance between the way the courts understand the role of 'extremist ideology' or 'radical fundamentalist thought' in the case of Muslims, versus the way they treat the subscription to far-right ideology in *Re A (A Child)*.

We argue that the courts should show more consistency in their judgments, especially in cases where the judges themselves concede there is a low risk of any violence.

Two presentation slides from a London Borough of Tower Hamlets training entitled *Radicalisation: Safeguarding & the Family Courts* delivered on 13

November 2015 highlights the different way in which these two cases were treated.



At times the issue of political context is engaged in wardship cases involving Muslims. But the language used in these circumstances is also worth noting. Individuals are described as having a "sense of grievance",⁵⁰ "feelings of grievance",⁵¹ "issues of



There seems to be a great deal of dissonance between the way the courts understand the role of 'extremist ideology' in the case of Muslims, versus far-right ideology



grievance"⁵² or "perceived injustice".⁵³

Instead of being referred to simply as widely held 'political grievances', such as the Iraq war, they are framed as 'feelings' or they are 'perceived'.

It also means that individuals can be attributed to having grievances based on vague perceptions of behavior, past interests and travel or study destinations. In Jabir's* case, all his three children were taken into care by the local authority after a family member alleged that he and his wife were planning on taking them to Syria.

Jabir* was on his way to work when he received a phone call from the police. They told him they were at his house and he had to come home. As Jabir returned home, he saw approximately fifteen officers raiding his house. As he entered, they immediately handcuffed him. A full raid was in progress. When he asked what was going on, an officer informed him that an allegation of child cruelty had been made.

At the police station, the allegations against Jabir developed. The police told Jabir he intended to travel to Egypt and then to Syria. Jabir responded that he had no intention of going to Syria, only Egypt as he had previously been there to study. During this time Jabir's three children were taken into care of social services. He was released on bail.

The children remained in care for eight days. His and his wife's passports were also seized as well as their phones. They were told that since they were

facing allegations that they planned to take their children abroad. This was deemed a safeguarding issue, concerning their children.

Their children, who were all under the age of 7, were asked questions concerning religion and politics, what books they read, as well as what their parents had taught them about Islam and the world in general. However, when social services applied for an emergency protection order under Section 47, the court rejected it. After considerable stress, the children were returned home.

In such cases especially when they are reported in the media, 'grievances' seemingly displayed by individuals or communities are always subtly or overtly attributed as the fault of the individual and are never seen as part of a wider context.

The reasoning behind this is simplistic. If political grievances are fully accepted as a contributory factor to violence, then the question naturally arises as to whether these grievances are genuine, and whether if such views are seen in the worst possible light if expressed by certain ethnic or religious groups. For example, would trenchant criticism of state policies by a non-Muslim, white family, lead to severe safeguarding concerns?



“They were all reporting on us, all of them. We couldn’t relax, and we were under watch constantly. It was a constant worry. When hospital staff overhear something, then they look at you the wrong way. You get very stressed, you worry constantly. We have nothing to hide, but still I was so worried that my children would say something that would be misconstrued.

We felt like criminals.”

Ahmed, father of three





“The wider categorisation of offences through the term ‘extremism’ makes it unclear what is significant when it comes to national security. This lack of clarity stands a real chance of resulting in abuses.”

Asim Qureshi, CAGE



CHAPTER SEVEN:

THE USE OF SECRET EVIDENCE IN THE FAMILY COURTS

On 8 October 2015, the President of the Family Division, Sir James Munby, issued guidance to the judiciary entitled: Radicalisation cases in the family courts.⁵⁴ The guidance relates specifically to how the judiciary is to assess cases where, “children have been or are at risk of being radicalised”. It also clarified that the appropriate forum for these cases is the High Court. In these cases, due to the claims of national security being at stake, the guidance set by Munby specifically highlights three areas of concern:

- (a) raising PII issues;
- (b) requiring a closed hearing or use of a special advocate; or
- (c) where electronic tagging is proposed.⁵⁵

The referencing of PII is to public interest immunity, invoked where a court can withhold the disclosure of evidence from one litigant where there may be damage to the public interest. In such cases, Munby claims such rules are in place due to:

“(e) the need to avoid seeking disclosure from the police or other agencies of information or material which may be subject to PII, or the disclosure of which might compromise ongoing investigations, damage the public interest or put lives at risk...

(f) the need to safeguard the custody of, and in appropriate cases limit access to, any sensitive materials provided to the courts by the police or other agencies.”⁵⁶

Due to the general trend of securitisation within the legal system in the UK – this follows practices established in the Special Immigration Appeals Commission and through the Justice and Security Act 2013 – there are already established wide powers to stop the public and defendants/appellants being able to see information deemed to be secret by the police and security agencies.

In cases where authorities attempt to remove children based on secret evidence gathered through investigations spearheaded by the police, rather than social services, the result can be a mystifying and stressful process where accused parents are unable to see or challenge the information held against them and are unable to mount a proper defence to retain their own children.

A case involving wardship proceedings initiated against Shakir* and his wife, concerning their three-year-old child was the culmination of several years



There are already established wide powers to stop the public and defendants/ appellants being able to see information deemed to be secret by the police and security agencies.



of being pursued by MI5 and the counter-terrorism police, and several Schedule 7 stops, during one of which Shakir's phone was seized and he was accused of spreading "anti-Israeli propaganda" based on a prayer on his phone. Due to the nature of Schedule 7, he was unable to challenge these allegations.

Some years later, Shakir* was convicted and imprisoned for a non-terrorism-related offence – however during his imprisonment, he was approached multiple times by MI5. During these meetings, which took place without a lawyer, he was shown pictures of "persons of interest" and told repeatedly, "if you do not work with us you will be in and out of prison for the rest of your life".

He refused, and when he was released, he was subject to conditions normally applied to a person convicted of terrorism. Eventually, he challenged these conditions and they were dropped, allowing him to find work, move on with his life and provide for his family – as was his aim.

However, Shakir and his wife were then approached by social services, who initiated proceedings in the High Court to determine whether they were fit to retain custody of their daughter based on allegations of "radicalisation" and "extremism". Shakir told CAGE that it appeared that the child protection process seemed to be spearheaded by the police rather than by social services.

On the first day of court, the case was dropped after the juTe decided to not allow the use of the secret evidence that counter terrorism police had been attempting to put forward. Although the social worker appeared happy that the case had been closed, both Shakir and his wife remain mystified as to what evidence the state is holding against them.

Such a state of affairs means parents live in a constant state of anxiety that this evidence, which they are unable to see or challenge, will at some point be invoked and their children removed in the future. This outcome is a denial of due process rights that impacts not only on parents in the courtroom, but in every day of their lives thereafter. Such secrecy inevitably creates a prevailing sense of threat – and affects the children too.

In this context, there are instances where secret evidence has been invoked apparently without the public interest concern. Although these cases have been hidden behind layers of secrecy, it is important to note that certain juTes have recognised that the prosecution's request for secret evidence is completely unwarranted. In other care proceeding cases that we have recorded, juTes have allowed the introduction of secret evidence.

There are important implications that need to be borne in mind, as juTes are often not only heedless of the existence of structural racism, but can also become a part of it. This means that any



During a Schedule 7 stop, one of which Shakir's phone was seized and he was accused of spreading "anti-Israeli propaganda" based on a prayer on his phone



assessment of secret evidence by judges, is limited by their own subjective views on ideas around 'religion', 'ideology', 'extremism' or 'radicalisation'.

In the case of *R (Mohamed) v Secretary of State for Foreign and Commonwealth Affairs*⁵⁷ the Secretary of State resisted the disclosure of a number of documents related to the case as this would "seriously harm the existing intelligence arrangements between the United Kingdom and the United States".⁵⁸ The court ruled that the claimant was not entitled to an order for the release of the redacted paragraphs on the basis that, on balance, national security interests had to be protected over the public interest in open justice.

What worsens the situation, particularly in relation to wardship proceedings, is that the operation of these rules is open to interpretation; the broad categorisation of offences through the term 'extremism' makes it unclear what is to be considered of significance when it comes to national security. What is clear is that the bar has been lowered well below the need to protect against actual violence or plots in the UK or abroad. As a result, this lack of clarity over what offences are considered 'extremist' stands the very real chance of resulting in abuses.

In the case of *Re EB* [2016]⁵⁹, the Secretary of State refused to disclose in open proceedings the reports of the de-radicalisation consultant, the transcripts

from EB's trial, and the oral probes and transcripts.⁶⁰ In order to do so, the Secretary of State would have had to apply to the court for permission to withhold material. In this case, the court decided to leave the decision about disclosure to a later date where it will be made in closed proceedings.

Due to the need to protect children involved in the wardship cases before the courts, but also due to issues of national security, it has been difficult to conduct proper scrutiny of the way in which the courts are implementing these rules when it comes to invoking the PII. However, the experience of lawyers and defence teams across the UK in relation to control orders, TPIMs, deportation and citizenship revocation cases related to 'terrorism' and 'extremism', show that the invocation of national security is excessive.

This is deeply concerning since it translates into a situation where in some cases, parents are forced to fight for their children against a veil of secrecy that prevents them from adequately challenging the allegations against them. These allegations often involve subjective and unscientific evaluations of belief and behaviour. The result is a feeling of powerlessness and disenfranchisement.



“The ‘offences’ on which the ERG were based, largely took into account ‘extremist offences’ where there was no risk of violence. Considering the ERG claims to have no predictive validity, invoking the future threat of violence is an act of cognitive dissonance.”

Asim Qureshi - CAGE



CHAPTER EIGHT:

CONCLUSION

The invocation of the UK government's PREVENT and Channel policies within the courts system as an accepted norm has resulted in a string of cases where, as in the words of Justice Hayden, "'extremism' and 'radicalisation' – [have become so widely used] that they scarcely need definition."⁶¹ In fact, these terms have never been legally defined.

The fact that these policies are based on a faulty 'science' developed in the form of the ERG22+ is crucial; the courts have institutionalised a theory that has little basis in fact – with devastating results on families and children in particular.

Perhaps, more significantly, is the notion that the courts themselves recognise in their own guidance documents that the ERG22+ is based on "working hypotheses" that cannot predict future behaviour with any reliability. That the ERG22+ is still being used to determine "radicalisation" in cases of wardship of children, must be challenged by lawyers themselves on the basis that the evidence gathered from such interviews deemed inadmissible due to the unreliability of the method.

The above factors play out in family courts on a regular basis. Not only does this do damage to individuals and families, but it also calls into question the certainty with which juTees such as Justice Hayden believe that terms of reference when it comes to "radicalisation", "scarcely need defining". Through the doctrine of the separation of powers, juTees have the capability to regulate the laws and policies enacted by the Executive. Historically, judicial deference has led to a lack of scrutiny of counter terrorism policies. JuTees find it difficult to hold the state to account on issues of national security. This could be due to intimidation or institutionalised bias because they lacked a deep understanding of voices critical of government policy. This results in misleading juTements, as the judiciary bases its positions on the government narrative. Since it is not able to question this narrative due to national security restrictions, this sets in place a dangerous cycle and we have seen the traumatic effect of this on the family unit.

Indeed, in family court cases, an absurd situation can arise, when not only are families sometimes unable to challenge the evidence against them due

to the invocation of PII, but they are also unable to challenge the means by which this evidence has been procured, even when these means (such as the ERG22+) have been called into question, not only by CAGE, but by other leading professionals⁶².

This “smoke and mirrors” effect has the potential to spread. Mr Justice Hayden has described the Family Division as the, “vanguard of change in life and society,”⁶³ the approach it takes to the “science” behind “extremism” will permeate throughout the rest of the legal system. Therefore, it is of utmost importance that the judiciary keeps a check on the Executive to ensure civil liberties are not further eroded.

The UK government has instituted some of the most intrusive national security policies in Europe, with a veneer of arguments relating to protection. However, questions need to be asked as to what this protection is from, for the ‘offences’ upon which the ERG22+ was based were largely where there was no risk of violence. Considering that the authors of the ERG22+ itself claim that the method has no predictive validity, invoking the future threat of violence where the science upon which you are relying cannot predict it, is an act of cognitive dissonance. It seems the invocation of the ERG22+ has only resulted in a climate of fear – fear of some aspects of Islamic belief, and fear in families that they may be split apart based upon a series of predetermined checklists. Both results are counter-productive.

It is therefore crucial that lawyers, especially those representing families, legally challenge the use of the ERG22+, Channel and PREVENT in cases that have already been concluded and in on-going cases through appeals and judicial review.

Further, the judiciary must hold an inquiry into its adoption of the ERG22+. The legal professional bodies must review the processes of scrutiny that were taken in the course of the method’s adoption.

The law must be clear and understood. The prevailing national security environment that has been established has resulted in an opaque system that permits egregious abuses of the rights of individuals. This is especially true in cases where children are removed. Rather than keeping society safe from harm, it risks harming communities in a deep, generational manner, and damaging their relationship with state agencies.



**The courts have
institutionalised a theory
(ERG22+) that has little basis
in fact – with devastating
results on families and children
in particular**

Asim Qureshi - CAGE





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HUMAN VOICES

YUSRA'S STORY

THE MESSAGE WAS: IF YOU DON'T STOP HAVING A POLITICAL OPINION, WE WILL TAKE YOUR KIDS.

I am a single mum with five children. I follow a Salafi kind of Islam. Everyone is free to follow their own path in Islam and we celebrate our diversity as Muslims. I have also been and continue to be politically vocal and active.

When the children's services came into our family life, they decided not to inform me until after they held an urgent multi-agency meeting to plan their course of action.

They decided to follow this up with an unannounced school visit. They employed a Section 47 assessment, which means it is urgent and that danger is imminent to the children. This is usually employed in severe cases of abuse when the children are in serious, serious risk of harm.

They went to the schools with uniformed and plain-clothes officers. It was the first time that the school had a visit like this. I wasn't informed at all, and by

the time I found out, two of my children had already been questioned without me.

I was really annoyed with the teachers for allowing this, so I barged into the head teacher's office. As I approached, my son was sitting in a chair. The social worker and the head teacher were both men, plus there were two male officers there.

Here were these men, standing around my son. My little son was six years old, and he was terrified. He just ran to me and sat down on my lap.

I adamantly refused that my child be questioned. I was being very rude as I was very angry. They wanted to see the children at home. I thought the best approach was to co-operate with them so as not to escalate the situation.

THEY WERE CLEARLY USING THE ERG22+ AND I KNEW IT, SO I REFUSED TO COMPLY

The following day they came to my home, social services with police officers. I said I would let the

social workers in but not the police. Eventually after a lengthy debate, I allowed them to come in too – but I wouldn't do so now.

I had just moved and the place wasn't decorated or furnished properly, and there were boxes everywhere. That triggered off the social worker asking me about lots of boxes on the property.

I explained that I had only moved six months ago. I noticed them looking at each other and raising their eyebrows about what I was saying. Later on, I showed them my tenancy papers to confirm what I had been saying. Being on a single income, there's no way that I could furnish a huge house. These things take time. But they were really nit-picking.

When CAGE published the ERG22+ report I knew how absurd the whole thing was in terms of what they look for in terms of "radicalisation", and I knew the boxes would be a big deal; it would create the impression that I was about to leave the UK since I was a flight risk.

The following day I had a one-to-one meeting with the social worker, his supervisor and myself. I was invited to speak about my views. They were asking me a number of different questions about my views and it was clearly straight from the ERG22+.

They asked me what I thought of ISIS and what I thought about democracy, whether it was a viable

system to live under. It was all about my belief. I felt like it was my religion and belief that was on trial. It was not about whether I was caring for the children properly. The whole thing was led by the police. I saw on the form, the referral was made by counter-terrorism police, SO15.

During the interview, he was asking me questions about the Paris attack, and other incidences around the world at that time. It was November 2015 and there had been several attacks. He was quick firing me about what my thoughts were.

I said to him: what has a terror attack in Paris got to do with a single mother in London? I said: your questions are irrelevant, as they have nothing to do with how I care for the children.

In the end, I decided to not answer his questions. After seeking legal advice, I chose to leave the meeting.

As I was exiting, the social worker said they would escalate the matter to a child protection conference. I said, do what you have to do and I will do what I have to do.

I MADE IT MY MISSION TO PROTECT MY KIDS AND TELL PEOPLE THE TRUTH ABOUT PREVENT

I was given a letter that the outcome of the Section 47 was that the risk of harm still existed and therefore they had initiated a multi-agency

programme, which involved them compelling every single professional in my children's lives to comply with them.

We had a round table meeting, all of us. It was very awkward. My housing officer was there and he kept apologising as the discussions were intimate and private. The teachers were apologising for having to be present.

My family doctor refused to come as he felt the whole procedure was very unfair and embarrassing for the family. He sent a stern letter that he would not attend this or any further meetings regarding me or my children as he had absolutely no concern about us.

However, PREVENT required them to engage. As unfair and arbitrary as they thought it was, they had no choice; they had to be there – and they were not allowed to dissent. One opted not to respond to certain questions and they did not allow her. They forced her to answer.

I keep my relationships with these people professional and the discussion was very embarrassing for some of them to be a part of, and very awkward for me to have them all there. It was like they were standing there, throwing mud at me, as much as they could, to see how much of it would stick.

After this, they decided that the children would remain in a child protection plan. That upset me, as this had consequences for the children. There is a huge stigma, and my children are flagged up when they go to a hospital, even for something minor, like an asthma attack.

It's on the system. People are inquisitive. In the beginning it was awful, and then I made up my mind to clarify things. I would have a dialogue with the professionals when they asked about my children. I felt I had to justify myself and educate people why my children were on a child protection plan.

When my son cut his head, the doctor stitched him, I then had to spend about 45 minutes talking about the Prevent duty.

I felt that unless I spent 45 minutes to an hour talking to these people and telling them the truth about the situation, it would just get worse. I did this with my housing officer, my neighbours. It became ridiculous.

I had to keep telling people, keep defending myself as there was nobody telling my side of the story, and nobody to stand up for me.

There was no respite. I had to keep defending myself. If I said I am not feeling well, or I was too busy for you to see my children, or please don't

come today, I am too tired, or they were very busy with homework – which was sometimes the case – that would go down as me not allowing access. I just couldn't do that.

I WAS HOSPITALISED, BUT FINALLY IN COURT THERE WAS RELIEF

Then I had a heart attack. There I was lying in hospital, and social services again came knocking on the door, turning up at the kids' school, trying to find out who was picking up my children. And here I was having to liaise with the solicitor, getting emails sent over to the local authorities.

All the time there was this underlying threat that I am going to lose my children. This is just one example of how ruthless they were. But really, it was three years of continuous hell.

The children have been closely monitored and watched for three years. The local authorities tried to get me to work with PREVENT and Channel. I remained cooperative with the child protection plan, but I remained adamant that I would not work with PREVENT and Channel. That's when they escalated it to court proceedings.

When it came to the "radicalisation" assessment, they said, you pick who will do the risk assessment, but I said: this is ridiculous; I would not even pick my dad, as it's all based on the ERG22+ so it's

completely untrustworthy and the outcome is predetermined.

Once in court they tried to bully me through a court order to work with PREVENT and I refused.

But when I went to court, it was really a mercy from Allah. In court, it is not only me who was on trial, but the local authority was also being scrutinised by the juTe.

Alhumdullillah, I had a very good, reasonable understanding juTe. I know that in many cases when parents lose their children, it's not because they had some fault with the parents, but it is due to a biased juTement.

I was fortunate. The juTe said my children were in no danger. The social worker had said this before, that there were no dangers, that they were smart kids, achieved well, but I think there was manipulation from above.

They went on and on, and in the end the evidence was collated and there were just bundles and bundles of court papers against me. I looked at it, and I just thought: wow, look at all these files.

Alhumdullillah, after all this, the juTe was unconvinced at the evidence the police had to show that I was an "extremist". The ruling was that I was evidently a good mother, as my children were

provided for and cared for and had the “necessary emotional support” and “good living conditions”. The juTe identified that I was a “religious” person but not an “extremist”.

The juTe also showed a lot of sympathy to my heart condition that I had developed in the process and wanted to quickly resolve the case. She was concerned about the length of time that this had gone on for, and she reprimanded the local authorities for prolonging a case that should have been resolved quickly and outside of court. She also lamented the amount of public funding that had been spent.

I LOST THREE YEARS OF PEACE WITH MY CHILDREN

The effect of this on my children, I can’t really describe it and to be honest I still don’t know the damage that it has caused, since it has only just finished. But I can already see some cracks in my children’s behaviour.

I was always trying to encourage them to talk to the social worker, to their court appointed guardian, to all these strange people that suddenly appeared in our lives. There is one thing being open and honest and transparent, and then there is just a complete invasion of my privacy. They picked on everything they could.

My children absorbed the whole experience. They used to play games and threaten each other with social service action, and one was the social worker, the other the police and the other me, so it manifested in their role-playing games.

It had a devastating effect on the way in which the kids were treated at school. There was extra monitoring of them by the teachers. On top of that scrutiny, when they were taken out of lessons, the other kids would ask them why. They always had to justify themselves. As a mum I felt completely powerless to protect them.

But I always try to safeguard their Islamic identity and I remain very unapologetic about that. For my kids, it didn’t really impact them on their Islamic side, because – a lot of people withdraw their kids from Qur’an classes, or Westernise their dress for the court – but I didn’t do that.

I didn’t want to change the way I am or the way my kids were. I want them to see us for what we are. It is a means of educating them, and I wasn’t going to pretend, just so they don’t see me as “radical”.

The kids had long discussions with their guardian about the Manchester attacks, and I told him: I don’t really talk about this with my children. I felt it confused my kids. They know what the answers are to all this, but they felt they had to stop and think about what they had to say.

I always teach them: think before you speak, because you can offend people. But this was so stressful. They had to keep justifying and checking their beliefs, and I felt really sorry for them, sitting on the sofa, thinking, is there a right answer? What should I say to help?

There is an enormous amount of stress on the child in these circumstances.

I kept imagining my son talking about some kind of attack, you know, they must have done something to deserve it, not because he meant it, but because this is just what kids say. They make juTements on worldly events based on what's happening in their little worlds. For example, when my son hits his sister and I scold him, he says: she deserved it. They just say these things sometimes, but it does not mean that the child is "radicalised".

Alhumdullillah, our guardian understood that. But PREVENT, does not.

YOU HAVE TO BE CONSISTENT, RESILIENT AND HOPEFUL

My advice to others going through this, is not to be scared by terminology from local authorities, even when they threaten in headline letters to take your children away. You need to get yourself a good legal team, have resilience and courage.

When they asked me about whether I support ISIS, I

just said: I am not going to answer that question. I didn't create ISIS. What do they think: I have ISIS on speed dial?

I said to the juTe: if my kids accidentally bump someone on a train, I would encourage them to apologise for their own behaviour. I wouldn't apologise for them. I am not their advocate. I remained steadfast, but I was not going to condemn something that is totally unrelated to me.

Alhumdullillah, I continued that approach and it worked, and the last day in court, when I said to my barristers, thank you – because this case was a big one and we had to get through a lot. They said no, we should thank you: you taught us a lot, how to be assertive, how to fight your own battles. My legal team, I had to tell them: this is the way I want to do it.

My legal team kept saying, what-if... You have to make a contingency plan, it might not work out for you. I said: let's be optimistic here, just because a juTe says it, that's not the be all and end all. I just remained positive, confident and I put all my hope in Allah.

I have strong grievances against the UK policy, I speak up against the Israeli occupation of Palestine – this should not make me a radical and a danger to society and my children.

As a citizen I have a right to demonstrate against policies that I disagree with. It's my right to speak against oppression and hold public assemblies and engage in dialogue. These are actually all constructive things, and positive ways of dealing with our current global situation.

They just wanted me to shut up. The message was: if you don't shut up, we will take your kids.

But they really have nothing to go on. There's really absolutely nothing to prove the "signs of radicalisation". "Signs of radicalisation" simply don't exist. There's no characteristic that you can spot to determine who is dangerous and who isn't.

But for them, number one is that you are Muslim, that you pray five times a day, and you have political opinions. If my children were to grow up, pierce their bodies, put tattoos all over themselves and worship Satan, that won't cause an intervention - but if my daughter wears hijab, and my son grows a beard and wears a thobe, that is a cause for concern.

My children, because they are my children, they are already a potential threat to the state. They are somehow future "terrorists". It's really sad that they have to grow up with this assumption.

Yes, I won the case, and the social services and police left with their tails between their legs, but

they can't bring back three years, the isolation and rejection from some friends and family, the damage, and obviously the shadow of all this on our lives.

Your hope and faith keep you going. How else can you carry on? You can't continue.

Until we see the bigger picture of where this can go, we won't get far. I hope my case will help others, that it sets a precedent that will benefit others. Even if you're put under the knife, with Allah's help, you can still slip out.

GHADA'S FATHERS STORY

THEY TOOK MY TEENAGE DAUGHTER AND TRIED TO REMOVE ISLAM FROM HER LIFE

I have eight children, who are all home-schooled. I am a qualified practitioner in natural medicine and I used to run a cycling club that was also affiliated to my local authority.

In 2014, my one daughter was in contact with one of the ladies in Turkey and Syria without my permission. She (my daughter) wanted to study medicine abroad, so these women had got in touch with her on social media.

They tried to convince her to go join IS. She said, no, I am sorry I can't because I don't want to come; I want to qualify as a doctor. They said to her: "Come here, you can study and qualify in four years."

So she left without my permission. The day she disappeared, she was gone from the house for more than an hour. My children are all close to me, we are always together, so when this happened I said to my wife: "Where is she?" She said she had gone to the library.

But when we went to the library, she wasn't there.

We called the police. I told them my daughter had disappeared. They took the details and traced her. They brought her from the aeroplane. I went to get her at 12 o'clock at night, then I took her home.

I said to the police: "I need your help."

They told me, "Thank you very much, we are so proud of you."

I thought that it was finished, that I had done the right thing and that the authorities would help us.

SOCIAL WORKERS TURNED ON US

I came back home and we spoke to my daughter. She explained what had happened and she realised she had made a big mistake. From then on, we helped her to concentrate on her exams, on her GCSEs. She did well; she got straight As.

Then suddenly after three months, after I had asked them to help me, the social services turned around

and they told me I was not fit to parent the children. I was shocked.

I contacted the solicitor. I met with him, but the social worker created a big problem for me.

They were very rude to me. After the Charlie Hebdo attacks, one of them, who works for PREVENT, asked me which one of my children applauded the attacks. It was very rude.

They interviewed the children, including my son who was 7 at the time. They talked to him alone, which is totally unacceptable. They also interviewed my daughter by herself. My kids told me that they were desperate to get information about me and my wife.

I had gone to Gaza with George Galloway. They were using this. Galloway doesn't get into trouble, but as a Muslim, they were punishing me for taking aid to the Gaza people.

THEY RAIDED MY HOME AND SAID MY MEDICAL EQUIPMENT WAS BOMB-MAKING MATERIAL

Another three months later, they came back. This time they told me I had a big connection to IS. They thought I was planning to plant some bombs. Really, I got the solicitor again after this.

But they came to our house and they took us to

prison for a couple of hours. They separated us and put us in cells, for about 24-30 hours. My daughter was in tears because she was 14 years old.

They interrogated my son, who was 15, with no lawyer present. He was asked about his relationship with us, whether we pray five times a day and other questions about our religious practice, and whether I punish them physically.

They interviewed us for almost six hours each. They were filming and questioning us. They asked me all kinds of questions. They checked my computer and they found that we wanted to buy kitchen knives, and they said we were buying kitchen knives to kill members of Mi5.

I said, "This is not making any sense."

As part of my business, I planned routes for cyclists. I did a route through Vauxhall, and my daughter also did this route. They said this was proof that she was planning an attack on Mi5.

After the prison, they took us to the hotel, and they raided my home. They even took out the sink to look for bombs. They took my computers and all my equipment that I use for natural medicine.

Among the bomb evidence they said they collected was my pressure cooker with a tube protruding out from it. This is a homemade distiller used to extract

oils.

They still have this equipment and my computer. The juTe asked why they kept the hard drive for so long. They said it's full of videos of "extremist" material. But the material was from my cycle routes.

Even the photos from the trip to Gaza I put on CDs, pictures of destruction and civilian deaths, and they said this was "IS videos", but they gave them back.

They told me I was library of terrorism, that I am full of hate for democracy.

"WHY DON'T YOU HAVE A TV TO INTEGRATE THE CHILDREN?"

They raided the house twice, then they came back to take my daughter. They said they had good evidence that she was ready to kill the people in the street.

During the proceedings, the court maintained that I guided the three Bethnal Green girls to go to Syria in my area. The case for the removal of my daughter took place in that context.

You see, the bar for the state to prove its case was low. At that time, everything was crazy. They would rather make a mistake than take a risk. In this environment, it's easy to take children away.

We then found ourselves in court with the a juTe I call, un-Justice Hayden. [laughs]

One of the questions he asked me was; "Why don't you have a TV? Why don't you have a TV to integrate the children?"

I didn't have a TV because I didn't have the money to buy one. They forced me to have TV, and even in the news, all the journalists were saying, thank goodness you have a TV; now you can integrate. My wife's family is Christian, and they have no TV. But nothing is said about this.

Anyway, the kids loved it. They watched Tom and Jerry day in and day out and we watched cricket. [laughs]

But he also said some terrible things to me. He told me I was "faithless". He told me I was like a "Jekyll and Hyde", and accused me of lying all the time, and of secretly radicalising my children.

I am not silly. I take responsibility for my children, and of the family. All my children are home-schooled and they all passed with As before all this happened.

When we told the juTe about their academic achievements, he was surprised. We even got a reward from the mayor of Tower Hamlets.

The juTe was very biased.

In court, I found myself thinking that these people really hate Islam. They didn't listen to anything I had to say. Even on my social media, I was writing against IS, but when the juTe saw this, he just said: "You are a liar."

The media coverage also didn't help. The newspapers were saying all these things and worse.

MY DAUGHTER'S STORY IS WHAT "DERADICALISING" LOOKS LIKE

The juTe decided that my daughter had to be taken into care. He took my daughter.

My solicitor said that she should go to a Muslim family. They told me, no, the Muslim family will brainwash her again. So they put her with a non-Muslim family.

When they took her, my daughter was crying. The lady that was going to foster her said to her: "Don't worry; we have a nightclub around the corner, and you can go there, and you will be happy."

When they took her, I said to her: "You remember your religion."

I am telling you, based on my experience, they are

wanting to pull the children out of Islam.

Later that evening I was attacked on the street by a group of thugs. They said I had bombs in my bike tyres. I had bruises all over and especially on my neck. I reported it to the police, but even now, nothing has come of this. I believe the authorities instructed the attackers.[u1]

When my daughter was with the foster family, she didn't go to school as no school wanted to take her because of all the media around the case, and she didn't do any exercise either.

The case affected all my children, because after they reached GCSE and I tried to put them in a school, they told me the kids would brainwash other kids and they couldn't go to school.

They really isolated us. The local authority was really watching us closely all the time.

When my children eventually did go to school, they failed the exams because they had missed out. The head teacher was very rude to us.

This period was very difficult. When I went to visit my daughter, which they allowed me to do once a week, I saw they were smoking cigarettes and there was a smell of bacon cooking.

As a family, we eat healthy food. We don't eat

processed food. When I saw her, she was pale and she was putting on weight. I asked her: "What kind of food are you eating?" She opened the friTe and it was all just processed food.

She used to cry a lot.

During these visits I was not allowed to speak Arabic to her. Someone would stand with us. Even when I went to the toilet, someone would go with me. I had to leave the toilet door open.

I took her to the swimming pool once a week, just to get some exercise. She has asthma and she suffered very badly because she got such a poor diet and no exercise. She was so sick.

Even the doctor, when he checked my daughter, he said there was no threat from us. He submitted this report. But when he sent this report to the social worker, they didn't accept it.

After a year, the social worker eventually admitted that they had made a mistake. The court records admitted that she felt isolated and desperately wished to return home. The juTe was forced to say that it was the best thing for her to come back to us.

When she came back, her character had changed. She was very different. Her clothing was different. The environment was very bad for her.

But when she came back, the social worker made a big speech and they said, "She's much better." She said it like they had achieved their goal – she never read Qur'an, and she never associated with any Muslim person.

But they admitted that she was in poor health. They offered me 200 pounds compensation.

NO INCOME, NO PASSPORT, NO APOLOGY - BUT MY DAUGHTER IS BACK

In my view, social workers are trying to take our children out of Islam, and they are doing it while making an income out of us.

Really, I am fighting for my dignity and the dignity of my daughter and family, and they are fighting for their wages.

After a very long process, and many reviews, eventually a final review by <insert name> Hassan led to the whole thing being closed at last. He said that we did not have any "extremist" beliefs.

But it was too late. My daughter had been away for a year and it was very traumatic situation.

Alhumdullillah, my daughter is better now. She is studying to be a doctor and she is reading and memorising Qur'an. When he heard this, the juTe

was so annoyed with me.

I would say to Muslims: never trust a social worker. They use you for their wages and they tried their best with us. My case was finished, twice, but they tried always to stretch it. My case shouldn't have gone on for more than six months, but they stretched it for two years.

Any Muslims, I would say don't trust social workers and don't trust PREVENT.

In the last meeting I had with the social worker, they told me, that I have now come back to my sanity, as if they had finished deprogramming me.

My daughter is still in wardship of the court, but she is living with us. The social workers are still providing mentorship, so if she needs help and she can contact them.

But I can't get a job. Last time I was interviewed for a job, they called me and said: "We're sorry; we can't take you because there is pressure."

I said: "What pressure? From who?"

They wouldn't say.

But as Muslims we have hope. I used to console my wife, and say we must not be concerned, because these are plots and plans of people. They

are all under Allah's plans. The most they can do is implement the will of Allah and everything is in His hands.

I would like to tell any Muslim brothers and sisters that if they have the same problem as me with these people, they must simply make dua, and leave it up to Allah.

AHMED'S STORY

HOW A SCHEDULE 7 STOP SPIRALLED INTO A FIGHT TO KEEP MY FAMILY

My wife and I and our three children, who were 9, 8 and 5, were arrested on 11 January in Turkey while we were on holiday. We were arrested at our hotel and we were on our way to the pool. I was in my swimming trunks and my kids in their floaties. We had no idea why we were being arrested.

We were separated in prison. When I asked why they didn't let us go in time for our flight, they said they were afraid they were going to get into trouble, because by then they realised they'd made a mistake with us. My brother and CAGE were also trying to look for us.

We heard later that the Turkish authorities all denied where we were, and the British denied that I had been arrested. It's easy to see how people disappear.

Eventually, they came to some sort of agreement with Britain and we went home. When we landed, about 11 security officers came in and took us off

the plane.

Again, they separated us. They separated me and my wife, and they took our children separately. We didn't really know what was going on, and we tried to explain that all of this was a mistake.

But they questioned us all for about five hours. They asked me all about my beliefs. Mine have changed over the years. I have been a practicing Muslim from age 21, and I have moved from a Hanafi background to a Sufi background, then I went on to study more contemporary studies. So, my views have changed. Now, I like the idea of left-wing politics.

The whole time, they wouldn't give us much information about our kids, or what they were doing with them. It was very stressful. We asked about them. They kept saying "The children are so talkative, they have given us so much information".

But I knew this was a lie, because we don't talk to our kids much about politics. They are too young for those things.

But they asked the children other questions. They even asked my daughter if we hit them, and if we leave them in our home alone. We don't do either of those things, so the answer was always no.

Still, the Schedule 7 stop went from terrorism, to incitement to terrorism, to whether we left our kids alone in the house.

After we picked up our technical devices from the police a couple of weeks later, social services told them there was cause for concern regarding our children and ability to care for them.

Social workers came to our home and tried to question the children alone

We were surprised. It had been clear that there were no concerns about extremism and so on after the Schedule 7 stop. They had seemed to be satisfied that we were not a threat.

But social services came to my house. When they did, they asked the children all types of questions about life at home, what we do, what we say, what we watch.

They wanted to speak to the children alone, but my wife and I wouldn't allow it. I argued that they'd had a time limit in which they had to intervene. We had looked at the law, and my wife had seen that based on the Schedule 7 law, they had three or four

months to intervene after a stop.

If it was such a concern and risk, why would they only have intervened with us six months down the line?

I had my solicitor with me. When the social worker came, and she saw the lawyer, she quickly shoved her papers away. She didn't want the lawyer to see. Because the solicitor was present, we said they had no right to intervene six months later. So, she left.

A bit later, we got a letter in the post, from the head of social services in Tower Hamlets, who was present at the airport at Schedule 7.

This letter said they wanted to take us to court. It said there was a special procedure, that it would be forced on us, and that it meant there would be a court order.

They told us they have cause for concern, one of which was the risk of flight. This, even though we voluntarily handed our passports over! That was weird.

To top it all, my son, who was 8 then, had been diagnosed with cancer and had spent three months in intensive care. He was in hospital and he'd had a cardiac arrest. They were aware of that, and yet they still said we were at risk of flight!

WE FELT LIKE ALL THE HOSPITAL STAFF WERE SPYING ON US

My wife and I like to question everything, and at the hospital, we had asked the doctors lots of questions about our son's medications - and that, they said, was a concern for them.

We missed one appointment, and they brought that up. But we had missed the appointment, and before we had phoned and rescheduled and we hadn't missed the second appointment. But this just shows that the doctors and nurses were also co-operating with them.

But you see, these were petty things. We could tell they were looking and looking – because they couldn't find anything: there was no extremism, no problems with parenting and so on.

When they asked about why we questioned medications, I asked the head social worker if she would do the same thing if it was her child. Her face just went red. So, they took that bit out.

My wife and I fought them. We argued and argued. We even asked them how my kids would be a risk if they had already been questioned and there had been no concern then.

We asked for the report of that five-hour questioning under Schedule 7 and to this day

they haven't given it to us. It's because they have nothing. Because there is nothing.

Anyway, after this meeting we agreed for them to come into the house again. We did not allow them to interview our kids in a private room. We were in the living room and they were in the dining room, and the two rooms are joined.

She told them to draw three houses, a sad house and angry house and a happy house. They had nothing to put into the sad and angry house. Alhumdullilah, they could only draw the happy house. When she asked them about the sad and angry house, they said they didn't have anything to show.

But they went on. They said: "We don't have experience in religion, so we need a specialist to assess you and your children".

We had cooperated all along but this was far too much. We said, to hell with it. This is garbage. We fought and fought.

We said, there's no way they need to see a specialist. Eventually we agreed that the specialist would only assess me and my wife. So, they presented us with two options: there was an assessor who had a Bareilvi background, and then there was the guy who had basically engineered the ERG22+.

We said no way. They said, if you don't agree, we will force it on you.

At this stage, we contacted CAGE. We also kept rejecting the assessors they were sending us, because we knew their background and ideas, and we would have had our children removed for sure.

By then they realised that my wife and I are quite strong minded.

Finally, we agreed on an assessor. He came in and spent two days with us. He looked at our house and the books we were studying and after he put his assessment through, the social workers dropped the case.

The assessment said there was no cause for concern. Alhumdullillah.

OUTCOMES AND ADVICE FOR OTHERS

It was very stressful. My wife and I lost a lot of sleep.

On top of this, we were also dealing with a child diagnosed with cancer. We were staying in a hospital, every week, two days in hospital. Then we had social services, calling us, and hospital social services watching us. They were all reporting on us, all of them.

We couldn't relax, and we were under watch constantly. It was a constant worry. When hospital staff overhear something out of context, then they look at you the wrong way. I was always nervous. I was always worrying about what the nurses were saying to my children. We have nothing to hide, but still I was so worried that my children would say something that would be misconstrued.

We felt like criminals.

But my wife is very strong, and she would fight with them. She is very strong.

Alhumdullillah everything was dropped and as soon it was dropped it was a great relief.

When you are faced with these things, you have to be united as a family.

You should both, mother and father, have different solicitors. Also, you shouldn't always take the solicitors' advice. Sometimes you have to be a bit argumentative even with them.

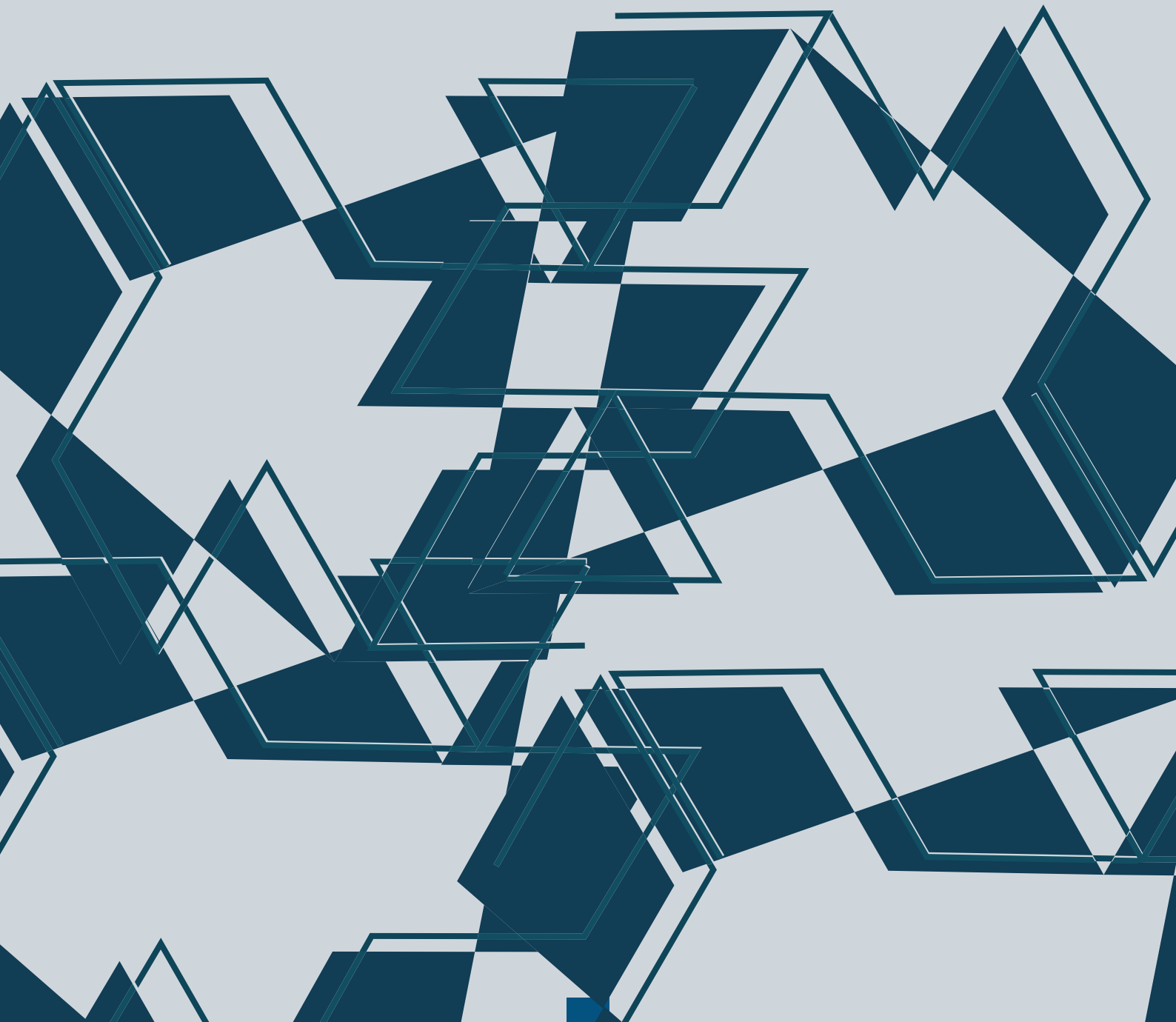
Work with lawyers, work with human rights groups, and work with Cage.

In the end Allah is in control. You do your best, and He grants success.

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