

The Rt Hon James Cleverly MP
2 Marsham Street
London
SW1P 4DF
United Kingdom

By email only: james.cleverly.mp@parliament.uk

Dear Home Secretary,

We, the undersigned organisations, write to you to express our concern about how the police and other public bodies collect, handle, share and store personal data as part of the 'Prevent' counter-extremism strategy.

On 6 February 2024, Rights & Security International published information obtained through a freedom of information request indicating that the National Police Chiefs' Council (NPCC) was unable to collate race/ethnicity data for 33,116 out of the 51,204 referrals of people to the Prevent counter-extremism programme between early 2015 and early 2023 because the NPCC did not have, or could not easily retrieve, the data.¹ This information was based on responses to a freedom of information request and subsequent complaint to the Information Commissioner's Office (ICO) by RSI, as well as figures for Prevent referrals that the Home Office publishes annually.

In 2023, the Home Office told RSI that there is likewise *'a lot of missing data'* regarding the race/ethnicity of people referred from Prevent to Channel, and further stated: *'Our case management data is based on the ethnicity of the individual as recorded by the case officer. It is not based on self-defined ethnicity. The data may therefore not always be accurate since it relies on the assessment by the case officer.'*²

Human rights and civil liberties groups have long raised concerns about Prevent's harmful impacts, and particularly its impacts on British Muslims and Muslim communities. In our view, Prevent inherently violates human rights, as it entails the monitoring of – and creation of large quantities of police files recording – people's beliefs, opinions and lawful expression. We note that under human rights law, the freedoms of thought, belief and opinion are absolute, while the government is only permitted to interfere with expression or religious practices if the interference is *'prescribed by law and ... necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.'*³

¹ See Rajeev Syal, 'Police failed to record race of nearly two-thirds of people referred to Prevent' (*The Guardian*, 6 February 2024): <https://www.theguardian.com/uk-news/2024/feb/06/police-failed-to-record-race-of-nearly-two-thirds-of-people-referred-to-prevent>.

² Rights & Security International, 'Rights & Security International raises concerns about Prevent and Channel referrals data on race' (*Rights & Security International*, 6 March 2023): <https://www.rightsandsecurity.org/action/advocacy/entry/rights-security-international-raises-concerns-about-prevent-and-channel-referrals-data-on-race>.

³ European Convention on Human Rights, Articles 9-10.

We note further that under UK data protection law, information about a person's race/ethnicity, religious or philosophical beliefs, or political opinion constitutes 'special category' data and is subject to heightened requirements for lawful collection and processing.⁴

Insofar as Prevent inherently violates human rights and therefore should cease operation altogether, it should not entail the collection, storage, sharing or other processing of any personal data, let alone 'special category' data.

However, as long as Prevent exists, it is not open to the government – including both the public-sector entities making the referrals and the police forces compiling them – to collect sensitive data inaccurately, without justification or on an inconsistent basis.

It is also unclear how your department can claim that Prevent '*does not target any one community, group, or ideology*' when it does not collect the data it requires to make this assessment.

In a 2011 equality impact assessment (EIA), the government expressly stated that it should and would closely monitor the impact of Prevent '*in terms of race and religion*', including by putting in place an appropriate system to collate and monitor the relevant data in all cases. This is the most recent EIA for Prevent of which we are aware.⁵

Evidently, no such monitoring has taken place – nor could it, with such a vast information gap. In fact, the National Police Chiefs' Council told RSI that it would take over 5 years for the body to collate the data it may hold about the race/ethnicity of people referred to Prevent.⁶ It is unclear why the government has apparently ignored its 2011 commitments to monitoring Prevent for its discriminatory impacts.

We call on you to investigate and explain how these apparently haphazard data handling practices arose; end those practices; and immediately make the necessary plans to review the compliance of Prevent with equality and data protection laws, as well as the Human Rights Act 1998.

Yours sincerely,

Rights & Security International
ACCOUNT (Hackney)
Amnesty International
Community Policy Forum
Defend Digital Me
Institute of Race Relations
Liberty
Medact
Muslim Council of Britain (MCB)
Open Rights Group
Prevent Watch

⁴ Data Protection Act 2018, ss.10-11.

⁵ HM Government, 'Prevent Strategy: Equality Impact Assessment' (June 2011), p. 12: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/97979/pr-event-review-eia.pdf.

⁶ Rights & Security International, '1,350 working days to assess racial impact of Prevent; police data missing, Independent Review silent' (*Rights & Security International*, 6 February 2024): <https://www.rightsandsecurity.org/impact/entry/1350-working-days-to-assess-racial-impact-of-prevent-police-data-missing-independent-review-silent>.