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**Draft Response of the Sikh Community to the Government's Consultation Paper on Proposed New Powers to Prevent Extremism in Places of Worship**

1. The Sikh Community wishes to express serious concerns about the new powers proposed in the aforementioned Consultation Paper.
2. While the Sikh community recognises and empathises fully with the Government's duty to deal with acts and causes of terrorism, the Sikh community also shares, along with the rest of the British people, the desire to maintain cohesion, unity and a sense of common belonging when dealing with such issues. The Sikh community is extremely mindful of this balance. It supports all measures to deal effectively and fairly with the menace of terrorism without damaging the healthy multicultural cohesion of New Britain. Our concern however is that the Government's proposals targeting places of worship for special action and action will damage this balance and give rise to mistrust and fear between sections of British society.
3. It is the Sikh view, consistent with the social philosophy of Sikhi, that inclusiveness is the most valuable and productive weapon in marginalising and destroying terrorism from within society. And we also accept the intrinsic necessity of legal powers to promote inclusiveness and at the same time effectively stamp out and deal with terrorism as well as terrorist suspects.
4. As you will be aware, Sikhi does not support any forms of violent actions that disrupt the harmony of societies, that result in injury or death of innocents or that are against democratic societies or actions that seek to introduce hate and fragmentation of mixed societies.
5. Sikhi promotes peace, welfare of all humanity and plurality of beliefs. As part of our daily liturgy we pray for welfare of all humanity and peace among people.
6. Sikhi believes in non discrimination and respect of all communities and individuals to their form of belief in the manner they practice their belief. Accordingly, the Sikhs feel that places of worship and community spaces are sacred in themselves. We believe that this sacredness and the special place of every community should be respected in the interest of pluralism and cultural cohesion within the wider community.
7. We also believe that the State has a responsibility, shared by the communities, to put adequate resources into monitoring and maintaining information about activities. We support policies which encourage institutions to assist state officials with such information.

8. However we are firmly of the view that policies and legislation that seek to target and place in a special category places of worship are particularly unhelpful to community cohesion and inclusiveness. They display a lack of sensitivity about the very communities that the government wishes to learn more about. We further consider that laws specifically targeting places of worship will give wrong impressions, be counterproductive and incite fears and mistrust about religious places within the wider community. The damage is likely to be to the social fabric of British society in which ethnic minority communities play such an important part.
9. The Sikh community, as all communities, has several incidents of suffering and struggles in the history of the community which are commemorated annually without impacting on the wider public or the State. There is concern that the legislation could be used to restrict services and programmes that have been part of cultural and religious memories.
10. We consider that any measures designed to bring to light or control terrorist activity in religious places of worship should keep the aim of community cohesion very much in mind. They should also show full respect and reverence for places of worship. We feel that the proposed measures do not reach this standard.

**11. We make the following specific comments on the proposed measures**

12. In para 2 the Consultation Paper states that the issue of terrorism is a matter on which ‘communities themselves had asked for support. We make it clear that the Sikh community has not asked for any such ‘support’ nor needed such support. And we suspect that, at most, what this statement means is that part of the Muslim community may have asked for support in one or two isolated incidents. That is a matter on which the Muslim community can best comment. In any case, ‘support’ does not extend to legislation, let alone unnecessary and disproportionate legislation which can be perceived as oppressive. If the objective is to provide early warning systems in respect of potential terrorist activity in a few isolated situations, we believe that other methods exist of helping the relevant community to deal with such issues. If the chosen approach is to attract the trust of communities they should truly merit the description ‘support’ and should not be exercises in what can be perceived as state control of the places of worship of communities. Support can be delivered in many ways and we would urge the Government to enter into a dialogue with communities to develop such strategies.
13. In Para 6, the Paper itself rightly recognises that most attempts to infiltrate places of worships by ‘extremists’ would be robustly dealt by the faith communities themselves. This recognition demonstrates that the Government’s proposed response is insensitive besides being heavy handed, unnecessary and disproportionate. If in reality the perceived problem relates only to one or two mosques (if any), then we can see no need for the proposed legislation. In this context, the statement in Para 7 that there is a potential problem of extremism for all communities in the UK, including the faith

communities is extremely worrying. It is no more than a speculative statement which could have the unintended effect of scaremongering and building on the fears of right-wing tabloids rather than on hard evidence. Crucially, it fails to develop a positive, inclusive and enabling response but concentrates instead on resorting to control. The Government's reference to a few high profile cases is an inadequate evidential basis on which to build a legislative policy which is likely to damage trust and confidence between the government and faith communities and between faith communities and British society as a whole.

14. We are also concerned at the way in which the Paper uses phrases such as terrorism, extremism and radicalisation as if all of these meant the same thing. The only legitimate target is activity which violates the law, especially the criminal law, of the land. If small sections of communities are 'radicalised' or are 'extremist' in the Government's eyes then care must be taken in understanding what that means. We ask the Government to make this clear. We fear this gives the impression that the proposals are driven by a desire to control dissent, thoughts and beliefs which may be unpopular with the Government rather than what are a commendable desire to stop terrorist activity in its early stages.
15. Para 11 refers to disenfranchisement of ordinary worshippers by the take-over of a religious institution by a few extremists. In the case of those institutions which are registered with the Charity Commission, powers already exist and are being extended (as para 13 of the Paper confirms). And in any event, the Attorney-General can always act in protection of charities. We fail to see the need for the proposed powers. Para 14 also states that active collaboration between charities and terrorist organisations is a police matter. This further acknowledges that the police have a role to play in maintaining good relationships with religious institutions perhaps through greater use of liaison officers and liaison committees. And if there is evidence available of criminal activity, there are more than enough criminal law powers already on the statute book.
16. Paras 15 and 16 deal all too briefly with the panoply of powers currently available to deal with terrorism. The Terrorism Act 2000 provides a large number of powers which could easily be invoked to deal with the problem of potential terrorist activities taking place in religious institutions. For example, membership or support of proscribed organisations is already illegal to name but only two of the many offences that have been created.. There have been more and more powers in several pieces of subsequent legislation such as in the Anti-Terrorism Crime and Security Act 2001, the Prevention of Terrorism Act 2005, and the current legislation going through Parliament. The government has yet to convince us, with demonstrable evidence, that these existing powers are inadequate. If new or additional powers are to be claimed and if existing arrangements are deemed to be inadequate then elementary consideration for the communities whom the Government wishes to support demands that evidence must be produced to show that existing powers have been tried and found to be ineffective.

17. We note also that Para 9 seeks to assure that any new powers would be used as a last resort. With great respect, intention and practice do not always match when such claims are made. We note the unhappy experience of the s.44 of the Terrorism Act 2000 and its overzealous use by some officers to stifle legitimate political dissent.
  
18. As to the proposed power itself, it is as vague, unspecific and as open to abuse as the much-maligned s.21 of the Anti-Terrorism Crime and Security Act 2001 on the basis of which the government claimed powers to indefinitely to detain suspected terrorists. The standard of ‘reasonable belief’ is a subjective standard normally used in the criminal law simply to arrest someone. It is less than the standard of evidence required to charge someone (prima facie evidence) and much less than the standard of proof required to convict (beyond reasonable doubt). The claimed reasonable belief will no doubt rely on the use of evidence which the Government will not wish to disclose in an open criminal trial. We find this a slippery slope down the road to further denial of the full criminal process. If the government has evidence of ‘extremist behaviour’ in religious institutions (i.e. behaviour which the police reasonably believe to amount to support of a proscribed organisation) then why is a criminal prosecution for such support not the proper route? Why is it that upon the reasonable belief of the police those controlling a place of worship come under an obligation, enforceable through the criminal law, to take steps designed to inhibit such behaviour? This process simply avoids the primary responsibility of the police to prosecute those whom the police believe to be guilty of such behaviour. We note that the reason in the Consultation Paper given for not prosecuting is that it is sometimes difficult to identify the individual causing the problem. We find this extraordinary and as such a completely untenable justification for the proposed power. Problems of identification occur in all areas of the criminal law. They have to be overcome by normal rules of evidence. And if the problem is the lack of evidence then strategies ought to be put in place such as better liaison between police and faith communities so that greater trust is built between communities and the police and the evidence more readily comes to light.
  
19. We are troubled that the Government has not explored ways of devising strategies which do not involve creating yet more legislation. The proposals show indifference for their potentially damaging effect not only on community relations between the Muslim community and the police but also on other relations between other faith communities and the wider society.
  
20. We urge the government to work with faith communities in devising other non-legislative strategies which enable early warning of potentially terrorist activity in a small handful of religious institutions.

#### The Consultation Questions

21. Our answers to the Consultation Questions are we hope sufficiently clear from the above. However, we briefly summarise as follows:

- A. We consider the issue of places of worship being used to foment violent extremism to be a minor problem which is restricted at most to a tiny handful of mosques if any. Effective legislative measures already exist to deal with this and have not been demonstrated to be ineffective. The proposed measure is wholly disproportionate and unnecessary.
- B. What is required however, is that there be greater support of those faith communities experiencing this problem (in reality this is only the Muslim community). That support should be targeted in the areas which most need it, it should be given in a way which builds bridges between the communities and the police and encourages greater liaison and supply of information.
- C. No case has been shown to exist in support of the Government's specific legislative proposal set out in Paper and we are firmly of the view that the proposal damages the respect in which the places of worship of the faith communities are held and their place in society.
- D. This question does not arise as we are firmly against the legislative proposal.
- E. We reject the idea that authorisation from a senior police officer would be an appropriate safeguard to the proposed new power. History amply demonstrates a tendency to misuse and abuse of such powers which lead to greater problems