



*"To be at the heart of safeguarding excellence"*

## **Factsheet –By Marisa de Jager**

### **IDENTIFICATION, INFORMATION SHARING AND RESPONSE TO PEOPLE ‘VULNERABLE TO RADICALISATION’**

#### **1. Introduction**

1.1 The purpose of the PREVENT Strategy is to stop people becoming terrorists or supporting violent extremism in all its forms. The strategy has three objectives, one of which is to prevent people from being drawn into extremism and ensure they are given appropriate advice and support.

1.2 This prevent guidance is intended:

- To provide guidance to professionals who have concerns expressed to them or have the concerns themselves in relation to any person, child or adult, who may be at risk of being adversely influenced or radicalised by any extremist group or ideology.
- Provides a mechanism for assessing and advising on the support that can be provided to protect those at risk of being targeted by extremists.

1.3 Unlike persons who fall within existing statutory frameworks, this guidance relates to persons who are at the early stages of becoming a person Vulnerable to Radicalisation or at risk of being influenced by Extremism.

#### **2. Key Elements**

This guidance uses existing collaboration between the Police and statutory partners such as Children’s Services, Education, and Adult Social Services, 3<sup>rd</sup> and voluntary sector as well as the local community to:

- Identify individuals at risk of being drawn into violent extremism
- Assess the nature and extent of that risk
- Develop the most appropriate support for the individuals concerned

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### 3. Referral Process

This could be through information received by the Police or partner agencies following an arrest or investigation that has not led to a charge or prosecution. It could relate to friends or family of an individual under investigation.

The concern could be expressed by a parent, sibling or a friend of an individual. Similarly a professional or a volunteer may pick up on concerns that a person is showing signs of being radicalised.

### 4. Information sharing:

**The following principles should guide information sharing:**

- **Power to Share** - the sharing of data by public sector bodies requires the existence of a power to do so. This may be a statutory power relevant to the agency's statutory function, or an implied power based on the agency's common law function. The power may exist under specific legislation and may be different for each agency depending on their function. It is the responsibility of each agency to consider whether *in this particular case* the sharing of personal information is consistent with their powers and function as a public sector body if under the age of 18 Sec 47, duty to co-operate.
- **Governing legislation** – for all bodies sharing personal information (private, voluntary or public sector) it is necessary to satisfy the requirements of the Data Protection Act, the Human Rights Act and the Common Law Duty of Confidentiality.
- **Consent** – Before any agency/group seeks consent from the person of concern this must be discussed at an enquiry assessment stage and a decision made on whether consent is to be sought and by whom. Obtaining consent can in itself prejudice the purpose of the Channel process and certain considerations must be taken before any agency seeks consent.

Obtaining the informed consent (and in the case of sensitive personal data, explicit consent) of the person of concern will satisfy the requirement under data protection

to identify a condition for processing, and to override the duty of confidentiality and Article 8 of the Human Rights Act. However, for consent to be valid it must be:

- freely given
- based on clear information provided to the person of who will be involved in the sharing of the information and the purpose for the sharing
- capable of being withdrawn

There may be reasons why consent cannot be obtained:

- Seeking consent may adversely affect existing engagement and relationships with the person of concern and may lead to them withdrawing from existing contacts.
- Seeking consent may inhibit the ability of agencies/groups to put in place support and risk management measures
- Some agencies may not wish it to be known that they hold information about the person.
- The person of concern may not be capable of understanding what they are giving their consent for, or may refuse

Before any agency/group seeks consent from the person of concern this must be discussed with the xxx and a decision made on whether consent is to be sought and by whom.

Where consent cannot be obtained or where a party does not intend to rely on consent for sharing information, agencies/groups must establish the legal basis for sharing.

### **Sharing Without Consent**

Some agencies may be able to rely on specific legislation or the circumstances of the particular referral might engage specific legislation. If specific legislation does apply, this will satisfy the condition for processing and override the duty of confidentiality and Article 8 Human rights Act 1998.

- **Other Gateways** - in the absence of consent it is necessary to identify an exemption or a relevant condition for processing under the Data Protection Act 1998. Where a body owes a duty of confidentiality and (in the case of public bodies) must consider the Human Rights Act, it is necessary to determine that the level of public interest overrides the expectation of privacy.
- **Necessity, relevance and proportionality** - information should only be shared where it is necessary to achieve the intended outcome and is relevant and proportionate to it. Information should be selected for sharing on the basis that the agencies involved need to know that information in order to make informed assessment and decisions. Key to determining this will be the professional judgement of the risks to an individual or the public.
- **Non-discriminatory** – agencies must be in a position to evidence that their decision to share information as part of a Channel process is not discriminatory.

## 5. Identification

Below provides examples of indicators that might suggest vulnerability to violent extremism and which may therefore be useful in this process. It should not be assumed that the characteristics and experiences set out necessarily indicate that a person is either committed to violent extremism or may become so.

Similarly, the identifiers below are just some that may exist and it is not an exhaustive list.

- **Expressed opinions** – this could include support for violence and terrorism or the values of extremist organisations, airing of political or religious based grievances, unaccepting of other nationalities, religions or culture.
- **Material** – the following may be relevant:
  - Possession of extremist literature and imagery in hard copy or digital form

- Attempts to access, become a member of or contribute to extremist websites and associated password protected chat rooms
  - Possession of material regarding weapons and or explosives
  - Possession of literature regarding military training, skills and techniques
- **Behaviour and behavioural changes** – relevant changes may include withdrawal from family, peers, social events and venues; hostility towards former associates and family, association with proscribed organisations\* and association with organisations which hold extremist views that stop short of advocating violence in this country.

\* Proscribed organisations - under the Terrorism Act 2000 the Home Secretary has the power to proscribe – forbid by law – an organisation believed to be concerned in terrorism.

The below link gives details of each organisation proscribed by the UK government:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/400902/Proscription-20150123.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/400902/Proscription-20150123.pdf)

- **Personal History** – the following maybe relevant:
  - Claims or evidence of involvement in organisations voicing violent extremist ideology in this country or overseas
  - Claims or evidence of attendance at military/terrorist training in the UK or overseas
  - Claims or evidence of involvement in combat/violent activity, particularly on behalf of violent extremist non state organisations.