

# Commission for Countering Extremism launches a legal review to examine effectiveness of existing legislation relevant to hateful extremism

Lead Commissioner Sara Khan has appointed former Assistant Commissioner for Specialist Operations of the Metropolitan Police Service, Sir Mark Rowley, to lead the review.

The Commission's flagship report '[Challenging Hateful Extremism](#)' identified and evidenced a new category of extremist activity in our country, described as behaviours:

- that can incite and amplify hate, or engage in persistent hatred, or equivocate about and make the moral case for violence
- that draw on hateful, hostile or supremacist beliefs directed at an out-group who are perceived as a threat to the wellbeing, survival or success of an in-group
- that cause, or are likely to cause, harm to individuals, communities or wider society

The Commission gathered extensive evidence from across England and Wales, commissioned 19 academic papers and launched the first ever public consultation on extremism. Sara Khan visited 20 towns and cities and spoke to experts, activists and critics alike. Victims repeatedly told the CCE that they felt let down by the authorities and are concerned that existing powers are not being used effectively or consistently. For this reason, the report included a commitment by the Commission to undertake a review of law relevant to hateful extremism.

Sir Mark Rowley will conduct the operational review and engage with law enforcement experts to:

1. Identify whether there are gaps in existing legislation or inconsistencies in enforcing the law in relation to hateful extremism and
2. Make practical recommendations that are compatible with existing legal and human rights obligations.

Lead Commissioner, Sara Khan says:

As evidenced in my report, hateful extremism threatens our ability to live well together. From inspiring acts of violence and terrorism, to the incitement of hatred and hostility often aimed at those with a protected characteristic, extremists are having a devastating impact on victims, on cohesion in our towns and cities

and in undermining the social fabric and democratic norms of our country. Hateful extremism demands a response.

Yet despite this, our ability to counter repeat and persistent offenders is inconsistent and often ineffective. When extremists engage in terrorist activity, they are often caught by robust counter-terrorism legislation. But when they incite hatred, engage in persistent hatred or justify violence against others, extremists know they will not cross over into the threshold of terrorism. As a result, many extremist actors and organisations, whether Far Right, Islamist or other, continue to operate with impunity in our country both online and offline.

Extremists seek to restrict the rights and fundamental freedoms of others. They attempt to normalise and mainstream their extremist worldview which degrades our democracy and the values we hold dear. It is the state's responsibility to defend those rights and values and to do so in line with the rule of law.

This is why I am launching a review to examine the effectiveness of existing legislation. This is even more pertinent during the current pandemic as we see extremists propagate horrific material which seeks to blame and incite hatred and violence against other people in our society.

I look forward to working with Sir Mark Rowley and identifying what more we as a society can do to challenge hateful extremism.

Sir Mark Rowley says:

Extremism, hate crime and terrorism have all been increasing challenges for our communities and society as a whole. While I was in post as Head of Counter-Terrorism Policing for four years, I knew that we had strong counter-terrorism system, resources and laws in place. However, I increasingly realised that nationally we are less experienced and ready to address the growing threats from hateful extremists who encourage community tensions, the rise in hate crime and some to even become terrorists.

When Sara asked me to look from an operational perspective at whether the existing legal framework has gaps that allow extremist to flourish, I was initially cautious – not least because successive governments have tried to tackle this very problem, by proposing new legislation, and failed.

However, after some initial scoping I am convinced that the Commission's clarity of focus on 'hateful extremism' can help identify the gaps that exist at the boundaries of current laws, such as hate crime and terrorism, which are being exploited daily by extremists.

The Commission will engage with stakeholder groups, operational and law enforcement bodies in the coming months, and put proposals forward to the Home Secretary later this year.