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# THE GREATER LONDON EXPERIENCE: ESSENTIAL LESSONS LEARNED IN LAW ENFORCEMENT-COMMUNITY PARTNERSHIPS AND TERRORISM PREVENTION\*

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#### I. INTRODUCTION

Since the September 11, 2001 attacks on the World Trade Center and the Pentagon, United States law enforcement has feared the sleeper cell – a small group of individuals sent from abroad by a foreign terrorist organization to live quietly in Muslim neighborhoods in the United States and wait for the signal to initiate pre-planned terrorist attacks. More recently, in large part as a result of the July 7, 2005 London attacks, United States law enforcement has recognized that similar dangers may arise from homegrown militants who are either born or raised in the United States, and who operate with little or no support from foreign terrorist organizations. <sup>1</sup>

Information that would likely be most helpful to exposing these potential dangers lies in Muslim communities in a small number of United States cities. United States law enforcement, however, has been slow to reach out to them for assistance and guidance and develop meaningful relationships with them. Our research has shown that a significant reason for this disconnect is that United States law enforcement does not appear to know how to effectively connect with these communities.

British law enforcement is far ahead of the United States both in thinking creatively about building bridges to its Muslim communities and implementing community policing programs that produce constructive interactions between these communities and various branches of law enforcement. Because they began their efforts well before the July 7, 2005 London bombings, British law enforcement was able to see firsthand how their connections with the Muslim community, particularly in the

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<sup>&</sup>lt;sup>1</sup> See Small Terror Groups Pose Greatest Threat, Boston Globe, Aug. 16, 2007, at A2; see, e.g., Radicalization In The West: The Homegrown Threat, New York Police Department, available at http://msnbcmedia.msn.com/i/msnbc/Sections/NEWS/PDFs/nypd\_radicalization\_report.pdf (last visited Apr. 2, 2008).

Bradford/Leeds area of England, helped them quickly identify the bombers and develop leads that were critical to their investigation. In the wake of those bombings, British law enforcement has worked even harder to expand their community policing efforts with their Muslim communities. These efforts have proven fruitful on multiple fronts, including in August 2006, when a tip from the Muslim community helped British police thwart a terrorist plot to detonate bombs on international flights departing from London's Heathrow Airport. In short, British law enforcement is far ahead of our own in connecting with Muslim communities, even though Muslim communities in Great Britain are significantly less prosperous and more alienated from the mainstream than Muslim communities in the United States. The premise of this paper is that we have much to learn from what they have begun.

#### II. METHODOLOGY

Our research centered around conducting focus groups with law enforcement and community members in both London and Leeds, a town 3 hours North of London in the West Midlands area of Britain, and home of the bombers who committed the London subway attacks on July 7, 2005.

Our first meeting was a well-attended law enforcement forum held on May 16, 2006 at London's Reconciliation Center. The forum was organized by Tim Parsons of the London Police Department's Race & Diversity Unit, and brought together participants from the City of London Police Department, the Metropolitan Police Department (the "Met"), the Association of Chiefs of Police, the Met's Muslim Contact Unit, the Bureau of Transit Police, and a consultant to the Met on Muslim community issues. Our first community meeting in London took place with community members

and leaders of the London Central Mosque. Since the 1990s, the mosque has actively participated in interfaith activities, including numerous gatherings at London's Reconciliation Center, and a meeting where more than 300 Jewish rabbis and Muslim imams gathered together. Continuing in this tradition, following the 7/7/05 attacks, the mosque participated in a meeting at a London synagogue where Jewish, Muslim, and Christian groups met together for a recitation from their respective holy books for recitations of peace and love.

Our second community meeting took place at the East London Mosque with members of the Muslim Safety Forum, an all-volunteer, grass-roots organization composed of representatives of Muslim community groups, not imams, but just community leaders who meet monthly. Initially funded by the Home Office, the group evolved, and in 2004 became an independent community organization.

Next we traveled to Leeds and Bradford, where we were fortunate to spend a day and a half with members of the West Yorkshire Division of Police. With the coordination efforts of Robert Patterson, we were able to meet with members of the City and Holbeck Division, who operate in the City of Leeds, who spoke to us at length about the Division's approach to community policing. We also met with Jawaid Akhtar, from the ACC Partnerships, and Phil Read, Head of Community Safety who provided some "nuts and bolts" about community policing in West Yorkshire. We met with West Yorkshire Chief Constable Colin Cramphorn, who provided wonderful insight into his views on policing and running a large police division. Finally, we had the opportunity to meet with Detective Superintendent John Parkinson, lead detective in West Yorkshire for the July 7, 2005 attacks.

While in the United Kingdom, we also met with some of the key officials who also generously volunteered their time. While in London, we met with David Tucker, a member of the National Community Tension Team and a leader in the Association of Chiefs of Police (ACPO). While in Leeds/Bradford, we were fortunate to meet with Mohammed Ajeeb, former Lord Mayor of Bradford. We also had the pleasure of meeting with Officer Dave Normans, a former community bobbie in Leeds/Bradford.

After conducting our focus groups and individual meetings we researched the history of community partnership programs in the United Kingdom. We also conducted research on statutes that provided the foundation for community partnerships in the U.K. Finally, we conducted follow up research and interviews with some of our focus group participants.

#### III. THE MUSLIM POPULATION IN GREAT BRITAIN

The most recent United Kingdom census, conducted in 2001, was the first to include a question on religion. Approximately 3% of the population of England and Wales, roughly just over 1.5 million people, identified their religion as Islam.<sup>2</sup> This makes Islam the second largest faith in the United Kingdom after Christianity.

In terms of racial and ethnic background, 2.0% of residents in the United Kingdom are Indian, 1.4% Pakistani, 0.5% Bangladeshi, and 0.5% other Asian.<sup>3</sup> In contrast, in London, 12.1% of the population is Asian or Asian British. Of that 12.1%, 6.1% identified themselves as Indian, 2% as Pakistani, 2.1% as Bangladeshi, and 1.9% as other Asian. In fact, 45% of all non-white people in the United Kingdom live in London,

http://www.statistics.gov.uk/census2001/profiles/rank/ewmuslim.asp (Last visited April 2, 2008).

<sup>&</sup>lt;sup>2</sup> See United Kingdom Census 2001, available at

<sup>&</sup>lt;sup>3</sup> See Focus on Ethnicity and Identity Data, United Kingdom Office for National Statistics 1 (2005), available at www.statistics.gov.uk/downloads/theme\_compendia/foe2004/Ethnicity.pdf (last visited Apr. 2, 2008).

including 54% of the Bangladeshi population.<sup>4</sup> However, only 19% of Pakistanis reside in London, while 21% live in the West Midlands, 20% in Yorkshire and the Humber, and 16% in the North West regions of Britain.<sup>5</sup>

Moreover, unemployment in the United Kingdom was highest among non-whites.<sup>6</sup> For example, the unemployment rate for Pakistani men was approximately 11%, while the rate for White men was around 4%.<sup>7</sup> Bangladeshis reported the highest unemployment rate at 18%, while Pakistanis had the highest percentage of self-employment at 23%.<sup>8</sup>

Furthermore, the Bangladeshi and Pakistani populations are far younger than the rest of Great Britain -- 38% of Bangladeshis and 35% of Pakistanis were under 16. Yet, those groups also had the highest rates of "not good" health; Pakistanis had agestandardized "not good" health in 13% of men and 17% of women, while the Bangladeshis totaled 14% of men and 15% of women.

Finally, when asked to state their religion, 3.1% of England's population of 49.1 million reports that they are Muslim. In London, 8.5% characterize themselves as Muslim, which is the highest of any region in the country.<sup>11</sup>

The City of Leeds, located approximately 200 miles north of London, is the second-most populous city in Great Britain, with 715,404 residents. One report

<sup>5</sup> *Id*.

http://www.leeds.gov.uk/About\_Leeds/Statistics/Census\_of\_Leeds\_2001.aspx (last visited Apr. 2, 2008).

<sup>&</sup>lt;sup>4</sup> *Id.* at 3.

<sup>&</sup>lt;sup>6</sup> *Id.* at 10.

<sup>&</sup>lt;sup>7</sup> *Id.* at 9-10.

<sup>&</sup>lt;sup>8</sup> *Id*.

<sup>&</sup>lt;sup>9</sup> *Id.* at 2.

<sup>&</sup>lt;sup>10</sup> *Id.* at 11.

<sup>&</sup>lt;sup>11</sup> *Id*. at 6.

<sup>&</sup>lt;sup>12</sup> See Leeds City Council, available at

estimates that there are 75 nationalities represented within the city's borders. <sup>13</sup> Leeds is an ethnic and racial mix of Anglo-British, South Asian (mostly Bangladeshi, Indian and Pakistani), <sup>14</sup> Afro-Caribbean, and Jewish. <sup>15</sup> Indian, Bangladeshi and Pakistani immigrants and their children comprise the largest minority group in Leeds, with 4.5% of the city's population. 16 Leeds is home to approximately 30,000 Muslims, the overwhelming majority being of Pakistani and Bangladeshi descent.<sup>17</sup>

#### IV. COMMUNITY POLICING INFRASTRUCTURE IN PLACE BEFORE THE JULY 7, 2005 ATTACKS

While the community policing concept had been well understood and in practice in the United Kingdom for decades before the September 11, 2001 World Trade Center attacks, this tragedy spurred novel and unique efforts to enhance relationships between law enforcement and the various Muslim communities.

Chief Constable Colin Cramphorn (sadly, now deceased) of the West Yorkshire Division (the regional police department covering the region which includes Leeds) observed that, after September 11, 2001, the United States focused on preventing outsiders from coming into the United States to commit attacks, while the British focused on preventing homegrown terrorism. He observed that, during the Cold War, the British security services had focused on external threats from external enemies, and took their "eve off the ball" of homegrown terrorist threats. Local police, however, had continued

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<sup>&</sup>lt;sup>13</sup> See Tamara Jones, "Among the Young Of Multiethnic Leeds, A Hardening Hatred," Washington Post (July 20, 2005), http://www.washingtonpost.com/wp-dyn/content/article/2005/07/19/ AR2005071901784.html (accessed Feb. 22, 2006).

<sup>&</sup>lt;sup>14</sup> In the United Kingdom, the term 'Asian' typically refers to those from the subcontinent (i.e. Bangladesh, India, Pakistan, Sri Lanka, Nepal) and their British-born children.

<sup>&</sup>lt;sup>15</sup> See Craig Whitlock & Dafna Linzer, "Police Widen Probe of London Bombings," Washington Post A17 (July 14, 2005), http://www.washingtonpost.com/wp-dyn/content/article/2005/07/13/ AR2005071302361.html (accessed Feb. 14, 2006).

<sup>&</sup>lt;sup>16</sup> See Jones, supra FN 13.

<sup>&</sup>lt;sup>17</sup> See Whitlock & Linzer, supra FN 15.

to focus on local community threats and local problems, and the need for generating community-based intelligence. Thus the Cold War created an increased role for local police divisions that became highly beneficial after September 11, 2001.

While, before September 11, 2001, the Met, which polices metropolitan London, had traditionally handled all counter-terrorism investigations, after September 11, 2001, substantial efforts were made to increase the investigative capacities of law enforcement located in other areas. Senior officials from police divisions across the country were provided counter-terrorism training, which including training in investigation techniques.

Following September 11, 2001, the Met created a specialized unit called the Muslim Public Contact Unit (MCU), comprised mostly of Muslim officers who work in plain-clothes within Muslim communities. The MCU seeks to enhance community relations with local police and address community concerns by working with the Muslim community on problems large and small. Acting as a sounding board for problems and concerns raised by the community, the MCU has been widely hailed as a model of a successful community-police partnership. One example of the MCU's work occurred after the London Finsbury Park Mosque was closed after allegations that its Imam was galvanizing extremist ideology (detailed more below). The MCU played a critical role in resolving disputes between the community and law enforcement and ultimately in getting the Mosque reopened. The MCU has achieved success because its mission is to empower the community and to create the trust necessary to facilitate honest and constructive communication with the community.

After September 11, 2001, the Government Home Office also created the Muslim Safety Forum ("the Forum"), a joint project between the Muslim community and the Met,

whose primary goal is to work with the community on safety concerns and other issues. The Forum later became an independent community organization that continued to meet with the Met but declined all government funding to ensure that it retained an independent voice about matters of importance to the Muslim community. Through the Forum, members of the Muslim community developed good working relationships with senior police officers in the Metropolitan Police through their ongoing, sincere, and inclusive discussions designed to resolve a myriad of problems, complaints, and concerns. Forum members believe these trust relationships helped to calm the Muslim community in the wake of the July 7, 2005 London attacks and provided an important way to facilitate the exchange of information between law enforcement and the Muslim community during that time.

Apart from the MCU and the Forum, the Home Office has also established Local Strategic Partnerships ("LSPs") – non-statutory bodies designed to bring police together with community leaders from local public, private, community and voluntary organizations, generally at the level of District, County and Unitary Councils. <sup>18</sup> The LSPs work with the local community to coordinate identification and tackling of key issues such as crime, unemployment, education, health and housing. 19 Among the partnership programs the LSPs has worked with or overseen are programs focused on "Crime Reduction" and "Disorder Partnership." In the Muslim community, the community leaders involved with the LSPs typically include religious leaders, business leaders, and political activists.

<sup>&</sup>lt;sup>18</sup> See The Gov't Office for London, Local Strategic Partnerships, available at http://www.gos.gov.uk/gol/Local\_govt/LSPs/?a=42496 (last visited Apr. 2, 2008). <sup>19</sup> *Id*. <sup>20</sup> *Id*.

One of the keys to the success of the LSPs has been the amount of Home Office funding that has been made available to poorer communities for neighborhood renewal. The most deprived 10 percent of local areas have been eligible to receive Neighborhood Renewal Funds, but these areas could receive these Funds only if they had an LSP. <sup>21</sup> The premise has been that the desire for financial aid would encourage community leaders in impoverished neighborhoods to work with the police, set up a regular dialogue, and reduce the rate of crime. Of the 33 LSPs in London, 20 receive Neighborhood Renewal Funds. <sup>22</sup> Once they secure these Funds, the LSPs work to implement a local neighborhood strategy to secure more jobs, better education, improved health, reduced crime, and better housing. After the July 7, 2005 bombings, the lines of communication that the LSPs had previously opened between the police and Muslim leaders in Muslim neighborhoods were used both to assist the criminal investigation and to allay the Muslim community's concerns.

Another innovative program implemented after September 11, 2001 is the Met's Safer Neighbourhoods Program. Launched in April 2004, the program was branded as "a truly local policing style: local people working with local police and partners to identify and tackle issues of concern in their neighbourhood." The program involves creating teams of officers, typically "one sergeant, two constables and three police community support officers (PCSOs)," and sending them to work in the community on community problems. Each team is "dedicated to the needs of each specific neighbourhood, with the

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<sup>&</sup>lt;sup>21</sup> See The Gov't Office for London, Local Strategic Partnerships National Picture, available at http://www.gos.gov.uk/gol/Local\_govt/locgovnat/lostpanat (last visited Apr. 2, 2008).

<sup>&</sup>lt;sup>22</sup> Local Strategic Partnerships, *supra* note 18.

<sup>&</sup>lt;sup>23</sup> The Metro. Police, Safer Neighbourhoods: FAQs, *available at* http://www.met.police.uk/saferneighbourhoods/faq.htm (last visited Apr. 2, 2008). <sup>24</sup> *Id.* 

policing priorities for that area decided in partnership with local stakeholders - the public, crime and disorder reduction partnerships (CDRPs), local authorities and other local organizations."25

The program's goals are twofold: (1) to create a "more accessible, more visible, more accountable policing presence" and (2) to give "local communities . . . a real say in deciding the priorities for the area in which they live, allowing the police to provide longterm, local solutions to local problems while maintaining a focus on reducing priority crime."<sup>26</sup> The teams are based at any number of community institutions, from local police stations, schools, hospitals, and partnership offices to houses of worship.<sup>27</sup>

Establishing lines of communication to facilitate action is imperative for the teams to be successful. Team members are trained to "communicate with a wide range of people, communities and partners, to tackle and solve community problems. Experience suggests these are most likely to be quality-of-life issues, such as anti-social behaviour, criminal damage, abandoned cars and graffiti."28 The program seeks to open the lines of communication between the law enforcement and the community: "Safer Neighbourhoods teams are here to make a difference in communities across London. Their aim is to listen and talk to Londoners and find out what most affects their daily lives and feelings of security, and then work in partnership with the public and other local agencies to find lasting solutions."<sup>29</sup>

<sup>&</sup>lt;sup>26</sup> See The Metro. Police, Safer Neighbourhoods: Introduction, available at http://www.met.police.uk/saferneighbourhoods/introduction.htm (last visited Apr. 2, 2008).

<sup>&</sup>lt;sup>27</sup> Safer Neighbourhoods: FAQs, *supra* note 23. <sup>28</sup> *Id*.

<sup>&</sup>lt;sup>29</sup> The Metro. Police, Safer Neighborhoods: Getting Involved, available at http://www.met.police.uk/saferneighbourhoods/involved.htm (last visited Apr. 2, 2008).

To reassure communities that the Metropolitan Police are committed to the Safer Neighbourhoods approach as a long-term initiative, the Metropolitan Police have provided assurances about the time these officers can spend on this work. Recognizing that the Metropolitan Police's previous attempts to develop community policing have been hindered by "competing demands [which] meant officers were often used in other areas of London," the Safer Neighbouhoods teams have "specific guidelines about where officers can and can't be used. This means that except for the most catastrophic or terrorist-related event, Safer Neighbourhoods officers will stay where the public needs them most - in the heart of their dedicated neighbourhood." To assess the program's success, the Metropolitan Police are monitoring the program and tracking community opinions on their experiences, a process anticipated to take two years. The Metropolitan Police will eventually release a study of its findings. The Metropolitan Police will eventually release a study of its findings.

A program with similar objectives was launched by the West Yorkshire Police Department in April 2005. This program formalized a neighborhood policing program and provides dedicated local policing teams with training in communication techniques and working with the community to solve short and long-term problems. Once trained, these officers hold regular meetings at mosques and with imams to address pressing community problems, including antisocial behavior, drugs, prostitution, criminal vandalism, and neighborhood disputes.

Apart from these community policing efforts, two other law enforcement programs in place prior to the July 7, 2005 attacks proved critically important to the criminal and intelligence investigation that followed those attacks. One was the Casualty

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<sup>&</sup>lt;sup>30</sup> Safer Neighbourhoods: FAQs, *supra* note 23.

<sup>&</sup>lt;sup>31</sup> See Id

Information Bureau's CASWEB disaster management system, which helped to manage the crime scene and later identify the attackers. The CASWEB uses two nearly identical forms: a pink form to identify all persons involved with the attacks, including witnesses and victims, that law enforcement can identify from information obtained at the crime scene, and a yellow form submitted by families to identify missing people, including potential victims and, in the July 7, 2005 bombings, the attackers themselves.

Investigators compared the names on all pink and yellow forms, and CASWEB allowed law enforcement to identify the attackers within hours of the attacks.

The West Yorkshire Police Division had also established a Family Liaison Officers program, which dispatches officers to the residences of homicide victims in the community and helps the families navigate the legal process, make funeral arrangements, and otherwise manage the logistics of dealing with a homicide. After the July 7, 2005 attacks, Family Liaison Officers were deployed to the homes of the families of the suicide bombers who had been longstanding community members. Partly as a result of this early intervention, the bombers' families continue to reside in and remain a part of the community.

#### V. THE FINSBURY PARK MOSQUE CLOSURE AND RE-OPENING

One of the major sources of tension between the police and the Muslim community prior to the July 7, 2005 bombings concerned the closure and subsequent reopening of the Finsbury Park Mosque in London.

The Finsbury Park Mosque opened in 1988 but by the early 1990s had become an outlet for extremist Islamic voices. <sup>32</sup> In 1997, Abu Hamza al-Masri ("Hamza") became

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<sup>&</sup>lt;sup>32</sup> See Q & A: Finsbury Park Mosque Raid, BBC News, Jan. 20, 2003, available at http://news.bbc.co.uk/2/hi/uk\_news/england/2675983.stm (last visited Apr. 5, 2008).

the mosque's imam and began delivering sermons, which quickly brought him into conflict with mosque elders, who saw his sermons as highly militant and politicized.<sup>33</sup> Within a year of his debut, mosque trustees made efforts to dislodge Hamza but were only partially successful.<sup>34</sup> Hamza nonetheless had support from some younger devotees and continued preaching at the mosque.

Shortly after the September 11, 2001 attacks, the Metropolitan Police put the mosque under a 24-hour security watch.<sup>35</sup> In April 2002, Hamza was suspended from his post at the mosque after a Charity Commission investigation found him to be supporting terrorism.<sup>36</sup> However, he continued to preach outside the mosque without compensation.

On January 20, 2003, over 150 police officers battered their way into the mosque, arrested those suspected of terrorism under the Terrorism Act of 2000, and executed search warrants.<sup>37</sup> During the search of the mosque, the police found two chemical weapon suits, tear gas, a stun gun, a gas mask, handcuffs, hunting knives and a walkietalkie.<sup>38</sup> Additionally, they found more than 100 stolen or altered passports and other

<sup>&</sup>lt;sup>33</sup> See Dominic Casciani, Abu Hamza and the Mosque, BBC News, May 28, 2004, available at http://news.bbc.co.uk/2/hi/uk\_news/3756675.stm (last visited Apr. 2, 2008).

<sup>&</sup>lt;sup>35</sup> See Jeff Edwards & Ginny Sandringham, *Terror* @ *Mosque*, Mirror (U.K.), Jan. 21, 2003, at 9 (quoting a source that the Special Branch had not raided the mosque after September 11 because "security services [had] been eavesdropping communications coming in and out from mosque computers and linking countries across the Muslim world").

<sup>&</sup>lt;sup>36</sup> See Muslim Cleric Removed from Post, BBC News, Apr. 26, 2002, available at http://news.bbc.co.uk/2/hi/uk\_news/england/1953493.stm (last visited Apr. 5, 2008).

<sup>&</sup>lt;sup>37</sup> Specifically, the police arrested seven men between the ages of 22 and 48 who had taken up residence at the mosque at the time of the raid. Six were North African, five of whom were Algerian, and one was Eastern European. The police linked the arrests during the raid to arrests two weeks earlier of four Algerians on chemical weapons and terror charges in connection with ricin found in a North London apartment. *See Mosque Mash*, The Economist (U.S.), Jan. 25, 2003; Warren Hoge, *Threats and Responses: Terror Suspects*, New York Times, Jan. 21, 2003, at A11; Gregory Katz, *Muslims Angered by Mosque Raid*, Dallas Morning News, Jan. 21, 2003, at 1A; *Seven Questioned After Mosque Raid*, BBC News, Jan. 20, 2003, *available at* http://news.bbc.co.uk/2/hi/uk\_news/england/2676481.stm (last visited Jan. 20, 2008).

<sup>&</sup>lt;sup>38</sup> See Police Found Weapons at Finsbury Park Mosque, The Times (London), Feb. 7, 2006, available at http://www.timesonline.co.uk/tol/news/uk/article728162.ece (last visited Apr. 5, 2008).

identification documents.<sup>39</sup> The London police justified the raid based on the fact that Hamza was suspected of inciting violence and terrorism and was thought to have harbored Kamel Bourgass, a man believed to be producing ricin in a nearby flat. 40 Bourgass was arrested in 2003 and subsequently convicted in 2004 for stabbing a police officer to death and injuring three others with a knife when he was apprehended in  $2003.^{41}$ 

Even with the substantial show of force, the police were aware of potential community concerns sparked by the sight of armed officers entering a mosque. Accordingly, the police took certain cultural precautions before conducting the raid.<sup>42</sup> For instance, law enforcement officials ensured that Muslim police officers participated in the raid. Police also made sure that every police officer that entered the mosque wore "overshoes" (cloth coverings over their boots) in an effort to respect the significance of the location. Even such small measures were important to the community.

Many in the Muslim community were initially outraged by Hamza's arrest and called for his release. Community members objected to what appeared to be the government "willfully misusing its power to turn the spotlight on the Muslim community once again for its own perverse political agenda."43 Some community members saw the police being used as a "political tool" and pointed out "that the police 'never raided one

<sup>&</sup>lt;sup>39</sup> *Id*.

<sup>&</sup>lt;sup>40</sup> See A Mosque is No Sanctuary: the Police Raid Was Justified - So Far, The Guardian (London), Jan. 21,

<sup>&</sup>lt;sup>41</sup> The police apprehended Bourgass in Manchester. See Killer Jailed Over Poison Plot, BBC News, Apr. 13, 2005, available at http://news.bbc.co.uk/1/hi/uk/4433709.stm (last visited Apr. 5, 2008).

<sup>&</sup>lt;sup>42</sup> The police contacted leaders in the Muslim community to assure them that the holiness of the mosque would be respected. In addition, Muslim police officers were asked to give advice and guidance about the appropriateness of the actions undertaken by the police once inside the mosque. See Terry Kirby, The Enforcer, a 2AM Raid, and an Angry Community, The Independent (London), Jan. 21, 2003, at 2; Transcript, All Things Considered: Police Stage Raid on London Mosque and Arrest Seven (National Public Radio broadcast Jan. 2, 2003).

<sup>&</sup>lt;sup>43</sup> Veness Refuses to Rule Out Future Raids on Mosques, The Muslim News, Jan. 27, 2003, available at http://www.muslimnews.co.uk/index/press.php?pr=158 (last visited Apr. 5, 2008).

church' during 30 years of violence in Northern Ireland." Local and national Muslim leaders held emergency meetings in North London, which highlighted the community's concerns that they were "under siege" by the "witch hunt" and their fear of "Islamophobic backlashes." An Assistant Commissioner of the Metropolitan Police, David Veness, defended the operation and "[said] that he understood the reaction by the Muslim community to the raid..., but refus[ed] to rule out the possibility of future attacks being staged." Trustees of the mosque ultimately announced that the mosque would be closed for at least three months "while it was cleaned of the 'physical and spiritual filth." <sup>347</sup>

Despite this initial angry reaction to the raid, after the extent of the charges and evidence was released, many in the Muslim community were less willing to defend Hamza. In February 2003, mosque trustees formally dismissed Hamza, although he continued to hold sermons on the street outside until May 2004. The closure of the Finsbury Park Mosque resulted in the displacement of more than 800 worshipers, and trustees noted that it remained closed due to "concerns that radical elements might return if it reopened." In August 2004, after an 18-month closure, new trustees opted to reopen the mosque for a few hours a week. The new trustees met with some initial resistance when several Hamza supporters (led by Abu Abdullah) briefly took over a

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<sup>&</sup>lt;sup>44</sup> *Id*.

<sup>&</sup>lt;sup>45</sup> *Id*.

<sup>&</sup>lt;sup>46</sup> *Id*.

<sup>&</sup>lt;sup>47</sup> See Dan Gledhill, Abu Hamza Not Allowed Back in Raided Mosque, Says Trustee, The Independent (London), Jan. 28, 2003, available at http://news.independent.co.uk/uk/this\_britain/article129192.ece. (last visited Apr.5,2008).

<sup>&</sup>lt;sup>48</sup> See Profile: Abu Hamza, BBC News, May 27, 2004, available at http://news.bbc.co.uk/1/hi/uk/3752517.stm (last visited Apr. 5, 2008).

<sup>&</sup>lt;sup>49</sup> See Tania Branigan, Finsbury Park Mosque Could Reopen This Year, Say Police, The Guardian (London), Jun. 5, 2004, at 11.

sermon to denounce the new imam.<sup>50</sup> In February 2005, new trustees backed by riot police reentered the Finsbury Park Mosque for its full-time reopening.<sup>51</sup> Ever since, moderate worshipers have returned to the mosque, and many lauded Hamza's seven-year sentence, which was imposed on February 7, 2006.<sup>52</sup>

The reopening of the Finsbury Park Mosque was a wholly collaborative effort.

The Metropolitan Police worked with groups including "the Charity Commission, local council and others," and the Muslim Contact Unit played an essential role in partnering with the community to assist the reopening effort. 53

#### VI. CAPACITY-BUILDING WITHIN THE MUSLIM COMMUNITY

The July 7, 2005 bombings highlighted the most fundamental shortcoming of the British community policing strategy – the failure to involve Muslim youth in community policing efforts. While law enforcement and community members we met with agreed that youth outreach was imperative, the role of government and law enforcement in these efforts requires further study. Although many panelists we met with agreed that government should welcome capacity-building within Muslim communities as a means to reach Muslim youth, the amount of government support or direction of those efforts is up for debate.

Community leaders we met discussed the importance of building capacity from within the Muslim community. By strengthening community leadership, the community can fortify itself against radicalizing influences.

<sup>51</sup> See Vikram Dodd, Mosque Deposes Muslim Hardliners, The Guardian (London), Feb. 8, 2005, at 9.

<sup>53</sup> See Dominic Casciani and Sharif Sakr, *The Battle for the Mosque*, BBC News, Feb. 7, 2006, *available at* http://news.bbc.co.uk/1/hi/uk/4639074.stm (last visited Apr 5, 2008).

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<sup>50</sup> See Tania Branigan, Hamza Reporters Hijack Reopening of Finsbury Mosque, The Guardian (London), Aug. 7, 2004, at 5.

<sup>&</sup>lt;sup>52</sup> See UK Cleric Sentenced to 7 Years in Prison, CNN.com, Feb. 7, 2006, available at http://www.cnn.com/2006/WORLD/europe/02/06/britain.hamza/index.html (last visited Apr. 5, 2008).

#### A. Efforts Undertaken By the Muslim Community From Within

Panelists from every focus group recognized the need to engage in capacity building within mosques because they remain foundational institutions within Muslim communities. Some community leaders expressed concerns about whether the mosques represented the true spectrum of views in the British Muslim community. One panelist explained that British mosques were largely rooted in the traditions of the "old world" which tended to alienate many young Muslims living in the modern British world. Because of the mosques' traditional roots, panelists added that the mosques had not necessarily focused on engaging the community, particularly the youth, on pressing social issues. Many community panelists believed that modernizing mosques, creating teachings more relevant to the concerns of Muslim youths, and engaging in dialogues on social issues were critical to the community. Another panelist asserted that mosques should be the appropriate venues to discuss varying viewpoints and answer the youth's questions about faith and religion.

Panelists articulated some of the practical problems with modernizing mosques, including that many of Britain's imams did not possess the language skills to deliver sermons in English, thus limiting their ability to communicate effectively with young British Muslims. Another challenge identified by our panelists was that many British imams feel that the role of imams is solely to deliver religion to the community and not deal with or address other social issues. Another challenge was that some imams were fearful of addressing concerns of British Muslim youth about radicalization and whether violence can or should be part of an attempt to rein in the West, the United States, secularism, materialism, and capitalism, among others. This fear stems from the anti-

Another challenge is that women are not typically included within the hierarchy of the mosque. A final challenge is that many youths do not attend the mosques because they find the discussions there irrelevant to their concerns.

To address these challenges, one community panelist noted that the community must take the initiative to ensure that imams are qualified in religious education, speak English fluently, and are willing to engage on social issues. This would allow imams to be able to more easily engage the youth. Some community panelists believed that capacity-building in the Muslim community must simultaneously be undertaken within and outside mosques. Community panelists agreed that British Muslims, particularly youths, needed community venues to discuss social issues like politics, and that mosques do not necessarily provide such venues because they are not equipped to deal with frank discussion of politics and political issues. As an alternative to mosques, some panelists believed that community organizations needed to be bolstered to support the youth (in particular) in engaging in frank discussion of politics and political issues.

Most panelists also agreed that increasing Muslim civic involvement in British institutions was also an important part of the capacity-building process. Panelists asserted that capacity-building within the existing Muslim community leadership would further enable Muslims to become more involved in civic activities. Panelists observed that having more Muslims occupying visible government posts, including more Muslim police officers, Members of Parliament ("MPs"), and other local leaders would get more Muslim community members to trust law enforcement and feel engaged in the mainstream British community. This would draw more of the Muslim community into

the United Kingdom's mainstream institutions and ensure that Muslims have seats at more decision-making tables alongside other British constituencies.

#### B. Efforts in the Muslim Community Undertaken Through British Government

#### Preventing Extremism Together Initiative

One effort launched by the British government to attempt to engage the Muslim community was the "Preventing Extremism Together" ("PET") initiative. The initiative emerged from summits between the Prime Minister and Home Secretary and Muslim community representatives in the wake of the July 7, 2005 attacks, and involved a series of working groups designed to solicit feedback from Muslim communities throughout the U.K. on issues ranging from engaging Muslim youth to addressing Islamophobia. For two months following the attacks, the PET Commission attended community meetings throughout Britain to engage with local faith and community representatives in Oldham, Burnley, Leicester, Leeds, Birmingham, Manchester, Bradford and London.

During these meetings, both community members and government officials expressed the need for a professional development program for imams and mosque officials, and the development of a British Muslim citizenship "toolkit" to help Muslim parents and youth to deal with extremism.<sup>57</sup> They also discussed the possibility of an Islamic way of life exhibition to tour schools to increase understanding about Islam.<sup>58</sup>

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<sup>&</sup>lt;sup>54</sup> See Preventing Extremism Together - Working Groups, Communities and Local Government, available at <a href="http://www.communities.gov.uk/archived/general-content/communities/preventingextremismtogether/">http://www.communities.gov.uk/archived/general-content/communities/preventingextremismtogether/</a> (last accessed May 5, 2008).

<sup>&</sup>lt;sup>55</sup> See Preventing Extremism Together - Working Groups, Communities and Local Government, available at <a href="http://www.communities.gov.uk/archived/general-content/communities/preventingextremismtogether/216933/">http://www.communities.gov.uk/archived/general-content/communities/preventingextremismtogether/216933/</a> (last accessed May 5, 2008).

<sup>56</sup> Id.

<sup>&</sup>lt;sup>57</sup> See Preventing Extremism Together – Final Report, Communities and Local Government, available at <a href="http://www.communities.gov.uk/documents/communities/pdf/152164">http://www.communities.gov.uk/documents/communities/pdf/152164</a> (last accessed May 5, 2008). <sup>58</sup> *Id.* 

They also expressed concerns that there were not sufficient opportunities for young British Muslims to become leaders and active citizens.<sup>59</sup> They concluded that improving the quality of teaching of religious education, with an emphasis on life-skills and citizenship, would be an important step in reducing the prevalence of extremism in Muslim culture.<sup>60</sup>

The PET working groups aimed to engage community organizations and religious leaders in preventing violence and radicalization among the young-adult Muslim community. The PET's final report recommendations included calling for imam training and accreditation and a rethinking of the role mosques play as resources for the whole community. The report also concluded that funding should be identified for a variety of education-related services focused on addressing community needs. The report also recommended ways to address Islamophobia and guard Muslims against extremism by emphasizing police efforts to prevent hate crimes.

## VII. GOVERNMENT EFFORTS TO BUILD BETTER RELATIONSHIPS WITH THE MUSLIM COMMUNITY

#### A. Creating a Climate of Trust and Respect with the Community

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<sup>&</sup>lt;sup>59</sup> *Id*.

<sup>60</sup> Id.

<sup>61</sup> See Preventing Extremism Together - Working Groups, Communities and Local Government, available at <a href="http://www.communities.gov.uk/archived/general-content/communities/preventingeytremismtogether/216933/">http://www.communities.gov.uk/archived/general-content/communities/preventingeytremismtogether/216933/</a> (last accessed May 5, 2008)

content/communities/preventingextremismtogether/216933/ (last accessed May 5, 2008).

62 See Preventing Extremism Together – Final Report, Communities and Local Government, available at http://www.communities.gov.uk/documents/communities/pdf/152164 (last accessed May 5, 2008). In June 2006, the Mosques and Imams National Advisory Board was launched as a result of the PET's recommendations. See Preventing Extremism Together – Progress, Communities and Local Government, available at http://www.communities.gov.uk/documents/communities/pdf/151792 (last accessed May 5, 2008).

<sup>&</sup>lt;sup>63</sup> See Preventing Extremism Together – Final Report, Communities and Local Government, available at <a href="http://www.communities.gov.uk/documents/communities/pdf/152164">http://www.communities.gov.uk/documents/communities/pdf/152164</a> (last accessed May 5, 2008). (last accessed May 6, 2008). (last accessed May 6, 2008).

The July 7, 2005 attacks helped British law enforcement recognize that homegrown terrorism (fostered by radical Islamic fundamentalism) is a threat as substantial as international terrorism. There is a significant possibility that individuals plotting homegrown terrorist attacks might operate secretly within Muslim communities, thus Muslim community members are likely to possess some of the most valuable information that could help to uncover and thwart planned terrorist activity. The British police have accepted this reality and understand that they need cooperation and support from Muslim communities to learn this information. One example of the potential fruits of such cooperation is the August 2006 arrests of 21 individuals in both the United Kingdom and Pakistan for allegedly plotting to bring down transatlantic airliners departing from Heathrow Airport. The initial tip to the police came from the Muslim community one year prior to the arrests.<sup>65</sup>

The first step in any such partnership is to create a climate of trust and respect with Muslim communities. The British police have found that the key to generating this is "transparency" – meaning making law enforcement processes and procedures open to the community by sharing information with them. By transparency, the police mean a variety of tactics -- keeping the community routinely informed about what the police are actually doing in the community; explaining to someone who has been stopped by the police why they have been stopped; opening (and keeping open) channels of communication between Muslim communities and law enforcement; and ensuring that both the police and police leadership are visible presences in the community. At our law enforcement forum in London many panelists felt that more Muslim representation in the

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<sup>&</sup>lt;sup>65</sup> See Terror Plot: Pakistan and Al-Qaida Links Revealed, The Guardian, Aug. 12, 2006, at 1, available at http://www.guardian.co.uk/uk/2006/aug/12/topstories3.pakistan (last visited Apr. 5, 2008).

police department was essential. Panelists talked at length about the value of the Muslim Contact Unit in developing authentic bonds of trust with community members.

Similarly, during our meeting with Chief Constable Cramphorn, he emphasized the need for law enforcement to be accessible to community members, and suggested that police create "community contact points," including having officers attend weekly community meetings at local mosques and other community events and locales.

At our meeting with the heads of the ACC Partnerships and Community Safety Units in the West Yorkshire Division, we learned that West Yorkshire uses a "bottom up" approach based locally in neighborhoods to create transparency in several steps. First, an audit of the community is done to assess the particular needs of the community. Second, law enforcement attempts to meet with key community contacts (local people with influence in the community who can act as sounding boards), as well as important community organizations. Third, the police engage in "community tension monitoring," which involves assessing political, community and criminal tensions based on what people in the community are informally telling law enforcement and what community members are actually experiencing, as well as law enforcement's own survey of the environment to determine or anticipate what might occur at particular location based on a particular planned event (like a festival, trial, or tactical police action). When community tensions are likely to heat up at an upcoming event, the West Yorkshire Division proactively conducts a Community Impact Assessment of the event and assess potential conflicts or problems, and consults with local community members and leaders, providing them with as many details as are tactically feasible in order to give the community a "heads up" about police deployment.

These sentiments were echoed by Detective Superintendent John Parkinson, the lead detective in West Yorkshire for the investigation of the July 7, 2005 attacks. Det. Sup. Parkinson affirmatively sought a substantial degree of transparency in the briefings he provided to the public during the investigation, as he strove to balance the need to maintain both operational security and transparency. Det. Sup. Parkinson also believed that following the July 7, 2005 attacks it was important for law enforcement to be attentive and responsive to any increases in hate crimes and discriminatory behavior targeted at the Muslim community. Law enforcement sought to monitor such incidents through the "alert systems" it had created with the community. He also sought to provide extra reassurances to the community that law enforcement would not forsake them, and thus took steps including making police patrols more visible, establishing more contact points for the community to interact with law enforcement, and providing more communication through regular briefings by police.

At both the law enforcement panel we assembled in London and the community meeting at the East London mosque, the panelists agreed that outreach to the Muslim community was best accomplished by thinking of the community in three tiers. The first tier is the community leaders -- imams, elders and other leaders of the mosques and other highly visible community organizations. Some panelists who work with the Muslim community viewed these leaders as self-appointed and factional, and focused as much on their own self-interest and preservation as the interests of the community.

The second tier consists of the adult local community members, those who live daily under the leadership of community leaders and who attend some of the more than 1,500 mosques throughout the United Kingdom. Although these community members

hail from different ethnicities, some Indian, others Pakistani or Bangladeshi, and still others African, some panelists viewed this group as comfortable with maintaining the status quo in the Muslim community and unlikely to push for dramatic changes.

The third tier is British-born children (i.e. British citizens) of foreign-born parents. Many panelists thought that many of these young people had tended to move away from (or affirmatively rejected) their parents' more traditional ways of life, and the structure and authority of the traditional Muslim community, its organizations, and its mosques in search of resources better suited for their needs as young adults growing up Muslim in the Western world. Panelists believed that the culture clash between the youths and their parents and community leaders made these youths more cynical about engagement in the Muslim community. All the panelists agreed that these youths were very cognizant of world issues, and particularly the impact of current issues on Muslims across the globe. Moreover, several panelists noted that youths in these communities might feel disenfranchised by the poverty in their communities, as well as discrimination and non-inclusion by the British mainstream, and the lack of employment and educational opportunities available to them. Some panelists thought these youths had a greater tendency for low-level criminal activity like truancy, vandalism, and narcotics sales due to such economic circumstances. Another panelist noted that these youths were at a rebellious stage in their lives, and that this youthful rebellion, coupled with disenfranchisement, made them more vulnerable to the ideology of and recruitment by radical elements outside the British Muslim communities.

The panelists agreed that law enforcement needed to reach out to all three tiers of the Muslim community. Panelists generally agreed that, although law enforcement had

historically focused their organized outreach efforts on the first tier of community organization leaders and imams from leading mosques, law enforcement needed to reach past the traditional community leadership to engage individuals at the local community level. Panelists were unanimous that outreach to Muslim youth was also imperative, but could not be done strictly within the mosque structure. Not only are many of these youths not frequenting the mosques but, even when they do, many imams are unwilling and unable to engage in serious dialogues/debates with Muslim youth about politics, activism, being a Muslim in the Western world, and radical Islamic beliefs.

Similarly, Chief Cramphorn believed that it was critical that the police promote an open, honest public discourse and dialogue within the community, including discussion and debate about the causes of terrorism. While he emphasized that these important questions need to be discussed openly and without limitations, he recognized that this might prove increasingly difficult in light of harsh legislative measures like the Terrorist Act of 2006, which was enacted in response to the July 7, 2005 bombings. As discussed below, the Act criminalized the "glorification of terrorism," providing that a person has committed a crime when he publishes a statement "likely to be understood" by its audience as "a direct or indirect encouragement or other inducement . . . to the commission, preparation or instigation of acts of terrorism or Convention offenses." <sup>66 67</sup> While the statute requires either the intent to encourage terrorism or recklessness in encouraging terrorism, it does not require proof that the encouragement actually incited

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<sup>&</sup>lt;sup>66</sup> See Terrorism Act, 2006, c. 11, Pt. 1 §§1(1)-(2) (Eng.).

<sup>&</sup>lt;sup>67</sup> Under the Act, a "Statement" is defined as one which "glorifies," or which its audience could reasonably be expected to infer was glorifying, the commission or preparation of such acts or offenses. <u>Id.</u> at Pt. 1 §1(3).

violence. 68 69 70 Chief Cramphorn feared that this law might prove counterproductive because it likely chills a full and free discussion with Muslim youth about violence and terrorism.

At our Bradford community meeting, the group discussed the importance of having government support or establish programs whereby non-police mediators could "vet" grievances with the community, particularly issues of concern to youth, then take these issues back to the police. The group thought it was important to have neutral intermediaries assist in communicating community concerns to the police.

#### **B.** Non-Criminalization of Muslim Youth

At another meeting, a current police officer asserted that it was critical for the police to stop simply criminalizing Muslim youth and instead engage with and listen to them. He noted that youth clubs had largely disappeared, and that such clubs provided a place where young people could "hang out" in a supportive environment with positive adult supervision and guidance.

One successful and innovative program to reach out to young adults was designed by Professor Phil Lewis of Bradford University. Professor Lewis' Peace Studies

Department instituted an Intercultural Leadership School, which helps provide young professionals of color, particularly Muslims, with leadership skills. The program targets potential leaders who are between 20-30 years old, and provides them with various forms

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<sup>&</sup>lt;sup>68</sup> <u>Id.</u> at Pt. 1 §§1(2)(b), (5). While contemporary media coverage suggests that the bill at one time incorporated an evidentiary requirement that the glorification had incited violence, no such requirement appears in the final statute. The Observer, October 9, 2005; Terrorism Act, 2006, Pt. 1.

<sup>&</sup>lt;sup>69</sup> The Act relies on the statutory definition of "terrorism" found in the 2000 Terrorism Act, which provides that "terrorism" is "the use or threat of action" where it (a) involves "serious" violence to a person or to property, or "endangers a person's life;" (b) is "designed to influence the government . . . or to intimidate the public;" and (c) "is made for the purpose of advancing a political, religious or ideological cause." <sup>70</sup> See Martin Bright, *Ricin Jurors Attack New Terror Laws*, The Observer, October 9, 2005; Richard Ford, *Home Office in Climbdown on Terrorism Law*, The Times, Oct. 7, 2005; Terrorism Act 2006, *supra* note 60, at Pt 1.

of leadership training, including conferences, summer schools, and college visits. The program has won high acclaim, and has been instituted in other European cities.<sup>71</sup>

#### C. Recruitment of Muslim Officers

Outreach to the Muslim community is more easily accomplished, of course, with Muslim police officers. An investment in such recruitment not only bears significant fruit immediately but also well into the future, because Muslim police officers can generally communicate more successfully with Muslim community members, are more familiar with community culture, and serve as role models for Muslim youth in the community, making future recruitment in that community that much easier. Although the Metropolitan Police Department does not keep statistics about officers' religions, its leadership has been trying to increase its ethnic diversity because minorities account for only 7 percent of officers. Tan Blair, the Metropolitan Police Commissioner, has specifically called for more Muslim police officers. He said, "If something like 1 in 9 Londoners is a Muslim, then I want 1 in 9 police officers to be a Muslim...which means we are currently about 2,000 short." The Association of Muslim Police estimates that Muslims comprise only about one percent of Scotland Yard, even though nearly ten percent of the London population is Muslim."

Local community leaders see young Muslim police officers as an opportunity to encourage good relationships between law enforcement and the law-abiding majority of the Muslim community. The police in turn see the addition of Muslim police officers as

<sup>&</sup>lt;sup>71</sup> The Intercultural Leadership School has proven so successful that it was recently awarded funding from the Yorkshire Forward Development Authority for next 3 years.

<sup>&</sup>lt;sup>72</sup> See Mary Jordan, For Muslim police, London Proves to be a complicated beat, The Boston Globe, Jan. 29, 2006, available at

http://www.boston.com/news/world/europe/articles/2006/01/29/for\_muslim\_police\_london\_proves\_to\_be\_a\_complicated\_beat/ (last accessed Apr. 15, 2008).

<sup>&</sup>lt;sup>73</sup> *Id.* <sup>74</sup> *Id.* 

an opportunity to enter a community that they have found difficult to police in the past due to language and cultural differences.

The current "poster child" for these efforts is Saeed Hajjaj, a six foot four native Londoner with Moroccan parents, who is a Scotland Yard community police officer. <sup>75</sup> His knowledge of Muslim culture and the Arabic language has helped him greatly in establishing ties to the community and preventing crime. <sup>76</sup> He recently posed for recruitment posters asking for new recruits from neighborhoods, which had previously been largely ignored as a source of police recruitment.<sup>77</sup> Creating incentives for young Muslims to work for the government and for local police forces is imperative because they can provide one of the strongest weapons that government has in its fight against extremism. When citizens police their own community it means that it is easier for peaceful members of that community to voice their concerns and to prevent hate crimes.

The Racial Equality Report, conducted as a self-evaluation of police recruitment, was published in the Spring of 2005. The report revealed many areas where law enforcement could improve recruitment and retention of minority officers.<sup>79</sup>

#### D. **Cultural Training**

Apart from seeking to recruit more Muslim officers, the British have recognized the need for proper cultural training for police in dealing with Muslims. One of the barriers in the community/law enforcement relationships can be the lack of cultural sensitivity. Taking measures to bolster law enforcement's knowledge of cultural customs

<sup>&</sup>lt;sup>75</sup> *Id*.

<sup>&</sup>lt;sup>76</sup> *Id*.

<sup>&</sup>lt;sup>78</sup> See City of London website, *Diversity and Race webpage*, available at: http://www.cityoflondon.police.uk/diversity/race.html

See report for further details.

shows respect for the community and creates a better foundation for developing trust relationships. Measures from the complex to the simple can have a significant impact. For example, at the Bradford community meeting we attended, panelists discussed the importance of educating law enforcement on what actions are culturally appropriate when entering into a Muslim home, and how important such cultural sensitivity is to the community. Similarly, the use of overshoes by officers who entered the Finsbury Park mosque during the raid was another example. Even such simple measures can have a tremendous effect on community relations.

#### VIII. CHALLENGES TO PARTNERING WITH THE MUSLIM COMMUNITY

By its very nature, community policing requires patience, perseverance, and a long-term investment in partnering because to develop meaningful relationships with the Muslim community takes a long time. Bradford Police Officer Dave Normans emphasized the need for supervisors to value the development of community relationships, and for solid performance in this aspect of a police work to be rewarded through promotions. Moreover, community policing is constantly at risk from politicians who see it as being "soft" on terrorism and who call for harsher, more politically divisive (and ultimately less successful) police crackdowns.

#### A. Internal Community Divisions

Partnering with the Muslim community is made even more difficult by the internal divisions within this community. One divide is generational – there are important differences between first generation Muslims who are deeply rooted in old world traditions and largely lacking in formal education, and second generation Muslims, who are much more rooted in Western ways. Another divide is cultural – as noted

earlier, the Muslim population in Great Britain is hardly monolithic, and is comprised mostly of first and second generation Muslims from Pakistan, India, and Bangladesh, each with their distinct culture and differences. Many recent Muslim immigrants hail from the rural areas of Kashmir, and face challenges arising from their lack of marketable skills, minimal educational background, and limited English language skills upon arriving in the United Kingdom.

#### B. Socioeconomic Obstacles

Indeed, perhaps the most formidable obstacle is socioeconomic – in comparison with other Britons, Muslims are poorer, less educated, and suffer from higher unemployment. In May 2006, the British government released a report, entitled "Review of the Evidence Base on Faith Communities," which comprehensively reviewed the 2001 national census and data about Hindu, Muslim, and Sikh religious minorities. The report concluded that, "Taking the Muslim population as a whole, they face some of the most acute conditions of multiple deprivation." Some of the statistics included:

- Half of Muslims (50 %) aged over 25 are not in economic activity (the formal labor market). This compares to Sikhs (30%) and Hindus (29%). 71% of Muslim woman aged over 25 are not in the formal labor market.
- A third of Muslims (33%) are located in the bottom tenth (10%) of the most deprived wards of England.
- 40% of Muslim households, 26% of Hindu households, and 22% of Sikh households experience housing deprivation.

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<sup>&</sup>lt;sup>80</sup> See Review of the Evidence Base on Faith Communities, Office of the Deputy Prime Minister, available at http://www.communities.gov.uk/documents/corporate/pdf/143816 (last visited Apr. 15, 2008). (Report produced for the Office of the Deputy Prime Minister (ODPM) by the Mercia Group, a team of University researchers in Birmingham, Derby, Oxford, and Warwick with expertise in religion, ethnicity, and social policy).

Hindus, Muslims, and Sikhs who wish to move away from disadvantaged
 neighborhoods face a wide range of obstacles, including exclusion and racism.

The report states: "Our studies found that Census data reveals that Muslim people are particularly vulnerable in terms of unemployment, life-limiting long-term illness, education levels, and housing conditions." According to Professor Paul Weller, Senior Research Fellow and Professor of Inter-Religious Relations at the University of Derby, the study "demonstrates the importance of developing an appropriate 'religious literacy' that enables public bodies to take account of 'faith dimensions' in a way that is informed by an appropriate level of understanding of the religious, ethnic, and socio-economic diversities that exist in and among these populations."

Chief Colin Cramphorn emphasized that the radicalization of Muslim youth could not be understood without thinking about the socio-economic landscape of Muslims in the United Kingdom. Chief Cramphorn observed that underachievement is disproportionate in the Muslim community, and that those within and outside the Muslim community needed to understand the causes of this inequality, including the cultural divide, less access to education, fewer employment opportunities and racism. At the community forum at the London Central Mosque, the panelists emphasized the importance of addressing a host of important social issues weighing on British Muslim communities, including problems with housing, poverty, and education, to make British Muslims feel invested in the British community – to feel "British." The forum members observed that these social problems plaguing British Muslims hampered community-law enforcement relations in the United Kingdom.

#### C. Implications of Foreign Policy

Another challenge in partnering with Muslim communities is the extent to which Western foreign policy and world events beyond law enforcement's control have created frustration within Muslim communities. During our first community meeting, at the London Central Mosque, the panel members observed that, for many Muslims, a key turning point in their perception of how the West treated Muslims was the aftermath of how the United States dealt with the September 11, 2001 attacks. Panelists told us that the United States' agenda in response to those attacks made them "rethink" the West's treatment and respect for Islam, and caused many Muslims worldwide, including British Muslims, to be very concerned about the United States' treatment of Muslims. Similarly at our community meeting at the Central London Mosque we discussed the publication of cartoons in a Danish newspaper that presented the prophet Mohammed in a mocking or caricature manner. The group observed that Muslims in Britain, like Muslims worldwide, could see no reason for insulting the Muslim faith this way, and saw the cartoons and the reaction to Muslim unrest after their publication as a sign of disrespect to the Muslim community, despite all the lip-service paid to being respectful of the community in the aftermath of the Iraq War, September 11, 2001 and July 7, 2005 attacks. The group noted that many Muslim youths were particularly upset about the cartoons, and viewed them, along with the wars in Iraq and Afghanistan, as part of a larger western war against Muslims.<sup>81</sup>

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<sup>&</sup>lt;sup>81</sup>During the protests in London over the Danish newspaper's decision to run editorial cartoons featuring the prophet Mohammed, there were calls to support Osama Bin Laden and comments reported by the London Times such as "You must pay, July 7, 2005 is on its way." *See* Abul Taher & David Leppard, *Muslims tell Yard to charge protesters*, The Times Online, *available at* http://www.timesonline.co.uk/tol/news/uk/article727135.ece (last visited Apr. 15, 2008). The Guardian reported that protestors carried signs that threatened suicide bombings and massacres in retaliation for the cartoons, including statements such as "Behead those who insult Islam", "7/7 is on its way", and "Europe you will pay, Bin Laden is on his way". See, *Arrest extremist marchers, police told*, The Guardian Online, *available at* 

Similarly, Mohammed Ajeeb, former Lord Mayor of Bradford, pointed out that young Muslims in Britain, Pakistan and elsewhere see themselves as part of a global community. After seeing daily images of Muslim bloodshed for over a decade, in places like Iraq, Gaza, or Lebanon, these young Muslims see the entire Muslim community as being insulted, humiliated and ignored. While the majority of youth have clearly rejected terrorism and violence, many more are becoming religious as a result of global events. Foreign policy will continue to affect these youths and shape their perception.

#### **D.** Legislative Efforts to Combat Terrorism

Various legislative initiatives enacted after the July 2005 attacks may also pose obstacles to partnering with Muslim communities. We have already discussed how the "glorification of terrorism" provisions in the Terrorist Act of 2006 may chill the willingness of certain Muslims, especially young Muslims, from speaking candidly with the police. That Act also contained two other key provisions that have angered the Muslim community. The "Expansion of Detention Provision," extends the period of time for which officials can detain a suspected terrorist without charging him with a crime. Under Section 41 of the 2000 Terrorism Act, a constable has the authority to conduct warrantless arrests of persons he "reasonably suspects to be a terrorist," but release was

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http://www.guardian.co.uk/uk/2006/feb/06/raceandreligion.muhammadcartoons (last visited Apr. 15, 2008).

In response. Inayat Bunglawala of the Muslim Council of Britain (MCB) stated "The placards were quite disgraceful and seemed to constitute a clear incitement to violence, even murder... There will be no sympathy for [the extremists] when they are charged by the police." *See*, George Jones & Ben Fenton, *Arrest pedlars of hate, police urged*, The Telegraph Online, *available at* http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2006/02/06/ncart06.xml (last visited Apr. 15,

The Association of Chief Police Officers said that the protests did not pose a "serious threat to public order." *See* Taher & Leppard, *supra* note 75. A Scotland Yard official commented that, "Arrests, if necessary, will be made at the most appropriate time. This should not be taken as a sign of lack of action." *Id.* 

presumptively required within 48 hours.<sup>82</sup> If a constable wished to postpone the arrested person's release, the officer following the arrest could apply for a warrant extending the detention period in seven-day increments from the time of arrest to facilitate obtaining, analyzing or preserving evidence against the detainee, or to determine whether charges should even be brought against the detainee.<sup>83</sup> While the Terrorism Act of 2000 permitted a detention to be extended for up to 14 days, the 2006 Terrorism Act doubled the maximum time period to 28 days.<sup>84</sup> 85

Another provision of the Terrorism Act of 2006 -- the "Proscription Against Groups Provision" -- was even more controversial. <sup>86</sup> The Terrorism Act of 2000 prohibited encouraging support for or holding a meeting for a terrorist organization, made membership of such an organization a crime, and gave the Secretary of State the authority to declare an organization to be a terrorist organization and place it on the proscribed list if he believed the organization to be "concerned in terrorism." <sup>87</sup> The 2006 Act expands the scope of proscribed organizations to include those who "glorify" terrorism whose activities include: "the unlawful glorification, of the commission or preparation of acts of terrorism or are carried out in a manner that ensures that the organisation is associated with statements containing any such glorification." <sup>88</sup>

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<sup>82</sup> See Terrorism Act, 2006, supra note 60 at Pt V, §§ 41(1), (3).

<sup>&</sup>lt;sup>83</sup> See Terrorism Act, 2006, supra note 60 at Pt V §§ 41(5) - (7), Sch. 8 (III), ¶ 29, 32. (Eng.).

<sup>&</sup>lt;sup>84</sup> See Terrorism Act, 2006, supra note 60, at Pt. 2 § 25(3); James Kirkup, Blair's own Watchdog Tells Him to Rethink Anti-Terror Law, The Scotsman, Oct. 13, 2005.

<sup>&</sup>lt;sup>85</sup> The 2006 Act initially proposed extending the detention period to 90 days, which senior law enforcement officials argued was necessary to solve complicated terrorist plots, which might require a more lengthy amount of time for investigation, and asserted would only be used only in "very extreme circumstances." <sup>86</sup> See Terrorism Act, 2006, *supra* note 60, at Pt. II, §§ 21, 22.

<sup>&</sup>lt;sup>87</sup> See Terrorism Act, 2006, supra note 60, at Pt. II, §§ 3, 11, 12, Sch 2.

<sup>&</sup>lt;sup>88</sup> See Terrorism Act, 2006, supra note 60, at Pt. II, § 21.

The expansion in the scope of proscribed organizations was intended to ban "extremist, though not necessarily violent, organisations." The provision appeared focused on Hizb ut-Tahrir, a political party that supports the establishment of an Islamic caliphate (a central Muslim authority disbanded in 1924). 90

Both civil rights groups and law enforcement officials alike were critical of this provision. Civil rights organizations expressed concern about the effects of the provision on civil liberties, as well as on the relationship between law enforcement and the community at large. The Association of Chiefs of Police ("ACPO") argued that this provision, among others, risked alienating Muslims, and that it saw no need for such a ban.<sup>91</sup>

While the Terrorism Act of 2006 risked alienating Muslims, the Racial and Religious Hatred Act of 2006 was enacted in response to the concerns of Muslim groups, and sought to protect them from what we would call "hate crimes." <sup>92</sup> The Act creates a new offense of inciting (or 'stirring up') hatred against a person of any religious group on the grounds of their faith. <sup>93</sup> It criminalizes words, behavior, and/or the public display of written materials that are threatening, abusive or insulting, and intended to or likely to incite religious hatred. <sup>94</sup> Before the passage of this Act, British law criminalized only

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<sup>&</sup>lt;sup>89</sup> Hannah K. Strange, U.K. Terror Laws Face Legal Challenges, The National Ledger, Apr. 13, 2006.

<sup>&</sup>lt;sup>90</sup> *Id.*; see also Worship Closure Plan Criticised, BBC News, Dec. 1, 2005, available at http://news.bbc.co.uk/2/hi/uk\_news/4487108.stm (last visited Apr. 15, 2008).

<sup>&</sup>lt;sup>91</sup> Alan Travis and Rosie Cowan, *Clarke's Draft Bill Proposes New Offence of Glorification*, Guardian, Sept.16, 2005.

<sup>&</sup>lt;sup>92</sup> See Racial and Religious Hatred Bill, BBC News, available at http://news.bbc.co.uk/1/hi/programmes/bbc\_parliament/4652669.stm (last visited Apr. 15, 2008). <sup>93</sup> Id.

<sup>&</sup>lt;sup>94</sup> See Commission for Racial Equality, available at http://www.cre.gov.uk/media/pubicaffairs/rrh\_bill\_qa.html (last visited Apr. 15, 2008).

the incitement of racial hatred, which had been interpreted to protect Jews and Sikhs, but not Muslims. 95 96

#### E. Strained Race Relations

Another source of tension between police and the Muslim community has been the perceived racial profiling of Muslims by law enforcement, which has most profoundly affected the relationship between Muslim youth and law enforcement. At our meeting with Muslim community leaders in Bradford, the participants expressed concern about heavy-handed policing of Asian youth, using the term "driving while brown" to refer to police stops of Asian youths based on their skin color. The participants expressed further concern about the police "canteen culture", referring to poor police attitudes toward the Muslim community. Some participants attributed these negative police attitudes to the fact that the police force remains largely white and from middle class backgrounds, resulting in law enforcement insensitivity or even hostility to the Muslim community's needs. Our community panel participants pointed out that Asian youth did not distinguish between law enforcement decisions made by counterterrorism officials versus those made by local police, as they viewed all law enforcement actions as stemming from their local police.

The theme of British multiculturalism also came up repeatedly during our focus groups. Community members repeatedly expressed that the relatively exclusive definition of British national identity did not allow for "hyphenated" identities (like in the

http://www.cre.gov.uk/media/pubicaffairs/rrh\_bill\_qa.html (last visited Jan. 19, 2008).

<sup>&</sup>lt;sup>95</sup> See Commission for Racial Equality, available at

<sup>&</sup>lt;sup>96</sup> It should be noted that the Racial and Religious Hatred Act of 2006 exempts certain expression in an effort to protect the right to free speech. Thus, it does not apply to individuals who: (1) tell jokes or make fun of religions; (2) offend followers of a religion; (3) debate or criticize the beliefs, teachings, or practices of a religion or its followers; and (4) express antipathy or dislike of particular religions or their followers.

United States), which might better reflect the UK's diverse, multicultural make-up. Focus group participants pointed out that young Muslims were not permitted to be both "British" and "Muslim", but were forced to be either "British or Muslim." Panelists noted that forcing young Muslims to make such a choice made it even more difficult for them to fit into the British mainstream.

### IX. LESSONS THE UNITED STATES CAN LEARN FROM THE BRITISH PARTNERSHIP EXPERIENCE

In studying British law enforcement's efforts to partner with their Muslim community and preparing this report, we learned that the British have done far more than United States law enforcement to build bridges to their Muslim communities, and have done so under far more difficult circumstances than we encounter with Muslim communities in the United States. According to a major survey prepared by the Pew Research Center and released in the spring of 2007, there are roughly 2.35 million Muslims in the United States. In contrast with British Muslims, Muslims in the United States earn about the same as the non-Muslim population and have roughly equivalent levels of education. While U.S. Muslims, like other minorities, grapple with how to be both Muslim and American at once, most see themselves as Americans. According to the Pew survey, 71 percent share the most elemental belief in the American dream – that, in America, you can "get ahead with hard work." In the United States there are some legitimate concerns that political and religious extremism may be growing in domestic

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<sup>&</sup>lt;sup>97</sup> See Muslim Americans: Middle Class and Mostly Mainstream War on Terror Concerns, Pew Research Center for the People and the Press, May 22, 2007, available at: http://peoplepress.org/reports/display.php3?ReportID=329 (last visited Apr. 15, 2008); Special Report: American Dreamers, Newsweek, July 30, 2007, at 26.

<sup>&</sup>lt;sup>98</sup> *Id*.

Muslim communities, but we have yet to suffer from the sort of homegrown terrorism that resulted in the July 7, 2005 London bombings and nearly resulted in the August 2006 destruction of commercial aircraft over the Atlantic Ocean. 99

#### A. Differences in British Legal & Law Enforcement Organization

Before discussing which of the British partnership efforts best lend themselves to translation, we note at least three major differences in the law and law enforcement organization between Great Britain and the United States. First, British counterintelligence efforts are conducted by MI-5 which, in contrast with our Federal Bureau of Investigation, is solely an intelligence service and does not have law enforcement powers, including the power to arrest. Therefore, when counterintelligence efforts involving law enforcement investigations likely to result in arrests, MI-5 has no alternative but to work closely with local and regional police departments.

Second, the organization of the British law enforcement structure is organized differently than in the United States. At the local level, police departments are organized along county, i.e. "territorial" boundaries. There are 52 territorial police forces in the U.K. At the national level, the Home Office, like the United States Department of Justice, is the federal law enforcement agency charged with national law enforcement policies and enforcement. The Home Office issues directives which territorial police departments are required to follow (i.e. not independent). There are no state level law enforcement agencies in the U.K., which makes coordination between national and local law enforcement agencies much easier.

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<sup>&</sup>lt;sup>99</sup> See Small Terror Groups Pose Greatest Threat, The Boston Globe, Aug. 16, 2007, at A2. <sup>100</sup> The City of London itself is an exception, as it is governed by its own police force, the Metropolitan Police Force, aka "The Met".

Third, there is no comparable prohibition in Great Britain to our Constitution's prohibition of the establishment of religion. Indeed, there is an established religion in Great Britain (and it is not Islam). Therefore, while British law would not prevent the British government from intervening in the governance of London's Finsbury Park Mosque, our First Amendment would sharply limit our government's ability to interfere with the governance of any mosque, except to arrest those engaged in criminal wrongdoing.

#### B. British Initiatives Warranting Further Study

Recognizing these differences, this Report suggests that various British initiatives we have discussed warrant careful study by United States law enforcement with the aim of adopting or adapting key elements of these programs:

- the experience of the Metropolitan Police with its specialized Muslim Public Contact Unit;
- the Muslim Safety Forum, a joint project between the Muslim community and the Metropolitan Police, whose primary goal is to help keep Muslims safe;
- Local Strategic Partnerships, which bring the police together with community leaders, and which obtain government funds to promote projects for neighborhood renewal;
- the Metropolitan Police Department's Safer Neighbourhoods program now in place in all 624 of London's wards, whereby law enforcement teams work with community stakeholders to address quality-of-life issues in the community;
- the neighborhood policing program instituted in Leeds by the West Yorkshire Police Department that provided local policing teams with training in communication techniques and working with the Muslim community to solve short-and long-term problems;
- the police training provided to educate local police in Muslim religious and cultural traditions, such as what actions are appropriate when entering a Muslim home;

- the efforts made by the West Yorkshire Police Department to promote "transparency" in its dealings with the Muslim community;
- the use of non-police mediators to "vet" grievances with the community, particularly issues of concern to youth, then take these issues back to the police; and
- the Intercultural Leadership School, which helps provide young professionals of color, particularly Muslims, with leadership skills.

#### C. Transatlantic Conference Proposal

An important first step in building bridges between law enforcement and the American Arab, Muslim and Sikh communities in the United States would be to organize a conference designed to explore community-law enforcement partnerships that can strengthen counterterrorism efforts, with a focus on existing community-law enforcement partnership practices between British law enforcement and Muslim communities. The conference would aim to bring British law enforcement leaders, along with British Muslim and Asian community and religious leaders, together with their counterparts in the United States -- local, state, and national law enforcement leaders and leaders in Muslim, Arab, and South Asian communities. Participants would discuss effective partnering practices, successful partnership models, strategies for improving upon these practices and models, and challenges to community-law enforcement partnerships.

# D. Proposal for a Center for Homeland Security & Community Development at Northeastern University

A second step would be to implement some of the lessons learned in our research in Britain by training law enforcement and community groups on best practices. Our vision of this broad Partnering For Prevention initiative would be to use our current research on promising practices to build relationships between law enforcement and

American Muslim, Arab and Sikh communities at a Center for Homeland Security & Community Development at Northeastern University. The Center would serve as an independent space where community members and law enforcement representatives can work in partnership to develop and implement new collaborative counterterrorism and hate crimes prevention strategies that are synergistic with law enforcement's operational needs as well as with civil and human rights. It will also be a national information and training center for building bridges between law enforcement and the community.

#### X. CONCLUSION

United States law enforcement has no constructive alternative but to partner with the Muslim community for two reasons. From a practical perspective, the U.S. Muslim community is sure to grow, not only because it is younger than the overall population, but also because large-scale immigration is certain to continue – 65% of Muslims in the United States are foreign born. There is no reason to believe that the level of immigration is likely significantly to diminish, especially when Iraqis who assisted United States Military forces seek asylum here in even greater numbers. Law enforcement needs the intelligence and law enforcement information that the Muslim community can potentially provide. It also needs to recruit from this population to obtain the linguistic, cultural, and analytical skills it needs to succeed in combating the threat of terrorism. The Muslim community, in turn, needs law enforcement support to combat the threat of hate crimes and needs government support to curb anti-Muslim discrimination.

Moreover, from a civil rights perspective, law enforcement-community partnerships must be instituted throughout the United States because the model of working in conjunction with minority communities to deal with problems in those

communities is consistent with helping to ensure that minorities are guaranteed a path of access to the American dream which the Muslim community, like other minority communities, still shares with the American majority. It is imperative that this right be protected even in the context of living in a post-September 11<sup>th</sup> world.

Sadly, United States law enforcement, in sharp contrast with its British counterparts, so far has largely shied away from such a constructive partnership. The safety of our nation depends on it getting over that shyness, and finding the wisdom, courage, and openness to follow the British lead and to learn from the British experience.