

**Home Office**

Home Secretary

2 Marsham Street,
London SW1P 4DF
www.gov.uk/home-officeRt Hon Harriet Harman MP
Joint Committee on Human Rights
Committee Office
House of Commons
London
SW1A 0AA

14 DEC 2015

9 December 2015

*Dear Harriet***JOINT COMMITTEE ON HUMAN RIGHTS SCRUTINY OF THE COUNTER-EXTREMISM BILL**

Thank you for your letter of 25 November on the Counter-Extremism Bill. I am grateful to you for providing a list of the initial concerns and questions that your Committee are likely to focus on when they scrutinise the Bill.

As you are aware the Bill has not yet been introduced and it would therefore be inappropriate to answer some of your detailed points in advance of the legislation being brought forward.

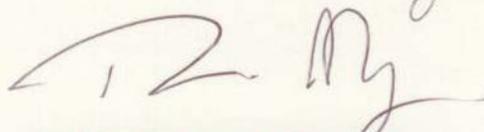
We are currently engaging widely on the proposals for legislation and this will continue over the coming months. These discussions will help to inform the development of the legislation and I do not wish to pre-empt the outcome of this work. This letter therefore provides an interim response to your questions. It would not be particularly helpful to get into a detailed discussion now on clauses that are not published and which are still subject to change. I will however provide you with a more detailed response to the points you have raised in due course. This will include setting out where the Government believes there is a gap in the existing legislation and the sorts of harmful extremist activity that the legislation might address.

In the meantime let me reassure you that the protection of human rights and equality is at the heart of the Government's Counter-Extremism Strategy. Extremists have no regard for these rights and our strategy is about working in partnership with communities to uphold the fundamental rights this country is built on and which are an essential part of the shared values we are determined to protect. This includes freedom of speech and the right to practice a faith.

Amongst the points your letter raises is the justification for any proposed measures and their impact on Muslim communities. The Prime Minister and I have been clear that the threat we now face from extremism is unprecedented. Our Counter-Extremism Strategy describes the significant harms this causes and why it is right

that we should take action now to protect all of our communities – including Muslims, who are too often the victim of extremism. The Bill is just one of a range of measures introduced in the strategy to tackle the full range of extremism in this country: violent and non-violent, Islamist and neo-Nazi.

As you rightly highlight in your letter any legal action will need to be carefully targeted and subject to strong safeguards. The proposed powers are concerned with a small number of the most serious cases where extremists' behaviour threatens others and causes real harm both to individuals and communities. Any powers will be underpinned by a clear and sufficiently prescribed definition of extremist activity. It will also need to ensure equality before the law. That is why we want to engage widely to ensure that extremism is carefully defined and there are appropriate safeguards to ensure any new powers are narrowly focused and proportionate to the risk posed. I expect this to include significant judicial oversight together with clear guidance to the police which will be published in draft form to inform Parliament's scrutiny of the Bill.

Yours sincerely


Rt Hon Theresa May MP