

Out of Harm's Way: Protecting Young People from the increased risks of online extremism

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Responding to Recent Trends

It was recently reported that ministers are studying plans for the introduction of terrorism prevention orders specifically for children. These would, it is reported, compel children involved in terrorist activity (where there is no evidence of attack-planning), to accept help as an alternative to a conviction and custodial sentence.

According to Jonathan Hall KC, the independent reviewer of terrorism legislation, the new orders would work as follows: children aged 17 or under who have been arrested for lower-level terrorism offences would be given a choice. They could either risk prosecution, imprisonment and a criminal record or accept “stringent measures”. The proposed measures include monitoring software on their electronic devices to detect if they are accessing extremist material, limits on their use of devices, and potentially limits on whom they could contact. The child would attend mentoring sessions to divert them from belief in violent extremism. Breaching these conditions would be an offence.

Hall’s annual report, delivered to government in December, contains further details but is yet to be published.

The proposal was prompted by a growing number of arrests for lower-level terrorism offences involving children. In the year to September 2020, 4% of terrorism-related arrests were aged under 18. In the year to September 2022, 17% were under 18s. That equates to 32 arrests: 12 were suspected of extreme right-wing terrorism, 16 were suspected of Islamist extremism, and for four children the ideology could not be classified.

Children as young as 13 have been arrested. Police have warned that children from middle-class backgrounds are being lured into extreme right-wing terrorism with online content based on violent video games designed to indoctrinate them.

Measures have already been put in place to tackle the problem. Statistics for Prevent, the UK government deradicalisation scheme, show a growing number of young people being referred. In 2020, a dedicated website called ACT Early was launched, designed to offer advice and support for parents and family members who think their loved one might be on a dangerous path towards extremism.

Tragic Consequences

The news of the death by suicide of a teenage girl provided a devastating example of what can happen to a vulnerable child involved in terrorist activity under investigation by the authorities. The Nottinghamshire based girl became involved in right-wing extremism aged 14 and was in regular online contact with an American white supremacist, Christopher Cook. She was referred to the Prevent programme in September 2020.

The FBI had been monitoring the activity of Christopher Cook and within a month of her being referred to Prevent, she was arrested on suspicion of terrorist offences. It is reported that her legal team wanted her referred to the specialist government unit at the Home Office which considers whether people are trafficked and exploited

under modern slavery laws. It took another seven months for any decision to be made, the prosecution was then abandoned.

Global Perspective

The problem is neither new nor unique to the UK. The United Nations Office on Drugs and Crime has reported that children, as active internet users, are at particular risk from extremism. In a report on the issue, the UN agency noted that children are more inclined to quickly show loyalty to authority figures and are especially susceptible to following beliefs and behaviours of those they love and respect. Online communication expands the reach of terrorist groups, helping them get through to potential young recruits around the world. Platforms popular with young people, including email, chat rooms and message boards, are particularly popular recruiting tools.

While all children are at potential risk, the scale of recruitment of girls has become a matter of notable concern. The paths leading girls to such groups often remain invisible. For instance, ISIL direct propaganda messages at women and girls, whom they address as “sisters of the Islamic State”, writing manifestos and publications for them and promoting women’s voices, with dedicated online chat boards, operated for and by women and girls.

International Standards

Article 19 of the Convention on the Rights of the Child provides a broad definition of violence against children and includes both non-physical and non-intentional forms of harm. Signatories must take all appropriate legislative, administrative, social and educational measures to protect the child from violence, abuse and exploitation.

The universal conventions and protocols against terrorism do not specifically address the question of children recruited and used by terrorist groups. However, in 2014, the Security Council acknowledged for the challenge posed by the recruitment of children by terrorist groups. In its resolution 2178 (2014), it called upon all Member States to cooperate in efforts to address the threat posed by foreign terrorist fighters, including by “*preventing the radicalization to terrorism and recruitment of foreign terrorist fighters, including children*”.

Security Council resolutions have often emphasized the need to tackle terrorism by focusing on prevention measures. In its resolution 1624 (2005), the Council recognized the importance of States acting in cooperation with one another “*to prevent terrorists from exploiting sophisticated technology, communications and resources to incite support for criminal acts.*” The Paris Principles state that children who have been “*associated with armed forces or armed groups should not be prosecuted or punished or threatened with prosecution or punishment solely for their membership in those forces or groups.*” In addition, they provide that “*children who are accused of crimes under international law allegedly committed while they were associated with armed forces or armed groups should be considered primarily as victims of offences against international law, not only as perpetrators.*” Accordingly, children should be treated with rehabilitation in mind and alternatives to judicial proceedings should be sought wherever possible; prosecution should be seen as a measure of last resort.

Case in Point

In 2015, Switzerland launched an initiative on juvenile justice in a counterterrorism context to address the emerging issue. Irrespective of whether the minor is responsible for the commission of a crime, protection including supervision, personal care, outpatient care or accommodation was advised. For children 15 and under, custodial sentences can only be ordered for a maximum of one year. For children 16 and over, custodial sentences for up to four years may be given.

Established Precedent

Closer to home, the Secretary of State already has the power to impose specified Terrorism Prevention and Investigation Measures (TPIMs) on an individual if certain conditions are met. Such measures include restrictions on residence, travel, and movement. It is an offence for an individual with a TPIM, without reasonable excuse, to contravene any measure specified. Between 2011 and December 2021, a total of 28 individuals received TPIMs. Serious Crime Prevention Orders (SCPOs) are an option for adult offenders. The Serious Crime Act 2007 allows counter-terrorism police to make a direct application to the High Court for a SCPO in relation to individuals over the age of 18 involved in terrorism.

Conclusions

The increased engagement of children in terrorist content online gives rise to complex questions from a policing perspective. It is natural for children and teenagers to be curious, and the digital world gives them ample opportunity to explore uncharted territory from the comfort of their own bedroom. Often this activity is only partially supervised, giving those involved in recruitment ample opportunity to prey on the naivety and vulnerability of the children they are targeting.

We have long standing obligations under UN law relevant to this issue. Those UN obligations say to protect children and to consider alternatives to prosecution when children are involved in the incitement and glorification of terrorism. Under Article 3 of the United Nations Convention on the Rights of the Child, in all actions concerning children, the best interests of the child shall be a primary consideration. The increase in this activity has spurred Britain's independent reviewer of terrorism and government ministers into action. Whether the proposed orders will have the desired rehabilitative effect will require closer and continued scrutiny once the plans are published and implemented.

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