

Interview – David Lowe

Written by E-International Relations

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E-INTERNATIONAL RELATIONS, AUG 3 2022

Dr David Lowe is a senior research fellow at Leeds Law School, part of Leeds Beckett University, where he researches terrorism and security, policing, and human rights. Prior to being an academic, David served as a police officer in the UK where he carried out a number of uniform and CID roles. After retiring from the police, he began his academic career. His research has been widely published in books and journal articles. His latest book, *Terrorism, Law and Policy: A Comparative Study*, was published by Routledge in 2022. Due to his expertise David is constantly requested by the mainstream media to provide interviews on his research area, including the UK BBC television and radio and Sky News, and internationally CNN, France 24, ABC (Australia), TRT (Turkey), Al Jazeera, Al Arabyia (UAE) and AlGhad (Egypt).

David is an Expert Panel member of the UN's UNESCO Chair on the prevention of radicalisation and extremism, an External Member of UK Parliament's All-Party Parliamentary Group on a Fit and Healthy Childhood where his input is in relation to the UK's Prevent Strategy and how extremism impacts on children and young people. David is also a member of the UK's Counter Terrorism Advisory Network and a member of the Academic Resilience and Security Community (Academic RiSC). Among his current projects, he is working with the Northern Ireland Assembly to introduce a bespoke version of the Prevent programme and on the Hate Crime Bill. He has recently started working with a German NGO, GIZ, that works with the African Union regarding the implementation of police co-operation in intelligence sharing and a bespoke version of a Prevent programme to minimise the impact extremists have on various African states' populations.

Where do you see the most exciting research/debates happening in your field?

There are a couple of debates I see as exciting. One is in relation to widening statutory powers to agencies involved in counterterrorism, especially in relation to surveillance on those suspected to be involved in acts of terrorism. The primary aim of counterterrorism investigations is to prevent attacks from happening. As such, wider powers allowing intrusion into suspects' activities ranging from statutory preventive measures to surveillance of electronic communications are required to assist those agencies in achieving that aim. The related issue to this is what safeguards are in place and their effectiveness in ensuring there is a balance between protecting citizens' rights and meeting the needs of the state.

Another area is the expansion of extremism that drives terrorist activity. The extremist cause that most know about is the Islamist cause related to Al Qaeda and the Islamic State. Groups like these are international terrorist groups and, as we have seen, can be well organised, especially in how they use various forms of media to recruit people to their cause or simply to gain sympathy. There has been a rise in extreme far-right groups (neo-Nazis), and they are becoming increasingly internationalised as seen with groups like *Atomwaffen* in the US that have splinter groups around the world like the *Sonnenkrieg* Division in the UK and *Feuerkrieg* Division in Europe. In addition to this is the rise of the incel movement that has inspired violent acts by men on women. It was interesting to see that an attack in Toronto in 2021, where a young male killed two women and a male, has been treated as a terrorist incident due to it being driven by the incel ideology. As many states' legal definition includes that an act of terrorism is carried out not just under a religious or political cause, but also under an ideological cause, it will be interesting to see how state agencies deal with other ideologies that could be classified as forms of extremism.

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How has the way you understand the world changed over time, and what (or who) prompted the most significant shifts in your thinking?

In relation to my work and research into terrorism and security, in the late 1990s I was a police officer and, up to that time in the UK, the main terrorist threat came from dissident Irish republican groups like the Provisional IRA and the Irish National Liberation Army, and loyalist groups like the Ulster Defence Association and the Ulster Volunteer Force. The attack on the US in September 2001 changed that. While I understood the political causes related to both the republicans and the loyalists, now I had to understand the Islamist cause, a cause I had never come across before. Of course, I was not the only one and neither was it just the UK that had to come to terms with this attack, many other states and their counterterrorism agencies also had to understand this cause. While the Irish Troubles was a conflict seen solely as a UK issue, international terrorism resulted in states' agencies having to co-operate and work together to deal with the threat. In addition to this, we saw states introduce legislation containing comparable provisions, as well as in many cases, a legal definition as to what amounts to a terrorist act. In the legal definition these states included that an act of terrorism was an act anywhere in the world. Terrorism has moved from insular national operations to international co-operation supported by international bodies like the United Nations and the European Union. It has been fascinating to research and work on seeing how senior political responses to terrorism has been put into practical operations related to preventing attacks and arresting terrorists.

Before entering academia, you served as a police officer. How has this background influenced your academic career?

My main areas of research are terrorism and security, policing and human rights. My operational policing experience has driven my academic research. As I served for 27 years and understand the pressures and challenges police officers face, the challenge for me is in staying objective in relation to contemporary policing practice. I think my operational experience has enhanced my academic work as I try not to be too one dimensional because, as an academic lawyer, I do work that assesses both sides of an argument.

What are the greatest challenges the current generation of police officers is facing? How are they different from the ones you encountered?

Policing is under a greater spotlight, especially with the recording of all police activities on the cameras on people's mobile phones, something I never had to contend with. As a result, police officers have to ensure that they know the law thoroughly and their actions are proportionate to what they are facing. Another challenge is the expectation of more for less. In the UK there was a dramatic reduction of police officers in 2010 but the demands on their services have increased. Although the UK is recruiting more officers, if the government reaches their recruitment target it will only put that number back to where it was in 2010. Another challenge is that there appears to be greater political interference from national government in policing; I encountered a degree of political interference especially in the 1990s. For example, countries like the UK and the US provide policing of local citizens in uniform to serve the local community which are losing that local touch and becoming increasingly nationalised similar to a federal police force.

In an article you wrote for Terrorism and Political Violence, you talked about the differences between intelligence exchange procedures in the UK and the US. Which approach is best suited for the contemporary international scenario?

Intelligence is important as it could become evidence that forms part of a prosecution file. It is essential that between states there are adequate forms of safeguards on human rights like rights to privacy and data protection. By adequate, I mean comparable. For that to happen any authorisation/warrants must have judicial oversight for agencies to conduct surveillance and other activities that intrude into citizens' lives. The issues that came to light with the Edward Snowden revelations regarding the US's NSA and the UK's GCHQ's activities – where there was the lack of rights' safeguards and legal authorities – have been remedied by many states to ensure that safeguards are in place to protect rights and that surveillance, especially surveillance of electronic communications, is both proportionate to what is being achieved and passes the legal test of necessity.

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You are involved in various projects related to the UK's CONTEST programme. How do you respond to the claims that this programme in general, and Prevent in particular, fosters radicalisation rather than hampering it?

In relation to the Prevent programme, it did not get off to a good start when it was first introduced. There were two problems. One was that it dealt only with violent Islamist ideology. The consequence of this is it brought the Muslim community under the spotlight creating another suspect community within the UK. This was not the first time this happened. During the Irish Troubles Irish Catholics and British-born Catholics of Irish descent were also seen in Britain as a suspect community. A second problem was that initially the police was handed the main responsibility to implement Prevent and as such it was not a truly multi-agency approach. A consequence of this is that many in the UK's Muslim community saw Prevent as another layer of surveillance on them by the state and as pointed out in the question, it tended to foster radicalisation rather than prevent people from being radicalised.

Fortunately, there have been several reforms related to the Prevent programme. These include Prevent relating to all forms of extremism, emphasising that the aim of Prevent is to safeguard the vulnerable in society from being drawn towards terrorist activity. Today it is a truly a multiagency approach aimed at helping individuals, with the police taking more of a back seat when it comes to the formation of the Channel panels, as these panels are created to provide help and support to individuals referred to them. The majority of Prevent referrals in the last few years has seen an increase in the number of individuals linked to the extreme far-right, that have now surpassed the number of individuals linked to the Islamist cause. In the projects I am involved in I have seen how Prevent has genuinely helped and prevented individuals from being drawn towards terrorist activity. Being a pre-criminal programme, all referrals are granted anonymity and that includes their circumstances and as such this means that many of the successes in individual cases cannot be published.

In a 2020 article you mentioned the problems that terrorists' communications pose for open-source media and the implications this may have for free speech. Has the situation developed since then and what is the best approach governments should adopt?

The best approach for governments is to work with social media companies. By that I mean, when legislating, rather than imposing restrictions and conditions it is preferable to introduce co-operation. In 2014 the Islamic State used open-source social media to good effect to promote their cause, recruit individuals to fight for them and encourage people to travel and live to their self-proclaimed caliphate they had in Syria/Iraq. As a result, we have seen social media companies like Twitter introduce policies to deal with extremism and close accounts (and that has included the former US president, Donald Trump). Terrorist groups and extremists now use more deeply encrypted sites like WhatsApp and Telegram. The problem now is that open-source social media companies' policies are too strict when dealing with what they perceive as extremist content. It is not so much that state governments are restricting freedom of expression, it is the social media companies too. In relation to extremist/terrorist material posted on social media, there should be a responsibility on these companies to inform counterterrorism agencies when this occurs, and this is what I mean by co-operation.

Nowadays, growing surveillance is seen as causing an increase in national security at the expense of individual liberty. Is it possible to find a balance between the two and if so, how?

This point I raised in my answers above. It is important that in granting wider powers of surveillance, sufficient safeguards are in place to protect rights, especially rights to privacy and data protection. All surveillance activity must be authorised with a warrant to carry out that activity and in granting warrants/authorisations it is imperative that there is judicial oversight. This oversight will assess not only that an authorisation is granted within the respective statutory provisions, but also meets the legal tests of proportionality and necessity. On the other hand, for the state to keep us safe it is also important that its counterterrorism agencies have the powers to carry out that function. The most important right is the right to life and that it us, the public. As soon as wider powers are granted, understandably many civil liberties groups raise concerns that an increase in powers has the correlative increase in the violations of citizens' rights. That is why the legal tests of proportionality and necessity must be met and authorisations to conduct surveillance should be on targeted individuals, groups or locations where it is suspected that terrorist activity is being

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carried out. Counterterrorism agencies have a limited staff, and it is a myth that the state is watching everything we as citizens do. That staff can only focus its attention on those who pose a genuine risk to state security and to preserve the right to life it requires wider powers.

What is the most important advice you could give to young scholars of International Relations?

Keep up to date with developments. That includes legislation. In the UK alone, nine terrorism-related statutes have been introduced since 2000. It also includes keeping up to date with case reports, most of which are decisions made in relation to statutory interpretation. This is in addition to policies that are constantly evolving or being introduced. And finally, keep up to date with terrorist/extremist groups; a good example of this are the extreme far-right groups, especially when they are proscribed as a terrorist organisation, and they soon morph into another group. Most of all, enjoy studying it. My research is far from sedentary, it constantly changes and that is part of the challenge (and fun).