



2014 Annual Curriculum for Cohesion Dinner

Address of Sir David Calvert-Smith QC

Chairman

The Parole Board

Thursday, 26 June 2014

I feel a bit like some of us in this room have felt in the past, sixth on the indictment, five excellent speeches made for the defence before I even get to my feet, what can I say but to adopt the words of the others, which of course I do.

A little bit about where I come from and why I'm so passionate about this project. I was a long time ago Director of Public Prosecutions, where I learned at an early conference I organised by the then new Labour Government that male Muslims were overrepresented in the prison population in comparison with others. While these young men may bear Muslim names, just like many who bear Christian names, they may not practise their faith or indeed even think of themselves as Muslims. I had assumed that the imbalance had more to do with the problems caused by economics, racism or xenophobia.

I am a staunch, I hope, defender of the right of every citizen in this country to hold and, if necessary, to express extreme views but in the wake of 9/11 as many of you know Parliament enacted legislation which read in one way might have seemed to water down that right.

In the interval between being Director of Public Prosecutions and going on the Bench, I led a formal investigation



commissioned by the then Commission for Racial Equality, into the police services of England and Wales and a great deal of what I now know has inspired me to get involved with Curriculum for Cohesion.

Soon after I was appointed a judge, I was put in charge of what was called the Terrorist Case List which I ran for seven years, which dealt with the Far Right, Anti-Semitic loners or groups, Muslim converts or reverts who had espoused violence against British society and a desire for revenge against what they perceived to be, in the case of 'Muslims', the violent aggression by this country and the US on Muslim lands.

Frequently it was possible, at least from the Bench, to guess at other influences. More than one or two of the young men and few women from a Muslim backgrounds who came before me had come from well-integrated families, successful families but were siblings who had not achieved quite as much as other siblings and had no doubt been compared unfavourably with them and wished to show that they could actually do something which would make them famous.

Some had got there as a result of minor offences they had committed which had got them involved in the criminal justice system and, I suspect, turned them against it because of the way they had, or at the very least perceived they had, been treated.

What I was aware of by the time I was a judge and went through this phase of managing terrorist cases, and I know many of my colleagues were aware of this too, was a deep ignorance both of



myself and of my colleagues of the real religious tenets of Islam and an equally deep ignorance of the causes and circumstances which have led to the two things I've just referred to, the higher than average proportion of young Muslims in prison for any sort of crime and the small but of course hugely significant in terms of attitudes in this country, number of such men who plan or actually commit very serious crimes in the belief that they have no duty whatever to abide by the law of this land unless it happens to coincide with their own understanding.

Since retiring as a judge I have been the Chairman of the Parole Board and for the first time become involved in what happens to offenders after their sentence and the efforts to ensure that those who have been convicted of dangerous crimes are turned away from those activities and enabled, upon release, to lead productive and law-abiding lives.

So I was therefore honoured and delighted to accept Matthew's invitation to get involved in Curriculum for Cohesion and even more delighted when in discussions he told me he wanted to expand or redirect its focus into the world of criminal justice and the education of the judicial system to help them deal fairly with Muslims. And indeed help to help Muslims to understand that the law of the land is there for their benefit and not there to persecute them.

Of course my personal experience has been at the high end of the scale and therefore I have not recently been principally concerned with what one may call the 'run of the mill' offender



who falls foul of the police, the Crime Prosecution Service, the courts and ultimately sometimes the Prison Service.

Ultimately the aim has got to be to ensure that civil society is able to accommodate and improve the lot of all its citizens and that those citizens all understand that their duty is to do the best they can to live lives which both accommodate their particular beliefs but do not run against the laws which the whole society, through Parliament, has deemed appropriate.

Curriculum for Cohesion is ideally placed to assist both citizen and government in this process since it is taking advice from, and hopes to involve - that's why you're all here - an impressive range of different types of person, academics, politicians, business people and now, we hope, members of the judiciary, CPS, Police and the Prison Service.

In fact, I first encountered Matthew in court...no, not that way. He was called as an expert witness to help a jury, most of whom, like me, had little or no previous knowledge of the tenets of Islam. His evidence was both thoroughly researched from a deep well of knowledge and practical and others have made both those points in connection with the recently published book [*A Fresh Look at Islam in a Multi-Faith World: a philosophy of success through education*].

I made the mistake, only joking, of complimenting him on his evidence at the close of the trial. Since then I have assisted him to engage with my former legal and judicial colleagues, many of whom I am delighted to see here this evening, as well as with



colleagues from other parts of the criminal justice system. The police who represent most citizen's principal or only contact with it and the CPS and a warm welcome to Superintendent Smart this evening and Dal Babu former Met Officer.

If she will forgive a personal note I am delighted to see Baljit Ubhey whom I first met some 15 years ago at the CPS and to be able to congratulate her in person on her appointment as the top active prosecutor in the CPS as the Chief Crown Prosecutor for London.

And to Eoin McLennon-Murray, the Chairman of the Prison Governors' Association who has already been in print. I know that because I read *Inside Time* now, the prison magazine, on this very topic where it details the diminishing resources the Prison authorities receive without any diminution in the prison population and the particular effect of Muslim prisoners who represent some 40% of, for instance, a prison like Whitemoor gaol.

There are also former fellow practitioners of mine who I've seen across the Court.

I am delighted to see Ali Bajwa here, Imran Khan, who has appeared in many of these cases and goes all the way back, at least in my memory, to the Macpherson Enquiry.

All of you, and those I haven't mentioned, have got something really good that you can add to this project. Of course the



judicial members who I've come to last have the least, in a sense, because they can really only speak when they're in Court and dealing with a case.

On the other hand I would earnestly ask you, and I'm so glad so many of you have come from the senior criminal court in the country in particular the Recorder of London, the Common Sergeant and Judge Poulet in particular, to help this project in any way that you can, perhaps by giving talks and visiting, or lending your support to the Muslim College in some way, as I hope to be able to do myself.

I therefore finish by repeating what has been said so often by urging you who have come to the project new this evening to give such support to it as you probably can within the confines of your particular role.

I look forward to its continuing success in this new and exciting phase of its development and at a time when it is, as so many have pointed out, a Trojan horse or whatever, something happens almost monthly now, it is no longer optional to develop a proper understanding of Islam and Muslims in this country.

Thank you very much.