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Lessons from the Trojan Horse affair

We have had two aims in this book. One has been to expose a glaring injustice in the treatment of teachers and governors associated with PVET and the Trojan Horse affair. The disciplinary proceedings undertaken by the NCTL against the senior teachers were discontinued in May 2017, some three years after the allegations first hit the headlines. The reason was ‘an abuse of the process which is of such seriousness that it offends the Panel’s sense of justice and propriety’.⁴¹⁶ No doubt the teachers are relieved, but they have been denied the opportunity to clear their names.

As should be clear from the evidence we have presented throughout this book, we have no confidence that the Panel was on the way to a correct decision. In each of the different steps of the unfolding of the affair, the various investigations and how they have been reported have been stacked against those involved. As we have shown, the Ofsted reports on the school found ‘evidence’ of Islamic influence and failures of safeguarding, but they were not conducted in an independent manner and with regard to the very different findings of earlier Ofsted reports. In the latter reports, the same practices were praised by Ofsted inspectors as contributing to Park View’s success.

⁴¹⁶ Education Select Committee (2015) ‘Extremism in schools’.

In a similar manner, it became clear that the EFA Review of PVET was also conducted with a view to finding any evidence that might justify action against the Trust, based upon direction from the DfE's Due Diligence and Counter Extremism Division. For their part, the Kershaw and Clarke Reports were also deeply flawed, not least because they failed to address the nature of the requirements for religious education and collective worship and the role of the DfE in supporting PVET and its incorporation of other schools as a sponsoring academy. Throughout the process the DfE has been exempt from any scrutiny and yet officials at the department and the Secretary of State did their best to exert their influence, first by influencing the EFA Review and then by setting up an investigation under Peter Clarke, former head of counterterrorism at the Metropolitan Police, and, finally, by influencing proceedings at the NCTL hearings.

These circumstances demand a separate Inquiry, as has been suggested by Peter Osborne and supported by Baroness Sayeeda Warsi, former cabinet minister and chair of the Conservative Party.⁴¹⁷ In our view, as we have already argued in Chapter Six, the case has parallels to that of the Hillsborough football match disaster (albeit with no loss of life), where, as part of a cover-up of police failings, the behaviour of fans was misrepresented and vilified in the press. A similar narrative of vilification has occurred in the Trojan Horse affair. In the aftermath of the collapse of the NCTL hearings, the narrative has softened a little, with some suggesting that it might have been a mistake to represent the case as involving 'extremism', but it was, nonetheless about people pursuing an unrepresentative hardline conservative religious agenda reflecting an isolated and self-segregated community (with the added wrinkle that it was proposed that mainstream Muslims did not agree with the agenda and, therefore, it was not a problem of Muslims as such).

⁴¹⁷ Peter Osborne, 'The "Trojan Horse" plot? A figment of neo-Conservative imagination', *Middle East Eye*, 2 June 2017. Available at: www.middleeasteye.net/columns/trojan-horse-plot-figment-neo-conservative-imagination-1295765958.

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For example, Christopher de Bellaigue, writing in a review of James Fergusson's book *Al-Britannia, My Country: A Journey Through Muslim Britain* a few days after the discontinuation of the NCTL case, comments 'what there was, undoubtedly, was a very conservative ethos, heavily informed by Islam and coloured by rebarbative views on homosexuality and women'.⁴¹⁸ This was also a version proffered by Baroness Warsi herself, prior to the discontinuation, in an otherwise excellent book that documents the baleful effects of 'neoconservative' ideology and Islamophobia over government policy, especially associated with Prevent. She deconstructs the Trojan Horse affair thus: 'in a nutshell, a bunch of blokes with pretty misogynistic, conservative and intolerant views had decided they were right and everyone else was wrong, that their vision of the world was going to trump others and through the brown boys network had managed to keep power in the hands of themselves and their mates'.⁴¹⁹

The reality of the school and those involved in it was quite different. The qualities of the school and its teachers were enthusiastically endorsed by Ofsted reports up until 2012 and its achievements were exceptional. Government intervention in the wake of the Trojan Horse affair destroyed those achievements and the reputations of those who had brought them about. The pupils at the school were very well served by their teachers and the nature of government intervention has seriously harmed their interests.

Our second aim has been to explore how the Trojan Horse affair is indicative of issues and problems of multicultural Britain, or, more properly, the problems of a mainstream Britain that repudiates multiculturalism. It was not accidental that the Trojan Horse affair was associated with schools in a poor part of East Birmingham with a very high proportion of Muslims. In general terms, the circumstances that the school was addressing are those that are usually associated

⁴¹⁸ Christopher de Bellaigue, 'Al-Britannia, My Country by James Fergusson review – a compelling survey of British Islam', *The Guardian*, 1 June 2017. Available at: www.theguardian.com/books/2017/jun/01/al-britannia-my-country-james-ferguson-review-british-islam-minority-population.

⁴¹⁹ Warsi (2017) *The Enemy Within*, page 150.

with poor pupil performance – for example, we have seen that the school at the centre, Park View, had a pupil intake that was 98.9% Muslim, 72.7% of its pupils received free school meals, and just 7.5% had English as a first language. Yet the academic performance of its pupils was above the national average. This made the school an example for others concerned with improving pupil performance, especially in communities with a high proportion of ethnic minority and Muslim pupils.

It is hard to avoid the conclusion that it also made the school a target. Notwithstanding the fact that policy across several governments had made improving school performance a major objective, when those who were challenging existing governing bodies and senior teachers were Muslims then the nature of their engagement was understood differently. Pupil achievement and equal opportunities are a major part of what has been presented as ‘British values’ and they are seen as contributing to long-term community cohesion, as we have shown. Yet the involvement of Muslim parents and governors in pressing for school improvement was believed to derive from their cultural particularism and failure to integrate or endorse shared values.

The narrative of the Trojan Horse affair included the argument that ‘successful’ head teachers were targeted. Sir Michael Wilshaw, in declaring the outcomes of the Ofsted inspections he had ordered in the wake of the first media reports of a ‘plot’, stated that ‘some headteachers, including those with a proud record of raising standards, said that they have been marginalised or forced out of their jobs. As a result, some schools previously judged to be good or outstanding have experienced high levels of staff turbulence, low staff morale and a rapid decline in their overall effectiveness’.⁴²⁰ We have seen that the opposite is the case. It was schools that were outstanding that were put at the centre of the plot, and their governors, head teachers and other teachers who were responsible for that success were marginalised and forced out of their jobs, with hearings undertaken by NCTL with

⁴²⁰ Michael Wilshaw, 9 June 2014. ‘Advice note’.

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the intention of handing down lifetime bans on their pursuit of their vocations.

Neither the Clarke Report nor the Kershaw Report addressed the issue of school performance. Nor did they address the role of the DfE and Birmingham's local education services in promoting Park View's sponsorship of underperforming schools, a sponsorship that gave rise to charges of their (Islamic) takeover of schools. Both reports were constructed around the '5 step strategy' outlined in the original Trojan Horse document and neither felt it necessary to consider whether the document was a hoax and what may have motivated it. They declared that they were only concerned with 'evidence'. However, they failed to disclose information about one of the 'outstanding' schools – Regents Park Community Primary School – where a 'successful' female, non-Muslim head teacher was ostensibly a target of the supposed plot. She had resigned in October 2013 and was subsequently barred from teaching in July 2014 at an NCTL hearing in which she admitted dishonestly changing SATs exam papers of pupils.

We have also seen a deep equivocation around whether the Trojan Horse affair involved extremism. This is argued in the Clarke Report, but it is not alleged in the NCTL hearings. However, in pre-judgement of those hearings where evidence could finally be tested, the government has used the affair as an example of 'extremist entryism'. This first occurred in its outline of a new strategy directed against extremist ideology opposed to British values immediately after the Trojan Horse affair broke. Thus, it is stated that there is 'evidence that our institutions are increasingly targeted by extremists, who look to use them to spread their ideology'. It goes on to provide a summary of the Clarke Report that includes claims which were not in it, stating that the report 'described extremists gaining positions on governing bodies and joining the staff, unequal treatment and segregation of boys and girls, extremist speakers making presentations to pupils, and bullying and intimidation of staff who refused to support extremist views'.⁴²¹

⁴²¹ Home Office (2015) *Counter-Extremism Strategy*, paragraphs 21, 22.

In making these claims, the government prejudged the NCTL hearings, while also levelling accusations of ‘bullying and intimidating staff who refused to support extremist views’. It also raised the stakes for the Panels in terms of the significance of their findings, lending the weight of government pressure for them to find in support of the NCTL case. This is most clearly illustrated in the fact that the NCTL outline of charges against the teachers did not involve any claims of extremism, yet the Panel at Hearing 2 came under pressure from the DfE to modify their findings to state that they did not involve *violent* extremism, a formulation that was intended to imply ideological extremism.

Throughout the period since the Kershaw and Clarke Reports were published in July 2014, actions have been taken on the basis of lessons supposedly learned from the affair. As we argued in the introduction of the book, this is why the case matters beyond the injustice done to those at the heart of the Trojan Horse affair. It matters for all of us, because it is indicative of a wider populist attack on multiculturalism that scapegoats fellow citizens who are Muslims and promotes a disregard for due process and rights. In other words, it is a betrayal of the very values that the teachers in the Trojan Horse affair are held to have disavowed. However, it has also shaped a change in the nature of what is meant by ‘British’ values and has also shaped debates about the proper role of religion in public life (including schooling). We will argue that it is illustrative of wider problems in British politics where a particular kind of authoritarianism has been facilitated by the hollowing out of local responsibilities and their appropriation by central government. This is something that is evident in the developing governance arrangements for schools, arrangements which have been taken further in Birmingham in the wake of the Trojan Horse affair.

We will outline a different set of lessons, but first let us set out what has otherwise emerged. One consequence has already been identified, namely the government’s argument on the need to extend Prevent to include extremist ideology and not simply violent extremism. A second is the need to ‘promote British values’ in schools, notwithstanding that promoting ‘shared values’ has been part of a statutory duty to

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promote social cohesion since 2008.⁴²² It was also a duty that the DfE's own commissioned research showed was well understood by teachers and with which schools were fully compliant, including Park View school.⁴²³ The Select Committee on Education that reviewed the Trojan Horse affair in 2015 also raised the issue of the efficacy of the Ofsted inspection regime. It had, apparently, previously 'missed' what was then picked up in the 2014 inspections. It stated that 'Ofsted now inspects the active promotion of British values as part of its judgement on leadership. Although Sir Michael Wilshaw previously suggested that there should be an additional separate judgement on the curriculum to include preparation for life in modern Britain, this has not been pursued'.⁴²⁴ Once again, we saw in Chapter Seven that Ofsted had inspected these matters under the duty to promote community cohesion and had commented explicitly on Park View in these terms. While it is true that the government itself changed the inspection criteria in the Education Act of 2011, we also saw that the statutory obligations remained and the government stated that the new criteria incorporated them and they would be covered by the new inspection regime. There is no warrant for the view that there was something untoward taking place that the inspection regime missed and was unable to uncover because of its own failings. The problem is not a failure of Ofsted inspections prior to 2014, but what the inspections in 2014 purported to find.

In our view, the lessons that have been drawn from the Trojan Horse affair are the wrong ones, and they are building up serious problems for the future. We now set out some alternative lessons.

⁴²² Department for Education, 'Promoting fundamental British values as part of SMSC in schools', November 2015. Available at: www.gov.uk/government/publications/promoting-fundamental-british-values-through-smsc.

⁴²³ Phillips et al (2010) 'Community cohesion and Prevent'.

⁴²⁴ Education Select Committee (2015) 'Extremism in schools', paragraphs 41, 70.

Lesson 1: The problem of Prevent

Key to the judgements about the problem of ‘extremism’ in the Birmingham schools was the purported failure of the schools to implement the government’s Prevent strategy. As we set out in Chapters Two and Three, this led in several cases to schools being severely downgraded by Ofsted – notwithstanding their continued successes in relation to pupil attainments. We saw that these judgements were made at a time when the Prevent strategy itself was in flux – it was not a statutory requirement for schools, there was relatively little reference to extremism in the Ofsted inspection criteria at the time, and little guidance to schools on implementing Prevent. Consequently, the understanding and implementation of Prevent across the sector was relatively low – or schools tended to consider that they were discharging any responsibilities under Prevent through their implementation of their statutory duty to promote community cohesion.

Although the schools were penalised for their failures to implement Prevent, the various reports into the Trojan Horse affair did not find any evidence of radicalisation within the schools. As we saw, the Kershaw Report concluded that ‘There is no evidence of a conspiracy to promote an anti-British agenda, violent extremism or radicalisation in schools in East Birmingham’,⁴²⁵ whilst the Clarke Report found no evidence of ‘terrorism, radicalisation or violent extremism’ in the schools – rather religious conservatism or a ‘hardline strand of Sunni Islam’.

The charges that were brought against the teachers by the NCTL were not of extremism, but a ‘failure to respect diversity’ and of seeking to bring about ‘an undue amount of religious influence in the education of the pupils’. In the Panel 2 Hearing, seemingly under the direction of the DfE’s Due Diligence and Counter Extremism Division, the assertion by the DfE’s lawyers that the cases were not about extremism was amended to not being about ‘*violent* extremism’ – a shift that clearly sought to maintain a very open interpretation

⁴²⁵ KershawReport, page 4.

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of extremism. As we have shown in Chapters Six to Nine in Part Two of this book, the allegations of ‘undue religious influence’, or attempts at Islamification, rest on erroneous assumptions about the schools as otherwise properly ‘secular’ as well as seeming ignorance of the guidance to and requirements on schools to reflect the religious identities of their pupils in their curriculum and daily practices. In any case, the various allegations against the schools and teachers in the NCTL hearings were ultimately dropped, not substantiated or rebutted.

Nonetheless, as we showed, the purported facts of the Trojan Horse affair have been cited by government as evidence for the need to take further action – they were explicitly referred to in the 2015 Counter-Extremism Strategy to justify the proposal to introduce further specific measures to prevent ‘extremist entryism’ in public institutions, and other related measures. As this book has highlighted, however, the Trojan Horse affair does not in fact provide evidence of ‘extremist entryism’.

Indeed, a hallmark of the reports and investigations into the affair has been the uncertainty and inconsistencies about what constitutes ‘extremism’ – as revealed by the denials by the lawyers presenting the cases against the teachers in the NCTL hearings that the cases were about ‘extremism’, and the requested correction of the NCTL’s Opening Note in Hearing 2 by the DfE’s Due Diligence and Counter Extremism Division to include reference to ‘violent’ extremism. It is perhaps unsurprising that what constitutes ‘extremism’ throughout this affair has proven so slippery and elusive. In fact, this is a problem that has been noted elsewhere – including subsequently by the House of Commons Joint Select Committee on Human Rights, which in 2016 argued that the government’s definitions of extremism:

are couched in such general terms that they would be likely to prove unworkable as a legislative definition ... It is difficult to arrive at a more focused definition of extremism and it does not appear that the Government so far has been successful in arriving at one. It is far from clear that there is an accepted definition of

what constitutes extremism, let alone what legal powers there should be, if any, to combat it.⁴²⁶

Perhaps unsurprisingly, then, the promised legislation that was signalled in the 2015 Counter-Extremism Strategy has reportedly been held up by the Home Office's failure to frame a legally acceptable definition of extremism.⁴²⁷

The government's proposed expansion of its Counter-Extremism Strategy – promised by the Conservatives in the 2017 General Election manifesto and referred to in the 2017 Queen's Speech – brings counter-extremism policy ever more in tension with civil liberties and indeed in tension with the very elements of the government's definition of 'fundamental British values' that it draws on to define extremist attitudes. Thus, it is in tension with the values of democracy and the right to hold different, even extreme or religiously or socially conservative views. The criticisms of the DfE's handling of the NCTL processes by the NCTL Panel do not sit well with a government approach that purports to be about tackling those who oppose the rule of law. The evolution of Prevent into an agenda that has become focused on tackling those who hold the 'wrong' kinds of values is at odds with the principles of mutual respect and tolerance of diversity.

And yet in shifting towards a focus on tackling values, Prevent seems to be moving further away from being an effective approach to interrupting or preventing terrorism. Following the recent terrorist attacks in Manchester and London in June 2017, it emerged that in both cases those involved in perpetrating the attacks had been reported to the security services – and by members of their communities – but these were seemingly not followed up. As Yahya Birt points out,

⁴²⁶ House of Commons Joint Select Committee on Human Rights, 21 July 2016. Available at: www.publications.parliament.uk/pa/jt201617/jtselect/jtrights/105/10503.htm.

⁴²⁷ See 'Theresa May's counter-terrorism bill close to "sinking without trace"', *The Guardian*, 29 January 2017. Available at: www.theguardian.com/politics/2017/jan/29/theresa-may-counter-terrorism-bill-sinking-without-trace-extremism-british-values.

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subsequently ‘the government has only promised to review powers but not resources, the latter having been flagged as serious issues by Labour and the Mayor of London’.⁴²⁸

A less discussed aspect of the government’s evolving counter-extremism agenda is that the definition of extremism on which it is founded, and the powers that it has accrued to tackle extremism, are theoretically applicable to a *very* wide range of political and social positions – and not just those associated with conservative Islamic positions. If the focus and effectiveness of Prevent in tackling terrorism is becoming increasingly tenuous, the features and fallout from the Trojan Horse affair show that the expansive and coercive application of Prevent may undermine the British values government claims it is seeking to defend.

Lesson 2: Multiculturalism works

We saw in Chapter One that the government’s emphasis on ‘shared values’ became increasingly associated with claims that multiculturalism had ‘failed’. Failure was ascribed to self-segregation among some ethnic minority communities, especially Muslims. It was also suggested that they were either indifferent, or hostile, to ‘British values’ of democracy, the rule of law and religious tolerance. However, we showed that British Muslims typically show a higher commitment to those values than do other minority groups and that segregation derived from a failure on the part of others to include them, rather than a lack of willingness on the part of British Muslims to participate in wider aspects of public life.

We suggested that one of the problems in the debate on the ‘Britishness’ of ‘British values’ has been a failure to distinguish between particularistic aspects of identity and the universalistic aspects of values. Most recently, these two have been confused by David Goodhart in

⁴²⁸ Yahya Birt (2017) ‘After Finsbury Park: tackling Islamophobia as “extremism” will compound Prevent’s failures’. Available at: <https://medium.com/insurge-intelligence/after-finsbury-park-the-proposed-commission-for-countering-extremism-and-the-securitization-of-a5d85b5ad2d8>.

his distinction between those who are from ‘somewhere’ and those who are from ‘anywhere’.⁴²⁹ We can use his coinage to specify just what is at issue. He treats each as if it were an ‘identity’. However, we are all from ‘somewhere’, just different ‘somewheres’. ‘Anywhere’, by contrast, describes universalistic values that facilitate interaction among people with different identities. Goodhart’s conflation of the two endorses ‘ethno-nationalism’, that some ‘somewheres’ should be allowed to trump the different ‘somewheres’ of others; that is, that there are some members of the political community that have a special claim to belonging. We propose that all ‘somewheres’ have their place in the public sphere and to argue differently is a form of nativism.

In this context, multiculturalism should not be seen as an endorsement of multiple and separate differences, but an expression of how difference can be lived and respected through civic values, as previously argued in the Parekh Report.⁴³⁰ In other words, multiculturalism depends on ‘universalist’ civic values and is in no way in contradiction to them. As we have suggested, British Muslims understand this connection very well. The point is that all ‘somewhere’ identities refer to lived identities. The Trojan Horse affair has been, in part, about the lived identities of Muslims and their expression within schools. There has been a problem of educational achievement of ethnic minorities within British schools, perhaps especially involving boys from Pakistani and Bangladeshi backgrounds, something that Birmingham has done much to overcome. Park View school was a prime example of this success.

As we have seen, pupils from minority ethnic backgrounds do badly if their culture is denigrated, or if they see themselves as subject to discrimination. Park View school achieved its success by combining a commitment to the universalistic values of equal opportunities and educational achievement with respect for the cultural and religious commitments of its pupils. In this way, it brought about the synthesis of multicultural and civic values that educators regard as necessary to

⁴²⁹ Goodhart (2017) *The Road to Somewhere*.

⁴³⁰ Runnymede Trust (2000) *The Parekh Report*.

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achievement by ethnic minority pupils. Multiculturalism does not mean endorsing a separate ‘mono-culture’, and nor could academic achievement be produced within one. The only exception to the latter rule is where the mono-culture in question is that of the dominant culture, which, in inscribing the experiences of a middle class majority, can secure their success to the disadvantage of minorities (including those with different class-based experiences). The academic success of Park View school is *prima facie* evidence that it was preparing pupils for life in a diverse modern Britain. Indeed, as we have seen, educational disadvantage is widely understood as one of the main issues of integration in contemporary Britain. Worryingly, what the Trojan Horse affair reveals is that a school that successfully equipped its pupils for integration was denigrated and undermined.

In this context, then, the issue for schools is not one of teaching pupils *about* differences in order to promote life in multicultural Britain, it is about *allowing those differences to be expressed* within schools. The successor school to Park View, Rockwood Academy, has a special focus on ‘British values’, including multiculturalism, but without a significant exemplification of the religious tradition of their pupils. In October 2016, Defence Secretary Michael Fallon launched a plan for 150 new Army Cadet Units in state schools, while praising the army as an ‘engine of social mobility’ for those with poor school achievements. The first Army Cadet Unit would be at Rockwood School, which was described as ‘a phoenix from the ashes of a Trojan horse school that is now instilling British values, instead of promoting religious segregation’.⁴³¹

Sir Michael Wilshaw was asked by the House of Commons Select Committee on Education in 2015 if he thought that children, communities and schools in Birmingham had benefited from Ofsted’s intervention. He replied: ‘they have benefited in some sense, because they are not the subject of the sort of policies that would be pursued

⁴³¹ Michael Fallon, Speech at Tory Party Conference, 4 October 2016. Available at: <https://blogs.spectator.co.uk/2016/10/full-text-michael-fallons-tory-party-conference-speech/#>.

by these governors with a very particular view of how schools should be run. They are free of that. But those schools have been through an enormous amount of turmoil'.⁴³² We have seen in Chapter Seven that academic achievement at Rockwood is currently well below that of its predecessor school, Park View Academy. In other words, its pupils have been 'freed' from the supposed constraints of their own cultural expression, while not being provided with the academic achievements that would ensure social mobility. In the meantime, they are offered access to the British Army as an alternative route.

Lesson 3: Religion is not a problem

We indicated in Chapter Four that both authors of this book are secular in orientation. We had not expected that one of our conclusions would also be that 'religion works'. Nonetheless, to argue that multiculturalism works necessarily means arguing for acceptance of the expression of religion in public life, including the public life of schools. However, one of the conclusions of the Report of the Commission on Religion and Belief in Public Life, published in 2015 in the wake of the Trojan Horse affair, was to recommend that the requirement for compulsory collective worship be repealed and that it should be replaced by 'inclusive' assemblies with time for reflection. It also recommended that there was a 'need for greater religion and belief literacy', in a curriculum that had the same status as other humanities; that is, that pupils should be taught *about* religions.⁴³³

These conclusions reflect the observations of the Commission about declining religiosity and increasing secular orientations of the wider British population. However, as we saw in Chapter Four, the Commission also recognised that this was taking place alongside continuing religiosity and commitment to religious values among the ethnic minority population. In addition, demographic factors

⁴³² Education Select Committee (2015) 'Extremism in schools', paragraph 76.

⁴³³ Report of the Commission on Religion and Belief in British Public Life (2015) *Living with Difference*, pages 82, 36.

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meant that an increasing proportion of school pupils are from such backgrounds. In this context, its call for greater religious and belief literacy is perhaps directed at the wrong population, while the recommendation that collective worship be repealed is a concession to the secular majority, albeit one with an indirect stake in schooling.

The problem with the Commission's report is that it does not really address how section 78 of the 2002 Education Act would be met otherwise, and how it would be met equally for all pupils regardless of their cultural tradition. Section 78 calls for a broadly based and balanced curriculum that 'promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society; and prepares pupils at the school for the opportunities, responsibilities and experiences of later life'.⁴³⁴ This is important because it makes the development of the character of pupils paramount, in a wider context otherwise of targets and attainment at SATs and GCSEs, and so on, and broader worries about the reduction of education to instrumental purposes. Character is about the development of the whole person, and it does not take place by learning *about* other religions and beliefs, but in taking care of the self and its interdependencies with others.

We saw in Chapter Six that schools with a high proportion of ethnic minority pupils also do well when they encourage religious *expression*. For pupils from religious backgrounds, this enables them to bring their 'whole selves' to school. Overcoming the tensions of religious minority children being schooled in a Christian or secular context is not facilitated by the displacement of the religious selves of those pupils. We repeat again the statement from Harrow SACRE:

within the curriculum there are subjects and aspects which explore how belonging to a religious community influences the moral and ethical decisions of individuals and which requires self-discipline in lifestyles. When there are pupils, and perhaps staff, modelling those choices regularly and independently, this

⁴³⁴ Education Act (2002) Section 78. Available at: www.legislation.gov.uk/ukpga/2002/32/section/78.

allows both adults and children to learn about and from religions as observers, whose integrity and own backgrounds and beliefs are protected and respected ... It also demonstrates that for many within religious communities, observance of religious obligations is about more than what people eat and wear and is about daily disciplines not just festival celebrations!⁴³⁵

These should be matters for public debate and consideration – a continuing conversation as the Commission put it – but it needs to be a debate in which the rights of minorities and the conditions of educational achievement are fully understood. However, those debates are increasingly conducted at national, rather than local level, with local communities displaced from involvement in their schools, as a consequence of new governance arrangements. We have seen, for example, that the academies programme has also diminished the place of local SACREs in developing this conversation. Yet, as Birmingham SACRE put to the Secretary of State for Education, Michael Gove, SACREs necessarily play a moderating role. Their displacement represents a fundamental change in local engagement with schools, equivalent to changes in how governing bodies are constituted, which are themselves increasingly detached from the local communities in which their schools are located. The conversation has also been distorted by false claims about the Trojan Horse affair. There was no ‘undue influence of religion’ in the curriculum at Park View school. Rather, there was just that amount of influence that current legislation allows, and there is no evidence that it did anything other than serve the pupils well and prepare them for life in modern (multicultural) Britain.

Lesson 4: Local governance of schools works

We set out in Chapter Five how a new regime of ‘heterarchical’ governance has been replacing an older regime of ‘hierarchical’

⁴³⁵ Harrow SACRE Guidance on Offering Space for Prayer and Reflection in School, page 4.

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governance through LEAs. This is a consequence of the expansion of the academies programme pursued by successive governments. As we have seen, heterarchical governance is represented as 'flat' and composed of a network of different bodies, including schools, trusts, consultancies, for-profit companies and the like. On this model, local authorities become commissioners of services rather than providers of services. At the same time, governing bodies of schools and trusts are increasingly established to be more like corporate boards than bodies representing those with interests in a school, such as parents and local communities. For the advocates of 'heterarchical' governance, the new model facilitates innovation and overcomes what were understood to be bureaucratic limitations of LEAs.

In September 2014, the Secretary of State for Education appointed a new Commissioner for Education for Birmingham, Sir Mike Tomlinson (a former Chief Inspector of Schools from 2000 to 2002), to review provision of educational services in the city. He recommended the completion of the transition from provider to commissioner of services, and the replacement of some functions of the city's Education Department with a new Trust, Birmingham Education Partnership, which would deliver its schools improvement programme. Birmingham Education Partnership is a charitable trust and business formed of head teachers in the city. There are no other 'stakeholders' than the commissioning city council. The new 'flat' networked system, then, is very limited in the range of interests represented by its partners.

In the light of the Trojan Horse affair, a mixed system of governance in Birmingham has been moved further toward a fully 'heterarchical' system with no investigation of the role of 'heterarchical' governance itself in the affair. Few were willing to defend PVET against the onslaught of criticism. Local politicians swung into line in a damage limitation exercise to support Birmingham City Council while condemning the teachers and governors.⁴³⁶ Yet the Trojan Horse

⁴³⁶ See for example, Rowena Mason, 'Birmingham schools "feel like the Balkans" say Labour', *The Guardian*, 22 July 2014. Available at: www.theguardian.com/education/2014/jul/22/birmingham-schools-balkans-liam-byrne-trojan-horse-islamism; Jonathan Walker, 'Stop pretending Trojan Horse plot is fake, urges

affair was a ‘moral panic’ without substance. The failure properly to examine the evidence against PVET made Birmingham City Council more, rather than less, vulnerable to criticism.

For example, the Trojan Horse Review Group, which had been given the job of reviewing the findings of the Kershaw Report (or Report of the Independent Chief Adviser) for the leader of Birmingham City Council, were concerned at the reputational effects. There is something plaintive about their response. They endorsed the report’s findings, but said, ‘at the same time, we endorse the ICA’s conclusion that these issues relate to risks of small groups of activists seeking to subvert a small number of schools, and the ICA’s recognition that many of the 437 schools in the city are successful in meeting the educational and social needs of our children’.⁴³⁷ The final judgement is a correct one – as we shall see, Birmingham’s schools were (and are) successful – but it is a judgement that should include Park View and Oldknow, which were, at the time, two of Birmingham’s outstanding schools.

In part, the response of politicians and council leaders in Birmingham was because the city was caught up in wider problems of which its educational services were too readily seen to be a part. In July 2014, former Cabinet Secretary Sir Bob Kerslake was asked by the Secretary of State for Communities and Local Government and Sir Albert Bore, Leader of Birmingham City Council, to conduct an independent review of corporate governance of Birmingham City Council. This review added the Trojan Horse affair to others, such as those associated with services for looked after children, waste management and a failure to put in place measures to secure equal pay, which alongside reductions in the central government’s financial allocation to the council were putting services at risk.

The Kerslake Report does not say very much about schooling since that was to be considered by Sir Mike Tomlinson. However,

Labour MP’, *Birmingham Mail*, 21 July 2014. Available at: www.birminghammail.co.uk/news/midlands-news/stop-pretending-trojan-horse-plot-7467609.

⁴³⁷ Trojan Horse Review Group, *Report to Leader of Birmingham City Council*, 18 July 2014, paragraph 2.6.

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a separate document provided supporting analysis for the report. It sets out data for Birmingham and comparator cities (for example, Leeds, Sheffield, Manchester and Liverpool) and for Great Britain as a whole. The remarkable aspect of the data is that on most indicators the city is performing less well than other cities (with the exception of Liverpool) and much less well than Great Britain as a whole. The one area where this situation is reversed is that of schooling. A higher proportion of pupils in Birmingham achieve at least five A*–C GCSEs than comparator cities and the city has been outperforming them, and performing above the national average, since 2008/9. Birmingham also has a higher proportion of local authority run schools which received an ‘outstanding’ Ofsted rating – nearly 25% compared to 18% nationally.⁴³⁸ This is in the context of indicators of social deprivation, unemployment and low skills in the adult population – the areas in which Sir Bob Kerslake judged the city to be failing – that are all higher than the national average and are typically associated with worse school performance.

Lesson 5: The problem of the ‘news’

The possibility of a national conversation about religion, multiculturalism and schools is also diminished by the role of the media. Since the election of Donald Trump as President of the United States, and the disparagement of experts in the Brexit campaign – significantly, by the former Secretary of State for Education Michael Gove – we have become used to the idea of ‘fake’ news. This involves the repetition of ‘facts’ which have little corroborating evidence, but a high degree of emotional salience among the publics for which they are designed. In truth, this is not a lot different to the form of a ‘moral panic’, as described in Chapter Six, where a scapegoating of marginalised groups in the context of a public anxiety is amplified by the press. Terrorist

⁴³⁸ Supporting Analysis. Available at: www.gov.uk/government/publications/birmingham-city-councils-governance-and-organisational-capabilities-an-independent-review, slide 14.

threats, and especially those from ‘homegrown terrorists’, created heightened concerns about the integration of Muslims. However, there are some new twists in contemporary moral panics that are reflected in the idea of ‘fake news’. The growth of social media has made stories available for recycling without the mediation of more authoritative sources. Competitive pressures on news media also mean that media that previously had an authoritative role are now part of the process of recycling of stories. Newspaper sales have declined and most are operating with reduced journalistic staff to cover stories and, especially, to cover them in depth.

We have seen that the Trojan Horse affair initially came into the press via ‘investigative’ reports in the *Sunday Times* and the *Sunday Telegraph*, with subsequent reporting in other newspapers including the *Guardian*. However, as Sara Cannizzaro and Reza Gholami have observed, the majority of reports were focused on ‘Islamic extremism’, with a minority on problems of governance that had allowed different practices to emerge.⁴³⁹ None of the reporting examined the underlying ‘facts’, and none exposed the most obvious anomaly, namely that the affair was not about successful head teachers being subjected to harassment, but about successful schools being criticised at the moment of their ‘sponsorship’ of underperforming schools. The latter meant that the DfE was necessarily implicated, yet no reporter sought to uncover its role. The ‘facts’ presented by the Clarke and Kershaw Reports became the basis of news stories, notwithstanding the serious flaws of those reports, especially concerning the role of religion in schools and their failure to understand the requirements on non-faith schools.

However, there is also the aspect of public figures using the Trojan Horse agenda to pursue personal agendas by providing media stories. This was particularly significant for the way in which the media repeated ‘false’ stories without any attempt to counter the claims being made, simply because of the position of the person making the comment. There are a number of examples associated with the

⁴³⁹ Cannizzaro and Gholami (2016) ‘The devil is not in the detail’.

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precipitate manner in which the various investigations were set up and the lack of coordination among them. However, perhaps the most egregious example is from Sir Michael Wilshaw in his interview with the *Sunday Times*, on leaving office in December 2016. The report outlined that Birmingham city council is ‘a rotten borough ... beyond redemption’, whose powers to run schools and social services should be overhauled because children are at risk, according to the Chief Inspector of Schools. In his final interview before stepping down, Sir Michael Wilshaw said that ‘the “appalling children’s services” and “awful schools” in Britain’s second largest city had been his greatest cause of concern during his five years in office. He warned that a repeat of the so-called Trojan Horse scandal, which saw a radical Islamic ethos introduced to schools in the city, was likely unless the government acted’.⁴⁴⁰

The report is particularly significant because it takes Sir Michael’s opinions on trust, precisely because they fit the newspaper’s own preferred narrative. However, we have seen that Ofsted data shows Birmingham schools not to be ‘awful’, but above average. Moreover, the schools at the centre of the Trojan Horse affair were ‘outstanding’. If ‘awful’ schools put children at risk of falling prey to extremism, then the way in which Ofsted and the DfE acted increased that risk and undermined the very schools where children were protected from it.

Just as we were finishing the book, a media story emerged of a ‘Trojan Horse plot’ in Oldham. Once again, it was written by Andrew Gilligan and appeared in the *Sunday Times* and later in the *Sunday Telegraph*.⁴⁴¹ The story had been based on what was referred to as a ‘confidential’ report for Oldham City Council from the previous

⁴⁴⁰ Report by Griffiths, ‘Children at risk in “rotten borough” Birmingham’, *Sunday Times*, 11 December 2016.

⁴⁴¹ Andrew Gilligan, ‘Revealed: new “Trojan Horse plot”’. Head teacher fears for her safety’, *Sunday Times*, 19 February 2017. Available at: www.thetimes.co.uk/article/revealed-new-trojan-horse-plot-9hbknhmc8. See also Henry Bodkin, ‘Second Islamist “Trojan Horse” scandal feared after Oldham headteacher reports death threats’, *Sunday Telegraph*, 19 February 2017. www.telegraph.co.uk/news/2017/02/19/second-islamist-trojan-horse-scandal-feared-oldham-headteacher/.

December, which the newspaper had seen. However, this report had found no evidence, and the claims had also been repudiated by the DfE and its Due Diligence and Counter Extremism Division, as well as by Manchester Police's counterterrorism unit. The story was accompanied by a subsidiary headline, 'Head teacher fears for her safety'. This, of course, describes a subjective state reported by a head teacher, so can be presented as 'fact', notwithstanding that the city council report found no basis for her fears.

The story was framed by a statement from the National Association of Head Teachers, saying it was 'supporting a number of members in the Oldham area with a variety of apparent Trojan Horse issues', followed by a statement by 'a senior national figure in counter-extremism', who said there was a 'significant problem of Islamism infiltration in Oldham' and that 'it is an absolute model of entryism'. The story set out allegations against two individuals, and went on to suggest similar 'problems' at two other schools. However, it downplayed the council report and did not mention that the charges had been repudiated by the DfE, which also investigated them. It concluded with a 'timeline' of the Birmingham Trojan Horse affair.

The story was repeated again a week later in the *Mail Online*, extending the claim to another school, also citing the Birmingham Trojan Horse affair.⁴⁴² Commentator Yasmin Alibhai-Brown also recycled the 'fake news', associating it with her own knowledge of the Trojan Horse affair:

is this really happening? Was it happening three years ago? Yes, my journalistic investigations confirm that in the Midlands and northern towns, there have indeed been conspiracies and entryism by Salafis. I don't doubt Salafis are still at it. It enrages and scares me, the extent to which such people and

⁴⁴² Richard Spillett, "He said not wearing a hijab would turn women into whores": SECOND headteacher claims there's a "Trojan Horse-style plot" at Oldham school with Muslim governors, *Mail Online*, 26 February 2017. Available at: www.dailymail.co.uk/news/article-4260986/Second-Oldham-headteacherclaims-Trojan-Horse-bullying.html.

their reactionary ideas, are accommodated by educators and politicians.⁴⁴³

Her article makes no reference to the repudiation of her claims by Oldham City Council or the DfE.

Lesson Six: The problem of leadership

We have already discussed the ‘heterarchical’ nature of governance embodied in the academies programme. We have seen it described as facilitating innovation, in contrast to hierarchical modes of governance. However, the multiplicity of agents – the different entities involved in a network, from schools to consultancies, bodies designed to communicate good practice, for-profit providers of services, to lobbying organisations, to agencies of the DfE – and the loose arrangements among them represents a considerable increase in complexity. Stephen Ball argues that they often also involve considerable ‘stumbling and blundering’, before going on to say, in the perspective of its advocates, that too may be positive, insofar as such arrangements are ‘more likely to give bad decisions a second chance to be rectified’.⁴⁴⁴ This does not seem to capture the nature of the situation, especially where anything that is perceived to be a bad decision takes place under the gaze of the press. In those circumstances, it becomes an object of peremptory and arbitrary power.

What is missing in the account of governance is that a heterarchical system in the area of public services also operates as an ‘autocracy’. It is organised from a centre, specifically, in the case at hand, that of the DfE and its Secretary of State. In part this is because regulatory

⁴⁴³ Yasmin Alibhai-Brown, ‘Islamists won’t give up trying to take over British schools because nobody is willing to stop them’, *International Business Times*, 21 February 2017. Available at: www.ibtimes.co.uk/islamists-wont-give-trying-take-over-british-schools-because-nobody-willing-stop-them-1607790. The Trojan Horse letter refers to Salafis, but the Clarke Report makes it an issue of Sunnis.

⁴⁴⁴ See Ball (2011) ‘Academies, policy networks, and governance’, page 148. Ball is citing arguments from Nigel Thrift (2005) *Knowing Capitalism*, Sage: London.

bodies such as Ofsted or NCTL are established as agencies within the DfE itself and, therefore, potentially subject to direct influence. In this way, the centre of power is able to set itself outside the regulatory constraints set up for the other bodies. Thus, one of the striking features of the investigations into the Trojan Horse affair is that none of them have had the role of the DfE as part of their terms of reference. Neither the Ofsted inspections, nor the EFA Review of PVET, nor the Kershaw and Clarke Reports considered how the DfE sought to have Park View Academy become PVET and develop an improvement programme for other schools. The Kershaw Report does recommend that Birmingham City Council, 'in consultation with the DfE, should review the process of due diligence in determining the suitability and capacity of a multi academy trust as a sponsor of a maintained school converting to academy status'.⁴⁴⁵ However, it does not ask about the nature of due diligence at the DfE, or address how it involves issues of school performance and judgements about suitability of a sponsor's management and leadership team. Nor does it discuss the fact that the DfE was not at arm's length but actively involved in the process of determining sponsorship.

We have seen that Michael Gove, when Secretary of State for Education, precipitated an investigation under Peter Clarke, strongly shaped by the Prevent agenda; and he did so without consultation with Birmingham City Council. The latter set up a review into its own responsibilities, but could not put the role of the DfE into its terms of reference. Its investigation was conducted under the auspices of Northern Education, an academy trust which was itself part of the new 'heterarchy', in the sense that it, too, was outside local authority control. It did not make the new arrangements part of its concern; rather it was focused entirely on those aspects under Birmingham City Council's responsibility. It did not apparently think it worth addressing the programme for school improvement in Birmingham and how it was both implicated in the Trojan Horse affair *and* successful. Indeed, as we have seen, it seemed to believe that there was no programme for school

⁴⁴⁵ Kershaw Report, page 21.

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improvement. Here was another potential conflict of interest on the part of the Kershaw Report in so far as the shift toward heterarchical arrangements is sanctioned in the name of school improvement, yet Birmingham's comparative success was produced under the pre-existing arrangements.

Michael Gove did set up an inquiry within the DfE. It was not carried out independently, but under the department's own Permanent Secretary.⁴⁴⁶ Its terms of reference were extremely limited and concerned merely with the question of whether the department had been informed of any of the concerns associated with the Trojan Horse letter prior to November 2013 when it was sent to Birmingham City Council. The review recommended the need for robust vigilance, but found no instances of any warnings having been ignored. It did not address the processes through which the DfE exercised its responsibilities for academies and free schools.⁴⁴⁷ Instead, its recommendations were all associated with Prevent. Thus, it recommended increasing the size of the Due Diligence and Counter Extremism Division (DDCED), and strengthening the academy conversion process, including 'for schools in Prevent priority areas, open source checks on key members in of the Academy governance structure and detailed checks by colleagues in DDCED where any issues are identified'.⁴⁴⁸

Wider processes of governance were not addressed and nor were they by the Parliamentary Select Committee on Education's own consideration of the Trojan Horse affair. This was the only body with the possibility of holding the DfE to account. The committee did, however, state that there was no evidence of the extremism that had

⁴⁴⁶ Wormald (2015) *Review into Possible Warnings to DfE*.

⁴⁴⁷ One, after the election in 2010, describes two meetings between officials and a minister at the Department for Education with a Birmingham head teacher about the challenges political Islam posed for schools in Birmingham. This individual was Tim Boyes, who would go on to become Chief Executive Officer of Birmingham Education Partnership. However, his expressed concerns were about the governance of academy schools. Park View was not an academy until 2012. Annex 3 of the report gives a transcript of a BBC news report on 28 May 2014 describing these meetings.

⁴⁴⁸ Wormald (2015) *Review into Possible Warnings to DfE*, page 13.

led to changes in the counter-extremism agenda and tightening of scrutiny of schools and those involved with them in Prevent priority areas. For this it was roundly attacked by the Secretary of State for ‘undermining efforts to tackle extremism’.⁴⁴⁹ In this way, Michael Gove, the signatory of the authorisation of the incorporation of a faith school – Al-Furqan primary – into PVET on the basis of the latter’s ‘faith ethos’, evaded all personal scrutiny of the conduct of the DfE. This would have included conduct that would have been exculpatory for PVET.

We began this chapter with reference to problems of authoritarianism. We see this as associated with these changes to governance. In effect, there is an expansion of bodies operating under a corporate style of governance with responsibility only for supplying services on a ‘contract’ basis. For example, Birmingham Education Partnership is a partnership of head teachers ‘supplying’ school improvement to the city council, but without obligations outside the terms of the contract. These developments place increasing emphasis on the Chief Executive Officer as a business ‘leader’ supported by a professional governing body. In a similar way, the head teacher as ‘charismatic’ leader is made responsible for school improvement and is to be challenged only by a governing body which they dominate, or by a Trust partnership of head teacher peers. Sir Michael Wilshaw, in the role of the Chief Inspector of Schools, also understood that role as one of charismatic leadership to drive up standards.

It is this ‘noisy’, high salaried version of charismatic leadership that is strongly associated with the ability to capture a media presence. It helps to create the conditions for authoritarianism by undermining local capacities for engagement and holding to account. It drowns out the ‘quiet’ charisma of teachers committed to the school improvement by their persuasive presence in front of pupils and unpaid governors acting to improve schools for their communities.

⁴⁴⁹ See Richard Adams, ‘Education department hits back at MPs over Trojan horse criticisms’, *The Guardian*, 26 June 2015. Available at: www.theguardian.com/education/2015/jun/26/education-department-hits-back-at-mps-over-trojan-horse-criticisms.

Implications

In this book, we have sought to explain how a successful school could become the focus of public anxiety and denigration. Part of the explanation lies in the complexity of governance arrangements. This is not to say that there were gaps through which the school avoided proper scrutiny. Rather their complexity was such that those asked to investigate the circumstances seemed unaware of the nature of the obligations schools were under, whether these referred to the Prevent agenda, community cohesion, or collective worship and religious education. The investigations – from special Ofsted inspections through the EFA and the Kershaw and Clarke Reports were conducted precipitately – and in many cases under direct pressure from the DfE and its Secretary of State(s). The inquiries that might have contributed to a national conversation instead led to a distortion of that debate.

We have seen that British Muslims *are* committed to ‘British values’. Yet it is frequently declared that they are self-segregated and intolerant of religious pluralism while it is their own religious expression that is viewed with suspicion. In Chapter One we cited research by Hiranthi Jayaweera and Tufyal Choudhury showing that ethnic minorities in Britain do want greater participation in civic and political life. However, the new governance arrangements of schools reduce the number of governors from ethnic minority backgrounds precisely because they follow a corporate model. Thus, no trustee or member of the executive board at Birmingham Education Partnership is from an ethnic minority, despite the fact that school pupils in Birmingham are majority ethnic minority. Equally, the body set up under the aegis of the DfE from which it takes advice – the Headteacher Board for the West Midlands – has no ethnic minority members. Moreover, if those wishing greater involvement live in a Prevent priority area, as many Muslims do, their participation will be subject to special scrutiny.

Jayaweera and Choudhury conducted their interviews with local policy makers and practitioners before the Trojan Horse affair: ‘Many interviewees argued that efforts on improving cohesion issues at the local level can be undermined by national policy and political rhetoric,

and by media discourse, particularly around issues of asylum and terrorism.⁴⁵⁰ Indeed, following the Trojan Horse affair, if Muslim parents or community members dare to question a head teacher over school performance, or if they wish to have provision of prayer facilities or other arrangements for their children, they will be subject to accusations of Islamification, as occurred most recently in Oldham.

The former Chief Inspector of Schools, Sir Michael Wilshaw, as we saw, erroneously and gratuitously described Birmingham's schools as 'awful', with the implication that a significant part of the problem was that they were too embedded in their local communities, a theme that was also echoed by Tim Boyes, CEO of Birmingham Education Partnership. Commentators such as Ted Cante have also expressed the view that schools are more segregated than their local communities, notwithstanding that this is an artefact, in large part, of the different age structure of ethnic minority populations compared with the white British population.⁴⁵¹ Successful schools are necessarily part of the solution to any problem of community cohesion. Indeed, in Chapter One, we cited Yasmin Hussain and Paul Bagguley's argument that where disaffection among Muslim young people exists, it is not because of the attractions of radical Islam, but because of disappointment in the realisation of their *rights as British citizens*, especially in the context of unequal opportunities and material disadvantage.⁴⁵²

There are two tragedies bound up together in the Birmingham Trojan Horse affair. One is the disruption of the lives of teachers and governors in Birmingham, who made such a difference to the prospects of the pupils under their care, and were unjustly accused of placing them at risk. We have seen that the educational opportunities of pupils at the school were very significantly damaged because of the way in which the DfE intervened. The second tragedy is that it has made it more difficult to realise the rights to educational opportunities more generally of young people from Muslim backgrounds – opportunities

⁴⁵⁰ Jayaweera and Choudhury (2008) 'Immigration, faith and cohesion', page 117.

⁴⁵¹ 'Understanding school segregation in England 2011–2016', SchoolDash, March 2017.

⁴⁵² Hussain and Bagguley (2005) 'Citizenship, ethnicity and identity'.

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and rights that are theirs as British citizens and which, quite properly, are regarded as key to long term community cohesion. That is the failure of 'British values' that the Birmingham Trojan Horse case exposes and it is one that should be laid at the door of government.