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Ex Post Paper

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Current Challenges of Sentenced Extremists for Prison Regimes

Violent extremists and terrorists do not only pose a considerable threat to European societies, for example, by committing severe terrorist attacks, they are also perceived as a very problematic group within prisons. The RAN Prison and Probation (P&P) and EuroPris meeting focused on security issues arising from the presence of violent extremist and terrorist offenders (VETOs) in the EU Member States' prisons, but also in more general terms on the necessity (or not) of special provisions required for this group of prisoners. This paper presents the main findings from the discussions of the meeting, including the scope of possible misbehaviours of VETOs and how to counter those. In this context, carrying out a good and personalised risk assessment is a basis for security measures. Prisons can also actively contribute to an orderly and peaceful prison environment via the concept of dynamic security. Subsequently, the necessity of special provisions for VETOs as well as the challenges and possibilities of a dispersion regime are discussed with relation to in-prison security. In addition, the media and the public have a special interest in VETOs.

The scope of possible behaviours of VETOs in prisons

In the EU Member States, experiences with radicalised prisoners are very distinct in numbers, characteristics and backgrounds of these prisoners as well as in relation to the challenges these prisoners pose to particular prisons and to the national prison systems. Depending on geographical, social and historical backgrounds of the respective Member States, experiences differ vastly. The **dangers** that have been experienced in relation to VETOs[1] range from considerable attacks on prison staff with (ceramic) knifes smuggled into prisons and causing severe injuries to threats against guards and their families, attempts to break out or to free prisoners by outside supporters, to the recruitment of fellow prisoners and proselytism[2]. Contrasting with these examples, many known radicalised offenders in prison display extremely **compliant** behaviour and follow the rules of the prison. Some participate in rehabilitation programmes and communicate openly with staff; others deny any cooperation while remaining quiet.

Yet, these kinds of behaviour are not new to the prison system. They have occurred in relation to general inmates as well as to such specific groups as prison gangs and sexual offenders. New to this is the background of "radicalisation", which includes an ideological or political feature in the reasons for such behaviour. However, not all VETOs are purely ideologically motivated but they might join ideological groups for very different and personal reasons.

The scope of possible behaviours of VETOs

Violent extremist prisoners are usually perceived as an extra threat for both society and prisons. Still, their behaviour in prisons can vary extremely depending on their personality, their role within their ideological group and the special characteristics of their group:

Non-violent <−> violent

Compliant and participating in rehabilitation <−> refusing cooperation

Openly extremist <−> hidden extremist

Risk assessment

Against this background, it is of crucial importance to keep a prison regime balanced between security demands and needs of rehabilitation. On a person-centred level, this is primarily based on an individual risks and needs assessment. There are **several risks** a violent extremist prisoner might pose within a prison to him/herself, others or the institution:

- committing acts of (terrorist) violence,
- (secretly) radicalising others,
- committing suicide,
- escape.

A number of additional risks are external:

- carrying out acts of terrorism after being released from prison,
- directing terrorist actions by others outside,
- influencing others to carry out terrorist acts upon release[3].

These risks, within and outside prison, should be understood as **distinct** risks, which may not automatically be linked to a prisoner's characteristic as "radicalised".

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[1] Unless explicitly stated otherwise, the term "violent extremist and terrorist offender" / "VETO" in this paper refers to imprisoned persons.

[2] Such behaviour is also linked to the special characteristics of different ideological groups. For example, the recruitment of prisoners is especially known for imprisoned Islamists (Basra, R., Neumann, P. R., & Brunner, C. (2016). Criminal pasts, terrorist futures: European jihadists and the new crime-terror nexus. London: ICSR). In contrast, members of political groups such as the IRA and ETA perceive themselves as political prisoners, avoiding contact with "ordinary criminals" (Hannah, G., Clutterbuck, L., & Rubin, J. (2008). Radicalization or rehabilitation. Understanding the challenge of extremist and radicalized prisoners. Santa Monica, CA: RAND Corporation, p. 40).

[3] See: Liebling, A., & Williams, R. J. (2018). The new subversive geranium: Some notes on the management of additional troubles in maximum security prisons. The British Journal of Sociology, 69(4), 1194-1219. (p. 1199)

The **individualisation of treatment and risk assessment** is common in most prison systems. Scientific models on radicalisation that are based on **ideal types** match with this individual approach. According to such models, different kinds of profiles might be found amongst VETOs. They are the following:

- ideological activists,
- drifters and followers,
- socially frustrated youths,
- extremists with a propensity to violence,
- experienced criminals[4].

These profiles or types will not necessarily be found in their purest form and actual prisoners might differ from these. Still, ideal type models such as those described above illustrate the differences that might be found amongst violent extremists inside and outside prisons.

Examples for different VETO behaviours in prisons

Depending on the different traits of these groups, the risk an individual VETO might pose to prison systems can differ vastly. In a French study, Khosrokhavar describes the tendency of Islamist prisoners to hide their belonging to their ideology in order to not attract the attention of authorities while aiming to recruit small groups of prisoners[5]. Such behaviour subverts prison order, but it is not linked to open rebellion. From England, research by Liebling and Arnold suggests that while convicted terrorist offenders remained largely hidden to the prison community, other prisoners "adopted faith-inspired narratives for their violence", using it as an "effective shield to exert power" over other prisoners[6].

For the groups "drifters" and "socially frustrated youths", their violence in general may be caused by diffuse feelings of anger or by group pressure[7]. This might also be true for the prison setting, where they might carry out acts of violence more openly and less strategically.

Therefore, the assessment of different risks must be strictly person-centred, avoiding automatic conclusions.

Principles of risk assessment

Principles that should be applied to risk assessment have already been stated in a RAN P&P practitioners' working paper. These principles are not only crucial when assessing the risk of violent radicalisation in general, they should also be applied when assessing different risks to security within prisons:

- reassessment on a regular basis,
- applying dynamic factors that allow to have risks lowered,
- allowing the dismissal of false, invalid or out-of-date information,
- the contextualisation of information,
- the respect for human rights[8].

Dynamic security

Risk within the previous section has mainly been described as a feature inherent to prisoners that must be detected. Yet, risk and violence are also a result of **human interactions** in concrete, social situations. From this perspective, they are influenced by both the prisoner and the prison environment.

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[4] Bjørgo, T. (2011). Dreams and disillusionment: Engagement in and disengagement from militant extremist groups. *Crime, Law and Social Change, 55*(4), 277-285.
Nesser, P. (2005). Profiles of jihadist terrorists in Europe. In C. Benard (Ed.), A future for the young: Options for helping Middle Eastern youth escape the trap of radicalization. Santa Monica, CA: RAND Corporation, WR-354. (pp. 39-41)
Illgner, C. (2018). Ein Plädoyer für eine differenzierte Betrachtung von Radikalisierung [A plea for a differentiated view of radicalisation]. *Bewährungshilfe, 65*(4), 325-336. (pp. 331-332).
Hofinger, V., & Schmiedinger, T. (2017). *Deradikalisierung im gefängnis. Endbericht zur begleitforschung* [Deradicalisation in prison. Final report on accompanying research]. Vienna: IRKS. (pp. 29-43)
[5] Khosrokhavar, F. (2013). Radicalization in prison. The French case. *Politics, Religion & Ideology, 14*(2), 284-306.
[6] Liebling, A., & Arnold, H. (2012). Social relationships between prisoners in a maximum security prison: Violence, faith, and the declining nature of trust. *Journal of Criminal Justice, 40*(5), 413-424. (p. 417)
[7] Bjørgo, T. (2011). Dreams and disillusionment: Engagement in and disengagement from militant extremist groups. *Crime, Law and Social Change, 55*(4), 277-285. (pp. 281-284)
[8] Williams, R. J., Approaches to violent extremist offenders and countering radicalisation in prisons and probation, Working Paper. RAN Centre of Excellence, 2016 (second edition).

The concept of **dynamic security** is regarded as key to providing security in prisons. Physical barriers such as walls and organisational security via the presence of prison staff "guarding" inmates are not by themselves sufficient to achieve security in prisons. Dynamic security closes this gap not only for general inmates but also for prisoners who are perceived as radicalised. Dynamic security, as defined by the United Nations Office on Drugs and Crime's 'Handbook on dynamic security and prison intelligence' is

> [s]ecurity [that] also depends on an alert group of staff who interact with, and who know, their prisoners; staff developing positive staff-prisoner relationships; staff who have an awareness of what is going on in the prison; fair treatment and a sense of "well-being" among prisoners; and staff who make sure that prisoners are kept busy doing constructive and purposeful activities that contribute to their future reintegration into society[9].

Dynamic security is based on the idea that preventing escapes as well as maintaining internal order both depend on **positive, professional relations** between staff and prisoners. Regarding prisons, dynamic security has a double benefit. First, it contributes to **lowering the occurrence of conflict** via the creation of personal (professional) links between prison staff and inmates. Second, it allows to **detect remaining security issues** via these personal links, be it by prisoners reporting the suspicious behaviour of another prisoner or by detecting changes in prisoners' behaviour more easily. To assess the different risks identified above, prison professionals must mainly rely on information about the specific person, which is collected by prison staff throughout their everyday routine. Dynamic security changes prison in a way that (different) information can be collected differently, while at the same time improving the prison setting in order for it to be more peaceful. Dynamic security in this sense also contributes to lowering the necessity of using security measures like solitary confinement.

> When implemented effectively, dynamic security allows prisoners to feel comfortable when approaching prison staff before problems escalate. It is important, therefore, that staff take every opportunity to interact directly with prisoners and avoid retreating behind doors, into corridors or offices and stations unless required to do so[10].

This is also true for radicalisation and violent extremism within prison. Dynamic security, against this background, contributes to **reducing the risk of extremism-related violence in prisons** as well as to **detecting VETOs' attempts to subvert prison order**. In relation to risk, prison officers who have a good relation to prisoners are better able to detect slight changes in their behaviour that may be a first indicator for radicalisation or troubles in prison, such as:

- changed behaviour,
- proximity to certain groups or individuals,
- sudden isolation,
- conflicts,
- tattoos or other external signs,
- development of extremist narratives.

Moreover, dynamic security has been identified as a factor reducing the risk of radicalisation in prison[11].

> *"At least I can look the prisoner in the eyes. You can easily see changes in the prisoners.*
> *And it makes the prisoner see you as a human as well and vice versa." - Prison officer*

Human contact is even more important in the case of prisoners who are perceived as "problematic". Especially in the case of **"hard ideologists" who decline cooperation**, constant personal contact is crucial. This contributes to reducing distance between VETOs and prison staff, and at the same time keeping the offer of rehabilitation updated.

Moreover, dynamic security is directly linked to **values of democracy** and, hence, to convincing radicalised prisoners of these values, like equality and human dignity, by making them perceptible for these prisoners. This can have deradicalising as well as peace-building effects within prisons.

Examples of good and professional staff–prisoner relationships

Contact system

One example of staff being able to maintain good relations is a contact system, which means the assignment of one specific prison officer (e.g. a prison social worker) to a number of prisoners. The assigned prison officer serves as a first contact person for any kinds of issues that may seem important to the prisoner, for example, everyday worries like conflicts with fellow prisoners or staff, permission to possess certain objects, family

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[9] United Nations Office on Drugs and Crime. (2015). *Handbook on dynamic security and prison intelligence*. Vienna: United Nations Office on Drugs and Crime. (p. 29)

[10] (United Nations Office on Drugs and Crime. (2015). *Handbook on dynamic security and prison intelligence.* Vienna: United Nations Office on Drugs and Crime. (p. 30)

[11] Williams, R. J., Approaches to violent extremist offenders and countering radicalisation in prisons and probation, Working Paper. RAN Centre of Excellence, 2016 (second edition). (p. 6).

challenges, life crises, sentence planning, decisions on conditional release, support prior to release and conflict mediation. This contributes to staff knowing prisoners and their individual situations. Staff can encourage positive behaviour and may also remain calmer in alarm situations, as they know the prisoners. This may also mean that inmates can actively ask for a certain prison officer they trust to talk to. On a more basic level, one group of staff constantly working in the same prison wing can have comparable effects.

Open communication

Staff communication with prisoners on an everyday basis can materialise, for example, by introducing oneself to prisoners and engaging in basic small talk.

Especially in the case of VETOs, sometimes unpleasant decisions must be made for security reasons (e.g. isolating prisoners). Communicating such decisions frankly and openly, but also in a personal way and explaining to prisoners why they are perceived as radical or dangerous, can help to unblock discussions and to keep in touch with them.

Professionalism

Professionalism is key to delivering dynamic security and should be actively encouraged by prison management. Otherwise, there is a risk of getting too personally involved and making prison officers vulnerable to prisoners' influence. In the case of writing reports about prisoners, contact officers' reports should always be double-checked in order to avoid influence by prisoners.

Staff Training

Staff and staff training play a pivotal role when it comes to reducing both radicalisation and risks within prisons, especially via ensuring dynamic security. Prison staff have two main goals: first, contributing to public safety through the safe and the secure management of prisoners; and second, providing opportunities for rehabilitation and reintegration into society, e.g. by education or by changing life goals.

These two goals are linked. Long-term public safety can only be achieved via providing desistance from crime by means of rehabilitation and reintegration. These goals, focusing on the outside of prisons, are also linked to internal security management. In general, prisoners' perceptions of prisons are linked to the way they are treated, and the possibilities provided to them.

Against this background, prisons and the **job profile of prison staff** in some Member States have considerably changed in the past decades. Teamwork, non-violent communication, confronting violence verbally and the use of different communication styles (formal vs informal) have become an integral part of the profile of prison officers. They are not perceived as pure "gate lockers" anymore. In relation to this, both initial training and on-the-job training have gained importance. Raising the profile of prison officers could result in longer and more intensive job training, raised salaries, and allowing for regular on-the-job training, for example including visits to other prisons. In contrast, a lack of training could be a hindering aspect when old-style knowledge becomes transmitted from prison officers to novices. However, dynamic security and a prison officer's modern job profile do not only include the daily interactions with prisoners, they also require organisational support provided by prison management and politics.

Prison staff are, compared to the general population, unproportionally confronted with social problems linked to immigration on a daily basis, which might make some of them receptive to discriminatory attitudes. Given this situation, training and knowledge about different cultures as well as cultural sensitivity can be very productive.

One **example** of raising the profile of prison officers as well as making use of their everyday knowledge about prisoners is including them in writing any kind of report about prisoners, even though reports might have to be approved and signed by their superiors later.

Dealing with pressure

Legitimately, the public has very high expectations in relation to the prevention of terrorism, which might, in some cases, translate into big media interest and pressure. It is crucial to **communicate openly** about the restrictions that are imposed legally and practically upon prisons, for example in relation to the transfer of information and about the prison's duty ending with the offender's release. It can also be helpful to remind prison staff of this. Sometimes it might be hard to acknowledge that, despite good provisions made inside prisons, not more could be done.

The necessity of special provisions for violent extremist and terrorist prisoners

EU Member States are currently practicing **different approaches** towards VETOs. They range from "normalisation", for example in Austria, to the creation of special wings or units that are specially equipped. This **special equipment** may entail **trained staff** like experts on religion or geopolitics, theologists and specially trained prison officers as well as specific material such as books. Some states such as France place prisoners in either special institutions, in solitary confinement within regular prisons or amongst regular prisoners, depending on their individual profile. Still, the isolation of problematic prisoners should not be considered a long-term option.

In terms of in-prison security, both dispersion and concentration models have some specific challenges[12]. From this perspective, dispersing VETOs amongst the general prison population is easier and offers several opportunities. Meanwhile, it can be challenging to keep the balance between special treatment where needed and equal treatment where possible, regarding both security and rehabilitation.

Examples: How to make use of the benefits of a dispersion regime

Prison management can actively encourage contact between regular prisoners and VETOs by implementing a **listener system for VETOs**. Trained general inmates are allocated to VETOs as a contact partner, probably also as cell mates. Some Member States also have experiences with **dialogue groups** where specially trained prison officers moderate dialogue circles including VETOs and regular prisoners. In both cases, training should be delivered by experts.

"It's all about what is a good prison. Finally, we don't need all new provisions, but more of the same we already have." Prison Manager

The majority of the meeting's participants agreed that many of the provisions needed for VETOs are not completely new to the prison system and that many needs of VETOs and general inmates overlap. These are, for example, a multidisciplinary team, good risk assessment and rehabilitation.

Opportunities and Challenges of a Dispersion Regime

Opportunities

In a mixed prison population with regular prisoners and VETOs, **VETOs** are more likely to be treated and feel as **normal prisoners**. Being treated under **one general policy of the institute** contributes to reducing stigmatisation and labelling. However, equal treatment is hard to achieve and requires staff awareness. Prison is a place where prisoners can get **help and change**. This includes treating traumas as well as participating in general rehabilitation programmes that — in addition to programmes specifically designed for VETOs — also have an impact on radicalisation. Yet, the requirements of VETOs are not all distinct from regular prisoners, for example building a new life and new perspectives, getting education or job training.
Dispersing VETOs means that they generally will constitute a **minority within prisons**. This can reduce the risk of organised misbehaviour. Contact between VETOs and regular prisoners will also hinder (further) radicalisation. Developing and implementing programmes for VETOs might also raise opportunities to improve the **rehabilitation of general offenders.**

Challenges

Challenges in relation to a dispersion regime are very specifically linked to the special characteristics of VETOs. As this group is usually perceived as posing higher risks to prison security as well as requiring special deradicalisation or disengagement programmes, there is a risk of focusing an **unproportioned amount of resources on VETOs**. This might lead to an imbalance. VETOs **breaking rules and showing aggressive behaviour** pose new challenges to prison staff. In addition, there is a risk of the emergence of **networks between ordinary criminals and radicals**, which might help both groups to improve their criminal skills. This also goes along with the risk of **radicalisation and recruitment of general inmates**. However, as the attention towards such risk amongst prison staff is very high, some prisoners might **avoid contact with VETOs** in order to not be perceived as suspicious. As far as **staff** are concerned, some **may not feel ready** to face VETOs, as not all are specially trained for this group of prisoners.

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[12] Williams, R. J., Approaches to violent extremist offenders and countering radicalisation in prisons and probation, Working Paper. RAN Centre of Excellence, 2016 (second edition). (pp. 12-15)