



**Extremist Offender
Management in Europe:
Country Reports**

ACKNOWLEDGEMENTS

This project could not have been undertaken without the kind and very generous support from:

- *National Coordinator for Security and Counterterrorism (NCTV), the Netherlands*
- *Ministry of Justice, Sweden*

In particular, we wish to thank Hans van Miert (NCTV) and Elisabet Modée (Ministry of Justice) for their help and support with this project.

The views in these country papers do not necessarily reflect the opinions of any of the above sponsors.

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Foreword

The ten country papers in this volume are part of a project which has investigated policies and approaches towards extremist prisoners across Europe. They formed the empirical basis for our report, *Prisons and Terrorism: Extremist Offender Management in 10 European Countries* (London: ICSR, 2020), which was published in July 2020 and is available from www.icsr.info.

Our aim was to identify trade-offs and dilemmas but also principles and best practices that may help governments and policymakers spot new ideas and avoid costly and counterproductive mistakes. In doing so, we commissioned local experts to write papers on the situation in their respective countries. To make sure that findings from the different case studies could be compared, each author was asked to address the same topics and questions (Appendix I), drawing on government statistics, reports, interviews with various stakeholders, and their own, previously published research.

The resulting data is inevitably imperfect. For example, there is a large 'known unknown' that relates to the post-release situation. It is possible that many inmates who adopt extremist ideas or associate with extremist networks in prison simply abandon and disassociate from them upon release. Likewise, some cases that are often portrayed as instances of prison radicalisation are difficult to verify. Anis Amri, the perpetrator of the 2016 Christmas market attack in Berlin, reportedly radicalised in Sicilian prisons between 2011 and 2015. Yet there are few details on his prison stay, and in any case, it is apparent that his subsequent involvement in the extremist milieu of Düsseldorf and Berlin were just as important as his time in prison. Nevertheless, our contributors' collective insight – often based on years of study of the countries in question – into this subject is our project's unique strength.

The picture they paint is one of European countries trying to grapple with a challenging – and rapidly changing – situation, as many European countries had to deal with an increase and diversification of their extremist offender populations, raising systemic questions about prison regimes, risk assessments, probation schemes, and opportunities for rehabilitation and reintegration that had previously often been dealt with on a case-by-case basis.

Many of the questions raised in this volume will undoubtedly keep policymakers and societies busy for years. The papers – together with our report – are a first, systematic contribution towards tackling them.

Rajan Basra and Peter R. Neumann
London, July 2020

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1 Extremist Offender Management in Belgium

Thomas Renard, Egmont Institute

The presence of terrorist convicts in prison is not a new phenomenon in Belgium. In the 1980s and 1990s, several individuals were jailed in connection with far-left terrorism, such as the Communist Combatant Cells, and Islamist terrorism, notably linked to the Algerian Armed Islamic Group and the Moroccan Islamic Combatant Group. This was a small number of individuals overall, and essentially never more than a dozen inmates linked to terrorism at any moment in the 1990s and 2000s. In contrast, in the context of the unprecedented mobilisation for the Syrian jihad, the number of terrorist convicts and ‘radicalised inmates’ has increased significantly in the past decade, from less than 30 in 2013 to over 200 in 2017.

Recruitment and radicalisation may have been occurring in Belgian prisons during the previous waves of terrorism, particularly with the first jihadist convicts in the 1990s. However, that phenomenon was less visible, or at least less observed as it was simply not a priority for the authorities and security services at the time. In fact, very little was done to monitor violent extremists in prison before 2015. As it will be argued in this paper, it is only in the context of the threat linked to Islamic State (IS) that Belgian authorities developed specific policies and tools to address this challenge.

Prison Radicalisation: An Overview

There were 165 inmates linked to terrorism and radicalisation at the end of May 2020, according to the penitentiary administration, the Directorate General of Prison Establishments (*Direction Générale des Établissements Pénitentiaires*, DG EPI).¹ This figure might be higher according to the State Security Service (VSSE), Belgium’s domestic intelligence service, which adopts a broader understanding of radicalisation. In 2018, the VSSE considered there was up to 450 inmates ‘radicalised’ or ‘vulnerable to radicalisation’; almost twice as many as the count of DG EPI at the time.² However, these inmates remain marginal compared to the overall prison population, representing 1.7% of all 9,634 inmates³ (or slightly more if one uses the data from the intelligence service). Except for five individuals connected to far-right extremism, all ‘radicalised’ inmates are linked to jihadist terrorism.

¹ Email exchange with CelEx, 29 May 2020.

² ‘450 détenus considérés comme radicalisés en Belgique’, *Belga*, 29 May 2018.

³ Many inmates have benefited from an early release or a suspension of sentence during the COVID-19 pandemic. In March 2020, just before the pandemic reached Belgium, there were still 10,825 inmates.

The inmates monitored by the penitentiary administration's Extremism Cell (*Cellule Extrémisme* CelEx), hereafter named 'CelEx inmates', are divided into five categories:⁴

- *Category A*: Terrorist convicts (individuals convicted based on a terrorist offence, according to the penal code)
- *Category B*: Terrorist assimilated (individuals who were either convicted in a case linked to terrorism or whose behaviour is clearly linked to violent extremism)
- *Category C*: Terrorist fighters (this includes foreign fighters and homegrown fighters)
- *Category D*: Radicalised (individuals convicted for non-terrorism related crimes, but who show signs of radicalisation)
- *Category E*: Hate preachers

As of February 2020, among 177 CelEx inmates, category C was by far the largest group, with 77 inmates (44%). This indicates that the unprecedented magnitude of radicalisation in prison is linked to the unprecedented mobilisation for the jihad in Syria and Iraq. In addition, there were 41 inmates in category D (23%), 25 in category B (14%), 28 in category A (16%), and 6 in category E (3%). It should be noted that category A is underestimated since convicted terrorist fighters and preachers remain in the respective categories C and E.

Originally, returning foreign fighters represented a significant share of the CelEx inmates and a serious cause of concern, triggering increased policy attention on terrorism and radicalisation. With time, however, returnees have come to represent only a small fraction of the CelEx inmates, reflecting an evolution of the terrorist threat and a shift in the concern of authorities towards radicalisation and homegrown terrorism (see Figure 1). As of May 2020, there were 33 returnees still in prison (29 men and 4 women). In total, 76 returnees (63 men and 13 women) have been incarcerated at one point, even if sometimes just for a few days in preventive detention. Among the 135 Belgian returnees, about 70% have been convicted. Of the remainder, 10 have died (mostly during attacks), a number are detained abroad, some are still free but awaiting trial, while others were minors and therefore could not go to prison.

Regarding sentences, about 50% of the CelEx inmates were sentenced to less than 10 years in prison, which means that they are eligible for probation relatively soon. 20% were convicted to less than 5 years.⁵ The vast majority of returnees were sentenced to 3–5 years in prison, with an average sentence of 6.6 years for men and 5.8 years for women.

In terms of socio-demographics, CelEx inmates are mostly males (96%) in their twenties (29%) or thirties (48%).⁶ As of December 2018, 61% of the CelEx inmates had Belgian citizenship (with most having a second nationality and/or being of immigrant descent, mostly from Morocco), while individuals from the Maghreb represented the majority of the non-Belgians (16% from Morocco, 7% from Algeria).⁷ Of the

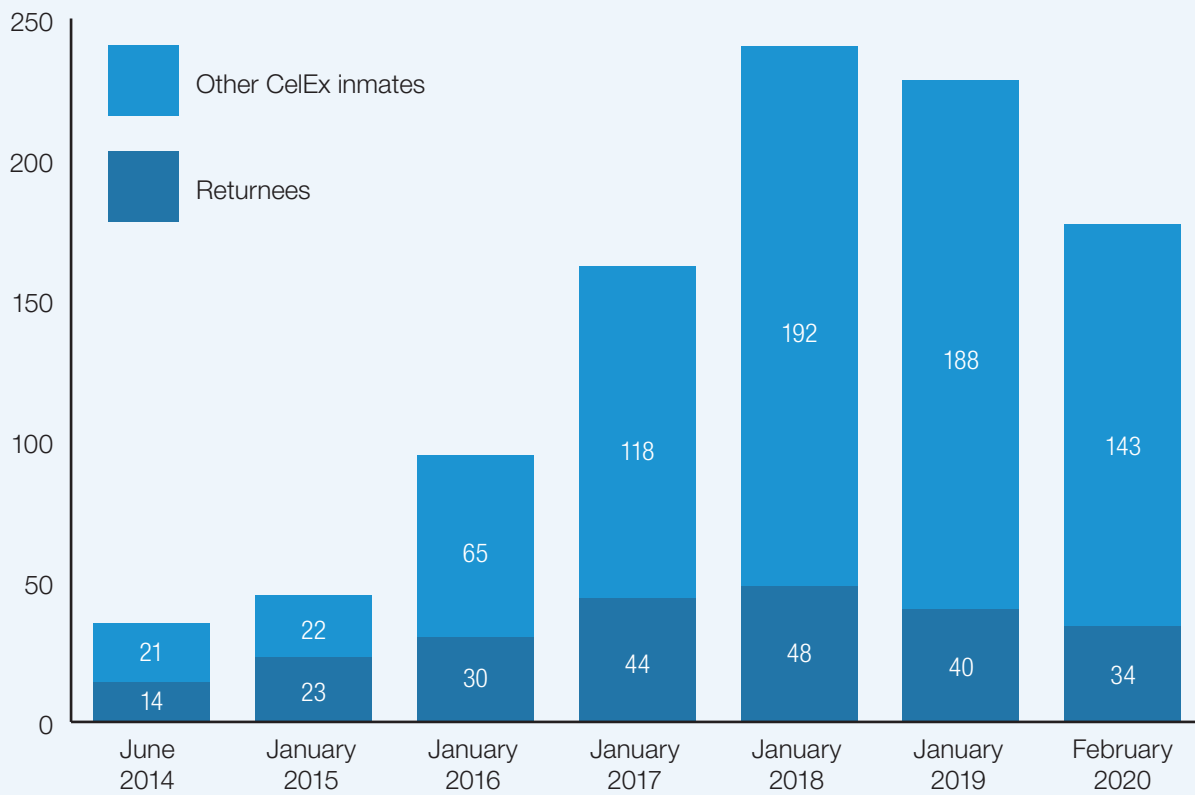
⁴ As of 2020, CelEx is using nominal categories for inmates, distinguishing between terrorist convicts, foreign fighters, homegrown fighters, hate preachers, radicalised or assimilated inmates, as well as any potential combination of these categories. However, since CelEx had been using the five categories referred to in the text since 2015, we consider it relevant and useful to continue referring to these categories.

⁵ Information shared by the Coordination Unit for the Threat Analysis (CUTA) with the author, June 2019.

⁶ Ibid.

⁷ Fabienne Brion, 'Qui sème le vent...Vers une évaluation du plan d'action contre la radicalisation dans les prisons', in Fabienne Brion, Christian De Valkeneer & Vincent Francis (eds.), *L'effet radicalisation et le terrorisme* (Brussels: Politeia, 2019), pp. 57-81.

Figure 1: Composition of CelEx inmates, 2014–20



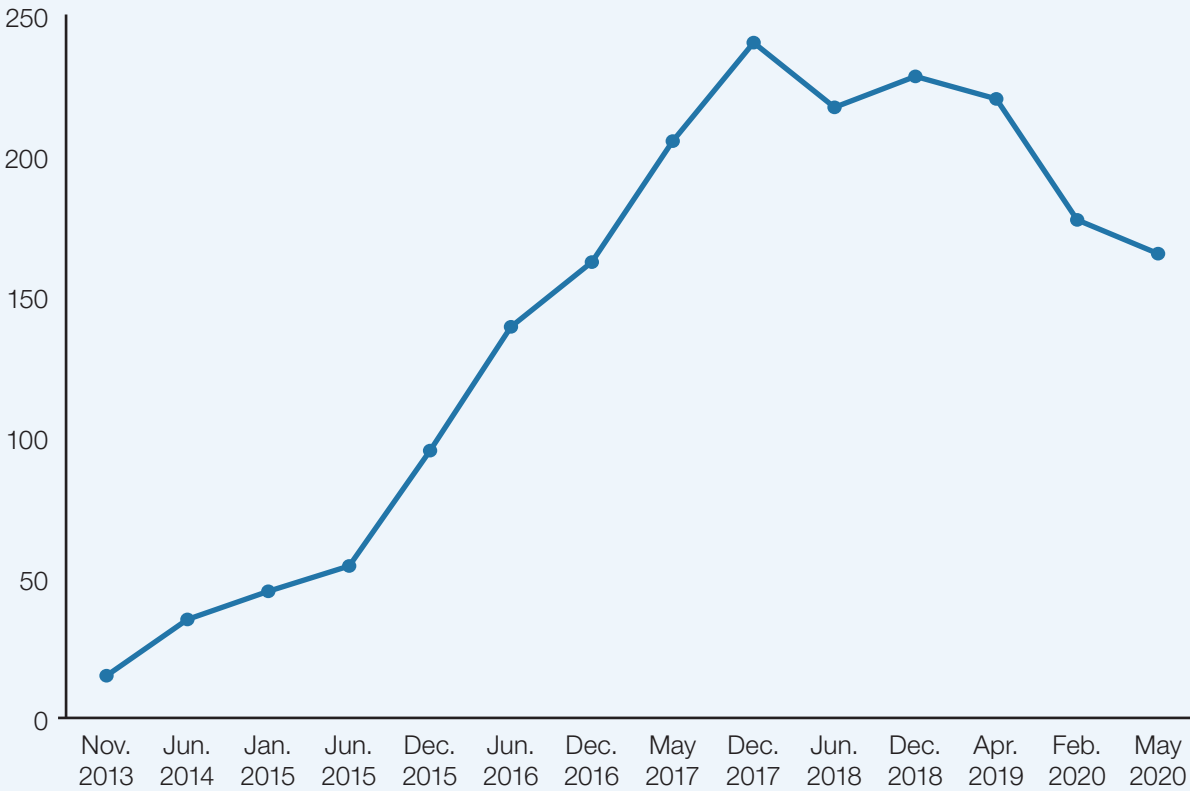
Source: Thomas Renard, based on CelEx data and CUTA data

foreign inmates, a good number of them (about a third of categories B and C) were either deprived of their right to stay in Belgium, or that right was under examination.⁸

In terms of their psychological profile, a DG EPI study on a small sample of CelEx inmates (N=52) found that a very significant majority had a form of mental disorder, mostly antisocial or narcissistic personality traits. Some individuals were diagnosed with psychiatric troubles, notably forms of psychoses or temper issues. Furthermore, a majority of the sample had been or was still confronted with drug or alcohol consumption. Finally, half of the sample suffered from at least two concurrent issues (e.g. a personality disorder and substance abuse), and one in ten suffered from three simultaneous issues. However, it should be highlighted that the sample is too small to draw any definite conclusions, and it is unclear how much these rates differ from the ordinary prison population, given the lack of data-driven study on these aspects.⁹

⁸ Ibid.
⁹ Information shared by the Coordination Unit for the Threat Analysis (CUTA) with the author, June 2019.

Figure 2: Number of CelEx inmates, 2014–2020



Source: DG EPI (CelEx) & VSSE

Future Trends

There are some signs that radicalisation in prison may be slowing down or becoming more latent (see Figure 2). The number of CelEx inmates is decreasing since 2018, notably as a result of the release of terrorist convicts and radicalised offenders (33 CelEx inmates will be eligible for release in 2020, and 27 in 2021).¹⁰ This natural decline is further complemented by a somewhat less attractive jihadist narrative to vulnerable inmates in the post-caliphate era, and fewer proactive recruiters in prison compared with a few years ago.¹¹ Indicative of the effect of these combined trends, security services and the penitentiary administration revised the list of individuals considered to be ‘vulnerable to radicalisation’ (category D) from 68 in April 2019 to 41 in February 2020.¹²

This downward trend is not irreversible. A resurgence of IS, al-Qaeda or any other group could revive the jihadist narrative, while more foreign fighters could still return from Syria and populate Belgian prisons. Before the Turkish offensive in northern Syria in October 2019, there were 54 Belgian adult foreign fighters (20 men and 34 women)

¹⁰ This includes 16 CelEx inmates reaching the end of their sentence in 2020, and 17 in 2021 (Email exchange with CelEx, 29 May 2020).

¹¹ Interview with CelEx, 5 February 2020.

¹² Interview with CelEx, 5 February 2020; ‘Moins de condamnés pour terrorisme et de personnes radicalisées dans les prisons en 2019’, *Belga*, 10 January 2020.

detained there by the Kurdish forces.¹³ Some of these foreign fighters are known to be hardliners who could seek to use Belgian prisons for recruitment or networking purposes.

It is impossible to predict how many will actually return. The Belgian government has consistently refused to repatriate foreign fighters, but a partial change of position cannot be entirely ruled out given the evolving situation in Syria (where instability creates higher risks of escapes or releases), the public statements of key Belgian counterterrorism stakeholders in favour of repatriation (such as the Federal Prosecutor or the Head of the Coordination Unit for the Threat Analysis),¹⁴ as well as recent court decisions forcing the Belgian State to repatriate several families in 2019.¹⁵ Meanwhile, some Belgian foreign fighters escaped Kurdish camps in late 2019,¹⁶ amid the chaos of the Turkish offensive, and may return home to Belgium.¹⁷ At least one other Belgian woman reportedly escaped in April 2020, although she was later recaptured.¹⁸

Though the return of every male fighter would not dramatically affect the ratio of violent extremist offenders in prison, the return of all female IS members could be more challenging. Indeed, while there are only nine women among the 165 'radicalised' inmates (as of May 2020), the return of about 30 women detained in Syria would result in jihadist females representing 9.1% of the total female prison population of 427 inmates. Furthermore, some of the women who remained with IS until the last battle in Baghuz have been proselytising in the Kurdish camps (chiefly in al-Hol), and they could seek to achieve the same in Belgium. The ability of female penitentiary institutions to properly handle these returnees (in terms of monitoring or differentiated detention regimes, for example) would largely depend on the pace of returns: a massive return would be much more challenging than a progressive, limited inflow of returnees.¹⁹

The Penitentiary Response

Belgium did not adopt specific policies to deal with terrorism and radicalisation in prison until recently. As highlighted in a report of the oversight committee of the Belgian intelligence services ('Comité R'), in the early 2000s terrorist convicts were neither monitored in prison nor after their release, notably due to a lack of resources.²⁰ As a result, little information exists on the possible cases of recruitment or radicalisation during these years. Although prisons had been identified as a priority axis of intervention in the country's 2006 action plan against (violent) extremism, 'Plan Radicalism', this resulted in little action or initiatives. In his testimony to the Parliamentary investigative Commission on the 2016 Brussels attacks, the Head of the State

13 Thomas Renard & Rik Coolsaet, *New figures on European nationals detained in Syria and Iraq*, Egmont Institute, Research Note, 2019. A few more foreign fighters were known to be still fighting in the region of Idlib, Syria.

14 'Retour des djihadistes: "Quand on juge des crimes contre l'humanité, il faut parfois 30 ans"', *RTBF*, 14 October 2019.

15 'Un juge ordonne un nouveau rapatriement d'une djihadiste et son enfant', *Belga*, 4 December 2019; 'La Belgique doit rapatrier une mère belge et ses enfants de Syrie', *Belga*, 30 October 2019.

16 In the case of two women detained in the camp of Ain Issa, they were released by the Kurds and did not escape. However, escapes have been reported in other camps, notably al-Hol.

17 'Deux femmes belges de combattants de l'Etat islamique en Syrie passent en Turquie avec leurs 6 enfants', *RTBF*, 20 November 2019; 'Belges en Syrie: la veuve d'un combattant du groupe État islamique tente de rejoindre la Belgique', *Belga*, 21 November 2019.

18 Guy Van Vlierden, 'Weer een Belgische IS-vrouw op de loep in Syrië', *HLN*, 7 April 2020.

19 Interview with CelEx, 5 February 2020.

20 Comité R, *Rapport d'activités 2012*, Report from the Permanent Oversight Committee of the Intelligence Services, 2012, pp. 28-33.

Security Service recognised that not enough attention had been given to the phenomenon of radicalisation in prisons, certainly until 2015.²¹

The year 2015 was indeed a turning point for counter-terrorism in Belgium. Two main incidents fundamentally transformed the threat perception: the May 2014 attack against Brussels' Jewish museum by Mehdi Nemmouche, a French returnee fighter; and the January 2015 police raid against a terrorist cell in Verviers, which took place only a few days after the *Charlie Hebdo* shooting and *Hyper Cacher* siege in Paris. Many laws and policy measures were decided in the aftermath of those events as well as after the November 2015 Paris attacks. Prisons became a natural priority as more individuals were convicted for terrorism and sent to jail, while concerns over the risk of radicalisation in prison started to emerge in Belgium and across Europe.²²

Three significant prison-related policy developments followed. First, the federal government adopted an 'Action Plan against radicalisation in prison' in March 2015.²³ The plan – the first of its kind in the country – set two main objectives: to prevent the radicalisation of inmates, and to develop a specialised follow-up process for radicalised inmates. Second, a specialised unit (CelEx) was created within the central penitentiary administration in March 2015, which now has eight staff members,²⁴ to coordinate the implementation of the Action Plan. CelEx is tasked with centralising all relevant information from prison staff and external partners (police, intelligence services, prosecutor's office) to facilitate the detection or evaluation of radicalised inmates, and to make informed recommendations for the placement and detention regime (the 'CelEx regime') of these inmates. In a few years, CelEx has become one of the cornerstones of the Belgian approach to radicalisation in prison. Third, the State Security Service created a special unit (called CEGP), responsible for intelligence gathering in relation to (violent) extremism in prisons, in mid-2015. This unit grew from two to 12 staff members in three years. It can use all traditional intelligence-gathering techniques and feeds relevant information to other services such as CelEx.²⁵

Upon detention, and at least once every two months, potential CelEx inmates are screened, relying on information provided by penitentiary services (e.g. psychosocial services) and partner services (e.g. intelligence agencies). Specific instructions were circulated to guide and encourage the observation of certain behaviours. Psychosocial services use the VERA-2R risk-assessment tool to evaluate radicalised inmates. Based on these various sources of information, CelEx makes recommendations on detention regimes (such as a transfer to separated units) and individual security measures (such as more frequent cell or body searches, or restrictions on contacts with external visitors or other inmates), although the final decision is taken by the prisons' Director General.

With regard to the detention regime, Belgium favours a dispersal approach 'as much as possible'.²⁶ While terrorist inmates were originally dispersed among a small number of institutions (called

21 *Troisième Rapport Intermédiaire, Sur Le Volet 'Architecture De La Sécurité'*, Belgian Parliament, Doc 54 1752/008, 2017, 15 June, p. 228.

22 *Rapport d'activité 2017-2018, Veiligheid van de Staat (VSSE)*, 2018, pp. 16-17.

23 *Action plan against radicalization in prisons*, Federal Public Service Justice, 11 March 2015.

24 Several individuals were recruited in 2019.

25 *Rapport d'activité 2017-2018, Veiligheid van de Staat (VSSE)*, 2018, pp. 16-17.

26 *Action plan against radicalization in prisons*, p. 12.

‘satellite prisons’), where penitentiary staff had been trained in priority (starting in 2015), CelEx inmates are now dispersed across prisons of the entire country. These inmates represent at most 6% of a specific prison’s population (in Ittre).²⁷ Although dispersed, CelEx inmates are often subject to specific, individual security measures. Following her country visit to Belgium, the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Fionnuala Ni Aolàin, criticised the lack of transparency leading to the imposition of such measures.²⁸

In April 2016, two special sections were opened in the prisons of Ittre and Hasselt for inmates seeking to proactively recruit for violent extremism or propagate their ideology. These so-called ‘D-Rad:Ex units’ can host up to 40 inmates in total. However, they have never reached their full potential, illustrating the preference of the penitentiary administration for the dispersal approach, and the use of separated units only as last resort. As of February 2020, 12 CelEx inmates were in D-Rad:Ex (including seven returnees), down from 22 in January 2018. While the penitentiary administration believes that these units were helpful to isolate individuals that had a clear profile of hardcore jihadist recruiters, it is unclear what role these units will play in the future, as these profiles have become much rarer recently.²⁹

Rehabilitation

The 2015 Action Plan against radicalisation in prison presents deradicalisation and disengagement as two possible options to be pursued. However, in practice, most efforts have been geared towards disengagement programmes. While some Islamic counsellors can engage in ad hoc deradicalisation efforts, there are no official ‘deradicalisation’ programmes as such in Belgium. Disengagement programmes, on the other hand, have been developed in a more organised manner.

In the Belgian federal context, the assistance and support to inmates (under which disengagement programmes fall) is a competence of the federated entities (the ‘communautés’) and not of the federal government. On the Dutch-speaking side, two members of the Flemish administration have been working with terrorist convicts or radicalised inmates since 2016, and two additional experts were recruited in 2019. On the French-speaking side, a specific institution, CAPREV (*Centre d’Aide et de Prise en charge de toute personne concernée par les Extrémismes et Radicalismes Violents*, Centre for the Assistance of People concerned by any Radicalism or Extremism leading to Violence), was established in 2016 to deal with radicalisation and violent extremism in general, including in prison. As a new institution, it took some time for the CAPREV to develop programmes and become active in prison, which did not begin before 2017. At the end of 2019, the Flemish experts were working with 31 inmates, while CAPREV was working with 33.³⁰

²⁷ Fabienne Brion, 2019.

²⁸ *Visit to Belgium – Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*, Human Rights Council, United Nations, A/HRC/40/52/Add.5, 27 February 2019.

²⁹ Interview with CelEx, 5 February 2020.

³⁰ ‘Een jaar na vrijlating verspreidt Jean-Louis Denis opnieuw zijn radicale visie’, *De Morgen*, 9 December 2019; Email exchange with CAPREV official, 10 December 2019.

Dutch-speaking and French-speaking inmates can therefore receive different forms of support. However, both approaches offer voluntary, tailored programmes for each inmate, with a multi-disciplinary (touching on psychological support, trauma, individual resilience, religion, professional skills and reintegration projects) and multi-agency perspective. As a result, 'disengagement' programmes can in fact include aspects of 'deradicalisation'.

It is too early to evaluate the effectiveness of these programmes. Furthermore, not every CelEx inmate has benefitted from them: some had already exited prison before any of these programmes were on offer, while others simply refuse or are unable to take part in these voluntary programmes. In 2019, only 29% of the CelEx inmates (64 of 220) were participating in disengagement programmes. Nonetheless, an evaluation from Belgium's counterterrorism fusion centre, the Coordination Unit for the Threat Analysis (CUTA), concluded that about 44% (15 of 34 inmates) of the returnees in prison in 2019 were showing some signs of disengagement, while 64% (9 of 14 inmates) of the inmates who were prevented from travelling to Syria were similarly in a process of disengagement.³¹ These conclusions should be treated with caution: disengagement is a long, hazy process that is extremely difficult to measure. Furthermore, no correlation can be established between these results and the disengagement programmes initiated. That notwithstanding, these results are encouraging.

Thus far, no specific incidents – such as terrorist plots or attacks – have been linked to CelEx inmates within prison. The few incidents reported were 'ordinary' altercations between prisoners and guards, linked to the specifics of life in prison, such as when a returnee assaulted several guards in 2018 during the meal distribution, rather than because of political or ideological motives.³²

After Prison

Between 2012 and February 2020, 368 CelEx inmates were released (109 category A; 64 category B; 126 category C; 51 category D; and 18 category E).³³ All released offenders were linked to jihadist terrorism, except eight individuals linked to right-wing extremism. Sixty more CelEx inmates will be released in 2020 and 2021.³⁴

Their rehabilitation and reintegration are a key concern for the authorities. For instance, intelligence services are wary of a new wave of violent extremism resulting from released terrorist convicts (a 'recidivism surge'), noting that 'numerous' terrorist convicts from 2001 to 2011 travelled to Syria over the past few years.³⁵ However, a recent study based on all terror-related trials in Belgium since 1990 identified no more than 27 terrorist convicts who re-offended into terrorism, out of 557 terrorism convicts (4.8%).³⁶

Low rates of terrorist recidivism are further supported by the apparent disengagement of most released CelEx inmates. Two distinct studies by CUTA concluded that 84% of the 44 male returnees, 95% of the

³¹ Interview with CUTA official, Brussels, 16 October 2018; Email exchange with CUTA official, 21 November 2019.
³² 'Cinq gardiens de prison blessés par un "returnee" à Hasselt, le personnel en grève', *Belga*, 27 September 2018.
³³ Interview with CelEx, 5 February 2020.
³⁴ Lars Bové, '60 terroristen en geradicaliseerden verlaten dit en volgend jaar gevangenis', *De Tijd*, 6 May 2020.
³⁵ VSSE, 2018, p. 17.
³⁶ Thomas Renard, 'Overblown: Exploring the Gap Between the Fear of Terrorist Recidivism and the Evidence', *CTC Sentinel* 13:4 (April), pp. 19-29.

20 women returnees,³⁷ and 73% of the 64 ‘failed travellers’³⁸ have been showing signs of disengagement since their release.³⁹ However, a low risk of recidivism still is a potentially serious risk. As a result, the scrutiny of the security services remains essential to identify and monitor the minority of released terrorist offenders deemed of ‘high concern’ who could recidivate.

One particularly significant incident in this regard was the killing of two police officers and a passer-by in Liège on 29 May 2018. The perpetrator, Benjamin Herman, was a Muslim convert and multi-recidivist criminal who was on temporary release from prison. While he was known to be ‘radicalising’, his behaviour did not seem to justify placement on the CelEx list or monitoring from the intelligence services. The oversight committee of the intelligence services concluded in its annual report that the information available to the services did not indicate an imminent threat from Benjamin Herman.⁴⁰ The Liège attack nevertheless led to serious introspection among the penitentiary administration and increased vigilance from security services, but not to a fundamental shift of policy.⁴¹ Indeed, so far, none of the released CelEx inmates have been directly involved in a terrorist attack or plot.

In any case, CelEx inmates are not left unchecked upon release. They are often released under probation, which includes a set of conditions to be respected, such as participating in disengagement/deradicalisation programmes or meeting with psychosocial workers or the police. Probation measures are designed to help released offenders reintegrate into society while offering some security guarantees. At the end of 2019, eight former CelEx inmates were meeting with Flemish disengagement experts as part of their probation, while CAPREV was mandated to work with 34 former inmates.⁴²

Some inmates, however, are not offered probation, or even they are, refuse it. They are then released at the very end of their sentence, without conditions. This scenario can be concerning if it indicates continued jihadist engagement or confrontation against the authorities. Nevertheless, the absence of probation does not imply a lack of security measures. Indeed, every released terrorist offender, under probation or not, continues to be monitored through a combination of security and socio-preventive mechanisms. On the one hand, they are monitored individually through the so-called ‘Local Task Forces’, gathering representatives from the security services (CUTA, intelligence services, and police) at the judiciary district level, who can decide on tailored security measures.⁴³ On the other hand, former inmates can also benefit from socio-preventive counsel and support, either at their own request or as part of probationary measures. In this case, their evolution will also be discussed within the ‘Local Cells for Integral Security’ (LCIS), gathering municipal socio-prevention services (such as local police officers, officers for the prevention of

37 In a previous version of this study (2018), this figure was lower, at 75%, confirming the positive evolution of most returnees after their release over a longer period.

38 For ‘failed travellers’, the disengagement rate of men and women is similar, according to the study.

39 Interview with CUTA official, Brussels, 16 October 2018; Email exchange with CUTA official, 21 November 2019.

40 Comité R, *Rapport d'activités 2018*, Report from the Permanent Oversight Committee of the Intelligence Services, 2019, pp. 21-33.

41 Interview with CelEx, 5 February 2020.

42 ‘Een jaar na vrijlating verspreidt Jean-Louis Denis opnieuw zijn radicale visie’, *De Morgen*, 9 December 2019; Email exchange with CAPREV official, 10 December 2019.

43 LTF can have ‘strategic’ discussions, as well as ‘operational’ ones. In ‘operational’ configuration, LTF members discuss the situation of specific individuals, and practical measures to be adopted or discontinued – such as regular police visits, discrete surveillance, wiretappings, etc.

radicalisation, social workers, street educators, representatives from sports clubs or schools, etc.) under the chairmanship of the Mayor.⁴⁴

Importantly, most stakeholders in these two distinct platforms, as well as probation services, can have access to CUTA's 'common dynamic database', which contains consolidated information on most (but not all) former CelEx inmates.⁴⁵ As a result, their decisions can be informed by the necessary contextual information about the behaviour and evolution of these individuals before, during and after detention.

Conclusion

Radicalisation or terrorist recruitment in prison are not new phenomena in Belgium, but they have reached unprecedented magnitude in the aftermath of the Syrian conflict and the mobilisation of foreign fighters from Europe. This has created serious concerns among Belgian security services and policymakers, who since 2015 have adopted a series of measures to improve the monitoring of terrorist and radicalised inmates as well as minimise the risk of radicalisation of other inmates.

The overall Belgian approach is becoming more comprehensive, seeking to bridge security concerns (rehabilitation) and socio-preventive ones (reintegration), focus on disengagement without ruling out deradicalisation, and develop coherence between prison and post-release measures. The country's approach is also becoming more multi-agency, relying on the cooperation of a broad range of stakeholders inside and outside of prison. Furthermore, it requires cooperation between different layers of governance in the Belgian federal landscape, notably between the federal security and penitentiary services, the regional services in charge of disengagement and support to inmates (in prison and afterwards), as well as the municipal socio-preventive services (who may be mobilised after the release as well). Finally, the Belgian approach relies on an improved system of information-sharing between all relevant stakeholders, facilitated by the role of CelEx and CUTA's 'common dynamic database'.

The building of this type of multi-agency and multi-level cooperation is still work in progress. It inevitably takes time, and is burdened with legal and political difficulties. Perhaps this was too slow in the making, resulting in an absence of proper follow-up for a number of inmates who have already been released. Several specific aspects of the Belgian approach have also been criticised,⁴⁶ and there is always room for improvement. Overall, penitentiary policies remain the poor child of public policies, and much more could be done on rehabilitation and reinsertion of inmates – whether extremists or not. Yet, despite these legitimate criticisms, there are signs that policies are moving in the right direction, such as the decline of radicalisation in prison, disengagement among a majority of released terrorist offenders,

⁴⁴ Like LTFs, LCIS can have 'strategic' and 'operational' discussions. Operational discussions focus on specific psycho-social support that can be offered to radicalised individuals, as well as support for reintegration and resocialisation.

⁴⁵ CUTA's database contains information on foreign fighters, homegrown fighters, terrorist convicts, hate preachers and 'potentially violent extremists'. As a result, some inmates from categories B ('assimilated') or D ('radicalised') may not always be included in CUTA's database.

⁴⁶ See, notably, Fabienne Brion, 2019; and *Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism*, 2019.

or low rates of recidivism. These positive evolutions are not necessarily a result of these new policies alone, as they are also linked to the declining attractiveness of the Islamic State, but this combination of a more able counter-terrorism approach with a more favourable context creates a window of opportunity to structurally weaken jihadism in Belgium.

2 Extremist Offender Management in Denmark

Magnus Ranstorp, Swedish Defence University

Violent extremism is not a major issue for the Danish Prison and Probation Service (DPPS).¹ Denmark has been a primary target for international terrorism, especially in relation to the Prophet Mohammed Cartoon Affair since 2005. Multiple terror plots have been thwarted and in 2015 a lone-actor terrorist struck twice in Copenhagen attacking a cultural centre and a synagogue, killing two civilians and injuring six police officers.² Similarly, around 150 Danish citizens have travelled to join Islamic State (IS) in Syria and Iraq since 2012. Despite the sharp security environment, there are relatively few individuals who are of concern for violent extremism in Danish prisons.

DPPS' work covers prisoners who have been convicted or charged with terrorist offences as well as those who the service evaluates as at risk of involvement in violent extremism. By September 2019, the total prison population was 3,942 across prisons and remand prisons. In November 2019, there were a total of 64 individuals who were operationally interesting for DPPS' measures against violent extremism, amounting to 1.6% of the total prison population. Thirteen of these 64 were sentenced for terrorism offences while six are being charged with terrorism offences according to criminal statute §114. Almost all these terrorism cases refer to "foreign fighters" who travelled to the Levant. In addition to those sentenced or charged with terrorism offences, 45 individuals in prison and in remand prison are operationally interesting for DPPS as they are considered at risk for violent extremism.

The 13 individuals convicted of terrorist offences have received prison sentences varying from six months to 10 years in prison. The average sentence is slightly over four years. There is great variance in the length of prison sentences for those individuals convicted according to criminal statute §114. The number of convicted terrorists incarcerated in prison have fallen since 2018 which is due to convicted terrorists having been released.

Prison-related Incidents and Individuals

Most of the 13 convicted terrorists in prisons are foreign fighters who joined Islamic State (IS) in Syria and Iraq. Beyond these, there are four notable incidents relating to violent extremism in Danish prisons. One incident relates to Omar El Hussein, the terrorist who perpetrated the February 2015 terror attack in Copenhagen within

¹ This report is based on interviews and DPPS written answers to ICSR's violent offender questionnaire.

² Angelique Chrisafis, "Copenhagen shooting suspect Omar el-Hussein – a past full of contradictions", *The Guardian*, 16 February 2015.

two weeks of his release from prison. He had smuggled in terror material into the prison before he was released³ and when he was released from prison neither the municipality nor DPPS nor any other agency had established a line of contact to El Hussein who immediately began planning for the terror attack.⁴

A second incident relates to Omar Abdalla Aboelazm, one of the four Swedish terrorists convicted for a terrorist plot against the *Jyllandsposten* newspaper in December 2010, who was caught in Danish prison with terror documents involving plans to target politicians from Danish People's Party alongside a map of the Danish S-train system.⁵

The third incident relates to a 16-year old Danish girl, the so-called 'Kundby-pigen' case, who was sentenced to eight years in prison in November 2017 on terrorism-related charges for planning to bomb a school in Fårevejle. She had acquired explosives and was trying to contact an Islamic State leader on social media.⁶ While in prison she wrote and exchanged letters with other convicted terrorists⁷ and she was charged and sentenced for making threats to her former mentor. She was also sentenced on a separate occasion for attempted bribery of a prison guard to smuggle in a mobile phone.⁸

The fourth incident concerns the banning of PlayStations across three of the four prison categories in 2018 when four cases of violent extremist material were discovered on these gaming consoles.⁹

Official Responses

DPPS have been dealing with radicalisation for several years and the associated strategies have been closely connected to various government action plans against violent extremism. The Danish government action plan for 2016–2019 decided that there should be established a special unit against radicalisation and violent extremism in DPPS. This was created in 2019. In parallel to this special unit, an intelligence unit within DPPS and a special unit responsible for gangs and organised crime have also been established.

The 2016 government action plan focused on radicalisation in prison. Specifically, it proposed to strengthen prevention of violent extremism across five areas: 1) a new radicalisation unit and strengthened IT-platform within DPPS; 2) new exit-tools and strengthened education of staff; 3) strengthened screening and oversight of religious pastoral care; 4) review of models for sectioning in prisons; and 5) participation in exit-programmes as a requirement for early-release.

3 Louise Dalgaard, Mette Mayli Albæk & Natascha Ree Mikkelsen, "Omar el-Hussein fik indsmuglet terrormateriale i fængslet inden angreb", *DR*, 9 February 2019.

4 "Terroristen fra Nørrebro: Jagten på Omar el-Hussein", *Politikens Forlag*, 11 February 2019.

5 Magnus Ranstorp, Filip Ahlin, Peder Hyllengren & Magnus Normark, "Mellan salafism och salafistisk jihadism – Påverkan mot och utmaningar för det svenska samhället", *Försvarshögskolans*, 2018, p.64.

6 Birger A. Andersen, "Kundby-pigen dømt i ny sag", *BT*, 10 January 2019.

7 Emma Toft, "Terrortiltalt i Kundby-sagen skriver breve med andre terrordømte", *DR*, 21 November 2017.

8 Simon Boas, "Kundby-pigen tiltalt for bestikkelse i ny sag", *BT*, 26 April 2019.

9 The PlayStations were banned in prison with a security of 1-3. In level 4 prisons it is still possible to use a special version of the PlayStation. Ronja Melander, "Slut med at spille Playstation i arresten: Alle spillekonsoller inddraget", *Jyllandsposten*, 3 July 2018.

Prison Regimes for Extremist Inmates

DPPS ensures through individual and concrete risks- and needs assessments that inmates are placed under the correct security regime. This security regime is determined by an evaluation of risks for involvement in violent extremism as well as a security evaluation of the individual. The risks for violent extremism in an individual are evaluated according to a scale of 1–3 which is reviewed at a minimum every three months in close cooperation between DPPS institutions and the radicalisation unit within DPPS, where the latter has a mandate to change the category for an inmate. In this assessment, there is close cooperation between the radicalisation unit and the intelligence department. As a rule of thumb, the higher someone is placed in the categories the higher the security regime is imposed.

Common for all inmates placed in categories 1–3 is that the head of the police in the district concerned is consulted before any approval of probationary release. The government agencies involved and the DPPS are required to inform the PET (*Politiets Efterretningstjeneste*, Danish Security and Intelligence Service) on concerns for radicalisation but are not required to inform the local infohouse of the concern.

DPPS are only required to inform the infohouse on the upcoming release of inmates that have been reported with a concern for radicalisation during the sentence. Not the content of the concern. It is also required when violent extremists in categories 0–3 are to be released. Following the terror attack in February 2015, Police and, ultimately, PET, together with DPPS have the authority to decide on probationary early release. Between February 2015 until April 2017, DPPS received 348 reports of concern of signs of violent extremism which they relayed to PET.¹⁰ Before this DPPS had 88 reports of concern between 1 April 2013 until 12 April 2015.¹¹ In 2017, there were 60 reports of concern.¹²

In addition to the risk assessment for violent extremism, there is a security evaluation of remand prisoners that can have a bearing on further security arrangements. These are concrete, individualised and are conducted in individual prison institutions. If a remand prisoner is charged with terrorism, then he or she will typically initially be placed under the highest security regime and the necessity for maintaining this regime will be evaluated every four weeks.

All referrals of violent extremism are required to be sent to PET for evaluation. It first passes through a special unit in DPPS security department which makes a qualified judgement, but they must pass on the information to PET in all circumstances.

10 Lisbeth Garly Andersen & Peter Vedel Kessing, *Forebyggelse af Radikalisering i Fængsler: Menneskerettigheder Og Retssikkerhed For De Indsatte*, Institut for Menneske Rettigheder, 2017, p.23.

11 "Folketinget fik fejlagtige tal om radikaliserede", *Avisen*, 10 July 2015

12 "Markant færre indberetninger om radikalisering i fængslerne", *TV2*, 21 February 2018.

Preventing Radicalisation

Historically the cornerstone of DPPS work has been rehabilitation and reintegration of clients. DPPS prevention measures concerning radicalised individuals in prison are almost identical to DPPS's general prevention of all clients in prison.

The prevention work can be divided into three levels with different target groups for measures: 1) all clients (primary group); 2) individuals at risk for violent extremism (secondary group); and 3) individuals who have been convicted of terrorism offences or those who are considered to be violent extremists (tertiary groups).

For the first primary group, the measures focus on preventing the risk of violent extremism generally for all clients through LS/RNR (Level of Service/Risk-Need-Responsivity) evaluations and individualised and tailored action plans for every inmate. Based on LS/RNR model, DPPS uses MOSAIK (*Motiverende Samtaleintervention i Kriminalforsorgen*) which is a structured dialogue tool and exercise that increases motivations for change in individuals.¹³ For the secondary group (those at risk), the measures focus on anger management courses, drug and alcohol treatment, cognitive behavioural therapy (including 'Booster' which is an advanced programme), 'Violence prevention programme', 'New Ways' – a life without criminality and 'Strengthen and succeed', a tailored programme for women. These measures are identical for DPPS general prevention program for all clients in prison.

DPPS measures to deal with those clients that have been convicted of terrorism offences are focused on preventing recidivism. Prevention for other clients that are connected to violent extremism is to prevent planning or use of violence when they are released. What is unique for prevention of this tertiary group is that clients are offered mentors based on individual assessment who are specially trained in handling violent extremists. The offer of mentors is determined by a collective evaluation of the risk for violent extremism, protective factors and the need and motivation of the client for changing their behaviour in a positive direction. To determine this intervention possibility, screening dialogues with the client are conducted combined with information gathered by the intelligence unit and the judgement of the category of concern. In the longer term, the chosen risk assessment tool will become the primary screening assessment to which prevention efforts will be targeted and calibrated. Beyond mentoring, DPPS can give the client the opportunity to conform to a set acceptable level that can be adjusted accordingly through progression and programmes and mentoring schemes.

The mentoring scheme has been in existence since 2002 but began as a pilot project for radicalisation and violent extremism in 2011 and 2012. The Back on Track pilot project developed the framework for mentoring in prison and after release.¹⁴ In parallel, there is a mentoring scheme operated for gang-related individuals who would like to exit and leave these milieus.¹⁵

¹³ *Kriminalforsorgen i udvikling 2018-21*, Kriminalforsorgen, 2017, pp.20-21.

¹⁴ Anita Rønneberg, *Back on Track – et projekt på rette spor? – En undersøgelse af mentorenes erfaringer med og holdninger til projektet*, Kriminalforsorgen, 2015.

¹⁵ Malene Molding Nielsen, *Evaluering af Mentorordningen*, Kriminalforsorgen, 2017.

Release and Post-release

The number of released offenders is not publicly available information.

Whether clients receive the possibility for probationary release or not are dependent on individual and concrete evaluations. Concerning early release, the client will be supervised by a probationary officer and will be subject to prevention measures administered by the local Infohouse (police district and municipality). The frequency of these probation meetings differs as does the conditions that each former inmate must adhere to.

PET may carry out exit dialogues with released violent extremists to motivate them to leave these extremist milieus. There are also efforts underway to further connect the exit programmes for violent extremists as well as exit programmes for criminal groups through a single coordinator with the National Police.¹⁶

¹⁶ Bilag: Kortlægning af indsatsen mod radikalisering og ekstremisme i fængsler mv, Justitsministeriet, 2 October 2015.

3 Extremist Offender Management in England and Wales

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Over the past year, a series of high-profile attacks involving imprisoned or recently released terrorist offenders has put the spotlight on counterterrorism in prisons in England and Wales.¹⁷ The November 2019 London Bridge attack and the February 2020 Streatham stabbing have resulted in a political willingness to change the sentencing guidelines for terrorism-related crimes. While the situation is currently in flux – there are plans to increase sentence lengths and extend probation conditions – the country has several decades experience in managed terrorist prisoners. Since 2015 there have been substantial changes. Most notable is the creation of separate prison units for the most dangerous and disruptive terrorists, the establishment of a specialist team responsible for managing offenders in custody and on probation, and the introduction of a new rehabilitation programme.

The Extremist Offender Population

As of March 2020, there are 238 terrorism-related inmates – otherwise known as ‘TACT (Terrorism Act) offenders’ – in custody across Britain.¹⁸ They include 183 inmates classified as ‘Islamist extremist’ (77% of the total), 44 as ‘extreme right-wing’ (18%), and 11 as ‘other’ (5%), which can include far-left extremists and those who defy simple ideological categorisation. The number of far-right inmates has surged since 2016, when – for the first time in post-war history – the UK proscribed a far-right terrorist group (see Table 1).

These TACT offenders are just part of the wider extremist offender population. In 2018, the Ministry of Justice (MOJ) estimated there were 300 ‘identified extremists’ in prison – made of TACT offenders as well as ‘regular’ inmates who have shown signs of radicalisation in prison – and a further 400 ‘deemed to be vulnerable to extremist messaging’.¹⁹ That total of 700 offenders were classified as ‘mostly Islamist (85%), with extreme right-wing (13%) making up the majority of the remainder’.²⁰

¹⁷ Due to the process of Devolution, Scottish prisons are managed by the Scottish Prison Service, and prisons in Northern Ireland are managed by the Northern Ireland Prison Service. This paper therefore focuses on England and Wales, whose prisons are the responsibility of the Ministry of Justice. This paper is based on a review of official documents that relate to extremist offender management, relevant newspaper reports, and court appeals that involve extremist prisoners in custody. Due to the Covid-19 pandemic, planned interviews with JEXU/HMPPS staff were postponed.

¹⁸ Separate breakdowns for just England and Wales are not available.

¹⁹ Intelligence and Security Committee of Parliament, *The 2017 Attacks: What needs to change?*, 2018, p. 32.

²⁰ *Ibid.*

Table 1: Number of people in custody for terrorism-related offences in Britain by ideology, on 30 December of each year, 2013–19

	2013	2014	2015	2016	2017	2018	2019	2020
Jihadist	94	125	138	160	192	176	177	183
Far-right	6	4	5	10	21	28	41	44
Other	2	7	4	9	11	18	13	11
Total	102	136	147	179	224	222	231	238

Presently, there are approximately 250 ‘terrorists’ and 200 ‘terrorist risk’ offenders in custody.²¹ This does not necessarily imply a recent drop in the threat posed since 2018. Instead, the change is due to a tightening of inclusion criteria: the previous figures counted inmates who had not completed a formal assessment of their extremism.²² Overall, while these figures show a sizeable terrorist offender population, they do not suggest that prison radicalisation is a widespread phenomenon in England and Wales.

Of the approximately 400 ‘returnee’ foreign fighters in the UK, about 40 individuals have been successfully prosecuted for their travel, but it is unknown how many of them are still in custody.²³ The gender breakdown of TACT offenders is not publicly listed, though women made up 14% of adults convicted for terrorism offences between 2008 and 2018.²⁴ The average sentence length between 2012 and 2019 was just over seven-and-a-half years, with a median sentence length of five years.²⁵ Custodial sentences range from nine months to 45 years.²⁶

This prison population can present numerous challenges in their management, involving mental health issues, violence in custody, peer influence, and other vulnerabilities. All this is within the context of a prison system operating at 98% capacity (with a total population of 80,102 inmates out of a useable operational capacity of 81,695),²⁷ meaning the TACT offender population is less than 1% of all inmates.

An inmate’s progress through prison and on probation (known in the UK as being released ‘on licence’) is managed by the Joint Extremism Unit (JEXU). Created in April 2017, JEXU is a joint unit between HMPPS and the Home Office (OSCT). Its functions as ‘the strategic centre for all counterterrorism work in prison and probation’, with ‘oversight of delivery across the end-to-end offender management process’.²⁸ JEXU has some 34 staff in its headquarters

21 Email correspondence with JEXU official, 9 July 2020.

22 Ibid.

23 ‘Number of terrorists sent for ‘detoxification’ triples’, *The Times*, 6 April 2019.

24 This is of the total 118 adults sentenced for Terrorism Act 2000 (sections 12, 15-18, 38B, 58) or Terrorism Act 2006 (sections 1, 2), according to the Courts Proceedings Database maintained by the Ministry of Justice. See ‘Table 1.4: Demographics of adult offenders sentenced for terrorism offences covered by the revised guideline, by gender, age and perceived ethnicity, 2008-2018’, Sentencing Council, 21 October 2019, available at: <https://www.sentencingcouncil.org.uk/publications/item/terrorism-offences-data-tables/>

25 ICSR dataset of terrorism convictions in the UK, 2012-2019. This excludes the whole life term given to Michael Adebolajo.

26 Ibid.

27 ‘Population and Capacity Briefing for Friday 22nd May 2020’, Ministry of Justice, 22 May 2020, available at: <https://www.gov.uk/government/statistics/prison-population-figures-2020>

28 ‘Prisons: Radicalisation: Written question – 220119’, Parliamentary question asked by Andrew Rosindell MP, answered by Lucy Frazer MP (then-Parliamentary Under-Secretary for Justice), 19 February 2019.

and a further 119 in analyst, probation, and prison roles,²⁹ and manages inmates who are identified as being of terrorism concern.

Recent Events

Since 2019, there have been four prison-related attacks in England. While these came in quick succession – and possibly were inspired by the ‘momentum’ generated from previous assaults – there is no evidence that they were coordinated.

The first significant incident was the London Bridge attack on 29 November 2019, when 28-year-old Usman Khan killed two attendees at an event organised by Learning Together, a prison rehabilitation organisation. Khan had previously been convicted of terrorism offences, for planning to create a jihadist training camp in Pakistan, and was released on probation in December 2018. He was assessed to have recanted his extremist ideas: while imprisoned he was involved with Learning Together – the very organisation he would later attack – as well as Healthy Identity Intervention, an extremism-specific rehabilitation programme. Upon release, he also participated with the mandatory Desistance and Disengagement Programme. Khan even wrote a message of appreciation that featured in Learning Together’s publicity:

Learning Together has a special place in my heart. It is more than just an organisation, helping to provide learning of individual academic subjects. For me it’s [sic] main benefit is bringing people together, through the means of learning. Learning Together is about opening minds, unlocking doors, and giving voice to those who are shut down, hidden from the rest of us. It helps to include those who are generally excluded. This is what Learning Together means to me.³⁰

The country’s first jihadist attack inside a prison – carried out by a convicted terrorist and another radicalised ‘regular’ inmate – took place soon after. On 9 January 2020, Brusthom Ziamani and Baz Hockton attacked a prison officer in HMP Whitemoor, a high security (‘Category A’) prison. Using improvised weapons, the pair stabbed the officer in the head, chest, and face, reportedly while wearing dummy suicide vests. The prison officer survived the attack. Ziamani had been convicted in 2015 for planning to behead a British soldier and was sentenced to 22 years. His radicalisation persisted in prison; Ziamani reportedly held self-styled ‘sharia courts’ to punish other inmates,³¹ and shared extremist propaganda with fellow prisoners.³² Baz Hockton, meanwhile, had radicalised in prison while serving a 12-year sentence for wounding with intent and had a history of violent assaults outside of prison.³³ The pair have been charged with attempted murder; their trial is due to begin in September 2020.³⁴

29 Details taken from an organogram provided to the authors by JEXU staff.

30 ‘10 Stories for 10 Miles: Story 6’, Learning Together website [archived by the author; since removed: <https://learningtogethercambridge.wordpress.com/>], 11 July 2019.

31 ‘Prison terror attack suspect, Brusthom Ziamani, held sharia courts inside HMP Whitemoor’, *The Daily Telegraph*, 10 January 2020.

32 Sean O’Neill, ‘Prisons are breeding a new wave of terrorists’, *The Times*, 7 February 2020.

33 ‘Baz Hockton jailed for slashing and punching strangers outside KFC in Ramsgate’, *Kent Online*, 23 December 2016; ‘Baz Hockton jailed for knife attack in Ramsgate’, *Kent Online*, 7 June 2017.

34 ‘Two to face trial in September re attack on prison officer at HMP Whitemoor’, *Metropolitan Police*, 8 April 2020. Ziamani is also charged with ‘actual bodily harm’ (ABH) and common assault.

A further attack took place in HMP Winchester attack on 13 February 2020, when 20-year-old Xeneral Imiuru (also known as Xeneral Webster) attacked officers in his cell in the prison's segregation unit. He was reported to have radicalised in prison, and immediately claimed that his attack was jihadist inspired.³⁵ Imiuru seemingly had a propensity for violence: he was the first person in the UK to be convicted of an 'acid attack' killing, after he splashed sulphuric acid on a female bystander in June 2017 while he was scuffling with another man. She eventually died of her injuries, and he was given a 17-year sentence.³⁶ In a young offenders' institution in December 2018, Imiuru had also attacked a prison officer – who after needed facial reconstruction surgery – and was subsequently sentenced to life imprisonment.³⁷ It remains to be seen exactly what role jihadist ideology had in his latest attack.

The most recent attack took place on 2 February 2020, when Sudesh Amman – just ten days after his release from prison – stole a knife from a shop and immediately began stabbing people in the street in Streatham, London. He was wearing a dummy suicide vest, made up of silver cans strapped to his chest, and managed to injure two people. Armed police, who were surveilling Amman, shot him dead within a minute.³⁸ In prison, he did not participate in any deradicalisation or disengagement programmes and was automatically released at the mid-point of his three-year and four-month sentence for sharing terrorist propaganda. In contrast to Usman Khan, who was not considered high priority, Amman was under active 24hr surveillance since he was released from prison on 23 January.³⁹

The issue of extremist offenders receiving visits in prison was also highlighted following the May 2017 Manchester Arena bombing. Salman Abedi, who detonated a bomb at the arena killing himself and 22 others, had visited an extremist prisoner, Abdalraouf Abdallah, on more than one occasion.⁴⁰ On 18 January – the same day that Abedi bought the first chemicals for his bomb – he and two other men visited Abdallah at HMP Altcourse. At the time, Abdallah was one year into a five-and-a-half-year sentence for helping men travel to fight for jihadist groups in Syria.⁴¹ Another visit was planned for 6 March, but Abedi did not show up. It is unknown what was discussed during the visit. While visitors to 'Category A' prisoners are screened by the Approved Visitor Scheme – which would involve checking a visitor using the Police National Computer, which would show what convictions they have – that was not the case for 'Category B' prisoners such as Abdallah.

Placement of Offenders

HMPPS follows a mixed approach to its placement of extremist offenders. Its preferred and default option is to 'disperse' TACT offenders among the general prison population. While this policy is designed to prevent charismatic recruiters from influencing their fellow extremists, dispersal carries the risk that extremists could 'network'

³⁵ 'Fears over jihadist attacks in jail', *The Times*, 19 February 2020.

³⁶ 'Joanne Rand acid death: Man jailed for 17 years', *BBC News*, 31 July 2018.

³⁷ 'High Wycombe acid attacker jailed for assault on Aylesbury prison officer', *BBC News*, 6 March 2020.

³⁸ 'Streatham attacker was released amid fears he felt terrorism 'justified'', *The Guardian*, 3 February 2020.

³⁹ *Ibid.*

⁴⁰ Intelligence and Security Committee, p. 33. Note that while this document does not confirm the name of the TACT offender whom Abedi visited, press reporting has confirmed it to be Abdalraouf Abdallah.

⁴¹ 'Paraplegic man convicted of Syria-related terror charge', *BBC News*, 11 May 2016.

with non-extremist prisoners. In turn, this may facilitate connections between extremists and firearms suppliers. Due to the number of inmates with ‘firearms markers’ – that is, prior experience with guns – it is not always possible to ensure they are kept apart from extremists, and this is a concern noted by the Security Service’s Joint Terrorism Analysis Centre.⁴²

A second, and lesser-used option, is to place a select few individuals – considered the most disruptive or dangerous – in Separation Centres (SC).⁴³ This policy was a recommendation made by former prison governor Ian Acheson, who in 2016 published a review into Islamist extremism in prisons.⁴⁴ Essentially, an SC functions like a small prison: the aim is to provide a self-contained, regular prison regime, which includes work, education, and exercise, alongside sessions with psychologists, probation, and religious experts.⁴⁵ Although within an SC are physically separated from the general prison population, they can associate with each other.⁴⁶

Placement depends on a prison making a referral.⁴⁷ Yet transfer to an SC is not the first option available: an inmate could be moved to another wing or prison, go through an adjudication process, or placed in a segregation unit. Prisons only make referrals if they cannot manage an inmate’s risk with such measures and if the SC transfer is non-discriminatory, proportionate, transparent, and legally defensible.⁴⁸ A national committee then considers the referral,⁴⁹ and prisoners can appeal against the decision. An offender’s placement in the SC is reviewed every three months.

There is currently one centre open, at HMP Frankland (first opened in June 2017),⁵⁰ which has a capacity for eight inmates. Two other centres, at HMP Full Sutton (opened in March 2018)⁵¹ and HMP Woodhill (opened in May 2019),⁵² have since been closed, presumably due to a lack of referrals. The SCs have held between three to six inmates at any one time,⁵³ who have been a mix of ‘radicalised’ gang-related inmates and TACT offenders,⁵⁴ which means no more than 5% of Britain’s convicted terrorists have been held there at any one time.⁵⁵

Placement in the SC has impacted inmates in several ways. They have lodged complaints with their prisons’ Independent Monitoring Boards, challenging the legitimacy of the centres and complaining of perceived

42 Intelligence and Security Committee, p. 36.

43 No inmate, therefore, is defaulted to a Separation Centre. Sam Gyimah MP, 25 April 2017, Hansard Volume 624.

44 For more on the Acheson Review, see his testimony to the Justice Select Committee on 13 July 2016, available at: <https://parliamentlive.tv/event/index/86dc9d2f-9715-472c-a0d2-7c716ee2a058>

45 *Annual Report of the Independent Monitoring Board at HMP Frankland for Reporting Year 1 December 2016 to 30 November 2017*, Independent Monitoring Board, April 2018, p. 13; *Annual Report of the Independent Monitoring Board at HMP Full Sutton for reporting year January – December 2018*, Independent Monitoring Board, May 2019, p. 15.

46 For more on Separation Centres, see Beverly Powis, Keely Wilkinson, Sinead Bloomfield & Kiran Randhawa-Horne, *Separating Extremist Prisoners: A process study of separation centres in England and Wales from a staff perspective*, Ministry of Justice, 2019.

47 One of four criteria is needed for a referral. Those criteria are listed in *Separation Centre Referral Manual PSI 05/2017*, HM Prison & Probation Service, issued 12 May 2017, p. 4.

48 *Ibid.*, p. 5.

49 *Ibid.* See the process flowcharts, pp. 14-16, available at: <https://web.archive.org/web/20200421121111/https://www.justice.gov.uk/downloads/offenders/psipso/psi-2017/psi-05-2017-separation-centre-referral-manual.pdf>

50 Hansard, 5 September 2017, Volume 628.

51 *Annual Report of the Independent Monitoring Board at HMP Full Sutton for Reporting Year 1 January 2019 – 31 December 2019*, Independent Monitoring Board, June 2020, p. 14.

52 *Annual Report of the Independent Monitoring Board at HMP Woodhill for Reporting Year 1 June 2018 – 31 May 2019*, Independent Monitoring Board, October 2019, p. 6.

53 Powis et al, p. 9.

54 *Ibid.*, p. 11.

55 This is based on a maximum of 12 inmates being held across the SCs, and using the peak figures of TACT offenders during the years when the SCs have been in operation (238 inmates).

discrimination.⁵⁶ At the Frankland and Full Sutton SCs, inmates are reported to have periodically ‘refused to engage’ with staff and activities.⁵⁷ Despite fears that they may develop networks and share skills within the SC, staff found ‘no clear evidence’ of this.⁵⁸ Another fear, of other extremists filling the leadership void left by inmates who were moved to SCs, also did not manifest.⁵⁹ Indeed, the prisons they were moved from often saw ‘less disruption, less challenging of authority and improved staff-prisoner relationships and Muslim–non-Muslim prisoner relationships’.⁶⁰

Risk Assessments and Monitoring

HMPPS primary risk assessment is the Extremism Risk Guidelines 22+ (ERG 22+), which looks at a minimum of 22 factors across three domains: engagement, intent, and capability. These assessments, which are carried out by HMPPS trained psychologists or probation officers, then inform decisions around an offender’s management.⁶¹ Inmates who displays signs of radicalisation (where ‘there is evidence that they are becoming, or are already engaged, identified with, or involved in extremism’) are subjected to an Extremism Risk Screen, a derivation of the ERG, to identify those who are at risk of becoming involved in extremism.⁶²

Intelligence places a key role in decisions. HMPPS states that its use, particularly when referring inmates to a Separation Centre, must be multi-levelled (‘recognise degrees or levels of risk or threat’ concerning an inmate’s capability, intent, and engagement); used dynamically (‘allowing for individuals to have their risk lowered and for intelligence to be dismissed if invalid or out of date’); and contextualised (‘it must be embossed within other sources of information’).⁶³

This partly depends on appropriately trained staff. In December 2016, a new training programme for all prison officers was rolled out. It aimed to enable staff to identify prison radicalisation.⁶⁴ Over 22,000 prison staff (equivalent to 45% of the total workforce)⁶⁵ have received extremism awareness training, with the aim of allowing them to identify, report and challenge extremist views.⁶⁶ Frontline staff receive e-learning on ‘Understanding and addressing extremism in prisons and probation’, which examines why individuals engage in extremism, and the ‘Developing Dialogues’ toolkit, which trains staff on how to respond to extremism in the prison setting.

56 For more, see the annual reports for HMP Frankland and HMP Full Sutton produced by the Independent Monitoring Board, available at: <https://www.imb.org.uk/reports/>

57 *Annual Report of the Independent Monitoring Board at HMP Frankland for reporting Year 1 December 2017 to 30 November 2018*, Independent Monitoring Board, August 2019, p. 13; *Annual Report of the Independent Monitoring Board at HMP Full Sutton for reporting year January – December 2018*, p. 4.

58 Powis et al, p. 25.

59 Ibid., p. 26.

60 Ibid., p. 26.

61 For more on the ERG22+, and a full list of indicators, see Beverly Powis, Kiran Randhawa-Horne and Darren Bishopp, *The Structural Properties of the Extremism Risk Guidelines (ERG22+): A structured formulation tool for extremist offenders*, Ministry of Justice, 2019; Monica Lloyd & Chris Dean, ‘The Development of Structured Guidelines for Assessing Risk in Extremist Offenders’, *Journal of Threat Assessment and Management*, Vol 2, No 1, 2015, pp. 40–52; Rita Augestad Knudsen, ‘Measuring Radicalisation: Risk Assessment Conceptualisations and Practice in England and Wales’, *Behavioral Sciences of Terrorism and Political Aggression*, Vol 12, No 1, 2020, pp. 37–54.

62 The ERS is not a risk assessment per se. Carys Keane, *Provisions for Extremist Offenders and Those of Concern; facilitating desistance and disengagement*, HMPPS, 2019.

63 *Separation Centre Referral Manual PSI 05/2017*, p. 6.

64 Hansard, Volume 624, 25 April 2017.

65 Total workforce of 49,334 as per HMPPS workforce statistics bulletin: June 2019 tables, available at: <https://www.gov.uk/government/statistics/hm-prison-and-probation-service-workforce-quarterly-june-2019>

66 ‘Prisons: Radicalism: Written question – 257013’, Parliamentary question asked by Andrew Rosindell MP, answered by Robert Buckland MP (Secretary of State for Justice), 30 May 2019.

Reintegration and Rehabilitation

There two primary rehabilitation programmes are the ‘Healthy Identity Intervention’ (HII) and the ‘Desistance and Disengagement Programme’ (DDP).⁶⁷ Both of these programmes are relatively new, and while they both have been through an initial pilot phase – HII in 2010 and 2011, and DDP in 2016 – they have not been systematically monitored and evaluated for their efficacy.

HII was piloted in 2010, with the aim to ‘promote disengagement and reduce an individual’s willingness to offend on behalf of an extremist group, cause, or ideology’.⁶⁸ There are five specific intervention goals: 1) fulfil an offender’s needs legitimately, 2) reduce offence-supportive attitude, beliefs, and thinking, 3) increase emotional tolerance and acceptance, 4) increase personal agency, and 5) express values and pursue goals legitimately.⁶⁹ It involves inmates voluntarily working one-to-one with a facilitator, thereby avoiding the pressures that may come from a group session.⁷⁰ There are sessions on mindfulness (managing and tolerating specific thoughts and feelings), group conflict, and seeking change, among others.⁷¹ The programme can take several months to complete.

Following the 2019 London Bridge attack – whose perpetrator had participated in HII sessions – the author of the scheme stated that although the scheme had benefited some convicted terrorists: ‘I think we have to be very careful about ever saying that somebody no longer presents a risk of committing an offence. I don’t think you can ever be sure. We have to be very careful about saying someone has totally changed or has been cured’.⁷² Participation is voluntary, and indeed, there is reportedly a waiting list for the scheme. This may result in some inmates not participating before their release, despite wanting to.⁷³

The DDP, meanwhile, also had a phased rollout: it was launched in October 2016, with the pilot test continuing in 2017.⁷⁴ A prison strand of the DDP was introduced in December 2018. Participants are typically obliged to participate; failure to comply could lead to reimprisonment. In its first year, 30 individuals went through the programme,⁷⁵ followed by 86 offenders in its second year.⁷⁶

The programme aims to ‘provide a range of intensive tailored interventions and practical support, designed to tackle the drivers of radicalisation around universal needs for identity, self-esteem, meaning and purpose; as well as to address personal grievances that the extremist narrative has exacerbated. Support could include mentoring, psychological support, theological and ideological advice’.⁷⁷ The DDP

67 For a list of general interventions, see *Correctional Services Accreditation and Advice Panel (CSAAP) – Currently Accredited Programmes*, CSAAP Secretariat, Ministry of Justice, 1 March 2019. Also see Chris Dean, Monica Lloyd, Carys Keane, Beverly Powis & Kiran Randhawa, *Intervening with Extremist Offenders – A Pilot Study (Analytical Summary 2018)*, HMPPS, July 2018.

68 Christopher Dean, ‘The Healthy Identity Intervention: The UK’s development of a psychologically informed intervention to address extremist offending’, in Andrew Silke (ed.), *Prisons, Terrorism and Extremism* (Abingdon: Routledge, 2014), p. 98.

69 *Ibid.*, pp. 98-100.

70 Some sessions may involve two facilitators.

71 Interventions Unit, *Healthy Identity Intervention: Summary and Overview*, National Offender Management Service (NOMS), Ministry of Justice, 2013, pp. 9-10.

72 ‘Top psychologist: No certainty terror offenders can be “cured”’, *BBC News*, 2 January 2020.

73 ‘Prisons put terrorists on waiting list to receive help to deradicalise’, *The Guardian*, 3 December 2019.

74 ‘Number of terrorists sent for “detoxification” triples’, *The Times*, 6 April 2019.

75 October 2016 to September 2017.

76 October 2017 to September 2018.

77 *CONTEST – The United Kingdom’s Strategy for Countering Terrorism*, HM Government, 2018, p. 40; *Factsheet: Desistance and Disengagement Programme*, Home Office, 5 November 2019.

contracts NGOs to help deliver the programme, but little is publicly available about who those practitioners are.

It was initially focusing on extremist offenders on probation, those with Terrorism Prevention and Investigation Measures (TPIMs), and those who are subject to Temporary Exclusion Orders (TEOs).⁷⁸ While the DDP has been successfully piloted, it does still face many of the same issues faced by all interventions that target extremism, such as distrust of interlocutors and a lack of engagement. This was the case with ‘QX’, a man who travelled to Syria and returned to the UK in January 2019. Each week he was required to attend a two-hour appointment with a DDP mentor, as well as a two-hours appointment with a theologian.⁷⁹ While ‘QX’ stated that he never engaged with the theologian, instead choosing to ‘[read] a book during each session’,⁸⁰ in addition to raising concerns that his admissions to the mentor would be passed to the police or the Crown Prosecution Service.⁸¹

Release and Post-release

Following the recent attacks, the government introduced emergency legislation to ensure that terrorist offenders would only be released before serving their full sentence in prison if they receive the approval of the Parole Board.⁸² This move also ended the so-called automatic ‘early release’ of offenders at the half-way point of their sentence; instead, offenders would only be eligible for early release after serving two-thirds of their sentence in prison. For example, this means that an inmate sentenced to nine years would be eligible for release – provided they have approval from the Parole Board – after serving six years in prison, instead of being automatically released – without involvement of the Parole Board – after serving four-and-a-half years.

One recent case of delaying release involved an 18-year-old man (referred to as ‘X’), who was convicted of posting far-right social media messages which encouraged the commission of acts of terrorism.⁸³ He was subject to an 18-month detention and training order. A pre-sentence psychological assessment found ‘X’ to be ‘emotionally and psychologically damaged and vulnerable to being groomed into doing something significantly more serious’ than posting terrorist material online.⁸⁴ Rather than release him at the scheduled mid-point of his sentence, the Home Secretary requested to delay the release by two months, writing to him that he poses ‘a high risk of harm to yourself and to the public ... Because it is assessed that you are vulnerable to grooming due to your psychological risk factors’, his conversion in detention, and prior association with TACT offender Sudesh Amman. Instead, the extra two months in detention would be to have him participate in the DDP and HII.⁸⁵

78 *CONTEST*, p. 40. Individuals subject to TEOs may only return to the UK if: 1) a permit issued by the Home Secretary allows them to, or 2) they are deported back to the UK. For more on Temporary Exclusion Orders, see the Counter-Terrorism and Security Act 2015, Part 1, Chapter 2, ‘Temporary exclusion from the United Kingdom’, available at: <http://www.legislation.gov.uk/ukpga/2015/6/section/2/enacted>

79 *QX v Secretary of State for the Home Department* [2020] EWHC 1221 (Admin), 15 May 2020, para 1, ii.

80 *Ibid.*, para 13.

81 *Ibid.*, para 11.

82 *End to automatic early release of terrorists*, Ministry of Justice, 11 February 2020.

83 He was 17 years old when he committed the offence.

84 *X, R (On the Application Of) v The Ealing Youth Court*, [2020] EQHC 800 (Admin), 3 April 2020, para 20.

85 *Ibid.*, para 6.

Probation (otherwise known as ‘licence’) conditions are imposed on released offenders. Beyond the standard conditions, such as meeting regularly with their probation officer, further restrictions can be imposed on their place of residence, contact with other individuals, freedom of movement, and curfew hours. Violating these conditions can lead to an offender being imprisoned again; one TACT offender was recalled to prison after he was found with unregistered bank cards and mobile phones.⁸⁶

Post-release, offenders are managed at Multi-Agency Public Protection Arrangements (MAPPA) meetings.⁸⁷ These arrangements cover TACT, TACT-related, and ‘of concern’ offenders, as well as the most serious sexual and violent offenders. Present at these meetings are representatives from police, prison, and the Probation Counter Terrorism team. Where necessary, they will be joining by housing services, social services, psychologists, and health trust, among others.⁸⁸ MAPPA attendees would then share information, discuss developments in an offender’s case, assess their particular risks and needs (which is informed by an ERG assessment) and decide on next steps (such as commission an intervention from the Desistance and Disengagement Programme) in their management.⁸⁹

Recidivism and Prospects

The recidivism rate for terrorist convicts is very low. Of the 196 convicted terrorists to have been released from prison in England and Wales between January 2013 and December 2019, only 3.06% (that is, 6 individuals) have been convicted for a further terrorist offence.⁹⁰ The recidivism offences vary. Three of those individuals – Khobaib Hussain, Naweed Ali, and Mohibur Rahman – were involved in one plot, while two others – Atiq Ahmed and Khalid Baqa – were reconvicted for possessing jihadist material. When looking at re-engagement – that is, when terrorists are released and subsequently become involved in further terrorism-related activity – the tentative figure remains low at 4.5%.⁹¹ Yet these statistics exclude offenders who were initially convicted for ‘regular’ crimes, such as Abdul-Rehman Gul, a 23-year-old who was serving a life sentence in prison for a non-terrorism related offence – attacking three women with a knife in 2016 – and was found to be sharing Islamic State propaganda from within prison.⁹² The figure for that broader definition of recidivism is unknown.

The government plans to introduce mandatory polygraph tests – so-called ‘lie detector tests’ – for terrorist offenders.⁹³ The National Probation Service has been carrying out polygraph tests on high risk sexual offenders since 2014. They would be tested on offenders who are: 1) convicted for a terrorism-related offence; 2) deemed to be ‘Very High/High risk of Serious Harm’, as per a risk assessment;

⁸⁶ ‘Extremist who glorified Lee Rigby’s murder back in jail’, *Court News UK*, 7 October 2019.

⁸⁷ For more, see *MAPPA Guidance 2012 Version 4*, Ministry of Justice, 2012, pp. 114-118. MAPPA annual reports can be viewed at: <https://www.gov.uk/government/collections/multi-agency-public-protection-arrangements-mappa-annual-reports>

⁸⁸ These other agencies are bound by a ‘Duty to Co-operate’ (DTC) with MAPPA.

⁸⁹ See, for example, PCT’s work with the South Yorkshire MAPPA: *South Yorkshire MAPPA Annual Report 2017-18*, HM Prison Service, National Probation Service, South Yorkshire Police, 2018, p. 10.

⁹⁰ The recidivism rate prior to this has been not been centrally collated, as local and regional authorities recorded that data for TACT offenders. Terrorism: Prisoners’ Release: Written question – HL782, answered by Lord Keen of Elie, 1 February 2020.

⁹¹ This is based on the 6 offenders who recidivated, as well as the three convicted terrorists who perpetrated attacks (Usman Khan, Sudesh Amman, and Brusthom Ziamani).

⁹² ‘Aylesbury jailed knife attacker shared Islamic State videos’, *BBC News*, 21 June 2019.

⁹³ *Mandatory Polygraph Tests – Counter Terrorism Bill*, Home Office, 12 March 2020.

3) sentenced to 12 months or more in prison and are subsequently released on probation ('on licence').⁹⁴ Polygraph tests would also be retrospectively mandated to existing TACT prisoners, though offenders would not be recalled to prison for failing a test.

Meanwhile, it remains to be seen whether Separation Centres will continue to be a feature of HMPPS' counterterrorism strategy. Indeed, due to an apparent lack of referrals, and so budget holders may see them as indulgences. While staff have found a 'strong need' for separating the most influential extremists,⁹⁵ the purpose of the centres is currently debated: whether inmates should be placed there for short periods – as a temporary relief from their disruptive influence in the general population – or a long-term location where influential extremists are housed.⁹⁶

⁹⁴ Ibid.

⁹⁵ Powis et al, p. 9.

⁹⁶ Powis et al, p. 30.

4 Extremist Offender Management in France

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Between 2012 and 2017, 2,074 French nationals have been directly involved in a fighting organisation operating in the Levant.¹ Compared with the few dozen French nationals fighting in Bosnia in the early 1990s, the number of French jihadists has multiplied by a hundred in two decades. This increase helps us understand the challenge that lies ahead for the French penitentiary administration (*Direction de l'administration pénitentiaire*, DAP), which has to deal with hundreds of 'returning' foreign fighters from the Levant and as well as unprecedented issues since the fall of the Islamic State's self-styled 'caliphate' in 2018. This paper will first give an overview of the situation of the French prisons, then look at the different strategies adopted since the January 2015 attacks in France and address the rising question of the release of former convicted terrorists.

Overview of the Extremist Offender Population

For the year 2019, there are 82,000 people in France in prison. Among these, there are 70,818 inmates detained. Prisons are overcrowded, with an occupancy rate of 118%. In May 2020, among the detainees, 522 prisoners were prosecuted or convicted of Islamist terrorism.² We must also consider the case of 900 people incarcerated for common law offences but showing signs of Islamist radicalisation. In total, 3,000 people in custody are officially considered as 'radicalised', 'in the process of radicalisation' or whose evolution 'raises questions' on that matter and so are subject to increased monitoring. Most are incarcerated in the Île-de-France region of Paris, although the dispersal of 'jihadist' prisoners in other institutions across France was decided after some high-profile incidents occurred, which are mentioned below.

¹ Ministry of Interior, July 2017.

² Ministry of Justice, 14 May 2020.

Table 1: The number of jihadists in custody in France between 2014 and 2020³

Year	Total number in custody	Number of women in custody	Number of 'regular' prisoners reported for jihadism
2014	15	0	-
2015	80	-	-
2016	220	-	-
2017	370	-	700
2018	512	-	1,200
2019	511	-	1,080
2020	522	50	900

Prison-related Incidents and Individuals

In 2014 in Fresnes, a large prison in the Paris region, one of the signs of the influence of Salafist ideas took shape around what has been referred to as the 'underwear war' initiated by a seemingly innocuous request. Prisoners 'PRI' (*Islamist radicalised persons*), in the name of Islamic modesty, demanded to be able to wear their underwear while taking communal showers, which is equivalent to obtaining a regulatory exemption in the context of daily prison life. They also refused to be searched – as it would involve being touched by the 'impure hands' of the 'unbelieving' or 'apostate' officers – which made it possible to gather support from other inmates who saw the demands, ostensibly a request for 'human dignity' or 'respect for God's law', as an opportunity to promote the concealment (and exchange) of prohibited objects. In this way, PRIs pass on a claim of a collective nature – 'respect for a religious norm' – in defence of the interest of detention, and were able to gather support from beyond their immediate group. This time-bound example sheds light on how Salafists can come together as an influential collective inside prison. Even though the prison management quickly resolved this episode, the then-director of Fresnes prison pointed out the frequency of such issues: 'I have a thousand stories like "the underwear war" here in Fresnes, on a daily basis'.

In August 2016, the outbursts of jihadist offenders placed among ordinary prisoners (*prisonniers de droit commun*) in Fleury-Mérogis prison led to mutinies which lasted for weeks. The event was not an ordinary protest but an unprecedented demonstration of power. At its apex, two hundred prisoners refused to return to their cells following the orders of a handful of former Islamic State militants in Syria. It also raised unparalleled security issues. An email from prison management to the Minister of Justice outlined the risk of losing control of the situation in Fleury-Mérogis, the largest prison in Europe, meanwhile

³ By 'jihadists incarcerated' we mean detainees and defendants for 'acts of terrorism', 'criminal association with a view to a terrorist enterprise' and serious acts of 'apology for terrorism' whose qualification reveals that they are linked to a jihadist organisation in France, Africa or the Levant. This definition covers the DAP definition for persons who are thus eligible for care within the UPRAs (*Unités de Prévention de la Radicalisation*) when they were officially settled in January 2016.

several terrorist plots organised by IS members both from within and outside the establishment were disrupted.⁴

On 4 September 2016, Bilal Taghi, a jihadist inmate who was convicted for travelling to join his brother in Islamic State territory, tried to murder two guards in the heart of the UPRA (*Unité de Prévention de la Radicalisation*), the dedicated unit for jihadist offenders. The guards survived the assault, but this act, which represents the first jihadist attack in prison, disrupted the situation within the recently-opened UPRA. That is because Taghi, a Franco-Moroccan from Trappes (a Parisian suburb where more than 80 people left for Syria) whose brother had been killed in Syria, met all the criteria of the 'deradicalisation grid' built by the prison administration. Following the attack, the then-Minister of Justice announced the reorganisation of the national plan regarding jihadist supporters in prison and the strengthening of staff security measures.

In early January 2018, an attack by a German jihadist veteran on three officers in the high-security district of the Vendin-le-Vieil prison (Pas-de-Calais) triggered the largest strike movement in the French prison administration. The guards' unions obtained a new reinforcement of the security measures put in place in the fall of 2016. Yet in March 2019, another attack, this time at a family life unit in Condé-sur-Sarthe prison (Orne) by a radicalised prisoner, once again raised the question of how to deal with extremist offenders. Finally, in August 2019, two detainees in Châteaudun and Saint-Maur prisons were caught fomenting stabbing attacks on the streets upon their release.

In addition to these various incidents, the methods of control used by extremists are numerous: in Fresnes jail, extremist offenders try to censor other inmates by explaining they must not watch the news on television or listen to music 'at the risk of going to hell'. While in the prison courtyard in Fleury-Mérogis, the most convinced test their religious knowledge through Islamic quizzes and encourage other prisoners to join them. Ideologues use their mobile phones, which are theoretically prohibited, to give 'religious courses' to their co-religionists at the Women's Prison; these 'courses' are also given outside the prison. In Fleury-Mérogis, young women who want to wax their hair are called to order because such a practice would be 'harâm' (prohibited on a religious level). At the time of prayer, multiple calls are sent in their cells to any recalcitrant people.

Official Responses

The management of individuals incarcerated for their link with Islamist movements is not unfamiliar. DAP has been confronted with this type of militant prisoners for more than two decades. In the 1990s, their presence was still in its infancy and DAP was then responsible for a few dozen prisoners involved in jihad in Bosnia and Algerian GIA (Armed Islamic Group, *Groupe Islamique Armé*) networks. Among them were renowned leaders such as Lionel 'Abu Hamza' Dumont, the emir of the 'Gang de Roubaix' active until 1996, and Smaïn Aït Ali Belkacem, the mastermind of the attacks on the Paris subway in 1995.

⁴ Hugo Micheron, *Le Jihadisme français, Quartiers, Syrie, prisons* (Paris: Gallimard, 2020), pp. 304-307.

After the 11 September 2001 attacks in the United States, al-Qaeda members began appearing in prison. Djamel Beghal, who was planning an attack on the American Embassy in Paris, was imprisoned in Fleury-Mérogis. This much-loved ideologue of Osama bin Laden took over the religious education of Chérif Kouachi and Amedy Coulibaly, then common criminals, who were locked up on the lower floor and with whom he communicated easily. They would go on to carry out the *Charlie Hebdo* and *Hyper Cacher* killings in January 2015.

At the end of the 2000s, individuals linked to the networks of the Islamic State of Iraq were imprisoned, such as Sabri Essid, Thomas Barnouin, and Fabien Clain. These men would play an essential role in shifting the focus of jihad from the Middle East to France. Activism behind bars escalated as the first departures to Syria began. Between 2012 and 2014, requests from the Directorate General of Internal Security (DGSI) to the prison administration relating to this kind of inmate doubled, from 3,000 to 6,000 according to the 'Comptroller General of places of deprivation of liberty'.

Following the proclamation of Islamic State's 'caliphate' on 29 June 2014, the phenomenon took on an exponential and unprecedented dimension. It resulted in massive departures from France to the Levant, but also led to the return of many fighters. Arrests on national territory, to thwart potential attacks, contributed to inflated numbers of jihadist personnel in prison. They increased from 80 at the end of 2014 to 513 at the beginning of 2020.

After the attacks in France in January 2015 against the satirical magazine *Charlie Hebdo* and a *Hyper Cacher* supermarket, prison was designated as one of the key areas for the French government's response for two reasons. First, the criminal record of the three perpetrators of the massacres attracted attention. Second, the murderers had established and maintained close links with seven former inmates in Fleury-Mérogis, all arrested in mid-January 2015 and suspected of being accomplices and providing weapons and logistics.

In the wake of these events, a national strategy to prevent terrorism was urgently promulgated on 21 January 2015. It had to address a complex equation that remains to a certain extent unsolved to this day: how can one cut off jihadists from the potential recruitment pool of prisoners in general detention, without boosting ties between the 'radicalised' group by placing them in separate units?

Six UPRAs, with a total capacity for 108 people, were inaugurated one year later in January 2016. The units were supposed to help deal with a population of 300 individuals in custody for terrorism offences⁵ by: 1) regrouping the 'radicalised' and thus separating them from inmates in general detention, and 2) assessing their dangerousness through brand-new 'deradicalisation' schemes.

The system was modified six months later, in the autumn of 2016 following Bilal Taghi's attack on two guards at the very heart of the dedicated unit which was supposed to receive the 'less radicalised' offenders. At the time of the attack, Bilal Taghi was considered by the administration as 'possibly able to reintegrate into French society'.

5 Ministry of Justice, 2016.

Since then, security measures have been considerably tightened: plastic forks and knives have replaced round-tipped cutlery; some sports activities were prohibited, and regime schedules have been shifted to prevent certain gatherings.

Moreover, greater monitoring was supplemented by an additional plan in February 2018, which continues to this day (see below). Today's plan emphasises the role of the National Prison Intelligence Service (*Service national du renseignement pénitentiaire*, SNRP), which is now constituted as a separate intelligence service (the so-called 'second circle' of intelligence). Overall, these evolutions reflect a major public investment and an influx of resources for an administration that had hitherto been treated as a poor relation to other agencies. Nevertheless, the overall logic remains quite the same: the administration has gradually abandoned its objective of 'deradicalisation' in favour of a less ambitious objective of 'disengagement from violence' and refined its communication on the matter.

The trend over the past decade has been to increase the length of sentences for different types of Islamist terrorist acts. The sentences differ greatly depending on whether it is legally labelled as a 'crime' (up to 30 years imprisonment) or as an 'offence' (usually up to 10 years imprisonment).

Prison Regimes

On 23 February 2018, the new national strategy to prevent radicalisation in prison was released. The new measures were intended to save time and to give the administration more room for manoeuvre, but the overall response is still difficult to assess.

One of the main biases observed in the previous plans (three were implemented between 2015 and 2018) was the concentration of jihadist inmates into four prisons, all in the Paris area. The new measures provide for the systematic dispersal of jihadists among different prisons on a national scale. The nuclei of 'returnees' reconstituted in the establishments of the Paris region between 2015 and 2018 were thus dispersed across 79 centres throughout France. This was complemented by the strengthening of staff security and new equipment for the wardens.

The six dedicated UPRA units in place between 2016 and 2018 were replaced by Radicalisation Evaluation Quarters (*quartiers d'évaluation de la radicalisation*, QER). There are seven such QERs in France in 2020, with a total capacity of 140 people, and they are the cornerstone of the current French strategy. During a four-month stay, individuals prosecuted or convicted for their relation to jihadist groups are 'evaluated' according to a multidisciplinary approach. Educators, psychologists, probation counsellors (*Conseillers pénitentiaires d'insertion et de probation*, CPIP), and religious referees (imams) participate in the assessment of the 'degree of dangerousness' for each individual in the QER. At the end of this period, the prison administration decides how the offender is to be managed, based on a multidisciplinary report prepared by the evaluators.

Each one of the ‘evaluated’ inmates are then either placed in: 1) traditional detention, 2) one of the 79 prisons labelled in the strategy ‘PPRV’ (*programmes de prévention de la radicalisation violente*) where the supervisory staff is able to implement specific measures and security concerning the ‘radicalised’ inmates, or 3) one of the three Preventing Radicalisation Quarters (*quartier de prise en charge de la radicalisation*, QPR). The latter exists in Paris, Lille and Condé prisons, with a total capacity of 84 people (120 planned in 2020). A QPR looks like a unit cut-off from general detention and is designed to receive those considered as the most ‘proselytising’ or ‘violent’ inmates. Overall, 450 people can be housed in either QER or QPR, while 300 prison officers are responsible for the follow-up of 3,000 people, considered as ‘radicalised’, ‘in the process of radicalisation’ or whose evolution in prison raises questions.⁶

Also, and on a case-by-case basis, ‘radicalised’ inmates can also be temporarily put in an Isolation Quarter (*quartiers d’isolement*, QI) in any establishment, which functions as a jail within a jail. Prisoners are completely isolated from each other, with one inmate per cell, and cannot participate in prison activities. They are not allowed to go to worship on Fridays but can see the Muslim chaplain upon request. They may receive visits on an exceptional basis, with the agreement of the investigating magistrate. When leaving the QI for visits, inmates are handcuffed and accompanied by four elite guards from the Regional Action and Security Team (*Équipe régionale d’intervention et de sécurité*, ERIS).

A prisoner may submit a request to the prison director who makes the decision (ex-gratia appeal). He may also appeal to the regional director of the Directorate of Penitentiary Administration (DISP) if the decision comes from the prison’s director, and to the Minister of Justice if the decision comes from the regional director (hierarchical appeal). Yet, litigation appeals are currently declared inadmissible by the administrative judge.

Preventing Radicalisation

The principle of evaluation has been laid down in many official provisions. In December 2016, DAP presented a ‘note on the guide for the use of tools to assist in the multidisciplinary identification of a risk of violent radicalisation in prison’,⁷ while the then-Minister of Justice committed to establishing ‘a permanent evaluation mechanism’.⁸ Among the various criteria used by prison administration actors to identify radicalised prisoners – such as ‘attending Muslim worship’, holding religious objects such as ‘prayer mats, various religious books, a calendar of prayer times’⁹ – some present the risk of assimilating ostentatious piety with jihadism and thus offer Islamist ideologues the opportunity to denounce the presumed hostility of the State towards Islam.

As discussed, the QER represents an essential stage in the evaluation of radicalisation. A multidisciplinary team brings together detention professionals (supervisors within the jail) and rehabilitation

⁶ Plan national de prévention de la radicalisation, 23 February 2018, and CIPDR, 2019.

⁷ Direction de l’administration pénitentiaire, 5 December 2016.

⁸ Jean-Jacques Urvoas, *Sécuriser les prisons et lutter contre la radicalisation*, Ministère de la Justice, 25 October 2016.

⁹ *Guide d’utilisation des grilles d’aide au repérage*, Direction de l’administration pénitentiaire, 8 November 2016.

professionals. The latter include two categories: prison integration and probation counsellors (*conseillers pénitentiaires d'insertion et de probation*, CIPs) and a 'support pair' (an educator and a psychologist), whose relationships are sometimes strained. Most of the time, institutional roles do not fit well with the notion of evaluation: for supervisors, it is primarily a matter of ensuring 'security', while psychologists and educators emphasise the task of 'taking care of' and 'accompanying' prisoners as part of a broader reintegration program. The support pair can rely on the VERA-2R assessment tool as well as other similar schemes. A single multidisciplinary commission (*commission pluridisciplinaire unique*, CPU) takes place once every two weeks within the QER. Each inmate is then the subject of an evaluative summary that will be communicated to DAP.

The system is not without criticism from those who run it: the four months are considered too short to assess the degree of religious radicalisation of individuals, and some consider that the procedure primarily responds to a political communication objective rather than a desire to deal with the phenomenon in depth.¹⁰ Individuals with extremely disparate profiles and varying levels of dangerousness are mixed with each other within these units. Former members of IS secret services, for example, rub shoulders with individuals who have hosted a friend for a night on their way to Syria. Leaders of fighting brigades find themselves in contact with shy 'geeks' involved in propaganda activities on the Internet. While some problematic situations are quickly identified, others remain difficult to discern and this system tends to benefit the smartest and most discreet inmates.

Thus, evaluation programs face several challenges in terms of methods and evaluation 'grids' unsuitable for jihadists. Workshops are for instance set up to recreate social cohesion more than questioning the ideological beliefs, a dimension that DAP is reluctant to address. Jihadists tend to rapidly adapt their behaviour and response to tick the 'disengagement from violence' box.¹¹ Not all jihadists are seeking violence and most perceive detention as an opportunity to learn religion (according to Salafist doctrine), improve their academic qualification and intellectual skills (many return to school and receive diplomas), and undergo physical training. As soon as their numbers reach a certain threshold, the quarters become places of unbridled activism, a space for recruitment, a time of training and accelerated transmission of ideas, allowing the organisation of new French networks and the creation of new coalitions.

Thus, approaching the situation in terms of 'radicalisation processes' with different 'stages' (as per the 'grid' of interpretation that dominates among prison professionals) prevents us from fully grasping the extent of the phenomenon. While jihadists in prison do not represent yesterday's new 'kingpins' in the eyes of most ordinary prisoners, they do enjoy a form of respect as prestigious collective bodies. At the same time, the general religious context in detention has changed little since 2014, since the common reference to Islam is more and more often the Salafist norm.

¹⁰ See, Gilles Chantraine, David Scheer, Marie-Aude Depuiset, *Enquête sociologique sur les 'quartiers d'évaluation de la radicalisation' dans les prisons françaises*, CNRS, 2018, pp.138, 144-148.

¹¹ Micheron, 2020, pp.336-347.

Promoting Reintegration and Rehabilitation

The issue of promoting reintegration and rehabilitation has two dimensions of work: in detention and post-release. In detention, during the QER assessment, offenders are individually monitored and participate in workshops (such as emotional management) or debates with external stakeholders. The activities offered within the QERs range from philosophy or 'counter-speech' workshops to sports or mathematics classes and an introduction to chess. In some cases, imams, who do not participate in the CPUs, address theological issues head-on with jihadist inmates in the hope of deconstructing their ideological beliefs. Their experience is a valuable source for evaluators, though religious referees are neither numerous nor always able to challenge an offender's religious belief.

Post-release, public action remains fragmented; most of it is subcontracted to private associations. In February 2019, an association won a tender from the prison administration to reintegrate former jihadists. The program is modest: it involves 26 people in Paris and six people in Marseille (including three women), and consists of psychological follow-up and a study of the reintegration and rehabilitation process, with the criterion of success being the moment 'when they understand that the laws of the Republic must prevail over the religious ones'.¹²

Releasing Extremist Offenders

In France, the release of jihadists has been part of the public debate since 2016. Indeed, one of the murderers of Father Jacques Hamel in Saint-Étienne-du-Rouvray was a jihadist under judicial control, who tried to join armed groups in Syria in 2014 and 2015. He was wearing an electronic bracelet while committing the Islamic State-inspired murder on 26 July 2016. At the very same time, Djamel Beghal, an al-Qaeda veteran and the mentor of the Kouachi brothers who carried out *Charlie Hebdo* attack, came out of jail.

Releasing extremist offenders is a fundamental issue, identified by the government, especially since the sentences imposed in 2012–2014 were less severe than those imposed today. Out of 196 definitively convicted terrorists related to the Syrian crisis, 22 have been freed by the end of 2019 and the government announced that 148 would be released by 2022 (45 in 2020, 57 in 2021 and 46 in 2022).

However, the debate has gained momentum after the January 2020 release of Flavien Moreau, the first French jihadist to have been convicted for having travelled to Syria in 2012. Released offenders like him are placed under judicial monitoring after serving their sentence and must observe a one-year administrative security check. During that period, they must report daily to the police station closest to their place of residence. The follow-up of these offenders is one of the concerns of the prison intelligence service, SNRP, who writes a sheet on the characteristics of the person concerned (prison history, incidents, co-prisoners he has frequented, dangerousness) and forwards it to a coordination unit (*Unité de Coordination de la Lutte anti-terroriste*, UCLAT) specialised in the monitoring of former militants. The DGSI endorse the responsibility of the surveillance in relation with evaluation groups who work on a regional level to assess the degree of 'disengagement' of former detainees.

¹² Statement by the President of the SOS Network in charge of this program.

5 Extremist Offender Management in Germany

Behnam Said, Senate Administration for Justice, Hamburg

After the peak of the foreign fighter flow for the self-styled Islamic State (IS) in Syria and Iraq, the number of imprisoned terrorist suspects in Germany increased remarkably. Although the official statistics about numbers of prisoners in Germany lacks data on inmates with a terrorist background, related information can be found, on a limited scale, in other official publications.¹ A parliamentary overview from 2019, for example, shows the terrorism investigations of the Bureau General Attorney between 2014 and 2019.² The near-absolute focus of the general attorney was on jihadist terrorism (see Table 1).

Table 1: Number of terrorism investigations by the Bureau General Attorney (GBA) in Germany, 2014–19³

	2014	2015	2016	2017	2018	2019
Islamist extremism ('Islamismus')	30	59	88	1,048	884	231
Far-right ('Rechtsextremismus')	2	4	5	11	6	15
Far-left ('Linksextremismus')	6	4	1	4	2	5

In the Islamist field, the high number of investigations led to an increase in the number of so-called 'endangerers' (*Gefährder*) in prisons. The police term 'Gefährder' is used to denote the potentially higher risk of a person committing a violent crime in the area of state security.⁴ At the end of 2018, about 150 people categorised as such are said to have been in prison.⁵ Unfortunately, comparable figures on right-wing extremists cannot be found.

No systematic and comprehensive data collection has taken place so far regarding extremists in German prisons. Leuschner⁶ as well

1 Fredericke Leuschner, 'Extremismus und Radikalisierung im deutschen Jugendstrafvollzug', *Zeitschrift für Jugendkriminalität und Jugendhilfe*, Vol 3, No 17, 2017, p. 258.

2 Deutscher Bundestag, 'Verfahren des Generalbundesanwalts beim Bundesgerichtshof seit dem Jahr 2013', Drucksache 19/11907, 24 July 2019.

3 Ibid.

4 For a short introduction to the terminus and a critical discussion of it see Daniela Hunold & Jan Raudszus, 'Gefährder', BPP, 13 January 2020; Deutscher Bundestag, 'Instrument des Bundeskriminalamtes zur Risikobewertung potentieller islamistischer Gewalttäter', Drucksache 18/13422, 28 August 2017.

5 Samet Yilmaz, 'Islamistische Radikalisierung in Haftanstalten – eine Randerscheinung?', *Zeitschrift für soziale Strafrechtspflege*, 51, 2018, p. 32.

6 Leuschner, p. 258.

as the Central Criminological Service of the Länder⁷ already pointed out the unsatisfactory data situation regarding the total number of imprisoned extremists, which, for example, is not reported in official prison statistics. The reasons for the insufficient statistical overview are not known. One obstacle to uniform data collection may be the inconsistent definitions for ‘extremism’ and ‘radicalisation’ in the federal states (Bundesländer). Given the increasing importance of the issue, it seems necessary to collect standardised data for states to plan and manage, for example, resources for prevention work.

For this paper, the author conducted a survey among the judicial administrations of the German states to learn more about the definitions, categories and figures available. Of the total of 16 federal states, 11 participated in the survey (Baden-Wuerttemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Lower Saxony, North Rhine-Westphalia, Saxony, Schleswig-Holstein, and Thuringia). States were asked whether extremists in custody are statistically recorded: eight states keep such records (Baden-Wuerttemberg, Bavaria, Berlin⁸, Brandenburg, Bremen, Hamburg, Lower Saxony, Schleswig-Holstein). Their responses show there are a total of 292 imprisoned extremists and suspected cases of extremists held on remand, of which the vast majority are male adults (see Table 2).

Table 2: Number of extremists in custody in Germany on 1 December 2019⁹

State	Adults in criminal detention (juveniles in brackets)	Adults held on remand (juveniles in brackets)
Baden-Wuerttemberg	27	20
Bavaria	124 (6)	21
Berlin	8 (2)	3 (1)
Brandenburg	2	1
Bremen	4 (1)	1
Hamburg	3	11
Lower Saxony	7 (2)	15
North Rhine-Westphalia	No statistics available	No statistics available
Saxony	8 (1)	14
Schleswig-Holstein	3 (2)	5
Thuringia	0	0

⁷ Anika Hoffmann, Christian Illgner, Fredericke Leuschner & Martin Rettenberger, *Extremismus und Justizvollzug: Literatursauswertung und empirische Erhebungen*, Berichte und Materialien (BM-Online), Band 10, Kriminologische Zentralstelle e.V., 2017, pp. 63-64.

⁸ Berlin exclusively counts Islamist extremists and no other forms of extremism.

⁹ Berlin's numbers are valid for 12 December 2019.

There are no unified categories amongst the German federal states; those with statistics about extremist prisoners classify them according to three or more categories. The differentiation is based on the available information. Assignment to the first and 'hardest' category (of a 'terrorist' or 'extremist') is based on having a conviction for a terrorist offence, information provided by police or intelligence service, or a prison's own risk assessments. The second category, which is named differently from state to state, is for inmates with indications of radicalisation or involvement in the extremist scene. The third category includes persons with an initial suspicion of possible involvement in extremism.

In contrast to Bavaria, Bremen, Hamburg and Schleswig-Holstein, on whose information the summary descriptions given above are based, Lower Saxony has chosen a five-stage model of classification, which is less interested in subdividing the level of information and more in assessing the risk posed by a person. In cooperation with the police, Lower Saxony therefore makes an internal distinction of the 'extremist' category and evaluates the corresponding categories in terms of the potential danger they pose.

States were also asked for the numbers of extremist inmates according to their ideological classification: Islamist/jihadist; far-right; far-left; or extremism 'with an international dimension' (such as the PKK, DHKP-C, and so on). The following numbers combine criminal detention and pre-trial detention, adult and juvenile prisoners and male and female. According to the information provided, in December 2019 there were 152 people in custody who can be attributed to the Islamist or jihadist scene. The second largest group, with 116 people, are actual or alleged far-right extremists, followed by 18 inmates who can be assigned to the area of extremism with a foreign connection. There are only six far-left extremist inmates (see Table 3). Since the data are based on deliveries from both the old and new federal states as well as from city states and regional states, it can be assumed that they proportionally reflect Germany as a whole, though that cannot be conclusively assessed due to the missing figures. As a result, prison enforcement in Germany faces the challenge of not only an increasing number of Islamist prisoners but also of far-right extremists.

Given the finding of 292 extremist prisoners in 10 states it can be assumed that the number for all 16 states must be approximately double that, given that large states such as Hessen and North Rhine-Westphalia did not provide data. Yet extremist prisoners are a small proportion of the total prison population, which is just under 60,000 inmates.

Table 3: Number of extremists in custody in Germany, by ideological affiliation, on 1 December 2019

State	Islamist/ jihadist	Far-right	Far-left	Extremism 'with an international dimension' (PKK, DHKP-C, etc.)
Baden- Wuerttemberg	36	3	0	8
Bavaria	59	86	4	2
Berlin	14	0	0	0
Brandenburg	3	0	0	0
Bremen	4	1	0	1
Hamburg	8	1	2	3
Lower Saxony	17	3	0	4
North Rhine- Westphalia	No statistics available	No statistics available	No statistics available	No statistics available
Saxony	2	21	0	0
Schleswig- Holstein	9	1	0	0
Thuringia	0	0	0	0

Federal and State Competences

There is no central coordinator or national strategy regarding the handling of extremism or extremist prisoners in Germany. Prevention strategies and prison projects are instead conceived and implemented at the federal state level. Despite the experience with the Red Army Faction (RAF) and convicted far-right terrorists, for a long time there were no cross-national judiciary agreements on the prevention of violent extremism, promotion of projects or appointments of appropriate ministerial contact persons and officials in prisons.

With the rise of jihadist terrorism, it was initially the security authorities that took on the topic of prevention on a transnational basis. This was done in the working group of the Joint Centre for the Prevention of Terrorism (GTAZ) established in Berlin in 2009.¹⁰ Only with the rise of IS and an increasing number of investigations by the public prosecutor's office on jihadist offenders, did the need for intense consultation between the states and an exchange of experiences and 'best practice' become urgent and relevant.

In recent years, the federal and state ministries of justice have therefore developed an increased interest in the topic, as can be seen from measures such as the employment of experts and responsible staff, the holding of specialist conferences, the publication of specialist articles from the field of justice, and in specialist journals on prison

¹⁰ For the history of the German prevention landscape, see Behnam Said & Hazim Fouad, 'Countering Islamist Radicalisation in Germany: A Guide to Germany's Growing Prevention Infrastructure', *International Centre for Counter-Terrorism – The Hague*, September 2018.

or probation services. In this spirit, the Federal Government reaffirmed its intention, in its Extremism Prevention Strategy, to ‘intensify mutual exchange with the Länder in the field of deradicalisation in penal institutions’ and to ‘intensify work in prisons as well as work with recently released prisoners’.¹¹

Identifying Extremists

The most important precondition for dealing with extremists in enforcement and for the implementation of secondary or tertiary preventive measures is the identification of radicalised or potentially radicalised persons. Prisons are on the one hand dependent on supplies from the security authorities, which can give indications of extremist prisoners, but they must also be able to collect and evaluate information independently, since ‘only a longer observation of the behaviour of the prisoner by trained personnel’ allows a well-founded evaluation.¹²

To identify radicalisation, the first question to be asked is the underlying definition of extremism. Fredericke Leuschner illustrated this problem in her written survey of all German juvenile detention centres, where she asked about the definitions of extremism and radicalisation used in each case.¹³ In their responses, the centres referred to a number of different sources that served as benchmarks for their assessments: handouts from the relevant Ministries of Justice, the Federal Office for the Protection of the Constitution (*Bundesamt für Verfassungsschutz*), the State Criminal Investigation Offices and a corresponding information sheet for prison officers of the Federal Criminal Investigation Office and the Federal Prosecutor General. As Leuschner notes, however, all these working materials made available by external bodies are limited to the area of Islamism; only six institutions would have their own definitions that also include other areas of extremism.¹⁴

It must therefore be noted that the trend of restricting the fight against terrorism predominantly to the Islamist sphere is continuing in the preventive approaches in implementation. This assessment may change as a result of the pressure to act following the far-right attack in Halle on 9 October 2019, which has been publicly named as a ‘right-wing extremist terrorist attack’ by Germany’s Justice Minister Christine Lambrecht.¹⁵ Researchers Matthias Quent and Axel Salheiser recently emphasised the importance of resocialisation measures for far-right extremist offenders in the specialist journal *Forum Strafvollzug*, which resulted in the ‘necessity of measures to deradicalise offenders’.¹⁶ However, in the area of far-right extremism the extremist motive ‘is often already ignored or underestimated in police investigations or in the taking of evidence’, according to which many far-right perpetrators have already been sent to prisons without the latter having been aware of it and therefore not being able to implement appropriate measures.¹⁷

11 Bundesministerium für Familie, Senioren, Frauen und Jugend, *Strategie der Bundesregierung zur Extremismusprävention und Demokratieförderung*, 2016, p. 31.

12 Yilmaz, p. 36.

13 Leuschner.

14 Leuschner, p. 259.

15 ‘Bundesregierung spricht von rechtsextremistischem Terroranschlag’, *Zeit Online*, 10 October 2019.

16 Axel Salheiser & Matthias Quent, ‘Rechtsextreme Hasskriminalität’, *Forum Strafvollzug*, Vol 4, No 19, 2019, p. 299.

17 *Ibid.*

This once again underlines the necessity for prisons to independently carry out their evaluations of inmates. Prisons in Germany have already done so in the area of Islamism. In youth institutions, almost all respondents (81%) stated that they had their own skills for recognising radicalisation tendencies.¹⁸ Individual federal states have significantly increased their own knowledge and assessment resources through experts on extremism and/or competence centres on extremism, which are special units with various expertise to assess and analyse information on extremists in the ministries for justice. The responsible specialists, who are affiliated to the supervisory bodies of the institutions at ministerial level, support prisons when evaluating an inmate's possible radicalisation, which can include using the VERA-2R risk assessment tool. The government of the city state of Hamburg gave the following information about the implementation of a professional risk assessment:

'A specially trained psychologist in the judicial authority is responsible for the creation of an extremist-specific risk assessment in the case of legally convicted prisoners whose offences are related to extremism and prisoners, whose offence lies in a different area, but where there are indications that to a radicalisation process. The gained professional and structured assessment of risk potential is used to plan enforcement measures and decisions'.¹⁹

The skills needed to recognise radicalisation have therefore been created internally in the prisons and/or at ministerial level through training, the creation of appropriate posts, and leaflets and other materials published and distributed by the federal police or the intelligence service. As a result, some of the information and knowledge that can lead to the identification of persons at risk is collected internally, and some of it is obtained by the institutions from security agencies, which is why close cooperation and permanent exchange is essential. The institutions' own information can be based, among other things, on finds in the prison cells, observations by officials or notices from prisoners.²⁰

In principle, a distinction must be made between recognising:

- a) prisoners serving a prison sentence under relevant State Security or Terrorism Articles and who are therefore easily identifiable, if information is provided to the prison by the relevant authorities, and;
- b) prisoners who serve a prison sentence for general crime and whose extremist view of the world was either unknown to the investigating authorities or who only acquire it in the course of their imprisonment.

A particular challenge for the correctional facilities is the identification of persons in category B, while for the identification of category A prisoners the reliable and institutionalised cooperation between the enforcement, investigating, intelligence, and prosecuting authorities plays an important role.²¹ The justice sector is well aware of the importance of data exchange and is attempting to shape

¹⁸ Leuschner, p. 260.

¹⁹ Bürgerschaft der Freien und Hansestadt Hamburg, 10 September 2019.

²⁰ Leuschner, p. 260.

²¹ Sebastian Schulenberg, 'Extremistische Gefangene im Justizvollzug', *Forum Strafvollzug*, Vol 2, No 18, 2018, pp. 131-136.

corresponding guidelines.²² In the meantime, various federal states, including Baden-Württemberg, Hamburg, North Rhine-Westphalia, Saxony-Anhalt, Saxony and Saarland, have either drafted or implemented corresponding amendments to their data protection laws for prison sentences.²³ These laws regulate the powers of prisons vis-à-vis other public authorities regarding information and the disclosure of personal information.

Placement and Monitoring

Germany has no special prisons reserved for extremists. Instead they are dispersed amongst the regular prisons. For security reasons and to avoid the establishment of extremist hotspots or wings in prisons, extremist prisoners in Germany are accommodated separately from other extremists if possible. Furthermore, prisoners with a terrorist background are sometimes placed on stations with special security measures, especially in the first weeks after admission in order to carry out risk assessments. There, prisoners are under special surveillance and control: for example, they are not allowed to mix with the rest of the inmates during free time. In many cases extremists have been transferred to regular wings after a time of practical testing of their behaviour. When they have been transferred, they are obliged to work like every other inmate and can get access to school and professional education (required job skills).

Offenders will continue to be observed, with developments in their behaviour and personality communicated via reporting channels to relevant personnel, such as the structural observers in Hesse, the anti-extremism officers in Bavaria or the reference officers and extremism officers in Hamburg. Furthermore, states rely on training staff on extremism, mostly on jihadism but also on the far-right, and methods of prevention work prison officers. In this way, a larger part of the staff is sensitised and able to make independent observations and assessments of circumstances.

Reintegration and Rehabilitation

Inmates also have access to the general therapy and treatment measures of law enforcement, which are intended to prepare them for a life in freedom without crime. This includes schooling, vocational training, work activities, social training, addiction counselling and therapy, and recreational groups. All these measures are intended to train social behaviour, adherence to rules, and to provide a framework of orientation which, if possible, should also provide support after release from prison and thus contribute to reintegration and preparation for a life of personal responsibility.

A decisive factor for the success of resocialisation measures of any kind, especially in dealing with extremist prisoners, is the training and skills of the staff.²⁴ Careful selection processes must be carried out during recruitment, a high level of training must be guaranteed,

²² Ibid., p. 135.

²³ Schulenberg 2018 and Alexander Vollbach, "Radikalisierung und Gefängnis" – Eine Tagung in der Vertretung des Landes Bremen in Berlin', *Forum Strafvollzug*, Vol 2, No 19, 2019, p. 164.

²⁴ Shane Bryans, *Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons*, United Nations Office on Drugs and Crime, Criminal Justice Handbook Series, 2016, chapter 3.

working conditions must be designed appropriately, and external specialists must be involved in the design and treatment of prison sentences.²⁵ These are all standards and demands that have presumably been set with particular regard to countries where there is inadequate rule of law. In Germany, these points are already common practice. Nevertheless, they should be mentioned here to illustrate that a professional and treatment-oriented enforcement practice is a prerequisite for the success of rehabilitation measures and preventive approaches.

One main aim of resocialisation is to initiate processes of distancing the inmates from their extremist 'scene'. This exit work is mostly carried out by external projects (see below); the institution's task is to provide adequate and appropriate conditions for a successful social-pedagogic intervention, by preventing contacts between prisoners and extremist support structures. For many years in Germany it was far-right and far-left movements that offered their support to prison inmates with a corresponding reference to the scene; later the model was also adopted by the Salafist-Jihadist scene.

Until it was banned in 2011, the best-known far-right extremist prisoner aid organisation was the Hilfsorganisation für nationale Gefangene und deren Angehörige e. V. (Aid organisation for national prisoners and their relatives, HNG). The HNG was founded in 1979 under the impression of the increasing militancy of the neo-Nazi scene and thus an increasing number of convicted scene members.²⁶ After their ban, other networks continued their work in part, for example in the form of the Aryan Defense Jail Crew (14er).²⁷ The jihadi scene, which became relevant in Germany in the 2000s, has established similar support networks, even though their scope of help – either in financial terms or regarding individual case support – may not come close to those seen from the far-right and far-left scenes.

Since extremist prisoner assistance is mostly provided by non-imprisoned persons, the primary responsibility for these structures lies not with prisons or the justice department, but with the security authorities. For this reason, prisons also rely on good cooperation with the security authorities to be informed about new developments and organisations, while the security authorities benefit from the findings from prisons.

External Projects in Prisons

In recent years, the relevant state level authorities have commissioned various independent agencies to implement prevention projects in prisons. The federal 'Demokratie Leben!' ('Living Democracy!') fund is decisive for the financing of these projects:

'The Confederation as part of the Federal Programme "Living Democracy!" (Chapter/Title 1702 684 04) since 2017 in the programme area "Prevention and Deradicalisation in Prisons

²⁵ Ibid.

²⁶ Rudolf Kleinschmidt, 'Die Rechte und das Recht' in Stephan Braun, Alexander Geisler & Martin Gerster (eds.), *Strategien der extremen Rechten: Hintergründe – Analysen – Antworten* (Wiesbaden: Spring, 2009), pp. 362-364; Oliver Schröm & Andrea Röpke, *Stille Hilfe für braune Kameraden: das geheime Netzwerk der Alt- und Neonazis* (Berlin: Schröm & Röpke, 2002), p. 168.

²⁷ Also known as AD Jail Crew (14er); Deutscher Bundestag, 'Rechtsextreme Betätigung im Strafvollzug (Nachfrage zur Antwort der Bundesregierung auf die Kleine Anfrage auf Bundestagsdrucksache 17/12979)', Drucksache 17/13516 15 May 2013, 1.

and Probation Assistance” models projects with the aim of primarily developing and testing pedagogical strategies for preventing radicalisation and accompanying disengagement/distancing processes in the thematic areas of Islamism, which is hostile to democracy and is prone to violence, right-wing extremism and left-wing extremism. The model projects work in close cooperation with existing programmes in the respective federal states and in close coordination with the respective state justice ministries. Their measures are aimed primarily at young male prisoners in juvenile detention or juvenile detention who are regarded as particularly at risk for extremist speeches (secondary prevention) or as already radicalised (tertiary prevention)’.²⁸

The funding for measures implemented in each federal state amounted to €2,139,981 in 2017 and €4,575,302 in 2018.²⁹ One reason for this massive increase was the rise of Islamic State and the threat of its sympathisers, as well as the threat by the far-right. Another is the fact that in mid-2017 a new model on ‘Prevention and deradicalisation in prisons and probation’ was added to the program.³⁰ As can be seen from the response of the Federal Government, one focus of prevention work is on youth enforcement.³¹

The funding programme is intended to promote both model projects in the fields of Islamism and far-right extremism.³² However, it seems that here too the focus of most of the funded projects will be on Islamism. Between January and July 2018, for example, seven projects (all in West Germany) were listed as offering Islamism prevention or distancing work, while only one project (in East Germany) focused exclusively on far-right extremism. Eight projects addressed both fields of extremism.³³

The individual projects promoted by ‘Living Democracy!’ in the federal states have obligated various institutions to implement the measures. However, their measures appear to be largely comparable. The following focal points can be identified in the executing agency projects:

- Case consulting/individual case work (distancing or exit work)
- Social group work
- Training courses/trainings/coaching for prison staff, probation officers, and social services
- Multiplier qualifications (intensive training for selected staff)

The work takes place within the framework of pedagogical responsibility or systemic approaches, whereby different emphases are set regarding the treatment of extremist ideology as well as general social needs. However, none of the projects supported by ‘Living Democracy!’ are religiously oriented. Individual federal states, such as Hessen, have their own structures for religious or pastoral care as part of a prevention strategy. Other federal states, on the other hand, place more emphasis on socio-educational aspects. To regard Muslim pastoral care primarily, or even exclusively, from the perspective of

²⁸ German Bundestag, ‘Behördeninformationsaustausch im Hinblick auf Gefährder’, Drucksache, 19/8304, 13 March 2019, 2-3.

²⁹ Ibid.

³⁰ Deutsches Jugendinstitut 2019, p. 3.

³¹ Maria Jakob & Alexander Leistner, ‘Herausforderungen pädagogischer Arbeit bei der Prävention und Deradikalisierung im Strafvollzug und in der Bewährungshilfe Erfahrungen von Modellprojekten aus dem Bundesprogramm “Demokratie leben!”’, *Zeitschrift für soziale Strafrechtspflege*, No 51, 2018, p. 44.

³² For a report on the evaluation of these projects see Deutsches Jugendinstitut 2019.

³³ Jakob & Leistner, p. 44.

extremism prevention could indeed be critically questioned, since pastoral care for prisoners already results from penal system laws and is thus to be offered independently of any potential security gain or extremism-related effect.

Furthermore, the question arises whether religion as such can actually develop a deradicalising or preventive effect. This can only be affirmed if one assesses religion – namely religion not in the function of a social need (functional definition), but as a belief system (substantial definition)³⁴ – as the decisive entry point or pathway of radicalisation. It should not be denied that the cognitive level can play a role in radicalisation, but this refers in particular to the political and ideological core of a worldview, not necessarily a belief system. If politics (cognitive) or social needs and biographical issues play a role in the entry into radicalisation, it is questionable whether the belief system can play a decisive role in the exit.

In order to achieve sustainable counselling and to avoid the so-called prison ‘release gap’, many of the projects offer their measures not only in prison, but also after release, and cooperate with the authorities responsible for probation assistance and transition management. Some projects, for example in Lower Saxony and Bavaria, even offer their own transition management in the area of prison release preparation instead of training the control systems.

Outlook

Although Germany has a long tradition of far-right and far-left extremists in prisons, the professional handling of extremist prisoners and external deradicalisation projects came after the rise of Islamic State. Only in recent years have suitable structures and extremism-specific measures been quickly established in the federal states, which can supplement the existing treatment measures that are available for inmates. Financially, this was possible on the one hand through the ‘Living Democracy!’ funding programme and on the other through the provision of appropriate resources by the states.

Prisons, in contrast to what is sometimes stated in public, are not a ‘hotspot’ for radicalisation. Instead, they offer a particularly suitable environment for prevention and distancing work, as they provide good access to vulnerable or radicalised persons – who can access general treatment measures – and can also exclude disruptive outside influences. Prisons should therefore be seen as places of opportunities for resocialisation in which prevention and deradicalisation work can be carried out more intensively and effectively under certain circumstances than outside the prison walls.

Due to the expected increasing number of investigations and convictions in the area of far-right terrorism it seems necessary, however, that the prison system in Germany reviews its previous – almost exclusive – focus on jihadism and develops preventive measures for right-wing extremism more strongly than before. This also means that the definition of extremism and radicalisation must not extend further to a single area, namely Islamism. In individual federal states, extremism is already understood and dealt with in

³⁴ Johann Figl, *Handbuch Religionswissenschaft: Religionen und ihre zentralen Themen* (Innsbruck-Wien: Vandenhoeck & Ruprecht, 2003), p. 74.

a cross-phenomenon way. The overall impression, however, that terrorism can only be perpetrated by jihadists, still determines the level of action.

The *Bundesministerium für Justiz und Verbraucherschutz* (Federal Ministry of Justice and Consumer Protection) in particular is called upon to provide the impetus, which, in cooperation with the prison system of the states, organised at least three events on the subject of 'Islamism in execution' between 2015 and 2017, but apparently none on far-right extremism.³⁵ The fact sheet made available to the prison system by the Federal Criminal Police Office with indicators for recognising Islamist-terrorist connections should also be thoroughly reviewed and drawn up for all extremist phenomena. Furthermore, uniform definitions are needed, as is uniform data collection. The data gap regarding far-right inmates should be filled, which leads to the fact that the justice system is not yet as meaningful in this area as it is for jihadism.

³⁵ Deutscher Bundestag, 'Präventions- und Deradikalisierungsstrategien mit Blick auf die Rückkehrer aus dem sogenannten Islamischen Staat', Drucksache 19/387, 9 January 2018, p. 8.

6 Extremist Offender Management in Greece

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In Greek prisons there are not only terrorists or extremist offenders convicted under the counterterrorism law, but also those convicted under other criminal activities of the Penal Law where, for example, they have committed robberies. Regarding the type of extremism and ideology, there are three offenders related with Islamist extremism and terrorism; foreign nationals who were identified within the mixed migration flows and they are convicted for involvement in terrorist acts in the Middle East and relationships with Islamic State. There are also, at least, an estimated 20 members of political- inspired extremist and terrorist organisations (far-left and far-right) currently incarcerated in Greek prisons. According to the official data from November 2019, there are 10,680 inmates in Greek prisons.

Currently there are no specific tools used in Greek detention establishments for assessing the possible radicalisation of offenders. Any available information is forwarded to the competent officials, though the existing prison information network, for evaluation and further action. In addition, close cooperation has been developed in the framework of an exchange of information between the prison authorities and the relevant services of the Hellenic Police, aiming to both strengthen public order and security and ensure the proper operation of the prison system. The government in Greece considers the risk of radicalisation within the prison offenders as important, and the development of new mechanisms and criteria and the use of tailor-made risk assessment tools are part of the new policy for the identification and prevention of radicalisation within prisons.

Prison-related Incidents and Individuals

Noteworthy incidents related to radicalised individuals are connected with Korydallos prison in the region of Attica. The Korydallos prison complex in Piraeus is Greece's main 'Type B' maximum-security prison; it is the largest in the country and holds both male and female prisoners. In January 2014, the convicted 17 November Group (a far-left organisation otherwise known as 17N) member Christodoulos Xiros escaped from Korydallos prison during a scheduled eight-day-leave from prison in order to visit his family. Following the escape, Hellenic Police confirmed that Xiros had a close relationship and frequent visits with imprisoned members of the Conspiracy of Cells of Fire (CCF), an anarchist group, and it is believed that the latter helped organise his escape. Members of CCF had themselves, along with a notorious long-term convict, attempted to escape from Korydallos prison in December 2011. This is a profound case showing

that within Greek prisons there is the risk of osmosis between not only old and new terrorists but also terrorism and organised crime. Xiros was rearrested a year later.

Moreover, on May 2018 a case of a 'secret revolutionary bank account' operated by an offender for terrorism in Korydallos prison was revealed. The bank account was opened in March 2017 by a prominent member of the far-left terrorist scene and was set to do 'work' and 'services' inside and outside the prison. Members of organised crime groups were sending money to this account, as part of the cooperation between terrorist and organised crime, within and outside prisons (such as giving logistical support, providing arms, executing robberies). It was an exemplary case of the overlaps between terrorists and criminal offenders.

Another noteworthy extremism related case is that of a member of far-left terrorist group Conspiracy of Cells of Fire known as 'The Syntagma Archer' who escaped from the agricultural prison of Tyrintha, where he was detained in a house in the prison yard, in June 2019.

Noteworthy, radicalisation within the prison is a major issue when it is related with political factors as well as violent 'gangs' involved in organised crime. Thus, violent attacks on prison officers have mostly to do with 'radicalised' individuals related with the organised crime that use arguments of social injustice or adopt an even more 'anti-system' rhetoric and behaviour within prison without political drives in the strict sense of political extremism. The majority of the incidents concerned tensions between prisoners and attacks against staff (especially in Korydallos prison). There are only a few cases of further escalation, such as hostage taking in Trikala prison and rioting in Korydallos prison.

Official Responses

Greek law enforcement authorities follow specific policies and strategies concerning counterterrorism, violent extremism and radicalisation. There are four fundamental papers that frame programs, actions and responses at the operational level:

- The EU Strategy on Counterterrorism (EU level)
- The Strategic Orientations from the Steering Board on Preventing Radicalisation (EU level)
- The 2020 -2024 National Crime Policy (national level), and
- The National Strategy on Counterterrorism and Violent Extremism (national level).

The management of extremist offenders is a broad issue that involves various authorities and agencies in different proceedings. Two of the main governmental bodies responsible for this task are the Ministry of Citizen Protection and the Ministry of Justice. In terms of agencies and organisations involved, the Hellenic Police is the leading agency, followed by other law enforcement agencies, intelligence services, judicial bodies, and prison institutions, among others. There are, at least, an estimated 1,000 personnel involved in this process, with a mixture of executive and judicial powers.

Over the last five years there has been a more systematic approach to preventing and countering radicalisation and terrorism in Greece, which has included action in prisons, corrections, and rehabilitation centres. Greece participated in European Commission establishing the High-Level Commission Expert Group on Radicalisation in 2017, whose work resulted in a report mapping the problem and setting priority areas, as well as the creation of a new cooperation mechanism at the EU level for all Member States.

Following these developments, the Hellenic Police led a number of actions at the national level, such as: 1) establishing an informal inter-ministerial network for strengthening cooperation and developing synergies, 2) actively participating in all programs and actions planned within the above EU initiative, bringing together expertise at national authorities (education, labour, prisons, criminal justice system, internet activities, migration and refugees, and reintegration).

The momentum built upon previous work in the field of prevention and involved partners that were previously outside of a strict law enforcement jurisdiction. Strong political will initiated preparatory work within the Ministry of Citizen Protection for a comprehensive approach to prevent violence. A working group held meetings and workshops, involving a wide range of authorities and agencies (including judicial and penal authorities), academia, municipal authorities, research centres, and the private sector, drafting a report about the next steps and the future of prevention work at the national level. Through law 4703/2020, a Violence Prevention Unit was established in July 2020 within the Ministry of Citizen Protection, which will have a coordinating and lead role in preventing violence, in all its forms, at the national level.

Sentencing of Extremist Offenders

The 2928/2001 Law of the Greek government introduced important changes to combat criminal activity related with terrorism. Furthermore, the definition of terrorism, was outlined in Law 3251/2004 ('European Arrest Warrant and Confrontation of Terrorism'). The law added Article 187A, entitled 'Acts of Terrorism', to the Penal Code, which: legally defines acts of terrorism; lists special offences related with terrorism, with punishment ranging from three years to life imprisonment; sanctions lone-actor terrorism; increases the statute of limitations on terrorism-related crimes from 20 to 30 years; increases prison terms for terrorist leaders (at least ten years of imprisonment); and heavily sanctions those who threaten or prepare to commit a terrorist crime.

Law 3875/2010 modified Article 187A of the Greek Penal Code, stating that a serious threat to cause terror shall be punished with imprisonment of at least two years. While there is no specific law for the incitement of a terrorism-related crime, Articles 184 and 185 of the Greek Penal Code serve to penalise public incitement to commit a terror offence, as well as public glorification of a terrorist offence. Furthermore, in May 2020, Greece incorporated a new law based on EU Directive 541/2017. The main changes regard terrorism-related travel, tackling terrorism activity that involves robbery, extortion, and fraud, and the enhancement of international cooperation, intelligence sharing, and support for victims of terrorism.

In Greece, life imprisonment is a 25-year sentence, which is, in general, the maximum possible. The average length of detention for general crimes is currently 13 years. The average sentence for terrorism offences is 16 years, which is currently the highest average in the EU.

There is no difference in how offenders are prosecuted under terrorism laws and regular criminal law. The Greek penitentiary system promotes the equal treatment of all prisoners, and does not allow discrimination by gender, race, religion, or ideology. However, special treatment is justified if there are certain needs (such as nutrition, religious duties, professional or academic activities, and so on). In addition, separating inmates within prison depends on the reason they are in custody (such as conviction for a crime, a pending deportation, or status as a debtor) and their real circumstances and condition (such as their age or mental health).

Prison Regimes

The detention centres are divided into general, special and therapeutic centres. The general detention centres are further divided as 'type A' (for inmates awaiting trial and those serving short term sentences) and 'type B' (for inmates serving long term prison sentences, which includes those with a life sentence). One significant change in the country is that since 2015 no high security prisons ('type C') are in operation. However, the Greek government plans to reinstate these prisons.

The Greek prison system does not offer a particular regime for extremist offenders. The core element of the prison system is the equal treatment of all prisoners, as already noted above. When deciding on placing an inmate in segregation or giving them specialist treatment, authorities consider the phase in a prisoner's detention (for example, if they are adapting immediately after their entry into the facility) and their living conditions (for example, if they have previous experience of confinement in one or more detention facilities).

Extremists are also not subject to a specific placement model, such as 'dispersal' or 'concentration', as seen with the treatment of the far-left terrorist groups 17N and Conspiracy of Cells of Fire. Their members were firstly imprisoned in Korydallos Prison (a 'type B' prison) in Athens, which allows particularly close monitoring. Now, some members of these groups have been moved in other types of detention centres (such as agricultural detention centre), as the general policy for all the detainees, no matter their crime committed.

In sum, there is no special management or differentiated regime for extremist offenders, and the measures applied to them, including the monitoring of communications, are no different from those applied to other types of prisoners.

Monitoring and Preventing Radicalisation

Currently there are no specific criteria for identifying radicalisation in Greek prisons. However, through the information network that is in operation, any available information is forwarded to the relevant prison officials for evaluation and further action. Recognised extremists are usually placed together in cells or dormitories; on some occasions

they are held separately from the rest of prison population to be better monitored. On safety and security grounds they are not allowed to be in contact with other inmates. As a result, experienced guards are entrusted with always keeping them under close observation. If they notice anything unusual or suspicious, they report it immediately to chief guard and if necessary, to the supervising prosecutor and prison director so that appropriate actions can be taken.

In addition, there is close cooperation and information exchange between prison authorities and the Hellenic Police, aiming both to strengthen public order and security and to ensure the prisons' proper operation. This type of observation interventions by prison staff and penal officers does cover signs of radicalisation that vary from behavioural aspects to socialising with other extremist inmates, when that does occur.

Following EU standards, Greece makes use of two basic operational guides regarding radicalisation indicators. Police Officers use the Common Risk Indicators Booklet by FRONTEX, and the FTF Risk Indicators Guide by Europol. Both manuals are user friendly, and despite both focusing on the risk of 'foreign fighters', their application is adjusted to, and used accordingly for, other aspects of violent extremist behaviour. Additionally, within a broad framework of approaches and actions, the Hellenic Police makes extensive use of a pocket size booklet called a 'Practical Guide on Radicalisation Risk Indicators'. The guide is one outcome of joint work between the Hellenic Police HQ and the Centre for Security Studies (Ministry of Interior) and aims to support the work and duties of first-line professionals (Police and other Law Enforcement Officers) in an organised and coordinated manner.

Furthermore, Greek authorities and institutions (such as Hellenic Police, KEMEA, research institutions and universities) participate in research projects with the main aim being the development of technological advancements and tools, such as software and risk and vulnerability assessment tools, to assess the risk of radicalisation that leads to violent extremism and terrorism. This is to help with identification and analysis and provide an early warning of potential cases. Prison and probation officers have also received extremism-specific training, for example during the European Union's DERAD project in 2018.

Prison and probation services in Greece do not use specific or tailor-made risk assessment tools, either for observations or to evaluate issues of vulnerability or the risk of reoffending. However, any approach on the subject matter would not deviate from the usual social enquiry report which assesses issues of social behaviour, mental health, prior aggression, or previous convictions and criminal acts. This entails observations, interviews, and file and record analysis.

Promoting Reintegration and Rehabilitation

Integration and rehabilitation programmes are available on a voluntary basis, and aim to address, as their key elements, issues with social relationships, education, family, living conditions, employment, drug or other substance abuse and addiction, and previous criminal convictions. There does exist collaboration with probation officers, even in pre-trial detention, and there is emphasis on frequent and

regular attendance of sessions with the probation officer, as well as attendance of other services the probationer has been referred to, such as issues of vulnerability (be that unemployment, mental health issues, or a dysfunctional family environment).

Various programmes ranging from primary education and vocational training to sport and cultural activities help facilitate rehabilitation and integration and contribute to disengagement from extremist and terrorist behaviour. These programmes further mitigate the consequences of the prison regime and aim to reduce the possibilities of developing radicalised attitudes. Although there are no official assessment and evaluation mechanisms, most of the offenders, in their discussions with prison staff, evaluated the programmes as very successful, and are asking for more such activities, tailored to their needs.

All the above measures are within the framework of pre and post-trial sessions with the offender, interviews with family members, consultations of the legal file and its documents. For prison and probation cases, officers report through a comprehensive information network that reaches the relevant authorities and decision-making centres for further action, once the risk for violent behaviour has been assessed. This contributes to effective reporting and a valid reasoning for any intervention, once the risk of violent behaviour has been identified, either in prison or during probation.

Releasing and Post-release Arrangements

Most imprisoned members of the terrorist organisation 17 November Group, as well as the majority of the 'second generation' of imprisoned terrorists from the Conspiracy of Cells of Fire, have been released under different conditions. Most of them were released automatically at the end of their sentence; some others were released after requesting an early release, after serving 60% of their sentence, as per the law. In general, according to the Greek Penal Code, anyone serving a sentence of imprisonment may be released after serving 40% of their sentence in prison. Additionally, convicts who work, attend school classes or participate in vocational or other training programmes may benefit from sentence reductions: a maximum of two days is deducted for each day of work or training. There are also relevant provisions to reduce the sentence for prisoners working in specific rural prisons and other special correctional facilities.

When it comes to post-release measures, Greece has no tailor-made rehabilitation and reintegration programmes for violent extremist offenders. Instead, they are subject to the same programmes as all other criminal offenders. Its main components consist of individual and family counselling, escorting them to services when in need of social support (such as accommodation, catering, employment-seeking, health and sanitation problems, income, social solidarity and financial independence).

There are also several NGOs whose aim is to help prisoners with their education, human rights, and smooth integration back into society, such as the European Prison Education Association (EPEA) Hellas Branch, Epanodos, and the Post Release Reception Centre in Athens (PRAKSIS).

7 Extremist Offender Management in the Netherlands

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The jihadist movement in the Netherlands is estimated by the National Coordinator for Security and Counterterrorism (NCTV) to consist of approximately 500 individuals and several thousand sympathisers.¹ As of July 2019, around 60 jihadist ‘foreign fighters’ have returned to the Netherlands.² Their return is perceived as high risk from a terrorism threat perspective. Nonetheless, the return rate is relatively low at approximately 18%,³ as 300 individuals had left the country.⁴ One reason for the low return rate could be the deprivation of citizenship and the refusal to issue or seizure and invalidation of identity cards and passports, based on terrorism-related offences that can be prosecuted ‘in absentia’ under Article 205 of the Dutch Penal Code.⁵

As of 21 November 2019, the terrorist offender population in the Netherlands consisted of 36 individuals, which is less than 1% of the total prison population in the country.⁶ While the exact number is not known, 200 to 300 individuals have been incarcerated in the Dutch terrorism wings between 2006 and 2019.

In Dutch prisons, the gender divide among offenders is 93% men and 7% women.⁷ Regarding extremist offenders, a visible gender bias has developed in the criminal justice response in favour of female fighters / returnees.⁸ Where the average age of Dutch offenders is 37 years,⁹ Dutch foreign fighters are generally under 25,¹⁰ which seems to indicate an increase in youth radicalisation in the Netherlands.

The Legal Background

In 2004 the first terrorism law was adopted in the Netherlands.¹¹ The Dutch legal approach to terrorism is roughly divided into so-called administrative measures (including stripping of citizenship or taking

1 *Summary Terrorist Threat Assessment Netherlands 49*, National Coordinator for Security and Counter-Terrorism (NCTV), February 2019, p. 2.

2 *Summary Terrorist Threat Assessment*, p. 5.

3 Amandine Scherrer (ed.), *The Return of Foreign Fighters to EU Soil: Ex-Post Evaluation*, (European Parliamentary Research Service (EPRS), May 2018, p. 32.

4 ‘Uitreizigers en terugkeerders’, Algemene Inlichtingen- en Veiligheidsdienst (AIVD), 2020.

5 ‘Dutch Criminal Code’, European Judicial Training Network (EJTN), 2012, p. 105.

6 Using the April 2019 total prison population of 9,367 inmates. ‘Capacity and Occupation, January to April 2019’, Department of Justice Institutions (DJI), 2019.

7 *Gevangeniswezen*, Dienst Justitiele Inrichtingen (DJI), April 2019, p. 1.

8 Scherrer, p. 46.

9 *This Is the Custodial Institutions Agency (DJI): In Facts and Figures Based on 2018*, p. 3.

10 Scherrer, p. 34.

11 M.A.H. van der Woude, *Wetgeving in een Veiligheidscultuur: totstandkoming van antiterrorismewetgeving in Nederland bezien vanuit maatschappelijke en (rechts)politieke context* (The Hague: Boom Juridische Uitgevers, 2010), PhD thesis, Instituut voor Strafrecht en Criminologie, Faculty of Law, Leiden University.

someone's passport) and criminal justice measures. The Netherlands adopted the Terrorist Crimes Act which amended Article 205 of the Dutch Penal code, whereby 'recruitment for armed struggle and conspiracy with the intent of committing a serious terrorist offence' are punishable (separately) by law. The maximum penalties for other offences, such as manslaughter, assault, and hijacking, are increased if they are committed 'with terrorist intent'. Furthermore, 'recruitment for violent extremism' is penalised under Article 205 of the Dutch Penal Code. Conspiracy to commit terrorist offences is often punished separately. The Act intends to simplify the initiation of criminal proceedings against terrorist networks and movements operating in loose and changing alliances.

A conviction for terrorist offences can be based on several crimes, including joining a terrorist organisation, financing terrorism or recruitment. The main legal articles that pertain to terrorism are articles 140a, 205, 282b, 285 and 288a. Dutch criminal law stipulates that when a terrorist motive is proven, imprisonment will be longer than if the same acts committed without a terrorist motive.¹² In practice, this mostly results in sentences increasing by a third or a half.

The Dutch Prison Model for Extremist Offenders

In 2006, the then Dutch government introduced a new model for incarcerating terrorists, the so-called *Terroristen Afdeling (TA)* or terrorism wings. The concept of the TA was established under high political pressure following the arrest of several members of the Hofstadgroup terrorist network.¹³ The rationale behind these special terrorism wings was twofold: 1) to prevent extremist offenders from influencing other inmates and spreading their extremist ideas; and 2) to foster the development of specific expertise among prison staff to deal with this offender population.¹⁴ Ten years after the introduction of the concentration model, a third goal was added: to allow for tailored rehabilitation and re-socialisation of this group.

In the first years after 2006, the extremist offender population in the Netherlands consisted of five offenders, and at some point, of even just two inmates. Given these low numbers, the Netherlands experienced a relatively quiet period that allowed for slowly developing knowledge and expertise in dealing with extremist offenders in the prison context. In the context of the conflict in Syria and Iraq and the corresponding steady flow of Dutch citizens to Syria joining extremist groups in the region, the overall terrorist offender population has increased. From 2013 onwards, there has been an increased demand for TA capacity, and over the past three years, the Netherlands extremist offender population numbered, on average, between 30 and 40 individuals.

The prison model for extremism-related suspects and offenders is centralised containment or the so-called 'concentration model'. The Dutch Custodial Institutions Agency (DJI) has setup special

¹² As laid out in Articles 114A/B, 120A, 130A, 140A, 176A, 225, 304A, 415A of the Dutch Penal Code: 'Boek 2. Misdrijven Titel I. Misdrijven Tegen De Veiligheid Van De Staat', Wetboek van strafrecht, available at: <http://www.wetboek-online.nl/wet/Wetboek%20van%20Strafrecht.html#1090>

¹³ *De Terroristen Afdeling in de Nederlandse Gevangenissen: Plan van Aanpak*, Inspectie van Justitie en Veiligheid, 16 September 2019, p. 3.

¹⁴ Tinka M. Veldhuis, Ernestine H. Gordijn, Siegwart M. Lindenberg & René Veenstra, *Terroristen in Detentie: Evaluatie van de Terroristenafdeling*, Rijksuniversiteit Groningen, commissioned by the WODC, Department of Justice, 2010.

terrorist units inside prison facilities, called ‘terrorism wings’ (*terroristen afdeling*, TA). Extremist offenders are placed into these TAs and segregated from the general prison population. The rationale behind this policy is that it allows for the separation of general prisoners from terrorist convicts to prevent network formation and the spread of extremist ideologies.¹⁵

The TAs are by definition part of high-security prisons (or so-called ‘extended secure institutions’)¹⁶ that can accommodate this group. The Netherlands has two TAs, one in the city of Rotterdam (TA De Schie), and the other in the south-eastern town of Vught (TA Vught). All individuals suspected of or convicted for terrorism are placed in a TA unit.¹⁷ As of April 2019, the overall number of offenders (including extremist offenders) was 249 in De Schie and 625 in the Vught.¹⁸ The two specific TAs within those facilities have a combined holding capacity of 48 inmates.¹⁹ On average, between the two TAs, the Netherlands has an extremist prison population of 30–40 individuals. The NCTV reported that as of June 2019, there were ‘several dozens’ of jihadists in prison.²⁰

Nonetheless, radicalised offenders can also be present in other custodial institutions. Approximately 10–15 radicalised inmates have been identified outside of the TAs. This group includes those who: 1) were previously extremist offenders but are now convicted for other offences, 2) inmates transferred from TAs to ‘regular’ prisons, and 3) inmates where signs of radicalisation were detected even though they were not sentenced for terrorism-related offences.

Differentiating Extremists

Overall, the Netherlands has a capacity of 48 places for extremist offenders: 41 places in TA Vught (spread across five departments) and seven more in TA De Schie (in one department). The specific risk profile of an offender as well as the potential fit with the other offenders can be a reason to transfer extremist offenders between the two TAs. While the Dutch approach follows the concentration model, the different departments make it possible to differentiate between prisoners by taking into account their specific profiles. The Netherlands separates leaders from followers,²¹ and other factors considered are gender, vulnerability, susceptibility to influence, group suitability, degree of anger/frustration, criminal background, and whether they have experience in a conflict zone or not. All in all, while inmates with the same profile are placed together, the offender population may include, on the one hand, hardened extremists and on the other those who remain relatively impressionable.²² The NCTV acknowledges that because of the size of this group and the ‘limited space available, they may struggle with keeping different categories of prisoners separated from one another (i.e. serious and less serious offenders, dyed-in-the-wool jihadists and neophytes, etc.)’.²³

15 Tinka Veldhuis, *Prisoner Radicalization and Terrorism Detention Policy: Institutionalized Fear or Evidence-Based Policy Making?* (Abingdon: Routledge, 2016).

16 Marjolein Hordijk & Koek, *DJI brede visie op radicalisering en extremisme* (Utrecht: DJI, 2016).

17 Scherrer, p. 51.

18 ‘Capacity and Occupation’.

19 Jonathan Birchall, ‘Antiterrorism Detention Regime in the Netherlands Breaches Human Rights’, Open Society Justice Initiative, 30 October 2017.

20 *Summary Terrorist Threat Assessment Netherlands 50*, National Coordinator for Security and Counter-Terrorism (NCTV), June 2019, p. 4.

21 *Terroristenafdeling (TA)*, Dienst Justitiele Inrichtingen (DJI), March 2019, p. 2.

22 *Ibid.*, p. 1.

23 *Summary Terrorist Threat Assessment Netherlands 50*.

Upon arrival, extremist offenders are placed in a reception and diagnostics area (the *Inkomstenafdeling*), located in TA Vught, where they stay there for a maximum of ten weeks. TA staff begins by collecting information to assess the risk profile and to draft a tailored plan for the individual. Data is collected on factors such as: What is the prisoner suspected of? What is their personal and criminal history? How do they behave? The prison psychologist conducts an intake interview, and prison staff observes how the prisoner interacts with staff and other prisoners. The Dutch Probation Service carries out a risk assessment using the Violent Extremism Risk Assessment (VERA-2R). The TA also requests a risk analysis from the Detective Investigation Information Point (GRIP). All of this information is used to inform decision-making regarding prisoner classification, housing decisions, and to tailor interventions. As for the use of risk assessment, the Dutch Inspection concluded that 'The use and utility of the risk assessment tool (VERA-2R) warrants further monitoring. The information is not provided in time or to the extent possible by the Dutch Probation Services (RN). As such, the penitentiary institutions are not able to assess the risk of the detainees based on the information provided by RN'.²⁴

Regimes

The smaller departments within the TAs consist of small and well-organised groups of on average, five prisoners, under stricter supervision (compared to other prison departments). The TA regime is generally characterised by a strict approach, including the monitoring of all telephone conversations (except those with privileged persons and organisations such as lawyers) and a higher frequency of body inspections. The director of the prison determines to what extent an inmate can participate in individual and group/common activities. The regime is described as 'austere and humane' with intensive supervision and small groups.²⁵

An inmate may participate in a daily programme for 26 hours a week, which can include education, work, sports, recreation, time spent outside, and spiritual guidance. Recently, some prisoners have been able to participate in work activities to a limited extent; this will be expanded to a maximum of ten hours a week.²⁶ Extremist offenders can receive visitors once a week and are allowed to call friends or family four times a week for ten minutes. In line with general custodial policies in the Netherlands, all visitors are registered. Similarly, all telephone conversations are recorded and monitored, as well as incoming and outgoing correspondence. Outside visitors are screened, and visits are monitored.

TA staff includes senior institutional workers (guards), psychiatrists, psychologists, social workers, nurses, teachers, sports instructors, spiritual caregivers, and case managers (who are responsible for the coordination of an offender's approach). Regarding the group of spiritual caregivers, a total of 167 spiritual counsellors work for DJI to provide spiritual care across different correctional facilities. The group includes representatives from seven religions and spiritual movements: Roman Catholic, Protestant, Jewish, Islamic, Buddhist, Hindu,

²⁴ *De Terroristen Afdeling in de Nederlandse Gevangenissen: Plan van Aanpak*, Inspectie van Justitie en Veiligheid, 16 September 2019, p. 7.

²⁵ *Terroristenafdeling (TA)*, p. 2.

²⁶ *Ibid.*

humanist and orthodox.²⁷ Transfer to a regular prison for extremist offenders is only possible if they have served a third of their sentence and the remaining sentence is between four and twelve months. In addition, the offender cannot have been associated with any risks of escape, extradition, or spreading extremist messages during the last year of their detention.²⁸ In practice, most inmates spend their entire incarceration period within the TA. A small number of offenders have been transferred to regular prisons, and the decision to do so is based on the risk profile and factors such as the sentence length or pending appeals.

Reintegration

Aside from the fear that extremist offenders may spread their ideology or radicalise other inmates, another reason for setting up special terrorism wings within prison facilities was the notion that isolating this group would encourage their rehabilitation and re-socialisation process.²⁹ DJI lists the main drivers of violent extremism as ideological, political, religious, impulsive or psychopathological.³⁰ As a result, they train prison staff to be extra alert for such as insecurities, contact with radical friends, group-based subordination and feelings of disrespect.

In prison, a so-called Detention and Reintegration (D&R) plan is made for every inmate in which the goals of the individual's treatment programme are listed. The process of rehabilitation and reintegration is mainly focused on disengagement (behaviour), which means that de-radicalisation (beliefs) is not a primary goal. The reason for that is that disengagement is viewed as a more realistic goal to achieve within the detention period, rather than de-radicalisation, which requires a cognitive transformation. Disengagement intends to stop radical behaviour, without (necessarily) renouncing an individual's underlying values and beliefs³¹ and is believed to be much easier to obtain. Specialists are, therefore, trained to set up a tailored program for each individual. Examples include educational (philosophy or civic education), coaching trajectories or psychological interventions such as trauma-treatment, system therapy or cognitive behavioural therapy.

Extremist offenders require more mental care and guidance compared to 'regular' inmates.³² Additionally, these programmes intensively focus on external security and the process of re-socialisation.³³ The programmes are specifically focused on the prevention of committing terrorism-related crimes and radicalisation and the recruitment of other inmates. To do so, interaction with other prisoners always takes place under the supervision of at least two guards. In addition, all correspondence and contact are monitored, including phone calls. There are daily searches, and terrorist offender transport requires using specially protected vehicles. All of this is done to guarantee the security of other inmates and prison staff.

²⁷ *This Is the Custodial Institutions Agency (DJI): In Facts and Figures Based on 2018*, Dienst Justitiele Inrichtingen (DJI), March 2019.

²⁸ *Terroristenafdeling (TA)*, p. 3.

²⁹ Hordijk & Koek.

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Terroristenafdeling (TA)*.

³³ *Terroristenafdeling (TA)*.

Reintegration for extremist offenders is coordinated and implemented by the Dutch Probation Services (*Reclassering Nederland*, RN), which has a specialised team called the Terrorism, Extremism and Radicalisation (TER)-team. They consist of approximately fifteen individuals who are each assigned a number of extremist offenders to supervise, either in pre-trial or post-detention status. That means that in practice, they work in very close consultation with the prison authorities. They have a dedicated office within the TA Vught and visit often but always within the framework of their mandate (to provide advice to the court and to prepare the reintegration process after prison). Their overall goal is to prevent recidivism through specialist re-socialisation and aftercare.³⁴ They conduct their work with a legal mandate, advising on and supervising clients who are suspected or convicted of committing or preparing terrorist crimes. From the team's creation in 2012 until mid-2018, the TER-team worked with a total of 189 individuals, including jihadist, far-right, and far-left extremists.

The team members are trained to enter into discussions with people who adhere to extremist ideas. The approach focuses on monitoring and changing the behaviour by trying to strengthen the individual's ties with Dutch society, as this is viewed as important for disengagement. Staff may offer help in various areas, such as restoring family ties, education or job placement. The TER-team always supervises an individual in pairs, and religious experts and psychologists can provide additional support. The team works very closely with partners such as municipalities, youth aid organisations, the NCTV, police, Public Prosecution Services, and prisons. A recent evaluation concluded that the approach taken by the TER-team is effective: the recidivism rate of 4.4% is very low, as compared to 'regular' inmates whose recidivism rates are often around 50%.³⁵ The team is able to build good relationships with extremist offenders, which is critical to the success of the approach. However, the evaluation also points out that there is a lack of a clear sense of what success entails, and that there is no structural evaluation of long-term recidivism rates.³⁶

Challenges

When assessing the Dutch approach to managing extremist offenders, the choice to concentrate offenders in special terrorism wings and designate specific staff to deal with this offender group in prison and post-release (the TER-team) has been effective for quite some time. Separating extremists has prevented this group from radicalising or recruiting other inmates. It also allowed prison staff to develop in-depth about and expertise with this group of offenders, which has led to highly professional and well-trained staff. Finally, the Dutch have had several years in which the approach has been further refined through implementing further differentiation in the prison regime or training probation staff on implementing ideological interventions.

At the same time, the Dutch system is facing some clear challenges. Some of these are unintended side effects of policy choices, while others are consequences of the increase in numbers and diversity of the extremist offender population. Whereas basic aspects of good prison management are well established (such as clear housing and

³⁴ Liesbeth van der Heide & Bart Schuurman, *Re-Integratie Van Delinquenten Met Een Extremistische Achtergrond: Evaluatie Van De Nederlands Aanpak*, ISGA Report, Leiden University, 2018, p. 8.

³⁵ Van der Heide & Schuurman, p. 3.

³⁶ *Ibid.*, p. 47.

classification procedures, proper risk assessment, dynamic security and trained staff), the main challenge currently lies in the rehabilitation and reintegration of extremist offenders into society.³⁷ Especially for those viewed as ‘hardliners’, leaders or ideologues, it has proven very difficult to design effective interventions and a structured approach to rehabilitation is still in its infancy in the Netherlands, both during and after imprisonment.

As already noted in the NCTV’s latest threat assessment, there has been an increase in the numbers of extremist offenders into the prison system. With an overall average population of 30–40 extremist offenders, there is more pressure on the current concentration model. To a certain extent, the sustainability of the system is only now being tested. Additionally, the group has become more diverse. It contains a highly volatile mixture of high-profile figures from terrorist groups like Jabhat al-Nusra, offenders that have committed or planned violent terrorist attacks, those who were looking for weapons, operational knowledge or funding, and other inmates that are susceptible to influence or are criminal opportunists. This diversification also makes it more difficult for prison staff to monitor the group very closely to keep track of connections or influence between offenders. Consequentially, the concentration model in the Netherlands facilitates undesirable mutual influences among extremist offenders, network formation, and the crime-terror nexus.

As a result, the simplistic differentiation between ideologues, leaders and followers is no longer sufficient. The Dutch government needs to critically assess how to better differentiate between different offender profiles within the group, as well as what the implications should be when it comes to housing and classification decisions. This issue is something very much on the forefront for policymakers, including the Ministry of Justice and Security, the DJI, the NCTV, and within police and intelligence circles. Where the TA for many years was viewed as a sort of end phase, where most of the work to preventing terrorism was already done, the Dutch agencies tasked with managing or monitoring the extremist offender population have realised that what happens in and after prison deserves just as much attention as what happens in the phase ‘before the bomb goes off’.

Prospects

There are three possible scenarios for the further development of the Dutch approach to terrorist offenders. The first is increasing capacity within the current TAs by adding new departments, and as this will necessitate physically restructuring the buildings, it will be both time and resource-intensive. In this scenario, both the benefits of the current system (expertise, no spreading of extremism among the general prison population, tailored socialisation) as well as the downsides (hardening of extremist worldviews, network formation and the crime-terror nexus) will continue to exist.

In a second scenario, the current option of outplacement – that is, moving extremist offenders to ‘regular’ wings in other prisons – could be intensified to alleviate the current capacity issues and address the diversification of the offender group within the TAs. Outplacement

³⁷ Liesbeth van der Heide & Bart Schuurman, ‘Reintegrating Terrorists in the Netherlands: Evaluating the Dutch Approach’, *Journal for Deradicalization*, No 17, 2018, pp. 196–239.

comes at a late stage of an inmate's imprisonment and is for terrorist offenders who are positively engaging in reintegration interventions and are not deemed to be high-risk. This scenario will require proper training of staff in other prisons as well as monitoring and evaluation of the outplacement strategy.

Finally, the Dutch government could also opt for the 'dispersal' model, where terrorist offenders are spread out across different prisons based on their profile. In this model, the prison regime is not confined to specific physical buildings but could be adopted in specific prisons as an approach to both security and interventions. Dispersal could include a centralised monitoring system where the Dutch Custodial Agency, in close consultation with partners like the NCTV and RN, decide on classification, housing and monitoring and evaluation of this offender group.

Whereas all these scenarios have positives and negatives, the immediate challenge of the repatriation of Dutch women and children from Syria might force the Dutch government to decide soon. If and when this group returns, it is a given that they cannot all be held in the current terrorism wings and as such, the Dutch approach to terrorist offenders will likely continue to be characterised by policy thinking on paper and pragmatic solutions in practice.

8 Extremist Offender Management in Norway

David Hansen, University College of Norwegian Correctional Service & Tore Bjørge, University of Oslo

The Norwegian Correctional Service has a capacity of just over 3,600 single cells for male and female inmates, divided among 59 institutions throughout Norway. Around 70% of cells are defined as ‘high-security’, while the remaining fall under the category of ‘low-security’ or transitional housing.¹ As of September 2019, there were 3,358 inmates incarcerated in Norwegian prisons. The Norwegian Correctional Service does not have a special category for inmates convicted of terrorism or hate-crimes.² However, the Directorate of Norwegian Correctional Service (KDI) states that 34 inmates are (as of 3 March 2020) registered as being in the target-group for radicalisation and violent extremism.³ This figure represents a slight increase from the previous year (28 inmates), though this figure is highly dynamic as the Directorate continuously monitors the situation and assesses reports of concerns.

Among those 34 inmates, 17 are either charged or convicted for terrorism-related crimes and/or hate crimes, eight are convicted as ‘foreign fighters’ under the terrorism legislation, and only nine are currently registered as being part of the correctional service-led *mentor scheme*.⁴ The 34 inmates in the target group are dispersed throughout Norway, serving sentences in 20 high- and low-security facilities, as well as transitional houses and the probation service.⁵ Out of the total 34 in the target group, 27 cases are related to extreme Islamism, five cases concern far-right extremism, and two cases are unspecified. That the majority of cases are related to extreme Islamists seems to have been the trend for some time; a recently published report on the mentor scheme finds that, in total for the period between 2015 and 2018, 37 out of a total 39 participants were extreme Islamists, and the remaining two mentees were far-right extremists.⁶

1 In addition, there are a few cells defined as solitary confinement under the ‘especially high-security’ regime – a step above high-security. This regime is very rarely used, and since 2002, only 11 inmates have served sentences in that regime. For more information, see: <https://www.kriminalomsorgen.no>

2 Data and figure provided by T. Rokkan, University College of the Norwegian Correctional Service (KRUS), in e-mail correspondence 6 September 2019.

3 Communication with the Directorate of the Norwegian Correction Service, 4 March 2020.

4 Communication with the Directorate of the Norwegian Correctional Service, 4 March 2020.

5 The Norwegian Ministry of Justice and Public Security (NMJPS) defines radicalisation (in the Action Plan for preventing radicalisation and violent extremism, in 2014) in the following manner: “Radicalisation is understood here to be a process whereby a person increasingly accepts the use of violence to achieve political, ideological or religious goals. A process of radicalisation that results in violent extremism is characterised by: [A] cognitive development toward a steadily more unilateral perception of reality, where there is no room for alternative perspectives. [T]hereafter, a further development where the perception of reality is experienced so acutely and seriously that violent actions appear necessary and just” (NMJPS, 2014, p. 7). This definition consists of an ideological dimension and a cognitive development towards accepting the use of violence – without necessarily conducting violent action and/or terrorism.

6 Franck Orban, *Mentorordningen i kriminalomsorgen: en prosesseevaluering* (The mentor-scheme in the correctional service: a process-evaluation), University College of Norwegian Correctional Service (KRUS), 2019, p. 19. See Christensen & Bjørge (2018) and Orban (2019) for more information on the Norwegian mentor-scheme.

The first author of this paper experiences that far-right expressions, such as swastikas, are more visible in Norwegian prisons over the last few years. In addition, there have been more convictions of far-right individuals (e.g. for hate-crime related offences), alongside a general polarisation in society that echoes inside prisons. Certain prison staff have also raised their concerns about far-right extremist inmates and claim that the correctional service is not doing enough with them. Farukh Qureshi, a correctional officer and union leader in Oslo prison, for instance, claims that there are many examples of inmates being radicalised by far-right extremists and that prisons lack the necessary measures to counter it. He also blames the correctional service for only focusing on radical Islam.⁷ These claims cannot be substantiated and should be moderated somewhat as the correctional service in fact do focus on right wing-extremism, both in policy and training.⁸

Sentencing

There have been relatively few terrorist convictions in Norway over the last two decades and, except for the right-wing terrorist Anders Behring Breivik who was sentenced to *special detention*⁹ and another far-right would-be terrorist,¹⁰ the remaining terrorism-related individuals have all been associated with extremist Islamism. Furthermore, besides Breivik, all have been sentenced to *ordinary prison sentences*, wherein most are foreign fighter-related activities. Relating to this, in 2018 the Police Security Service (PST) estimated that around 100 individuals had travelled from Norway to Syria and Iraq and that 40 had returned to Norway.¹¹ In its open threat assessment for 2019, the PST estimates that around 30 Norway-related foreign fighters remained in Syria and that several of these have probably been killed, and that very few are expected to return to Norway.¹² The PST also notes that there has not been any registered attempt to join Islamic State (IS) since autumn 2017.¹³ As of November 2019, a total of nine individuals have been convicted as ‘foreign fighters’ after participating and/or conspiring with IS, al-Qaeda affiliates (such as the Turkistan Islamic Party), or Jabhat al-Nusra. An additional four individuals have been convicted for participation in IS’ activities (e.g. recruitment, material and financial support) without having been in Syria/Iraq, of which two were arrested whilst trying to travel to Syria to join IS. A few other terrorism cases are pending; however little is known about them as the prosecutor has put in place restricted access.

In closer scrutiny of the cases against extremist offenders – foreign fighters in particular – it becomes apparent that only *circumstantial evidence* has been brought to most of the trials and, except for a few, there is not even indications that the sentenced individuals have exercised any form of violence – in which they most likely would have been prosecuted for war crimes and/or crimes against humanity in addition. This, in effect, means that Norway has very stringent laws

7 Emma Tollersrud, ‘Varsler om fare’, *Klassekampen*, 27 August 2019.

8 Forebygging og håndtering av radikalisering og voldelig ekstremisme i Kriminalomsorgen, Directorate of Norwegian Correctional Service (KDI), Circular replacing KDI nr. 5/2015, 11 December 2018; *Radikalisering og voldelig ekstremisme: håndbok for ansatte i kriminalomsorgen med særskilt fokus på håndtering i fengsel*, University College of Norwegian Correctional Service (KRUS), 2016.

9 Oslo District Court, TOSLO-2011-188627-24 – RG-2012-1153, 24 August 2012.

10 Following the killing of his step-sister and the thwarted terrorist attack against a mosque on 10 August 2019 in Bærum, Norway, the perpetrator was convicted in June 2020.

11 Thomas Paust, ‘PST: Stadig flere norske fremmedkrigere blir drept’, *Nettavisen*, 4 April 2018.

12 There are an estimated 10 Norwegian IS-affiliated women in various refugee camps in Syria that could possibly return to Norway. It is likely that these (and others) will be arrested and put in custody upon their returns.

13 *Annual Threat Assessment 2019*, Norwegian Police Security Service (PST), 2019.

on foreign fighter activities, sentencing even those ‘with the intent of joining...’ (see Appendix). This was not the case a few years back, and explains the rise in terrorist convictions over the last few years.

In fact, before the new terrorist legislation was put into practice in 2013 and 2016, several individuals – including some with ties to radical Islamist movements in Norway such as ‘The Prophet’s *Ummah*’ – were not charged for travelling to Syria, Iraq, Afghanistan and/or Pakistan and joining terrorist organisations, insurgent groups and affiliates, as it was not punishable in the old terrorist legislation (Penal Code of 1902, § 147a-d). Some of these individuals are currently serving sentences for other, non-terrorism-related offences, and it is reasonable to believe that they are just as dangerous, if not more, as potential radicalisers within prisons. The presence of such individuals in prisons may, in part, explain the relatively low numbers of terrorist convicts on the one hand, and the high number of those assessed to be in the target group for radicalisation and violent extremism, as mentioned above.

In addition, Norway also has a relatively new *praxis* relating to the sentencing of hate crimes. Hate crime perpetrators are recognised by the Norwegian correctional service as being in the target group for radicalisation and violent extremism.¹⁴ After a careful scrutiny of hate crime verdicts in the period 2001–2019, it is also apparent that many of the perpetrators of hate crime (especially anti-Muslim and/or racist) have committed felonies under the influence of alcohol and/or drugs.¹⁵ It is also clear that sentencing of hate crime in Norway has shifted from lesser sentences (such as fines and/or conditional prison sentences) to stricter sentencing involving unconditional prison sentences in high-security facilities. This, in part, is also because hate-crime convictions most often occur when other punishable offences have been committed, and then serves as an aggravating circumstance as per the Penal Code (Chapter 14, § 77-i).

New legislation on hate-speech in the Penal Code (§ 185) – and not least, stricter prioritisation of hate-crime cases – means that there has been a substantial increase in these convictions over the last decade. One example of the emphasis on hate-crime cases can be found in a verdict wherein a 71-year old woman was sentenced to a 14-day unconditional prison sentence after having posted infringing comments about a woman of Somali origin on Facebook.¹⁶ The *praxis* in sentencing hate-speech cases, however, is still fines and/or conditional prison sentences. This was also the case for three members of the far-right Nordic Resistance Movement who were recently sentenced with fines for having hung up banners with swastikas and the text “We’re back!” outside of a peace and human rights centre which was a Gestapo torture centre during the Nazi occupation of Norway during World War II.¹⁷

Prison-related Incidents and Individuals

Thus far, there have been no significant incidents related to radicalisation in Norwegian prisons and no reporting indicating that any physical attacks on prison staff have occurred as a *direct consequence* of the presence of extremist inmates. Furthermore,

¹⁴ KDI, 2018.

¹⁵ See for instance: LG-2018-142968

¹⁶ Borgarting Court of Appeals, 20 June 2019 (LG-2019-45267).

¹⁷ Kristiansand District Court, TKISA-2019-95443 – TKISA-2019-95466 – TKISA-2019-95456, 3 September 2019.

there have been no reported prison-related terrorist plots or attacks in Norway. Some minor incidents related to extremist inmates have, however, occurred. For instance, certain extremist inmates (foreign fighters as well as non-terrorist convicts assessed as radicalised or extreme by prison authorities) have exerted considerable informal power over their fellow inmates, threatened fellow inmates (and to a lesser degree: staff), been involved in smaller fights with co-inmates, and even maintained criminal activities during incarceration.¹⁸

In a few cases, certain inmates have used IS-inspired rhetoric, socialised with fellow inmates whilst singing their own IS *nasheeds* (religious hymns) and/or caused similar smaller, yet disturbing, incidents in various low- and high-security prisons across Norway. At least one extremist inmate has received additional sentencing due to violent acts while imprisoned for a terrorist conviction.¹⁹ In sum, however, these incidents are minor and do not represent a substantial challenge for the correctional service, although they may cause an awareness and have openly been raised as a cause of concern for correctional officers.²⁰

Official Responses

In 2014, in an effort to improve information exchange, cooperation and coordination between various ministries, state-controlled functions and other sectors in society, the Norwegian government published a new comprehensive 'Action Plan against Radicalisation and Violent Extremism'. The Action Plan has since been revised yearly placing main responsibilities for various measures directly through ministries.²¹

In the Action Plan, the Ministry of Justice and Public Security, the parent ministry of the correctional service, was given responsibilities for the following:

- Measure 7: To strengthen the knowledge of the phenomenon of radicalisation, through the education given by the University College of Norwegian Correctional Service;
- Measure 16: To establish an inter-faith resource team;
- Measure 18: To establish and try out a mentoring scheme for inmates in Norwegian prisons.²²

Since 2017, the following measures have been added:

- Measure 41: Enhanced cooperation regarding the release of (extremist) inmates;
- Measure 42: To strengthen the knowledge of correctional staff (NMPJS, 2018).

In short, the correctional service's first circular mentions the use of dynamic security; registration and reporting; information-exchange between relevant partners (the police, the police security service

18 David Hansen, 'Radicalisation in Norwegian prisons. The story of Subair' in G. Øverland, A.J. Andersen, K.E. Forde, K. Grødem & J. Salomonsen (eds.), *Violent extremism in the 21st Century. International perspectives* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2018), pp. 125–155.

19 Fieldwork data.

20 Linda Ingier, 'Ullersmo frykter unge fanger radikaliseres', *Romerikes Blad*, 16 August 2017; Roald Marker & Sjur Øverås Knudsen, 'Frykter å bli banket opp av radikale islamister', *NRK*, 22 May 2017; Tøllersrud, 2019

21 *Action Plan against Radicalisation and Violent Extremism*, Norwegian Ministry of Justice and Public Security (NMPJS), 2014

22 NMPJS, 2014, pp. 18, 21–22.

and the prosecution); (generic) risk assessments; and placement regimes. In this circular, the correctional service also underlines that it is not illegal to be radical *per se* but any concerns over attitudes should be reported to the local police security service contact.²³ The second circular is much more comprehensive, and also provides instructions including Organisation of the work (i.e. establishing formal radicalisation coordinators and local radicalisation contacts); Information exchange regime (i.e. between police, police security service and the correctional service); Mentor-scheme; Organisational analysis,²⁴ and, the University College of Norwegian Correctional Service's role in the education and training.²⁵

Prison Regimes

Except for the terrorist Anders Behring Breivik, who serves his sentence in solitary confinement in a ward referred to as 'especially high security' in Skien prison, extremist offenders are (and have historically been) dispersed and integrated with the general prison population. Dispersal is preferred as it is seen as being more feasible; extremists can benefit from the positive influence of other inmates, regular programs, work, school opportunities, and other activities that contribute to their rehabilitation and reintegration.²⁶

The first author of this paper has documented that the dispersal model is challenging in the sense that many staff need training, instead of a few specialists. Staff working with extremist offenders often state that they find it problematic to be listening to what they refer to as inmates' 'extremist mental legacy'. They often express feelings of fear, anxiety and frustration as they feel they do not have an adequate knowledge base in dealing with this type of offender. This is especially true for the designated contact officers for extremist offenders as it is they, among the correctional officers, who have (in theory) the most conversations with inmates. These correctional officers often say that they spend too much time trying to update themselves on issues like religion, radicalisation and extremism.

On the other hand, interview data from that inmate category indicates that extremist offenders in Norwegian prisons have similar needs as non-extremist inmates. Very often, their issues relate to (the need for) drug-treatment, anger-management, establishing work and basic societal and relational skills. Yet because of their *perceived* dedication to radical Islam, they are often not considered for generic programs and are instead relegated to the category of 'radical Muslim', without necessarily being offered proper help for rehabilitation and reintegration.²⁷ In addition, certain staff (mistakenly) interpret religiosity as a form of radicalisation, as they lack adequate training and/or over-emphasise certain small things that inmates do or say, or otherwise confuse religiosity as something inherently radical. There is also a tendency among certain staff to over-focus on the issue

23 *Radikalisering og voldelig ekstremisme i Kriminalomsorgen*, Directorate of Norwegian Correctional Service (KDI), Circular, KDI nr. 5/2015, 24 February 2015.

24 The Norwegian correctional service has been involved in the development of a tool suited for organisational analysis through cooperation in the Erasmus+ project Radicalisation Prevention in Prisons (R2PRIS). KDI, 2018.

26 Hansen, 'Forebygging av radikalisering i fengsel', 2019; Tina Wilchen Christensen & Tore Bjørge, *How to manage returned foreign fighters and other Syria travellers? Measures for safeguarding and follow-up*, Center for Research on Extremism: The Extreme Right, Hate Crime and Political Violence, University of Oslo, 2018.

27 Hansen, 'Forebygging av radikalisering i fengsel', 2019.

of radicalisation, making others wary about the issue, which itself may serve as a radicalising factor.²⁸

Sentenced extremists are normally not placed alongside other extremists nor even in the same prison as per the dispersal model. Yet on certain occasions this has occurred, especially in low-security prisons where inmates are subjected to more lenient rules and less. In theory, in high-security prisons, all inmates obey to the same control functions (e.g. telephone and Internet) as per the high-security regime in Norway, regardless of the inmate category. For most parts, all telephone calls are monitored by staff. In low-security institutions, calls may be monitored. Exceptions can be made either way for both regimes. As a norm, all books available in the regular state-administered library service of Norway are also available for all inmates regardless of which security regime they are in. In theory, all inmates have access to religious services, however, pastoral care, imams, rabbis etc. are considered as 'imported services' and they are not hired by the prison, but instead by local state-funded congregations etc. Except for priests, who have a permanent presence in most high-security prisons, few high-security prisons have more than occasional religious services, and few Muslim inmates have access to an imam besides that of the Friday prayers (Hansen, 2018; Hansen, 2019a; Hansen, 2019b).

Preventing Radicalisation in Prisons

Beyond general risks and signs of concern, the Norwegian Correctional Service does not operate with a fixed checklist or criteria to determine whether an inmate is radicalising. Instead, it focuses on the specific inmate in particular, looking at changes in the individual over time. In this approach of *dynamic security*, the interactions between staff and the inmate is pivotal in both establishing and maintain a good working relationship.²⁹ In addition to the establishment of a mentoring-scheme for inmates in the target group of radicalisation, the correctional service has established a close relationship with the police, including the Police Security Service (PST), for information exchange and the follow-up of individuals during and after imprisonment.³⁰ Since 2015, the University College of Norwegian Correctional Service (KRUS) has worked closely with the Directorate of Norwegian Correctional Service and substantially contributed to the strengthening of knowledge of correctional staff through:

- Added content to the correctional officers' training, totalling 20 hours over two years.
- Development of a handbook for staff in the correctional service, with a special emphasis on the management of radicalisation in prisons.³¹
- Several training sessions at KRUS, in prisons, at probation offices, as well as at larger national and international forums working with correctional issues.
- Several gatherings, seminars with specially dedicated regional radicalisation coordinators, assisted coordinators with training in their regions and/or at local levels.

28 David Hansen, 'Radikalisering i fengsel', pp. 244-260 in Westrheim, K.; Eide, H.M.K. (eds.) (2019). *Kunnskapsbasert straffegjennomføring i kriminalomsorgen i Norge*. Bergen: Fagbokforlaget

29 KDI, 2015; KRUS, 2016.

30 KDI, 2018; NMJPS, 2018.

31 KRUS, 2016.

- Conducted research projects, including a larger project on Muslim inmates and the potential for radicalisation,³² in addition to an evaluation study of the Norwegian mentoring scheme in prisons.³³
- Co-development of several tools and partnership with the Erasmus + supported project Radicalisation Prevention in Prisons (R2PRIS).³⁴
- Participation in several Radicalisation Awareness Network (RAN) prison and probation sub-group meetings and seminars.
- Development of online-content relevant for the correctional service.³⁵
- Development of a comprehensive study (15 ECTS) on the issue of radicalisation.³⁶

Promoting Reintegration and Rehabilitation

The Norwegian correctional service does not use any instrument-based risk assessment tool, such as the VERA-2R or ERG-22+, in managing and preventing radicalisation in prisons.³⁷ The mentoring scheme – which is a specific initiative meant to facilitate disengagement and contribute to the rehabilitation of extremist offenders – is strictly on a voluntary basis, and only nine of the registered 34 inmates in the target group are registered as enrolled in the mentor-scheme.³⁸ In addition to this specific initiative, all sentenced inmates have mandatory activity and/or work during their incarceration. In this, in addition to formal qualifications (e.g. school, education, vocational training) mandatory activities may include participation in programs that encourage change in criminal behaviour, smaller cognitive behavioural therapy programs as well as leisure activities such as sports and access to library services. This does not apply to those remanded in custody, although they *may* access work, school and/or other activities regardless.

Releasing Extremist Offenders

It is not possible to predict how many and when extremist offenders are due for release (aside from looking at specific sentences as listed in Appendix). In general, they have the same right to parole as any other sentenced inmate and they do also follow the general system of progressing inmates to the lowest possible security regime as part of the rehabilitation and reintegration process. Except for the far-right terrorist Breivik, this also applies to offenders that have been sentenced under terrorism-related legislation. Some of the extremist offenders that were convicted for foreign fighter-related activities have progressed through the regimes and are now resettled and reintegrated into Norwegian society.

32 Hansen, 2018; Hansen, 2019a, Hansen, 2019b

33 Orban, 2019.

34 For more information, see www.r2pris.org.

35 For more information, see utveier.no

36 ECTS is the European Credit Transfer and Accumulation System.

37 Christensen & Bjørge, 2018.

38 The mentor-pool consists of people of various background, (usually) recruited and contracted from outside of the correctional service. These mentors typically have a background in communications, social work and are often from the same social and demographic backgrounds as the mentees. The frequency of mentoring is not fixed, but set on a case-by-case basis – with frequent mentoring in the beginning, and typically less as the sentence progresses. The mentees do not receive any benefit from being involved in the mentor-scheme, nor do they receive any sanctions should they decide to quit the scheme.

Regarding conditions for release, the first author's interviews with relevant persons in municipalities and the probation service show that any condition set for extremist offenders is the same as can be decided for other convicts seeking probation. In this, we find that the following conditions *can* be set – the inmate shall:

- a) comply with provisions relating to place of residence,
- b) appear in a sober state before a public authority, person or organisation in accordance with instructions from the Norwegian Correctional Service,
- c) comply with provisions relating to treatment,
- d) comply with provisions relating to place of stay, work or training, or
- e) avoid the company of specific persons (The Execution of Sentences Act, § 43).

Post-release and Probation Arrangements

Not much information is available on post-release, specific probation arrangements, or recidivism for extremist offenders as only a few convicted extremists have been released or transferred to probation. However, the correctional service has specially assigned 'radicalisation coordinators' at the regional level whose purpose is to *assist* in the establishment and the execution of multi-agency meetings between the prisons, the police and the PST. In addition, there are specially dedicated 'radicalisation contacts' at every unit (prison) that are responsible for these meetings, who play a specific role in the reintegration efforts of their assigned inmates and are also responsible for initiating and coordinating *follow-up plans* for their inmates. The follow-up plan is meant to quality assure the work being done by the correctional service in the mapping and assessment of risk- and vulnerability factors. This plan is also used to direct measures for the specific inmates during incarceration, establish and assure cooperation between the correctional service, the police, the PST and other relevant partners such as the inmates' local municipalities. Before reintegration of target-group inmates, the correctional service also initiates contact with the municipalities to assess whether a continuation of an established mentor scheme is feasible, and if so, the responsibility is handed over to them.³⁹

Conclusion

Norway has a relatively high number of inmates in the target group for radicalisation under the correctional service's responsibility. Most likely, the numbers in this category will continue to increase as polarisation in society as such is high, and new hate-crime legislation – and not least – legal praxis of that legislation is experiencing an increase in sentencing. Most of the hate-crime cases involving unconditional prison sentences has thus far been related to offences against individuals of other (non-Norwegian) ethnicity and religion, towards Muslims in particular. Thus, the correctional service will likely experience a relative increase in right-wing extremist inmates. On the other hand, the Norwegian correctional service has not experienced any larger incidents related to radicalisation in prisons, nor has any plot to conduct terror attacks either during or after incarceration been foiled.

³⁹ KDI, 2018; KDI, 2019, p. 14.

The official response regarding the prevention of (further) radicalisation in the Norwegian correctional service relies largely on generic efforts, programs, contents etc. already existing within the service. Besides that, other measures, except for the abovementioned mentoring-scheme are rather add-ons to existing functions (expert coordinators) or agreements (e.g. information exchange). The prison regime choice for extremist offenders in Norway is likely bound to change from a (purely) dispersal model, towards something of a mixed approach – given the challenges related to training of staff, the need for stricter monitoring regimes of certain inmates and the possibilities for more tailor-made solutions to disengagement programs.

In sum, the Norwegian correctional service has a good system of preventing radicalisation and managing extremist offenders, albeit with some shortcoming relating to (the lack of) imams and facilitating of expressions of religiosity. There are also some current concerns over budget cuts hampering the potential for dynamic security.⁴⁰ The lack of prison imams will likely continue unless there is a concentrated effort by local mosques and Muslim congregations to take more responsibility for prison chaplaincy, and this should be addressed. There should also be some consideration of the development and execution of cognitive behavioural programs suited to this specific target group. Lastly, the correctional service should also consider the use of (a) structured professional judgement (SPJ) instrument-based risk assessment tool, such as the Violent Extremism Risk Assessment 2 Revised (VERA-2R), to gain even greater understanding of risk before releasing this category of inmates back into society.

Appendix: Sentencing of Extremist Offenders

The following list provides an overview of convictions and pre-trial remands regarding the Norwegian terrorist legislation (Penal Code of 2005, Part II, Chapter 18, §§ 131–146 and Penal Code of 1902, Chapter 14, § 147a-d.) from the last decade:

- 19 November 2019: Chinese male (of Uighur origin) was sentenced to eight years of imprisonment for participation with, conspiracy and support to two terrorist organisations (IS and Turkistan Islamic Party) in Syria.⁴¹ *As of November 2019, the individual remains incarcerated.*
- 6 May 2019: Lebanese male, born in 1984, was sentenced to 11 years and six months imprisonment for terrorist conspiracy and participation with Jabhat al-Nusra in Syria.⁴² This sentence has been appealed and is thus not yet enforceable. *As of November 2019, the individual remains in custody.*
- 1 March 2019: Somalian female asylum seeker living in Norway since 2013 was sentenced to two years and nine months imprisonment for participation with IS and for financially aiding a terrorist organisation.⁴³ The woman never actually went to Syria/Iraq but was arrested in Austria when she tried to

40 David Hansen, 'Forebygging av radikaliserings i fengsel' in Stian Lid & Geir Heierstad (eds.), *Forebygging av radikaliserings og voldelig ekstremisme* (Oslo: Gyldendal, 2019) pp. 153-173.

41 'Fremmedkrieger dømt til åtte års fengsel for terror', *Norwegian Telegram Bureau (NTB)*, 19 November 2019.

42 Magnus Braaten, Kadafi Zaman, Kenneth Fosheim & Mathias Ogrer, 'Asylsøker (35) dømt til 11,5 års fengsel for terrordeltakelse', *TV2*, 6 May 2019.

43 Oslo District Court, TOSLO-2018-136259, 1 March 2019.

travel to Syria to meet a foreign fighter whom she had met on the internet. *As of November 2019, the individual remains incarcerated. Will most likely be deported upon release.*

- 26 November 2018: Syrian male, born in 1979, was sentenced to six years and six months imprisonment for terrorist conspiracy and participation (one month) with IS in Syria.⁴⁴ *As of November 2019, the individual remains incarcerated.*
- 4 September 2018: Norwegian-Pakistani male, born in 1985, was sentenced to nine years imprisonment for participation in IS' activities, economical and material support to two IS members, and recruitment of two individuals into IS.⁴⁵ *As of November 2019, the individual remains incarcerated.*
- 13 August 2018: Norwegian convert, born in 1983, was sentenced to seven years and three months imprisonment for terrorist conspiracy and participation (seven months) with IS in Syria.⁴⁶ *As of November 2019, the individual remains incarcerated.*
- 4 April 2017: Norwegian convert, born in 1997, was sentenced to two years and ten months imprisonment for attempting to join a terrorist organisation (IS).⁴⁷ *Released from prison.*
- 5 April 2017: (A) One male of Chechen origin (Russian citizenship) was sentenced to seven years and six months of imprisonment for terrorist conspiracy and participation with IS in Syria and (B) one male of Pakistani descent (Norwegian citizenship) sentenced to four years of imprisonment for participation with IS in Syria.⁴⁸ *As of September 2019, A remains incarcerated, B is released on probation.*
- 28 June 2016: (A) One Norwegian male (of Somali descent), born in 1984, was sentenced to four years and six months imprisonment for participation with IS in Syria. (B) One Norwegian male, born in 1986 (in Kosovo), sentenced to four years and nine months imprisonment for participation with IS in Syria. (C) One Norwegian male (of Kosovan descent), born in 1989, sentenced to seven months imprisonment for attempting material support for a deceased foreign fighter (D). B, C and D are brothers.⁴⁹ *A, B and C are all released from prison. D died in Syria in 2014.*
- 11 July 2015: A Norwegian male (of Pakistani descent) was sentenced to eight years of imprisonment for planning or having prepared a terrorist act and for participation with IS and/or Jabhat an-Nusra in Syria.⁵⁰ *As of September 2019, the individual is in transitional housing.*
- 31 May 2013: (A) A Norwegian male citizen (of Uighur origin), born in 1971, and (B) a Kurdish male with Iraqi citizenship, born in 1972, were sentenced to eight years and three years (of which six months was made conditional, out of considerations for his

44 Borgarting Court of Appeals, LB-2018-16491, 26 November 2018.

45 Supreme Court of Norway, HR-2018-1650-A, 4 September 2018.

46 Borgarting Court of Appeals, LB-2017-193391, 13 August 2018.

47 Oslo District Court, TOSLO-2016-84225-2, 4 April 2017.

48 Borgarting Court of Appeals, LB-2016-150638, 5 April 2017.

49 Supreme Court of Norway, HR-2016-1422-A, 28 June 2016.

50 Oslo District Court, TOSLO-2015-47166, 11 July 2015.

children) respectively of imprisonment for terrorist conspiracy, as they had agreed to detonate a bomb inside, or in the whereabouts of, Jyllandsposten's premises in Århus, Denmark. A had previously engaged in terrorist conspiracy with al-Qaeda in Pakistan, where he was given training in the production of explosives. The plans were never executed, but instead abandoned at an early stage. The Supreme Court of Norway, however, ruled that concrete planning and/or preparations for an attack was not a prerequisite for sentencing. The intent, terrorist conspiracy was the decisive factor for the convictions. A third male, (C) an Uzbek citizen that came to Norway as an asylum-seeker, was not convicted for terrorism offences, but was found guilty of acquiring a part that potentially could have been used in a bomb, and thus incarcerated for 120 days.⁵¹ *A, B and C are all released from prison.*

- 24 August 2012: Norwegian male (Anders Behring Breivik) was sentenced to special detention for having conducted two separate terrorist attacks, resulting in 77 individuals dead and 33 wounded.⁵² *Breivik remains in special detention.*

In addition to the abovementioned convictions and pre-trial remand detentions, the following cases are either ongoing or directly relevant for the issue of radicalisation in prisons:

- 5 September 2019: A 23-year-old Norwegian citizen of Somali descent was arrested by the police security service and remanded in custody on charges of terrorist conspiracy (Penal Code of 2005, § 133), after he had supposedly assisted in the dissemination of information about IS. He had reportedly also given advice to another person who had expressed an intention of conducting a terrorist attack. Information in this case is restricted and not available to the general public. In open sources, friends of the detained man say that he had supposedly gone through some 'conservative' changes during the past few years after he had spent some time in an African country to study. The man was previously sentenced for drug-related offences.⁵³ *It is presumed that the man is still in remanded custody while the public prosecutors prepare the case against him.*
- 13 June 2019: Two individuals were arrested in Bærum, outside of Oslo. Both are suspected of being involved in financing of terrorism (Penal Code of 2005, § 135). One of the suspects (A) was released after interrogation, while the other individual (B, a man) remained in remanded custody. The man had allegedly supported IS by sending money to Syria. The suspected man belongs to the same milieu as the deceased (D) in the abovementioned court case of 28 June 2016. The same suspect is previously convicted for being in breach of the weapons regulations as he tried to hide away a shotgun owned by the previously mentioned deceased foreign fighter.⁵⁴ *It is unclear whether A and/or B are still in custody.*

51 Supreme Court of Norway, HR-2013-1143-A – Rt-2013-789, 31 May 2013.

52 Oslo District Court, TOSLO-2011-188627-24 – RG-2012-1153, 24 August 2012.

53 Øyvind Bye Skille, Runar Henriksen Jørstad, Christine Svendsen & Olav Døvik, 'Mann i 20-årene pågrepet og siktet for terrorforbund', *NRK*, 6 September 2019.

54 Sofie Fraser & Jarle Griivi Brenna, '42-åring pågrepet for terrorfinansiering', *VG*, 13 June 2019.

- 24 September 2018: A 51-year-old man of Iraqi origin was sentenced to two years and six months in prison for terrorism charges under the Penal Code of 1902, § 147–c. He was sentenced for having shared a bomb-making recipe on a jihadi online forum and for encouraging IS to conduct acts of terror against Syrian and Jordanian pilots. The 51-year-old convict pleaded his innocence by saying that he had planned to infiltrate and destroy IS from within.⁵⁵ *It is likely that the convict has since been released* as he was arrested and was held on remanded custody since 11 May 2015.⁵⁶

55 Kristian Elster, Maria Knoph Vignæs & Katrine Nybø, 'Dømt til 2,5 års fengsel for oppfordring og opplæring til terrorhandlinger', *NRK*, 24 September 2018.

56 Anders Brekke, Runar Henriksen Jørstad & Helge Carlsen, 'Aker Solutions-ansatt pågrepet og terrorsiktet', *NRK*, 11 May 2015.

9 Extremist Offender Management in Spain

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Spain has a long track record of managing terrorists, mainly because of its experience with members of the Basque ethno-nationalist organisation ETA (*Euskadi Ta Askatasuna*) since the late 1970s. Prisoners convicted or remanded for jihadist terrorism offences began arriving in Spanish prisons in the second half of the 1990s, twenty years later. The challenges involved in managing these inmates became evident to the authorities in 2004, when the Madrid attacks took place, as some of the perpetrators had radicalised behind bars. It was then that the Spanish police carried out their first operation against a jihadist recruitment and radicalisation network in prison. But it was in the context of the latest wave of mobilisation, coinciding with the outbreak of the conflict in Syria and Iraq in 2012 and the subsequent emergence of Islamic State (IS), that the spread of extremist ideas in prison became a priority problem for Spain's leading counterterrorism actors, including the prison authorities. As a result, in recent years they have developed specific methods and tools to prevent violent radicalisation and to keep radicalised inmates from getting involved in Salafi-jihadism. Since Spain's jihadists are increasingly 'homegrown', the short-term challenge is the social reintegration of former prisoners who are returning to their places of residence.

Context

Due to the decentralised nature of the Spanish State, there are currently two prison services with jurisdiction in the country.¹ The Interior Ministry, through the General Secretariat of Penitentiary Institutions (*Secretaría General de Instituciones Penitenciarias*, SGIP), manages a population of about 39,700 inmates distributed across 69 prisons throughout the country, excluding Catalonia, which was given jurisdiction over its penitentiary affairs in 1984. Catalonia's General Secretariat of Criminal Measures, Reintegration and Attention to Victims (*Secretaria de Mesures Penals, Reinserció i Atenció a la Víctima*), which falls under the regional government's Justice Department, manages 8,300 inmates across 13 prisons. The same National Prison Regulation Act 1/1979 governs both penitentiary systems.

The importance of prisons is reflected in Spain's counterterrorism strategy. The National Strategic Plan to combat radicalisation (PEN-LCRV) – approved after the 2015 *Charlie Hebdo* attacks

¹ The authors wish to express their gratitude to the authorities and professionals of the penitentiary services of both the Interior Ministry of the Government of Spain and the Justice Department of the Generalitat of Catalonia. Likewise, we wish to thank the judges of the Penitentiary Oversight and Juvenile Offenders and the Spanish Prosecutor's Office, both at the Spain's National Court. Their helpfulness and collaboration enabled us to carry out the research for this paper. Please note that this paper only cover jihadist-related extremism.

and prepared by the Intelligence Centre for Counterterrorism and Organised Crime (CITCO) – points out the need to develop specific prison treatment programs for convicted jihadists, as well as to design a strategy to prevent radicalisation in prisons. Meanwhile, the National Strategy against Terrorism, updated in February 2019, highlights prisons as a priority area. It emphasises the importance of designing and developing initiatives aimed at the effective reintegration and rehabilitation of jihadist prisoners. Within this strategic framework, both competent administrations, the National and the Catalan, have developed their own measures, protocols and tools to address this problem, adapted to the size and impact of the phenomenon.

Sentencing of Extremist Offenders

In the period between January 2012 and December 2019, a total of 144 individuals were convicted in Spain for jihadist-related terror offences. The vast majority of sentences (94.4%) were issued from 2015, when the National Court (*Audiencia Nacional*), the only judicial body of ‘first instance’ to handle terrorism offences in Spain, began processing individuals who had been arrested in the country after the emergence of IS.

Nine out of 10 jihadists convicted between 2012 and 2019 were adults, while the remaining were minors that did not receive a prison sentence. The average prison sentence is about five-and-a-half years (65 months), although there is a wide range between the shortest (6 months) and longest sentences (13 years, or 156 months). This significant variation is due to the diversity of terrorism offences laid out in the Spanish Criminal Code, particularly after its expansion in 2015. It now includes behaviour which, generally, entail serious penalties (for example, leadership or membership in a terrorist organisation, or ‘indoctrination’) alongside less serious ones (such as the spreading of terrorist content, the glorification of terrorism, and ‘self-indoctrination’).

According to the Spanish Penal Code’s classification of prison sentences based on their duration, 53.7% of the jihadists convicted in Spain in the last eight years received ‘less severe’ sentences of five years or less (with 21.6% sentenced to 24 months or less in prison, a limit that allows a convicted person to avoid going to prison if they have no criminal record), and the remaining 46.3% received ‘severe sentences’ of more than five years (with 6% of sentences longer than 10 years).

The Extremist Offender Population

In December 2019, 126 individuals were serving a prison sentence in Spain for their involvement in jihadist activities. The overwhelming majority of them, 111 (89%), were men, while 12 (11%) were women. Most inmates (88 individuals, 70%), including all the women, were Islamic State supporters, while the remaining 38 (30%) were related to al-Qaeda. Out of the total, 123 are in prisons managed by the Interior Ministry and 3 are in prisons under the autonomous administration of Catalonia. In relative terms, jihadist prisoners make up 0.3% of the total inmate population in the central administration’s prisons and 0.04% of the inmate population in Catalan prisons.

Regarding their penal situation, at the end of 2019, 71% of jihadist prisoners were convicted, while the remaining 29% were held on remand.

The number of jihadist prisoners steadily grew almost fourfold between 2013 and 2018, from 41 to 150 inmates (see Table 1). This change is due to the considerable increase in police operations carried out in Spain in the context of the unprecedented mobilisation unleashed by the conflict in Syria and Iraq and the emergence of Islamic State. Police activity has declined slightly recently, but it remains intense. Thus, although the total number of jihadist inmates in 2019 is 16% lower than it was a year earlier, it is still the third-highest number since 2012.

Table 1: Number of inmates by category, in prisons administered by the Interior Ministry of Spain, 2012-19

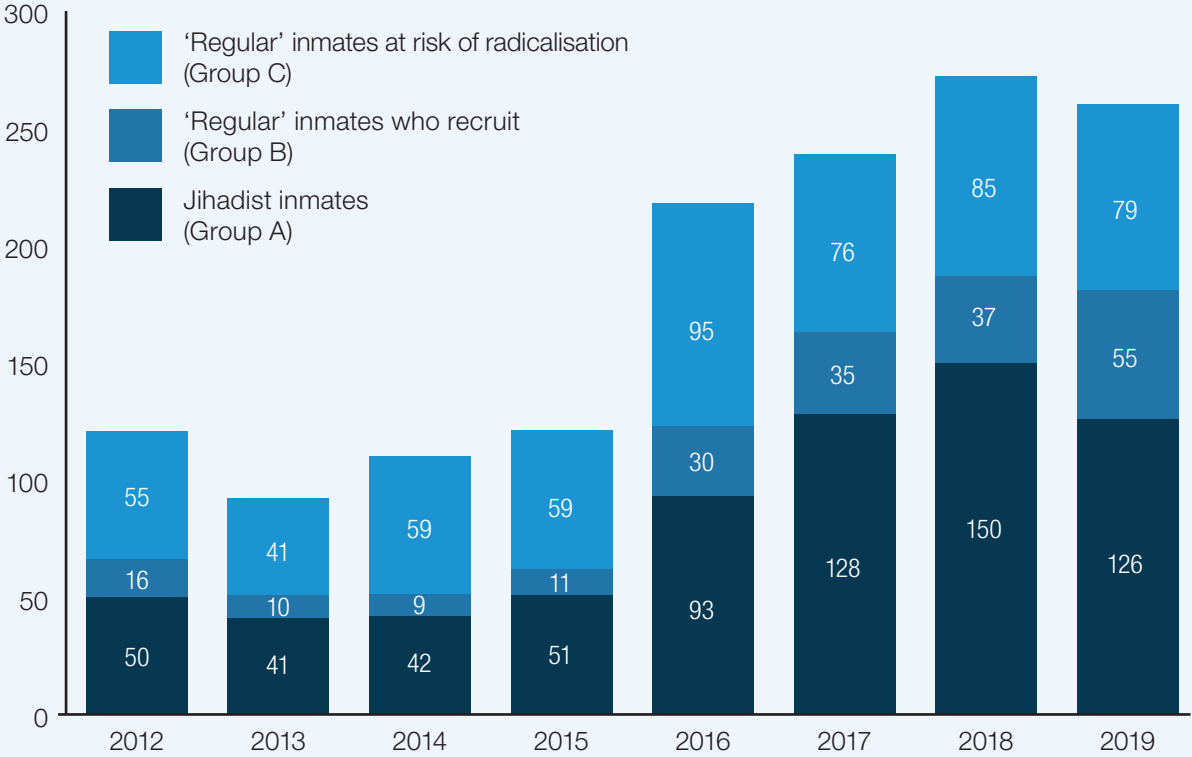
	2012	2013	2014	2015	2016	2017	2018	2019
Jihadist prisoners	50	41	42	51	93	128	150	126
'Regular' prisoners monitored for jihadist radicalisation	71	51	68	70	125	111	122	134

The scope of the issue goes beyond the convicted or remanded inmates. Both administrations also have 'regular' prisoners kept under surveillance due to the risk of jihadist radicalisation. There are currently 134 such inmates in prisons administered by the Interior Ministry, and another 30 inmates in prisons managed by the Generalitat of Catalonia.

Classification and Prison Regime

As a general rule, inmates sentenced in Spain are classified according to different criteria such as their sentence duration, crime committed, the environment in which prisoners will find themselves on release, the resources which are available to them, and the personalised treatment program that they will receive. This classification into the first, second or third grade will determine the prison regime – 'closed', 'ordinary' or 'open', respectively – that will define their time in prison. Due to the unique seriousness of terrorism offences, the classification criteria for jihadist prisoners, unlike those of 'regular' prisoners, is based solely on the type of crime and not by procedural or other types of criteria. Thus, jihadist inmates, when sentenced, are automatically classified in the first grade, the most restrictive of the three, which is a closed regime of isolation. In Catalonia, those convicted of jihadist terrorism are also classified in the first grade, but they are put under an ordinary regime without separation from 'regular' inmates, since isolation is only applied for cases of behavioural problems in prison and not on the severity or nature of the crime committed.

Figure 1: Prisoners monitored for jihadist radicalisation in prisons administered by the Interior Ministry of Spain, 2012–2019



Source: Elcano Royal Institute Programme on Violent Extremism and Global Terrorism

Distribution in Correctional Facilities

In general, the Spanish prison service places inmates in the prisons closest to their places of origin and/or residence, to preserve the inmate’s social, personal and family roots and thus facilitate their rehabilitation and social reintegration. However, a different approach is applied to prisoners convicted of jihadist-related terrorism. Their placement depends on the exceptional nature of their crime and is determined by the expediency of removing the prisoner from the place where they committed the crime and segregating them from individuals with whom they were associated. Nevertheless, it is not unusual that members of the same jihadist network, cell or group are sent to the same prison, but they serve their sentences in different wings, which prevents them from interacting.

The geographical distribution of jihadist inmates also responds to the need to assign them to a prison that can meet the structural and safety conditions of the isolation regime to which they are generally subjected. The isolation regime means that prisoners are located in special security wings, where only a small number of inmates reside under the surveillance of a group of internal officials. These wings also have a distinct architecture: the cells are individual and smaller than those of ordinary modules, and they have their own patio, also

smaller in size. Inmates are placed there for either having committed highly serious crimes, as is the case with individuals convicted on terrorism charges, or for being involved in violent incidents in prison. This means that jihadist inmates and ordinary prisoners can coincide in the same wing, but for different reasons. Anyhow it must be stressed that not all jihadist inmates serve their whole sentence in this kind of cell; exceptions apply, for instance, for mothers with children below three years of age, or for those who have successfully completed a rehabilitation program in prison.

In sum, these conditioning factors – segregation and security – limit the options for where jihadist inmates can be sent. Although there is no formal measure stipulating that they must be spread out across the territory, this is what happens in practice. By December 2019 extremist prisoners were distributed in 30 of the 69 prisons managed by the Ministry of Interior. These prisons make up 43.5% of all centres dedicated to the enforcement of penalties in Spain.

The Catalan prison system has different criteria for inmate distribution; jihadist inmates are not necessarily removed from their province of residence. In any case, two or more inmates convicted for terrorism are prevented from coinciding in the same penitentiary centre, irrespective of whether they belonged to the same jihadist network, cell or group or not. The small dimensions of the jihadist prison population in Catalonia allows the authorities to manage this type of inmates with a high degree of flexibility.

Progression Through Grades

For common prisoners, good behaviour and positive evolution in the treatment would lead to improved living conditions in prison. But jihadist inmates have fewer opportunities to move up from the first grade to the second grade, which would allow them to leave the isolation regime. Thus, as a general rule, violent extremists serve their sentences under the strictest and most restrictive conditions. Inmates in first grade are restricted from taking part in recreational activities, educational programs and productive work in prison, and are only allowed to leave the cell for a maximum of four hours per day. In Catalonia, the situation is different because there is no closed regime in isolation modules.

Jihadist inmates tend to be conflict-avoidant in their interaction with the prison staff and in their dealings with other inmates. No violent incidents have been registered in Spanish prisons associated with the jihadist prison population. The most common prison-related incident is the appearance in prison courtyards of graffiti drawing of the Islamic State flag or statements in favour of the group and occasionally there has been the burning of papers in cells.

Since 2012, two police operations have dismantled jihadist groups formed within Spanish prisons. The first one, Operation Escribano (2018), disrupted a network that connected between 20 and 30 prisoners – the vast majority of them jihadist prisoners, but also ordinary inmates – across at least 15 centres in the country. According to the investigators, the network aimed at creating a ‘Prison Front’ (*Frente de cárceles*) to build group cohesion among likeminded inmates. The second police operation, Kafig (2019),

disrupted a cell made up of five inmates who radicalised while serving sentences for drug trafficking, as well as three other individuals outside the prison, including a prison guard, and were reportedly planning terrorist attacks. Operation Kafig was carried out in three prisons.

Detection and Prevention of Violent Radicalisation

Since the 1990s, the Interior Ministry's penitentiary system has implemented a prisoner surveillance and monitoring system, known as the File of Inmates under Special Surveillance (*Fichero de Internos de Especial Seguimiento*, FIES). Inmates with this label are kept under special observation and supervision, either because they are highly dangerous or because of the nature of their crime. This classification system was later extended to include not only prisoners sentenced or remanded for terrorism (included in the specific group 'A') but also other 'regular' inmates who had radicalised or were at risk of Salafi-jihadi radicalisation, distinguishing between regular prisoners who spread jihadist ideas in prison for a proselytising purpose (group 'B') and other inmates who might be vulnerable to picking up that system of radical beliefs (group 'C'). Two-thirds of the regular prisoners under surveillance are in the latter group, although the number of inmates acting as 'radicalisation agents' has increased significantly in recent years (see Figure 1). Groups B and C are differentiated not only by their roles but also by their sociodemographic characteristics: while the majority of ordinary prisoners acting as recruiters are originally from the Maghreb – mainly from Morocco and to a lesser extent Algeria – those who could be vulnerable to their action include not only North African inmates but also a greater number of Spanish and European prisoners. The data suggest that converts are more vulnerable to becoming a target of agents of radicalisation in prison, whereas non-converts tend to act as recruiters.

An inmate's classification in any of these groups must be reported to the prisoner. It will not involve a change in their life in prison, but it will lead to the adoption of additional security measures to get information about their possible radical social circle or support network. Their communications (telephone conversations and post) will be intercepted and their visits closely monitored. It will also entail the submission of a weekly report to the prison authorities on the inmate's evolution and a monthly report to the Supervisory Judge.

Catalonia applies its own three-level classification system for individuals under surveillance due to the risk of jihadist radicalisation. There are two main differences between the Catalan and national approaches. First, the risk level classification in Catalonia is not based on the profile and role of the inmates, but on the frequency at which prison centres must report to the penitentiary intelligence unit, which is in charge of assessing the risk of radicalisation. Different factors determine how often prisons must inform the central penitentiary services; for instance, when an inmate is about to leave, the risk level is raised so that the centre reports more frequently. There are three levels: if an individual is at level 1 (low risk), prisons must report every 6 months about their progress; if at level 2 (medium risk), prisons must inform quarterly; lastly, if at level 3 (high risk), prisons must report monthly.

Second, inmates serving their sentences in a prison in Catalonia are not informed if they are subjected to special surveillance measures. Neither the General Administration of the State nor the Catalan administration applies regimental restrictions that would affect the day-to-day life of monitored prisoners, but they do increase the mechanisms to keep the individual under surveillance.

The protocols for detecting inmates at risk of radicalisation have been applied for more than a decade in prisons under the Interior Ministry's purview. In 2008, the State's penitentiary professionals developed a manual for the detection of inmates who are radicalised or in the process of radicalisation, based on indicators. For prisons with jihadist inmates, they also established 'Control and Monitoring Groups' staffed by professionals trained to handle this problem. Guideline 8/2014, approved in 2014,² focused on the detection and prevention of radicalisation processes of Muslim inmates. It builds on the 2008 Manual but is adapted to the new reality and trends of the phenomenon and follows the guidelines and recommendations issued by international organisations such as the UN, the Council of Europe or the Radicalisation Awareness Network (RAN). This guideline introduced concrete action items to minimise the impact of radicalisation agents in prison and to cut off their narrative, given their highly proselytising nature.

Additionally, since 2018, work has been done to develop a tool to assess the risk of radicalisation in prison. The purpose is to adapt the most commonly used tools, such as the VERA-2R, to the Spanish context. In Catalonia, the approach to the phenomenon is based on its 'Protocol for the prevention, detection and interception of extremist radicalisation processes' (PRODERAE). This protocol, developed by the regional police force Mossos d'Esquadra, has been applied since 2016. It includes more than 300 indicators grouped into four categories according to the inmate's profile (youth or adult) and sex (man or woman). These categories are referred to the cognitive and behavioural dimensions of violent radicalisation processes, which include aspects related to their social environment, personal narratives and conduct in prison, among other factors. The protocol is currently under revision to transition it to a model based not only on a checklist of indicators but also on the inmate's observable and narrative behaviours.

In the Catalan system, the more security-focused dimension of detection is combined with therapy based on the 'Roots' program (*Programa Arrels*). The project, which is still in its pilot phase, focuses on individual risk and protection factors for the prevention of violent radicalisation and is intended for the vulnerable prison population in general as well as those who are monitored for the risk of radicalisation.

² General Secretariat of Penitentiary Institutions, Guideline 8/2014, "New Program for the prevention of radicalisation in correctional facilities," Madrid, 2019. http://www.institucionpenitenciaria.es/web/export/sites/default/datos/descargables/instruccionesCirculares/Circular_I-8-2014.pdf.

Rehabilitation

Working within the National Strategic Plan to combat radicalisation that was approved in 2015, the Interior Ministry launched an initiative – the first of its kind in the country – with a clear aim to rehabilitate and reintegrate jihadist prisoners.³ The goal of this intervention program, introduced in 2016, is to stop violent behaviour without focusing on refuting the religious and ideological foundation of extremist ideas. The therapeutic program, known as ‘Framework Program for intervention in violent radicalisation with Islamist inmates’ (*Programa de intervención con internos islamistas en centros penitenciarios*), is voluntary and individually adapted to the characteristics of participants. It rests on various pillars: the identification of motivations for change, the separation from the jihadist group, the rediscovery of an alternative identity, the strengthening of family and social support, the recognition of different worldviews, emotion management and resilience building, and the development of self-efficacy and empathy. The program is not aimed at countering and confronting the extremist ideology, and so is aimed at disengagement rather than deradicalisation. If an inmate completes the therapeutic program with a favourable assessment, they can access prison benefits like grade advancement, which would lead to conditions identical to those of regular prisoners, as well as transfer to a prison near their hometown or residence.

Catalonia does not currently have a specific program for the rehabilitation of jihadists. Inmates sentenced for terrorist offences of this nature are given a mixed treatment made up of activities proper to other specific interventions, such as those for violent crimes, for example.

Releasing Extremist Offenders and Reintegration

In the next decade, 85 individuals convicted in Spain for jihadist terrorism crimes are scheduled to be released from prison. In general terms, jihadists are only released after serving their whole sentence. This means that they do not benefit from early release possibilities unless part of their term of imprisonment in Spain is commuted because of their deportation to their country of nationality. Many of the inmates that will be released in the near future were only recently sentenced and have been in prison for less than five years. However, forthcoming releases also include some of the members of the terrorist network that carried out the Madrid bombings on 11 March 2004.

The upcoming release constitutes a challenge for the Spanish authorities on both a quantitative and qualitative level. On the one hand, many departures will occur in a short period: 77.6% of all planned releases will take place from 2020 to 2023. On the other hand, the substantial increase in Spanish inmates is preventing the authorities from continuing to resort to deportations as an immediate response to the release of terrorists. Out of all the inmates who will be released before 2030, 50.6% have Spanish citizenship, which makes their reintegration into their societies of origin an unavoidable

3 Interior Ministry, General Secretariat of Penitentiary Institutions, *Guideline 2/2016* on ‘Framework Program for intervention in violent radicalisation with Islamist inmates’.

challenge. Also, another 6.5% of jihadists awaiting release in the coming years are citizens of a member state of the European Union (EU). Thus, under the Schengen Agreement, they cannot be prevented from entering Spanish territory. Meanwhile, 42.9% of the jihadist prisoners who will gain their freedom in the next decade do not have Spanish or European nationality but are, mainly, from Morocco. As a result, the authorities will be able to proceed with their deportation from Spain well after the completion of two-thirds of their prison sentence, if the duration of the prison term is no longer than five years, or after they have served the full sentence if it is a serious penalty.

In this context, the main challenge currently facing the Spanish prison authorities is the regulation and coordination of probation, which was introduced in 2010.⁴ This security measure is included in the convictions issued by the Criminal Chamber of the National Court and is implemented outside of prison with individuals who are not deported. Although this final section of the sentence is part of an individual's debt to society, it can certainly also be interpreted as a path to social reintegration, as it involves designing a personalised program for its completion. The first challenge is to determine the where, how and who of its implementation.⁵ All of the actors involved – prisons, judicial authorities, security forces, local authorities, and civil society institutions – need to move forward in coordinating the practical implementation of these plans' concrete measures, from a multi-agency perspective. Probation also entails specific requirements that the offenders can, for example, be reached at any time, cannot leave their place of residence without judicial authorisation, or cannot do certain jobs that involve contact with potentially vulnerable people.

Faced with a much smaller volume of cases, the prison services of Catalonia are beginning to address the release and social reintegration in their places of residence of individuals convicted of jihadist terrorism. To this end, they are participating in a European-funded project called PREPARE, to establish a multi-agency platform that coordinates the release and social reintegration of individuals in their place of residence. This group of professionals is composed of the prison treatment and leadership teams, local authorities, and the Mossos d'Esquadra. The pilot project has initially focused on the town of Terrassa, a city in the metropolitan area of Barcelona, which is the place of residence of nine jihadists who were later sentenced for their criminal activities.

Ultimately, reintegration efforts are aimed at preventing recidivism of offenders after their release from custody. Data collected by the Elcano Royal Institute Programme on Violent Extremism and Global Terrorism shows that recidivism rates of jihadist-related terrorism convicts are lower than the general criminal population: the 9.7% of dead or convicted jihadists in Spain between 2012 and 2019 reengaged in their terrorist activities upon release.⁶ Notwithstanding, it must be acknowledged that this recidivism rate could be underestimating the reality of the phenomenon, due to the habitual

⁴ Law 5/2010.

⁵ *Estrategia Nacional Contra el Terrorismo 2019*, Boletín Oficial del Estado, número 49, 26 February 2019, Section I, pp. 17942-17966.

⁶ Fernando Reinares, Carola García-Calvo & Álvaro Vicente, *Yihadismo y prisiones: un análisis del caso español*, Real Instituto Elcano, ARI 123/2018, November 2018, pp. 1-16.

deportation of condemned jihadists who do not have Spanish nationality. Thus, the 14 jihadist repeat offenders found among the dead or convicted jihadists in Spain between 2012 and 2019 were not expellable either because a) they were Spanish citizens, b) they were serving time in prison without having reached the minimum time required to be expelled or c) other reasons of a legal nature.⁷

⁷ Ibid.

10 Extremist Offender Management in Sweden

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Violent extremism is not a major issue for the Swedish Prison and Probation Service (SPPS).¹ There have been relatively few terrorists or ‘foreign fighters’ convicted in Sweden even though over 300 individuals left since 2012 for Syria and Iraq.² Another contributing factor for preventing the influence of violent extremism within prisons can be attributed to the effective way SPPS runs and manages its prisons. Prisons are generally small, especially the security wings, and the placement regime is based on individual risks and needs. At the same time, SPPS runs evidence-based screening for allocation and resocialisation/reintegration, a supportive environment, and individually tailored reintegration plans, alongside a very effective internal intelligence unit. This efficiency is underpinned by the concept of ‘dynamic security’ which ensures high professional ethics of staff, understanding inmates and their risks/needs and creating good conditions for rehabilitation and release.

The Extremist Offender Population

The SPPS administers a total of 45 prisons, 35 remand prisons, 34 probation offices and 11,000 employees. The total prison population is 3,800, with 1,700 in remand, 11,000 on probation and 400 in electronic monitoring. A majority of inmates in Swedish prisons are male (94%) and between the ages of 20–29 years old. More than half of those sent to prison have been there before.

The total extremist offender population is 107 and that number has remained constant since June 2019: 78 of those are connected to violence-promoting Islamist extremists, while 29 are connected to domestic/political extremism (with the vast majority connected to right-wing extremism). All the offenders, except for one woman, are men. Their average age is 32.7, while the median age is 31, with the age distribution as follows:

¹ This review is based on working material and published documents as well as interviews with SPPS staff in Stockholm in October 2019, material from Swedish Justice Ministry and publicly available information and media reports.

² Linus Gustafsson & Magnus Ranstorp, *Swedish Foreign Fighters in Syria and Iraq: An Analysis of open-source intelligence and statistical data*, Center for Asymmetric Threat Studies (CATS), Swedish Defence University, 2017, p. 13.

Table 1: Age distribution of extremist offenders in Sweden

Year of Birth	Number of offenders
1990-1999	49
1980-1989	35
1970-1979	13
1960-1969	10
Total number	107

Of the total 107 violent extremist offenders, 53 are imprisoned for a variety of criminal offences – six of whom are serving life sentences (three of whom are convicted of terrorist offences) – while the remainder are held on remand awaiting trial or are released on probation. Of the 47 inmates not serving life sentences, they have an average sentence length of approximately five years and eight months, with a median sentence of three years and six months; 24 of these inmates are sentenced to less than 4 years in prison. The distribution of offences for the 53 extremist inmates is as follows:

Table 2: Offences committed by extremist offenders in Sweden

Type of criminal offence convicted for	Number of offences
Narcotics	18
Possession of a weapon (knife)	16
Assault	9
Murder	9
Robbery	8
Unlawful threat	8
Attempted murder	7
Aggravated assault	6
Interference in a judicial matter	6
Theft	5
Damage to property	4
Devastation endangering the public	3
Rape	3
Terrorist offence	3
Violence or threat to public servant	3
Extortion or attempted extortion	2
Fraud	2
Kidnapping	2

Type of criminal offence convicted for	Number of offences
Receiving stolen goods	2
Arson	1
Attempted manslaughter	1
Breach of domiciliary peace	1
Dealing arbitrarily with a child	1
Human trafficking	1
Manslaughter	1
Rape against a child	1
Vehicle theft	1
War crime	1
Total number of offences	125

There are two ‘returnee’ foreign fighters (out of a total of 300 from Sweden who travelled to join terrorist groups in Syria and Iraq between 2012 and 2017) sentenced to life in prison for terrorism charges. Hassan Al-Mandlawi and Al Amin Sultan, both from Gothenburg, were sentenced to life for murder in 2015 after three films revealed their participation in the execution of two men in Aleppo, Syria, whose throats were cut by knives in 2013.

There are three security classifications for prisons, from ‘Security Class’ 1 to 3, with Security Class 1 being the most secure for the riskiest clients. Seven extremist inmates are being held in different Security class facilities. In each of these sub-units, they are held together with 4–6 other clients. There is also a strong intelligence component within SPPS and gatherings within prisons are closely monitored, assessed and, at times, interrupted.

Prison-related Incidents and Individuals

The SPPS use the term ‘sender’ and ‘receiver’ to classify inmates that are connected to violent extremism. A sender is someone who has the intention and capability to spread a violent extremist ideology, while the receiver shows support for a violence-promoting ideology and that are vulnerable to radicalisation or seek radical contexts where this ideology is present and accepted. Often the sender’s activity is expressed in a range of diverse activities such as trying to enforce prayer, influence how other inmates eat and shake hands, screaming hatred towards society during isolation periods and ordering books that are considered extremist literature. Once a sender is detected he is moved to another prison facility or unit.

There are generally very few security incidents among extremist offenders. There are a few notable exceptions. One concerns Hassan Al-Mandlawi and Al Amin Sultan, who were reported by prison staff 25 times for incidents of violence against prison

personnel, threats and misbehaviour.³ Sultan tried to religiously influence fellow prisoners during his exercise rounds;⁴ he has been placed in isolation five times after violent episodes between inmates. In one incident, a fellow inmate tried to stab him in the neck with a pen. Mandlawi has also reportedly hit/scratched prison staff four times and other inmates three times.

Al Amin Sultan has been denied religious material in a legal fight with SPPS in which the court ruled that he was not allowed to be in possession of *Tafsir Ibn Kathir* volumes 1, 2, 5, and 8.⁵ It is important to note that SPPS has no forbidden list of literature, as there are no legal grounds for such a list. However, there is a reference list for literature that may interest violent extremists that can help guide decisionmakers concerning an inmate's possession of literature.

Other convicted terrorists, such as the four terrorists who planned an attack against the Danish paper *Jyllandsposten* and were subsequently sentenced in 2012 to 12 years in prison, have also been engaged in misconduct and radicalisation activities. Both Munir Awad and Mounir Dhahri have been accused of trying to radicalise fellow inmates while the two others have been involved in threats and violence inside the prison.⁶ All four have now been released on condition.

Violent extremists have often a high status in prison, like inmates involved in organised crime. This status can protect them but also make them vulnerable to violent attacks. For example, convicted terrorist Rahkmat Akilov, who carried out the April 2017 truck attack in Stockholm, was attacked in his cell by a fellow inmate in 2018.⁷ Meanwhile, there have been no reported terror plots discovered in prison.

Far-right extremist inmates engage in relatively few recruitment efforts within prisons. Those associated with the Nordic Resistance Movement (NMR) are open about their sympathies and affiliation.

External world events can influence the internal prison environments and the tensions within the prison population. For example, the Paris attack in November 2015, as well as the Christchurch attack in 2019, were hailed by some and denounced by others. Monitoring how these events influence the dynamic within the prison population is important.

Official Responses

The concept of 'dynamic security' underpins SPPS's work, where a professional code of ethics and a rigorous placement and continuous evaluation process are central features.

An intelligence-based prison service is the bedrock for SPPS which have integrated it into all aspects of evaluation and monitoring activities. Every quarter SPPS provides an intelligence-based

³ 'Terrormännens liv i svenskt fängelse: Våldsdåd och hot', *GT*, 24 February 2019.

⁴ 'Terroristernas liv i fängelset: Värningsförsök och slagsmål', *Aftonbladet*, 17 March 2019.

⁵ 'Dömde terroristen i koranbråk i fängelset', *GT*, 28 October 2019.

⁶ 'Terroristen försökte radikalisera sina medfångar', *Doku*, 8 October 2018.

⁷ 'Akilov attackerad av gängkriminell inne på Kumlabunkern', *SVT*, 10 August 2018.

situational picture produced to monitor problematic behaviour and the latest intelligence assessments on inmates' behaviour and from within prisons.

SPPS is an official government agency receiving instructions annually from the government giving directives on various measures, components and initiatives. In 2016, SPPS received a government assignment prompted in part by the terror attack in February 2015 in Copenhagen, Denmark, where there was a clear connection between the terror attack and prison regime. In May 2016, SPSS proposed improvements across five different areas:⁸

- Improve education to staff to better understand the phenomenon of violent extremism
- Create a coordinator with the responsibility for extremism internally and externally vis-à-vis other government agencies
- Improve coordination between municipalities and probation services to ensure there are no 'gaps' when inmates are released
- Increase research about risk assessment tools concerning violent extremism
- Vet religious authorities who are engaged to do work within SPPS

Since January 2017 SPPS has introduced educational modules on violent extremism milieus and radicalisation processes in their introductory courses and security course modules.⁹ In November 2017, the Swedish government gave SPPS another official assignment¹⁰ focusing on the following areas:

- Further intensifying education to staff
- Develop SPPS capacity to deal with returning FTFs
- Develop knowledge about the possible crime-terror nexus and possible connections to organised crime and other forms of criminality
- Develop and strengthen cooperation with civil society actors
- Develop knowledge and practitioner exchange between the Nordic partners.

This government assignment was reported back to Swedish government in April 2020.

The SPPS have developed its own research and evaluation unit consisting of 12 researchers which is working on developing the evidence-base for end-users. This research unit strengthens the knowledge-base by publishing literature reviews, evaluations of programmes and initiatives, scientific research and commissioning external research. For example, the SPPS research unit financed an external study on the role of masculinity in the exit processes for criminal gang members.¹¹

8 'Kriminalvården: Så bör våldsbejakande extremism motverkas i fängelserna', SVT, 31 May 2016.

9 'Svenska anstalter skiljer sig från franska', *Dagens Samhälle*, 13 February 2018.

10 *Utökat uppdrag till Kriminalvården att utveckla arbetet mot våldsbejakande extremism*, Justitiedepartementet, 9 September 2017.

11 *Ny studie om att ta sig ur gänget*, Kriminalvården, 24 September 2019.

SPPS developed a joint national strategy against organised crime, violent extremism and honour-related crime as they have common traits when it comes to risk and needs. This SPPS strategy went into force in March 2020 and is baseline document for all SPPS work on violent extremism.¹²

Prison Regimes

There is no special regime for violent extremists. The underlying reason for this is that there are common criminogenic factors that are common across all offender types. The current approach towards dealing with violent extremist offenders is dispersal, and SPPS pays special attention to these inmates, who are monitored closely by SPPS internal intelligence.

There is strict control of access to the Internet and the application of visits to the inmates. Those who would like to visit are security-checked by crime registry and purpose of the visit. Usually, family visits are the only ones allowed. All phone and postal communication are monitored except for government agencies and lawyers. There exists a library list of available publications and a list of prohibited material is maintained to prevent extremist material from being consumed.

There are seven Security Class 1 facilities throughout Sweden. Those confined to Security Class 1 facilities have a risk of violent behaviour and escape attempts. The general rule for the security unit is to have twice as many personnel as there are violent extremist inmates.

There is spiritual support offered to violent extremists; religious authorities are used after security vetting. It is, however, unclear how this affects the inmates.

Preventing Radicalisation

All inmates are assessed and analysed according to their risk, criminogenic needs, and responsivity factors. Central principles are customising and matching the intervention to the risk level (the higher the risk, the greater the intervention) and the criminogenic needs that influence criminal behaviour, together with matching the style and mode of the intervention to the ability and learning style of the inmate (e.g. role-playing, prosocial modelling, cognitive restructuring). As such, all inmates, including violent extremists, undergo screening through the Risk, Need, Responsivity Assessment (RNR-A), which was gradually introduced in 2014 as a risk- and needs-assessment tool to plan reintegration and rehabilitation efforts.¹³ Male offenders sentenced to more than four years in prison undergo 6–8 weeks of risk and needs assessment in Kumla prison, the central hub of all offender assessment where there are six units with 10 inmates in each unit.¹⁴ Female offenders sentenced to more than two years in prison undergo the same kind of assessment in Hinseberg prison.

¹² *Kriminalvårdens strategi för arbetet mot organiserad brottslighet, våldsbejakande extremism och hedersrelaterad brottslighet*. Kriminalvården, Diarienummer 2017-27832 (2020-03-23).

¹³ *Gott betyg till RBM-Band*, Kriminalvården, 18 June 2019; *Utvärdering av den Prediktiva Validiteten för RBM-B – i en grupp klienter med kriminalvårdspåföljd 2014-2015*, Forskning och utvärdering inom Kriminalvården, 2019. In Swedish the Risk, Need, Responsivity Assessment instrument is called RBM-B.

¹⁴ 'Kriminalvården: Så bör våldsbejakande extremism motverkas i fängelserna', SVT, 31 May 2016.

The RNR-A has two-parts based on criminal history registry data and semi-structured interviews with the offender. The first part is focused on their antisocial history which is based on 15 questions and data drawn from criminal history registry data. The second part consists of 72 questions across eight different thematic areas:

- Antisocial personality patterns: impulsiveness, adventurous, pleasure-seeking; aggressivity (18 questions)
- Antisocial cognitions: attitudes, values, beliefs and rationalisations (16)
- Antisocial associates: criminal friends and isolation from prosocial contacts (5)
- Substance abuse: alcohol; drugs (4 + 4)
- Family/marital relationships: poor parental relationships and discipline (4)
- Work/school/living: low performance and poor attitude (9)
- Pro-social recreational activities (3)
- Physical and psychological state (6 + 3)

The RNR-A is largely an automated process which gives a generalised assessment about recidivism risks into criminality and violence, across 11 areas with a three-tier scale (low, medium and high risk). However, the assessor can practise their individual and professional judgement. It is also possible to deepen the assessment with other risk assessment instruments such as Historical Clinical Risk Management-20 (HCR-20 V2), Psychopathy Checklist Revised (PCL-R), Sexual Violent Risk-20 (SVR-20), and Violent Extremism Risk Assessment Version 2 Revised (VERA-2R).

RNR-A has been evaluated during 2019 to be an evidence-based instrument with high precision of predicting future recidivism. Over 90% of high-risk offenders could be identified, and they receded into criminal activity faster and more extensively than the other two categories of offenders.¹⁵

Promoting Reintegration and Rehabilitation

The plan for reintegration and rehabilitation begins as soon as inmates enter prison. Specific SPPS coordinators are assigned to each case, reviewing the RNR-A assessment and develop a plan accordingly to the needs of the violent extremist offender. Participation in the plan is obligatory and cannot be enforced if the offender refuses. If they refuse to participate, a plan will be established based on the available facts for the RNR-A coordinator.

Those inmates participating are required to work within the framework of the treatment programme on their attitudes and values, relationships and social competencies, their aggressiveness and violence, as well as identity and self-image. The overarching effort is to provide support to the offender to break destructive and negative black-and-white thought patterns and behaviours. The intervention is directed towards the offender's criminogenic needs and their attitudes, values and life choices. There is no specific intervention directed against ideological beliefs or specific religious orientation; invariably the attitudes and values and life choices could be influenced by the effect of religion

¹⁵ Utvärdering av den Prediktiva Validiteten för RBM-B – i en grupp klienter med kriminalvårdspåföljd 2014-2015, Forskning och utvärdering inom Kriminalvården, 2019, p.1.

and ideology on the individual's risk for reoffending and could emerge during consultations. It requires the offender to actively participate in the programme, which takes time to accomplish as they generally exhibit a strong sense of suspicion and mistrust towards government agencies.

The SPPS coordinator closely involves the probation service coordinator from the outset in planning the release process, and coordinates with other government agencies to ensure their transition and access to social services, housing and employment assistance. The probation service closely monitors the progress of the offender with regular meetings and evaluations.

Releasing Extremist Offenders

There is no parole board within SPPS as all inmates are automatically released after having served two-thirds of their sentence. If a violent offender engages in serious misbehaviour, then the date of conditional release can be postponed for a maximum period of six months at a time until the final prison sentence has been served. Release can only be postponed because of serious misbehaviour and not because of recidivism risks. Of the 47 extremist inmates not serving life sentences, they are scheduled to be released with conditions according to the following schedule:¹⁶

Table 3: Scheduled releases of extremist inmates in Sweden

Year	Number of inmates
2020	20
2021	3
2022	2
2023	2
2024	1
2026	1
2027	1
2028	1
2029	1
Total	32

Early conditional release occurs when an inmate has served two-thirds of their prison sentence. Once released on probation, it is mandatory to regularly meet with a probation officer to focus on resocialisation and reintegration efforts to avoid recidivism, and the RNR assessment determines how often these meetings take place. High-risk clients

¹⁶ These SPPS figures are based on the status as of August 2019.

must visit the probation office at least once a week, but there are cases where there are two meetings per week alongside participation in obligatory programs. If the risks are judged to be low, then meetings can be as infrequent as once as every other month.

All clients must participate in sessions with the probation officer regardless of the client's attitude and motivation for change. The main target of the treatment is the criminogenic needs of the client, with pro-criminal thinking as the primary focus. The probation officer uses techniques and interventions based on cognitive behavioural therapy.

Depending on the criminogenic needs of the client, there is a possibility to combine the probation officer meetings with a treatment program targeting specific needs, such as antisocial personality pattern, to enhance the effectiveness of the interventions. If it benefits the rehabilitation process, the probation service can make it compulsory for the client to participate in a treatment program, as a complement to the sessions with the probation officer.

Probationary supervision ceases after one-year, conditional upon good behaviour. The probation service may impose specific rules and regulations during this period. These regulations can be imposed on the place of residence (reviewed after every 12 months); employment and education; and health services.

New legislation concerning probationary release will come into force on 1 July 2020 which means that individuals released on probation could be under supervision for the remainder of their sentence (with a minimum of one-year release period). For example, if an offender is sentenced to 12 years in prison and released on conditional probation after eight years, then the individual will be under probationary supervision for the remaining four years. Another change in the legislation is the possibility to impose an electronic ankle monitor as part of the probation period.

Post-release

In early 2019 the SPPS intelligence unit's activity was extended to include the probationary period, especially focusing on those that have engaged in organised crime or violent extremism.¹⁷ The compulsory period for probationary supervision is for at least one year after release. According to the Probation Service around 70% do not return to prison within three years from their release.¹⁸ There exist no specific data on recidivism rates on violent extremist offenders.

There are no specific exit programmes for violent extremist offenders. This is in alignment with the belief that the underlying criminogenic factors are the same across offenders in prison. In surveys of SPPS personnel, almost 75% of them knew of offenders who wanted to exit from criminal gangs. Two-thirds of these contacts have been when the client has been on probation.¹⁹

¹⁷ 'Frivården rustar för att terrordömda ska släppas ut', *SVT*, 24 December 2018

¹⁸ 'Ny lag stärker arbetet mot återfall i brott', *Barometern*, 3 January 2019.

¹⁹ *Stöd till avhoppare från kriminella grupperingar: En nationell kartläggning*, Brå – kunskapscentrum för rättsväsendet, 2016.

There are exit programmes for offenders connected to criminal gangs which can be used for violent extremists. These are usually operated by municipalities in cooperation with police authorities. A threat assessment is made alongside a risk and needs assessment before being relocated to a new address/municipality where the client begins reintegration and rehabilitation efforts. These exit programmes exist in Stockholm, Gothenburg, Malmö, Örebro, Norrköping, and Eskilstuna, but in smaller municipalities there are few options. In early 2019, the Swedish government proposed that a National Exit Programme should be created for criminals including violent extremist offenders.²⁰ SPPS is leading the joint government agencies assignment to develop a National Exit Programme and the final report will be presented to the Swedish government on 1 December 2020.²¹

²⁰ 'Nationellt avhopparsprogram välkomnas', *Sveriges Radio*, 3 February 2019.

²¹ SPPS issued a progress review in April 2020. "Delredovisning av Kriminalvårdens, Polismyndighetens, Statens Institutionsstyrelses och Socialstyrelsens uppdrag att ta fram ett nationellt avhopparsprogram", Dnr KV 2020-1460 (2020-04-15).

Appendix 1

Questions and Issues Surrounding Extremist Offender Management

1) Overview of the Extremist Offender Population

Total prison population; number of terrorist convicts; number of (and definition of) offenders assessed to be extremist/radical; type of extremism/ideology; change of figures over time; returnee foreign fighters; gender; age; type of offences.

2) Prison-related Incidents and Individuals

Noteworthy individuals/incidents related to individuals who have radicalised, in whole or in part, in prison; extremism-related attacks on prison officers; terrorist plots that have been thwarted/executed in prison; other prison-related incidents.

3) Official Responses

Statements in official documents; organisations or units are responsible for the management of extremist offenders; number of staff and powers; changes in government response.

4) Sentencing of Extremist Offenders

Range of sentences; if known, distribution and average length; differences between offenders prosecuted under terrorism laws and regular criminal law; cooperation between criminal justice system and prison service.

5) Prison Regimes for Extremist Offenders

Nature of current approach towards dealing with extremist offenders (concentration vs. dispersal); changes over time; key experiences/ views of current regime; information collection on extremist offenders; regimes that are applied to extremist offenders (association with other extremists, regular inmates, visitors; control of books, Internet; access to religious services); if applicable, entry/exit criteria for special units.

6) Preventing Radicalisation

Criteria/checklists to determine whether an inmate is radicalising or radicalised; scale of the issue; change over time; contributing factors (e.g. socialising with existing extremists; conflicts; external events, etc); initiatives to prevent radicalisation within prisons; available tools/resources.

7) Promoting Reintegration and Rehabilitation

Risk assessments; initiatives to reintegrate and rehabilitate extremist offenders; compulsory or voluntary.

8) Releasing Extremist Offenders

Number due for release in the coming years; conditions for release.

9) Post-release and Probation Arrangements

Probation arrangements (and connection with pre-release efforts to promote reintegration and rehabilitation); differences between offenders who disengaged as opposed to those who have not; data on recidivism; change over time.



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