



Reducing Radicalisation in Prisons with Alternatives to Imprisonment

Online, 15-17 September 2021
(mornings)

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Speakers

Moussa Al-Hassan Diaw, Founder and Chairman, DERAD, Vienna; Researcher, University of Münster

Donche Boshkovski, Head of Section II, Criminal Law Co-operation Unit, DG I, Council of Europe, Strasbourg

Roland Cassiers, Judge (retired), Antwerp Court of First Instance

Dr Emmanuelle Crane, ECC Consulting; Lecturer, Faculty of Humanities and Social Sciences, University of Paris

Dr Ioan Durnescu, Professor, Faculty of Sociology and Social Work, University of Bucharest; Member, Confederation of European Probation (CEP)

Ramin Farinpour, Senior Lawyer, European Criminal Law Section, ERA, Trier

Carlos Fernandez Gomez, Director, Guillermo Miranda Open Prison, General Secretariat for Penitentiary Institutions, Ministry of the Interior, Murcia

Michel Flauder, Head of Probation and Criminology Training Department, National Correctional Administration Academy (Énap), Agen

Naoufel Gaied, Head of Task Force for Countering Violent Radicalisation, Prison Administration, Ministry of Justice, Paris

Dr Christine Graebisch, Professor, Applied Social Sciences Unit, University of Applied Sciences and Arts, Dortmund

Katrien Lauwaert, Policy Coordinator, Moderator Forum for Restorative Justice and Mediation, Leuven; Professor for Restorative Justice, VU University Amsterdam

Dr Cheryl Lubin, Academic Instructor, Ironwood State Prison, California Department of Corrections & Rehabilitation, Blythe

Eva Massa, Project Coordinator, Radicalisation Prevention, Counter-terrorism, International Cooperation, HELP Programme, Council of Europe, Strasbourg

Pedro das Neves, CEO, IPS Innovative Prison Systems, Lisbon

Jonathan Péromet, Director, Electronic Monitoring Directorate, House of Justice, Federation Wallonia-Brussels, Brussels

Dr Raf Van Ransbeeck, Director a.i., Judicial Training Institute (IGO-IFJ), Brussels

Luisa Ravagnani, Researcher in Criminology, University of Brescia; Founder, Italian Prisoners Abroad (IPA)

Dr Alessio Scandurra, Coordinator, Observatory on Prison Conditions in Italy, Antigone, Rome; Coordinator of the European Prison Observatory

Melanie Schorsch, Associate Lecturer, Applied Social Sciences Unit, University of Applied Sciences and Arts, Dortmund

Giovanni Torrente, Senior Lecturer, Department of Law, University of Turin

Key topics

- Pre-trial detention, the role of the judiciary in disengagement and de-radicalisation
- De-radicalisation programmes in prisons, including the role of religious counselling
- Risk assessment, detention conditions and the work of prison staff in cultivating the ground for preventing radicalisation in prisons
- Alternative probationary measures and reintegration of individuals into society

Languages

English, French (with simultaneous interpretation)

Event number
321DT30e

Organisers

ERA (Ramin Farinpour) in cooperation with the Belgian Judicial Training Institute (IGO-IFJ), European Organisation of Prison and Correctional Services (EuroPris), Confederation of European Probation (CEP), Antigone, Ludwig Boltzmann Institute for Fundamental and Human Rights (BIM), Council of Europe HELP



With financial support from the European Union's Justice Programme 2014-2020

Reducing Radicalisation in Prisons with Alternatives to Imprisonment

Wednesday, 15 September 2021

08:30 Connection time

09:00 **Welcome, introduction and ice-breaker**
Ramin Farinpour, Raf Van Ransbeeck

I. EUROPEAN STANDARDS IN RELATION TO DEALING WITH RADICALISATION, VIOLENT EXTREMISM AND DE-RADICALISATION IN PRISONS

Chair: Ramin Farinpour

09:15 **An introduction to prison de-radicalization strategies, programmes and risk assessment tools in Europe**

- Radicalisation and de-radicalisation in the contemporary penal system
- Insights from the European Prison Observatory

Alessio Scandurra, Giovanni Torrente

10:00 Discussion

10:15 **Taking a closer look: from prison (de-)radicalisation to pre-crime crimmigration law**

Christine Graebisch, Melanie Schorsch

11:00 Discussion

11:15 Break

II. DEALING WITH RADICALISATION IN PRISONS AND CONTRIBUTING TO DE-RADICALISATION

Chair: Ramin Farinpour

11:45 **Risk assessment in European prisons on the basis of four tools**

- Violent Extremist Risk Assessment 2 Revised (VERA-2R), Extremism Risk Guidelines 22+ (ERG22+), Radicalisation Risk Assessment in Prisons (RRAP), Islamic Radicalisation Model 46 (IR46)

Carlos Fernandez Gomez

12:30 Discussion

12:45 **A look inside a penitentiary system in how to deal with radicalised prisoners and de-radicalisation**

- Determining the prison regime for the offender, concentration vs. dispersal
- Staff training
- Prevention and prisoner education, cooperation with the probation service

Naoufel Gaied, Michel Flauder

13:30 Discussion

13:45 End of first day

Thursday, 16 September 2021

09:00 **Religious counselling as a means of de-radicalisation in prisons**
Moussa Al-Hassan Diaw

09:45 Discussion

Objective

This online seminar, which forms part of a series of five co-funded by the European Commission on enhancing cross-border mutual legal assistance and recognition of decisions within the context of detention, will focus on how to deal with and attempt to reduce radicalisation in prisons by looking at means of alternatives to imprisonment.

Issues in relation to the use of pre-trial detention will be looked at, as well as the role of the judiciary in disengagement and de-radicalisation. How prisons can better deal with radicalised and extremist prisoners will also be examined.

Who should attend?

Judges, prosecutors, lawyers, prison and probation staff from eligible EU Member States (Denmark does not participate in the Justice Programme 2014-2020) and eligible Candidate Countries (Albania and Montenegro).

Participation fee

No fee for judges, prosecutors, prison and probation officers, €70 for lawyers.

Interactive online seminar

The seminar will be hosted on the Zoom videoconferencing platform. The highest security settings will be applied to ensure that you can participate actively in the best-quality videoconferencing environment available. You will be able to interact immediately and directly with our top-quality speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive training experience.

Your contact person



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III. TOOLS, MEANS AND METHODS IN REDUCING RADICALISATION WITH ALTERNATIVES TO IMPRISONMENT

Chair: Ramin Farinpour

- 10:00 **The role of the judiciary in disengagement, rehabilitation and de-radicalisation**
Roland Cassiers
- 10:45 Discussion
- 11:00 Break
- 11:30 **EU-Council of Europe HELP Project on Radicalisation Prevention, Judicial Response to Terrorism and International Cooperation in Criminal Matters**
- Reinforcing the prevention of radicalisation in prisons
 - Issues related to pre-trial detention within the context of radicalised offenders
 - Training justice practitioners, prison and probation staff
- Eva Massa*
- 12:15 Discussion
- 12:30 **Advising and working within the judicial and law enforcement chain, supervising radicalised individuals: experiences from the Belgian probationary Houses of Justice**
Jonathan Péromet
- 13:15 Discussion
- 13:30 End of second day

Friday, 17 September 2021

- 09:00 **Rehabilitating radicalised offenders: tools, means and methods compiled by the Radicalisation Awareness Network (RAN)**
- Rehabilitation manual for first line practitioners dealing with radicalised and terrorist offenders
 - Rehabilitation work with convicted offenders outside of prison
- Ioan Durnescu, Luisa Ravagnani*
- 09:45 Discussion
- 10:00 **Restorative justice as a viable means of rehabilitation and reintegration**
Emmanuelle Crane, Katrien Lauwaert, Cheryl Lubin
- 10:30 Discussion
- 10:45 Break

IV. SIMULTANEOUS WORKSHOPS

Chair: Ramin Farinpour

- 11:15
- **Rehabilitating radicalised offenders: tools, means and methods** (*Ioan Durnescu, Luisa Ravagnani*)
 - **The role and challenges for criminal justice practitioners when dealing with radicalised individuals: issues of detection and prevention** (*Pedro das Neves*)
 - **Countering radicalisation in prisons** (*Donche Boshkovski*)
- 12:45 Workshop reports and participant discussion
- 13:00 End of the online seminar

For programme updates: www.era.int
Programme may be subject to amendment.

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **11 CPD hours**.



Co-funded by the Justice Programme (2014-2020) of the European Union

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Times indicated are CEST
(Central European Summer Time)



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The role of the judiciary in disengagement, rehabilitation and de-radicalisation

I was a judge, first in a criminal court, later in the 'Sentence Enforcement Court' in the provinces of Antwerp and Limburg in Belgium. It is somewhat similar to what is commonly called a Parole Board. This court is composed of one judge and two assessors, who usually have a master in criminology or psychology and has the legal task to release prisoners under certain conditions before the end of their sentence.

A judge only intervenes when a crime has been committed : he has to deal with the cases that are put before him, he has to assess each case individually and then make a decision, i.e. usually impose a sentence.

It is generally assumed that imprisonment has four purposes : firstly, it serves as a retribution for the crime, and secondly, it should deter the offender and other people from committing new crimes. A third purpose of the punishment is to protect society : those who are locked up cannot, in principle, commit any crime. And finally, the fourth objective is to improve or change the convicted person's behaviour, which is called "rehabilitation".

In this seminar, we are not talking about offences that can be dealt with by means of a fine or, for example, criminal mediation, but about crimes related to radicalisation. These are mostly serious offences, for which criminal proceedings are conducted and for which the judge has to impose a prison sentence or, in the best case, a probationary sentence. And to be perfectly clear : this is about all kinds of radicalised people, so not only jihadists, but also left and right wing extremists, environmental activists, defenders of animal rights, etc.

The Islam consultant in the prison where I worked rightly said : 'Nobody is born radicalised.' Radicalisation is a process, it arises and grows gradually, often behind the computer screen or by constantly moving in the same circles, the so called 'echo chambers'. Radicalisation often develops as a result of frustration, of feeling unhappy : they are angry young people, who have feelings of discrimination, of not being accepted. 'Being radical' is not a crime in itself, but it can lead people to commit terrorist crimes.

In Belgium, everyone who is convicted and imprisoned is examined by the Psycho-social Service, regardless of the crime. This Service is staffed by psychologists and social workers, who have several interviews with the convicted person and take tests in order to get a complete picture of the person. Everything is to be examined : youth, school history, career, family situation, etc. The offences for which the offender was convicted are also discussed, and an attempt is made to assess the risk of new offences. Moreover, the jailers observe the convicted person's behaviour daily and all the information collected in this way is included in a report that is added to the offender's file and serves as the basis for all decisions regarding further detention.

It is indeed crucial to obtain as much information as possible about the personality of the convicted and about the context that led to the criminal attitude or possibly the radicalisation – for example also about the judicial past of the person abroad – all in function of a better assessment of the risks. Since the attacks in Paris and Brussels, the cooperation between all services has improved considerably and there is now a constant exchange of information between the police, the State Security, the public prosecutor's office, the prison service, etc. The courts are not included in this information exchange, because they have to be unprejudiced. Therefore it is perfectly possible that the public prosecutor has relevant but secret information, the so-called classified information, and knows a lot more than the judges because this information is not added to the court file. That is far from ideal and can pose a risk. If the prosecution considers it necessary for the court to have knowledge of the secret information, it will have to ask the State Security to authorise the addition of this information to the file. The consequence will be that also the defence can take note of this information, which is only fair, because the rights of defence and the right to a fair trial require that the person concerned and his lawyer have access to all the information that is presented to the court and on the basis of which the court makes its decision.

The bottom judge usually has very little information : there are only the police reports and the interrogations, possibly also witness statements, but it is desirable that there is at least a psychiatric report on the perpetrator. With sexual or very violent offences, a psychiatric report is standard procedure, just as when there are indications of a mental disorder. Ideally, a morality investigation would also be carried out, whereby the personality of the perpetrator is gauged through conversations with family members and neighbours, but – at least in Belgium – this is only carried out in very serious cases, such as murder.

The great advantage of the examination by the Psychosocial Service and of the long-term observation in prison is that the image of the person concerned is more accurate, because it is not a 'snapshot' like a psychiatric examination. The observation also makes it possible to see evolutions in the person's behaviour and personality and, for example, to perceive signs of radicalisation during detention.

In Belgium, the following rules specifically apply to radicalised prisoners : they are not concentrated but spread across all penal institutions in the country; their prison regime is, if

possible, the same as for the other prisoners, unless a special security regime is necessary – for example when they are violent – which actually means stricter supervision and more isolation. The leaders, the recruiters, the hate preachers or those who have many followers, are locked up in the so-called ‘Deradex’ wards so that they cannot influence others. In two prisons in Belgium there is a Deradex ward with each 20 cells and a community regime.

However : everyone agrees that mere incarceration does not help and may even harden or aggravate the convict's attitude. Given the fact that most sentences are temporary and that most of the prisoners will eventually return to society, it is better to prepare and to guide this return as much as possible and to give to the prisoners some prospect for their future, in order to prevent them from committing new crimes. For these reasons, work on the rehabilitation of the person concerned must already be carried out during imprisonment and his return to society must be well prepared.

In most countries, including Belgium, the system of conditional release exists, because it has two advantages : it offers more perspective for the convicted person and, on the other hand, they remain under the supervision of the authorities for a longer period of time. The legislator's reasoning is that a prisoner should not be abandoned and that one must believe that he can actually change and become a better person. This better person is then given a second chance and part of his sentence may even be remitted.

In Belgium, prisoners can in theory apply for an early release after serving one-third of their sentences. In other countries, they have to serve at least half of their sentence or more. In order to grant such an early release, there must be certain guarantees, such as : a fixed address, an appropriate occupation (for example study, professional education or work) and, if necessary, a therapy (for example a treatment for drug abuse or anger management). The prisoner must agree to cooperate and to fulfil the conditions for parole.

After the attacks in Zaventem and Brussels, now 5 years ago, the Belgian law has been changed in order to build in more guarantees. The Psychosocial Services now include advisors specialised in the problems of terrorism and violent extremism. If the detainee has been convicted of a terrorist offence, or if he shows signs of violent extremism, a report from that specialised person must always be included in the file, with an assessment of the need to impose an adapted counselling programme.

We know from various sources, including interviews with social workers, that essentially, there is not a very large difference between a radicalized offender and the average criminal, who often also has had a difficult childhood, shows aggressive or antisocial behaviour or even has a personality disorder. Often they share a criminal past. The personality and the problems of a radicalized convict are in fact quite similar to those of the average prisoner, but on top of all this, there is also an ideological or a religious aspect which requires particular caution. Still basically, the approach, the process and the track to follow are very much the same. To illustrate my point, I would like to present one of our cases.

The case I'm about to present to you is that of a young man, 35 years old, born and raised in Belgium, who was recruited by jihadist organizations, began to sympathize with them and finally to participate in terrorist activities. We have had several similar cases, but I would like to make it clear that this is one of the lighter cases, in which the sentence was four years. The recruiters or the leaders have a longer sentence, fifteen years or more, but as you know it is very difficult to reach them, let alone to work with them or to change their way of thinking. Often they refuse to even speak with the prison director, the psychologist or the social workers.

But let us return to our young man. In the past he has already been convicted for burglary, fencing, assault and dealing drugs. In addition, he has been sentenced to 4 years, due to his participation in the activities of a terrorist group. Although he never really was a member of Sharia4Belgium, he handed out flyers in Belgium and he actually travelled to Syria, according to him only to help his Muslim brothers in need. Whether or not his version is correct, it has never been established that he attended a training camp or joined the armed groups, hence the sentence of no more than four years.

The results of the psychological tests show that at the moment of his criminal behaviour, our man distrusted and rejected the Western society and democracy, believing that Muslims all over the world are victims who must be helped and supported, if necessary by using violence. In prison, this distrust was still present and he believed that his sentence was too severe. The psychologists believe there is mainly a paranoid and antisocial personality disorder, which makes him very vulnerable to indoctrination. Although he is still a convinced Muslim, he now claims to reject violence against innocent people. Nevertheless, the test results show that there is still a risk of violence in case he or one of his religious community is being treated unfairly.

In the case of our man, we have been very careful and we have started with a prison furlough under supervision for one day, then for a weekend, etc., to observe him well and to be certain that he was willing to respect agreements and conditions.

Thankfully, in this case we have had the full support of the prisoner's family and of the police and the social services in his home town. During his detention, a large group of aid workers has been sitting together, going over each detail in order to prepare a rehabilitation plan.

According to this plan, our man would :

- 1) be placed under electronic surveillance;
- 2) live with his parents in his home town;
- 3) attend a full time professional training;
- 4) attend weekly counselling sessions given by a psychologist;
- 5) attend ideological counselling sessions by a Muslim educator;
- 6) accept budget control by a social worker;

- 7) absolutely respect the prohibition of any possession of arms, of contact with any of the other condemned, and of leaving the Belgian territory.

The court has agreed to release the man under these parole conditions, which are to be strictly supervised by the monitoring service, by the police and by the justice assistant (i.e. a probation officer). In case of non-observance of the parole conditions, the public prosecutor can issue an arrest warrant and ask the court to revoke the early release. Later this day, Mr Péromet will give you further details about the supervision by the justice assistant.

As far as reducing radicalisation is concerned, this is first and foremost a task for the aid workers, and I think we have to be realistic and aim for 'disengagement' of the radicalized, rather than for a complete renunciation of their ideology. In any case, the first step is to remove all aggression from radicalised persons; this can be achieved by trying to remove the causes of their frustration and to look for supportive figures or a confidant. It is necessary to provide a broad framework that supports the ex-prisoner and in which attention is paid to all areas of life : safe living conditions, a meaningful way of spending the day in the form of work or education and all the necessary psychological and ideological guidance, possibly also a budget guidance. Also the positive and the protective factors should not be forgotten, such as a sport, a hobby or another relaxing leisure activity that can contribute to well-being.

We know that for every convict a risk assessment is made, sometimes repeatedly, but anyhow we always take a risk when we release a person is on conditions. In fact, we have to give a lot of confidence to the convicted person and encourage him, but as the Russian proverb says : 'Trust, but verify'. We have to trust him, but at the same time we mustn't be naive and we have to remain vigilant at any moment.

Finally, I would like to emphasise that psycho-social research has shown that people are more inclined to comply with the decisions of the authorities and conditions imposed when they consider them to be 'legitimate'. There must be 'procedural justice', i.e. that all authorities follow fair procedures. This requires not only that decisions are taken on the basis of transparent and clear procedures and that the deciding authority is neutral, but also that the person concerned has a say and can cooperate in the proceedings, and that he is treated with respect and dignity.

I will end on a positive note: we have experienced few, if any, problems in the early release cases and have not had to revoke any. And according to the director of OCAD (the Belgian Coordination Unit for Threat Assessment) our approach works and most of the convicts have been reintegrated.

Roland Cassiers, judge (retired), Antwerp Court of First Instance

16 September 2021



Restorative Justice

as a viable means of rehabilitation and reintegration

ERA SEMINAR – 17 September 2021



Emmanuelle Crane, PhD.
Katrien Lauwaert, PhD.
Cheryl Lubin, PhD.



Co-funded by the Justice
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1

Outline

- Introducing what Restorative Justice is (Emmanuelle)
- Restorative Justice and desistance (Katrien)
- Restorative-oriented education in prison (Cheryl)
- Testimonials from two fathers of the Bataclan (Emmanuelle)



2

Restorative Justice

*Restorative Justice is an approach of addressing **harm** or the risk of harm through engaging **all those affected** in coming to a common understanding and agreement on how the harm or wrongdoing can be repaired and justice achieved*

*Rather than keeping people apart or excluding those perceived as a threat, restorative processes restore safety and security through **bringing people together to undo injustice, repair harm and alleviate suffering** through dialogue and agreement
Circles, dialogue groups, direct or indirect encounters*



EFRJ, 2018

3

Reducing radicalization? An alternative to imprisonment?

- In cases of violent extremism RJ has different objectives taking into account victims' and community needs
- In the experience of national terrorism (**Italy, Basque Country and Northern Ireland**) perpetrators were serving and/or served their sentence in prison when they engaged in RJ processes
- RJ has not as a main objective the rehabilitation and reintegration of radicalised people, but it could be one of the means to reach that
- Its focus is on the needs and motivations of both victims and offenders

Practise guide of the EFRJ Working Group: Restorative Justice in cases of violent extremism and hate crimes
<https://www.euforumrj.org/sites/default/files/2021-06/Practice%20paper%20-%20Restorative%20justice%20in%20cases%20of%20violent%20extremism%20and%20hate%20crimes%20-%20June%202021.pdf>



4

Key practice principles

- Restorative justice: a process enabling those affected by a crime (victims, offenders, community members) to participate in the resolution of matters originating from the offence
- Voluntary participation of all parties (some victims or offenders were not able to engage in RJ)
- The facilitator: « impartial », supports all parties in a balanced and equal way
- Provide a safe space
- Flexibility to tailor the process to the parties' needs and requests
- Preparation phase: all parties to clearly articulate their motivations and expectations before engaging in direct encounter



5

To facilitate dialogue meetings

In cases of violent extremism

- Facilitators should be able to see past the actions of the offender
- Give as much respect to violent extremists, as the victim or survivor,
- This can be challenging and difficult to comprehend for the victim
- Show respect to both/all parties
- If the facilitator finds that the parties are not suited for restorative justice, they reserve the right to abort the restorative process.
- Be aware of potential power imbalances that may compromise safety

If an offender does not take responsibility for their actions (may see their actions as just and thus claim that their ideological, political, religious or other beliefs justified their acts of violent extremism or hate crime in favor of their cause. That person is not suitable for a restorative justice encounter with the victim.



6

Can participation in RJ contribute to desistance? Yes!

- Desistance:
 - Staying crime free for a longer time after having lived a persistent criminal lifestyle; avoidance of crime and pursuit of a positive life
 - A process; a journey; not a one off decision; individual; complex; active; ups-and-downs

Lessons from a European research project:



- 80 interviews with desisters who participated in RJ
- 3 countries (Austria, Northern Ireland and Belgium), adults/minors, mediation/conferences, diversion/part of the judicial decision making/parallel to the criminal procedure

Lauwaert, K., Aertsen I. (eds.) (2015). Desistance and restorative justice. Mechanisms for desistance from crime within restorative justice practices. European Forum for Restorative Justice: Leuven, 189p. <https://www.euforumrj.org/sites/default/files/2019-11/research-report-desistance-and-rj-total-doc-24-11-final.pdf>

Lauwaert, K. (2015). Guidance for developing restorative justice processes supporting desistance. European Forum for Restorative Justice: Leuven, 27p. <https://www.euforumrj.org/sites/default/files/2019-11/guidance-for-developing-rj-supporting-desistance-booklet-format-12-11-final.pdf>



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- Effect varies (no effect, cumulative learning effect, leading to desistance)
- Sometimes a trigger, more often a support
- Effect quite unpredictable

Factors in RJ helpful for desistance

- Attitude mediator: open and non-judgmental
- Fair and respectful treatment; open communication among participants
- Process tailored to the participants' needs
- Confrontation with the victim and his/her narratives
- Reparation plans – financial reparation

How are these factors helpful? Effects

- Dealing with emotions of shame, blame, guilt and culpability
- Instilling hope and motivation; confirming the desister's pro-social identity
- Finding closure, turning the page
- Repairing relationships
- Preventing a criminal record – supporting a decision for a leave



8

Restorative dialogue groups including victims, offenders, their context and interested citizens

SAMENSPRAAK



Slachtoffers, daders, familieleden en burgers
In gesprek met elkaar
Over daden van terreur en radicalisme

Moderator Forum for mediation
and restorative justice
(Flanders, Belgium)

www.moderator.be



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- Voluntary participation; not linked to de-radicalisation programme
- Victims/offenders /context who want to engage in a dialogue, but the 'other side' cannot/ is not willing to participate in mediation, or not ready yet
- Participant have experienced a specific type of crime (traffic offence, sexual abuse, violent extremism/terrorism)
- Create an open and safe place for dialogue
 - Get to know "the other side of the story"
 - Receiving and giving recognition
 - Achieving a "symbolic restoration"
- Group discussions about topics linked to victimhood and perpetration
 - personal story, being a victim / an offender, emotions of guilt/loss/pain, taking responsibility, restoration
 - 5 sessions of 2.5 hours or a few full days



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- Dialogue group in the context of violent extremism
 - Slow preparatory phase – delicate field to operate in
 - Encouraging signals by partner organisations, but no referrals
 - Support of the prison and the deradicalisation officers, cautious attitude of the central administration
 - First and second round of talks with prisoners; building trust; preparatory mediation
 - Proactive approach of victims (active in victims' associations) and citizens
 - Checking preliminary conditions: openness to listen and tell their own story, respectful attitude, confidentiality...
 - The group: 2 victims, 2 detainees convicted for terrorism related offences, 2 citizens, 2 experienced facilitators
 - Formula: two full days (and follow up day coming) in prison
 - Deep impression on all participants; trust; respect; interpersonal bonds



11

CHERYL LUBIN



12



Can RJ-based education in prison lead to deradicalisation and desistance?

Yes

Programs that encourage RJ as practice have been used in some American prisons:

Practice: the conscious daily routine of self-reflection leading to accountability, remorse, and commitment to rejoining the community



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Current RJ Educational Programs

Insight Prison Project VOEG (Victim Offender Education Group), a 52-week intensive program at San Quentin Prison.

The program is divided into 3 main areas:

- Offender Education and Accountability/Self as Victim
- Victim Impact and Sensitivity
- Relapse Prevention and Victim/Offender Dialogue with a Surrogate Panel

No specific emphasis on deradicalization BUT program is being developed to address rise of right-wing ideology and domestic terrorism in the wake of January 6 and other tragedies

Other programs: Next Step, Inside Circle, The Work, Crisis Intervention Training, and Acting with Compassion and Truth (ACT).

<http://www.insightprisonproject.org/>



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Feedback from Insight Prison Project

“VOEG helped me to connect my childhood traumas to nefarious behavior throughout my life.”

VOEG graduate Cedric Walker, an ex-gang member serving a life sentence for murder.

<http://www.insightprisonproject.org/ipp-blog/reports-show-restorative-justice-programs-prove-effective-san-quentin-news>

Can we take the successful elements of IPP and develop a strategy for radicalized prisoners?



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Additional facts about violent extremist offenders in U.S. prisons:

Insight Prison Project would have to specifically shape its VOEG course with the purpose of addressing violent extremism.

Many of the jihadists in American prisons have been behind bars for nearly 20 years. There is concern that they may play a role in reigniting radical Islamic ideology once they re-enter the community. Can correctional education courses address this problem?

<https://www.theatlantic.com/politics/archive/2019/05/john-walker-lindh-leaving-prison-now-what/589984/>



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Violent Extremism in America, Rand Study, 2021

- Key pathway to radicalization is through internet groups
- Suggested deradicalization strategy includes education with an emphasis on empathy and **media literacy/critical thinking**.
- Current California program that addresses this need for media literacy:
Transitions Program: an 8-week course that focuses on practical aspects of computer literacy, the importance of self-knowledge in developing marketable job skills, and rejoining the community. New program, about to be offered online for prisoners with computer tablets, data pending.



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Restorative justice has been offered as an academic course in diploma program in county jail:

Courses developed and taught by Dr. Lubin
 Courses integrate comparative legal systems, role-playing based on real-life scenarios, theatrical plays, or short stories, and personal narrative writing

Emphasis on media literacy where computers are available
 Results: 130 adult male inmates in county jails took the course from 2017-19. Of the 130, a handful (6) identified as members of violent extremist organizations such as the Aryan Brotherhood. All expressed desire to leave the movement behind.



18

Approach Victims & Offenders

Bataclan

George Salines: Lola Bataclan 2015 (age 28) - « We only have words left: a lesson of tolerance & resilience"»

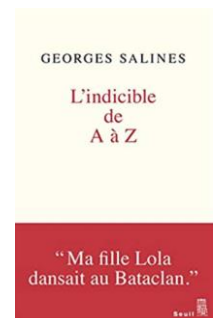


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Taking steps... leading to RJ

« After (the attacks of) November 13, I wanted to be active. Never again should this happen. I didn't know what to do » G Salines

- He met with **Latifa Ibn Ziaten** (mother of caporal Mohamed Legouad by jihadist Mohammed Merah, Toulouse 2012)
- Gave money to IMAD, a charity fund against violence & for peace
- To mourn his daughter, he wrote a book « l'indicible de A à Z » (Unspeakable from A to Z)
- Testimonials among young people – to raise awareness
- Contacts with former Minister of Education Belkacem Nadjat, “but nothing happened”
- Talks in schools about violence



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Family of Victim & family of Offender

This unexpected dialogue with a Muslim, tolerant, yet father of a jihadist, represented an extraordinary opportunity to show that we could speak. If such an exchange took place between us, then we could tear down the walls of mistrust, misunderstanding, and sometimes hatred that divide our societies » Georges Salines

« Today, it is above all a story of trust and friendship that unites us. We have learned to appreciate one another, try to understand, together, and prevent repetition. We have gone back in time, weaved the thread of our lives and those of our children. So that such horror will never be repeated again » Azdyne Amimour



<https://www.theforgivenessproject.com/stories/phyllis-rodriquez-aicha-el-wafi/>



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Connecting People to Restore Just Relations

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Radicalisation Awareness Network

RAN 
Practitioners

Webpage: ec.europa.eu/ran

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Rehabilitating radicalised offenders: tools, means and methods compiled by the Radicalisation Awareness Network (RAN)

17th of September 2021
Online

Prof. Ioan DURNESCU

 Co-funded by the Justice Programme of the European Union 2014-2020

Product of the Radicalisation Awareness Network (RAN)

 European Commission

1

About RAN and about this presentation

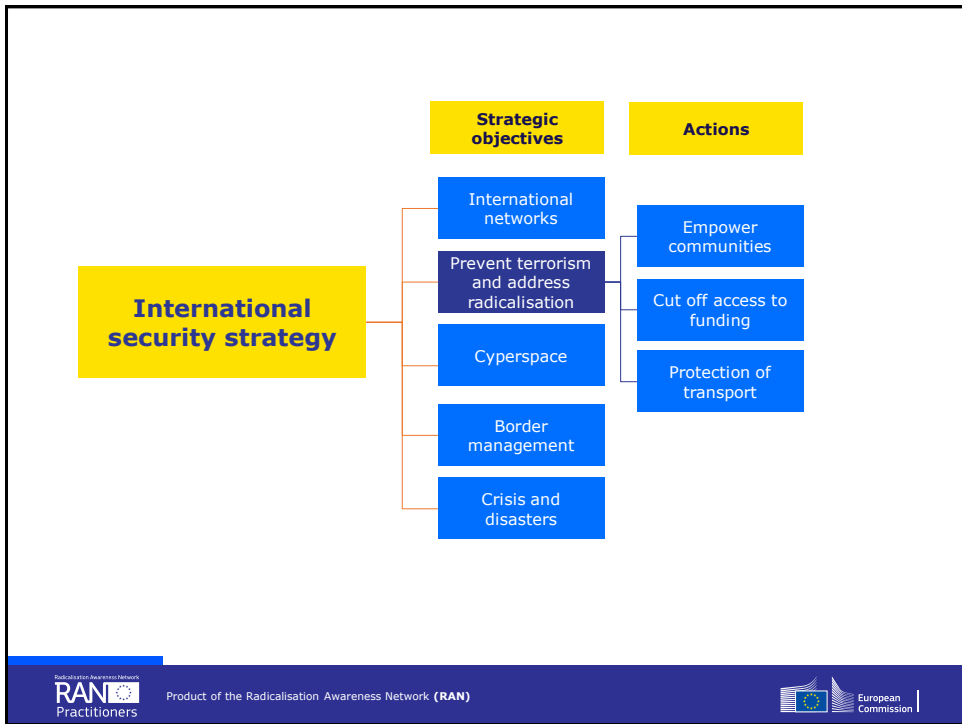
- Objectives
- Vision on radicalisation
- Achievements
- Resources and knowledge for promoting deradicalization and reintegration
- Becoming involved in RAN

 **RAN** Practitioners

Product of the Radicalisation Awareness Network (RAN)

 European Commission

2



3

RAN Objectives

- To facilitate the exchange among practitioners themselves on the one hand and between them and other stakeholders on the other hand.
- To deliver support to both the EU and its Member States (in certain circumstances, also to third countries).
- To disseminate the learning gathered on the basis of the RAN activities to several audiences.

The bottom of the slide features the RAN Practitioners logo, the text 'Product of the Radicalisation Awareness Network (RAN)', and the European Commission logo.

4

RAN's vision on radicalisation

“Radicalisation is a process”

- It is important to draw a line between ideas, even if extreme, and violent actions resulting from extreme ideas

Important differences

Violent extremism is understood to be activities of persons and groups that are willing to use violence in order to achieve their political, ideological or religious goals.

Violent extremism is **illegal**.



Radicalisation is the growing readiness to pursue and/or support—if necessary by undemocratic means—far reaching changes in society that conflict with, or pose a threat to, the democratic order

 Product of the Radicalisation Awareness Network (RAN) 

5

RAN achievements

- Over 6000 practitioners from all MSs connected
- 100 RAN (digital) events organised in nearly all MSs each year.
- Early detection of trends
- Peer review of inspiring and best practices – collection of nearly 150 practices.
- Member state support in different MSs such as train-the-trainer programmes.
- Deliverables from Working Groups like: Education Manifesto, Rehabilitation manual, RAN Factbook on far-right extremism, Returnee Manual, etc.
- RAN Roadmaps 2020: Prisons and rehabilitation, Right wing extremism, Islamist extremism, Returning children and women

 Product of the Radicalisation Awareness Network (RAN) 



6

Knowledge Base

You are a new probation officer in charge with de-radicalization and reintegration of former VEOs. You have received some basic training but you do not know how to start.

RAN Resources:

1. RAN Collection - https://ec.europa.eu/home-affairs/what-we-do/networks/radicalisation_awareness_network/ran-best-practices_en
2. RAN Working Groups:
 - Communication and Narrative WG
 - Youth and Education WG
 - Local Authorities WG
 - **Rehabilitation WG** - https://ec.europa.eu/home-affairs/what-we-do/networks/radicalisation_awareness_network/topics-and-working-groups/ran-rehabilitation_en
 - Prison WG
3. RAN papers
 - Motivation in rehabilitation work
 - Gender specific approaches in Exit work
 - New offender type and appropriate measures of Exit work etc.



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7

Knowledge Base

Rehabilitation Manual – Rehabilitation of radicalised and terrorist offenders for the first line practitioners

See Luisa Ravagnani’s presentation

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8

Knowledge Base – Programmes

More than 40 programs (El-Said, 2015)

Most well-known internationally – Saudi-Arabia, Singapore, Yemen, Egypt, Sri-Lanka

Most well-known in Europe – Back on Track (DK), Entre (SW), HII (UK), PAIRS (FR)

Poorly evaluated in terms of impact – small numbers, poor data collection, different aim, applied only in one jurisdiction etc.

Evaluated by peer experts and practitioners – promising – but not 'hard evidence'

Knowledge Base

What do we know so far about effective deradicalization interventions – hard knowledge (strong evidence-based):

1. Use multi-modal interventions covering psychological counseling and therapies, ideological debates, family support, mentoring, restorative justice or vocational training
2. Use multi-agency approach – to collect information but also to mobilise resources
3. Interventions delivered in a mixed organizational culture: rehabilitation and security – not only security led
4. Prison interventions should be followed by post-release interventions aiming at both monitoring **and support**
5. Context is very important – what works in Saudi Arabia might not work in France or Belgium
6. Deradicalization programmes are cost-intensive – allocate enough and sustainable resources for this type of programmes.

Example of comprehensive programme – Sri-Lanka

Evaluated by Webber et al (2018)- Study 1 and Study 2 – deradicalization ('as a more permanent desistance from violent extremism than disengagement': 540) – longitudinal – successful on both !!!

- Based on significance quest theory – 3Ns theory
- On Liberation Tigers of Tamil Eelam (LTTE) – after 2009 post-defeat
- Prison program with seven programs: educational, vocational, psychological, spiritual, recreational, cultural/family and community
- Educational – formal schooling or vocational education in different languages (incl Tamil)
- Vocational – training in regionally appropriate vocations (agriculture, beauty culture, wiring etc.). Business community involved on-site and off-site.
- Psychosocial rehabilitation – clinical psychologists and mental health workers, involved prestigious people – as mentors, creative writing, drama etc.
- Spiritual rehabilitation – various religious organizations (Hindu, Christian etc.) involved in delivering religious ceremonies, yoga, mindfulness etc.
- Sport & Recreational rehabilitation – sport activities on a daily basis: 'cricket for change', regional athletic meets etc., home gardening, art and craft - able to sell
- Social, cultural and family rehabilitation – call and visit their families, prison leaves, educational tours of Sri Lanka.
- Community rehabilitation – one month out prior to release and back to provide feedback, meetings with religious and community leaders to discuss reintegration and support, media campaign to accept them.

Sri-Lanka Programme

More on the programme, visit the interview I did with Dr. Hettiarachchi – one of the promoters of the programme:

https://youtu.be/NbK_2LXZngc

Deradicalization – Conclusions

Derad programmes have a lot to offer but are not magic solutions that fit everyone – no complete success !!

More 'good' research should be employed to measure the success

Evaluation should be part of any programme

Allow time and resources for these programmes

Support staff and provide regular training

Grand challenges – mid term:

- how to work with societies to become more inclusive
- how to motivate and engage with 'hyper-radicalized' individuals
- how to deal with dissimulated behaviour

Becoming involved in RAN


- [Check the RAN website](#)
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[@RANEurope](#)


[Radicalisation Awareness Network - RAN](#)

Product of the Radicalisation Awareness Network (**RAN**)

European Commission

DEALING WITH RADICALISATION IN PRISONS AND CONTRIBUTING TO DE-RADICALISATION

CARLOS FERNANDEZ GOMEZ, SEPTEMBER 15, 2021

Risk assessment in European prisons on the basis of four tools



1

HAVING A LOOK INSIDE HUMAN MIND



2

SOME KEY QUESTIONS

- What have we learned to date?
- Which good practices can we share at the moment?
- Which results do we have to date?
- Which difficulties do we usually have?
- Which possibilities are there for the reintegration of VEOs?

3

RISK ASSESSMENT IN THE PRISON CONTEXT

- Prisons described as “breeding grounds for radicalisation”.
- The assessment should be always connected to intervention.

4

RISK ASSESSMENT IN THE PRISON CONTEXT



5

WHY THE RISK ASSESSMENT?

- Exchange of information.
- The detection of risk levels.
- The identification of intervention targets.
- The promotion of research.

6

BENEFITS OF RISK ASSESSMENT

- They offer systematic information to the professional.
- Risk estimation helps decision-making processes in the prison context.
- Risk assessment may also help to identify approaches for intervention (RNR model).
- Risk assessment instruments are easily implemented in the prison context, due to the structured setting and the large number of offenders available.

7

SOME CRITICISM

- The instrument will never provide a mathematical estimation of the risk.
- Usual lack of published empirical evidence that may support the validity of instruments.

8

SOME KEY REFLECTIONS

- It seems advisable not to confuse extremism with people who have discovered or started to practise their faith: the existence of **false-positive cases** and arbitrary conclusions must be clearly avoided.



9

SOME KEY REFLECTIONS

- The **interpretation of results** is an important element to be mentioned. Instruments are implemented to provide useful, dynamic and practical information to be taken with caution, not to “sentence” individuals by considering certain ideas a crime and/or offence.



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SOME CURRENT INSTRUMENTS IN USE

VERA 2R

ERG22+

RRAP

IR46

RADAR-iTE

11

VERA 2R: AIMS AND TARGET POPULATION

- The VERA-2R is firstly aimed at evaluating an individual's risk of radicalisation to VE. Additionally, it can be used to obtain information on the likelihood of violent extremist action and ways to prevent this, to assist in intervention and to monitor efficacy.
- Concerning target population, it focuses on all types of violent extremists.

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VERA 2R: MAIN STRUCTURE AND SCORING SYSTEM

- The VERA-2R is an **SPJ** tool that includes 34 indicators categorised under five domains (Beliefs, attitudes and ideology; Social context and intention; History, action and capacity; Commitment and motivation; and Protective/risk-mitigating indicators) with 11 additional factors divided into another three domains (Criminal history, Personal history, Mental Disorder).
- The assessor of this tool is required to make two types of judgements: present or not and severity..

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VERA 2R: FINAL JUDGEMENT AND END USERS

- The final professional judgement made by the assessor is based on a numerical overall score and on the weighing of all available information. Repeated measurements are required.
- The VERA-2R is currently being used and implemented within the criminal justice system (police agencies, high-security prison wards, specialised probation service, etc.) of some EU Member States.

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ERG22+: ORIGIN AND AIMS

- The Extremism Risk Guidelines (ERG22+) tool was developed for the then National Offender Management Service (NOMS) in the United Kingdom (UK) by a group of researchers.
- The main goal of the ERG22+ is to “manage” that kind of risk.

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ERG22+: TARGET POPULATION AND STRUCTURE

- The ERG22+ is an SPJ tool that includes 22 risk indicators divided under three dimensions: “engagement”, “intent” and “capability”; the “+” suffix in the title of ERG22+ allows the incorporation of any other factor deemed relevant by the assessor.
- Each indicator is assessed as being “strongly present”, “partly present” or “not present” and scores are registered on a summary record sheet.

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ERG22+: ASSESSORS AND END USERS

- Ideally, only fully qualified forensic psychologists or experienced probation officers with practice in using structured professional guidelines should employ the ERG22+.
- The ERG22+ is widely accepted within England's and Wales' security departments that supervise extremist risk in custody, where the use of this tool is aimed at guiding decisions about sentence planning,

17

RRAP: ORIGIN AND AIMS

- The Radicalisation Risk Assessment in Prisons (RRAP) toolset has been developed since 2015 under the European Commission project "Radicalisation prevention in prisons", resulting from transnational cooperation across academia, private sector research, and correctional sector representatives and practitioners.
- The RRAP focuses on individuals within the general prison population who are vulnerable to radicalisation or show signs of radicalisation.

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RRAP: A BATTERY OF RISK ASSESSMENT INSTRUMENTS

- First instrument, the “Helicopter View”, is aimed at gathering information from prison governors and/or administrators and takes into consideration the role of situational factors in the process of radicalisation.
- Second tool, the “Frontline Behavioural Observation Guidelines”, helps frontline staff (prison officers, educators, teachers, social workers, etc.) to signal inmates’ behaviours (or changes in behaviours) that might show the externalisation of their cognitive radicalisation.
- Third instrument, the “Individual Radicalisation Screening”, provides a more specific picture of the risks connected with the examined inmate.

19

IR 46: ISLAMIC RADICALISATION MODEL

- The Islamic Radicalisation model 46 (IR46) was introduced in 2016 by the Dutch Police in collaboration with the Ministry of Defence and the Ministry of Justice and Safety.
- The Dutch Police describes the IR46 as an early warning method for professionals within the security field, aimed at recognising signs of Islamist extremism in individuals.

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IR 46: GOAL AND STRUCTURE

- Not to predict but to assess the current risk.
- This tool adopts an SPJ approach and consists of four phases (Preliminary; Social estrangement; Jihadisation; Jihad/Extremism) with 46 indicators connected to two axes: “Ideology” and the “Social context” of the examined person.
- All indicators are considered dynamic and changeable over time.

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RADAR-ITE: ORIGIN, AIMS AND TARGET POPULATION

- RADAR-iTE is an assessment tool created as a result of the cooperation of the German Federal Criminal Police Office (BKA) and academics from the University of Konstanz.
- The tool is aimed at identifying an extremist Islamist individual who is likely to engage in violent behaviour.
- The RADAR-iTE focuses first on those already considered to pose a very high risk (well-known terrorists, including jihad returnees from Iraq and Syria), followed by incarcerated Salafists who are about to be released from prison.

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RADAR-ITE: STRUCTURE

- The assessment process is carried out in two phases. The first one requires the gathering of all available information about the extremist individual. The second phase involves a questionnaire (73 questions) about the jihadist,
- According to findings, the RADAR-iTE classifies individuals into a two-category risk scale of extremist Salafism: “moderate” and “high”. This classification is used to determine the need for intervention, and also to state the timing of subsequent assessments.

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SPANISH RISK ASSESSMENT INSTRUMENT

- Originally developed in 2018 by a high level working group of the Spanish General Secretariat of Penitentiary Institutions.
- It was divided into 12 indicators focused on radical violence and 27 indicators on the risk of radicalization and proselytism.

- The tool was intended to provide a comprehensive and dynamic picture of risk posed by inmates included in the three categories.
- No mathematical prediction was expected.
- A full cooperation of security and rehabilitation departments is needed.

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ADJUSTMENTS AND REVIEW OF THE INSTRUMENT

- The original instrument has been **reviewed** and evaluated by analysing all indicators.
- This was done once the aims of the instrument were clarified. **Intended targets were described clearly and operatively.**

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CURRENT RISK ASSESSMENT INSTRUMENT

- At the moment, the tool is composed of **54 indicators** and the scoring system has been changed, in order to make the process as easy as possible for prison staff. Such scoring system allows to determine if the indicator is **present, not present or there is no enough information for its assessment.**
- Intended outcomes of the risk assessment instrument are related to the **decision-making process in terms of security and rehabilitation** within the prison context.

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RISK ASSESSMENT: OUTLOOK FOR THE FUTURE

- It seems advisable to reach a **common definition of concepts related to VE**. This lack of agreement has consequences not only for theoretical developments but also for daily professional practice. Thus, although instruments seem to measure similar things and their goals are often alike, the underlying concepts and the framework often differ.
- **What are instruments expected to measure.** Real outcomes and specific goals are something worth clarifying.

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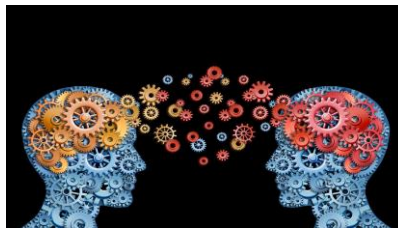
RISK ASSESSMENT: OUTLOOK FOR THE FUTURE

- Concerning the **validation of these tools**, the first question is related to who should be in charge of such validation, as “many evaluation studies have been conducted by their own authors”.
- **Why do we need them?** According to intervention models such as Risk-Need-Responsivity, the intensity of intervention programmes should be based on previous risk evaluations. Here, effective treatments to reduce risk and disengage from extremist violence could benefit from accurate assessment.

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RISK ASSESSMENT: OUTLOOK FOR THE FUTURE

- Intervention programmes need to be aimed at clear targets: assessments could play a key role in providing a picture of the social, cognitive, emotional and behavioural functioning of the individual.
- Are current programmes based on the identification of concrete psychological targets?



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RISK ASSESSMENT: RECOMMENDATIONS

- Some validation of instruments is needed, if only to know limitations concerning the setting (mainly prisons) and population of interest (VEOs). Assessment and intervention in prison do not always fit mathematical methodology.
- Target groups need to be clarified: a single instrument for all profiles?
- Questions about which professionals are in charge of assessment, when it is delivered and the purpose of such tools.

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RISK ASSESSMENT: RECOMMENDATIONS

- Disengagement programmes should benefit from previous risk assessments. In fact, risk levels and criminogenic needs are elements to be considered when an intervention is carried out.
- Most instruments have been implemented in the prison context for years. However, it is necessary to consider external triggers and social context as the future setting where the individual will return to.
- Training is always needed, if only to explain the nature, factors, goals and types of assessment.

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RISK ASSESSMENT: RECOMMENDATIONS

- Developers, authors and prison administrations need to share their work with researchers and universities.
- There should be permanent exchange of information amongst professionals: what seems to work and what does not seem to work, as well as the achievements and use of different tools, are things to be discussed.
- Some practical considerations need to be discussed and addressed.

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RISK ASSESSMENT IN THE PRISON CONTEXT

CARLOS FERNANDEZ GOMEZ



La lutte contre la radicalisation violente dans la formation des personnels pénitentiaires français

- Le constat et les commandes en 2015
- Les enseignements et leurs objectifs dans la formation initiale des personnels pénitentiaires
- La formation continue, la collaboration entre l'école et la Mission de Lutte contre la Radicalisation Violente



1

The fight against violent radicalization in the training of French prison and probation staff

- Findings and orders in 2015
- Teachings and their objectives in the initial training of prison and probation staff
- Continuing education, collaboration between the school and the Mission to Fight Violent Radicalization



2

Prison strategy to combat radicalization and terrorism

Progress and current measures

MLRV (Mission for the Fight against Violent Radicalization) -
September 2021



Co-funded by the Justice Programme of the European Union 2014-2020

1

Progress of the strategy

2

Aims of the strategy

- Take charge of prisoners who are at risk of becoming violent or proselytizing through a multidisciplinary approach, in particular through counter-discourse activities;
- Ensure the security of the detention and of the prison staff: the staff of the PA (Prison Administration) receive specialized training before they take up their duties in a QER (assessment unit for radicalization) or a QPR (radicalization management unit), and during the exercise of their responsibilities;
- Ensure the safety of society through active preparation for the conditions of release by promoting the disengagement from violence and reaffiliation of the inmates concerned.

Key figures on 1 August 2021

- Closed environment:

459 terrorist inmates, including:

- ✓ 385 adult males / 69 adult females
- ✓ 5 minors
- ✓ 134 *returnees* including 35 women

650 radicalized prisoners, including

- ✓ 4 adult females
- ✓ 1 minor

- Open environment: 320 TIS (Islamist terrorists) monitored in open environment

Characteristics of the situation

- **Diversity of profiles**
 - *detainees accused or convicted of terrorist acts and radicalized detainees under ordinary law*
- **Different degrees of involvement**
- **Risks**
 - *In detention: the risk of proselytizing; the risk of violence*
 - *Preparation for release: the risk of continued behaviour*
- **Diversity of the penal population**
 - *men; women; minors & defendants/convicts*
- **Number of people concerned**

Chronological references (1/2) -> 2014 - 2017

2014 (December): experimentation of grouping terrorist detainees in a unit at the Fresnes penitentiary (separation)

2015 - Counter-terrorism plan ("PLAT" 1 and 2; January 21 and November 16)

→ *gradual creation of 5 ad hoc units (2 Fleury; Fresnes; Osny; Lille); strengthening recruitment of Muslim chaplains; recruitment of educators and psychologists*

2016 (May) - Action plan against radicalization and terrorism ("PART")

->development of detection, training and research

2016 (June)- Reinforcement of the fight against organized crime and terrorism Act

-> *ad hoc units become units for the prevention of radicalization ("UPRA"); extension to the criterion of good order in detention the criminal qualification (terrorism)*

2016 (October) - Minister of Justice's plan "Prison security and action against violent radicalization"

→ *Structuring of the assessment to determine care adapted to the profile (creation of special housing and assessment unit for radicalizations and a management unit)*

Chronological references (2/2): since 2017

2017 - creation of the Mission for the fight against violent radicalization (MLRV)

→ Under the department of trades since June 2019.

Since 2017 - structuring of prison intelligence.

->Central Office (BCRP) then Service with National Jurisdiction (**SNRP**) under the Director of the Prison Administration (**May 2019**)

2017 - 3 QER (assessment unit for radicalization) + 1 QPR (radicalization management unit)

2018 (February 23)- National Radicalization Prevention Plan (PNPR)

2018 (October) - creation of a new open-ended facility

->**PAIRS** to replace RIVE

2019 (December) - normative evolution

-> *doctrine and modification of the Code of Criminal Procedure (R 57-84-7-13 ff.)*

Focus on the penitentiary component of the PNPR (2018)

Measure 55: Develop assessment capacities for radicalized prisoners by creating four new **assessment units for radicalization (QER)**, one of which will be reserved for the assessment of ordinary prisoners and for women prisoners, by reinforcing multidisciplinary assessment by support pairs;

Measure 56: Design and distribute **radicalization management units (QPR)** throughout the country. Adapt the specific detention regime for terrorist and radicalized detainees by having at least 450 tightly managed places (solitary confinement units (QI), QER, QPR and specific units) by the end of 2018.

Measure 57: Develop **programmes to prevent violent radicalization** in all establishments likely to receive prisoners prosecuted for acts of Islamic terrorism.

Measure 58: Create **three new individualized management centres** for radicalized individuals or those in the process of being radicalized, placed in custody, based on the system tested in the Ile de France region, Lille, Lyon and Marseille, managed by the Ministry of Justice, in order to implement efficient individualized educational, psychological and social care, with a religious referent.

Foundations of the strategy

9

A definition of radicalization

Radicalization refers to the processes leading to forms of illegal or even violent action, on the basis of an ideology that challenges the established order, whether supposed or real.

It thus combines three elements: the **progressive adoption** (a) of a **contesting ideology** (b) advocating **the use or resorting to illegal, even violent, modes of action** (c).

10

10

Security

of detention and prison staff/workers

- ⇒ staff receive specialized training before taking up their duties in a QER or a QPR
- ⇒ ongoing training is also organized
- ⇒ risks of committing violent acts and/or proselytizing

of society by actively preparing the conditions of release by encouraging the disengagement from violence and the reaffiliation of the prisoners concerned

- ⇒ *this begins as soon as they are incarcerated.*

Actions

A strategy geared to three lines of approach:

Detect – Assess – Take charge

- Concerns all prisons
- Strengthen assessment and management in detention, according to the profile, through referrals to **QER or QPR**

In constant coordination with the Prison Intelligence Service

Multi-disciplinary approach

Assessment and management are based on the **development of our own expertise and the recruitment of external skills**

- Integration of specific approaches to violent radicalization in the services: supervisory staff and prison integration and probation counselors (CPIP)
- Recruitment of **psychologists and educators specialized in VR**
- Deployment of **mediators for religious affairs** in charge of assessing the level of ideological impregnation of the person concerned and deconstructing the concepts of radical ideology

Prison intelligence

Three levels: central, interregional (CIRP) and local (DLRP).

Purposes:

- (1) Prison security,
- (2) Prevention of escapes,
- (3) Counter-terrorism (LAT),
- (4) Monitoring of those involved in detention (extension of competence by the Orientation and Programming for Justice Act of 2019))

Concerning the fight against terrorism: SNRP (Service with National Jurisdiction is invested in the application of the circular on the operational management of counter-terrorism and the new doctrine of operation of the GEDs (departmental assessment units) disseminated on 14 December 2018

Current measures

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Detection

The detection of people in the process of radicalization, through **the mobilization of all prison staff**, made aware and trained, with the support of a **detection grid** (updated in 2019)

- detect weak and strong signals.

Reports are transmitted to the line management for examination by a single multidisciplinary commission (CPU) → assessment.

Participation the of SNRP in the GED

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Assessment

Assess the **prison risk: violence or proselytizing**

All prisons: evaluation in CPU of detainees identified as radicalized, whether they are imprisoned for acts of terrorism relating to Islam or for acts of ordinary law.

Depending on their profile, they are referred for a **special housing and assessment unit for radicalization (QER)** in four prisons (Vendin-le-Vieil; Fleury; Osny; Fresnes).

*Care by a dedicated and specifically trained multidisciplinary team: **sessions of 12 detainees / 15 weeks** (observations, interviews and activities for evaluation): at the end of the session, an adapted care is proposed according to the profiles.*

In-depth assessment in QER

Seven QERs:

- 2 in Ile de France + 1 QER for women planned for the end of 2021
- 4 at the Vendin-le-Vieil prison

- Assessment of all detainees for terrorist acts and those radicalized by ordinary law.
- Determination of the existence of a risk of violent acts based on religious extremism and the level of ideological impregnation and influence.
- An annual assessment capacity of 234 detainees

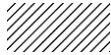
Management

In ordinary detention: detainees who do not (or no longer) show any convincing signs of radicalization, or those who are effectively involved but do not present a risk of proselytizing or violent acts.

Reinforced individualized monitoring in the context of social reintegration, psychological monitoring, participation in programmes for the management of violent radicalization (PPRV).

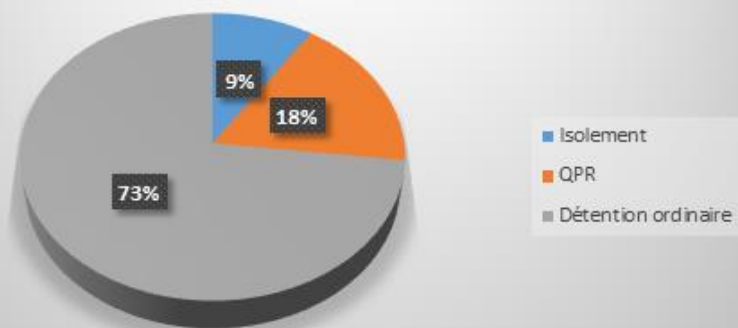
In the radicalization management unit (QPR): detainees who show a strong ideological impregnation while remaining accessible to management. Located in 6 prisons (with reinforced security measures) where disengagement programmes are set up (6-month renewable placement).

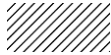
In solitary confinement units (QIs): detainees who present a high risk of violent acts or proselytizing and who are inaccessible to management.



Post QER referrals

Répartition des sorties RAD post-QER
au 10/09/2021





Radicalized inmates placed in radicalization management units (QPR)

6 QPR in operation with 189 operational places: Lille-Annoeulin Prison (28 places), Condé sur Sarthe Prison (60 places). Paris-la-Santé House of Detention (45 places), Aix-Luynes Prison (12 places). Nancy Prison (19 places), Bourg-en-Bresse Prison (19 places). + 1 QPR for Women in Rennes

- Maximum security detention regime;
- Facility for detainees who show a strong capacity to cause harm in detention.

Secure and individualized management of detainees, over a long period of time, appropriate staff, according to a predefined programme.



Exemple d'un verset circonstanciel (1)

[Après que les mois sacrés expirent, tuez les idolâtres où que vous les trouviez. Capturez-les, assiégez-les et guettez-les dans toute embuscade. Si ensuite ils se repentent, accomplissent la salât et acquittent la zakât, alors laissez-leur la voie libre, car Allah est Pardonneur et Miséricordieux.]

[al-Tawbah : 5]

Le musulman (*musulim*) : son sang et ses biens sont protégés. Le contraire de cela est mentionné par le prophète *éga* : « Le sang d'un individu musulman qui attend qu'il y ait de la divinité qu'Allah et que je suis le messager d'Allah ne peut être versé hors de l'un de ces trois cas : le marié qui commet l'adultère, une vie pour une vie (c'est-à-dire le tueur), et celui qui délaisse sa religion et quitte le groupe des musulmans, si nul besoin de développer ce point car c'est un adome de la religion musulmane que personne n'oserait contredire.

Le mécréant (*kâfir*) : cette catégorie se divise en plusieurs sous-catégories.

1. Le *muhallaf* (covenantaire) : c'est le mécréant qui jouit d'un pacte avec les musulmans. Il est lui-même de trois types :

a. Le *dhimmi* : c'est le mécréant qui vit dans la terre d'Islam en versant la *jizya* (impôt) et en se soumettant à la loi d'Allah. Il jouit d'une protection permanente de son sang et de ses biens tant qu'il ne commet pas un acte remettant en cause son statut.

b. Le *muhâdun* : c'est le mécréant qui, tout en vivant sur la terre de mécréance, jouit d'une convention conclue afin de suspendre temporairement les hostilités. Contrairement au *dhimmi*, les lois de l'Islam ne s'appliquent pas sur lui mais il s'engage à abandonner de cause du fort aux musulmans. C'est une sorte d'armistice.

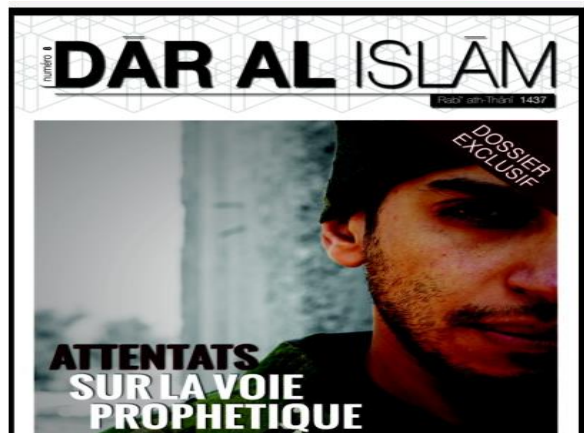
spécifiquement désignés par que les hommes et les ont certaines conditions que n Ce découpage n'est pas tel mi les juristes ont voulu comme nous le verrons par al-Qayyim écrivit son 752. Il en dit : « Les mécréants de la guerre (*al-harb*), ce (*al-hudud*). Et ces mêmes o trois types : les *dhimmi*, c convention de paix a été et ceux qui bénéficient d' (*al-aman*). »

Notons également que les susmentionnés, sont, sont strictes que nous abordons ils n'ont aucune valeur aux islamique.

Mentionnons maintenant le la non sacrabilité du sang et écarté pour la simple raison

Les preuves du Noble Cor

1. Allah dit à dit : [Après qu parent, tuez les idolâtres où Capturez-les, assiégez-les toute embuscade. Si ensuite accomplissent la salât et acqu laissez-leur la voie libre, car





Example of a circumstantial verse (2)

“When the sacred months have passed, kill polytheists wherever you find them. Capture them, besiege them, sit in wait for them at every place of ambush. But if they repent, establish prayer and give zakah, let them go on their way.” (Quran 9.5)

Beware, always read the whole of the verses, because there is a context: “A declaration of immunity from God and His Messenger to the polytheists with whom you had made a treaty” (Quran 9.1). This excerpt refers to the ten or so people responsible for breaking the peace, who slaughtered innocent people. It is therefore a historical verse which concerns a clearly circumscribed situation, a precise period, and a precise place: the year 8 of the Hegira (630) around Mecca.

01/04/21

23

Anticipating the release of radicalized prisoners

Systematic coordination at least 6 months before the end of the sentence between the prison integration and probation services (**open environment; closed environment**)

Ensure **continuity of care and mobilization of public policies**

Evaluate **the relevance of a reinforced PAIRS monitoring**: + possibility of carrying out a diagnosis in detention by the PAIRS teams

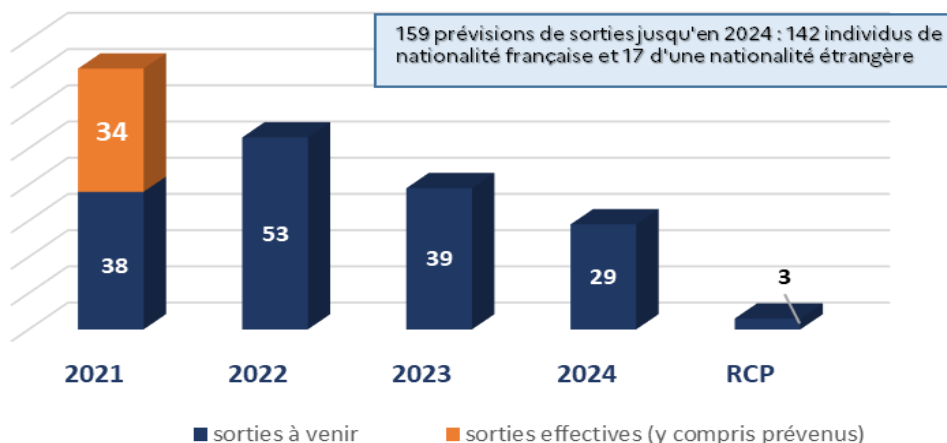
Intelligence component

24

24



Prévisions de sortie par an / TIS-MF définitivement condamnés



01/04/21

25

Anticipating the release of radicalized detainees

Depending on the assessment of the situation and the profile, **the following measures can be taken:**

- In open environment: **SPIP monitoring** (MLRV educators and psychologists; CPIP referents for violent radicalization);
- **Technical platforms** (measure 59 of the PNPR) facilitating risk reduction, access to care and accommodation; co-financing by the SG-CIPDR and DAP ;
- *PAIRS centres (Paris, Marseille, Lyon and Lille) : under the supervision of the SPIP, diagnosis and reinforced monitoring for profiles requiring particularly sustained support*
- Radicalization prevention and family support unit (**CPRAF**) of the prefecture concerned: in the event of the absence of a measure or the end of a judicial measure in the open environment

26

26

Focus PAIRS

4 centres opened in 2018 based on an experiment launched in 2016. Paris (50 places), Marseille (25 places), Lille (25 places) and Lyon (25 places).

In addition to the care provided in the open environment by the SPIP, which holds the judicial mandate, the aim is to provide efficient individualized, educational, psychological and social care with the help of a mediator for religious affairs.

These centres provide stepped up guidance and support options in an open environment:

- Modular and augmented care from 3 hours to 20 hours
- An average of one year of care
- The possibility of diffuse accommodation.

FOCUS Intelligence – anticipation of release

The SNRP participates in the Permanent Unit for Monitoring Prison Leavers (UPSSP) in the UCLAT (July 2018 - PACT)

*Ensure that each radicalized individual leaving prison, is subject to an **appropriate operational monitoring** by the police, gendarmerie or intelligence services after his incarceration, in order to **avoid any interruption of vigilance***

*Ensure that the services concerned **register the person in the FSPRT** and that the file is properly updated*

*Ensure, when the legal conditions are met, that any relevant **administrative police measure** is taken so as to prevent a possible terrorist-related act.*

Each month, the USSP draws up a list of the prison leavers (based on the information transmitted by the SNRP) and sends it to the DGEs. At the central level, the UCLAT meets every month with the partners, including the SNRP, in order to deal with the litigious cases and to prepare, for the next two months, the future releases.

Ongoing assessment of the system

29

Research to support the DAP strategy to counter VR

Examples of initiatives

Thematic research

Jihadist women (R. SEZE) ;

Sociology of jihadist radicalization processes (X.CRETTIEZ).

Assessment of the measures

- Hecker report on the PAIRS system (IFRI, February 2021) ;
- Specific research on the assessment of the PA (Prison Administration) public policy against VR (under preparation)

30

Extract from the Court of Audit report

Court of Audit report on counterterrorism resources for financial years 2015-2019 (15 July 2020)

"the prison administration has shown a capacity to adapt and renovate since 2015 and has carried out very substantial work in the area of radicalization management, with, since 2017, an individualized approach based on an assessment of the dangerousness of individuals to determine their conditions of incarceration (ordinary detention, radicalization management area, solitary confinement area)."



**RÉPUBLIQUE
FRANÇAISE**

*Liberté
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Fraternité*

Directorate of Prison Administration



**MINISTÈRE
DE LA JUSTICE**

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www.justice.gouv.fr

HELP HUMAN RIGHTS EDUCATION FOR LEGAL PROFESSIONALS

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

EU-CoE HELP Radicalisation Prevention, Judicial Response to Terrorism & International Cooperation in Criminal Matters



Funded by the European Union and the Council of Europe

COUNCIL OF EUROPE
Implemented by the Council of Europe

EUROPEAN UNION
CONSEIL DE L'EUROPE

1

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**47 MEMBER STATES
47 ÉTATS MEMBRES**



2



3

HUMAN RIGHTS EDUCATION FOR LEGAL PROFESSIONALS

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WHAT IS HELP?

Support **justice professionals** to apply **European human rights standards (CoE + EU)** in their daily work, mainly by training

Legal Framework
ECHR, ESC and EU Law

4

4

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HELP Components



Networking



Online Training


Judges, Prosecutors, Lawyers and other professionals

6

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EU-CoE HELP Radicalisation Prevention (2017-2019)













8

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EU-CoE HELP RP-TERR-ICCM (2020-2021)

Background:

- Radicalisation is a process.
- Involvement of various actors.
- Radicalisation is not a legal concept.
- Global problems require a global response.
- Need for practical training.
- Human rights implications.

9

9


HELP HUMAN RIGHTS EDUCATION FOR LEGAL PROFESSIONALS

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CONSEIL DE L'EUROPE

Objective:

To improve justice cooperation in criminal matters and to contribute to the effective and coherent application of related European instruments.

- Reinforcing the prevention of radicalisation in prisons.
- Issues related to pre-trial detention within the context of radicalised offenders.
- Training justice practitioners, prison and probation staff.



CEP
Confederation of European
Probation

CoE
Criminal Law Unit
Criminal Law Cooperation
Counter-terrorism

10

10

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EU-CoE HELP RP-TERR-ICCM (2020-2021)

TARGET AUDIENCE

- Judges, Prosecutors, Prison & Probation staff.
- Additional participants – policymakers, psychologists, law enforcement officers, lawyers.
- Course open on the HELP E-learning platform

11

11

HELP HUMAN RIGHTS EDUCATION FOR LEGAL PROFESSIONALS

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EU-CoE HELP RP-TERR-ICCM (2020-2021)

ACTIVITIES

- Seminars
- Course launches (RP course developed in 2019)
- High-level Conference



12

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HELP HUMAN RIGHTS EDUCATION FOR LEGAL PROFESSIONALS COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

QUANTITATIVE RESULTS

- 4 ONLINE SEMINARS
- 11 Course Launches (RP & ICCM)
- High-level Conference, 20-21 October 2021
Countering cross-border crime: human rights implications
- 410 Participants (to date)
- 16 EU MS

13

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HELP HUMAN RIGHTS EDUCATION FOR LEGAL PROFESSIONALS COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

HELP ONLINE COURSES

For Judges & Prosecutors ← **Radicalisation Prevention** → For Prison & Probation

International Cooperation in Criminal Matters

Managing Foreign National Prisoners (Europris)

14

14



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HUMAN RIGHTS EDUCATION FOR LEGAL PROFESSIONALS

EU-CoE HELP RP-TERR-ICCM (2020-2021)

CONCLUSIONS

- Short and long-term impact of COVID-19 in transnational issues / New challenges.
- Lack of knowledge / Lack of training.
- Different national systems within the EU.
- Lack of communication and mutual trust between different countries & agencies.

Success stories

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HELP e-learning platform: <http://help.elearning.ext.coe.int/>

Conference webpage:
<https://www.coe.int/en/web/help/cross-border-crime-conf>

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**Advising and working within the judicial and law enforcement chain,
supervising radicalised individuals: experiences from the Belgian
probationary Houses of Justice**

**Reducing Radicalisation in Prisons with Alternatives to Imprisonment
Online, 15 – 17 September 2021
Academy of European Law (ERA)**



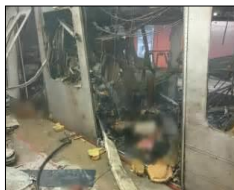
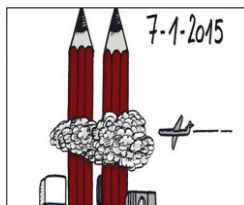
Co-funded by the Justice Programme of the European Union 2014-2020

www.fw-b.be
www.maisonsdejustice.be

1

●●● **Context**

... , Brussels Jewish museum (24/05/14), Charlie Hebdo magazine (Paris, 7/01/15),
Bataclan concert hall (Paris, 13/11/15), Brussels airport and underground station
(22/03/16), a lot of returnees from war zone...



2

2

••• Summary

The quality and the continuity of management and support for violent extremist offenders from their custody and during their probation measure is a major issue.

Prison officers and probation officers have to be well trained.

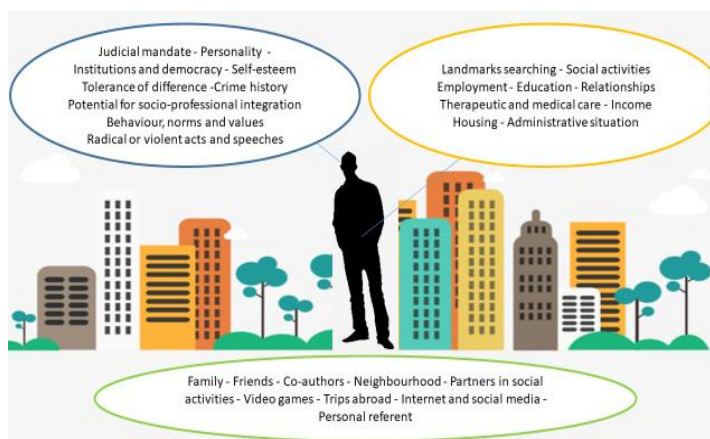
My presentation will be focused on five main issues which need a specific training for probation officers.

- Work on risks and resources in a dynamic process
- Build a respectful and effective professional relationship
- Manage with efficacy and legitimacy the multi-agency exchange information
- Specific professional secrecy
- Paying a particular attention for specific groups

3

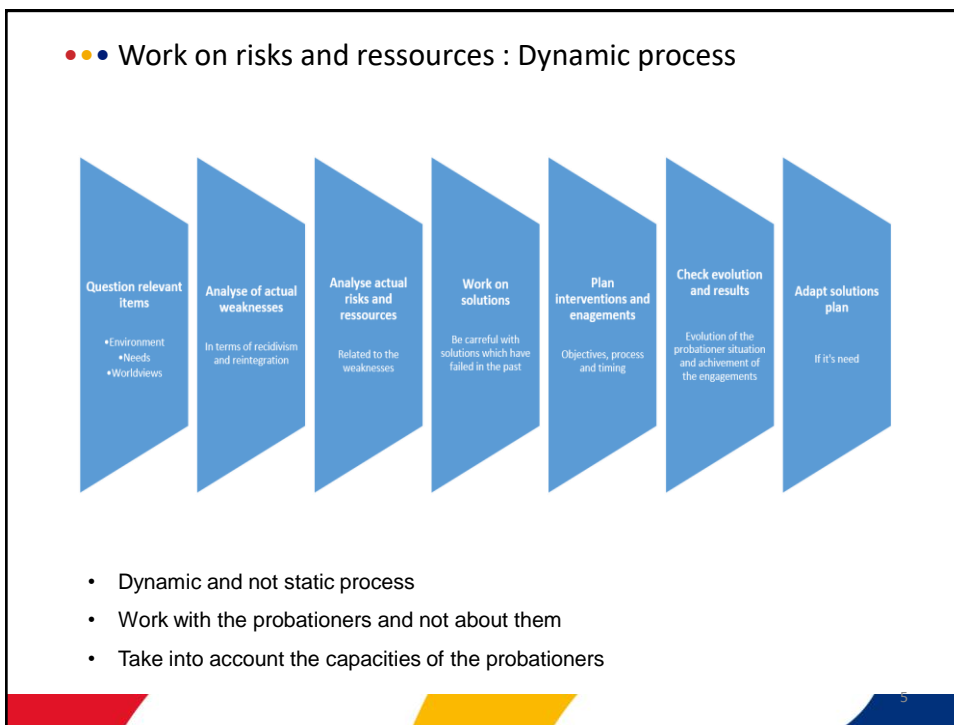
••• Work on risks and resources : Dimensions and

Three major dimensions will be explored with the probationers concerned by violent extremism: their needs, their environment, and their worldviews.

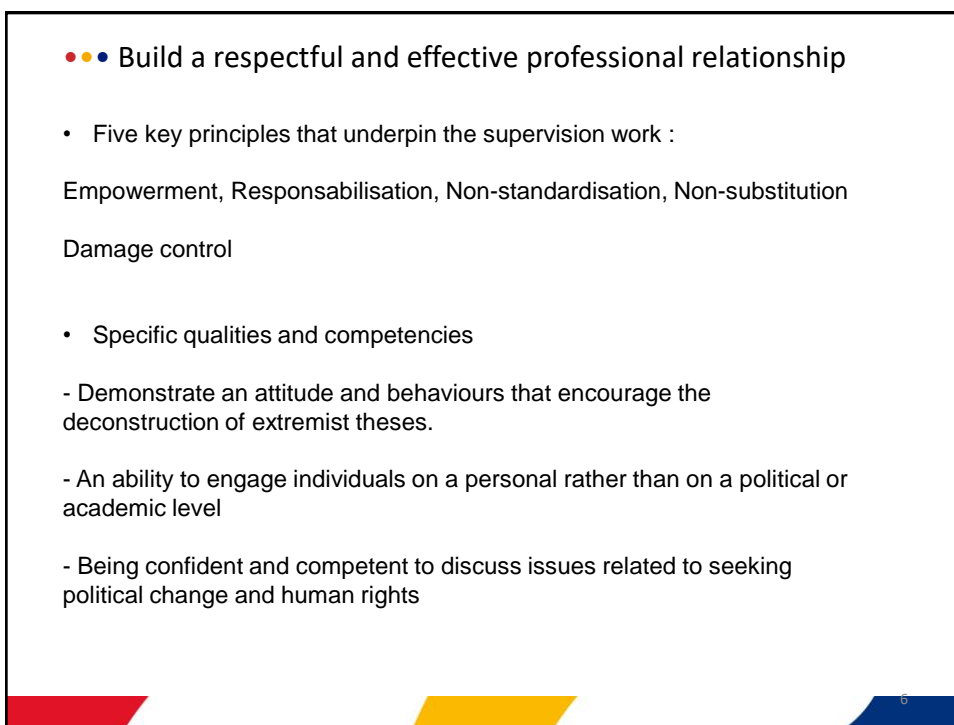


The topics that make up each of these three dimensions are more or less relevant depending on the personal and judicial background of the people in charge.

4



5



6

Multiagency exchange information



Three major conditions for an effective multiagency exchange information :

- A clear legal framework
- Respect for territories and professional identities
- Mutual trust between agencies

7

Multi-agency exchange information : Analyse the need to exchange information



The need to exchange information with another agency needs to be assessed through three main issues :

- What is the purpose of the information exchange envisaged?
- Is the exchange of information really necessary?
 - > principle of subsidiarity
 - > principle of proportionality
 - > assessment of the imminence
- Does the exchange of information and its modalities respect the respective professional frameworks of each agency ?

8

••• Specific professional secrecy

Major characteristics of professional secrecy in the context of social work under judicial mandate:

- Respect the principles of confidentiality and data protection
- Share confidential information only with other relevant agencies based on strict procedures and a clearly defined purpose.
- Informing the mandating authorities of the work undertaken, the progress of the probationer and the respect (or not) of the framework of the judicial mandate.
- Discuss and contextualise with the probationer the relevant information (progress and difficulties) to be transmitted to the mandating authority
- Share with the probationer the content of the reports transmitted to the mandating authority

9

••• Work with specific groups

Although each pathway is specific and requires individualised care, certain risk factors are particularly present depending on the social group to which the individuals belong. Two examples:

- Juveniles and young adults
 - level of maturity;
 - tendency to want to 'fit-in' with their peers and belong;
 - desire to oppose authority;
 - desire to explore and experiment with different roles and identities;
 - seeking financial support or protection;
 - online activities and risk of contact with social media of extremist groups.

Specific advice:

Practitioners should be careful not to label young adults as extremists too quickly.

Radicalisation and extremism are two different things.

Radicalisation is also a necessary phase in the development of individuals.

10

••• Work with specific groups

- Women offenders

The main motivations for women on probation for violent extremism :

- Follow their romantic partner
- Follow family members
- Live in a better world, conform to their values (e.g. Hijra)

Motivations and underlying factors:

Low level of diplamation (only primary school), no job experience, no or very low incomes, they had to educate alone children and for the half of them they have suffered from violences.

Specific responses to these two social groups can be made at different levels:

- Specific public policies
- Local support projects
- Going beyond the main principles and, if necessary, designating probation officer with specific skills and characteristics

11

••• European legal framework and resources

- The European Convention on Human Rights and the additional protocols in force
<https://www.echr.coe.int/Pages/home.aspx?p=basictexts>
- Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016L0680>
- European convention extradition (1957) and additional protocols (1975, 1978, 2010, 2012)
<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/024>
- Recommendation CM/Rec(2008)11 of the Committee of Ministers to member states on the European Rules for juvenile offenders subject to sanctions or measures includes the following fundamental principles
[https://www.unicef.org/tdad/councilofeuropejirec08\(1\).pdf](https://www.unicef.org/tdad/councilofeuropejirec08(1).pdf)
- Recommendation CM / Rec (2010) 1of the Committee of Ministers to member states on Council of Europe rules on probation
https://www.pmscr.cz/download/mezdoken_European_Probation_Rules.pdf
- Recommendation CM / Rec 2017 3 on European rules on community sanctions and measures
<https://rm.coe.int/168070c09b>
- Guidelines of the CM 2016 for prison and probation services regarding radicalisation and violent extremism
<https://rm.coe.int/16806f3d51>
- Council of Europe Handbook for prison and probation services regarding radicalization and violent extremism
<https://rm.coe.int/16806f9aaa>

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••• **Contact**

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REHABILITATION WORK WITH CONVICTED VE OFFENDERS OUTSIDE OF PRISON

Luisa Ravagnani
Professor Of Criminology of Terrorism and International Crimes
University of brescia
ERA Seminar – 15 -17 Sept. Online



Co-funded by the Justice Programme of the European Union 2014-2020

1

MOST IMPORTANT TARGETS WORKING WITH VEO AND RADICALIZED OFFENDERS IN/OUTSIDE PRISON

General:

- To ensure security and safety
- To prevent reoffending
- To support offenders rehabilitation and reintegration into society

Specific:

- To prevent the radicalization of other individuals and/or family members
- To prevent the affiliation to existing terrorist groups

2

PRELIMINARY REMARKS

- **The first step for a fruitful rehabilitation path:** ability to develop a trusting relationship with the (violent extremist/radicalized) offender;
- **Extremist/Radicalized offenders can be moved by ideologically/non-ideologically or mixed motivations.** They do not necessarily have unique needs when compared to other types of offenders. Some criminogenic factors are similar to the ones of the mainstream offenders (social isolation, anti-social associates, limited education, drug/alcohol/mental health problems, poor family support).
- **Tackling ideological belief since the very beginning is not always the key,** while dealing with motivation for offending can give better outcomes.

Cherney, *The Release and Community Supervision*, p. 7.

Rushchenko (2019). 295-314.

Radicalisation Awareness Network. (2020) Rehabilitation Manual.

3

PRINCIPLES THAT CAN FACILITATE THE RESETTLEMENT

- To **individualize the risk/needs assessments** with the aim to better understand the offender's personality and being ready to respond to his/her challenges;
- To **manage transitional periods** by strengthening the offenders capability to face daily problematic situations;
- To take specific care of the **last phase**, working on the capacity building for the time post-reintegration: professionals must ensure that the individual has a positive social network to rely on;
- To **build relationship based on trust**: offender must be in the position to trust in his/her probation officers;
- To look for **social and organizational support** during the reintegration process. According to the *co-producing desistance model*, *significant others* and *meaningful relationship* can be of great help to reinforce personal identity change through desistance.

Weaver. *The relational context of desistance*, p. 398

Maruna. *Desistance from crime*, p.171-194

Curcio, Pattavina, William Fisher (2018), pag. 182-204.

Bushway, S., Nieuwbeerta, P., Blokland, A. (2011). 27-60 | **William Fisher**

4

EXTREMIST/RADICALIZED OFFENDERS INSIDE AND OUTSIDE PRISON: ELEMENTS IN COMMON

- A good rehabilitation path, to be effective, needs a strong personal motivation towards desistance
- The support of *significant others* and positive social bonding during the whole rehabilitation path is vital
- Reintegration pass through the process of de - radicalization (disengagement, cognitive distancing)
- Reintegration path doesn't end the last day of the sentence. There is the need to imagine exit strategies that move towards offenders' independence, based on personal skills, resources and new social networks.
- Multi-agency approach is key for a stable reintegration
- Risk/needs assessment must be tailor-made.

5

VE OFFENDERS OUTSIDE OF PRISON FOR DIFFERENT REASONS

People that can serve the last part of their sentence outside prison	People that have been directly sentenced to probation or to another CSM	(Violent)Extremist/radicalized offenders, individuals not sentenced at all
Needs and challenges	Needs and Challenges	Needs ad Challenges
<ul style="list-style-type: none"> - To consider gender and age specifics needs - To involve as many relevant actors as possible in the rehabilitation path - To involve Probation and CSM officers starting or as soon as possible or at least in the last six months of the sentence - To coordinate the work of Prison, Probation and CSM Officers with the one of Exit workers - To collect information about the background of extremist/radicalized offenders, the risk they pose to the staff while in prison and all the other possible elements of protection and risk. 	<ul style="list-style-type: none"> - To consider gender and age specifics needs - To involve as many relevant actors as possible in the rehabilitation path - To coordinate the work of Probation and CSM Officers with the one of Exit workers - Probation or CSM staff must evaluate the possibility that (violent) extremist/radicalized offenders pose a risk for themselves or for the society 	<ul style="list-style-type: none"> - To consider gender and age specifics needs - To collect/share information about the eventual experience abroad, the participation in extremist networks and the personal motivation towards violent extremism. - Understanding of family and societal links and identification of possible current elements of risk

6

CHALLENGE 1#: INSPIRING OFFENDERS

(Violent) Exiremist/radicalized individuals are the most important actors of any rehabilitation process. According to relevant studies and to the field of research, called by criminologists *redemption research*, a personal decision-making and a sincere willingness towards an identity change are vital for the success of the rehabilitation process itself. Finding a way to inspire offenders towards an active participation into their rehabilitation path can be the first challenge of the multi-agency cooperation.

- Hlavka et al. (2015), pag. 4; Maruna et al. (2009), pag. 31
- Blumstein, Nakamura. (2009). Redemption Curcio, Pattavina, Fisher (2018) Gender Differences on the Road to Redemption

7

CHALLENGE 2#: FAMILY INVOLVEMENT

Challenge 2#: FAMILY INVOLVEMENT	
Pros	Cons
<ul style="list-style-type: none"> • Through family, it is easier to gather useful information about the offender's personality and life 	<ul style="list-style-type: none"> • It can be difficult to find a way to communicate with the family, due to language barriers
<ul style="list-style-type: none"> • Thanks to family intermediation, it is easier to help offender finding a job 	<ul style="list-style-type: none"> • The family can be suspicious and not trusting in authorities
<ul style="list-style-type: none"> • For Islamist offenders, the family tends to play an important role for cultural and religious reasons 	<ul style="list-style-type: none"> • Family members can face some difficulties in accepting the involvement of the offender in a terrorist context
<ul style="list-style-type: none"> • Involving the family from the very beginning of the path helps the monitoring the dynamics that regulate the relationships among the offender and the other members. 	<ul style="list-style-type: none"> • Some member of the family can be unable to offer stable and supportive help to the offender
<ul style="list-style-type: none"> • Family can help the offender in maintaining/re-building of positive social networks 	<ul style="list-style-type: none"> • the family itself can be the source of individual radicalization
<ul style="list-style-type: none"> • Family support can be a relevant motivation for a self-transformation toward desistance 	<ul style="list-style-type: none"> • the involvement in the reintegration path can cause family members emotional strain/psychological distress

8

CHALLENGE 3#: DOUBLE STIGMATIZATION

- Offenders are stigmatized as criminals AND terrorists
 - Second chance principle is hard to apply



Stakeholders should create awareness around why rehabilitation of those specific offenders is the best solution for the whole society.

9

WORKING FOR REHABILITATION: THE MULTY-AGENCY TEAM

- multi-agency team must clearly define the goals and objectives of the cooperation as well as the indicators of success and failure. (The primary goals should be preventing the commission of new crimes and rehabilitating extremist/radicalized offenders).

To reach these goals, actors should work on:

- *deradicalisation* (described as a process that includes behavioral disengagement and cognitive distancing and led to the so called *exit phase*)
- *(behavioral) disengagement*

These two goals not necessarily must be seen as inseparable or in a fixed order: they can be reached in different, following, moments. The rehabilitation process is organized in multiple steps, each one indispensable to obtain the final target of avoiding reoffending.

10

PROMISING PRACTICING

Three different approaches:

- **Psychological support** (individual sessions or group interventions)
- **Religious and Spiritual Support** (chaplains should be trained for this task)
- **Social support** (the involvement of family and friends in a disengagement path can be useful – when possible. (Role of *significant others*)

11

KIND OF ENGAGEMENT OF THE OFFENDER IN THE PROGRAMME

- **Voluntary.** Individuals that have been involved in extremist/radicalized groups autonomously decide to leave them and follow the programme
- **Depending on judicial decision.** The programme become a specific part of the enforcement of the sentence outside the prison and is normally developed in collaboration with the probation service, outside of the prison setting.

12

SOME RECOMMENDATION

- Maintain the focus on disengagement (behavioral disengagement)
- Apply multy-agency approach as soon as possible
- Mitigate stigma and avoid (the perception of) applying an advantageous treatment to (violent)extremist/radicalized offenders
- Train and engage communities, families, municipalities and local authorities
- Take care of gender, age, religious and ethnic specific needs
- Implement the use of restorative justice and consider to involve victims of (violent)extremist/radicalized offenders (according to their needs fundamental rights).

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Thank you
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An introduction to prison de-radicalization strategies, programmes and risk assessment tools in Europe

Insights from the European Prison Observatory

Alessio Scandurra



Co-funded by the Justice
Programme of the European Union 2014-2020

1

THE EUROPEAN PRISON OBSERVATORY

- Antigone – Italy
- Association for the Defence of Human Rights (APADOR-CH) – Romania
- Bulgarian Helsinki Committee – Bulgaria
- Centre for Crime and Justice Studies – UK
- Democritus University of Thrace - Department of Social Policy - Greece
- European Public Law Organization – Greece
- Fachhochschule Dortmund University – Germany
- Helsinki Foundation for Human Rights – Poland
- Hungarian Helsinki Committee – Hungary
- ISCTE-Instituto Universitário de Lisboa – Portugal
- Latvian Centre for Human Rights – Latvia
- Ludwig Boltzmann Inst. for Human Rights – Austria
- Observatoire international des prisons – France

www.prisonobservatory.org



2

“EU Member States continued to be concerned about jihadist radicalisation and recruitment in prison and the threat from released prisoners.

Several jihadist terrorist attacks in recent years were perpetrated by recently released convicts. At least five jihadist incidents in Europe (Austria, Germany and the UK) in 2020 involved attackers who were either released convicts or prisoners at the time they committed the attack.

Overall, however, recidivism among terrorism convicts in Europe is relatively low.”

Europol (2021), European Union Terrorism Situation and Trend Report

3

Not what you want to hear about a former prisoner

Exactly what you expect to hear about a former prisoner

We need to adjust our expectations:

Prison is not the cause of crime

Prison is not the solution to crime

Detention in prison is a criminal sanction for the most serious offences

4

Retribution vs. resocialization

Retribution + resocialization

Liberal notion of private sphere

Realistic expectations about resocialization

Solidaristic approach to opportunities

Slide 1 features an orange background with three white circular shapes. The left circle contains the European Prison Observatory logo, which consists of a 3x3 grid of colored squares (blue, purple, green, yellow) followed by the text 'European Prison Observatory'. The top-middle circle contains the European Union flag and the text 'Co-funded by the Justice Programme of the European Union 2014-2020'. The top-right circle contains the logo for Fachhochschule Dortmund, University of Applied Sciences and Arts, and the logo for SVA (Strafvollzugsarchiv). The title 'Taking a closer look: from prison (de-)radicalization to pre-crime crimmigration law' is centered in the middle, and the authors 'Christine Graebisch & Melanie Schorsch' are listed below it. A dashed yellow line curves across the slide.

European Prison Observatory

Fachhochschule Dortmund
University of Applied Sciences and Arts

SVA
Strafvollzugsarchiv

Co-funded by the Justice
Programme of the European Union 2014-2020

Taking a closer look: from prison (de-)radicalization to pre-crime crimmigration law

Christine Graebisch & Melanie Schorsch

1

Slide 2 features an orange background with a large white semi-circle on the right. On the left, there is a yellow sun icon with a solid circle and a dashed arc above it. The title 'Prison Radicalization Project' is centered in the white area, and the subtitle 'Reshaping the prison system?' is positioned below it.

Prison Radicalization Project

Reshaping the prison system?

2

Vulnerability & Influence of Imprisonment

“Yes, the danger exists, of course. So clearly the people who have such a background are trying to recruit other people and I say, the people who are with **limited perspective**, and there are a lot of people in prison, yes, they are **vulnerable** to it.”
(Germany - Social Worker)

3

Revival of Reintegration Approaches

Programmes focusing on reintegration, self-esteem and desistance

Projects try to avoid labelling by i.a. avoiding the term „(de)radicalization“

Due to funding for deradicalization revival of rehabilitative idea and measures

But: Securitization of approaches

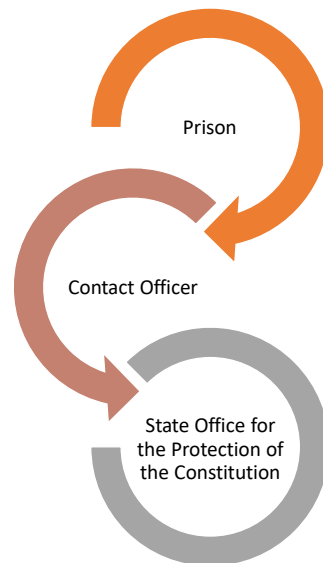
4

Flow of Information

“I would say that the social workers are in the public service and, to a large extent, also civil servants, [...], where the **social service becomes aware of information relevant to the prison management**, and that has to be disclosed. [...] But the prisoners also know this, they know that the social workers are employees of the prison and have **duty of loyalty to the employer** [...]”. (Germany – Social Worker)

5

Flow of information



6

Risk Assessments

“Risk and needs assessment should be carried out by multi-disciplinary teams. When initial and subsequent risk and needs assessment of offenders is carried out, special attention shall be paid to identify offenders vulnerable to radicalisation. In conformity with the existing national procedures regarding risk assessment, offenders’ views should be recorded in relation to this and **offenders should be given the opportunity to challenge such assessments.**”

Guidelines for prison and probation services regarding radicalisation and violent extremism. Nr. IV.a.17.

“It’s madness to write a **counter-assessment** on these files, some are several thousand pages long. And then it’s also clear that some of the files also contain classified information [...]. Right, and in the end it might also be a financial question, that is another factor. Of course, the people concerned would have to cover the costs on their own.” (Germany - Law Expert)

7



Taking a closer look:
Rehabilitation and
securitization

8

Prison law at the turn and beginning of the millennium – The example of Germany

- Attempts to rearrange the relation between resocialization and security, feared ‘competition of shabbiness’
- Prison acts of federal states resist in principle and Federal Constitutional Court continuously strengthens the principle of rehabilitation (Resozialisierungsprinzip) as a constitutional right
- However, developments to change the approach of rehabilitation itself from offering support towards risk assessment (RNR)
- Cognitive-behavioural programs deal with “thinking errors”
- Treatment programs for sexual offenders tend to be less effective inside prison than outside

Graebisch 2016; 2017; 2017a; 2021; forthcoming; Crewe 2011; Robinson 2008.

9

Securitization and “criminal law for the enemy” (Feindstrafrecht, Günther Jakobs)

- Attempts to identify dangerous offenders during their prison term and keep them behind bars (retroactive preventive detention – nachträgliche Sicherungsverwahrung)
- ECtHR judgements set bounds to retroactive preventive detention and the accelerated erosion of individual rights in the name of pre-crime protection measures
- However, tendencies towards pre-crime detention and surveillance of ‘risky subjects’ still prevail (measures of correction and incapacitation/Maßregeln der Besserung und Sicherung esp. placement in forensic psychiatric institutions and supervision of conduct)
- Establishing risk assessments (combined with clinical methods)

Graebisch 2019; Pinto de Albuquerque 2018; Krasmann 2007; Jaobos 2004.

10



11

Deradicalization and terror prevention in prison – prison radicalization?

- Tendencies to strengthen the focus on pre-crime instead of post-crime
- Tendencies to strengthen the focus on thinking (errors) instead of behavior
- The “conveyor belt model” of radicalization-terrorism allows for intervention on a continuum of proactive intervention e.g. starting from religious practice
- Enhancing the role of risk assessment: actuarial, clinical and very often intuitive
- Partially strengthening the effort (and illusion) of rehabilitation through imprisonment and sometimes even approaches in line with criminological desistance research


Walklate/Myten 2018; Ghanem/Graebisch 2020; Graebisch 2019a.

12

Deradicalization and terror prevention in prison – prison radicalization?

- However, these efforts and its limits are enforced, restricted and/or observed, but not reciprocally communicated, by the back stage of security agencies
- Thus, tendencies towards pre-crime and surveillance are strengthened
- Focus not only on already radicalized prisoners but also vulnerable (all?) prisoners
- The prison itself, often perceived as ‘breeding ground’, however is usually not focused for change
- There is usually no rights-based and fairness approach even though known as helpful
- Instead, the ‘infection model’ of radicalization may end up in isolation measures

13



Taking a broader look:
Pre-crime and crimmigration
law

14

Legal Practice

- Terrorism prevention efforts have given rise to the police-construct of the “endangerer” (Gefährder) who is in most cases Muslim
- In case of foreign nationals, even those with a valid residence permit, deportation is the measure of first choice
- Prevention of terrorism strengthens tendencies towards pre-crime and crimmigration
- Example for merger – better: puzzle – of migration law and criminal law: deportation after criminal investigations
- Another example of crimmigration law/ legal practice: withholding rehabilitation measures (like prison leave, vocational training) from foreign national prisoners (designated for deportation or expulsion)
- A broader example of crimmigration law: deportation and expulsion (downgrading in status) as different quasi-penal law for foreign nationals with lower procedural safeguards
- The two latter aspects of deprivation lead to reinforcement of possible structural reasons for terrorism inside prison and after release

Graebusch/Burkhardt forthcoming; Graebusch 2020; 2020a; 2019b; Brandariz 2021; Stumpf 2006.

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Taking a side look: The role of immigration detention

16

Immigration detention

Gradually detaching immigration detention from its purpose of securing deportation to protecting society from foreign nationals considered to be dangerous

Gradually moving (dangerous) foreigners from immigration detention centres to prisons

Gradually extending the definition of dangerousness to returning asylum seekers especially those who had been expelled due to crime or pre-crime in the past

Graebisch forthcoming (a)

17



Taking a careful look:
The change of the rule of law
in the name of its protection

18

Change of the rule of law

- Finally, and paradoxically due to the prohibition of discrimination, these legal developments will affect citizens as well – offenders (in general) but also presumed future offenders
- As a conclusion: careful protection measures and legal guarantees are needed against classification as “dangerous” or “radical”
- Building on the presumption of innocence, a presumption of not being dangerous is necessary
- Rights-based approaches are usually not even thought about in prisons but could prevent radicalization due to perceptions of being treated unjust and feeling excluded in prison
- This important element of dealing with radicalization in prison as well as outside would also take the rule of law – that is to be protected – serious
- Future approach: Taking structural causes seriously into account and offer support – not only for prisoners perceived as radicalized – and putting an end to deprivation by (migration) law
- Empirical research is needed to further understand perceptions and modes of action by prisoners as well as the different professions working in prison
- Unfortunately, independent research can also become a sacrifice of security

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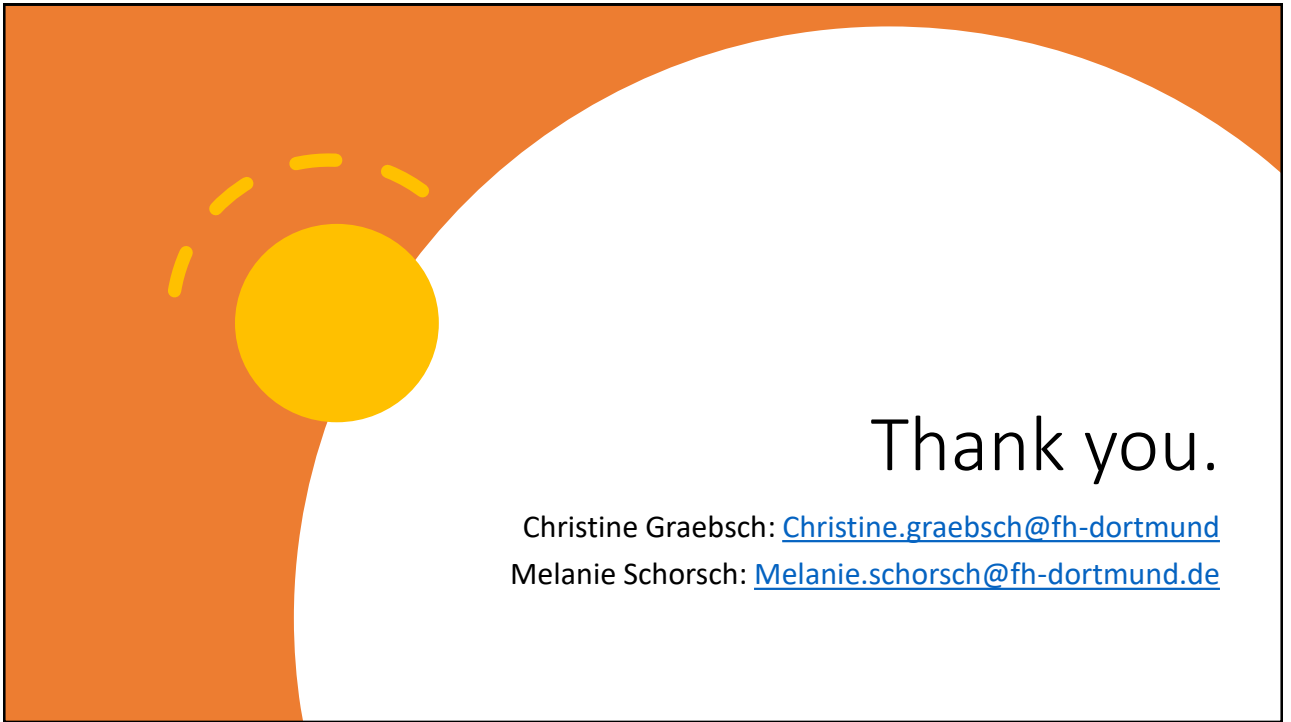
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**PRP. European Prison Observatory.
Prison de-radicalization strategies,
programmes and risk assessment tools in
Europe**



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1

**PRP - Prison de-radicalization strategies,
programmes and risk assessment tools in
Europe.**

European Prison Observatory:

Monitoring prisons in a European dimension

from the perspective of protecting

prisoners' human rights

2

Relevant EU legislation

- Guidelines for prison and probation services regarding radicalisation and violent extremism (adopted by the Committee of Ministers on 2 March 2016)
- European Parliament resolution of 5 October 2017 on prison systems and conditions (2015/2062(INI)).

3

How to approach the phenomenon of prison radicalisation

- “**places of vulnerability**” (Basra, Neumann, 2016; Mulcahy et al., 2013; Neuman, 2007): prison as a fertile ground for prisoners' frustration, high risk of radicalization

vs.

- radicalisation and recruitment by terrorist inmates within specific prison conditions is more an exception than a rule (Jones, 2014; Hamm, 2013).
- religious practices simply allow to survive in a hostile environment (Bulinge, 2016)
- religious radicalisation is just one option amongst others to maintain one's own identity and tackle the sense of deprivation in prison (Khosrokhavar, 2015).

4

Definitions of terrorism

- often **unclearly definitions** of terrorism (no unanimous legal concept of terrorism in doctrine) → relevant practical implications (i.e.: the TAV case in Italy, departures to Syria, etc.)
- shifting criminality to an extreme extent **toward pre-crimes**, criminalising *mens rea* even before *actus rea*
- even if there is not a specific definition of '**Islamic or religious oriented terrorism**', it is often quite obviously implicit in the idea of it (since the attacks of 11th September 2001)

5

Detention regimes

- Different levels of judicial/administrative discretion in determining the prison regime to be applied to terrorism offenders/radicalised/those at risk of radicalisation
- Approaches: *segregation vs. normalisation/dispersion*

6

Detention regimes

Austria: *dispersion* for all categories

Italy and Spain: *segregation* only for those accused/sentenced for terrorism (AS2 in Italy, isolation within the FIES system in Spain)

Germany: no segregation (officially avoided) but high level of control measures adopted (i.e. video-surveillance, control of correspondence and external contacts, etc.). Moreover, this can differ from Land to Land

Portugal: isolation for accused/sentenced in one maximum security prison in Lisbon

Greece: official data are not available, but many high profile criminals convicted or accused of terrorist acts or crimes driven by ethnic or racial hate were or are incarcerated in Korydallos prison, Attiki

7

Risk assessment tools

Italy: “*Violent Radicalization – Recognition of and Responses to the Phenomenon by Professional Groups Concerned*” manual

Indicators of radicalisation:

- **physical** changes (clothing, beard growth, etc.)
- **behavioural** changes (hostility towards the institution, intensification of religious practice, exposure of symbols, comments on current events, change of attitude towards non-Muslim detainees, etc.).

High risk of stereotypical and superficial evaluations

8

Radicalisation prevention and contrast

Common features:

- Radicalisation as a prison problem (ex. Poor intervention during the probation programs)
- No post release support
- Poor statistical data
- No external evaluation

9

Three main styles?

- Denial of the problem (Greece; Portugal)
- Control and neutralisation (Italy; Latvia)
- Control and inclusion (Austria; Germany)

10

Conclusions

The risk of prison radicalisation seems to be the final outcome of a process of amplification of the phenomena

The juridical definition of terrorism in the Countries involved in the project is not unique and often *unclearly formulated* → Different sanctions and supplementary penalties

Prevalence of isolationist approaches and the lack of *individualisation* of procedures

Control oriented style in facing prison radicalisation pose a risk in terms of respecting the EU recommendations