



# Prisons and Terrorism: Extremist Offender Management in 10 European Countries

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# Executive Summary

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## About this Study

- This report offers a wide-ranging analysis of the role prisons can play in radicalising people – and in reforming them. Building on a 2010 study that used the same methodology, it examines the policies and approaches of ten European countries, identifying trade-offs and dilemmas but also principles and best practices that can help governments and policymakers spot new ideas and avoid costly and counterproductive mistakes.
- It paints a picture of countries trying to grapple with a challenging – and rapidly changing – situation. Over the past decade, many European countries have had to deal with a significant increase and diversification of their extremist offender populations, raising systemic questions about prison regimes, risk assessments, probation schemes, and opportunities for rehabilitation and reintegration that had previously often been dealt with on a case-by-case basis.

## The Extremist Offender Population

- Throughout Europe, the extremist offender population has changed profoundly over the past decade:
  - 1) There are *more inmates convicted of terrorism-related offences* than at any point since the turn of the millennium.
  - 2) They have *more varied backgrounds* – including more women and a rapidly growing prisoner population from the far right.
  - 3) They are serving a *wider range of sentences*, many of them relatively short-term.
- Combined, these three developments mean that managing extremist offenders is even more urgent – and more challenging – an issue.

## Planning and Plotting

- A new development is the occurrence of terrorist attacks *within* prisons, of which there have been six known cases in the ten European countries surveyed since 2015. Attacks typically target prison officers, and most have been carried out by inmates with a violent past.
- Over the same period, there have been 22 prison-related plots: for example, attacks that followed an inmate's release; plots the perpetrators of which met in prison; or attempts to coerce authorities into releasing prisoners. Some 12 of these plots involved jihadists who were only recently released from prison.

- Prison-based recruitment remains an issue. As with ‘traditional’ prison gangs, extremists target vulnerable inmates such as those who are isolated or new to prison. Targeting often involves the offer of material benefits and ‘protection’.

## **Preventing Radicalisation and Recruitment**

- Although countries have intensified training efforts, they have also recognised that it is neither reasonable nor practical to expect all prison officers to have an up-to-date and sophisticated knowledge of extremist movements. This has led to the creation of centralised ‘Extremism Units’, which provide expertise and input where needed.
- Extremism-specific risk assessment tools are now used in a majority of the countries surveyed. Many are relatively new and still need to be thoroughly evaluated. Their accuracy also depends on the skills and experience of those who use them.
- ‘False compliance’ seems to have become more widespread, especially among jihadist prisoners, though its true extent is unknown. This can be a major issue in relation to risk assessment and release arrangements.

## **Prison Regimes**

- There are three broad categories of regimes for convicted terrorists:
  - 1) Placing all extremists together (‘concentration’);
  - 2) Dispersing them among the regular criminal population (‘dispersal’);
  - 3) Isolating them from each other *and* the regular criminal population (‘isolation’).
- While full and permanent isolation is illegal, prison services across Europe have experimented with different regimes and it has become increasingly popular to have a mixed approach, which involves concentrating or separating the most dangerous inmates while dispersing the remainder.
- There is no single, perfect solution. The examples provided in this study make clear that every type of prison regime involves trade-offs; what works for one kind of extremist prisoner population may not necessarily be effective for another. Prison services are, generally, flexible in their approach.

## **Promoting Reintegration and Rehabilitation**

- Nearly all the European countries surveyed have, in recent years, considered rehabilitation programmes for extremists. Most schemes follow the same basic principles: they begin with a risk assessment, are individually tailored and involve a variety of interventions, such as cognitive behavioural therapy, mentoring and structured dialogue tools. They all recognise that disengagement takes time and will not always be successful.

- However, there are also significant differences, especially in relation to: whether they are compulsory; the role of mentors; post-release arrangements; the emphasis on ideology; and evaluation.
- There are significant differences when it comes to the processes and procedures whereby extremist offenders are released and the (probation) arrangements they are subjected to once they return to society. Only a small number of countries have an integrated approach towards prison and probation.

## **Recommendations**

- The issues raised in this report should therefore prompt policymakers and practitioners to assess how to best respond to these phenomena. Our recommendations are:
  - 1) Avoid overcrowding and understaffing;
  - 2) Develop expertise and train staff;
  - 3) Share information;
  - 4) Evaluate risk assessment tools and determine what 'success' looks like;
  - 5) Assess and adapt prison regimes;
  - 6) Link up prison and probation;
  - 7) Pay attention to emerging challenges.
- Although we recognise that spending money on prisons is unpopular, politicians, policymakers and the wider public need to understand that maintaining safe and orderly prisons are key investments in countering crime and terrorism. No clever piece of software or risk assessment tool can compensate for the absence of sufficient staff, space and basic resources.
- Not least, governments must always treat extremist offenders fairly and with respect. Whatever the prison regime, its foundation should be professionalism, respect and core values, such as human rights and the rule of law.



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# 1 Introduction

Long before the leadership of Islamic State (also known as ISIS or IS) emerged from Camp Bucca in Iraq,<sup>1</sup> prisons were ‘centres of gravity’ for virtually every terrorist group in the modern era. In a 2010 report,<sup>2</sup> we highlighted the different facets and dynamics of this phenomenon. The prison experience, we pointed out, had ‘played an enormous role in the narratives’ of terrorist groups:

*No matter how different their causes or backgrounds, Egyptian Islamists, German Marxists, and Irish Republicans have all regarded their comrades’ imprisonment as traumatic turning points in the histories of their movements. The prisoners and the ways they were treated came to be focal points for their groups’ campaigns, and they significantly influenced their supporters’ attitude towards violence and the state.<sup>3</sup>*

For some terrorists, prison was a place for radicalisation and recruitment, in which inmates with no previous involvement in politically motivated violence could be exposed to extremist ideas – often at particularly vulnerable points in their lives. For others, it was as an ‘incubator of peaceful change and transformation’, enabling de-radicalisation, disengagement, and – in some cases – entire peace processes. Needless to say, prison also served operational purposes: it was a place in which terrorists formed networks, established hierarchies, developed strategies, and plotted attacks.

It is curious, therefore, that researchers and policymakers concerned with radicalisation and countering radicalisation have shown comparatively little interest in the issue of prisons. With notable exceptions,<sup>4</sup> there are few empirically or theoretically rigorous studies on the role of prisons in terrorism and politically motivated violence. This remains true even in Europe, despite the enormous attention given to issues related to terrorism and radicalisation in recent decades.

Our 2010 study was an attempt to change this. It succeeded in raising awareness among researchers, and established key terms, dynamics and trade-offs. It was read by many policymakers and informed efforts to reform prison regimes for politically motivated offenders in Australia, Britain, and the Netherlands. But no single study can rectify the absence of both data and serious research that has haunted the issue for such a long time. Moreover, with the rise (and fall) of IS, the recent increase in terrorism from the extreme right, and changing

1 Martin Chulov, ‘ISIS: The Inside Story’, *The Guardian*, 11 December 2014.

2 Peter R. Neumann, *Prisons and Terrorism: Radicalisation and De-radicalisation in 15 Countries* (London: ICSR, 2010).

3 *Ibid.*, p. 7.

4 See, for example, the excellent chapters in Andrew Silke (ed.), *Prisons, Terrorism and Extremism: Critical Issues in Management, Radicalisation and Reform* (Abingdon: Routledge, 2014); Bart Schuurman & Edwin Bakker, ‘Reintegrating Jihadist Extremists: Evaluation a Dutch Initiative, 2013–2014’, *Behavioral Sciences of Terrorism and Political Aggression*, Vol 8, Issue 1, 2016, pp. 66–85; Daan Weggemans & Beatrice de Graaf, *Reintegrating Jihadist Extremist Detainees: Helping Extremist Offenders Back Into Society* (Abingdon: Routledge, 2017); Andrew Silke & Tinka Veldhuis, ‘Countering Violent Extremism in Prisons: A Review of Key Recent Research and Critical Research Gaps’, *Perspectives on Terrorism*, Vol 11, No 5, 2017, pp. 2–11; Liesbeth van der Heide & Bart Schuurman, ‘Reintegrating Terrorists in the Netherlands: Evaluating the Dutch Approach’, *Journal for Deradicalization*, No 17, 2018, pp. 196–239; Rohan Gunaratna & Sabariah Hussin (eds.), *International Case Studies of Terrorist Rehabilitation* (Abingdon: Routledge, 2018).

patterns of radicalisation and recruitment across all forms of politically motivated violence, any study that is a decade old will – at the very least – require an update.

This report builds on the 2010 study, while at the same time focusing on a narrower set of countries and taking into account the changed circumstances. More specifically, it provides an overview of the current situation in ten European countries regarding:

- trends within the extremist offender population;
- attacks and operational planning within prison systems;
- measures aimed at preventing radicalisation and recruitment;
- prison regimes for extremist offenders;
- reintegration and release policies.

Although the data is not complete and comparisons between countries with different prison and legal systems can be difficult, it represents the most extensive survey to date.

Overall, it paints a picture of countries trying to grapple with a challenging – and rapidly changing – situation (see Table 1). Over the past decade, many European countries have had to deal with a significant increase and diversification of their extremist offender populations, raising systemic questions about prison regimes, risk assessments, probation schemes, and opportunities for rehabilitation and reintegration that had previously been dealt with on a case-by-case basis. It brings together various European experiences, highlighting examples of ‘best practice’ while recognising different contexts and challenges. As well as making specific recommendations, our principal conclusion is that European countries should engage in this kind of systematic exchange and comparison more often.

## **Methodology**

The report is based on the same methodology as our 2010 report. It is part of a project that was carried out between April 2019 and June 2020 and was funded by the Dutch National Coordinator for Security and Counterterrorism and the Swedish Ministry of Justice. The funders did not influence the process of research, choice of contributors, framing of questions, or conclusions we reached. The empirical basis is ten 3,000-word country reports that were written by recognised local experts. Countries were chosen after careful deliberation and reflect a mix of larger and smaller European countries with significant populations of politically motivated offenders in their prison systems. They are:

- Belgium: Thomas Renard (Egmont Institute)
- Denmark: Magnus Ranstorp (Swedish Defence University)
- England and Wales: Rajan Basra (King’s College London)
- France: Bernard Rougier (Université de la Sorbonne Nouvelle) and Hugo Micheron (Sciences Po)
- Germany: Behnam Said (Senate Administration for Justice, Hamburg)
- Greece: Triantafyllos Karatrandos (National and Kapodistrian University of Athens)
- The Netherlands: Liesbeth van der Heide (International Centre for Counter-Terrorism – The Hague)

- Norway: David Hansen (University College of Norwegian Correctional Service,) and Tore Bjørgo (University of Oslo)
- Spain: Carola García-Calvo and Álvaro Vicente (Real Instituto Elcano)
- Sweden: Magnus Ranstorp (Swedish Defence University)

To make sure that findings from the different case studies could be compared, each author was asked to address the same topics and questions (Appendix I), drawing on government statistics, reports, interviews with various stakeholders, and their own, previously published research. In addition, we carried out an extensive review of the existing literature, which helped to contextualise some of the findings and close gaps in our understanding. Preliminary drafts of the country papers were presented at a workshop in London in December 2019 and received feedback.

In the context of this study, we apply the term ‘terrorist’ to individuals who have been convicted of terrorism-related offences in their respective countries. All terrorists are ‘politically motivated offenders’, although not every politically motivated offender is necessarily a terrorist. We also use the term ‘extremist’ to refer to individuals who promote violence to influence or overthrow liberal democracy in the name of a belief system. (In contemporary Europe, this typically applies to jihadists, the extreme right, the extreme left, and ethnic nationalists.) ‘Radicalisation’, on the other hand, is the (often complex and drawn-out) process of becoming extremist, while ‘de-radicalisation’ and ‘disengagement’ involve the process of abandoning extremist ideas or violence respectively.<sup>5</sup> The terms ‘prisoner’, ‘inmate’ and ‘offender’ are used interchangeably.

The resulting data is inevitably imperfect. For example, there is a large ‘known unknown’ that relates to the post-release situation. It is possible that many inmates who adopt extremist ideas or associate with extremist networks in prison simply abandon and disassociate from them upon release. There are no clear figures on inmates who fall into this category, though in Britain, the Intelligence & Security Committee has noted that ‘very few’ inmates who began their radicalisation in prison ‘are thought to have remained committed upon release’.<sup>6</sup> Likewise, other cases that are portrayed as instances of prison radicalisation are difficult to verify. Anis Amri, the perpetrator of the 2016 Christmas market attack in Berlin, reportedly radicalised in Sicilian prisons between 2011 and 2015. Yet there are few details on his prison stay, and in any case, it is apparent that his subsequent involvement in the extremist milieus of Düsseldorf and Berlin were just as important – if not more so – than his initial exposure to extremist ideas.

While the data is not complete, and our analysis and recommendations do not necessarily reflect the experts’ individual views or any consensus among them, their collective insight – often based on years, if not decades, of study of the countries in question – into this subject is the report’s unique strength. It achieves depth as well as breadth, drawing on detailed and highly informed assessments of past and current policies in a wide range of European countries.

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<sup>5</sup> For the difficulties in defining terms such as extremism and radicalisation, see Peter R. Neumann, ‘The Trouble with Radicalization’, *International Affairs*, Vol 89, Issue 4, 2013, pp. 873–93.

<sup>6</sup> Intelligence and Security Committee of Parliament, *The 2017 Attacks: What needs to change?* (UK: Her Majesty’s Stationary Office, 2018), p. 37.

## **Structure**

The report covers the entire life-cycle of extremist offender management, from sentencing through prison regimes, measures to prevent radicalisation and promote disengagement and rehabilitation, and post-release and probation arrangements. This is reflected in the chapter structure. An overview of the current situation and trends (Chapter 2) is followed by chapters on prison-based attacks and plotting (Chapter 3), radicalisation and recruitment (Chapter 4), prison regimes (Chapter 5), as well as rehabilitation and release (Chapter 6). The concluding chapter contains key recommendations.

Table 1: Extremist Offender Management Approaches Taken by 10 European Countries

Country	Number of prisoners in custody for terrorism-related offences <sup>7</sup>	Number of prisoners monitored for radicalisation <sup>8</sup>	Placement regime	Separate dedicated units for extremists?	Primary risk assessment tool used	Deradicalisation or disengagement approaches specific to extremist offenders <sup>9</sup>
Belgium	~ 136	165–450	Dispersal (with select concentration)	Yes (2 units, with a total capacity for 40 inmates)	Violent Extremism Risk Assessment 2 Revised (VERA-2R)	Individual disengagement programmes (which varies according the language, Dutch or French, spoken by the inmate)
Denmark	19	64	Dispersal	No	Unspecified	Mentoring
England & Wales	238 (183 jihadists; 44 far-right; 11 other)	~ 450	Dispersal (with select concentration)	Yes (1 unit, with a total capacity for 8 inmates)	Extremism Risk Guidelines 22+ (ERG 22+)	‘Healthy Identity Intervention’ (HII); ‘Desistance and Disengagement Programme’ (DDP)
France	549 (522 jihadists; 36 Basque separatists)	1,458	Dispersal (with select concentration)	Yes (with planned capacity for 1,500 inmates)	‘Radicalisation assessment grid’ (une grille d’indicateurs); VERA-2R	Individual programmes; group workshops; RIVE (Research and Intervention on Violent Extremism)
Germany	Unspecified	≥ 292	Dispersal	No	VERA-2R; ‘Rule-based analysis of potentially destructive offenders to assess the acute risk – Islamist terrorism’ (Regelbasierte Analyse potentiell destruktiver Täter zur Einschätzung des akuten Risikos – Islamischer Terrorismus) (RADAR-iTE)	Programmes vary from state to state, as funded by the ‘Demokratie Leben!’ initiative, with different ideological, pastoral and socio-educational emphases

7 In Belgium, the figure of ~136 prisoners in custody for terrorism-related offences is based on a February 2020 breakdown of CelEx inmates. There are more recent figures, from May 2020, which list the total number of CelEx inmates, but those figures do not provide a breakdown according to the various CelEx inmate categories. In Sweden, there are a total of 107 violent extremist offenders. Some 53 are held in custody, with the remainder either held on remand or released on probation.

8 These numbers include the figures from the ‘Number of prisoners in custody for terrorism-related offences’ column. As not everyone who is in custody for terrorism-related offences is radicalised or monitored for radicalisation, this figure is likely a slight overestimation. For example, it is unclear whether Basque separatists in Spain and France are monitored for radicalisation in the same fashion that jihadists are. Figures from Germany are based on eleven of the country’s 16 federal states. The figure of ~136 prisoners in custody for terrorism-related offences in Belgium is based on a February 2020 breakdown of CelEx inmates, whereas the figure of 165 prisoners monitored for radicalisation in Belgian prisons is based on a May 2020 total from CelEx; the figure of 450 prisoners for monitored for radicalisation is from a State Security Service estimate from 2018. In the Netherlands, in addition to the 36 terrorism offenders, there are approximately 15 more inmates monitored for signs of radicalisation. In England and Wales, the Joint Extremism Unit (JEXU) considers there to be 250 terrorists and 200 ‘terrorist risk offenders’. These figures are all dynamic.

9 In all countries surveyed, many of the same rehabilitation programmes for regular offenders are also applied to extremist offenders.

Country	Number of prisoners in custody for terrorism-related offences	Number of prisoners monitored for radicalisation	Placement regime	Separate dedicated units for extremists?	Primary risk assessment tool used	Deradicalisation or disengagement approaches specific to extremist offenders
Greece	≥ 20 (estimate) (3 jihadists; remainder far-left)	≥ 20 (estimate)	No specific regime	No	No extremism-specific risk assessment tool	No extremism-specific programmes
The Netherlands	36	≤ 51 (estimate)	Concentration	Yes (6 units, with a total capacity for 48 inmates)	VERA-2R	Terrorism, Extremism, and Radicalisation (TER) disengagement interventions
Norway	25	34	Dispersal (with select de facto 'isolation')	No	No extremism-specific risk assessment tool	Mentoring
Spain	329 (126 jihadists; 203 Basque separatists)	493	De facto 'isolation'	Yes	Adaptation of VERA-2R (in Interior Ministry prisons); 'Prevention, Detection and Intervention of Extremist Radicalisation Processes' (Prevençió, Detecció i Intervenció de Processos de Radicalització Extremista) (PRODERAE) (in Catalonia only)	'Framework Program for Intervention in Violent Radicalisation with Islamist Inmates' (in Interior Ministry prisons); no extremism-specific programmes (in Catalonia)
Sweden	> 53	Unspecified	Dispersal	No	Risk, Need, Responsivity Assessment (RNR-A); other tools (such as VERA-2R) also used	No extremism-specific programmes

## 2 The Extremist Offender Population

Throughout Europe, the extremist offender population has changed profoundly over the past decade. Not only are there *more extremist inmates* – that is, those convicted of terrorism-related offences as well as those convicted of regular criminal offences who have become radicalised in prison – but such inmates are also of *more varied backgrounds* and are serving a *wider range of sentences*, many of them relatively short-term. Combined, these three developments mean that managing extremist offenders is even more urgent – and more challenging – an issue.

### A Rise in Number

Across the ten countries surveyed, there are an estimated 1,405 individuals held in custody for terrorism-related offences (see Table 1).<sup>10</sup> Almost half of these inmates (549) are in France.<sup>11</sup> Most of the remainder are in Spain (329 inmates),<sup>12</sup> Germany (at least 292 inmates),<sup>13</sup> Britain (238),<sup>14</sup> and Belgium (136).<sup>15</sup> Even countries with low absolute numbers, such as Sweden (53),<sup>16</sup> the Netherlands (36), Norway (34),<sup>17</sup> and Denmark (19), are dealing with more extremist offenders than in previous years. In France and Spain, a combined total of 239 inmates are classified as Basque separatists.<sup>18</sup> For two countries the data is incomplete: although Greece often experiences left-wing or anarchist terrorism, the authorities there do not compile statistics on terrorist offenders and estimate there are over 20 extremists in custody. Germany also does not have national statistics, meaning that each federal state must be consulted individually.

When including offenders monitored because of their radicalisation – whether that is because authorities observe tentative signs of radicalisation, consider them ‘at-risk’ or ‘vulnerable’ to extremism, or witness a strong commitment to extremist causes – the total number across the ten countries rises to at least 3,027. While the figure is based on each country’s reporting and criteria (which are not uniform or standardised across Europe), it does nevertheless indicate the scale of potential prison radicalisation: 54% of the inmates considered potentially extremist (1,622) entered prison as ‘regular’ criminals, and not because of terrorism-related offences.

<sup>10</sup> As these numbers include those held on remand (that is, awaiting trial), they are subject to change.

<sup>11</sup> Some 522 of these inmates are classified as jihadists; 27 are Basque separatists (mostly former ETA members), who are a legacy of the armed struggle for an independent Basque state.

<sup>12</sup> Some 127 are classified as jihadists; 203 are Basque separatists.

<sup>13</sup> This figure is based on eleven of the 16 Federal states: Baden-Wuerttemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Lower Saxony, North Rhine-Westphalia, Saxony, Schleswig-Holstein, and Thuringia.

<sup>14</sup> Britain refers to England, Scotland, and Wales. Figures for only England and Wales are not available.

<sup>15</sup> This is based on a February 2020 breakdown provided by CelEx to Thomas Renard.

<sup>16</sup> Up to 47 additional offenders in Sweden are either held on remand or released on probation. As the exact number of individuals held on remand is unspecified, we have only included those offenders who are in custody following their conviction.

<sup>17</sup> This is a combination of terrorism offences and hate crimes.

<sup>18</sup> Figures provided by the Basque separatist prisoner support group EtXerat, available at: <http://www.etxerat.eu/index.php/es/pres-s/listado-direcciones>.

These figures are remarkable; not only are they at their highest since the turn of the millennium, but they have also rapidly increased. For example, France's terrorist inmate population increased fivefold since 2014, when the country had only 90 inmates linked to the jihadist scene.<sup>19</sup> In the same timeframe, Britain's terrorist offender population doubled.<sup>20</sup> Austria, meanwhile, had zero terrorism-related inmates in 2013, while in late 2019 the country's prisons were holding 59 extremist inmates.<sup>21</sup> The increase forced countries – which either had little experience with terrorism or a stable level of radical inmates – to develop policies, procedures, and personnel to tackle the issue.

It is unknown when these numbers will peak. The loss of Islamic State's territory in Syria and Iraq, the rise of the far right in Europe, and the medium-term impact of the coronavirus pandemic and a global recession may all impact the pace of terrorism in Europe, which, in turn, will affect the number of extremists in prison. There are early signs that Belgium and Britain have passed their peak: their reported numbers of terrorist inmates in 2019 and 2020 were lower than in 2017 and 2018. Even so, extremist offenders still make up only a small minority of inmates across Europe: in Denmark, for example, they account for just 1.6% of the prison population.<sup>22</sup> Moreover, historically many of the countries have faced far higher numbers of terrorists. The difference, however, is that today's terrorists can seemingly be more indiscriminate, unpredictable, and violent than their predecessors.

Although their numbers have, thus far, been smaller than anticipated, the presence of 'returnees' from Syria and Iraq can potentially aggravate this situation. While many returnees across Europe are disillusioned and disappointed with either Islamic State as an organisation or the jihadist movement more broadly,<sup>23</sup> Islamic State's religious police is said to have continued their 'work' within prison walls.<sup>24</sup>

## With Varied Backgrounds

In addition to higher numbers, there is now a greater variety in the backgrounds and profiles of extremist offenders. This is seen in the range of conviction offences: depending on a country's anti-terrorism legislation, 'terrorist offenders' is a broad label that includes everyone from attack planners who were on the verge of carrying out mass murder to individuals who were convicted for not informing the authorities about their family members' activities. Some were involved in jihadism in the 1990s or early 2000s with al-Qaeda, while others are newfound adherents attracted to the message of Islamic State. Similarly, offenders include everyone from deeply committed ideologues to those with only a superficial understanding of the jihadist worldview.

While there is a range of ideological drivers, jihadists remain the most numerous and account for 82% of all extremist offenders who have been classified by their ideology.<sup>25</sup> Supporters of the far right,

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19 'Mehdi Nemmouche: questions autour de la radicalisation en prison', *Le Monde*, 3 June 2014.

20 Figures from 'Operation of police powers under the Terrorism Act 2000 statistics', Home Office, 5 March 2020.

21 Gabriele Scherndl, 'Nach Terrorplänen: Hauptverdächtiger schon 2016 als radikal eingestuft', *Der Standard*, 18 December 2019.

22 Magnus Ranstorp, *Extremist Offender Management in Denmark* (London: ICSR, 2020).

23 See, for example, the case of 'Zubeir', in David Thomson's excellent account of French returnees: David Thomson, *The Returned* (Cambridge: Polity Press, 2018), pp. 70–127.

24 Bernard Rougier & Hugo Micheron, *Extremist Offender Management in France* (London: ICSR, 2020).

25 It is possible to classify 2,609 of the 3,027 offenders according to their ideological affiliation.

meanwhile, make up 7% of categorised offenders, but given the resurgence of white nationalist, anti-Semitic, and Islamophobic activity in Europe, it is likely that their number will increase over the coming years. Another 10% are classified as 'other', be they former members of ETA (the now-disbanded Basque separatist group), Kurdish groups such as the PKK, or individuals who do not follow a specific ideology. Less than 1% are categorised as left-wing or anarchist, with most of them imprisoned in Greece.

The profiles involved have also expanded. Whereas a decade ago it was almost unheard of for women to be protagonists in the jihadist scene – and those involved were generally seen as 'victims' of their radical husbands' wills – in recent years Europe has witnessed female propagandists, recruiters, travellers to Islamic State territory, and attack planners. This change was heralded with the 2016 Notre-Dame bomb plot in Paris, which involved a three-woman cell that attempted to explode a car, filled with gas canisters, near the cathedral. Their attempt failed and the women were arrested and convicted for the attack. Three further all-female plots in the UK further underlined the potential for women to be involved in violent extremism.<sup>26</sup>

Despite the emergence of female protagonists, their numbers inside prison are still small, both in relative and absolute terms. Of the total 177 extremist inmates in Belgium, for example, there are only nine women (5% of the total). Of the 126 jihadist inmates in Spain, twelve are women (9.5%), and in France there are 50 women (9.6%) among the 522 inmates convicted for jihadist offences. Where data is available, therefore, women constitute no more than 10% of all extremist inmates, which reflects the proportion of women who travelled from Europe to Syria and Iraq.<sup>27</sup>

The challenges in their management generally reflect those seen among male extremists: deciding over placement regimes, monitoring for radicalisation and recruitment, and attempting to reintegrate them into society. Even though several countries in Europe have pivoted towards separating the most dangerous extremists in high-security wings, there have been no reported cases of women being placed in such units. Prison staff in England, for example, have said there is no 'immediate need' to place any female inmates in separate wings as they tend 'not to present the same problems' as male extremists.<sup>28</sup>

One particular issue is the prospect of female 'returnees', especially those who have young children. As a result of Islamic State's territorial losses, especially after the battle of al-Baghuz in February 2019, hundreds of European nationals have been held in detention camps in northern Syria, often alongside their children born in the conflict zone.<sup>29</sup> European states have been reluctant to repatriate their citizens held in these camps; only Kosovo, which took back 110 of its citizens (including 32 women and 74 children), has undergone mass repatriation. While several female returnees have been imprisoned,<sup>30</sup>

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26 Those three are: 1) Safaa Boular's 2017 British Museum plot; 2) Rizlain Boular and Mina Dich's 2017 stabbing plot; and 3) Safiyya Shaikh's 2019 St. Paul's Cathedral bomb plot.

27 The country figures can be found in: Joana Cook & Gina Vale, *From Daesh to 'Diaspora': Tracing the Women and Minors of Islamic State* (London: ICSR, 2018), p. 17.

28 Beverly Powis, Keely Wilkinson, Sinead Bloomfield & Kiran Randhawa-Horne, 'Separating Extremist Prisoners: A process study of separation centres in England and Wales from a staff perspective', Ministry of Justice, 2019, p. 15.

29 There are, at least, an estimated 1,129–95 European nationals, or children of European nationals, held in these camps. Rik Coolsaet & Thomas Renard, *New Figures on European Nationals Detained in Syria and Iraq* (Brussels: Egmont, 2019).

30 Notable cases include Tareena Shakil from the UK and Sabine S. in Germany.

European prisons must be prepared for a potential influx of female inmates from these camps – including arrangements for the care and custody of their children – over the coming years.<sup>31</sup>

Additionally, there is anecdotal evidence from prison services of extremists who have mental health issues, including severe personality disorders and schizophrenia. Data in this area is lacking and the full extent of the issue is unknown. While it may be tempting to view an individual's adherence to an extremist ideology as their defining characteristic, there are many other factors at play that influence thinking and behaviour. Radicalisation, after all, can be a complicated process that defies straightforward explanations. For some inmates, therefore, their extremism may be less of a concern than their mental health or drug use.<sup>32</sup> Combined, these all suggest that extremist offenders may have many of the same needs as 'regular' criminal offenders.

## Often on Short Sentences

The range of sentences, too, is broad: from relatively minor sentences to life imprisonment. In Spain, jihadists convicted between 2012 and 2019 have received an average sentence of 5½ years, ranging from six months to 13 years.<sup>33</sup> In the UK, the average sentence over the same period was just over 7½ years (and a median sentence of 5 years) with custodial sentences ranging from nine months to 45 years.<sup>34</sup> In Belgium, 50% of terrorism-related convicts were sentenced to fewer than ten years, with 20% receiving five years or fewer.<sup>35</sup> In Denmark, the average sentence is just over four years, with lengths ranging from six months to ten years.<sup>36</sup> In France, the trend over the past decade has been to give longer sentences,<sup>37</sup> while the average Greek terrorism sentence is 16 years, which is the highest in the European Union. As not everyone will serve their entire sentence in prison – due to early release schemes or mandatory time on probation – this means that most terrorists convicted over the last five years will likely be released by 2025.

The variation seen here is influenced by, among other things, a country's anti-terrorism legislation. Not all states have convictions for preparatory offences such as disseminating propaganda or terrorist fundraising, nor do they all have the legislative tools to convict foreign fighters returning from conflict zones such as Syria and Iraq. Others have seemingly tougher legislation: France has routinely prosecuted individuals for the crime of 'terrorist criminal association' (*association de malfaiteurs terroriste*), which does not require direct evidence of a planned terrorist attack, or for terrorist apologism, such as making

31 See, for example, France's 2018 ministerial instruction to prepare for the return of children: 'Instruction relative à la prise en charge des mineurs à leur retour de zone d'opérations de groupements terroristes (notamment la zone irako-syrienne)', *Le Premier Ministre*, No 5995/SG, 23 February 2018, available at: [https://web.archive.org/web/20200625160435/http://circulaires.legifrance.gouv.fr/pdf/2018/03/cir\\_43128.pdf](https://web.archive.org/web/20200625160435/http://circulaires.legifrance.gouv.fr/pdf/2018/03/cir_43128.pdf)

32 For more, see Rajan Basra, *Drugs and Terrorism: The Overlaps in Europe* (Background paper commissioned by the EMCDDA), (London: ICSR, 2019).

33 This is of the 144 individuals sentenced from the beginning of 2012 to the end of 2019. Carola García-Calvo & Álvaro Vicente, *Extremist Offender Management in Spain* (London: ICSR, 2020).

34 Figures from an ICSR database of UK terrorist-related convictions between 2012 and 2019. These figures exclude a whole life term given to Michael Adebolajo, who murdered Lee Rigby in 2013.

35 Based on the 177 inmates monitored by CelEx. Thomas Renard, *Extremist Offender Management in Belgium* (London: ICSR, 2020).

36 Based on the 13 inmates currently convicted for terrorism offences. Magnus Ranstorp Renard, *Extremist Offender Management in Denmark* (London: ICSR, 2020).

37 Marc Hecker, '137 Shades of Terrorism: French Jihadists Before the Courts', *IFRI*, April 2018, p. 50; Bernard Rougier & Hugo Micheron, *Extremist Offender Management in France* (London: ICSR, 2020).

a celebratory post on social media in the aftermath of a terrorist attack.<sup>38</sup> The range and nature of possible offences, in turn, affects the makeup of the extremist offender population.

Terrorists on long-term sentences include high-profile inmates, such as Salah Abdeslam (whose suicide belt failed to detonate during the November 2015 Paris attacks), Anders Breivik (who killed 77 people during the 2011 Norway attacks), and Mohammed Bouyeri (who murdered Dutch filmmaker Theo van Gogh in 2004). Well-known inmates such as these bring with them additional issues. One is the attention they may receive from the outside world in the form of correspondence, often from supporters or admirers,<sup>39</sup> which increases staff workload, as each item needs to be checked. Another issue is the attention they may receive within prisons from inmates looking to avenge acts of terrorism. For example, Rakhmat Akilov, who killed five people in a vehicle-ramming attack in Stockholm in 2017, was assaulted in his cell by a fellow inmate for this very reason,<sup>40</sup> while one of the reasons Anders Breivik is kept in isolation is because some inmates, given the opportunity, would violently assault if not murder him.

These three developments in the population – the increase in number, the greater variety of profiles, and the wide range of sentences – have all complicated the management of extremist offenders. While it was never an easy task, it has become much more difficult in recent years. The result is that prison services must be prepared to deal with a wide range of offenders: from committed jihadists with years of battlefield experience to regular criminal inmates who are simply flirting with extremist ideas.

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38 For more, see Scott Sayare, 'Terrorist By Association: Has French security law turned holding Islamist ideas into proof of a crime?', *The New Republic*, 1 October 2018.

39 See, for example, Abdeslam's reply to a female 'fan': '13 Novembre: la lettre où Salah Abdeslam se décrit en «musulman soumis à Allah»', *Libération*, 12 January 2017. The only other letter of his to have made it to the public domain was sent to his cousin: "'La prière, la prière, la prière!!!': les écrits obsessionnels de Salah Abdeslam', *L'Express*, 16 November 2017.

40 'Akilov attackerad av gängkriminell inne på Kumlabunkern', *SVT*, 9 August 2018.

## Case Study 1: Anders Breivik

One of Europe's most infamous terrorist prisoners is the Norwegian extremist Anders Breivik, who killed 77 people – mostly teenagers – in a July 2011 far-right terrorist attack. Following a four-month trial, he was convicted and sentenced to 21 years of 'containment', the maximum penalty under Norwegian law, which can be extended indefinitely. His case illustrates the costs and efforts that are involved in dealing with high-profile terrorist prisoners.<sup>41</sup>

Breivik is serving his sentence in a special ward at Skien prison, which consists of three rooms – sleeping quarters, gym, and a study/recreational room. As an exception to Norway's policy of 'dispersing' extremists, he is separated from the rest of the prison population and is only allowed to interact with a small number of people, including prison staff, his lawyer, a priest, a fellow inmate, and family members (though none of his relatives are known to have visited him since 2013). The risk of him radicalising visitors or other inmates is therefore very low.

Breivik is permitted access to television, newspapers, and books (which are screened on a case-by-case basis). However, his main interaction with the outside world is through letters, of which he is estimated to have sent and received around 4,000 since being incarcerated. Each letter is read by a specially trained member of prison staff, with guidelines on the kind of content that is considered acceptable. An estimated 20–25% of letters end up being censored.

In recent years, his personal situation has taken a turn for the worse. Far from moderating his views, Breivik's ideas seem to have become more extreme, with an apparent adoption of Nazi beliefs. He also appears to suffer from the lack of public attention and strict conditions of his incarceration. According to David Hansen, a professor at the University College of the Norwegian Correctional Service, 'He is tired of prison, he is broken by prison. You can see it in his appearance: he has really fallen apart'.<sup>42</sup>

Meanwhile, the Norwegian authorities insist that his treatment is humane; they are keen to make sure that Breivik's sympathisers have no reason to portray him as a martyr or victim. This comes at a cost, however. In addition to the extra staff and resources, members of the prison service have described their experience of working with him as exhausting. Some have suffered from burnout. In Hansen's view, 'It is a sign of their professionalism that they have managed to maintain some kind of normalcy'.<sup>43</sup> As Breivik remains a taboo subject in Norway, the authorities there remain hesitant to involve their most high-profile inmate in any prison-centred research.

At the time of writing, it remained unclear whether Philip Manshaus, who was sentenced to 21 years for his failed attack on Bærum mosque in August 2019, will be placed in a similar quasi-isolation regime.

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41 The authors wish to thank David Hansen of the University College of Norwegian Correctional Service, for his insight into Breivik's imprisonment.

42 Interview with David Hansen, 15 June 2020.

43 Ibid.

## 3 Planning and Plotting

Over the past five years, jihadists have increasingly turned prisons into a theatre of conflict and confrontation. As Table 2 shows, there have been a total of 22 prison-related terrorist attacks since 2015: six took place inside prisons; six were either planned from within prison or carried out by perpetrators who initially met in prison; and twelve were carried out by recently released inmates.<sup>44</sup> These cases show that, at best, inmates' time in prison did little to discourage their jihadism.

This chapter demonstrates that what happens inside prison reflects what happens outside and vice versa. Following a summary of recent attacks within prisons, we outline various forms of prison-related plots – for example, attacks that followed an inmate's release; plots whose perpetrators met in prison; or attempts to coerce authorities into releasing prisoners – and highlight recent dynamics in prison-based recruitment. Taken together, we show that the boundaries between prison and the 'outside world' are not as absolute as they seem.

### Attacks Within Prisons

One recent development in Europe is the occurrence of terrorist attacks within prisons. Since Bilal Taghi's jihadist-inspired stabbing of two prison officers in France in 2016, the first such incident on the continent, there have been five more attacks carried out by radicalised inmates.<sup>45</sup> Rather than attacking their fellow inmates, each attacker chose to target the most immediate symbol of authority available to them: prison officers. Despite the restrictions placed upon them, the attackers were cunning in their planning and preparation, fashioning improvised knives, luring guards to their cells or using the element of surprise (see Case Study 2). Combined, these attacks mark an escalation from the typical prisoner-on-staff threats and assaults that are a regular occurrence in prison life,<sup>46</sup> and it is through sheer fortune that none of these attacks resulted in fatalities. One recurring feature of prison attackers is their violent pasts: five of the seven had convictions for committing or planning acts of violence, while a sixth attacker, Mohammed El Hannouni, likely had experienced or participated in violence from his time with jihadist groups in Syria. Their adherence to jihadism appears to have channelled and directed their propensity for violence, showing how past violence can be a risk indicator for future violence. Michaël Chiolo is emblematic here. Alongside his wife, Hanane Aboulhana, he carried out a stabbing in Alençon-Condé-sur-Sarthe prison in March 2019. He was serving a 30-year sentence after a burglary and kidnapping resulted in the

<sup>44</sup> Note that this number excludes the plots for which the perpetrator initially met their weapons supplier in prison, such as the 2014 Jewish Museum of Belgium shooting.

<sup>45</sup> Those six attacks are: 2016 Bilal Taghi; 2018 Christian Ganczarski; 2019 Michaël Chiolo & Hanane Aboulhana; 2019 Mohammed Taha El Hannouni; 2020 Brusthom Ziamani & Baz Hockton; 2020 Xeneral Imiuru.

<sup>46</sup> Threats and assaults have, of course, also been carried out by extremist offenders. See, for example, the British jihadist Nadir Syed threatening to decapitate prison officers and 'radicalise the whole unit', Regina (Syed) v Secretary of State for Justice, [2017] EWHC 727 (Admin), paragraph 14; or a returning foreign fighter assaulting guards in Hasselt prison in Belgium: 'Cinq gardiens de prison blessés par un 'returnee' à Hasselt, le personnel en grève', *Belga*, 27 September 2018.

death of the victim, an 89-year-old Holocaust survivor.<sup>47</sup> A psychiatric assessment from that time, before he was radicalised in custody, stated Chiolo had antisocial personality disorder deemed so severe that psychotherapy would be ‘without effect’, and that he carried a ‘risk of major violent recidivism’.<sup>48</sup>

France seems to be most affected, with four of the six attacks taking place in the country’s prisons. Not only does it have more jihadist inmates than any other country in Europe, but those prisoners appear to regard themselves as ‘semi-martyrs’ who are the movement’s vanguard.<sup>49</sup> Like in many other European countries, France’s prisons are generally overcrowded, which may contribute to authorities finding it more difficult to monitor inmate populations and assert control. In our 2010 report, for example, we pointed out that sufficient space and staffing ‘minimise[s] the space for subcultures and conflict between inmates, and facilitates the emergence of “inmate identities”, with prisoners being “mere prisoners, not rebels with a cause”’.<sup>50</sup>

The attacks in France, alongside other assaults and threats made by inmates who have shown signs of radicalisation,<sup>51</sup> have led French prison officers to go on strike several times in the last five years.<sup>52</sup> The consequences on staff wellbeing are devastating, as one prison officer explained:

*I used to be afraid every morning I'd find a guy hanging in his cell. You know what I'm afraid of now? That I'll get my throat slit, my head cut off, a blade stuck in my back. In the name of Islam and Daesh [Islamic State] ... Every day, on my way to work, I have this fear that eats away at my stomach ... Inside, the state of war ... it's to the power of ten.*<sup>53</sup>

## Prison-related Plots

Of the 22 prison-related attacks and plots since 2015, twelve involved jihadists who were only recently released from prison.<sup>54</sup> Three of the perpetrators required only a short period of time – of less than one month – between their release and attack: Sudesh Amman’s 2020 knife attack in Streatham, England took place just ten days following his release; Omar El Hussein’s 2015 shootings in Copenhagen, Denmark, occurred a fortnight after he left prison; Benjamin Herman carried out a shooting while on day release. These cases are exceptionally rare, though show how an inmate can leave prison with the intention, capability, and opportunity to carry out a terrorist attack on short notice. Far from their imprisonment forcing them to ‘cool off’, become disillusioned or realise the errors of their ways, this small minority of offenders appears to have emerged from custody with a greater commitment to the jihadist cause than when they entered.

47 ‘Supplice mortel d’un octogénaire: ouverture d’un nouveau procès’, *L’Est Républicain*, 9 December 2015;

48 ‘Ce qu’on le sait de Michaël Chiolo, l’assaillant de la prison de Condé-sur-Sarthe’, *Le Point*, 6 March 2019.

49 ‘Ce qu’on le sait de Michaël Chiolo, l’assaillant de la prison de Condé-sur-Sarthe’, *Le Point*, 6 March 2019.

49 ICSR Extremist Offenders in Europe Workshop, King’s College London, 9–10 December 2019.

50 Neumann, *Prisons and Terrorism*, pp. 29–30.

51 See, for example: an inmate in Val-de-Reuil jail who assaulted a prison officer and said: ‘What the Nice guy did is nothing compared to what I’m going to do, you will see what I can do’, referring to the July 2016 vehicle-ramping in Nice that killed 86 people: ‘Eure: Un détenu se targue de vouloir faire pire que Lahouaiej-Bouhlel, l’auteur de l’attentat de Nice’, *20minutes*, 26 July 2016; or the 15 January 2018 assault in Mont-de-Marsan prison in France by an inmate convicted of murder, who was under surveillance for his radicalisation: “We risk our lives for €1.5k a month”: French prisons on edge over radicalised inmates’, *The Local*, 16 January 2018.

52 See, for example, ‘French prison guards vow “total blockade” after latest attacks’, *France24*, 22 January 2018.

53 Emilie Blachère, ‘Les prisons françaises sous la coupe des islamistes’, *Paris Match*, 19 January 2018.

54 Classified as being released from prison within 24 months of the date of their attack or plot-related arrest.

The remaining attackers had time periods of between four months and two years, which suggests they took time to (further) radicalise before deciding and then preparing to carry out an attack.

Five plots had their genesis in prison, with the perpetrators either first meeting there or actively conspiring with each other while imprisoned. This has happened between convicted terrorists and ‘regular’ offenders. In such cases, their imprisonment allowed them to meet like-minded jihadists, share ideas, develop expertise, and create connections that likely would not have otherwise existed. Beyond isolating extremist offenders from each other and the general criminal population, it is not always possible to prevent this ‘networking’ from happening.

An example of this is a group of British jihadists who called themselves ‘The Three Musketeers’. In August 2016, the Security Service discovered that four men were preparing to carry out a jihadist-inspired terrorist attack; in one of their cars, they found an improvised explosive device, a samurai sword, and a meat cleaver inscribed with the word *kafir* (unbeliever). Two of the men, Naweed Ali and Khobaib Hussain, had previously been convicted of terrorist offences in 2011, and while they were serving time in HMP Belmarsh they connected with the third member of their future team, Mohibur Rahman, who had been sentenced in 2012 for possessing al-Qaeda propaganda. The trio became friends and their shared commitment to jihadist ideas continued after their release. Although all three breached their parole conditions and two of them temporarily returned to prison, the group that had formed in Belmarsh remained intact.<sup>55</sup>

There has yet to be a successful jihadist jailbreak, and very few plots have been planned or carried out in the name of their imprisoned ‘brothers’. Amedy Coulibaly, Chérif Kouachi, and Djamel Beghal were planning a 2010 prison break of the Algerian GIA member Smaïn Aït Ali Belkacem, while the Islamic State cell behind the 2016 Brussels bombings had discussed an attack to demand the release of their friend Mohammed Bakkali, who was (and remains) in custody for helping with the logistics of the November 2015 Paris attacks.

One such plot that did materialise into action took place in the French towns of Carcassonne and Trèbes in March 2018 and was carried out by Redouane Lakdim, a 25-year-old criminal turned jihadist. After taking hostages in a supermarket, Lakdim spoke on the phone with negotiators: ‘So I have a demand for an exchange: the lieutenant-colonel of the gendarmerie [one of the hostages] for Salah Abdeslam, in Fleury-Mérogis’.<sup>56</sup> This demand was made despite him having no known personal connections to Abdeslam. After the negotiator stalled, Lakdim responded: ‘Ah well, you have to get moving up there ... we’re here for death ... as martyrs’.<sup>57</sup> The attempt to secure Abdeslam’s release failed – Lakdim was shot and killed when armed police stormed the supermarket – though it nevertheless shows how the imprisonment of a jihadist can be a rallying call for action.

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<sup>55</sup> For more, see the sentencing remarks of Mr Justice Globe, *R v. Naweed Ali et al*, *Central Criminal Court*, 3 August 2017, available at <http://www.thelawpages.com/court-cases/Mohibur-Rahman-20698-1.law>

<sup>56</sup> ‘Attentat de Trèbes: le huis clos glaçant entre le colonel Beltrame et le terroriste’, *Le Parisien*, 22 July 2018.

<sup>57</sup> *Ibid.*

## Recruitment

As our 2010 report pointed out:

*[N]ot all terrorist groups have the same attitude towards radicalisation and recruitment inside prison. The [Irish Republican Army], for example, wanted nothing to do with 'ordinary' criminals, who were seen as unreliable, ill-disciplined and potentially harmful to the group's image of a liberation army seeking to attain political objectives ... Many [jihadist] prisoners, on the other hand, see it as their duty to propagate their faith and political ideology (dawah). They ... will consequently exploit whatever opportunities they are offered to approach other offenders and turn them into followers of the group.<sup>58</sup>*

Most cases of jihadist prison radicalisation in recent years have involved some degree of socialisation between 'regular' criminals and extremists. There are very few cases where it appears an inmate radicalised alone, without any interaction, encouragement or guidance from others. Contrary to popular perceptions, radicalisation is not always purely ideological in nature. Often, it is simply a pragmatic choice made in an unsafe and hostile environment. Inmates – especially those new to a prison – must make alliances, as one recently released French inmate explained:

*In prison, you have to survive ... To do that, you have to get close to a group. Otherwise, at best, you suffer. At worst, you die. When I was incarcerated at Les Baumettes, the bearded men offered me protection and a mobile phone ... in exchange for five prayers a day. I wasn't practising, but I obeyed. I read their Quran, wore the djellaba, turned off the music in the cell, showered in my shorts. I had a pious life because it was the only way to have peace. We all do the same, even the Catholics! One day they asked me if I was ready to do jihad. They said they could help me organise a violent action outside. Or inside...<sup>59</sup>*

This intimidation has also been observed among female inmates:

*I was an easy target. I was far from my relatives, and I was lost, really lost ... I was forced to pray ... They tried to get me to adhere to their extremist religion, but I didn't take to it at all, so in punishment, I was sexually assaulted [raped] ... You have to stay silent. It's like playing cat and mouse; the mouse is in a very small box and the cat is ready to pounce at any time ... You know that if you don't go along with them there will be sanctions.<sup>60</sup>*

Such offers of protection are a form of coercion and intimidation and – much like with 'traditional' prison gangs – contain the implied threat of ostracism and even physical punishment if they are refused. By its nature, this recruitment strategy targets vulnerable inmates such as those who are isolated or new to prison. The offer of material benefits, such as a contraband phone to contact loved ones, can make inmates feel indebted and more receptive to extremist advances or narratives, in a process similar to grooming.<sup>61</sup> As a former inmate in Denmark explained: 'They try to get close and become friends with you'.<sup>62</sup>

58 Neumann, *Prisons and Terrorism*, p. 16.

59 Emilie Blachère, 'Les prisons françaises sous la coupe des islamistes', *Paris Match*, 19 January 2018.

60 Lucy Williamson, 'How France hopes to help radicals escape jihadist net', *BBC News*, 28 February 2018.

61 See, for example, Domenico Quirico & Francesca Schianchi, 'Sono diventati jihadista nelle carceri italiane. Ecco come ci reclutano', *La Stampa*, 7 January 2017.

62 Sören Billing, 'Fears grow in Denmark of jails as radicalist breeding grounds', *AFP*, 19 February 2015.

All these tactics were seen with Suleimán E.M., a drug offender who radicalised in Valdemoro prison in Spain, when he tried recruiting inmates in early 2019 to carry out suicide bombings. All those he approached were psychologically vulnerable and had financial difficulties, and some also had issues with drug abuse. Suleimán used his excellent knowledge of prison law to advise inmates who were appealing their sentences,<sup>63</sup> and he offered inmates material rewards – offering to pay their family members up to a million euros in cash – if they carried out an attack.<sup>64</sup> While this exceptional offer has yet to be seen elsewhere in Europe, it does show the tactics used to exploit and recruit others. If inmates were unwilling to participate, he would threaten to kill them anyway and, at times, he and his associates would physically beat them.<sup>65</sup> Suleimán recruited two would-be bombers before authorities disrupted his plans in February 2019.<sup>66</sup>

Extremist groups have also created outreach programmes, usually involving letter-writing campaigns or prison visits, to support radicalised inmates and potentially recruit new members. This was seen in Germany with Bernhard Falk's one-person operation,<sup>67</sup> in Denmark with Kaldet til Islam,<sup>68</sup> and Britain when members of Al-Muhajiroun established the since-disbanded 'Muslim Prisoners'.<sup>69</sup> These groups can prove difficult for the authorities to handle, as they may not cross the line into illegal activity. Letter-writing campaigns often appear innocuous, for example, and as they are intended to raise morale, they often contain little overt extremist content. Even then, authorities may not have the legal tools available to ban such groups. Nevertheless, extremist fronts can be identified and distinguished from legitimate support groups as known figures in the extremist milieu usually create them and they tend to publicise their activities.

The most prolific group was Sanâbil in France, founded by two jihadists in 2010. Its stated aims were to help prisoners with their: (1) faith (by writing them monthly letters and sending books or prayer schedules); (2) finances (paying the canteen costs or sending them food parcels); (3) family situation (organising children's trips, paying the travel expenses of family visits and, in some cases, even paying household bills).<sup>70</sup> Sanâbil also offered psychological support, helping inmates with their 'feelings of rejection' and 'isolation', and maintained it was filling 'an institutional vacuum'.<sup>71</sup> Alongside this support, the group was also responsible for radicalising inmates and encouraging them to participate in jihad.<sup>72</sup> By the time it was banned by the French government in November 2016, several of its members had travelled to join Islamic State in Syria and Iraq or were involved in terrorist plots.<sup>73</sup>

63 'El Estado Islámico iba a pagar un millón de euros a dos yihadistas por intentar en España', *La Razón*, 10 February 2019.

64 Ibid.

65 The members of the group were: Suleimán E. M. (head); Mohamed E. K. (recently moved from Valdemoro prison to Mansilla de las Mulas prison); Fátima L. (Alcorcón prison); Omar B.; Charik A.; and Kamla A. 'Cárcel para el funcionario que introducía material yihadista en prisión', *El País*, 7 February 2019.

66 'Los atentados en Madrid y Barcelona de la trama yihadista iban a ser con mochilas bomba', *La Razón*, 6 February 2019.

67 Matthias von Hein & Esther Felden, 'The German who went from left-wing terrorist to Salafist sympathizer', *DW*, 25 October 2018.

68 Simon Bedtsen, Mette Dahlgard & Kasper Krogh, 'Fængslede muslimer skal have brev fra ekstreme islamister', *Berlingske*, 2 October 2013. Kaldet til Islam is currently a banned organisation.

69 The group's website, MuslimPrisoners.com, is archived here: <https://web.archive.org/web/20120226140811/http://www.muslimprisoners.com/>. Michael Kenney, *The Islamic State in Britain: Radicalization and Resilience in an Activist Network* (Cambridge: Cambridge University Press, 2018), pp. 150–51.

70 'Qui sommes nous?', Sanâbil website, 23 August 2016, archived at: <https://web.archive.org/web/20160823203203/http://sanabil.fr/qui-sommes-nous/>.

71 Facebook post, Sanâbil Facebook page, 14 November 2016, available at: [https://www.facebook.com/sanabilworldwide/posts/1129469323809570?\\_tn\\_=-R](https://www.facebook.com/sanabilworldwide/posts/1129469323809570?_tn_=-R) [archived by the authors].

72 'Dissolution de l'association «Fraternité musulmane Sanâbil»', *Ministère de l'Intérieur*, 23 November 2016.

73 They include Fabien Clain (who produced the Islamic State claim of the November 2015 Paris attacks), Djamel Beghal (the mentor of Chérif Kouachi and Amedy Coulibaly), Smain Ait Ali Belkacem (former member of the Armed Islamic Group, which carried out a series of attacks in France in 1995), Karim Mohamed-Aggad (brother of Foued Mohamed-Aggad, one of the Bataclan attackers) and Larossi Abballa (who killed two people in a jihadist attack in Magnanville in 2016); 'Le double visage de l'association Sanâbil, soupçonnée de participer à la radicalisation des détenus', *Europe1*, 23 November 2016.

## Case Study 2: Bilal Taghi

Bilal Taghi was serving a five-year sentence in France, for attempting to travel to Islamic State territory, when he stepped out of his cell in Val d'Oise (Osny) prison on 4 September 2016. For three months he had been held in a Radicalisation Prevention Unit (UPRA), a newly created unit that only housed jihadists, where he was considered a model inmate.<sup>74</sup> A prison supervisor considered Taghi someone who could be 'redeemed', and a fortnight earlier he was even selected to participate in an Ultimate Frisbee tournament with other inmates.<sup>75</sup>

Taghi left his cell at close to 3pm with a towel wrapped around his arm, which concealed a 15cm blade made from the metal door handle of his window. He had been sharpening it for a week. When one of the two guards on his landing was nearby, Taghi lunged at him with the blade, stabbing him in the throat and only missing his carotid artery by two millimetres. The second guard came to help his colleague and was himself stabbed in the arms. Both guards were seriously wounded but managed to escape, while an armed prison intervention unit only subdued Taghi nearly three hours later when they hit him with a rubber bullet.<sup>76</sup> The stabbing was Europe's first jihadist attack inside a prison and lasted just 14 seconds.

In the aftermath of the attack, Taghi drew a heart with the blood of one of his victims on a door, said a prayer, engraved the *shahadah* (Islamic declaration of faith) on a door, and showed his makeshift blade to other inmates.<sup>77</sup> While there were suspicions that he received either material help or psychological encouragement from other jihadists in the unit, no other inmates were charged concerning the attack. A penknife was also found in Taghi's cell and a search of the other cells in the unit found three mobile phones, two sim cards, and some 'sharp objects'.<sup>78</sup> When questioned about the attack, he explained he wanted to 'conduct jihad by killing a guard':

*I had been thinking about killing a guard for a few days and it fell on him. I wanted to kill any enemy of the Islamic State ... I wanted to wait until the end of my sentence and go back to Syria, but I couldn't wait until then.*<sup>79</sup>

74 Florence Floux, 'Attaque de surveillants à Osny: Bilal T., du djihad manqué au passage à l'acte en prison', *20minutes*, 7 September 2016.

75 Caroline Politi, 'Un an après l'attentat dans la prison d'Osny, les surveillants restent sur le «qui-vive»', *20minutes*, 4 September 2017.

76 Willy Le Devin, 'Bilal Taghi, symbole d'un terrorisme carcéral', *Libération*, 18 November 2019.

77 Frédéric Naizot, 'Les regrets du détenu djihadiste d'Osny qui avait tenté d'assassiner deux gardiens', *Le Parisien*, 19 November 2019.

78 Florence Floux, 'Osny: Canif, téléphones... Les unités spécialisées en déradicalisation sont-elles des passoires?', *20minutes*, 9 June 2016.

79 Willy Le Devin, 'Bilal Taghi'.

In 2019 he was sentenced to 28 years in prison for the attack, with the prosecution saying Taghi was a man who ‘has never stopped lying’.<sup>80</sup> At his trial he ostensibly displayed remorse, testifying that sessions with a psychologist at the Moulins-Yzeure penitentiary centre had helped him:

*What I have done is unforgivable ... Given the seriousness of the facts, I hope for no clemency. I am trying to explain myself. My life, I don't see it beyond prison ... It took me two years to realize. Myself, I find it hard to understand how I got here. I'm a believer. But there is no justification for what I did to them. There's no excuse for any of it.*<sup>81</sup>

The episode highlighted several failings. The risk assessment of Taghi was entirely inaccurate and the unit's two guards were unprepared; the pair were responsible for monitoring 18 inmates, had only received two weeks of training each, and did not have adequate self-defence equipment.<sup>82</sup> The French prison service would later abolish the UPRA units, and procedures were changed as a result. Guards would no longer go alone to move an inmate, for example, and additional surveillance cameras were installed, staff numbers were increased, and cells were changed so that inmates could not remove parts of the fixtures and fittings.

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80 '28 ans de réclusion pour le premier attentat jihadiste en prison en France', *AFP*, 22 November 2019.

81 Frédéric Naizot, 'Les regrets'.

82 Willy Le Devin, 'Bilal Taghi'.

**Table 2: List of Prison-related Terrorist Attacks and Plots, 2015–20**

Date of attack/arrest	Plot name and location	Perpetrator name(s)	Previously convicted for extremist offence(s)?	Prison relation <sup>83</sup>	Target	Weapon(s) used or planned
2015 January 7th–9th	Charlie Hebdo shooting & Hyper Cacher siege, Paris, France	Chérif Kouachi Said Kouachi Amedy Coulibaly	Yes (Chérif Kouachi)	Perpetrators met in prison (Chérif Kouachi & Amedy Coulibaly)	Civilians; Police	Firearms
2015 February 14th–15th	Copenhagen shootings, Denmark	Omar El Hussein	No	Recently released from prison (on 31 January 2015)	Civilians	Firearms
2016 March 16th	Ettaoujar plot, France	Youssef Ettaoujar	Yes	Recently released from prison (in October 2015)	Unspecified	Firearms
2016 March 22nd	Brussels bombings, Belgium	Ibrahim El Bakraoui Khalid El Bakraoui Najim Laachraoui Mohamed Abrini Osama Krayem	No	Recently released from prison (Ibrahim El Bakraoui released in October 2014)	Civilians	Explosives
2016 July 26th	Saint-Étienne-du-Rouvray church attack, Normandy, France	Adel Kermiche Abdel Malik Petitjean	Yes (Adel Kermiche)	Recently released from prison (Kermiche released on 18 March 2016)	Civilians	Knives; Dummy explosives; Dummy firearms
2016 August 26th	'Three Musketeers' plot, England	Mohibur Rahman Khobaib Hussain Naweed Ali	Yes (all 3)	Perpetrators met in prison	Unspecified	Explosives; Firearms; Knives
2016 September 4th	Osny prison stabbing, France	Bilal Taghi	Yes	Prison attack	Prison staff	Knife (improvised)

<sup>83</sup> Attacks and plots are categorised as prison-related if one of the following conditions was met from 2015 to 2020: 1) the attack took place in prison; 2) one of the perpetrators had been imprisoned within 24 months of their attack or arrest; 3) the perpetrators had either met each other or planned their attack while imprisoned; or 4) the attack or plot was an attempt to coerce the authorities to release an extremist inmate. As such, this list excludes the June 2012 EDL rally bomb plot in England (when arrested, one of the six perpetrators, Zohaib Ahmed, was on bail for another terrorism-related offence, but he had not been imprisoned).

Date of attack/arrest	Plot name and location	Perpetrator name(s)	Previously convicted for extremist offence(s)?	Prison relation	Target	Weapon(s) used or planned
2017 April 20th	Champs-Élysées shooting, Paris, France	Karim Cheurfi	No	Recently released from prison (in October 2015)	Police	Firearms
2017 April 18th	French elections plot, France	Mahiedine Merabet Clement Baur	No	Perpetrators met in prison; Recently released from prison (Merabet released in February 2016; Baur released in March 2015)	Unspecified	Explosives; Firearms
2017 October 2nd	Fresnes prison plot, France	Charles-Henri M. Maxime O.	No	Perpetrators met in prison; Planned attack from within prison	Police; Prison staff	Unspecified
2018 January 11th	Vendin-le-Vieil prison stabbing, France	Christian Ganczarski	Yes	Prison attack	Prison staff	Knife (improvised)
2018 March 23rd	Carcassonne & Trèbes attacks, France	Redouane Lakdim	No	Attempt to coerce authorities to release an imprisoned terrorist; Recently released from prison (August 2016)	Civilians; Police	Explosives; Firearm; Knife; Vehicle
2018 May 29th	Liège attack, Belgium	Benjamin Herman	No	Recently released from prison (on day-release)	Civilians; Police	Firearms; Knife
2019 March 5th	Alençon-Condé-sur-Sarthe prison stabbing, France	Michaël Chiolo Hanane Aboulhana	No	Prison attack	Prison staff	Knives (smuggled in)
2019 March 18th	Utrecht tram shooting, the Netherlands	Gökmen Tanis	No	Recently released from prison (released 1 March 2019)	Civilian	Firearm
2019 June 20th	Le Havre prison attack, France	Mohammed Taha El Hannouni	Yes	Prison attack	Prison staff	Iron table leg; Mirror shards

Date of attack/arrest	Plot name and location	Perpetrator name(s)	Previously convicted for extremist offence(s)?	Prison relation	Target	Weapon(s) used or planned
2019 July 23rd	Châteaudun prison; Saint-Maur prison; Toulon prison, France	Zakaria Chadili D. 42-year-old C. 27-year-old	Yes (Chadili and C.)	Perpetrators met in prison; Recently released from prison (D. released in 2019)	Unspecified	Unspecified
2019 November 29th	London Bridge stabbing, England	Usman Khan	Yes	Recently released from prison (released in December 2018)	Civilians (prison volunteers)	Fake suicide belt; Knives
2019 December	Hirtenberg prison plot, Austria	Sergo P. Ahmed A. Alik B.	Yes (Sergo P.)	Planned attack from within prison (Sergo P. only one imprisoned)	Civilians	Unspecified
2020 January 9th	HMP Whitemoor stabbing, England	Brusthom Ziamani Baz Hockton	Yes (Ziamani)	Prison attack	Prison staff	Knives (improvised)
2020 February 2nd	Streatham stabbing, England	Sudesh Amman	Yes	Recently released from prison (released 23 January 2020)	Civilians	Knives
2020 February 13th	HMP Winchester attack, England	Xeneral Imiuru	No	Prison attack	Prison staff	Knife (improvised)

## 4 Preventing Radicalisation and Recruitment

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**T**hat some extremists actively look to recruit inside prisons should come as no surprise. Not only are inmates separated from their friends and family, but they also find themselves in an unsafe, lonely, and hostile environment, often divided along religious or ethnic lines where the need for alliances is paramount. Inmates can go through a personal crisis upon entering prison – and coupled with the abundance of time to mull over life decisions – can be more willing to identify with new ideas, beliefs, and social groups. On top of that, inmates are typically young men who can hold intense grievances against the authorities, which – in turn – extremist narratives can exploit. Not only does involvement in extremism provide a sense of identity, purpose, and belonging, but extremist narratives give inmates absolution from their shortcomings and channel their resentment to an out-group. The idea of power in numbers, or even of challenging the dominant system, can feel empowering. In short, prison represents what our 2010 report described as a ‘place of vulnerability’, which can be highly conducive to radicalisation and recruitment.<sup>84</sup>

Judging who is at risk of radicalisation, who is prone to recruiting, and the various individual and group dynamics at play is challenging. An inmate’s risk is not merely determined by the severity of what they were convicted for, as François Toutain from France’s prison service notes: ‘A so-called low profile does not mean that the detainee is harmless, just like a detainee convicted of serious offences may not necessarily be more dangerous’.<sup>85</sup>

This chapter highlights recent developments in authorities’ efforts to grapple with the issue. The first section shows how countries have intensified training efforts and, in some instances, created centralised units to facilitate assessments and the flow of expertise. The following section analyses the trend towards extremism-specific risk assessment tools, which a majority of the countries surveyed now use. The final section addresses the challenge of ‘false compliance’, which has recently come to the forefront among jihadist prisoners.

### Monitoring

Crucial to extremist offender management is the ability to spot signs of radicalisation and recruitment (see Case Study 3). Prison services do not publicise the criteria used to determine whether an inmate is ‘radicalising’, though they generally include behaviour such as rejecting prison authority, refusing to interact with others aside from their in-group, celebrating a terrorist attack or associating with known extremists. Yet the signs of radicalisation may not always be so overt, with one French prison officer explaining that ‘the most radical Islamists are not necessarily the most visible ... A few years

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<sup>84</sup> Neumann, *Prisons and Terrorism*, p. 26.

<sup>85</sup> ‘Détenus radicalisés en prison: au cœur des quartiers de prise en charge’, *Le Parisien*, 23 November 2019.

ago, this monitoring was relatively easy. The Islamists wore a beard, djellaba, and did not hesitate to make collective calls to prayer'.<sup>86</sup> Another prison officer said: '[In 2010] we were on alert when an inmate changed his dress code, showed signs of radicalisation. Now everything happens in secret'.<sup>87</sup>

One primary aim of monitoring is to distinguish between religiosity and radicalisation. Though it may be easy to view them as one and the same, various studies have shown that religion is a positive influence for the vast majority of inmates who (re)discover their faith in prison.<sup>88</sup> Many others may also insincerely convert as it can offer them more security among fellow inmates or even the perceived benefit of different food. Among the criteria used by the French Prison Service (*Direction de l'administration pénitentiaire*, DAP), for example, is 'attending Muslim worship' or possessing religious paraphernalia such as 'prayer mats, various religious books' and even a 'calendar of prayer times';<sup>89</sup> criteria that would apply to any practising Muslim. This can not only lead to many false positives, but it could reinforce extremist narratives of a 'war' between Islam and France.

These issues pose a challenge to prison officers and underscore the need for a knowledgeable, skilled, and experienced workforce.<sup>90</sup> While countries have increased staff training – the UK's Ministry of Justice has given extremism training to 22,000 of its 43,000 staff<sup>91</sup> – it is neither reasonable nor practical to expect all prison officers to have up-to-date and sophisticated knowledge on extremist movements, groups, symbols, literature, music, narratives, and ideologies. Prison officers in Norway, for example, have said that they often have feelings of 'fear, anxiety, and frustration' at their own knowledge base and spend too much of their time trying to stay abreast of developments in radicalisation and extremism.<sup>92</sup>

As initially recommended in our 2010 report, countries have reacted by having dedicated, specialised staff that can interpret and analyse radical behaviour in place of their colleagues. Belgium's prison service created its 'Extremism Unit' (*Cellule extrémisme*, CelEx) in March 2015 for precisely this reason. This eight-person team acts a central hub through which all relevant information passes, be that from prison staff or external partners, to detect and evaluate radicalised inmates and make recommendations for how they are managed.<sup>93</sup> A similar team was created in England and Wales in April 2017, named the Joint Extremism Unit (JEXU), which has 34 staff in its headquarters and a further 119 in analyst, probation, and prison roles.<sup>94</sup>

To help these specialised teams, governments have increased their surveillance capacity beyond the standard practice of monitoring mail, telephone calls, and visitors. CelEx's work is supported by the 'Prison

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86 In French prisons it is forbidden to pray in the courtyard. 'Un service de renseignement contre le prosélytisme', *Le Parisien*, 17 October 2012.

87 'La prison doit lutter contre la radicalisation', *La Depeche*, 18 January 2015.

88 See Thomas P. O'Connor and Nathaniel Pallone (eds.), *Religion, the Community, and the Rehabilitation of Criminal Offenders* (London: The Haworth Press, 2002).

89 Guide d'utilisation des grilles d'aide au repérage, DAP, 8 November 2016, as cited in Bernard Rougier & Hugo Micheron, *Extremist Offender Management in France* (London: ICSR, 2020).

90 This has been recognised in almost all international reports, handbooks, and papers on the issue. See: Shane Bryans, *Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons*, United Nations Office on Drugs and Crime, Criminal Justice Handbook Series, 2016, chapter 3.

91 Figures from June 2019.

92 David Hansen, 'Radikalisering i fengsel', pp. 244-260 in Westrheim, K.; Eide, H.M.K. (eds.) (2019). *Kunnskapsbasert straffegjennomføring i kriminalomsorgen i Norge*. Bergen: Fagbokforlaget; David Hansen & Tore Bjørge, *Extremist Offender Management in Norway* (London: ICSR, 2020).

93 Thomas Renard, *Extremist Offender Management in Belgium* (London: ICSR, 2020).

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

Unit' (*Cellule prisons*), a 12-person team from the State Security Service set up in mid-2015, which applies traditional intelligence gathering techniques to tackle violent extremism in prison.<sup>95</sup> France, meanwhile, created its own standalone prison intelligence service with a national jurisdiction in 2019. The *Service National du Renseignement Pénitentiaire* has a staff of 300, recruited from previous incarnations of prison intelligence, and looks set to increase numbers over the coming years.<sup>96</sup>

Surveillance, however, is not a panacea. This was seen when Michaël Chiolo, a 27-year-old radicalised inmate, and his visiting wife, Hanane Aboulhana, carried out a stabbing in the French prison of Alençon on 5 March 2019. Aboulhana had smuggled in ceramic knives by pretending to be pregnant. She lured two prison officers to the family unit by feigning illness. When they arrived, Chiolo and Aboulhana immediately lunged at them;<sup>97</sup> the guards were seriously injured but survived the attack. The day before, eavesdropping devices had recorded inmates – a mix of convicted terrorists and radicalised criminals – encouraging Chiolo to act and giving him advice on where and when to strike. He replied that he hoped he 'would not get nervous' as he had during a robbery.<sup>98</sup> Yet the authorities could not listen to conversations in real-time – the two-hour recording would have taken around eight working hours to process – and so the audio was only processed after the attack.<sup>99</sup>

## Risk Assessments

The information gained from monitoring is only useful if it informs how offenders are managed, and for that to happen, accurate risk assessments are vital. For several decades, risk assessment tools have been created, tested, and refined for 'regular' criminal offenders, measuring the risk of reoffending for general crime, sexual violence, intimate partner violence, and other offences. By contrast, extremism-specific risk assessments are relatively new. As these tools have been developed, there has emerged a nascent academic literature on the subject,<sup>100</sup> as well as guidelines and recommendations issued by the United Nations Office on Drugs and Crime (UNODC),<sup>101</sup> the Council of Europe,<sup>102</sup> and the European Commission's Radicalisation Awareness Network (RAN).<sup>103</sup>

95 VSSE (2018). 'Rapport d'activité 2017–2018', Rapport annuel, Sûreté de l'Etat, Brussels, pp. 18-19, as cited in Thomas Renard, *Extremist Offender Management in Belgium* (London: ICSR, 2020).

96 'Le bureau central du renseignement pénitentiaire monte en grade', *Daloz Actualité*, 20 June 2019.

97 Jean-Michel Décugis, Éric Pelletier & Jérémie Pham-Lê, 'Attentat à la prison de Condé-sur-Sarthe: les écoutes qui annonçaient le drame', *Le Parisien*, 18 March 2019.

98 Jean-Michel Décugis, Éric Pelletier & Jérémie Pham-Lê, 'Attentat à la prison de Condé-sur-Sarthe: les écoutes qui annonçaient le drame', *Le Parisien*, 18 March 2019.

99 Ibid.

100 For an overview of the issues at hand, see Andrew Silke, 'Risk assessment of terrorist and extremist prisoners' in Andrew Silke (ed.), *Terrorism and Extremism: Critical Issues in Management* (Abingdon: Routledge, 2014); Kiran M. Sarma, 'Risk Assessment and the Prevention of Radicalization from Nonviolence into Terrorism', *American Psychologist*, Vol 72, No 3, pp. 278–288. For an overview of various extremism risk assessment tools, see Liesbeth van der Heide, Marieke van der Zwan & Maarten van Leyenhorst, 'The Practitioner's Guide to the Galaxy – A Comparison of Risk Assessment Tools for Violent Extremism', *International Centre for Counter-Terrorism – The Hague*, 2019; Monica Lloyd, *Extremism Risk Assessment: A Directory*, Centre for Research and Evidence on Security Threats, 2019; and Simon Cornwall & Merel Molenkamp, *Developing, implementing and using risk assessment for violent extremist and terrorist offenders*, Radicalisation Awareness Network (RAN) Ex Post Paper, July 2018.

101 Bryans.

102 European Committee on Crime Problems & Council for Penological Co-operation, *Council of Europe Handbook for Prison and Probation Services Regarding Radicalisation and Violent Extremism*, Council of Europe, December 2016.

103 *Approaches to violent extremist offenders and countering radicalisation in prisons and probation*, RAN, P&P Practitioners' Working Paper, 2nd edition, 2016.

There are a variety of risk assessments in use. The most widespread is the VERA-2R (Violent Extremism Risk Assessment 2 Revised), which is applied in five of the ten countries surveyed. A sixth country, Spain, has adapted its own version of the tool.<sup>104</sup> England and Wales developed its ERG22+ (Extremism Risk Guidelines 22+)<sup>105</sup> assessment. Greece, Norway, and Sweden do not use extremism-specific tools, as they generally do not consider extremists to be different from 'regular' offenders. In Germany, depending on state, authorities deploy VERA-2R or a recently developed assessment tool called RADAR-iTE. All risk assessments consider an inmate's behaviour, mental health, previous convictions, history of violence, and other factors, but differ in emphasis over the importance of ideology. They also vary in time commitments: a single VERA-2R assessment can take around a week to carry out, while practitioners in Sweden can complete an RNR-A (Risk, Needs, Responsivity Assessment) in as little as two hours.

What matters is not necessarily the choice of risk assessment tool but its implementation. Assessments should be regularly carried out: intervals vary depending on institution, offender, and circumstance, but can be up to once every three months. Their use should also be standardised as much as possible across relevant services – be they prisons, probation, police, intelligence or local authorities – to ensure that they can be used correctly and understood fully by everyone. In turn, this can ensure tools are refined and fit for purpose. Inter-rater reliability – that is, the ability of different assessors to use the same tool and arrive at the same conclusion – is also essential, as is the need to have a credible, experienced, and well-trained team, which can help when sharing assessments with others, particularly judges.

Risk assessments are, of course, only as good as their inputs: partial information will only lead to flawed assessments. Recognising that 'total' information is not possible, prison services routinely emphasise the importance of 'dynamic security' – that is, information gleaned from the everyday interactions between staff and inmates – to highlight changes in attitude and behaviour. For this to work, staff-offender interactions must take place in an environment where confrontation and fears of assault are minimal. Even then, it can take months if not years to build trust. Other sources of information, beyond observation, interviews, and case files, can come from sources outside the prison setting, where feasible. These include the original investigative files and court reports from an inmate's initial conviction. Incorporating such sources would allow a fuller appreciation of an inmate's radicalisation process.

## **False Compliance**

The issue of false compliance has recently come to prominence following a succession of jihadists who deceived authorities before carrying out attacks. Bilal Taghi was considered a model inmate. The same was true for Zakaria Chedili, an inmate arrested in July 2019 for attack planning.<sup>106</sup> Usman Khan, the 2019 London Bridge attacker, had participated in rehabilitation and disengagement programmes and was considered a success story of an extremist turning their life

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<sup>104</sup> This considers 39 factors (twelve on the risk of violence, 27 on the risk of recruitment and radicalisation), as opposed to the VERA-2R's 45 factors.

<sup>105</sup> The 22+ refers to the number of factors it considers. For more, see Monica Lloyd & Christopher Dean, 'The Development of Structured Guidelines for Assessing Risk in Extremist Offenders', *Journal of Threat Assessment and Management*, Vol 2, No 1, 2015, pp. 40–52.

<sup>106</sup> 'En prison, des détenus soupçonnés de préparer des attentats en France', *Le Parisien*, 31 July 2019.

around. Adel Kermiche, who, together with another jihadist, murdered 85-year-old priest Jacques Hamel in Saint-Étienne-du-Rouvray church in 2016, had been released from custody after professing to the judge: 'I am a Muslim who believes in mercy, in doing good, I'm not an extremist ... I want to get back my life, see my friends, get married'.<sup>107</sup> Similarly, offenders may try to 'game' a risk assessment if they are in contact with other inmates who have already participated in the process. Part of this involves knowing what to say to tick the right boxes.

Much of this is seemingly the use of what is referred to as *taqiyya*, which is a (mostly) Shiite concept used to describe deception and dissimulation to hide one's true intentions. Fieldwork by French researchers Bernard Rougier and Hugo Micheron shows that many of the 40 female inmates in Fleury-Mérogis prison in Paris have joked about how they tricked the judge or magistrate – by eating pork, for example, which is forbidden in Islam – to receive more lenient sentences.<sup>108</sup> The fieldwork gives rare insight into a phenomenon that due to its nature is likely to be underreported; such behaviour suggests the true scale of *taqiyya* may be greater than commonly understood.<sup>109</sup> While it is to be expected that criminals would engage in deception – after all, the simulation of good behaviour to receive lesser sentences or other benefits is as old as criminal justice – this behaviour often seems to defy authorities' expectations of supposedly 'religious' inmates. Holding such expectations is clearly a mistake. Yet the assumption that jihadists are *more* willing to engage in deception than non-terrorist prisoners can pose a conundrum, whereby anything less than admitting to holding jihadist ideas and intentions is thought of as a form of *taqiyya*.<sup>110</sup>

There are no guaranteed means of discovering false compliance. One method is surveilling to find discrepancies between what an inmate tells prison staff and what they tell their fellow inmates. Another is using multiple counsellors and psychologists to make assessments, to see if they all come to the same conclusion. Having an extended period of evaluation – going on for several months – in a variety of contexts, such as pre-trial and post-conviction, can increase the chance of discovering false compliance. All these methods are time- and resource-intensive. The UK is even contemplating the introduction of polygraph testing.<sup>111</sup>

Related to this is an emerging view among extremists that prison is an opportunity, not necessarily just to recruit or network, but to also work on themselves. Of all the countries surveyed, France sees this more than most: imprisoned recruiters learn psychology to become better recruiters, for example, while imprisoned ideologues learn Islamic and jihadist history to become better ideologues. At the same time, they see prison as a test of their commitment to the cause and a place to recover from Islamic State's battlefield losses and the wider upheaval in the jihadist scene.<sup>112</sup> From their perspective, prison is also an opportunity to understand how the authorities operate, and – in a sign of their growing awareness of counterintelligence and countersurveillance – jihadists have actively looked to pass their time in prison without incident or arousing the suspicions of the authorities.<sup>113</sup>

107 Michel Rose, 'French church attacker – from troubled childhood to altar killer', *Reuters*, 29 July 2016.

108 ICSR Extremist Offenders in Europe Workshop.

109 See, for example, the case of Mohiussunnath Chowdhury, who disclosed to undercover police officers that he had lied to the jury during a terrorism trial: 'Man in terror trial "bragged of deceiving jury into clearing him"', *The Guardian*, 8 January 2020.

110 Marc Hecker, *137 Shades of Terrorism: French Jihadists Before the Courts* (Paris: IFRI, 2018), p. 35.

111 Jamie Grierson, 'Lie-detector tests planned for convicted terrorists freed on licence', *The Guardian*, 21 January 2020.

112 For more, see Rougier & Micheron.

113 ICSR Extremist Offenders in Europe Workshop.

### Case Study 3: Omar El Hussein

In February 2015, just a fortnight after being released from prison, Omar El Hussein carried out two shootings in Copenhagen. Targeting a free speech event and a synagogue, he killed two people and wounded four police officers. It later emerged that El Hussein had been radicalised in prison. The authorities were aware of his increasingly extreme views but there had been a breakdown in communication between different government departments, meaning that vital information about his case was not shared with the right people at the right time.

El Hussein, a gang member who had several criminal convictions and run-ins with the law, had been in jail for stabbing a train passenger. While awaiting trial, three internal prison reports noted signs of his growing radicalisation. The first was on 7 May 2014, when the jail alerted the Danish Prison and Probation Service in an email titled 'Radicalization?':

*The staff observes suspicious behaviour in the client. He is a member of Brothas Souljaz [a gang], but keeps himself to himself and is not with the other four gang members in the jail ... He is scowling when the staff talk to the other gang members. He does not address the staff himself. In general, he behaves differently from the other gang members.<sup>114</sup>*

The next report came three months later, on 22 August:

*We have previously stated that Omar exhibits extreme Islamic attitudes. After Ramadan, these attitudes are sharpened. He is keeping more and more to himself. He will not be with other gang members if they watch TV with scantily dressed people (bare arms and legs). He does not exercise with them and will not be in the exercise yard with them if they consume food during Ramadan. He has not displayed terrorist attitudes, but he does not speak to the staff beyond what is needed.<sup>115</sup>*

After receiving these from the jail, the prison service did not forward the reports to *Politiets Efterretningstjeneste* (PET), Denmark's domestic intelligence agency. Instead, it asked the jail's staff to monitor for changes in El Hussein's 'appearance, clothing style, reading material'.<sup>116</sup> The third and final report on his radicalisation came a month later, on 25 September:

*The detention centre has previously briefed SIK [Directorate's Security Unit] on observations of inmates that could indicate radicalisation ... It is reported today that Omar stated he will go to Syria to fight when he is released. The statements have not been confirmed, but compared with other observations, there is a picture that his extremism is sharpened.<sup>117</sup>*

While the prison service forwarded this to PET on the same day they received it from the jail, they did not also forward the previous

<sup>114</sup> 'Redegørelse: Så radikaliseret var Omar Abdel Hamid El-Hussein', TV2, 14 April 2015.

<sup>115</sup> Ibid.

<sup>116</sup> Ibid.

<sup>117</sup> Ibid.

two reports. Doing so could have given a greater sense of how El Hussein's radicalisation had intensified over time. This failure to communicate was not a one-off occurrence: an official report following the attacks noted that the Prison and Probation Service did not always forward internal reports to PET.<sup>118</sup> Such procedures were subsequently changed.

Around the same time, authorities also discovered that El Hussein possessed contraband in the form of three phones and a memory card. Yet the contents, remarkably, were not searched. That was done only after the attacks: officials discovered the contraband contained propaganda from Islamic State and PDFs of *Inspire* magazine, published by al-Qaeda, as well as *The Anarchist Cookbook*, a well-known manual that includes instructions for making explosives.<sup>119</sup> A smuggled memory card found in another prison was also traced back to El Hussein, suggesting that he had been distributing propaganda in the prison network.<sup>120</sup>

Once El Hussein was convicted, he was placed in Vestre prison, though was shortly moved to Politigårdens prison in Copenhagen after he assaulted a fellow prisoner. There he was placed in a cell with another inmate who had previously been flagged due to his radicalisation. That 21-year-old cellmate, who was also a member of Brothas Souljaz, had voiced his support for Islamic State on his Facebook profile.<sup>121</sup> It is unknown how the pair interacted, though it is possible that his cellmate further contributed to El Hussein's radicalisation.

Due to peculiarities with his case, El Hussein was released from custody ahead of schedule on 30 January 2015. In another breakdown in communication, PET was not told of El Hussein's impending release. This, too, was a recurring issue: the official post-attack report discovered that the prison service did 'not systematically notify' the intelligence service when individuals whose radicalisation had been flagged would be released.<sup>122</sup> This procedure is now mandatory. If PET had the complete picture – of all three internal reports, knowledge of the contents of his contraband phones, and the date of his release – it would likely have considered El Hussein a priority target and closely surveilled him.

Nevertheless, his case highlights some of the difficulties with monitoring and gathering prison intelligence. The prison officers, for example, only discovered the information of El Hussein's intentions second hand and so could not confirm his statements. Furthermore, at some point his intentions shifted from wanting to travel to Syria to wanting to carry out a shooting in Denmark and thus intelligence on El Hussein was outdated by the time he was released on 30 January 2015.

118 *Evaluering: af myndighedsindsatsen forud for og i forbindelse med terrorhændelserne den 14. og 15. februar 2015 i København*, Politi, Kriminal Forsorgen & Rigsadvokaten, May 2015, pp.19-20.

119 'Ny afsløring: Omar el-Hussein fik indsmuglet terrormateriale i fængslet inden angreb', *DR*, 8 February 2019.

120 *Ibid.*

121 'Afsløring: Omar El-Hussein havde 'cellefællesskab' med Islamisk Stat-støtte', *TV2*, 14 April 2015; 'CPH shooter shared cell with Isis supporter', *The Local*, 14 April 2015.

122 *Evaluering: af myndighedsindsatsen forud for og i forbindelse med terrorhændelserne den 14. og 15. februar 2015 i København*, Politi, Kriminal Forsorgen & Rigsadvokaten, May 2015, pp. 19–20.



## 5 Prison Regimes

Over the past five years, one long-standing question has come to the forefront: where should extremist offenders be placed? There are three broad categories of regimes: 1) putting all extremists together ('concentration'); 2) dispersing them among the regular criminal population ('dispersal'); or 3) isolating them from each other *and* the regular criminal population ('isolation'). While full and permanent isolation remains illegal, prison services across Europe have experimented with different regimes. Today almost every country surveyed has a mixed approach, which involves concentrating or isolating the most dangerous inmates while dispersing the remainder.

There are merits and faults to each, so deciding on a placement regime is not simple. Not only do prison services have to work within their budgets – which are often highly restrictive – but they must also anticipate future changes in the extremist scene, all while managing political, media, and public pressures. Terrorist attacks have often triggered wholesale changes to prison regimes.

Mohammed Bouyeri's 2004 murder of Dutch filmmaker Theo van Gogh, for example, led to the Netherlands creating a 'prison within a prison' specifically for terrorists, while Bilal Taghi's 2016 prison knife attack caused France to abolish its 'Dedicated Units' and heighten its security.<sup>123</sup> Similarly, Anders Breivik's 2011 Oslo and Utøya attacks forced the Norwegian prison system to create a (near) isolation regime specifically for him (see Case Study 1).

Countries also have their historical experiences to consider. Germany's placement of Red Army Faction members in the same prisons in the 1970s and 1980s had disastrous consequences, leaving the country with an aversion to concentration and the 'disruptive energy' it encourages.<sup>124</sup> Spain had a similar experience with Basque separatists until it abandoned the policy of concentration in favour of a dispersal and isolation regime in the late 1980s, which continues today.<sup>125</sup> The British government, on the other hand, decided to disperse paramilitary prisoners during the Northern Ireland conflict known as 'The Troubles', which led to a massive backlash that included the 1981 hunger strike, during which ten republican prisoners died protesting being treated as 'ordinary' criminals. The issue of concentration remains a challenge to this day.<sup>126</sup>

<sup>123</sup> At the time there were five Dedicated Units in operation. The Fresnes DU, where the attack took place, had been open since October 2014.

<sup>124</sup> Comments from the German representatives at the United Nations Security Council Open Arrria Formula meeting on Challenges to Radicalization in Prisons, 12 November 2019.

<sup>125</sup> In Spain, this approach has been called 'dispersion' (*dispersión*), which is not to be confused with the dispersal model mentioned above.

<sup>126</sup> Northern Ireland currently has a voluntary concentration model, whereby paramilitary prisoners can choose to be separated from the general population if they wish. See: John Steele, Kevin Donaghy & Barry Dodds, 'Review of Safety at Maghaberry – Steele Report', 2003, available at: [https://webarchive.nationalarchives.gov.uk/20060213235303/http://www.nio.gov.uk/review\\_of\\_safety\\_at\\_maghaberry\\_-\\_steele\\_report.pdf](https://webarchive.nationalarchives.gov.uk/20060213235303/http://www.nio.gov.uk/review_of_safety_at_maghaberry_-_steele_report.pdf)

Using recent examples, this chapter describes the fundamental trade-off that is at the heart of the debate about prison regimes for politically motivated offenders, which is between concentrating – and possibly even isolating – extremist inmates and dispersing them across a prison system. As will be shown, there is no perfect solution, even though European countries have recently moved to a mixed system. The examples we provide make clear that balancing between different imperatives and objectives is a continuous process, and that what works for one type of extremist prisoner population may not necessarily be effective for another.

## Dispersal

Presently, dispersal is the most popular approach among the ten countries surveyed: eight prison services have, in whole or in part, adopted a dispersal model (see Table 1). This can be a positive influence: extremists often live in an echo chamber, which serves to reinforce their worldview, and dispersal can expose them to different people and perspectives that they would never otherwise encounter. In turn, it may dispel some of their preconceptions and open their minds (see Case Study 4), as well as prevent the re-establishment or maintenance of operational hierarchies. The aim is to minimise interactions with like-minded extremists; for that to happen, their number must be small enough and prison capacity large enough to allow inmates to be moved as needed to different prisons or wings. A prison system with high occupancy rates means that extremists end up in the same wings after all, meaning that dispersal is only partially achieved.

The major risk here is that it could give extremists greater opportunity to radicalise, recruit or ‘network’ with common criminals. Especially important is the potential for extremists to meet arms traffickers, which is exactly what happened with Mehdi Nemmouche, who killed four people in a shooting at the Jewish Museum of Belgium in 2014. The Marseille trafficker Nacer Bendrer supplied the weapons used in that attack, after the pair first met in prison five years earlier when they were placed in the same wing of Salon-de-Provence prison in France.<sup>127</sup> Even though Nemmouche had been flagged as radicalised and part of ‘a real proselytising cluster’,<sup>128</sup> he was still allowed to intermingle with regular criminal inmates. Years later, when he was planning his attack and wanted a firearm, he reached out to the connections he had made in prison and acquired an assault rifle from Bendrer.<sup>129</sup> The policy of dispersal facilitated that interaction.<sup>130</sup>

Dispersal is not likely to work in all circumstances, simply because not all extremist offenders are the same. Just as there are individuals who have a loose connection to extremist ideas or networks, who may benefit from dispersal, there are also offenders who are intent on carrying out terrorist attacks or recruiting new

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127 There are conflicting reports as to when this was. During Nemmouche’s and Bendrer’s 2019 trial, prosecutors allege it was between September 2009 and December 2010, while Bendrer’s defence insisted it was between December 2008 and February 2009. ‘Nemmouche et Bendrer étaient dans un «pôle prosélyte»’, *La Capitale*, 27 February 2019; ‘La défense de Nacer Bendrer réfute l’idée qu’il était sous la coupe de Nemmouche’, *Le Vif*, 3 January 2019.

128 ‘Nemmouche et Bendrer étaient dans un «pôle prosélyte»’, *La Capitale*, 27 February 2019.

129 ‘Mehdi Nemmouche et Nacer Bendrer faisaient du prosélytisme en prison’, *Le Vif*, 1 November 2019;

‘Procès du Musée juif: les cinq éléments à charge de Nacer Bendrer’, *RTBF*, 24 January 2019.

130 This also appears to have been the case with the 2015 Hyper Cacher siege, the 2015 Bataclan attacks, and the 2018 Strasbourg shootings, all of which involved some degree of networking between extremists and arms traffickers in prison. The relevant court cases are currently making their way through the French criminal justice system.

adherents. A prison service has to manage them all. Over the past five years, several prison services across Europe have sought to match this variety of profiles with a variety of placement regimes, giving rise to more ‘mixed models’ of selective concentration alongside dispersal.

## The Recent Move to a Mixed Model

Belgium has been following such a system ever since it created two ‘D-Rad:Ex’ units in April 2016. These units, located in Hasselt and Ittre prisons, can hold up to 40 inmates and are only used to house the most influential extremist offenders, such as persistent and prolific recruiters, as a ‘last resort’.<sup>131</sup> CelEx makes recommendations over whether inmates should be moved to the D-Rad:Ex units, with the ultimate decision taken by a prison’s director general. More dangerous inmates who are at risk of committing acts of violence are held in a separate maximum-security prison in Bruges.<sup>132</sup> Up to 15% of inmates monitored by CelEx have been placed in the D-Rad:Ex units.<sup>133</sup>

In England and Wales,<sup>134</sup> Her Majesty’s Prison and Probation Service created its own ‘Separation Centres’ (SC), the first of which was opened in June 2017, to house the most disruptive and dangerous extremists. There is currently one SC open, at Frankland prison, with a capacity for eight inmates. Two other SCs, at Full Sutton and Woodhill prisons, were closed in 2019. The aim is to provide a regular prison regime, including work, education, and exercise, alongside sessions with psychologists, probation, and religious experts.<sup>135</sup> Although offenders are physically separated from the general prison population, they can associate with each other. In contrast to the Belgian system, there is no central team that makes recommendations for transfers to an SC. Instead, prison establishments usually make the referrals themselves, and a national committee considers them<sup>136</sup>, which may explain the low occupancy rates of these units. In practice, the SCs have held no more than 5% of Britain’s convicted terrorists at any one time.<sup>137</sup>

France introduced its own three-tiered system in 2018. When an inmate is first held in custody for terrorism-related offences, they are placed in an evaluation wing (*quartiers d’évaluation de la radicalisation*, QER).<sup>138</sup> Over the next four months, counsellors, psychologists, and religious specialists monitor their behaviour, assess their level of risk, and interview them to gauge their level of honesty. However, staff have voiced concerns that this is too short

<sup>131</sup> Thomas Renard, *Extremist Offender Management in Belgium* (London: ICSR, 2020).

<sup>132</sup> Thomas Renard & Rik Coolsaet, ‘From the Kingdom to the Caliphate and Back: Returnees in Belgium’ in Thomas Renard & Rik Coolsaet (eds.), *Returnees: Who are they, why are they (not) coming back and how should we deal with them?* (Brussels: Egmont, 2018), p. 31.

<sup>133</sup> Based on the highest known figure of D-Rad:Ex inmates (22 in January 2018) and the lowest known figure of CelEx monitored offenders since the D-Rad:Ex units were created (139 in June 2016).

<sup>134</sup> In the UK, Scottish prisons are managed by the Scottish Prison Service, and prisons in Northern Ireland are managed by the Northern Ireland Prison Service.

<sup>135</sup> ‘Annual Report of the Independent Monitoring Board at HMP Frankland for reporting Year (1 December 2016 to 30 November 2017)’, Independent Monitoring Board, April 2018, p. 13; ‘Annual Report of the Independent Monitoring Board at HMP Full Sutton for reporting year January – December 2018’, Independent Monitoring Board, May 2019, p. 15.

<sup>136</sup> See ‘Separation Centre Referral Manual PSI 05/2017’, HM Prison and Probation Service, 12 May 2017, particularly the process flowcharts on pp. 14–16, available at: <https://web.archive.org/web/20200421121111/https://www.justice.gov.uk/downloads/offenders/psipso/psi-2017/psi-05-2017-separation-centre-referral-manual.pdf>

<sup>137</sup> A Ministry of Justice study found that the two SCs each held between 3 and 6 inmates at any one time: Powis et al., p. 9.

<sup>138</sup> QERs: Vendin-le-Vieil (Pas-de-Calais), Conde-sur-Sarthe (Orne), Fresnes (Val-de-Marne), Osny (Val-d’Oise), Fleury-Merogis (Essonne)

a period to assess an inmate's radicalisation effectively. Unlike the systems in Belgium or England and Wales, this is a mandatory process for all terrorism-related individuals. QERs thus hold a wide range of profiles, from seasoned Islamic State foreign fighters to individuals who have only had a fleeting involvement in extremism. This stage of France's three-tiered system therefore follows a de facto concentration model. While it may be easy to spot obvious signs of recruitment or networking, the system tends to benefit the most intelligent and crafty extremists.<sup>139</sup>

A decision is then made as to their placement, with three options. First, low-risk inmates are placed in ordinary detention, where they continue to be monitored by prison intelligence. Second, inmates who are intent on recruiting others are placed in a 'Radicalisation Support Unit' (*quartier de prise en charge de la radicalisation*, QPR). These are highly-controlled wings, housing between 15 to 20 inmates that have no interaction with those held in ordinary detention. Third, high-risk inmates who are likely to become violent are put in Isolation Units (*quartiers d'isolement*, QI), where they cannot interact with other inmates. In practice, 75% of extremists are placed in ordinary detention, 15% in QPRs, and the remaining 10% in QIs.<sup>140</sup>

It is too early to judge whether the 'experiment' in separation has been a success, though the early signs are promising. Despite fears that inmates might use the separation units to develop networks and share skills, a recent assessment in England and Wales found there was 'no clear evidence' of this.<sup>141</sup> Another fear, that of other extremists filling the leadership void left by inmates who were moved to SCs, also did not manifest.<sup>142</sup> Indeed, the prisons they were moved from often saw 'less disruption, less challenging of authority and improved staff-prisoner relationships and Muslim–non-Muslim prisoner relationships'.<sup>143</sup> Prison staff reported some extremists may have even moderated their behaviour to avoid being separated,<sup>144</sup> while France's first QPR found that of 13 people in the unit, eight inmates' levels of violence or dissemination of extremist views has reduced to levels seen in ordinary detention.<sup>145</sup> The ultimate benefits, that of preventing the fomentation of plots, can be impossible to quantify, however, as it is akin to proving a negative.

One of the challenges to these separation units is not their efficacy but their underoccupancy and 'value for money'. Belgium's D-Rad:Ex units only hold twelve inmates, amounting to a 30% occupancy rate. In England, the SCs have never exceeded a 43% occupancy rate.<sup>146</sup> The SC at Woodhill prison only received inmates a whole year after it was first ready to receive them, and even they were only temporary transfers from another SC that was undergoing refurbishment.<sup>147</sup> The SC at Woodhill was subsequently closed

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139 See Gilles Chantraine, David Scheer & Marie-Aude Depuiset, 'Enquête sociologique sur les « quartiers d'évaluation de la radicalisation » dans les prisons françaises', <https://hal.univ-lille.fr/hal-02458977>, p. 138 and pp. 144–8.

140 'Comment sont détenues les personnes condamnées pour faits terroristes?', *La Croix*, 30 October 2019. An article from November 2019 gives the breakdown as: 70% ordinary detention, 15% QERs and 15% QIs:

141 Powis et al, p. 25.

142 Ibid., p. 26.

143 Ibid., p. 26.

144 Ibid., p. 28.

145 'Détenus radicalisés en prison: au cœur des quartiers de prise en charge', *Le Parisien*, 23 November 2019.

146 A Ministry of Justice study found that the two SCs each held between 3 and 6 inmates at any one time, which at most would be 12 inmates out of a capacity for 28 inmates (43%): Powis et al, p. 9.

147 'Annual Report of the Independent Monitoring Board at HMP Woodhill for reporting year 1 June 2018 – 31 May 2019', Independent Monitoring Board, October 2019, p. 13.

in December 2019 due to a lack of referrals.<sup>148</sup> There are many legitimate reasons for their underoccupancy: CelEx, for example, says it is now rare to come across offenders who are prolific recruiters,<sup>149</sup> while prison officers in England believe extremist behaviour could be underreported or the criteria for being separated are too restrictive.<sup>150</sup> Yet this will inevitably lead to questions around ‘value for money’. Given that separate units have a staff to inmate ratio of between 1:1 and 2:1 while other, regular prisons face high levels of violence, drug use, mental health issues, self-harm, and suicide, separate units for extremists may be seen by budget holders as an indulgence.<sup>151</sup>

## Concentration and ‘Isolation’

One alternative to dispersal is the concentration model. The only country in Europe to adopt this model is the Netherlands, whose prison service has operated Terrorist Wards (*Terroristen Afdeling*, TA) to exclusively house terrorism-related inmates since 2004. There are currently two TAs: one in Vught prison, with five separate wings, and another in De Schie in Rotterdam, with one wing. While this is labelled as ‘concentration’, not all terrorists are placed on the same wings: they can be separated by their assessed levels of risk, to ensure that a charismatic recruiter, for example, is physically separated from someone vulnerable to (further) radicalisation. Even if inmates are placed together, their individual regimes, such as their recreation or gym time, can be desynchronised to reduce their interaction.

Spain, meanwhile, imposes a de facto ‘isolation’ regime on most convicted terrorists, continuing a three-decades-old policy first introduced to tackle Basque separatist prisoners.<sup>152</sup> In an attempt to limit their interaction with each other and with the general prison population, extremist offenders are placed in special security wings, which have their own courtyard and a dedicated team of prison officers.<sup>153</sup> Their movement is heavily restricted, with no recreational activities or educational and work programmes. In practice, this means extremists are spread out across the country: jihadist inmates are placed in 30 of the Ministry of Interior’s 69 prisons,<sup>154</sup> while Basque separatists are divided across 43 prisons.<sup>155</sup>

Despite these attempts at limiting interaction, offenders placed in concentration or quasi-isolation will neither be totally cut off from the world nor incapable of action, albeit in their own ways. This can range from symbolic actions, such as when Mohammed Bouyeri vandalised his wing’s kitchen in March 2017 in protest of the placement of three male far-right terrorists on the same wing

148 ‘Prison unit holding Britain’s most dangerous terrorists closed four days after London Bridge attack’, *The Independent*, 11 December 2019.

149 Thomas Renard interview with CelEx, 5 February 2020.

150 Powis et al, p. 16.

151 The QPR in La Santé, for example, has a minimum of eight prison officers for a maximum of 15 inmates, while regular French prisons have only one officer for every 80 inmates: ‘France: les premiers détenus radicalisés sont arrivés à la prison de la Santé’, *AFP*, 13 July 2019. Each SC in England has between four and seven staff on duty at any one time to manage, at most, twelve inmates: Powis et al, p. 9.

152 In Spain, there are exceptions, such as inmates who have successfully completed a rehabilitation programme or female inmates with children under three years of age.

153 Extremists would not be totally ‘isolated’; inmates responsible for assaults/violence in prison are also placed in these special security wings.

154 This excludes prisons in Catalonia, which has its own prison system.

155 This number is according to ‘Etxerat’, a Basque separatist prisoner support group. Available at: <https://www.etxerat.eus/index.php/es/pres-s/listado-direcciones>

as two female jihadists,<sup>156</sup> to something more substantial. Jihadists spread across 17 prisons in Spain, for example, attempted to form a 'prison front' before the authorities disrupted it in 2018.<sup>157</sup> The network was the initiative of one inmate, Abderrahmane Tahiri (also known as Mohamed Achraf), who was held in de facto isolation. He wrote to over 20 other inmates, a mix of convicted terrorists and radicalised criminals, but it is unknown exactly how many responded favourably to his idea of a prison front.<sup>158</sup> His 'isolation' did not stop him from reaching out to other jihadists, though it may have made the authorities' disruption of his network easier. Tahiri previously attempted to recruit inmates in 2004 to carry out terrorist attacks in Madrid.<sup>159</sup>

The risk, of course, is that making exceptions for terrorist offenders by placing them in special units could reinforce narratives of victimhood, exceptionalism, and persecution. Andre Seebregts, a Dutch lawyer, stated that several of his clients detained in TA in Vught developed increasingly negative views towards the authorities, while other research has shown a more mixed picture.<sup>160</sup> Making exceptions may also allow outside supporters to create the perception that offenders are treated like detainees in notorious prison camps such as Guantanamo Bay. This grievance may serve to increase their motivation and commitment to the cause, while also increasing the in-group status of those considered dangerous enough to qualify for restrictive regimes. As a result, finding the right balance between dispersal, concentration, and 'isolation' – and adjusting it for each particular type of offender or population – will likely remain a continuous challenge for European prison services.

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156 'Onrust en chaos op terroristenafdeling Vught', *1V EenVandaag*, 24 March 2017.

157 A total of 26 inmates were investigated for their role in the network. The network included: Abderrahmane Tahiri (aka Mohamed Achraf, convicted in 2006 of planning terrorist attacks targeting Spain); Mohamed El Gharbi (involved in planning a terrorist attack in 2015); Karim Abdeslam Mohamed (convicted in 2015 for recruiting jihadists in Ceuta to fight in the Syrian civil war); Abdelghani Zarrouri (serving a 23-year sentence for murdering his wife); and Jamal Zougan and Hassan El Haski (both convicted for the 2004 Madrid bombings). The 17 prisons were: Las Palmas II, Teixeira, Estremera, Villena, Algeciras, El Puerto de Santamaría III, Ocaña I, Zuera, Mansilla de las Mulas, Soto del Real, Huelva, Murcia II, Mallorca, Valencia, Albolote, Córdoba, and Villabona.

158 'El juez asegura la permanencia en prisión de un cabecilla del 'frente de cárceles' yihadista', *La Vanguardia*, 10 December 2018; 'Detenido un funcionario de prisiones por ayudar a una célula de reclusos yihadistas', *El País*, 5 February 2019.

159 'El "emir" de la "operación Nova": "Estamos aquí por atentado y sólo hablan de cartas"', *El Mundo*, 15 October 2017.

160 For more, see Weggemans and de Graaf.

## Case Study 4: Farid Benyettou

Following the January 2015 *Charlie Hebdo* attack in Paris, photos and videos of the two attackers were broadcast on many news channels. Farid Benyettou, an erstwhile jihadist recruiter and ideologue, recognised one of them as his old friend Chérif Kouachi, whom he had known for a decade. At this point, Benyettou called the police to volunteer information on Chérif and his brother Saïd Kouachi, and when he did not receive a follow-up, he went to the General Directorate for Internal Security (DGSI) headquarters to disclose what he knew.<sup>161</sup> It marked the culmination of his disengagement from extremism that had been building for several years.<sup>162</sup>

Benyettou was an influential figure in the mid-2000s jihadist scene in Paris. As a charismatic preacher and ideologue, he assumed an important position in the Buttes-Chaumont network, which would recruit and dispatch French jihadists to fight for al-Qaeda in Iraq. One such member was Chérif Kouachi, who had looked to Benyettou as a sort of mentor. French authorities dismantled the network in 2005, sending several of its members to prison.

While awaiting trial, authorities placed Benyettou in Fresnes prison alongside his fellow extremists. He immediately attempted to recruit others and rally the jihadists he knew, just as he did in his day-to-day life. In his own words, he ‘wanted to find other “brothers”’.<sup>163</sup> In doing so, he was classified as a DPS (*détenu particulièrement signal*, a ‘particularly noteworthy prisoner’) due to his terrorism offences and assumed a certain status in prison:

*We’re respected as terrorists. I remember another detainee, who was saying ‘Allahu Akbar’ every day, always stayed with me to pass himself off as an Islamist. I found out long afterwards that he was convicted of paedophilia.*<sup>164</sup>

Following his conviction, he was moved to Osny prison to serve his six-year sentence. Unlike during his pre-trial detention, Benyettou was not placed with other jihadists and this separation made him realise that he had essentially been living in an echo chamber:

*Prison opened me up to the antithesis of the [Islamist] idea ... Before, my life was limited to the mosque and my fundamentalist friends like me. I had dropped out of school in 10th grade. I functioned in isolation. In Osny, the other inmates didn’t know why I was there. I was the only Islamist. I was quiet. I made my own world. I signed up for all the workshops I could: drama, sculpture, chess, computers, reading ... I took English, Spanish classes.*<sup>165</sup>

161 Matthieu Suc, ‘Les confidences de l’émir déchu des frères Kouachi’, *Mediapart*, 8 January 2016.

162 Benyettou wrote about his experience in the jihadist milieu in his book: Farid Benyettou & Dounia Bouzar, *Mon djihad: Itinéraire d’un repentir* (Autrement, 2017).

163 Suc, ‘Les confidences de l’émir’.

164 Doan Bui, ‘Farid Benyettou, confessions d’un djihadiste repentir’, *L’Obs*, 5 January 2017.

165 Suc, ‘Les confidences de l’émir’.

He began to imagine a different life for himself and, with the encouragement of a counsellor, dreamt of working as a nurse. He also started making friends outside of his typical social circle, getting to know Corsican and Basque inmates. This process was organic, as Benyettou was not subject to any deradicalisation or disengagement schemes in prison.

However, after his release in January 2009, he found it difficult to escape his old habits. Benyettou returned to his previous lifestyle of meeting up with many from the Buttes-Chaumont network, including Chérif Kouachi: 'I put my *quamis* [long tunic worn by Salafists] back on. Called up my old mates. I swore I'd cut them off, but I was in a hurry to put my chains back on...'.<sup>166</sup> At the time there were no formal deradicalisation programmes for Benyettou to follow. Instead, much like his experience in Osny, his worldview changed by naturally meeting people from different walks of life:

*The ones who really deradicalised me were my Jewish neighbours. I was expecting rejection, I almost wanted rejection, which would have allowed me to start hating France again, even though I had seen in prison that I had been given a chance of rehabilitation. And no, they didn't. They took me in again. And even encouraged me to study nursing.*<sup>167</sup>

Benyettou then began to 'dodge the whole group of former friends. Except for Chérif, very insistent, who always came to see me'.<sup>168</sup> His determination to begin a new chapter in his life was reinforced following Mohamed Merah's 2012 shootings in the south of France. Benyettou was disturbed that students were asking him if it was permissible to kill women and children, just as Merah had done, and so he stopped giving religious lessons. Instead, he began studying to be a nurse and received a scholarship from the Île-de-France Regional Council: 'I had a great opportunity to turn the page'.<sup>169</sup> His worldview, social circle, and material circumstances had changed.

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<sup>166</sup> Bui, 'Farid Benyettou'.

<sup>167</sup> Ibid.

<sup>168</sup> Ibid.

<sup>169</sup> Suc, 'Les confidences de l'émir'.

## 6 Reintegration and Release

**N**ot all extremist offenders are the same or pose the same level of risk. For some, their time in prison will only vindicate their beliefs and deepen their commitment to their cause, meaning they will leave prison much more dangerous than when they entered. For others, their desire and dedication to extremist ideas – and the groups, networks, and milieus of which they are a part – will fade in prison. They will age, grow tired, become disillusioned, and look to change their path in life. As much as prisons are places where people radicalise, they may also offer opportunities for disengagement and de-radicalisation.

Over the coming years, hundreds of extremist offenders will be released. For example, France's 2018 counterterrorism strategy stated that 80% of the country's jihadist convicts will be released by 2022.<sup>170</sup> In Belgium, 60 extremist offenders will reach the end of their sentences by the same year,<sup>171</sup> while most of Sweden's extremist offenders will be released as early as 2020 (20 individuals out of 32). In Spain, 78% of all releases will take place by the end of 2023. These impending releases mean it is even more urgent to reintegrate extremist offenders as best possible.

This chapter provides an overview of the different schemes and procedures that are currently in operation in the ten European countries we have surveyed. What it shows is that nearly all European countries have, in recent years, considered rehabilitation programmes, albeit with very different results: while some countries have created extensive schemes, others are content with adapting programmes that were created for non-terrorist offenders. The same applies for release procedures, and the arrangements inmates are subjected to once they return to society. The different approaches, together with the lack of comprehensive data, highlight the need for systematic exchange and better, more reliable data.

### Rehabilitation Schemes

Across Europe, there has been a shift in recent years towards favouring disengagement (a change in *behaviour*) rather than de-radicalisation (a change in *ideas*), although the difference can, in practice, be minimal. Even though some countries have 'in-house' capabilities, most remain reliant on subcontractors and NGOs for their extremism-specific rehabilitation work.<sup>172</sup> The majority of schemes follow the same basic principles: they begin with an assessment (see Chapter 3), are individually tailored, and involve a variety of interventions, such as cognitive behavioural therapy, mentoring, and structured dialogue tools. Whether they are identical to – or slight adaptations of – existing programmes that are available

<sup>170</sup> Of the 143 inmates classified as '*détenus terroristes islamistes*' at the time. 'Plan D'Action Contre Le Terrorisme', *République Française Premier Ministre*, 13 July 2018, p. 21.

<sup>171</sup> '60 terroristen en geradicaliseerden verlaten dit en volgend jaar gevangenis', *De Tijd*, 6 May 2020.

<sup>172</sup> At times, this can cause friction between the prison service and their external partners. See Behnam Said, *Extremist Offender Management in Germany* (London: ICSR, 2020).

to non-terrorist offenders, they all recognise that disengagement takes time and will not always be successful; it is a gradual process that requires patience on behalf of participants and practitioners.

Though similar, there are also important differences. For example, while most of the schemes are voluntary, some – such as the French Research and Intervention in Violent Extremism (*Recherche et intervention sur les violences extrémistes*, RIVE) or the British Desistance and Disengagement Programme (DDP) – are compulsory for some convicted terrorists.<sup>173</sup> The argument in favour of compulsion is that such programmes do no harm, that offenders are not always conscious of their own disillusionment, and that nothing should be left untried in order to rehabilitate terrorists. The counter-position is that they require offenders' active participation, and that forcing someone who is not willing and shows no interest in changing their view or behaviour is pointless and a waste of precious resources.

Another distinction is the approach towards so-called mentors. Many schemes anchor interactions with offenders to a particular person – a mentor – who requires emotional intelligence, interpersonal skills, and a variety of other skills and personal qualities. The idea is that building a personal relationship with someone who is generally older and more mature, who can be seen as a role model, will complement the various cognitive exercises that are usually part of rehabilitation programmes. But the recruitment and training of mentors is often ad hoc and relies on the presence of 'extraordinary staff'. Programme providers also differ as to whether mentors should challenge offenders' beliefs, which may result in confrontations and jeopardise progress that has been made in other areas.<sup>174</sup>

Related to this are arguments about the role of ideology. While Greece, Spain, and Sweden have no explicit ideological component as part of their rehabilitation efforts, France's RIVE and England and Wales' DDP involve a whole set of religious and ideological measures aimed at making participants reconsider their beliefs. The remaining programmes take a more pragmatic approach by providing ideological 'challenge', 're-education', or 'structured dialogue' in cases where doing so is judged to be helpful or necessary. None of them presume that ideology is the sole or principal driver of engagement in violent extremism. In fact, most of them agree that, while focusing on ideology alone is unlikely to be successful, ignoring it completely would also be a mistake.

Rehabilitation schemes also differ in the extent to which they are connected with post-release arrangements. The Netherlands, with its 'Terrorism, Extremism and Radicalisation' team, and England and Wales, with their 'CT Probation Specialists', have dedicated, centrally coordinated probation teams who specialise in terrorist offenders and work with prison services in order to ensure a smooth transition back into society. This is not the case in every country, where it can differ depending on the local authority or federal state

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<sup>173</sup> RIVE was initially trialled, on a compulsory basis, on 14 offenders. The DDP was initially trialled in 2016 and has since been expanded to a compulsory programme for all terrorism-related inmates. Jamie Grierson, 'Extremists living in UK under secretive counter-terror programme', *The Guardian*, 5 April 2019; 'RIVE, le projet de déradicalisation secret du gouvernement', *France Inter*, 9 November 2017.

<sup>174</sup> See, for example, a review of Norway's mentor programme: Franck Orban, *Mentorordningen i kriminalomsorgen: en prosessevaluering* (Oslo: KRUS, 2019).

in which an offender is located. Furthermore, many countries have few if any unique arrangements for convicted terrorists other than what non-terrorist offenders receive. Given the large number of terrorists that will be released from European prisons in the coming years (as noted above), this seems to be an obvious gap.

Yet no matter how sophisticated, the effectiveness of these programmes is largely unknown. This is not necessarily the fault of the governments that run them. Terrorism is a phenomenon characterised by small numbers and extremist prisoners have been called ‘the spectacular few’<sup>175</sup> precisely because they have a disproportionate impact compared to their number. Accordingly, recidivism rates are very low (as noted below), and it would take a very large number of participants – who, in turn, would have to be observed over a long period of time and compared to a control group – to demonstrate their effectiveness in a way that is both robust and statistically significant. There is plenty of anecdotal evidence to suggest that these programmes are useful, but we still do not fully understand how and why.

## Conditions for Release

While each country understands there are unique risks posed by extremist offenders, the countries surveyed have different conditions for release, as dictated by law. In most countries, inmates are automatically released at the end of their sentence or released after serving the majority of their sentence in prison (with the remainder of their sentence spent on probation). It is not always possible for an inmate’s release, should they complete their full sentence, to be delayed or postponed. In Sweden, for example, exceptional circumstances are required – deemed ‘serious misbehaviour’ – for their release to be postponed for up to six months. Parole (otherwise known as early release) is rare: in Norway, extremist offenders generally have equal rights to parole as with any other offender, while in Greece, offenders can apply for early release after they finished 60% of their sentence, though in practice most terrorists serve their full term.

Parole boards are not always involved in releases. In Belgium, convicted terrorists can only be released on parole if they receive a unanimous approval from a five-judge sentencing court. This is more stringent than with other offenders, who would require two votes from a three-judge court.<sup>176</sup> In England and Wales, in response to the 2019 London Bridge attack, recent legislation has made it compulsory for all terrorist offenders to receive approval from the Parole Board if they are due to be released before the end of their sentence.<sup>177</sup> Authorities there have attempted to allow the Parole Board access to the ‘gist’ of intelligence regarding extremist offenders, which would give them an informed view of their level of risk without compromising intelligence sources.<sup>178</sup>

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175 Mark S. Hamm, *The Spectacular Few: Prisoner Radicalization and the Evolving Terrorist Threat* (New York: New York University Press, 2013).

176 ‘Mehdi Nemmuouche condamné à la réclusion à perpétuité. Cela signifie quoi en Belgique?’, *RTBF*, 12 March 2019.

177 ‘End to automatic early release of terrorists’, *Ministry of Justice*, 11 February 2020.

178 ‘Parole board could get access to top secret intelligence on terrorists to prevent their release from prison’, *Daily Telegraph*, 4 May 2020.

To prepare for an inmate's release, multi-agency meetings are common: where representatives from the prison service, police, intelligence, and other services (for example, education, housing or social workers) all meet in the same room and discuss a case. This happens in Belgium ('Local Task Forces' and 'Local Cells for Integral Security') and England and Wales ('Multi-Agency Public Protection Arrangements') as well as Norway ('Radicalisation Coordinators'), for example. It is also typical for the prison service to prepare a briefing on released offenders. France's national prison intelligence agency, for example, sends an 'end of sentence note' to the other intelligence agencies, noting whether an inmate was considered radicalised or dangerous.<sup>179</sup> Following the El Hussein case (see Case Study 3), Denmark similarly requires that each prison institution inform PET and the local Infohouse (police and municipality) when they identify signs of radicalisation in an inmate, along with the date of the inmate's release.

## Post-release, Recidivism, and Re-engagement

Like all offenders, terrorists are monitored after their release. At a minimum, probation arrangements involve an offender checking in with their dedicated probation officer. In Sweden, for example, this could be twice a week (in the case of high-risk offenders), or as infrequent as once every other month, depending on an assessment using the Risk-Needs-Responsivity model (see Chapter 3). In Norway, the same conditions are imposed on extremists as on other offenders, which include setting their place of residence, work or training, regular check-ins, and restrictions on those with whom they associate. The Danish system requires regular engagement with a panel of local representatives (the so-called Infohouse), which brings together various social and educational services, as well as police and probation.

While many countries have added elements to their existing probation procedures – for example, ideological mentors – the Netherlands has gone furthest in creating a post-release programme that is specifically designed for terrorist offenders. The Dutch Probation Service's Terrorism, Extremism and Radicalisation team works closely with the prison service, identifying inmates that are due for release, developing a relationship with offenders while they are still incarcerated and facilitating their transition back into society by helping with social, psychological, and ideological needs.<sup>180</sup>

As mentioned above, the success of these arrangements is difficult to assess. The recidivism rates for terrorist offenders – that is, when a convicted terrorist is released and then convicted for another terrorist-related offence – are generally very low. Across Europe they range between 2% and 7%, which is much lower than the rate for the general criminal population, which in many countries exceeds 50%. In Belgium, recidivism is at 2.3%, based on an analysis of 557 jihadist convicts from 1990 to 2020.<sup>181</sup> In England and Wales the rate is only 3% among the 196 terrorism-related offenders

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<sup>179</sup> 'Dans l'ombre, le renseignement pénitentiaire change de dimension', *Le Point*, 21 June 2019.

<sup>180</sup> For more, see Liesbeth van der Hiede, *Extremist Offender Management in the Netherlands* (London: ICSR, 2020).

<sup>181</sup> That amounts to 13 individuals. Thomas Renard, 'Overblown: Exploring the Gap Between the Fear of Terrorist Recidivism and the Evidence', *CTC Sentinel*, Vol 13, Issue 4, 2020, p. 25.

released between January 2013 and December 2019.<sup>182</sup> The Dutch rate is similarly low: 4.4% among the 189 terrorism offenders released from prison from 2012 to mid-2018,<sup>183</sup> while Spain has a rate of 7%, based on a study of 199 jihadists convicted between 2004 and October 2018.<sup>184</sup>

However, recidivism rates only cover part of the picture: not everyone who reoffends after release is again convicted, because, for example, they die while committing a terrorist attack or have travelled abroad (see Case Study 5). When looking at *all* terrorist *re-engagement* – that is, when terrorists are released and subsequently become involved in further terrorism-related activity – the figures are slightly higher. In Belgium, the re-engagement rate is thought to be 4.8%, with most of these cases occurring within nine months of their release from prison.<sup>185</sup> In the UK, it is at least 4.5%.<sup>186</sup> In Spain, 9.7% of jihadists who were convicted or died in Spain between 2012 and 2019 had re-engaged after their release.<sup>187</sup> A provisional study from France shows a rate of 16%, based on 137 individuals who were convicted of terrorism offences between 2004 and 2017.<sup>188</sup>

While these low figures may be a source of relief, one must not forget that terrorism, by its very nature, has an outsized impact relative to the number of people involved or attacks carried out. It is also important to note that these figures for recidivism and re-engagement only deal with individuals whose first offence was terrorism-related and exclude those non-terrorist offenders who were flagged up for signs of radicalisation while in prison. Given that the majority of extremist offenders monitored for their radicalisation are not in prison for terrorism-related offences (see Chapter 1), we may only be seeing part of the picture. No European country currently produces comprehensive recidivism figures for all individuals who have been marked as extremists during their stay in prison. If anything, therefore, this highlights the need for better data and research: Is there an alternative to recidivism measures? Is this what ‘success’ looks like when rehabilitating terrorists?

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182 That is, 6 individuals. Terrorism: Prisoners’ Release: Written question – HL782, answered by Lord Keen of Elie, 1 February 2020.

183 That is, 8 individuals. Liesbeth van der Heide and Bart Schuurman, ‘Reintegrating Terrorists in the Netherlands: Evaluating the Dutch Approach’, *Journal for Deradicalization*, No 17, 2018, p. 221.

184 That is, 14 individuals. Fernando Reinares, Carola García-Calvo & Álvaro Vicente, ‘Yihadismo y prisiones: un análisis del caso español’, (Madrid: Real Instituto Elcano, 2018), pp. 1–16.

185 Thomas Renard, ‘Overblown: Exploring the Gap Between the Fear of Terrorist Recidivism and the Evidence’, *CTC Sentinel*, Vol 13, Issue 4, 2020, p. 25; This is based on analysis of 17 of the 27 individuals who reengaged in terrorism-related activity, *Ibid.* p.26.

186 That is, the 6 cases of recidivism, plus 3 known cases of reengagement (Usman Khan, Sudesh Amman, and Brusthom Ziamani).

187 Fernando Reinares, Carola García-Calvo y Álvaro Vicente, *Yihadismo y prisiones: un análisis del caso español* (Madrid: Real Instituto Elcano, 2018), pp. 1–16.

188 Marc Hecker, ‘Terrorisme: quel risque de récidive?’, *The Conversation*, 2 June 2019, using data from Marc Hecker, ‘137 Shades of Terrorism: French Jihadists Before the Courts’, IFRI, April 2018.

## Case Study 5: Usman Khan

On 29 November 2019, Usman Khan attended a conference at Fishmonger's Hall in London focused on Learning Together, a prison education and rehabilitation programme. Organised by Cambridge University, the conference was an 'alumni event' to celebrate five years of the scheme.<sup>189</sup> Khan himself had participated in the programme while he was in Woodhill prison and was considered a success story. He even featured on their promotional material and wrote a message of appreciation after they gave him a laptop to aid him with his studies:

*Learning Together has a special place in my heart. It is more than just an organisation, helping to provide learning of individual academic subjects. For me it's [sic] main benefit is bringing people together, through the means of learning. Learning Together is about opening minds, unlocking doors, and giving voice to those who are shut down, hidden from the rest of us. It helps to include those who are generally excluded. This is what Learning Together means to me.*<sup>190</sup>

During the conference's morning break, Khan went to the toilets. He emerged with two knives taped to his hands as well as a dummy explosive suicide vest on his chest and began stabbing people indiscriminately, killing two people who worked on the programme. Some in attendance, several of them former prisoners themselves, fought back. Khan was pursued out of the building and onto the adjacent London Bridge and three men, in a scene recorded by several passers-by, subdued him using a narwhal tusk and a fire extinguisher. Armed police arriving on the scene then shot Khan dead upon seeing apparent explosives strapped to his chest.<sup>191</sup>

Was Khan someone who gamed the system, or did he genuinely change his views only to relapse while on probation?

Khan had been imprisoned for an offence he committed in 2010, when he was arrested over his plans to establish a jihadist training camp in Pakistan-administered Kashmir. Active in a network of British jihadists, he had planned to fund the camp in part by claiming state benefits and tried to recruit others to join him.<sup>192</sup> After being convicted in 2012, he received an 'indefinite sentence', meaning he would only be released once the authorities judged that he posed no risk. Yet following an appeal, this was changed to a determinate 16-year sentence, eight of which would be spent in prison, with the remaining eight on probation. He was therefore automatically released from prison in December 2018, eight years after he was first taken into custody; the Parole Board had no role in his release.

189 Information taken from the event's online invitation page on Eventbrite: <https://web.archive.org/web/20191130001409/https://www.eventbrite.co.uk/e/learning-together-alumni-event-tickets-71773160455>

190 '10 Stories for 10 Miles: Story 6', Learning Together website [since removed: <https://learningtogethercambridge.wordpress.com/>], 11 July 2019.

191 Sean Coughlan, '300 seconds on London Bridge', *BBC News*, 7 December 2019.

192 'Stoke-on-Trent terrorist Usman Khan described Osama Bin Laden as "beautiful"', *Stoke Sentinel*, 30 November 2019.

In prison, an incident early into his sentence meant he was upgraded from a 'standard risk' to a high risk 'Category A' prisoner and stayed as such for the remainder of his time in prison.<sup>193</sup> He had also participated in the Ministry of Justice's main rehabilitation scheme, the voluntary Healthy Identity Intervention, and appeared to recant his views. He wrote:

*I have learnt that many of my past beliefs came from my misinterpretations of Islam ... There were many gaps in my knowledge but now I am on a new path and am learning to become a good Muslim. I would like a chance to prove to you that I will not cause harm to nobody in our society.*<sup>194</sup>

Following his release, he also participated in the Desistance and Disengagement Programme, a new government scheme that provides 'mentoring, psychological support, theological and ideological advice'.<sup>195</sup> He had also been complying with his probation conditions, meeting with his probation supervisor twice a week and wearing an ankle tag that reported his location.

Khan's movements while on probation were restricted, with set limits on where he could and could not go, and he had to stay in a bail hostel in Stafford. Yet he had built up enough trust with the authorities, having already made one accompanied visit to an event in London, that the authorities granted him permission to attend the Learning Together anniversary by himself.

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193 'London Bridge terrorist was upgraded to a "high risk" category A prisoner after threats to staff', *Daily Telegraph*, 4 December 2019.

194 Ceylan Yeginsu, 'Portrait of London Bridge Killer, in His Own Words', *New York Times*, 5 December 2019.

195 Grierson, 'Extremists living in UK'.



## 7 Recommendations

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Our 2010 study concluded:

*Prisons matter. Often ignored by the public and policymakers, they are important vectors in the process of radicalisation, and they can be leveraged in the fight against it.*<sup>196</sup>

Ten years later, prisons remain a key aspect of counterterrorism and counterextremism efforts, both in Europe and elsewhere. In fact, with rising numbers and a more varied population of politically motivated offenders, their importance will likely increase. The issues raised in this report should therefore prompt policymakers and practitioners to assess how these phenomena can best be mitigated. The following recommendations may be useful in addressing some of the challenges – and taking advantage of some of the opportunities – that the presence of extremist offenders represents:

***Recommendation 1: Avoid overcrowding and understaffing.***

Overcrowded, understaffed prisons, in which discipline has broken down, rules are no longer followed, and the prison authorities have lost control over their ‘territory’, are the near ideal conditions for gangs and extremists. Although we recognise that spending money on prisons is unpopular – and that prison systems in many countries have suffered from deep funding cuts – politicians, policymakers, and the wider public need to understand that maintaining safe and orderly prisons are key investments in countering crime and terrorism. No clever piece of software or risk assessment tool can compensate for the absence of sufficient staff, space, and basic resources.

***Recommendation 2: Develop expertise and train staff.*** With growing numbers, governments should recognise that extremists represent a significant and very specific type of prison population that requires a systematic and well-informed response. Even governments which believe that terrorists and other politically motivated offenders should, in principle, be treated like other criminals are well advised to invest in specialised staff and resources, enabling them to understand issues like extremist radicalisation, ideology, and behaviour, so that they can serve as hubs of relevant information where and when needed. All frontline staff should receive clear, evidence-based guidance and training, which allows for the detection of radicalisation while protecting inmates’ rights to freely practice their religion.

***Recommendation 3: Share information.*** Failures to share information – within the prison service; between prison, probation, social services and other government departments; and with external partners – is a recurring source of problems and may result in released offenders carrying out major attacks (see Case Study 3). At the operational level, relevant computer systems ought to be standardised and linked up. (Belgium recently established a single platform which is used by prisons, courts, probation, and police services, allowing for information to be updated and accessed more quickly than through back and forth

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<sup>196</sup> Neumann, *Prisons and Terrorism*, p. 59.

emails).<sup>197</sup> Strategically, governments should encourage the systematic exchange of experiences and good practices – both at national and international levels.

**Recommendation 4:** *Evaluate risk assessment tools and determine what 'success' looks like.* Although most governments now use specific risk assessment tools for (violent) extremists, many are relatively new. Governments should make sure that these tools are regularly evaluated, staff are trained in using them, and sufficient resources are available for their full implementation. Beyond specific tools, wider questions should be asked around what categories like 'success' and 'risk' mean in the context of extremist offenders: Is the aim disengagement or de-radicalisation? How can risk be measured? And what are realistic expectations in relation to recidivism and re-engagement?

**Recommendation 5:** *Assess and adapt prison regimes.* Although most of the countries in our sample have adopted 'mixed' policies, there seems to be a trend towards (partial) concentration. Even so, all regimes should be regularly evaluated and adapted to the unique characteristics and behaviours of particular offender groups. The overall attitude should be pragmatic rather than dogmatic. Politicians, policymakers and the wider public should accept that there is no 'perfect' solution and that every choice of regime involves a trade-off.

**Recommendation 6:** *Link up prison and probation.* There is no point in developing sophisticated rehabilitation schemes if their success cannot be sustained. If the rehabilitation and reintegration of extremist offenders is to succeed, prison and probation need to be linked seamlessly. Where prison-based programmes exist, probation services should be involved as early as possible. The ultimate aim is to develop 'integrated plans', which regard prison and probation as different stages of the same process.

**Recommendation 7:** *Pay attention to emerging challenges.* Governments should be proactive in adapting their procedures and processes to reflect changing realities. In recent years, extremist prisoner populations have not just grown but have also become more diverse. The two most significant trends are the rising number of extremist offenders from the far right and an increase in female jihadists. Both pose specific challenges, which should be reflected in every aspect of extremist offender management, including prison regimes, rehabilitation programmes, risk assessment tools, training, as well as the recruitment of staff and mentors.

Not least, governments must always treat extremist offenders fairly and with respect. This is neither due to naivety nor 'political correctness' but based on the fact that all extremist ideologies include narratives of humiliation and rely on portraying their enemies – in most cases, the state – as evil and morally corrupt. Prison regimes should not play into their hand by aggravating an already potentially volatile and dangerous situation. Whatever the prison regime, its foundation should be professionalism, respect, and core values such as human rights and the rule of law.

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<sup>197</sup> 'Libérés conditionnels: améliorer le contrôle par un meilleur partage des informations', *RTBF*, 5 April 2019.

# Appendix I

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## Questions and Issues Surrounding Extremist Offender Management

### *1) Overview of the extremist offender population*

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

### *2) Prison-related incidents and individuals*

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

### *3) Official responses*

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

### *4) Sentencing of extremist offenders*

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

### *5) Prison regimes for extremist offenders*

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

### *6) Preventing radicalisation*

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

### *7) Promoting reintegration and rehabilitation*

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

*8) Releasing extremist offenders*

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

*9) Post-release and probation arrangements*

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





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