

EX POST PAPER

Juvenile and young violent extremist offenders

Prison study visit to Wiesbaden and Frankfurt

Introduction

RAN organised a study visit to the Federal State of Hesse, Germany, on 7-8 June. The purpose of the visit was to learn the approach for juvenile and young violent extremist offenders in prison, from both a security and a rehabilitative point of view. The visit also provided insights into how first-line practitioners from different European countries deal with juvenile violent extremist offenders (JVEOs) in prison.

The RAN group visited a juvenile prison in Wiesbaden and a pre-trial detention institution in Frankfurt am Main (Frankfurt I). The visit revealed that practices to deal with juvenile VEOs do not divert from the existing normalising approach, which is focussed on the transition from youth to adult life. Hesse has adopted a comprehensive approach, which includes the key role played by the '*structural observer*'.

This ex-post paper was prepared by Francesca Capano and Merel Molenkamp, both of the RAN CoE.

Preventing violent extremism in the Hessian criminal justice system

In 2006, a reform of the federal system in Germany reorganised competences and responsibilities in the judicial system at both federal and state level. Each *Bundesland* (i.e. Federal State) has the right to develop its own approach to preventing and countering of violent extremism (P/CVE) and extremist offenders. In relation to juveniles, the Hessian legislation comprises the Hessian Youth Prison Act, the Hessian Remand Custody Act, and the Hessian Youth Detention Act. Within the general aim of imprisonment (rehabilitating offenders and protecting the public), youth custody and youth prison sentences are enforced for offenders who committed crimes under the age of 21 and who are still under the age of 24. The prison's rehabilitation mandate is stronger in relation to juvenile offenders. For instance, youth sentences are arranged with education in mind. Intensive support is also foreseen for juveniles. Unlike adult offenders, juvenile offenders are accommodated together in small groups (so-called therapeutic communities). There is no differentiation of juvenile violent extremist offenders.

NeDiC

The approach implemented by the State of Hesse to prevent violent extremism (P/CVE) has at its core the NeDiC (Network Deradicalisation in Corrections).

Created in April 2016, the network currently consists of four officials from the Ministry of Justice, including an Islamic scholar. The network, however, does not focus solely on religiously-inspired radicalisation. Instead, it is formed by four pillars that steer and guide the efforts to prevent radicalisation in prison.

Hessisches Ministerium der Justiz



The four pillars of NeDiC

Identification

The first pillar is identification, which includes the tasks related to gathering and managing information. A first examination is undertaken upon entry. At this point, the work focuses on looking for information through searches and examinations. Information can derive from a variety of sources. These include tattoos, words written on papers or walls, literature (books are checked before being granted), mail inspections, supervision of visitors, account movements (i.e., money transfers) and cell inspections. The so-called 'Structural Observation' is also part of the identification pillar of NeDiC and is explained in the next section. In line with the view shared by many European countries, information is not only collected to identify signs of radicalisation (which are likely to be false positives), but rather as indicators of a larger behavioural pattern that might show some irregularities. Formally, in the observation phase, there are no differences between adults and juveniles. However, the circumstances are different by definition and these are taken into consideration.

The identification pillar includes a pilot project concerning the use of risk assessment tools. A selection of staff members are trained and

certified in the use of VERA-2R (Pressman, Duits, Rinne and Flockton, 2016) and RADAR-ITE. While VERA-2R is a Structural Professional Judgment tool (SPJ) developed specifically for violent extremism, RADAR-ITE was developed originally by the German Federal Criminal Police to *prioritise* jihadist offenders by identifying the level of risk based on observable behaviour. Similar to VERA-2R, it also includes several indicators.

Training staff is another important component of the identification pillar. Staff are trained to handle different types of extremism and the training is tailored to meet the needs of the different professional roles involved (e.g. correction officers, social workers, psychologists). Training offers include intercultural competencies (an additional web-based training programme is about to be implemented) and risk assessment tools (VERA-2R and RADAR-ITE).

Gathering information also involves the exchange of information. In the Hessian system, an open flow of information is established between corrections staff, criminal police and the Office for the Protection of the Constitution, by a Joint Decree (2015) between the Hessian Ministries of Interior and Sports, Justice, and Social Affairs and Integration. Internally (within a prison), there is no structured mechanism for the exchange of information. Facts observed by the corrections staff and the structural observer are compiled and, if additional information confirms any suspicions, a formal report is prepared and sent to the higher level, that is, NeDiC. Interdisciplinary cooperation is guaranteed via the constant flow of information between staff, NGOs and several Ministries. There are structured mechanisms for the exchange of information with the Criminal Police or Intelligence Services. For instance, the Criminal Police and Intelligence Services are always informed about any irregularities of extremist prisoners.

Prevention

The second pillar of the Hessian approach is **prevention**. In the Hessian prisons, extremist inmates are not held together. Instead, they are separated and integrated with the general prison population. This practice stems from the experience with the Red Army Faction in the past. According to the Hessian experts, dispersing extremist inmates into the general population allows to better:

- a) Recognise the formation of groups around charismatic leaders;
- b) Prevent the formation of extremist groups by locating prisoners in different wards or, if necessary, different prisons.

A key part of the prevention pillar is the accommodation of religious needs. With Muslims accounting for 26% of the prison population, the Hessian system provides for basic pastoral care through face-to-face interviews, or group discussions or Friday prayers thanks to the presence in the system of 14 German-speaking imams. The imams have security clearance: while they are in no way tasked with disengagement roles vis-à-vis the inmates, they can help them correct religious misconceptions. In a way, the provision of pastoral care and exchanges with imams at regular intervals also works towards the prevention of radicalisation among inmates.

Deradicalisation

The task of disengagement from extremist ideologies falls under the third pillar, namely the **deradicalisation** pillar. It is worth noting, that despite the use of the word '*deradicalisation*', the Hessian approach consists of interventions that would be better positioned in the context of *disengagement* interventions.

Indeed, being radical is not against the law. What is against the law is the violence justified by radicalised views.

The Hessian system provides two types of interventions. One is in-house and the other involves NGOs/externals.

The aims of the in-house interventions include disengagement, deradicalisation and resocialisation. As the study visit to the juvenile prison of Wiesbaden showed, interventions include educational and vocational training, compulsory for all juvenile inmates. In addition, classes in democratic values, critical thinking and critical media competence are also foreseen. Professional preparation in view of release is undertaken with the social workers from the probation services. The combination of these elements is believed to help reduce individual radicalisation risk factors. Further effort is put into eliminating or addressing additional risk factors.

The interventions provided by externals and NGOs include similar programmes as well as anti-violence trainings, psychotherapy, personal development (e.g. theatre project)¹, and post-release management in cooperation with the probation services.

Coordination

The functioning of the Hessian approach highlights the importance of **coordination** (fourth pillar) between Ministries and stakeholders. NeDiC is a unit within the Ministry of Justice and is made up of four persons: a prison director, an administrator, a Middle-East and Islamic scholar², and a psychologist. The NeDiC acts as a single contact point, gathering knowledge and competences across different projects. As the information collected can be called upon by all Hessian prisons and cooperating external actors,

in a way, the presence of the NeDiC also ensures the coordination of all stakeholders. Its network includes prisons, security agencies, legal authorities, the Hessian Information and Competence Center Against Extremism, Hessian Ministries, German Bundesländer, the German Federal Government, international actors (e.g., EU), NGOs, and the scientific community.

Currently, NeDiC has several ongoing projects ranging from improving the quality and quantity of pastoral care to improving the equipment of the Structural Observer, and from developing web-based trainings for staff, implementing the use of risk assessment tools (e.g. VERA2-R and RADAR-ITE), and developing prevention projects outside the prison environment (e.g. mosques, youth centres, etc.).

Role of the Structural Observer

The role of the so-called Structural Observer reflects a peculiarity within the European panorama. The Structural Observer is fully employed as part of staff and reports to the Head of Security even though he/she works autonomously. The Structural Observer's task is to observe, and this can be done at his/her own pace. The focus of his/her work is on extremism and radicalisation, as well as organised criminal activities. Having received specialised training, the Structural Observer observes inmates. The observation focuses on behaviour, appearance (e.g. tattoos), group affiliation and can also involve cell inspections. This task is not complete without mutual exchange of information with other prison staff and stakeholders. Intelligence and information gathered are evaluated alongside the

¹
<https://www.theguardian.com/stage/video/2017/mar/06/german-youth-prison-theatre-isis-volunteers-video>

² In Annex 1, the complete list of tasks and responsibilities of the NeDiC Unit.

intelligence received from the Criminal Police and the Intelligence Agencies. The Criminal Police sends quarterly information bulletins to the Ministry of Justice, which are shared with the Structural Observers. Confirming the two-way exchange of information, Intelligence Services also receive information from the Structural Observers.

In terms of behaviour, books, magazines and newspapers can also reveal information. Books and literature requested by 'listed' prisoners are checked by default. These are normally extremists or members of organised crime. To capture a holistic picture of the behaviour of a prisoner, observations range from leisure moments to the workplace with no indication about when or where the observation will take place. Also, inmates under observation do not know what information is collected or sent to external authorities.³

In relation to group affiliation, experience showed that prisoner aid organisations should be carefully inspected as well. These groups are often created by former prisoners to provide relief. It is important to monitor the exchange of letters (these might hide attempts to create an ideology to lure prisoners to join a new extremist group) and transactions in the prisoners' accounts as these might also reveal irregularities.

The level of observation differs depending on the inmate observed. Only those inmates under 'close surveillance' have their behaviour documented every day and noted according to a protocol. A prisoner is closely monitored only if irregularities emerged from previous observations that are believed to be 'potentially' of interest.

Eleven prisons in Hessen, including juvenile prisons, employ a Structural Observer. In the other five prisons, the Heads of Security fulfil the role of the Structural Observer in addition to their regular tasks.

As of September 2016, there were 5,469 places available for inmates in the Hessian penal institutions. Of these, 515 were for youth criminal justice and 34 for young female offenders. Of 4,595 prisoners detained, 237 were young offenders and 132 young offenders are on remand.

As a trend, the number of extremist prisoners has remained relatively stable over the past year. The number of Islamist-jihadist prisoners in Hessian penal institutions lies in the middle of the double-digit range.

Wiesbaden juvenile prison

In Hessen, there are two penal institutions responsible for youth custody and for remand custody of juvenile and young adult detainees (Rockenberg and Wiesbaden penal institutions). There is one youth detention institution available for enforcing the educational measure of youth detention (Gelnhausen youth detention institution). The visit was to Wiesbaden prison as there are experiences with juvenile violent extremist offenders in this prison (also see case description).

Wiesbaden juvenile prison has a strong rehabilitation-oriented approach towards their juvenile population. The penal institution is organised into therapeutic communities in which the offenders live together and organise parts of their daily life and responsibilities as a group (e.g. cleaning). In addition, they spent their leisure

³ It is important to stress, that to wiretap an inmate, the judiciary authorisation is needed.

time together (e.g. cooking extra meals). As Germany does not concentrate extremist/terrorist offenders, juvenile violent extremist offenders are also spread across the therapeutic communities, taking into account the network of offenders they are being brought into. Each community has a social worker connected to it who is available daily. The other offenders in the community also play an important role in the rehabilitation process.

Frankfurt am Main I prison

The prison Frankfurt am Main I was opened in 2011. It consists of seven houses (A, B, C, D, E, F, G), which include cells, transport department, visit area and administration and sport, pastoral and medical facilities.

The prison is a high-security institution and responsible for the pre-trial detention of male adults. As such, it is well-equipped for detaining terrorist suspects. Since 2002, it became the leading prison transport authority in the State of Hessen, being responsible for prison transports within the Federal State.

Apart from prison and administrative staff, the personnel include nurses, doctors, dentists and psychologists, as well as teachers and social workers. The prison's Medical Centre is an independent department. Since 2016, it has been responsible for the medical care of all prisoners and detainees of Frankfurt correctional facilities (I, III and IV for a total of 1,400 prisoners).

The prison has a common space in which offenders can practice religion.

Case study of a young returnee from Syria

The young man was born in 1994 and lived in Frankfurt with his parents and two sisters. The problems for him started when he failed to achieve his goals in school. He started to withdraw more and more from society – he stopped going to

school and seeing friends. He would only go to the mosque and study the Koran. With his friends, he planned to go to Syria via Istanbul. They left. Someone picked them up in Istanbul to take them to Aleppo. In the beginning, he was regularly calling his sister and explaining the situation there. When he realised that the situation there was not as ideal as he had expected, his sister tried to convince him to come back. An uncle helped him to return. He was arrested as soon as he landed at Frankfurt Airport. At first, he was in the Frankfurt I prison (pre-trial) and later moved to the juvenile prison in Wiesbaden.

This is where the work started for the staff. The staff remember that he was very withdrawn in the beginning, never looking anyone in the eyes and not willing to cooperate. He wanted to die as a martyr. He believed he did not belong in society. After several unsuccessful interviews, the young returnee started talking and working with the staff. Vocational training was proposed for him, but he was not interested in the beginning. He was trained as a painter. The vocational training also gave him the possibility to expand further his social group and develop his intercultural skills. He was afterwards given literature, to broaden his knowledge.

After the first four weeks of correctional planning, he was moved to a part of the prison where he could interact with other inmates in his therapeutic community. He had his own cell, but the group shared common moments, e.g. lunches. He gradually started to distance himself from his past life, have regular social contact and visits from his parents. He maintained a good behaviour in detention overall: the case conference (multi-agency table including the judiciary and the prison staff) eventually decided he was eligible for an early release.

At this point, the staff had to start preparing him for release to avoid him being brought back into

extremist ideologies. It is interesting to note that he was not scared of being contacted by extremist members, but was mostly worried about being 'brainwashed' again. He also agreed to start psychotherapy – an offer that he had rejected only one year before. After six months, he was released under close monitoring of police, probation and Violence Prevention Network (VPN) staff. He was required to report to them.

VPN staff continues to visit him (after two years from the date of his early release) once a month. They go to the mosque with him to pray or simply have a coffee and chat about the news. Unfortunately, he continues to have difficulties finding a job that matches his vocational training.

Lessons learned from this case:

- Staff members persevered in trying to get contact with the inmate which at some point helped break down the wall;
- The other inmates in the therapeutic community played an important role for him in learning social skills;
- Many risk factors that drove his individual radicalisation process are similar to risk factors common for young offenders. Therefore, existing interventions could be adapted to the extremist offender.

Role of probation and Violence Prevention Network

Probation was established in Germany by the Third Criminal Law Amendment Act of 4 August 1953. Based on the law, the probation officer, appointed by the court, has the following responsibilities:

- To assist and care for the convicted person;
- To supervise the fulfilment of any conditions and directions, as well as any offers and assurances;

- To report on how the convicted person is conducting himself, at intervals determined by the court;
- To inform the court as to serious or persistent violations of the conditions, directions, offers or assurances.

Probation is responsible for men and women above the age of 14, who have been sentenced.

In Germany's federal state system, each state has its own implementation rules defining assistance, care and supervision by the probation officer.

Sentenced offenders might fall under the supervision of the probation service, if:

- the imprisonment of a maximum of two years is suspended;
- conditional early release is granted (provided a certain amount of time of imprisonment has been served, depending on the original sentence);
- supervision has been ordered by the court;
- conditional release is granted from mental hospital, custodial addiction treatment or incapacitation.

In Hessen, there are different levels of probation services management.

Security management I

The security management I focusses mainly on sexual-related offences. It categorises offenders using the actuarial risk assessment tool STATIC-99 (Harris, Phenix, Hanson, & Thornton, 2003). It indicates the risk of relapse and the frequency of the appointments with the probation officer (weekly, fortnightly, monthly, bimonthly).

Security management II

This level started in 2017 and was developed for supervision orders with a negative social prognosis and especially those with a high risk of relapse in the case of violent offenders over age 25.

Offenders are categorised by using the actuarial risk assessment tool SVG-5 (Eher, Rettenberger, Mönichweger, Buchelle, & Schilling, 2012), which is similar to level I, identifies risk of relapse and frequency of appointments. This takes into account a number of variables, such as:

- number of previous violent offences;
- frequency of offences;
- killing a victim;
- psychological obtrusiveness;
- offender's age at the first violent offence.

Other characteristics, such as the type of support provided, the frequency of the appointments and of the case conferences, are the same as in the previous level.

Release management

Preparations for release have been carried out by the probation service in a structured way since 2010. The aim is to provide a functional transition from prison to community. The work starts six months before release, in case of probation, and one year in advance, in case of supervision orders. The probation service supports the social service in prison to establish release setting. This includes preparing living and family situation, employment or request unemployment benefits.

Extremist offenders

Probation is ready to work with these offenders upon release, although this has not happened in practice so far. Probation officers are set to receive special trainings, in addition to attend workshops on religion and political radicalisation. A first series of training is planned by NeDiC for summer 2018. A second training series will be provided by VPN at each probation office.

With extremist offenders, the work with Violence Prevention Network (VPN) remains crucial in Hessen, as in many other German Federal states. As for right wing extremists, the Probation service

in Hessen works with another NGO, called Rote Linie e.V. ('red line').

Violence Prevention Network

VPN assists probation services by dealing with extremist offenders. There are at least three strands of work: prevention, intervention and education.

In the prevention strand, VPN works in schools, supporting teachers to assist students with questions about extremism. In this sense, VPN also organises workshops directly in the classroom.

When there is a concrete case to work on, an intervention-type strategy is needed. Family members or teachers can contact VPN if they have doubts about their relative. In most cases, there is no radicalisation. It is more of a personal crisis moment during which the person still needs support. VPN provides this type of support for both the family and the person themselves.

In some cases, there is a court order requiring counselling with VPN.

The third strand of work is education: teachers, social workers, prisoners or refugees might have many questions about culture, values, religion. VPN meets these requests by organising education programmes in prison or in the community, if the need arises.

In general, and especially in relation to youth, the work of VPN focuses on providing support at a specific moment, when a person might be in crisis. This might also happen after release from imprisonment. Designing and preparing the type of care is very important and involves family and friends.

In the case of juveniles, it is important they find spaces where they can share their concerns and doubts. This may prevent them from finding relief in extremist ideologies. If necessary, spirituality is considered, although there is no theological work

behind the offered support. This space should allow juveniles to have multiple aspects of identity, to live their spirituality without being caught into a polarising and racist spiral. In this regard, social disintegration is very dangerous.

Concretely, the work is carried out in a neutral space, where the client finds themselves at ease to engage in a conversation.

Juvenile and young extremist offenders

The minimum age of criminal responsibility in countries of the European Union is 12. Three different groups of young offenders can be identified based on a review of the literature and criminal legislation around the world. The first group includes children under the age of 12 who cannot be held criminally responsible. The second group includes 'juveniles', namely those who are still minors, but can be held responsible and therefore imprisoned (depending on the national criminal legislation). The third group includes young adults (between the age of 18 and 29).

Differences between juvenile and adult extremist offenders

The existence of differences between juvenile and adult offenders is commonly accepted. The main reason for these differences is that juveniles, particularly children, have not yet reached cognitive and social maturity. This leads to impulsive behaviour and a higher chance of being influenced by (radicalised) others, in addition to diminished capacity to fully understand (the consequences of) their own behaviour. Indeed, research also showed that juvenile and young violent extremist offenders are more likely to have acted out of ideological belief and are more likely to have witnessed violent acts, in comparison to non-terrorist offenders (United Nations Office on Drugs and Crime, 2017). In addition, juvenile

offenders show greater capacity to change, compared to adult offenders. These differences also lead to an often 'softer' approach to punishment and rehabilitation for juveniles (compared to adults), in which education and the chances to build a future free of criminality are increased.

Victim vs. offender

Overall, the legal frameworks regarding juveniles, counter-terrorism, humanitarian law and criminal law can provide guidance on how to deal with children, who are accused of terrorist-related offences. This framework emphasises that both the protection of minors and their recognition as victims of violent extremist organisations should be the primary consideration. According to the Convention on the Rights of the Child (United Nations Human Rights, 1989), incarceration of juveniles should always be a measure of last resort and for the shortest appropriate period of time.

Transition challenges

Practice shows that, especially in cases of minors aged 16-17, applying this perspective can be difficult. This is because these juveniles are close to reaching an age at which they can be categorised as adult offenders. Depending on the gravity of the offence (which in cases of terrorist-related offences is often considered high), minors may be tried and/or detained as adults. The transition to an adult offender setting may have a negative effect on the juvenile VEO.

Raising awareness about juvenile VEOs

Currently in the EU, there does not seem to be any special programmes designed for juvenile or young violent extremist/terrorist offenders. In most cases, they are detained in juvenile detention centres with some exceptional cases in which they are detained in adult facilities (based on the offence and risk assessment).

In the United Kingdom, Her Majesty's Prison and Probation Service has started to review the extent to which juvenile detention centres are aware of the risks of radicalisation amongst their inmates and what kind of activities they have undertaken or should undertake in order to address these risks.

So far, it has become clear that the centres are equipped to deal with juvenile offenders and to provide them with a wide array of rehabilitation opportunities. However, raising awareness on the issue of radicalisation is important as specialised knowledge is not always available.

Rehabilitation of juvenile VEOs

Especially with young people, who have their whole lives ahead of them, an alternative path/perspective is key to the rehabilitation approach. As such, the focus on education and learning a profession etc. is important. In most countries, there already is this focus with regards to juveniles and it should continue also for the particular target group of VEOs.

Experiences from Wiesbaden prison show that a larger proportion of the juvenile offenders compared to the adult offenders are interested in religion and spirituality. If this is also the case at other juvenile facilities, it is important to address these needs as much as possible in a positive manner. For example, juvenile facilities may offer (screened) religious counselling, courses and material.

Peer groups play a key role in the radicalisation and disengagement processes.⁴ At juvenile detention centres, the other inmates (peers) of a VEO can help persuade them to move away from their radical mindset by showing alternatives. In

Wiesbaden prison, therapeutic communities of juvenile offenders were carefully designed to enhance the positive effect inmates can have on each other.

Related to the importance of peer groups is the risk of isolation of juvenile offenders. As such, juveniles might be more easily influenced than adults. When isolated in a prison setting, they are targets for prisoner support groups with extremist ambitions.

Many juvenile VEOs are sensitive to the (physical) setting in which they share their thoughts and emotions. This is one of the key lessons of VPN when working with young offenders. When intervention providers are in contact with them, it is important to facilitate this in a comfortable, safe space. This is something juvenile detention centres can provide to successfully build trust and relationships.

Conclusion

Experience dealing with juvenile extremist offenders appears to be limited in the EU. However, the study visit confirms that some lessons can be learned from the work with both juvenile offenders and adult extremist offenders, especially in the context of reintegration and rehabilitation.

With young offenders, it is important to maintain a long-term perspective with a focus on rehabilitation, education, social and interpersonal skills and psycho-social support from professionals for both the offender, their family and social network. The case study from Wiesbaden showed that education and vocational training can have

⁴ RAN P&P – Ex-post The role of family and social networks in the

rehabilitation of (violent) extremist and terrorist offenders (available through RAN website)



EX POST PAPER
RAN STUDY VISIT WIESBADEN AND FRANKFURT
DATE: 7-8 JUNE 2018

positive impacts, even for returnees who initially refuse to cooperate.

Work with juvenile extremist offenders requires more experience, expertise and further research. It also remains an area to carefully watch for future developments in the prevention of radicalisation.

Annex I

Table summarising tasks and responsibilities of the NeDiC Unit within the Hessian Ministry of Justice

Policymaking and administration of individual issues pertaining to extremist inmates or imprisoned members of organised crime	Regular exchange of experiences with Structural Observers
	Education of correctional officers-in-training
Coordination of prevention and deradicalisation programmes	Comprehensive coordination of all ongoing prevention and deradicalisation programmes
	Exchange of information about prisoners with security agencies / organisation of case conferences (“round tables”) with security agencies
Matters regarding the pastoral care of Muslim prisoners	Regular exchange of experiences with imams
	Standardisation of Muslim literature in prison libraries in coordination with the imams
	Providing imams with specialist literature , thus supporting their preparation for Friday prayers, one-on-one interviews, and group sessions

Source: Study visit to Hessen State (DE).