Information exchange between the 4 Ps – police, prosecution, prison and probation – in the prison management and reintegration of VETOs

Key outcomes

In recent years, there has been a growing number of violent extremist or terrorist offenders (VETOs) entering — and being released from — the correctional systems across EU Member States after serving their sentence. In this long process, starting from the arrest, through the preparations to and the trial itself, imprisonment time, and up to the release and afterwards, many actors are involved. While a great experience was gathered throughout the years about the role of each actor in the process, and at a time when "multi-agency approach" is one of the most used buzz words in the field of preventing and countering violent extremism (P/CVE), in many cases the information exchange between these actors is not as smooth as it could be. The goal of this RAN PRISONS Working Group meeting was to explore the various tools, methods and experiences related to information exchange between the 4 Ps: police, prosecution, prison and probation. Practitioners and researchers from different EU Member States gathered to share their experience and learn from each other what key tools and methods are being used, what are the preconditions for the implementation of good information exchange practices and what are the recommendations for successful ones. The following key outcomes summarise the meeting's overarching insights:

- In order to manage cases of VETOs in an optimal way, there must be effective channels of information exchange between the 4 Ps. With effective information exchange, every actor can perform their role in the best way, as they will have the widest available information about the case, such as, personal background, tendency to participate in disengagement, deradicalisation and resocialisation (DDR) programmes, social circles, behaviour during imprisonment and so on. As these four actors are active in different parts of the route the offender goes through, each of them acquires relevant and partially diverse information and can enrich the other actors with the relevant data.

- The key to good information exchange is **good professional relationships and trust** between the different actors, in this case the 4 Ps. When there are no legal frameworks for information exchange, and even when they do exist, good relationships and trust among the different stakeholders allow more information to be exchanged and in a smoother way. The participants agreed about the need to formalise the process, but also suggested that personal relationships are an important factor in it.

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- **Legislation and legal infrastructures for information exchange** will dismantle concerns by the different actors concerning the exchange itself. In many cases there is a fear of sharing personal information of inmates or actions/methods implemented by the 4 Ps. A formal legal framework will ensure constant exchange and reassure the different stakeholders that they are acting within legal and legitimate boundaries. When a law formally allows people to meet and exchange, cooperation is easier and more effective.

- Often the main actors regularly meeting within the framework of a multi-agency approach in managing and integrating VETOs are police, prison and probation. Prosecution holds extensive knowledge about the inmates, as prior to them entering prison the prosecution gathers relevant data. Therefore, including them in the information exchange channels can benefit the work of the other actors, and especially the reintegration of the inmates, as this information can support decisions about DDR programmes and a housing regime. **Information exchange between the 4 Ps and not only 3 Ps can contribute massively to the process.**

- **Case conferences**, bringing relevant actors together around a table in an institutionalised framework to assess and manage risks, examine the prisoner's progress and decide on tailor-made rehabilitation plans, and are effective tools for information exchange. The model can be hybrid and consists of regular periodical meetings between different actors, including judicial actors, local authorities, security agencies, prison and probation, social, youth and health workers, and exit counsellors. In many contexts, these take place mainly in relation to security-relevant cases. Intensity can also vary according to the situation and the needs, with more frequent meetings, for example, approaching release dates and less frequent ones when detention time left is long. Case conferences allows deepening relationships among the partners, which contribute to their mutual trust and make information exchange easier.

- In many cases, information exchange evolved or was legally conceptualised after an unfortunate event that might have been prevented if a system already existed. Like many aspects of P/CVE, comprehensive understanding of the needs comes after a violent attack. In France and the Netherlands for example, the normative frameworks were introduced after terrorist incidents several years ago.

Highlights of the discussion

The discussion focused on the modes of cooperation and levels of information sharing among the 4 Ps and revolved around the idea that all four entities need each other, constituting a reciprocal system of mutual reliance around the investigation and sentencing of VETOs and eventually around rehabilitation of these persons too. Practitioners' experiences from different Member States show that, although multi-agency cooperation is generally acknowledged as key for effective management of VETOs, the process of information sharing is not simple and entails well-known as well as emerging challenges. At the same time, experiences on the ground, oftentimes based on a trial-and-error feedback loop, have led to the development of good and promising practices. While information exchange exists in different levels in the different EU Member States, it is important to involve all 4 Ps in the process.

Key elements for information exchange between the 4 Ps

Two elements were recurrently discussed during the meeting as essential for information sharing: tailored protocols/agreements to regulate and facilitate the exchange, and sustained trust among the different actors involved.

- **Protocols/agreements:** different actors come in contact with VETOs, from police and prosecution to prison and probation, as well as actors outside the criminal justice sector playing a key role in delivering disengagement, rehabilitation and reintegration interventions before and after release. The development and implementation of protocols and agreements formalise what actors can/shall be involved, at what stage, what information can be shared and how the process could take place. This contributes to addressing different challenges, including both oversharing and under-sharing, privacy and data protection as well as coordination gaps and lacunae.

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- o Various examples of information sharing tools and protocols were discussed during the meeting, including a French alert system notifying all relevant partners when a VETO is released and Dutch software for after prison granting access to a different set of information depending on the institution logging into the database.

- **Trust and supportive culture:** practitioners from different Member States and diverse professional background agreed that the formal definition of the process of information exchange is not sufficient. Trust between the entities involved is essential to effective info-sharing in order to be confident in each other's expertise and ability. However, trust does not automatically follow the establishment of a protocol or info-sharing mechanism and requires time and efforts to be developed and maintained. In cases where there is no formal mechanism for information exchange, it is up to the actors and their relationship to define how well (or not) they exchange information among them. The better the relationships are, the higher the level of trust is and same for the willingness to share information.

Recurring challenges

Although the importance of information exchange has been under discussion for many years now in the field of P/CVE, some recurrent challenges are still undermining practitioners work with VETOs:

- **Lack of legal framework:** in many contexts multi-agency cooperation, and information sharing connected to it, takes place relatively informally and on an ad hoc basis, due to the missing legal framework. Several Member States do not have a tailored legal framework for information exchange regarding VETOs, while some have regulations that are not up to date when it comes to the type of actors to be involved or the process of data management/storage. In many cases, the practitioners' tendency has been that of stretching the existing legal set-up in order to define a regulatory framework allowing for multi-stakeholders' meetings and information exchange. In general, practice reveals that when the urgency is clear, there is political room for actions and initiatives to be implemented.

  - o In the Netherlands, for example, the need to address certain issues in practice has led to the elaboration of formal agreements and protocols between the different institutions. The collaboration between the actors involved in the Safety House model, including the police, the Dutch municipalities and the Dutch Custodian Agency, has been initially regulated by a tailored memorandum of understanding (MoU) outlining, for example, the info-sharing phases, the type of information that could/had to be shared and the external actors who could be invited in case of need.

  - o France has developed part of its information sharing tools and strategies in the aftermath of terrorist attacks, based on the awareness gained concerning the need to involve diverse actors in the process, including, for example, NGOs, civil society organisations (CSOs) and religious mediators, after the already existing understanding of legal and security forces involvement.

- **Lack of adequate human resources:** information exchange requires some additional efforts for the practitioners working with VETOs as stakeholders involved need to familiarise themselves with each other's roles, and that requires time to understand the respective mandates, areas of action and their regulatory framework as well as some basic understanding of the legal boundaries.

- **Different language and mindset:** security and care sectors generally tend not to have the same mindset when it comes to information exchange. While intelligence services are usually not allowed to share (that applies at least to some of their data), the care actors are much more predisposed towards sharing information. Some actors, such as municipalities, are best placed to liaise and establish relevant connections with both security actors and the stakeholders involved in rehabilitation.

  - o In Hungary, the correctional probation officers belong to the prison service, therefore coordination and information exchange is easier to be facilitated by the fact that prison and probation use the same database and system. In order to improve mutual trust with all actors involved in VETOs' management, including also police and prosecution, Hungary has developed shared training courses where relevant stakeholders meet regularly and can develop a shared language and mutual trust.

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- **Security-relevant cases:** when inmates are classified as security-relevant cases, the exchange of information might entail some additional criticalities because of sensitiveness as well as security-related concerns. This is especially true from the perspective of security actors.

Emerging challenges and needs

In addition to well-known challenges and gaps, new and emerging needs have been recently identified by practitioners already involved in information exchange:

- **Involving mental health practitioners in information exchange:** while several Member States have experiences regarding information exchange between the 4 Ps, in very few cases have mental health practitioners been involved in the process and they are, generally, quite reluctant to share information in light of the therapist-patient privilege. However, the separation between the mental health sector and other relevant stakeholders can lead to worrisome situations:

  o In France, for example, a terrorist assassination was performed in 2022 and the perpetrator had not been assigned to the assessment unit (*quartier d'évaluation de la radicalization*) also in light of his mental health conditions.

  o In the Netherlands, an increase in the number of VETOs with mental health issues has been noted in the past years, with mental health institutions being reluctant to share information on the VETOs they are hosting. In the municipality of The Hague, only approximately 10 % of the cases of VETOs housed in mental health institutions have been discussed with other stakeholders in a multi-agency setting.

- **Different levels of information sharing:** some Member States have developed comprehensive and tailored information sharing mechanisms at national level. However, coordination at national level does not address the needs of information exchange at local level as different actors are involved and different needs and priorities can be traced to the diverse stage of action. If information sharing is formalised only at national level, when the information travels through different departments (in a bottom-up as well as in a top-down direction) it loses nuances and details:

  o Belgium, for example, established in 2006 the Coordination Unit for Threat Analysis (CUTA), receiving data from different security services and providing a platform for information exchange. Despite the existence of CUTA, relevant actors, including the 4 Ps, need to have the possibility to exchange information at local level and with a different frequency than that of the national coordination platform. In 2015, the Belgian General Directorate of Penitentiary Establishments set up an 'extremism' cell (CelEx), whose primary mission is to strengthen collaboration between the security services and prison system by improving the exchange of information internally and externally.

  o France has developed different coordination mechanisms responding to the needs experienced by relevant actors at different stages: the local multidisciplinary commission (Commission Pluridisciplinaire Unique), for example, comprises the prison management, intelligence service, probation service, prison officers, psychologists, educators, religious mediators and NGOs, and shares its assessments with the interregional commission for the prevention of violent radicalisation, composed of the Mission for the Fight against Violent Radicalisation (MLRV) ([1]) coordinator and the heads of probation, prison and intelligence departments. The Central Monitoring Commission, active at national level, is composed of representatives from the Under-Directorate for Penitentiary Security, the MLRV and the National Penitentiary Intelligence Service. Cooperation mechanisms are also present before release from prison, both at the security level and at the probation level, as well as after release among actors involved in rehabilitation and reintegration.

- **Online and offline threats:** in recent times a rise in expressions of violent extremism has been noted in the online domain. This might affect existing platforms of information exchange as the data collected through

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([1]) MLRV (*mission de lutte contre la radicalisation violente*) was created in 2015 as part of the French P/CVE and counterterrorism efforts, including the plans to combat terrorism (PLAT 1 and 2), the action plan against radicalisation and terrorism (PART), and the national plan for the prevention of radicalisation of 23 February 2018.

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digital observations and monitoring might not necessarily correlate with the offline world and some actors might have a predominant focus on online risks while others might be mainly concerned by offline behaviours.

Prosecution in Hamburg, Germany – Case example

Challenges in VETOs' monitoring and steps to address them:

1. Prosecutors are leading investigations and motions in court, and bringing convictions to finality. Once the sentence is finalised, the individual case leaves the prosecutor's sight, unless another crime is committed afterwards by the same person. Withing the Hamburg office, state protection oversees investigations of right-wing extremism, left-wing extremism, religiously motivated crimes and online hate crimes, monitoring security-relevant persons at risk of radicalisation, in close collaboration with the police.

2. In light of the high number of returnees (mainly women and children/youth), **collaboration between prosecution and detention facilities** has been established to record progress during their imprisonment (or absence). Cooperation with prison and probation has been developed within the framework of the German Prison Act: **special legal officers** in the prosecutor's office have been appointed for liaising with prisons and provide their **advice in decision-making**, such as for ease of measures. Furthermore, prosecutors also take **part in case conferences**, initiated by the prison and involving different relevant stakeholders. Finally, prosecutors have **access to the perception sheets** prison staff draft about inmates' behaviour.

3. Under certain circumstances, some findings are also shared with other relevant actors, such as the **youth welfare office**.

Recommendations

Experiences from the field show that the below areas of action should be taken into consideration to enable cooperation and information sharing among the 4 Ps as well as between prisons and other relevant actors.

From the perspective of prosecutors:
- As the information to be exchanged might concern security issues, personal data and other delicate matters, there is a need for a normative framework to allow for data transferring between the relevant actors. While pushing for the development of a **tailored legal framework**, prosecutors can identify **existing laws and normative frameworks** that allow for mutual sharing of information between prosecutors and prisons, which can function as the foundation for prosecutors to be involved in case conferences.

From the perspective of prison officers:
- Assess the suitability of **case conferences** and, if considered applicable to the context, promote their establishment as they are generally considered an excellent tool for information exchange. Case conferences should be held preferably in person as in-person meetings improve the relationships between the different partners which leads to better trust between them. In-person meetings also allow exchanging 'side' information that would not necessarily be exchanged online or in a written format. Although prisons are often initiating case conferences, roles, coordination mechanisms and leadership should be clearly defined to facilitate the cooperation among the relevant actors.
- The role of prison officers in spotting changes in behaviour is key as they are interacting with inmates on a daily basis. However, even when a framework for info-sharing exists, the process of reporting and exchanging data can be extremely **time-consuming** and **resource-demanding**. Strategies and methods

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to facilitate this process could be further explored to allow for information sharing without overwhelming prison staff. Perception sheets used in Hamburg are an efficient method to exchange data in a light manner.

- **Training** of correctional officers is necessary to define what to look out for and how to report and share when it comes to risks of violent radicalisation occurring in detention.

For all relevant actors who could be involved in information exchange:

- In some contexts, where a legal framework is missing for information exchange and cooperation between the 4 Ps and other actors, a **bottom-up approach** is followed where the priority is to create networks at local level, get to know each other and build trust. The legal and normative framework is slow to develop in many Member States, but the **fundaments for cooperation** need to be in place even before that. The first step is to **develop personal relationships and trust among actors:** at the end of the day, the 4 Ps consist of individual people who are working in different workplaces with different agendas and working procedures. In order to maintain good information exchange, it is better for them to know each other personally and develop a good level of trust, which will make the process easier for them. Second, waiting for a comprehensive normative framework, relevant actors can also elaborate **tailored MoUs** to facilitate exchange of information at the local level.
- **Documentation** is important in different situations, such as for change of personnel or information exchange outside case management multi-agency meetings. Some examples from different parts of the EU show a smoother exchange when focus is put on writing reports. Clear norms for compiling reports can facilitate the process of information exchange.
- Transfer and **adapt existing models for multi-agency cooperation and information sharing**. In Ireland, for example, there was a successful programme where the judiciary, police and probation worked together to address criminogenic factors in juveniles before they offend. The mechanisms developed within such a programme have also been applied to VETOs before their release from prison.

Follow-up

Topics for further exploration within RAN Practitioners meetings include:

- Creating legal basis and formal frameworks for information exchange among the 4 Ps.
- Exploring how and to what extent additional stakeholders, such as CSOs, municipalities, etc., can be involved in information exchange and what are good working approaches.
- Further exploring the added value and practical set-up of case conferences, including their creation, moderation, the definition of responsibilities and identification of the stakeholders involved.
- Documentation: what should the different actors document, and for what reasons and use?

Further reading

RAN (2018) Dealing with violent extremist and terrorist offenders: Formalising cooperation among police, prison, probation and prosecution
RAN (2018) Triple P: Coordination and collaboration between police, prison and probation services in dealing with violent extremist and terrorist offenders
RAN (2019) Policy & Practice (Paris): Optimising Triple P (Police, Prison & Probation)
RAN (2021) Released violent extremist or terrorist offenders – Continuity between prison, probation and reintegration
RAN (2021) Rehabilitation work with convicted offenders outside of prison
RAN PRISONS (2022) The role of multi-agency cooperation in dealing with female returnees in prison and protecting the rights of children with imprisoned parents
GDPR.eu: Complete guide to GDPR compliance

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Relevant practices

1. The **Multi-Agency Approach to Rehabilitation of radicalised detainees** (MAR), organised by the Dutch Custodial Institutions Agency, is an approach for detainees held on extremism or terrorism-related charges. Together with key partners, including the probation service, the municipality and the Custodial Institutions Agency, individual case conferences are organised for each detainee (publication forthcoming).

2. In Hamburg, prison staff record their observations about the inmates on so-called **perception sheets**, which are shared with the prosecutor's office. These can include, for example, indications of extremist attitudes or the description of an incident that occurred in the prison setting. Perception sheets are a simple tool to be filled in and facilitate information sharing among relevant stakeholders.

3. In Hungary, the National Information Center (NIK) acts as an integrated fusion information centre: it monitors the country's national security, criminal situation and terrorist threats through the analysis of relevant data. **Joint trainings** are organised involving multidisciplinary actors engaged in information sharing to build mutual trust and enhance cooperation.

4. Within the **Contact Partner System**, established 20 years ago in the Bremen prison (Germany) every contact officer is responsible for 6 to 8 inmates and prepares the reports foreseen while in detention (i.e. reports to Court, sentence plan, dismissal plan, development assessments, etc.). This system allows the inmate to have steady contact of reference and to build a good level of trust, which is key for dynamic security purposes. In this framework, the contact officer is best position to monitor changes in behaviour, even minor ones. For this reason, s/he is invited to participate in risk assessment meetings. (publication forthcoming).

5. In France, VETOs are required to enrol in **Individualized Support and Social Reaffiliation Programs** (PAIRS). PAIRS is an intensive, multidisciplinary programme that supports the reintegration of former terrorist and extremist offenders during their probation period. Offenders are contacted by the programme before release to assess, together with the prison staff, if the prisoner can be involved in the PAIRS programme.

6. The French Prison Intelligence Service has set up an **automatic alert system** in case of a (former) VETO's release. The system notifies the decentralised units of the Prison Intelligence Service at local level and the intelligence and the judicial services concerning the date and time of release through an automatically generated email.