**Prison De-Radicalisation Practices and European Guidelines Evaluation of Prison De-Radicalisation Risk Assessment Tools – Portuguese report**

This project set out to have each partner country evaluate its own strategies and programmes for identifying and dealing with the problem of prison radicalisation. The objective being to identify, analyse and develop practices based on new or existing de-radicalisation/ disengagement and rehabilitation programmes and risk assessment tools in prisons.

Specifically, the project objectives are:

* To collect information and data to evaluate prison strategies and programmes which aim to prevent, deter and counter prison radicalisation.
* Identify and analyse the best practices and risk assessment tools which not only maintain prison security but foster rehabilitation, reintegration and make considerations for alternatives to detention where possible, *having always in mind the international norms and standards relevant for the protections of detainees' fundamental rights.*
* Ensure the consideration and respect of policy and practice toward the differing needs of groups based on gender and age.
* Build and develop upon existing practices and risk assessment tools while maintaining European guidelines.
* To disseminate the best practices and risk assessment tools to local, national and European networks to raise awareness, share information, ensure common knowledge and propose policy and practice developments across partner countries.

Activities

Research activities incorporate analysis on official government documentation and with key stakeholders. The initial focus is on the collection and analysis of qualitative and quantitative data. This is to evaluate strategies and programmes by identifying the best practices and risk assessment tools across countries. Building on the first step, research will also commence through interviews and monitoring with 15 key stakeholders such as prison administration and management, prison staff, Imams, chaplains and religious representatives. Through these activities, the key concepts of prison radicalisation will be analysed to evaluate the best practices and risk assessment tools and build upon existing measures.

Proposed areas of focus for research include: the regime/placement of radicalized prisoners (or at risk of being radicalized); the use of isolation; the role of chaplains, religious representatives and Imams; educational interventions for prisoners to prevent/de-radicalize; staff radicalisation awareness training; and the implementation of prison assessment tools to identify radicalisation and/or vulnerability to radicalisation both to reduce risk and for treatment purposes. In summary, the project should identify and exchange interesting practices, training/support on de-radicalisation and prevention of radicalisation in prisons. The goal is to focus on the prevention of radicalisation in prisons and developing effective disengagement/de-radicalisation programmes. This should be achieved by developing guidelines on mechanisms and programmes to prevent and counter radicalisation in prison while also supporting rehabilitation and reintegration.

Portugal

As reported in previous studies, the Portuguese prison establishment is deliberately opaque, and on a topic such as the object of this project we feared it likely that what our experience told us to be a notoriously unforthcoming government ministry, would close ranks even more than usual.

We began our preliminary research with interviews of the nation’s leading experts on the development of radicalisation risk-assessment tools, private consultants working in this area as part of the Radicalisation Prevention in Prisons (R2PRIS) Project. From them we learned that 1) the particulars of the tools being developed in Portugal were classified, and as such we would not likely get to learn much about them; that 2), although these tools were being developed and tested in collaboration with the Portuguese Prison Ministry, and despite the various EU directives and related agreements to which Portugal was signatory, they would not necessarily be implemented within the Portuguese prison system as a matter of system-wide policy; that 3) right-wing radicalisation was not generally understood as problematic (or even radicalisation for that matter); and that 4) in the Portuguese prison system there was neither an awareness, nor an interest in fostering such, of the existence of any other type of fundamentalist (i.e. religious) radicalisation.

This initial foray into the issue of prison radicalisation in Portugal raise two main questions: why is it that right-wing extremism, as an evident European problem (for the moment still spearing Portugal in the electoral front), having been identified by Portuguese prison authorities as the principle ideological cause of criminal problems, remains outside of the framework of radicalisation policies? And, why should anti-radicalisation policies targeting Muslim fundamentalism be applied in Portugal, given that there are very few cases of crimes linked to Islamic fundamentalist activity?

As the government itself declares in its reports, “it is necessary to mention, again, the enormous difficulty in transitioning from legislation to the practical application of the same; a process which, in the majority of cases, never happens” (CEDERSP, 2004). As a rule, this means that the prison system remains ossified in its pre-democratic (i.e. pre revolution of 1974) torturous approach to corrections (see Dores et all, 2013), Yet in this case this might very well be one of those occasion where a dysfunction has a positive result, because, as the Portuguese prison administrators argued to us in justifying their evasiveness concerning, and rather loose approach to the nations international commitments pertaining to radicalisation and anti-radicalisation, the fact is that, where a problem does not exist, officially looking for it often means creating it.

Our first report for this project (Pontes, Dores, 2018) was representative of the usual lack of collaboration we find when petitioning government agencies for information on matters relating to prisons. We proceeded from there to the project’s first public conference to present our findings with the expectation of seeing the usual dearth of participants, typically comprised of academic colleagues and students, and a few civil society representatives. Nevertheless, as always, the invitations for participation, both as audience and speakers, went out to all the relevant state departments and other stakeholders. Imagine our surprise when, in reference to a topic we were expecting to solicit even less interest than usual, we began not only receiving high numbers of registrations for attendance from a broad segment of individuals directly and tangentially involved with prisons, but also registrations of speakers wanting to present on the issue of radicalisation in prison, including representatives from the most relevant governmental departments.

The list speakers included, beyond ourselves, one or more representatives of: the Ministry of Justice ( Ministério da Justiça); the Prison Ministry (Direção-Geral de Reinserção e Serviços Prisionais); the General Inspectorate of Justice Services (Inspeção-Geral dos Serviços de Justiça); the Ombudsman (Provedoria de Justiça). Also presenting was the President of the National Prison Guards Union (Sindicato Nacional do Corpo da Guarda Prisional); the head of the Commission on Human Rights of the Layers Guild (Ordem dos Advogados); the Portuguese Association Psychology Discussions (Associação Portuguesa Conversas de Psicologia) representing their own parallel project, FAIR - Fighting Against Inmates Radicalisation; and the representatives of project developing risk-assessment tools we had interviewed at the very start of our own project, as representatives of R2PRIS Radicalisation Prevention in Prisons – a project promoted by BSAFE LAB Law Enforcement, Justice and Public Safety Lab of the University of Beira Interior in partnership with IPS-Innovative Prison Systems (a private consultancy developing new products for sale to the vast, and fast growing, international prison-industry market).

The auditorium originally booked for the event had to be rebooked for a larger one twice. The audience registrations reached over 150 participants. Among these were: guards (22), parole officers (20), students (23), social workers (12), psychologists (11), correctional instructors (11), jurists (8), police detectives (7), prison administrators (5),inspectors of Justice Services (6),etc. We were excited with our newfound relevance among those who are generally, when not the direct objects, the most direct subjects of our studies over the years. On the 22nd of January 2019, we entered our own conference buoyed by this access; as the Gilets Jaunes were dominating the news with their protests in France we thought we would begin the conference wearing our own yellow vests in order to challenge and provoke the discussion of how we understand and construct radicalisation. The conference went off without a hitch, and not only were some of the presentations much more incisive than we had expected, but the audience participation during the discussion phase was excellent. We had, in one fell swoop, gone from isolation when discussing prison conditions, alternatives to incarceration and healthcare in prison, not able to get any government departments to acknowledge our requests for information at the beginning of the project, to being the seeming wardens of the topic radicalisation (Islamic fundamentalism) in prison – a problem without substance in the Portuguese context.

After the conference we were presented with the obvious questions: what explains this extraordinary event. Of course, the factors conjugating to produce this unforeseen outcome were many and complex, but might there be an explanation useful in understanding the phenomenon in question in this project, i.e. radicalisation, we wondered.

A few days after this extraordinary event, as the project members met in Dortmund to consider the balance of the work done by each team to that point, more surprises were forthcoming: before the EU guidelines and resources on preventing radicalisation were issued, in none of the countries represented was there an understanding that there was a problem to be solved. By the contrary, in some of them, as was also expressed in our own conference in Lisbon, problems similar to those addressed under the rubric of radicalisation – the proselytising through violence organized by the extreme-right in football, the police forces, in attacks of non-whites on the streets, by international criminal organizations such as biker gangs – were being excluded from the focus of intervention, even when national intelligence/security services had identified them as the main security problem, as is the case in Portugal.

In Lisbon, the highest representative of the Prison Ministry stated that one of the reasons why the Islamic religion became a focus of problems can be understood by the contrast between how easy it is to mobilize the combined deradicalisation efforts of the state and religious leaders in Portugal, by contrast to the lack of any communication between those two social sectors in some countries – such as the UK, France and Belgium – creating the opportunity for the space for orientational work, that could otherwise be occupied by the collaborative work of those mainstream sectors, to be occupied by leaders surging from previous social and religious isolation.

The fact that de-radicalisation policies are being officially addressed to Islamic targets, disregarding other forms of radicalisation, is in itself a symptom of several collateral effects implicated in the phenomenon of de-radicalisation: the lack of data; the secrecy about the possible existence of data, which one does not known if it covers the mere absence of data; the impossibility of discussing and participating in the organization and exploration of the social and political value of these data by independent investigators; the intrusion of ideological and stigmatizing factors in the very formulation of the concepts to work, so as to render them intentionally opaque and ambiguous, in order to conceal the political illegitimacy of the implicit discrimination and associated Islamophobia – in turn disseminated by the action of combating radicalisation. All of which creates the risk of a self-fulfilling effect of creating a real threat, otherwise, perhaps, reasonably identified in some parts of the EU, but previously unknown and not felt in most other national situations being, nevertheless, drawn into efforts of de-radicalisation.

The discretion with which the Portuguese authorities prefer to deal with the subject, might help to understand the value they saw in the rare opportunity offered to them by the European Prison Observatory as a stage for them to express their commitment in this European project without there being any real action to follow on the ground. Thereby, successfully satisfying conflicting demands: averting the self-fulfilling effect of creating what is intended to be avoided and demonstrating their compliance with international commitments and national legislation. Indeed, this was expressly stated by the Deputy Director-General of the Prison Ministry when he explained that the Portuguese State, urged to participate in such activities, in view of the fact that the problem is unknown in its territory, could and should participate through offering the preventive practices which characterize and promote the social and political conditions that have, so far, rendered the territory immune to such problems. This same individual called the audience’s attention to a surprising development he experienced in the official meetings of high level European prison administrators: the representatives from the countries formerly known as being the most respectful of human rights and soft law took the most hard-line positions in respect to radicalisation matters, disregarding previously accepted rules in dealing with crime. Apparently, Portugal’s usual position in these international human rights fora as a country with much to learn from the leading nations has changed, as the criteria on human rights among the leading nations have abruptly been altered.

This situation constitutes a new centre-periphery relationship: centre where the phenomenon of Islamic radicalisation, which causes perplexity or even panic among the authorities, is manifested. Perplexity and panic caused by the novelty and obscurity of the phenomenon, rising from communities generally and previously considered non-problematic (by comparison to nomadic communities, the descendants of Africans, the Caribbean), bringing extreme violence and global strategic policy claims out of the reach of national police forces. Periphery where the situation existing before the localized emergence of the phenomenon of Islamic radicalisation persists and where the main concern for the authorities is to avoid its expansion to their territory. Thereby choosing to silence the discussion of the subject as they are caught between local interests and international political obligations. Subject however animated by funds that feed companies and associations interested in understanding and intervening in the field, such as some of those represented at the Lisbon conference.

In the different EU countries represented in the study, the policy of identifying radicalisation and de-radicalisation in prisons arises without the correctional authorities being aware of a practical problem that should be dealt with. However, prisons are institutions that are characterized by the emergence of what is typically understood as unexpected and difficult to explain phenomena, such as riots, which can further trigger similar phenomena, as if by propagation, such as hunger strikes or suicides. There are some morphological similarities between the phenomena of Islamic radicalisation and the phenomena of prison violence: like a Phoenix, which quickly exhausts itself, as a combustion, without leaving great clues for investigation, beyond the ashes (understanding both requiring us to look at things which are not up for discussion).

Are prisons a neutral social environment in relation to the phenomenon of radicalisation? Are prison environments conducive to the production of radicalisation phenomena? In the case of Islamic radicalisation, there is no experience of it in the countries represented in the European Prison Observatory’s study. However, there is experience of other forms of radicalisation, especially regarding extreme right-wing groups, which can be studied if the concept of radicalisation can be applied to them, which is not the case at present.

In the Lisbon conference, once the space for discussion was open, the unexpected happened: some of the reality of what is going on in the prisons was laid bare: prison staff hear a lot about radicalisation but are not given any training or tools (see above). The problem of radicalisation is serious in Portugal, but it does not include Islamic radicalisation, rather it is extreme right-wing radicalisation, and, most vehemently declared by the president of the National Prison Guards’ Union, it is a greater problem amongst the guards themselves.

These and other findings, in conjunction with our seeming sudden acceptance by the authorities left us enthusiastic about the next phase of the project: interviewing 15 key stakeholders and conducting a qualitative analysis of the results – after the level of participation we had experienced, and the over 150 contacts we were left with from our list of conference participants, the difficulty would lie in selecting the best candidates for the interviews. 40 contacts were made with potential interviewees. These were chosen from among the 22 prison guards, 20 parole officers, 12 social workers, 11 psychologists, 11 correctional instructors, 8 jurists, 7 police detectives, 5 prison administrators, etc. who had registered for our conference, and several other relevant parties who had not been there. All contacts expressly guaranteed the confidentiality of the process and the nature of the interviews, with complete discretion left to the subject as to whether the interview was recorded or merely subject to note taking, etc. We waited for replies.

Eventually we received two responses agreeing to being interviewed. Upon follow up, one of these made direct contact and was interviewed. One. The purpose of the stage we had set had been fulfilled, and the ranks had once more closed. The status quo was restored. Further supporting the conclusions we have drawn and presented above for the phenomena experienced by us with the unexpected success of the project’s first Lisbon conference.

Obviously, with one respondent, we cannot conduct any sort of qualitative analysis. Nevertheless, for what it’s worth, we present below the transcription of the responses we received from our one interviewee. The responses are inserted in the most pertinent parts of the revised WS3 grid.

The following is a partial transcript of the answers provided by subject A, a male prison guard with nearly a decade of experience on the job. The subject completed secondary education and is now pursuing a law degree.

General & Theoretical Concepts

• Please define the term radicalisation in your own words.

The bringing together of a certain number of individuals with a particular objective, independently of what that objective may be, to modify their behaviour.

• Describe your position within the prison system and your contact with the prisoners.

My contact is direct, constant and daily. Every time that I work I am in permanent contact with the prisoners.

• Do you know the Guidelines for prisons regarding radicalisation and violent extremism?

There has been nothing. There has not been any information coming from the Ministry direct or indirect. There are no guidelines that I am aware of.

• From your experience, why does a person desist from extremist behaviour?

I don’t know

• What factors can motivate deradicalization or disengagement?

I don´t know

• How would you describe the role of religion within the process of radicalisation and/or de-radicalisation?

I think religion, which ever it may be, that it always has something to do with radicalisation. The easiest way to reach individuals is through religion.

Data Protection

• What kind of data are you collecting due to radicalisation concerns (in comparison to other prisoners)

• What personal information do you receive from prison administration, for the assessment and/ or programme execution?

• What personal information do you forward to the prison administration, migration office, police, intelligence service, or other security agencies?

• Do prisoners (or their lawyers) have access to personal information regarding the prevention/ deradicalisation programme?

• Are meetings between police, prison administration and other organisations and authorities implemented in order to discuss cases of radicalised prisoners/ imprisoned terrorists?

• Does the probation service receive information from the intelligence service and vice versa?

Prison Management & Training

• Do you think imprisonment can trigger radicalisation? What factors can enhance the risk of radicalisation in your own opinion?

. I think that people being isolated in a closed environment, and in very close courters also plays a very important role in the radicalisation of individuals. The situations in which prisoners spend more time isolated in groups are more conducive to radicalisation.

• What are the characteristics of good prison management?

In Portugal there is a situation that I think is very relevant and which causes us to be a bit lost in the midst of all this. It is that the system is still very archaic. Information, if there is any, is not transmitted. The channels of information do not work. Getting information is very difficult. The meetings where there is any information being shared involve only administrators and never reach us on the field. There is also a very poor and primitive system of communication. There is nothing computerised. All information is passed by word of mouth.

• Would you describe the approach of your institution as rather being oriented towards isolation/ containment (Special Units) or dispersal of radicalized prisoners/ prisoners at risk?

To protect someone, if there was information that something might be about to happen, the practice is to transfer some of the concerned individuals to another unit or prison. Isolation is not typically used to deal with this sort of thing. The problem here is that then the action dies. Nothing else is done. There is no further accompaniment or follow-up on the situation, whatever it may have been. If the problem resurges, then the same process takes place. We are always chasing our own tail.

• Are there special requirements for the admission of radicalised persons in your prison?

No. Individuals are managed on a case by case bases and the decisions on how this is done are taken at the local level.

• Do you think a high-security section is useful?

It may be two aspects to this. Although isolation can be bad for the individual, it can be better for the wider group. It may be more reasonable for one individual to suffer than for many to suffer to avoid the suffering of the first.

• Have you participated in training sessions (e.g. intercultural mediation, detecting radicalisation processes, intervention techniques)?

Nothing was ever offered nor by any other means made available by the Ministry. I have been on the job for ten years and the only training I received was the initial training. Training, when is offered, tends to happen in smaller, calmer prisons. In the big prisons, where the real problems exist, there never is the opportunity for anything. So, it is possible that if you go to a small prison somewhere you will find guards who had access to the training programmes that the Ministry claims to be providing, but that training never reaches those who are in fact dealing with those sorts of problems every day. Those who have the least necessity for the training are those who may get it.

o What kind of focus did they have?

o Who organised these training sessions?

o Were they mandatory?

o Did the training session help you with your daily routine in prison?

Prevention/ Deradicalization Programmes

• What are effective ways of supporting deradicalization?

There are no programmes.

• Who is involved in the organisation and implementation of the programme? If civic organisations are involved: How would you describe the relationship between its staff members and prison staff?

• What is the philosophy/ the guiding principle of the programme?

• Are you familiar with results of desistance research?

o If yes, how would you describe its influence on your programme?

o Do you perceive your programme as in line with these results?

• How do you assess who is eligible to participate in this programme?

• Are the deradicalization programmes mandatory? What happens if a prisoner does not comply?

• Are there any incentives for participation?

• Describe the steps of the prevention/ deradicalisation programme?

• Do you include intervention on critical thinking in your programme? What importance do you give it?

• What is the ultimate goal of the programme?

• How do you define/describe participants’ progress?

• Is there support for/after prison release?

• Does the programme involve the participants’ families/friends?

• Is there a regular evaluation of the programme? Who is responsible for the evaluation?

• Do you offer different strategies for offenders associated with political or religious groups (e.g. right-wing extremists or jihadists)? In what ways do they differ?

• Would you consider a mentor-programme (with former extremists who have renounced violence) as useful and applicable? What could be the pros and cons?

• Are there specific deradicalization programmes for Muslims?

• Do religious representatives play a role in deradicalization programmes?

• Who (e.g. chaplains, psychologists, medical doctors, social workers, services from outside) is allowed to work with radicalized prisoners/prisoners at risk in confidence, e.g. without being obliged to write a report for the prison administration or other (government) agencies?

o Do religious representatives (especially Imams) have a right of professional secrecy?

Risk Assessments

• Please define the term risk in your own words.

• Are risk assessments part of your daily practice? If so, do you use tools/ instruments for these assessments?

No.

• Do you think prisoners are specifically at risk of radicalization?

• What are the first indicators that a prisoner is radicalized or at risk?

• When, how and to whom would you report concerns regarding signs of radicalisation? Can you elaborate the further proceedings?

We write a report to the director if we identify something of concern. What that something may be is up to the individual making the report.

• Which population of prisoners will be assessed?

• What kind of form of risk evaluation is in use (e.g. information gathering, monitoring, risk assessment tools).

There is nothing formally established.

o What sources of information are gathered? (e.g. accounts from persons with personal knowledge of the prisoner, actuarial data, dynamic factors, clinical factors, information for other agencies)

o Who is collecting these information and with whom are they shared?

o Do you apply specific risk assessments for radicalization?

No. There are no formal tools.

o Please describe the steps of the risk assessment. Can you provide an example?

o Who is carrying out the assessment?

• Are prisoners informed about a right to withdraw from risk assessment and what would be the consequences of withdrawal?

• What is the policy behind the assessment? What is the reason for making use of it?

• Describe the steps after the assessment (e.g. case conferences, deradicalisation programmes, counselling sessions, …). Which security measures will be put into place?

• Who will be informed about the result of a positive risk assessment: inside the prison system (e.g. governor, special services, competent supervisory authority e.g. Ministry of Justice) and outside the prison system (e.g. police, intelligence service, migration office, prosecution service)

• In your opinion, what are the strengths and limitations of the risk assessment?

• Who is involved in this procedure?

• Do the practitioners carrying out the risk assessment have to undergo training?

• Do you know if this risk assessment instrument is used in other prisons or probation services? What are your experiences; especially in regard to the communication of the results with other agencies?

• How are prisoners informed about the results of the risk assessment?

• Are risk assessments part of any formal procedure and can lawyers be involved in them?

• Is there any possibility to appeal against the result of a risk assessment or its consequences?

• Do prisoners have the right to obtain a second opinion?

• What other procedural rights are provided on behalf of the prisoner?

• Do you apply the risk assessment multiple times? How does it adapt to the prisoner’s developments?

• Has this risk assessment tool been evaluated?

Unfortunately, the above exchange is all we have to offer. Yet, as little as it tells us about the particulars of this project, it perhaps tells us more about the whole question and challenges of dealing with radicalisation at the European level. We certainly with like to further explore the validity, or invalidity of the conclusion we drew from our unexpected experience with this project so far. Please do share your impressions with us.

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