



Ministry
of Justice

Summary of the main findings of the review of Islamist extremism in prisons, probation and youth justice

Led by Ian Acheson

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Background

1. This summary provides an overview of the review led by Ian Acheson into Islamist extremism in prisons, probation and youth justice, namely its context, key findings and principal recommendations.
2. In September 2015 the then Secretary of State for Justice commissioned a departmental review, supported by external expertise, to:
 - assess the threat which Islamist Extremism (IE) and the radicalisation which sustains it pose to prisons and probation services; and
 - assess the capability of the National Offender Management Service (NOMS) to manage that threat.
3. The review team submitted a detailed report of their findings and recommendations to the then Secretary of State on 17 March 2016.
4. Given the nature of its content, and implications for public safety and security, the review is in the form of a classified report to the then Secretary of State. The subject matter is complex, with significant policy implications. The main findings of the review have been summarised below.
5. The then Secretary of State welcomed the review as a vital element of the MoJ's overall approach to addressing the threat presented by extremism and radicalisation in prisons and probation. Its findings will inform future policy development and operational practice, about which more will be said in the coming months.

Context

6. The prison estate is complex, comprising over 43,000 directly employed staff across multiple sites, and engaging with many local partner agencies and structures. It copes with daily stresses and threats, some arguably more pressing than IE. While there are many areas of good practice, the review concluded that more must be done to respond to the threat efficiently and effectively.
7. Islamist ideology can present itself in prisons as a struggle for power and dominance in which perceived weaknesses are exploited by a gang culture which threatens or undermines legitimate authority and security. IE should therefore be a greater and more visible priority for NOMS, led by people with the time and resource to act swiftly and with authority.

Definitions

8. The report takes as its starting point the definition of extremism offered in the refreshed 2011 Prevent strategy document:¹ *vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual*

¹ *Prevent Strategy*, HM Government, June 2011. www.gov.uk/government/publications/prevent-strategy-2011.

respect and tolerance of different faiths and beliefs [and] calls for the deaths of members of our armed forces, whether in this country or overseas. It takes Islamism to be the imposition of an expansionist and politicised version of Islam under which society is to be ordered according to an interpretation of sharia law which is anti-Western, hostile to other religions and other strains of Islam, and totalitarian in nature. It takes radicalisation to be the processes by which adherents to this belief come to adopt it. In order to encompass both the violent and non-violent elements of extremism, the report uses the term Islamist Extremism (IE).

Key Findings

9. The review found evidence that IE is a growing problem within prisons, and a central, comprehensive and coordinated strategy is required to monitor and counter it. For example, to ensure the scale and complexity of IE is widely understood, manifestations of extremism must be systematically reported, and sanctions to deter and punish such behaviour applied. There should be changes in NOMS' policy and practice to enable this.
10. The review recommends a more coordinated and rehearsed response to violent incidents. Some prisoners sentenced under the Terrorism Act 2000 and its successors (known as TACT prisoners) aspire to acts of extreme violence which require not only action within prisons but oversight and direction from experienced operational staff working centrally. A new strategy should focus on greater coordination with the police.
11. The review recommends that the present system under which TACT and IE prisoners are dispersed across prisons should be reviewed, and consideration given to containment of known extremists within dedicated specialist units.

Framing the Problem

12. British prisons have a long history of coping with terrorists and political and religious extremists. The aftermath of 9/11 saw an increase in extremists motivated by Islamist ideology. These prisoners were largely managed as their Provisional IRA (PIRA) forebears were – dispersed within the High Security Estate (HSE), with further controls applied on the basis of assessed risk. These controls continue to evolve, drawing on increasing and enhanced intelligence-based assessments including increasingly close collaboration with police and other agencies.
13. Anti-terrorism legislation passed in the aftermath of 7/7 criminalised those who 'glorified' terrorism, those involved in acts preparatory to terrorism and those who advocated it without being directly involved. This increase in legislative scope was matched by an upsurge in global jihadist terrorist violence. The security response to this has led to a significant increase in conviction rates for terrorist offences. Progressively more of these offenders are held outside the HSE and some are proceeding through the offender management system towards release into the community.

14. Such prisoners extend the threat of radicalisation beyond those arrested for terrorist offences. Other prisoners – both Muslim and non-Muslim – serving sentences for crimes unrelated to terrorism are nevertheless vulnerable to radicalisation by Islamist Extremists. Statistics show an increasing and disproportionate representation of Muslims within the criminal justice system, which could chime with the radicalisers' message of the victimisation of Muslims.²
15. Current trends suggest that the number of prisoners guilty of offences relating to terrorism and extremism are likely to increase. For instance, it has been reported that at least 800 Britons have travelled to Syria and Iraq to fight,³ while others have travelled to Afghanistan, Somalia and Yemen. A significant number of these have returned to the UK, of whom a portion will enter the criminal justice system. We can therefore expect the number of TACT and IE prisoners to continue to increase with knock-on consequences for the scale of the threat of radicalisation in prisons.

Identifying the Threat

16. The review found that the threat from IE can manifest itself in prison in various ways, including:
 - Muslim gang culture and the consequent violence, drug trafficking and criminality inspired or directed by these groups;
 - TACT offenders advocating support for Daesh and threats against staff and other prisoners;
 - charismatic IE prisoners acting as self-styled 'emirs' and exerting a controlling and radicalising influence on the wider Muslim prison population;
 - aggressive encouragement of conversions to Islam;
 - unsupervised collective worship, sometimes at Friday Prayers including pressure on supervising staff to leave the prayer room;
 - attempts by IE prisoners to engineer segregation by landing, by wing, or even by prison;
 - attempts to prevent staff searches by claiming dress is religious;
 - books and educational materials promoting extremist literature available in chaplaincy libraries or held by individual prisoners;
 - intimidation of prison Imams;
 - exploitation of staff fear of being labelled racist; and
 - abuse of 'Rule 39' (see below);

² In 2002, 5,502 prisoners in England and Wales said they were Muslim, rising to 7,246 in 2005 and 12,225 in 2014. According to the latest figures, 14.4% of the prison population are Muslim compared to 7.7% of the general UK population. Figures from the NOMS Offender Equalities Annual Report 2015, Ministry of Justice, November 2015.
<https://www.gov.uk/government/statistics/noms-annual-offender-equalities-report-2014-to-2015>

³ "At least 800 people from the UK have travelled to support of fight for jihadist organisations in Syria and Iraq" and "about half have since returned to the UK", *BBC News*, 27 May 2016.
www.bbc.co.uk/news/uk-32026985.

The High Security Estate (HSE)

17. The HSE comprises eight prisons in England. The great majority of HSE prisoners are non-TACT and non-IE but those that are interact with the majority.
18. Following sentence most convicted TACT prisoners are allocated to HSE establishments according to their offence characteristics and other factors including, significantly, the need to reduce the threat they pose to others.
19. The policy of dispersal is designed to prevent dangerous and charismatic offenders from exercising undue influence over a prison. Although pre-dating the late 20th century period of Irish republican terrorism, dispersal was used to manage these terrorists in mainland prisons. However, they were relatively few in number and were unlikely to have the passive support of other prisoners. The review found that the policy of dispersal has not been developed or changed in response to the emerging IE threat.

The Category B, C, and Open Estate

20. The review visited 14 establishments outside the HSE including both public and private sector providers and concluded that more must be done to support response and adaptation to a changing threat. The review found that many prisons struggled to manage faith-related disruption, and reported confusion of accountability and reporting between central and regional counter-terrorism remits.
21. The review recommends increased support for these prisons, more clarity of purpose and outcomes, and better training for frontline staff.

NOMS Corporate

22. The review recorded a lack of confidence and consistency in challenging unacceptable extremist behaviour and views. The review concluded that cultural sensitivity among NOMS staff towards Muslim prisoners has extended beyond the basic requirements of faith observance and could inhibit the effective confrontation of extremist views.
23. The review recommends swift and clear direction is provided for all staff on this matter, and robust leadership to ensure prisoners can safely practise the Muslim faith in prisons at the same time as the IE threat is effectively confronted.
24. The review also recommends that the nature of the IE threat is such that those within NOMS whose roles relate to counter terrorism at a national strategic level should have direct operational prison experience, and that inter-departmental relationships, for example with the police and security services, should be strengthened.
25. The review noted that the NOMS Extremism Unit (ExU) should be given the operational and technical expertise to give practical operational advice and support based on 'real time' information from the field.

NOMS Probation

26. The review concluded that measures to tackle the IE threat need to be taken in the context of the 2014 changes to the Probation Service of England & Wales, and creation of the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs).
27. High risk offenders whether convicted of terrorist offences or not automatically come under the control and management of the NPS. CRCs deal only with lower risk offenders. The review notes that these offenders are part of the wider risk community and CRCs must be aware of the complete offender profile, which requires shared information, accountability and responsibility.
28. In responding to the IE threat in probation, the review recommends an emphasis on shared and seamless analysis, scrutiny, uniformity, response, and training, between CRCs and NPS.

Youth Justice

29. The current youth justice system involves a complex network of agencies with strategic and operational responsibilities and duties both in the community and in secure custody. The review considered both the strategic response and leadership from the Youth Justice Board and MoJ, community agencies and the youth secure estate.
30. The review noted that work on risk and management of extremism and radicalisation in the under 18 offender cohort is in its infancy. It recommends more is done to understand, anticipate and counter the emerging threat, improving strategic oversight, reviewing the current configuration of secure custodial accommodation, improving the capacity and capability of staff, and deploying specific age/developmental appropriate assessments and interventions.

Inter-Agency Working

31. The review notes that cooperation between NOMS and other agencies within criminal justice, particularly the police, is good but there is scope to do more, specifically in the provision and use of prison intelligence, and in dealing with serious violent terrorist incidents.
32. The review raised concerns about the abuse of prisoners' legal correspondence. Under 'Rule 39' correspondence between prisoners and their legal advisors cannot be opened by prison staff unless they have reason to believe it is being abused. This is an important measure to protect a safe space between prisoners and their legal advisors. However, the review found that allegations of abuse of Rule 39, for example to smuggle illicit material in or out of prison, are frequent. The review recommends appointing independent Counsel to consider how to prevent abuse of Rule 39.
33. The review also noted illicit mobile technology as an area of inter-agency concern with relevance to IE. Much work is underway to deal with this challenge across the whole prison population, but the review recommends there should be a particular focus on preventing the possession of mobile phones by TACT and IE prisoners.

The Muslim Chaplaincy

34. Throughout the review the team emphasised the importance of faith to prisoners, and its potential to transform lives for the better. Its premise was that Islamism – a politicised, expansionist version of Islam – is more ideology than faith, and is driven by intolerance and anti-Western sentiment.
35. There are around 69 full time, 65 part-time and 110 sessional Muslim prison chaplains. About two thirds follow the Deobandi denomination, often regarded as a traditional and conservative interpretation. The review team spoke to around 50 Muslim chaplains, and were helped and advised by the NOMS Muslim Advisor.
36. The review concluded that while most chaplains were dedicated members of staff and did good and useful work, there is also evidence of a weak understanding and effective approach to IE. There is for example a lack of hard data on conversions and the reasons behind them and a lack of management control over access to extremist literature and materials. The review further noted that Deobandism being the ‘default’ version of Islam in prisons could be problematic if non-Deobandi chaplains and prisoners felt marginalised.
37. The review noted that vetting and clearance arrangements for chaplains should be strengthened. It recommends improved scrutiny of this process, given their access to prisoners.
38. In addition it recommends greater support to front line staff in dealing with the practical challenges posed by acts of faith and worship, including Friday prayers, in a strategy which:
 - enforces appropriate sanctions for the disruption or abuse of faith activity or practice, and considers innovative use of technology (to enable in-cell alternatives to corporate worship, for example); and
 - makes Governors more accountable and responsible for peaceful faith and worship in their prisons, for example ensuring the appropriate content of sermons, and closer engagement in the appointment of sessional Imams.

Lessons from other Jurisdictions

39. The review visited prisons in The Netherlands, France and Spain which managed extremists in high security conditions. Each had an approach reflecting individual cultural, historical and resource factors, and the review noted several common themes, which influenced its recommendations for a new approach in England and Wales:
 - a. IE prisoners isolated from the mainstream, sometimes against considerable opposition;
 - b. built environment and staff training of great importance in managing risk and fostering rehabilitation;
 - c. significant deployment of surveillance; and
 - d. primacy of the police in resolving prison-based counter-terrorism incidents.

40. The review expressed a view that British prisons are more accommodating in the facilitation of large scale corporate Friday prayers than was the case in France, The Netherlands and Spain. There, devotions and spiritual guidance could also be facilitated by visiting Imams who counselled prisoners 1–1 and led group scriptural study classes.
41. In all three countries the review noted that separation of terrorist and IE prisoners had organisational and public support, despite opposition from some pressure groups, and was delivering benefits in terms of prison safety and order. It also created opportunities to better focus resources on targeted counter-radicalisation interventions.
42. The review team was impressed by the intake process in prisons with a particular focus on terrorist and extremist prisoners, with associated benefits for future handling and intelligence.

Principal Recommendations

1. An independent advisor on counter-terrorism in prisons, accountable to the Secretary of State and responsible for an over-arching counter-extremism strategy;
2. senior postholders responsible for the strategy should have sufficient and credible operational experience;
3. a new security category for TACT and IE prisoners, managed centrally;
4. the small subset of extremists within this group who present a particular and enduring risk to national security through subversive behaviour, beliefs and activities to be removed from the general prison population and held in specialist units and given effective deradicalisation interventions;
5. systematic recording of the promotion of extremist beliefs and threats of violence to staff, with tougher sanctions enforced;
6. suitable training provided for staff, with particular emphasis on distinguishing religious from cultural traditions;
7. tightened vetting of prison chaplains to assess association with organisations linked to extremism;
8. tackling the availability and source of extremist literature;
9. greater focus on the safe management of Friday prayers, with sanctions imposed for abuse or misuse of all acts of worship;
10. reviewing procedures under 'Rule 39', to ensure confidential privilege in legal correspondence is not being abused;
11. improved capacity for responding swiftly to serious violent incidents, with regular exercising of this capability and improved coordination with the police, who should be given primacy in handling serious prison incidents.



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