



Prison responses to TERRORISM:

Online De-Radicalisation Proposals

Table of Contents

Executive Summary	3
1.0 DEFINING RADICALISATION	5
1.1 ASSESSING THE CURRENT TERRORISM THREAT	5
1.2 ASSESSING THE THREAT OF PRISON RADICALISATION	6
2.0 FACTORS CONTRIBUTING TO RADICALISATION.....	8
2.1 SUMMARY.....	8
2.1.1 WHAT ARE THE SUCCESS RATES OF DE-RADICALISATION?	9
2.1.2 ONLINE COUNSELLING	10
PrisonPC – Australian Capital Territory.....	11
New Zealand – Auckland South Corrections Facility	11
2.2 THEORISTS’ MODELS.....	12
2.2.1 HORGAN.....	12
2.2.2 MCCAULEY AND MOSKALENKO	12
2.2.3 MOGHADDAM.....	14
2.3 SOCIOECONOMICS.....	15
2.4 SOCIAL ENVIRONMENTS.....	15
3.0 RELEVANT AUSTRALIAN LEGISLATION	17
4.0 CURRENT VIEWS ON THE DE-RADICALISATION PROCESS.....	19
5.0 EXISTING DE-RADICALISATION PROGRAMS	21
5.1 AUSTRALIAN AND NEW ZEALAND PROGRAMS [IN PRISONS AND HOSPITALS]	21
5.1.1 SUMMARY	21
5.1.2 NATIONAL.....	22
5.1.3 NSW.....	22
5.1.4 VICTORIA.....	23
5.1.5 PRISM	23
5.2 PROGRAMS IN OVERSEAS JURISDICTIONS	23
5.2.1 GENERAL	23
5.2.2 DENMARK	24
5.2.3 IRAQ [ADMINISTERED BY THE US].....	25
5.2.4 UNITED KINGDOM	25
5.2.5 PAKISTAN.....	26
5.2.6 SAUDI ARABIA.....	26
5.2.7 UNITED NATIONS OFFICE ON DRUGS AND CRIME	27
6.0 EFFECTIVENESS OF DE-RADICALISATION PROGRAMS.....	28
6.1 INSTITUTE FOR THE STUDY OF ASYMMETRIC CONFLICT.....	28
6.2 PRISONS AND TERRORISM: ICSR REPORT.....	28
6.3 EFFECTIVENESS OF NEW PRISM PROGRAM IN AUSTRALIA	29
6.3.1 PRISM IN RELATION TO INTERNATIONAL JURISDICTION PROGRAMS.....	29
7.0 CONCLUSION.....	30

Executive Summary

The Government and Opposition have supported legislation to “extend [the] detention” of inmates convicted of terrorism offences. This legislation involves extending the sentences of prisoners who are still deemed to pose a terrorism threat, despite the completion of their original sentence.¹ Considering that prisoners are confined to their cells for up to 23 hours a day, this extension would further deprive them of positive experiences that might dissuade them from extremism. The prison environment presents an opportunity for terrorist offenders to radicalise their younger, more impressionable peers; while poor, over-crowded conditions with little meaningful social contact predisposes inmates to radicalisation. The pressing issue then is how to de-radicalise terrorist prisoners through positive means. The purpose of this report is to build a comprehensive case for online counselling as the only possible method of delivering such programs in NSW. They have been proven to work in the ACT, and similar programs should be adopted in NSW prisons.

The Proactive Integrated Support Model (PRISM) is a federally funded initiative currently in use in the NSW and Victorian jurisdictions. The PRISM framework attempts to help inmates move away from radical extremism and re-engage with the community once attitudes and beliefs of religious interpretations have been changed.² Under this program authorities are supposedly trained “to generically...identify signs of radicalised behaviour”³ in prisoners and pass on that information to specific departments in order to assess, monitor, and act to rehabilitate individuals. Existing literature on issues surrounding the radicalisation and de-radicalisation process are central to this report.

There are many ways in which an individual can become radicalised; existing theories emphasise different perspectives or levels of radicalisation. A number of factors such as a lack of social support, political views, and individual factors are common themes among radicalised individuals.⁴ In addressing these issues, we need to take into account that the pathways to radicalisation and de-radicalisation hold a variety of

¹ Matthew Doran, ‘Convicted terrorists may be jailed indefinitely under Federal Government proposal’, *ABC News* (online), 25 July 2016 <<http://www.abc.net.au/news/2016-07-25/convicted-terrorists-may-be-jailed-indefinitely-under-new-plan/7657262?>>.

² Matt Houry, ‘Plan to deradicalise ‘at risk’ NSW prisoners’ *The Point Magazine* (online), 23 October 2014 <<http://www.thepointmagazine.com.au/post.php?s=2014-10-23-plan-to-deradicalise-at-risk-nsw-prisoners>>.

³ Parliament of New South Wales, General Purpose Standing Committee No. 6, Legislative Council, *Corrections, Emergency Services, Veterans Affairs* (2016) 10.

⁴ John Horgan, ‘From Profiles to Pathways and Roots to Routes: Perspectives from Psychology on Radicalization into Terrorism’ (2008) 618 *The ANNALS of the American Academy of Political and Social Science* 1, 80–94; Kris Christmann, ‘Preventing Religious Radicalisation and Violent Extremism: A Systematic Review of the Research Evidence’ (Report, Youth Justice Board, 2012) 18.

differing start, development and end points. This ultimately proves that a one-size-fits-all approach is bound for institutional failure.⁵

Existing prison programs administered across a variety of nations contain enviable protocols that enhance the rehabilitation process. Nations such as Denmark, Pakistan, Saudi Arabia, Singapore, and Algeria all have distinctive de-radicalisation programs that cater to unique cultural and social conditions. For example, Saudi Arabia and Singapore emphasise re-educating inmates on their understanding of Islam as congruent with the program's central tenet of changing previous attitudes and beliefs,⁶ whereas the Aarhus model used in Denmark focuses more on reintegration, where a variety of social and community services play a key role in the rehabilitation process.⁷ These examples demonstrate the diversity of programs and approaches available for implementation both in corrective institutions and within the broader community.

The major hurdle for existing de-radicalisation programs is delivery and transparency with results. This means that the success rates of these programs are difficult ascertain with sufficient certainty. However, there is evidence that strong engagement with rehabilitative resources while in prison leads to lower recidivism. Providing access to online counselling in cells would increase the availability of these services and the probability of successful rehabilitation.

⁵ Ellie B. Hearne and Nur Laiq, 'A New Approach? Deradicalization Programs and Counterterrorism' (Report, International Peace Institute, 2010) 1, 11; Hamed El-Said, *De-Radicalising Islamists: Programmes and their Impact in Muslim Majority States* (Research Report, The International Centre for the Study of Radicalisation and Political Violence, 2012).

⁶ Angel Rabasa, Stacie Pettyjohn, Jeremy Ghez & Christopher Boucek, 'Deradicalizing Islamist Extremists' (Research Report, RAND Corporation, 2010) 185.

⁷ Kelly Cobiella 'Denmark De-Radicalization Program Aims to Reintegrate, Not Condemn', *NBS News* (online) 24 May 2015 <<http://www.nbcnews.com/storyline/isis-terror/denmark-de-radicalization-n355346>>; City of Aarhus, *How we work with anti-radicalization in Aarhus Municipality* (19 November 2015) City of Aarhus <https://www.aarhus.dk/sitecore/content/Subsites/Antiradikaliseringsindsats/Home/Saadan-arbejder-vi.aspx?sc_lang=en>.

1.0 DEFINING RADICALISATION

Danish Security and Intelligence Service: “A process, by which a person to an increasing extent accepts the use of undemocratic or violent means, including terrorism, in an attempt to reach a specific political/ideological objective.”⁸

The Netherlands General Intelligence and Security Service: “The (active) pursuit of and/or support to far-reaching changes in society which may constitute a danger to (the continued existence of) the democratic legal order (aim), which may involve the use of undemocratic methods (means) that may harm the functioning of the democratic legal order (effect)”⁹

Swedish Security Service: Radicalisation can be both “a process that leads to ideological or religious activism to introduce radical change to society” and “a process that leads to an individual or group using, promoting or advocating violence for political aims”.¹⁰

US Department of Homeland Security: “The process of adopting an extremist belief system, including the willingness to use, support, or facilitate violence, as a method to effect social change.”¹¹

US *Violent Radicalisation and Homegrown Terrorism Prevention Act (2007)*:¹² “The process of adopting or promoting an extremist belief system for the purpose of facilitating ideologically based violence to advance political, religious, or social change”.

1.1 ASSESSING THE CURRENT TERRORISM THREAT

Some scholars have focused their attention on the Australian news and media discourse around the topic of terrorism. Multiple scholars agree that the media frequently invokes moral panics; a discursive technique first explored by Stanley

⁸ Alex P. Schmid, ‘Radicalisation, De-Radicalisation, Counter-Radicalisation: A Conceptual Discussion and Literature Review’ (Research Paper, International Centre for Counter-Terrorism – The Hague, March 2013) 12.

⁹ AIVD [Dutch General Intelligence and Security Service], ‘From Dawa to Jihad: The Various Threats from Radical Islam to the Democratic Legal Order’ (Research Report, AIVD, December 2004).

¹⁰ Swedish Security Service, ‘Radikalisering och avradikalisering’ (2009); Magnus Ranstorp, ‘Preventing Violent Radicalisation and Terrorism – The Case of Indonesia’ (Research Report, Center for Asymmetric Threat Studies, 2009) 2.

¹¹ Homeland Security Institute, ‘Radicalisation: An Overview and Annotated Bibliography of Open-Source Literature’ (Final Report, Homeland Security Institute, 15 December 2006) 2, 12.

¹² GovTrack, *Violent Radicalization and homegrown Terrorism Prevention Act of 2007* (24 October 2007) <<https://www.govtrack.us/congress/bills/110/hr1955/text>>.

Cohen, which describes the use of moral panics to create a public opinion that is aligned with the government's legislative agenda.¹³

Extensive use of moral panics is evident in much of the Australian government's rhetoric around terrorism.¹⁴ Such examples are often generated by political commentary that dramatises the current terrorism threat, which the government claims can only be managed via the implementation of harsh legislation.¹⁵ Examples include propositions that advocate for the indefinite incarceration of convicted terrorists and the enforcement of high security prison classifications for remanded terrorists.

This rhetoric is supported on an international scale, which is evident when analysing the current commentary that surrounds inadequate border control policies and the possibility that a lack of deterrence-based measures would enable potential terrorists to infiltrate Australian shores undetected.¹⁶ These panics are used to justify the Australian government's enactment of criminal law policies such as offshore detention centres as a fundamental national security need.¹⁷

1.2 ASSESSING THE THREAT OF PRISON RADICALISATION

It is difficult to ascertain whether the threat of prison radicalisation exists on the scale that is often reported. This difficulty exists due to a lack of primary research, particularly research that details the Australian government's custodial-based de-radicalisation efforts as well as a lack of statistical information regarding the number of offenders who have been radicalised whilst in custody.¹⁸

Dr Clarke Jones, a de-radicalisation and counter terrorism expert from the Australian National University Canberra, states the mandatory AA and A1 security classifications of remanded and convicted terrorist offenders only further reinforces their radical beliefs.¹⁹ He calls for a 'dispersal model' whereby terrorist offenders serve their sentences assimilated with the rest of the general prison population. Jones states that the commentary surrounding terrorist offenders and their ability to radicalise other inmates is not evidence informed and only further complicates the delivery of de-radicalisation strategies.²⁰ Jones adds that currently there exists no empirical information that details how terrorist offenders behave when dispersed with other general population inmates, leading to the consensus that their confinement and

¹³ Michael Welch, 'The Sonics of Crimmigration in Australia: Wall of Noise and Quiet Manoeuvring' (2011) 52 *British Journal Of Criminology* 2, 324.

¹⁴ Welch, above n 16.

¹⁵ Ibid.

¹⁶ Ibid 325.

¹⁷ Ibid.

¹⁸ Clarke Jones, 'Are prisons really schools for terrorism? Challenging the rhetoric on prison radicalization' (2014) 16 *Punishment & Society* 1, 74.

¹⁹ Ibid 76.

²⁰ Ibid 74-103.

housing in expensive high security facilities is an excessive drain to resources that could be used to further develop de-radicalisation programs.²¹

²¹ Ibid 76.

2.0 FACTORS CONTRIBUTING TO RADICALISATION

2.1 SUMMARY

There are multiple and diverse pathways through which an individual can become radicalised. For instance, Moghaddam's 'Staircase to Terrorism' is a psychological model that attempts to explain the radicalisation of individuals specifically into Islamic terrorist organisations. Moghaddam refers to a "six-step narrowing staircase" that combines individual, organisational and environmental psychological stages of progression leading to radicalisation.²²

However, the prison setting presents more devastating pathways into radicalisation. According to a report by Peter Neumann, the prison environment is a "breeding ground" that is able to provide "near-perfect conditions in which radical, religiously framed ideologies can flourish".²³

Based on the report by Neumann, prisons are more vulnerable to radicalisation due to factors such as²⁴:

- Poorly run prisons are subject to conditions such as over-crowding or under-staffing. Such prisons experience more difficulty in detecting and monitoring radicalisation. Furthermore, they amplify the "physical and ideological space in which extremist recruiters can operate at free will and monopolise the discourse about religion and politics".
- Prisons are unable to distinguish legitimate expressions of faith from extremist ideologies.

Imprisoned terrorists view themselves as political/religious activists rather than criminals. As a result, they see their prison sentence as an opportunity to continue with their political/religious campaign, engaging in disruptive behaviour and seeking to mobilise supporters from both inside and outside of prison walls.²⁵ As such Neumann argues that:

"Prisons are highly unsettling environments in which individuals are more likely than elsewhere to explore new beliefs and associations. Confronted with existential questions and deprived of their existing social networks, prisoners with no previous involvement in politically motivated violence are vulnerable to being radicalised and recruited into terrorism. Prisons,

²² Ragnhild Lygre et al, 'Terrorism as a process: A critical review of Moghaddam's "Staircase to Terrorism"' (2011) 52 *Scandinavian Journal of Psychology* 609.

²³ Peter R. Neumann, 'Prisons and Terrorism: Radicalisation and De-radicalisation in 15 Countries' (Policy Report, International Centre for the Study of Radicalisation and Political Violence [ICSR], 2010) 2.

²⁴ Ibid.

²⁵ Ibid 14-5.

therefore, are ‘places of vulnerability’ in which radicalisation can take place”.²⁶

2.1.1 WHAT ARE THE SUCCESS RATES OF DE-RADICALISATION?

The phenomenon of modern radicalisation within prisons is relatively recent and understudied, meaning that extensive statistics pertaining to de-radicalisation are not available. This is due to a number of factors, including the ambiguity of the word ‘de-radicalisation’, programs that have not been running long enough to gather meaningful data, as well as government secrecy surrounding these programs. What can be said is that all programs aim to lower levels of recidivism. Minister for Corrections David Elliott has emphasised the need for socially valued resources, such as education, to help reduce recidivism.²⁷

Even though there is little to no data on recidivism with relation to terrorist offences due to the new nature of the offence and the minimal convictions, its root causes and matching solutions are not completely removed from more conventional crime. Research demonstrates that access to formal education and work opportunities increasingly lower recidivism rates for prisoners.²⁸ The absence of meaningful personal relationships and a weak sense of community belonging play significantly into the radicalisation process, yet their influence has been overlooked in a number of de-radicalisation programs. Working towards lower rates of recidivism should give equal, if not more, weight to the engagement of a radicalised individual. A strong coordinated community and government effort that includes prisoner training, education, and engagement within prisons would significantly reduce recidivism and the chances of re-radicalisation.

This reflects a welfare approach that focuses on the links between crime, social and financial need. Prisoner vocational training heightens inmates’ chances of employment on the outside while augmenting skills that have deteriorated during their time in prison.²⁹ This is of particular concern given the rate at which technology is developing and the broadening expectation for employees to possess some form of digital literacy. Without formal training, prisoners are at a noticeable disadvantage post-release and struggle to find and maintain a job, which in return detracts from their ability to reintegrate into the community. In this regard, VET has an important role in ensuring that prisoners undertaking traineeships and apprenticeships are given the workplace experience they require to complete their training.

²⁶ Ibid, 7.

²⁷ Parliament of New South Wales, above n 3.

²⁸ Susanne Bahn, ‘Community Safety and Recidivism in Australia: Breaking the Cycle of reoffending to produce safer communities through vocational training’ (2011) 9 *International Journal of Training Research* 261, 263.

²⁹ Ibid, 263.

2.1.2 ONLINE COUNSELLING

In addition to the issues of deterrence and punishment, a reduction of recidivism rates is the primary goal of all government policies relating to prisons. A successful collaborative relationship between government and a coalition of community groups would go a long way to ensuring that people in prisons have access to online counselling essential for reducing recidivism rates.

Online programs and services have been shown to reduce rates of offending³⁰ and should have the capacity to make a positive impact on the process of de-radicalisation. Online access to cognitive behaviour therapy has been shown to offer a range of benefits that include the following:

- The period of time spent in isolation each day is utilised productively;
- Stability and continuity of the service provider are ensured throughout the sentence and after release;
- Greater trust in external counsellors;
- Greater empowerment by encouraging self-management;
- Greater cost-effectiveness; and
- Research indicates that online counselling leads to more long-term changes in the behaviour of participants than face-to-face counselling.³¹

It is acknowledged that prisons are highly stressful, microcosmic environments, which lead to distorted forms of Islam being practiced.³² These forms of Islam, coined “Prison Islam” by Marranci, are said to be defined by emotion and help to rationalise the crimes committed through framing them as a ‘necessary evil’ for ‘some ultimate good.’³³ There is a push at both the government level and among Islamic stakeholders for wider involvement with Islamic leaders and imams in prison reform. Victoria’s prison chaplaincy program, conducted in partnership with the Islamic Council, has proven to be successful. However, there are only 10 chaplains involved in this program to cater for over 300 Muslim inmates. With a rise in people converting to Islam while in prison,³⁴ there is a need for more imams. If there was computer access in every cell inmates could access sermons, guidance and religious material as well as have daily contact with imams. This would allow prisoners to develop a far more inclusive perception of Islam and not just ‘Prison Islam’.

³⁰Patrick Clark, ‘Preventing Future Crime with Cognitive Behavioral Therapy’ (2010) 265 *National Institute of Justice Journal* 22, 22

³¹ Justice Action, *Online Counselling in Prison Cells* (1 July 2014), Justice Action <<http://www.justiceaction.org.au/cms/images/stories/CmpgnPDFs/onlinecounseling310714.pdf>>

³² Department of Corrective Services, Government of New South Wales, *The Bulletin* (June 2014) <http://www.correctiveservices.justice.nsw.gov.au/Documents/CSNSW-Bulletin_May_June.pdf>; David Lipson and Brigid Andersen, ‘Anti-terror laws: Anne Aly says prison de-radicalisation programs unlikely to work’, *ABC News* (online) 26 July 2016 <<http://www.abc.net.au/news/2016-07-25/anne-aly-says-prison-de-radicalisation-programs-unlikely-to-work/7659522>>.

³³ *Ibid.*

³⁴ Ellen Whinnett, ‘Prison staff trained to deradicalise extremist inmates in Victoria’s jails’ *Herald Sun* (online) 3 March 2016 <<http://www.heraldsun.com.au/news/law-order/prison-staff-trained-to-deradicalise-extremist-inmates-in-victorias-jails/news-story/357901dd419ecc181229e8fc5c65a960>>.

PrisonPC – Australian Capital Territory

Since its deployment in 2009 at the Alexander Maconochie Centre, PrisonPC has provided inmates with access to several online resources. The initial aim of PrisonPC was to provide educational support for prisoners, which would contribute to lower rates of recidivism and aid in the process of social re-integration. However, the interface also provides several add-ons such as media streaming facilities and religious services.³⁵ Online counselling in cells increases the availability of these services in concurrence with the chances of rehabilitation.

New Zealand – Auckland South Corrections Facility

Given the increasing prevalence of computer and Internet usage in our society, several international jurisdictions have implemented the use of online counselling in newly built jails. This demonstrates the importance of recognising the positive influence technology can have in rehabilitating those in prison rather than subjecting them to punishment. In particular, the construction and operation of the Auckland South Corrections Facility in 2015 symbolises a step forward in the recognition of the importance of access to technology in promoting self-management. As such, the Serco Director of Operations Scott McNarin states that “access to this technology imposes the expectation that prisoners will engage in purposeful activities, such as education, in what can often be an unproductive time in other prisons.”³⁶ Hence, this program demonstrates that there is scope for the introduction of online counselling in Australian cells to provide access to positive, external influences.

It is clear that access to online services in cells provides a constructive opportunity for effective prisoner rehabilitation and reintegration into society. With the appropriate resources and services, the higher the possibility of lowering levels of recidivism. Therefore, introducing online counselling into cells and offering online counselling services presents a viable option for tackling the issue of radicalisation.

³⁵ PrisonPC, *PrisonPC: Secure Server and Desktop Solution*, <http://www.prisonpc.com/documents/CyberITSolutions_PrisonPC-small.pdf>.

³⁶ Aimee Gulliver, ‘Prisoners allowed phones, computers in cells’ *Stuff* (online) 6 May 2015 <<http://www.stuff.co.nz/national/politics/68309736/prisoners-allowed-phones-computers-in-cells>>.

2.2 THEORISTS' MODELS

We can broadly categorise these pathways across three levels at the individual (personal/dispositional), organisational (situational) and environmental (socio-cultural, economic and political) levels, following Moghaddam's staircase model. However, it is critical that in any theoretical or paradigmatic treatment or model, we remain mindful of the interplay between agency and structural issues in the process of radicalisation.

All studies agree that there is a stage of individual change enhanced or expedited by external forces (such as experienced or perceived discrimination, or a perceived attack against Muslims), and a move to violent radicalisation, usually brought about when the individual is exposed to and socialised with other likeminded individuals.³⁷

2.2.1 HORGAN

Horgan indicates that six key risk factors are involved in leading individuals to engage in acts of extremism:³⁸

- 1) Being disposed to certain levels of emotional vulnerability (which may include feelings of alienation, anger, or disenfranchisement). This state has often been linked to the search for spiritual guidance or being culturally displaced
- 2) Dissatisfaction and/or disappointment with the contemporary method of protest to produce political/social change
- 3) Identification and empathy shown toward the suffering of Muslims
- 4) A mindset that condones violence against a nation-state and the symbols with which the nation-state identify (the attacking of state symbols e.g. flags, monuments, etc.)
- 5) The possibility of gaining reward from joining certain groups or social movements that may be physical or symbolic (respect, authority, status, etc.).
- 6) Connections to people associated with terrorism/extremist organisations.

2.2.2 MCCAULEY AND MOSKALENKO

1. Individual radicalisation by personal victimisation: This first mechanism refers to the role that personal grievance plays in the radicalisation process (the authors cite a number of cases including Palestinian suicide bombings where revenge for loss of a loved one is the motive for self-sacrifice).

2. Individual radicalisation by political grievance: A political grievance from some political event or trend can also radicalise a person (although this can often prove difficult to disentangle from group grievances).

³⁷ Christmann, above n 4, 21.

³⁸ Horgan, above n 4; Kris Christmann, 'Preventing Religious Radicalisation and Violent Extremism: A Systematic Review of the Research Evidence' (Report, Youth Justice Board, 2012).

3. Individual radicalisation by joining a radical group – the slippery slope: Often joining a radical group is a slow and gradual process, starting with small tasks leading to greater responsibility and risk prior to becoming involved with important operations.
4. Individual radicalisation by joining a radical group – the power of love: This path to radicalisation is through personal connections where a person is recruited into a group through friends, family and lovers. Studies in small group psychology testify how commitment increases as group cohesion increases.
5. Group radicalisation in like-minded groups: This pathway refers to the phenomenon of “risky shift” or “group polarisation”, where there is increased agreement about an issue along with a more extreme position being adopted in their views.
6. Group radicalisation under isolation and threat: Small groups under threat tend to show certain features, including very high levels of cohesion, itself increasing pressure for behavioural compliance and internalised value consensus.
7. Group radicalisation in competition for the same base of support: This pathway describes competition for a wider base of support and can drive more radical action to gain that support. The authors cite a range of examples of this phenomenon from the IRA and other nationalist groups.
8. Group radicalisation in competition with state power – condensation: The “dynamic of condensation” refers to a cycle of reaction and counter reaction between a radical group and the counter posing state agencies which see an increased commitment to violence by some members in an effort to retaliate to state violence.
9. Group radicalisation in within-group competition – fissioning: This pathway to radicalisation involves intra-group conflict and the role of threats from within the group for agreement.
10. Mass radicalisation in conflict with an out-group – Jujitsu politics: Here mass radicalisation can occur where out-group threats lead reliably to greater group cohesion and respect for leaders and, in turn, to sanctions for those dissenters and deviators.
11. Mass radicalisation in conflict with an out-group – hate: This pathway refers to the dehumanisation of the ‘enemy’ by group members, typically where prolonged violence becomes more extreme, resulting in opponents being perceived as less than human.

12. Mass radicalisation in conflict with an out-group – martyrdom: The final mass radicalisation pathway is martyrdom, where radical groups keep salient the memory of their martyrs (or witnesses), although as the authors note, the impact of martyrs on mass audiences is under-theorised.³⁹

2.2.3 MOGHADDAM

Staircase of Terrorism

*Ground floor: 'Psychological interpretation of material conditions'*⁴⁰

- Acquiring a degree of predisposition towards terrorism via:
 - Subjective perceptions of deprivation, injustice, blocked social mobility
 - Perceived threats to their identity – antagonised by increasing globalisation and Westernisation.
- This is the most 'foundational' floor, presumably with the largest number of inhabitants due to widespread perceptions of relative deprivation and injustice.

First floor: 'Perceived options to fight unfair treatment'

- Those on the first floor have a perception of:
 - Blocked social mobility and exclusion from political decision making, which generates a sense of injustice at the illegitimacy of existing procedures and systems of rules
 - 'Displaced aggression', whereby others are blamed for their perceived problems.

Second floor: 'Displacement of aggression'

- This floor is characterised by displaced aggression, often verbalised rather than expressed through violent action.
- There is little by way of explanation for the transition to the third floor except the conscious seeking of ways to take physical action.

Third floor: 'Moral engagement'

- The role of the terrorist organisation emerges on the third floor, where training and 'moral engagement' occur, with narrative to persuade the individual that its ends justify its means in achieving an 'ideal society'.
- Employing tactics of "isolation, affiliation, secrecy, and fear" acts to encourage and maintain this moral disengagement.

Fourth floor: 'Categorical thinking and the perceived legitimacy of the terrorist organisation'

³⁹ Christmann, above n 4.

⁴⁰ Bruce Bongar, *Psychology of Terrorism* (Oxford University Press, 2007) 70.

- Climbing to the fourth floor is to fully enter the terrorist organisation where recruits are socialised and assimilated into the secret life of the terrorist cell.
- The group promotes categorical “us versus them” dichotomous thinking, and the clandestine mission fosters increasing isolation from wider society.
- Moghaddam describes how pressures to conform and obey increase the likelihood of terrorist acts by members and narrow the options for leaving the group.⁴¹

Fifth floor: ‘The terrorist act and sidestepping inhibitory mechanisms’

- The fifth floor is the last step or operational phase, with recruits receiving the cognitive resources necessary to overcome natural inhibitory mechanisms required to kill others by:
 - Categorising the target as ‘the enemy’
 - Exaggerating in-group and out-group differences
 - Preventing any inhibitory mechanisms (i.e. allowing victims of the attack to become aware of the danger and thereby behave in a way that could change the attacker’s mind).⁴²

2.3 SOCIOECONOMICS

Research shows that in a number of countries, underemployment has been a factor in leading young men to join and aid terrorist organisations.⁴³ In the Western world however, ‘the demographic profiles of radical Muslims...show that they are generally not poor, religiously fanatic, or desperate due to suffering from extreme poverty, political oppression, or other deprived circumstances.’⁴⁴ But the causal link between underemployment and poverty is unclear, and further research remains to be done on this relationship.⁴⁵

2.4 SOCIAL ENVIRONMENTS

Social and familial relationships have been widely acknowledged as crucial elements drawing young people to terrorist or radical groups.⁴⁶ Group dynamics (where a respected, charismatic and credible leader is identifiable) have also been found to be vital in the radicalisation process, whereby a sense of belonging, ideas, and experiences are shared among group members.⁴⁷ It follows that building a new set of

⁴¹ Fathali Moghaddam ‘The Staircase of Terrorism’ (2005) *American Psychologist* 162, 166.

⁴² Ibid, 37.

⁴³ Paul Medhurst, *Global Terrorism* (UNITAR New York, 2000).

⁴⁴ Tinka Veldhuis and Jorgen Staun, *Islamist Radicalisation: A Root Cause Model* (Netherlands Institute of International Relations Clingendael, 2009) 8.

⁴⁵ Jitka Maleckova, ‘Impoverished terrorists: stereotype or reality?’ in Tore Bjørgo (Ed.), *Root Causes of Terrorism: myths, reality and ways forward* (Routledge, 2005) 33-42.

⁴⁶ Marc Sageman, *Understanding Terror Networks* (University of Pennsylvania Press, 2004).

⁴⁷ US Bipartisan Policy Center, National Security Preparedness Group, ‘Preventing Violent Radicalisation in America’ (Research Report, Bipartisan Policy Center, 2011) 1.

relationships with individuals capable of providing a counter-narrative to terrorist ideology is central to the de-radicalisation process.

3.0 RELEVANT AUSTRALIAN LEGISLATION

The Australian Government has also unveiled a three-stage legislative amendment approach to change and alter existing anti-terrorism laws. The National Security Legislation Amendment Bill (No. 1) 2014 enables the following:

- One warrant to cover a whole computer network which subsequently allows Australian Security Intelligence Organisation (ASIO) officials to intercept and disrupt certain operations of targeted computers. The amendment also allows the usage of third party computers to access computers under surveillance.
- ASIO officers are immune from criminal and civil prosecution under the covert “Special Intelligence Operation” protocol.
- The Australian Secret Intelligence Service (ASIS) may spy on Australians overseas in cooperation with ASIO with less executive supervision.
- The penalty for disclosing information about a special intelligence operation has increased to a maximum of five years imprisonment and 10 years imprisonment if it can be proven that the person involved had the intention to endanger or harm somebody.
- ASIO tasks and powers have broadened to extend to contractors and public services.

The Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill that passed in 2014 denoted the following changes:

- The process to identify, to charge and to prosecute Australians who have been engaged in international terrorist activities has been streamlined.
- If suspected of any act of terror or terror-related, the person’s passport may be suspended for up to 14 days.
- It is now an offence to travel or remain situated in a declared terrorist activity area without validation (for example, family and/or humanitarian purposes).
- The application of law has been broadened from a terrorist activity to terrorism.
- It is now an offence to advocate terrorism in any way (including social media). Engaging in such an act carries a maximum penalty of five years imprisonment.
- The threshold for authorities to be granted control orders and preventative detention orders has been considerably lowered.
- Welfare payments may be cut from those who have had their passports cancelled and thus have been assessed to be a serious threat.

The most recent piece of legislation in regards to anti-terrorism is the *Telecommunications (Interception and Access) Amendment (Data Retention) Act 2015* (Cth). While this was implemented with the intent to prevent potential consequences of radicalisation through surveillance and data retention, its impact in

terms of early de-radicalisation is yet to be seen. As such, the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 aimed to consolidate the following purposes within the legislation:

- Facilitate the access security agencies have to data in order to ensure that the information received is sufficient to formulate a case that is ‘reasonably necessary’ to an investigation.
- Ensure the requirement that security agencies need warrants before accessing the specific content of private correspondence.
- Reduce the quantity of agencies that have access to data.
- Limit the access to various forms of stored communication including text messages and emails.
- Introduce an independent oversight mechanism that allows the Commonwealth Ombudsman to access agency records in order to increase privacy protections.⁴⁸

⁴⁸ Emma Griffiths, ‘Explainer: What do the new anti-terrorism laws involve and how will they be rolled out?’ *ABC News* (online) 28 May 2015 <<http://www.abc.net.au/news/2014-09-22/new-anti-terrorism-laws-explained/5761516>>.

4.0 CURRENT VIEWS ON THE DE-RADICALISATION PROCESS

There are a number of issues facing law enforcement and corrective services in developing effective de-radicalisation programs. Efforts at disengagement “should build on existing structures for crime prevention and rehabilitation” including the police, prison and probation services, schools, and social authorities, and also community actors including families, former extremists, and victims of extremist violence.⁴⁹ Thus, in the logic of this framework, a social approach is required rather than the standard security angle largely employed.

There have also been calls for an increased focused on youth.⁵⁰ As the issue currently stands:

“There is a challenge to understand youth, who, in the context of a number of different political and social circumstances, have identity issues and vulnerabilities that might lead them into a radicalisation process. Care must be taken not to demonize them, but to engage, build trust and resilience and provide alternatives... Local authorities, youth and social workers, prison staff and NGOs play an important role in prevention and in helping young people to leave extremist groups and reintegrating them into society (p. 5).⁵¹

Many programs (largely in the Middle East and Southeast Asian) tackle indefinite detention and radicalisation on the assumption that extremists have been misled into following an erroneous interpretation of Islam. The focus falls on discussing and refuting militants’ worldview through religious dialogue conducted by mainstream clerics. Some programs also assist ex-militants to reintegrate into society.⁵²

However, this focus on belief and ideology overlooks “affiliation” factors such as personal relationships, social networks, and the sense of community and belonging, which exert a strong influence over decisions to join terrorist organisations.⁵³ Continued contact with trusted family members and friends can be equally influential in de-radicalising an individual as it rebuilds a more positive sense of belonging. This

⁴⁹ Institute for Strategic Dialogue, ‘Tackling Extremism: De-Radicalisation and Disengagement’ (Conference Report, Institution for Strategic Dialogue, 8-9 May 2012) 3.

⁵⁰ Alex P. Schmid ‘Radicalisation, De-Radicalisation, Counter-Radicalisation: A Conceptual Discussion and Literature Review’ (2013) *International Centre for Counter-Terrorism* <https://www.icct.nl/download/file/ICCT-Schmid-Radicalisation-De-Radicalisation-Counter-Radicalisation-March-2013_2.pdf>.

⁵¹ Ibid, 5.

⁵² Rabasa et al, above n 6.

⁵³ Madeleine Morris et al, ‘Deradicalization: A Review of the Literature with Comparison to Findings in the Literatures on Degangging and Deprogramming’ (Research Brief, Institute for Homeland Security Solutions, 2010) 2.

could easily be facilitated by technology such as Skype or Facetime, and would also assist with overall rehabilitation efforts.

Perhaps the most problematic issue is defining the notion of a “successful” de-radicalisation program. Ambiguity surrounds the effectiveness of these programs due to the fact that:

- 1) Success has not been unequivocally defined.
- 2) As the programs implemented are relatively recent, the long-term effectiveness is yet to be determined.
- 3) Information is suppressed by government sponsors of the programs and reliable statistics are scarce.⁵⁴
- 4) Recidivism rates and statistics are not completely accurate as these methods cannot take into account individuals disengaged yet not de-radicalised.⁵⁵

⁵⁴ John Horgan and Kurt Braddock, ‘Rehabilitating the Terrorists?: Challenges in Assessing the Effectiveness of De-radicalization Programs’ (2010) 22 *Terrorism and Political Violence* 267, 285.

⁵⁵ Rabasa et al, above n 6.

5.0 EXISTING DE-RADICALISATION PROGRAMS

Worldwide, thousands of de-radicalised detainees have been released into their communities.

- Is their conversion authentic?
- Is it permanent?
- How resistant it is to recidivism?
- How can the process be improved?

These questions are to be kept in mind while reading the various programs between countries that are outlined below.

As detailed below, Australia has currently initiated a new legislative proposal which adopts a more stringent approach towards radicalised offenders who have served their sentence yet are still a high risk to the community.

On an international scale, America's program in Iraq has had considerable success with a strong focus on religious de-radicalisation and the release of over 18,000 detainees. Similarly, Saudi Arabia has had the most success. This is because their de-radicalisation program targets changing the behaviour of convicted terrorist offenders rather than dealing with the ideological departure from radicalised Islamism.

5.1 AUSTRALIAN AND NEW ZEALAND PROGRAMS [IN PRISONS AND HOSPITALS]

5.1.1 SUMMARY

In recent months there has been a push by Malcolm Turnbull and George Brandis to introduce new legislation which would allow state correctional services to 'extend [the] detention' of inmates convicted of terrorism offences. These extended detentions will be subject to reviews appeals.⁵⁶ Attorney General George Brandis has said that this will only apply to individuals who as they approach the end of their imprisonment continue to pose an unacceptably high risk to the community because of their failure to be rehabilitated as a result of a penal sentence.⁵⁷ Effective de-radicalisation programs might reduce the need for such an extension, as it focuses on rehabilitation purely, rather than rehabilitation and deterrence by incarceration. Targeted de-radicalisation programs, however, in Australian prisons appear rare.

⁵⁶ Matthew Doran, 'Terrorists could be detained indefinitely under Federal Government proposal' *ABC News* (online) 25 July 2016 <<http://www.abc.net.au/news/2016-07-25/convicted-terrorists-may-be-jailed-indefinitely-under-new-plan/7657262>>.

⁵⁷ Ibid.

While there have been some programs under the policy spectrum of CVE (countering violence extremism), these have had mixed feedback.⁵⁸ There have been calls for more rigorous evidence-based policies to be implemented, but academics have noted the difficulty in this because of the lack of access into prisons.⁵⁹

Disproportionate focus is placed on Muslim inmates and their potential for radicalisation when they only make up 3.3% of the general population, but constitute 9/3% of inmates in NSW.⁶⁰

5.1.2 NATIONAL

The ‘extended detention’ legislative proposal spearheaded by the government targets individuals who “continue to pose an unacceptably high risk to the community”⁶¹ after failing to be rehabilitated in the course of their custodial sentence. Prisoners are pre-emptively punished for crimes they have not committed, and further punished for crimes for which they have already served time in gaol. Neither favours the offender and may simply serve to entrench anti-authoritarian and extremist belief.

5.1.3 NSW

NSW has a number of de-radicalisation programs in place within its prisons, but details are lacking. According to a Corrective Services NSW spokesman, radicalised inmates are dealt with through “pro-social engagement and positive reinforcement of acceptable values and beliefs”, which includes inmates being motivated to participate in work and education. They are also isolated to reduce any negative influence they might have on one another.⁶²

A Muslim chaplaincy program backed by the Australian Imams Council also exists inside NSW prisons advocating pro-social values. Imams administer it and they are criminally checked and screened. They then work to reinforce acceptable beliefs and values in prisoners.⁶³

⁵⁸ Shandon Harris-Hogan et al, ‘What is countering violent extremism? Exploring CVE policy and practice in Australia’ 8(1) *Behaviour Sciences of Terrorism and Political Aggression* 6; Rachel Olding, ‘The multi-million dollar deradicalisation business’ *The Sydney Morning Herald* (online) 12 February 2016 <<http://www.smh.com.au/national/the-multimillion-dollar-de-radicalisation-business-20160212-gmske3.html>>.

⁵⁹ Khoury, above n 2.

⁶⁰ Department of Corrective Services, Government of New South Wales, *The Bulletin* (June 2014) <http://www.correctiveservices.justice.nsw.gov.au/Documents/CSNSW-Bulletin_May_June.pdf>.

⁶¹ Matthew Doran, ‘Terrorists could be detained indefinitely under Federal Government proposal’ *ABC News* (online) 25 July 2016 <<http://www.abc.net.au/news/2016-07-25/convicted-terrorists-may-be-jailed-indefinitely-under-new-plan/7657262>>.

⁶² Lucy Carter, ‘Ahmed Elomar: Brother of IS jihadist Mohammed Elomar released on parole’ *ABC News* (online) 4 August 2016 <<http://www.abc.net.au/news/2016-08-04/ahmed-elomar-brother-of-jihadist-to-be-released-on-parole/7688816>>.

⁶³ Khoury, above n 2.

5.1.4 VICTORIA

Victoria has a program of Muslim prison chaplaincy run by the Islamic Council of Victoria, which has been widely referenced in media and academia.⁶⁴ It aims to:

- 1) Provide opportunities for religious worship and instruction
- 2) Religious advice and counselling
- 3) Advocacy on religious matters
- 4) Referral to other relevant support agencies⁶⁵

5.1.5 PRISM

The Proactive Integrated Support Model (PRISM) is a federally funded initiative currently in use in the NSW and Victorian jurisdictions. The PRISM framework attempts to help inmates move away from radical extremism and re-engage with the community once attitudes and beliefs of religious interpretations have been changed.⁶⁶ Under this program authorities are supposedly trained “to generically allow those that have done the program to identify signs of radicalised behaviour”⁶⁷ in prisoners and pass on that information to specific departments in order to assess, monitor, and act to rehabilitate individuals.

Because current Australian de-radicalisation programs are not producing the desired outcomes, it is necessary to look to international jurisdictions⁶⁸ and to consider newer, more innovative approaches that address the social roots of radicalisation. NSW Corrective Services Commissioner Peter Severin believes that implementing such programs would be a preventative measure taken before the release of offenders into the community. This was especially emphasised in the case of apparently radicalised Ahmed Elomar who was released on parole not having undergone the PRISM program, which Severin condoned. In a statement he said, “In my view, it would be beneficial for Elomar to complete this program before his release.”⁶⁹

5.2 PROGRAMS IN OVERSEAS JURISDICTIONS

5.2.1 GENERAL

Established de-radicalisation programs around the world address the de-radicalisation challenge through a “combination of education, vocational training, religious dialogue, and post-release programs that help detainees reintegrate into society”.⁷⁰ However, the approach must differ on a country-to-country basis, tailored to the

⁶⁴ Rachel Olding, ‘The multi-million dollar de-radicalisation business’ *The Sydney Morning Herald* (online) 12 February 2016 <<http://www.smh.com.au/national/the-multimillion-dollar-de-radicalisation-business-20160212-gmske3.html>>.

⁶⁵ Islamic Council of Victoria, *Prison Chaplaincy* <<http://www.icv.org.au/services/prison-chaplaincy/>>.

⁶⁶ Khoury, above n 2.

⁶⁷ Parliament of New South Wales, above n 3.

⁶⁸ Ibid.

⁶⁹ Kelly Cobiella, ‘Denmark De-Radicalization Program Aims to Reintegrate, Not Condemn’ *NBS News* (online) 24 May 2015 <<http://www.nbcnews.com/storyline/isis-terror/denmark-de-radicalization-n355346>>.

⁷⁰ Marisa L. Porges and Jessica Stern, ‘Getting Deradicalization Right’ *Foreign Affairs* (online) May 2010 <<https://www.foreignaffairs.com/articles/persian-gulf/2010-05-01/getting-deradicalization-right>>.

specific socio-political, cultural and religious climate. In secular countries, specifically where “limited capability and credibility constrain authorities’ ability to influence ideology”,⁷¹ considerations of religious engagement are important. Alternatively, in countries where religious dialogue has been a primary element, focus on “behaviour-focused components, such as education, vocational instruction, and post-release reintegration effort” is essential.⁷²

5.2.2 DENMARK

5.2.2.1 Aarhus Model

The Aarhus model, named for the town in which it was developed, is a community program that works to de-radicalise would-be foreign fighters. Implemented by the Aarhus Municipality in conjunction with the East Jutland Police, the program offers young people at risk of travelling overseas and those recently returned from war zones the opportunity to reintegrate rather than face punishment. Danish authorities provide them with housing, healthcare, assistance finishing school and seeking employment, as well as a mentor.⁷³

The program advocates a soft (i.e. prevention) approach that relies on strong community networks and communication between teachers, counsellors, parents, and police. Concerned members of the public may report at-risk youth, and police in turn contact an imam to reach out to the individual concerned. In 2012, the program was expanded to include adult citizens in Aarhus.

The measure of success for the program is how many individuals leave to become foreign fighters; over the period 2013-2015, the number of people travelling from Aarhus to fight dropped from 31 to 1.⁷⁴ Although this is not a prison program this provides a program, which has effective results in reducing recidivism, and could be used as a model for rehabilitation in prisons.

5.2.2.2 Back on Track

The Ministry of Social Affairs and Integration developed Denmark’s de-radicalisation program “Back on Track” in partnership with the Danish Prison and Probation Service. Running from 2011 to 2014 as a pilot, it was a mentorship-based program that targeted inmates convicted of terrorism offences, involved in hate crimes, or who were vulnerable to left wing, right-wing, or religious extremism. It aimed primarily to discourage inmates from having a negative influence on one another.

Mentors were sourced from a wide variety of professional fields, including social workers, prison staff, police, and lawyers, emphasising the need for a diverse

⁷¹ Ibid.

⁷² Ibid.

⁷³ Cobiella, above n 9; City of Aarhus, above n 7.

⁷⁴ Cobiella, above n 9.

approach to de-radicalisation. They acted as role models to encourage and support inmates to engage in alternative and more positive networks, and to maintain law-abiding behaviour and avoid extremist environments post-release.^{75 76} Mentors were also trained to teach their mentees conflict management and conversation techniques that would better enable them to handle everyday situations and problems. Encouraging positive relationships with family and social networks were also considered important components of the program, as they provide the basis for long-term support once an inmate is released.⁷⁷

The experiences from the Back on Track pilot program were incorporated into the expansion of the Danish Prison and Probation Service's mentoring scheme, which targets individuals designated as 'special risks' for their relation to extremism.⁷⁸ Australia's acceptance of this mode of online counselling and de-radicalisation programs within prisons would mean the embrace of multimodal communication platforms that combine text, sound and image as part of their rehabilitation programs.

5.2.3 IRAQ [ADMINISTERED BY THE US]

The U.S. program in Iraq has been probably the most extensive, involving 26,000 detainees.⁷⁹ Modelled after the Saudi program, it includes religious de-radicalisation coupled with vocational training; civic education; art programs; family, tribe and community engagement; counselling and medical (physical and mental) treatment; and job placement. Over 18,000 detainees have been released through this program.

5.2.4 UNITED KINGDOM

De-radicalisation process has been an integral part of the UK counterterrorism effort since the aftermath of 9/11 when radicalised individuals driven violent jihadism were convicted. Within the prison system, this has led to the creation of a training program that 'uses behavioural and theological interventions with extremist offenders or those vulnerable to extremist views.'⁸⁰ Individuals who become deradicalised and disengaged from a terrorist group through the form of a formal program allows individuals to realise and reflect upon their disillusionment. In most instances, it is highly likely that individuals will then proceed to actively assist in the defeat of their former comrades.⁸¹

⁷⁵ Judy Kom, 'Back on Track – Ministry of Social Affairs and Integration Department of the Prison and Probation Service' [2014] *European Network of Deradicalisation* 1.

⁷⁶ Ibid

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Arle Kruglanski et al, 'Detainee Deradicalization: A Challenge for Psychological Science' (2010) 23(1) *Observer* 1.

⁸⁰ Christian Turner (2014), Speech of British High Commissioner to Kenya, Counter Violent Extremism – "Communities beat terrorism," 2014, <<https://www.gov.uk/government/speeches/counter-violent-extremism-communitiesbeat-terrorism>>.

⁸¹ Lindsay Clutterbuck. 'Deradicalization Programs and Counterterrorism: A Perspective on the Challenges and Benefits', <<http://www.mei.edu/sites/default/files/Clutterbuck.pdf>>.

5.2.5 PAKISTAN

The army-supported Pakistan de-radicalisation program focuses on community re-integration.⁸² It creates direct links between participants and the community, the latter often providing mentorship or jobs. Addressing ideological concerns is not enough; the army recognises that adolescents, and young boys in particular, need to be provided with opportunities to make direct, meaningful contributions to society if they are to disengage long term from terrorism. A vital part of this is vocational training, which can help them obtain a job. This program in relation to online services within prisons could provide a necessary step from the rehabilitation provided in cells. The prisoners could use their skills and contacts learned through the online deradicalisation service and then apply it in a supportive community environment.

In contrast, public support for social-oriented de-radicalisation programs in many Western countries is non-existent, where the tide of public opinion more heavily favours imprisonment. Former Australian Prime Minister Tony Abbott promised that foreign fighters returning to Australia were guaranteed to face detention. In Belgium, Fouad Belkacem was sentenced to 12 years for helping arrange travel to Syria for young Belgians; while in Britain, foreign fighters returning from prohibited war zones such as Syria are likely to face treason charges or even a life sentence.⁸³

5.2.6 SAUDI ARABIA

Early program evaluation of Saudi Arabia's custodial-based de-radicalisation program reported a 100 percent success rate.⁸⁴ This figure was later retracted and amended to an 80-90 percent success rate.⁸⁵ Of the literature that seeks to offer a comparative evaluation of the current international de-radicalisation programs, Saudi Arabia is frequently portrayed as the most successful.⁸⁶ Its main point of difference is offered through its focus on changing the behaviour of convicted terrorist offenders as opposed to focusing on their ideological departure from radical Islam.⁸⁷ This change in behaviour is collectively referred to as disengagement.⁸⁸ Disengagement unlike de-radicalisation focuses solely on facilitating efforts that seeks to disengage individuals from the justifications that warrant using violence to bring about social and or political change.⁸⁹ Such a shift in behaviour often means that individuals who subscribe to using violence can still uphold radical views.⁹⁰

⁸² John Horgan (2015) 'De-radicalization programs offer hope in countering terrorism' *Los Angeles Time* (online) 3 February 2015 <<http://www.latimes.com/opinion/op-ed/la-oe-0215-horgan-terrorist-deradicalization-20150215-story.html>>.

⁸³ Ibid.

⁸⁴ Jason-Leigh Striegher, 'The de-radicalisation of terrorists' (2013) 1(1) *Salus Journal* 30.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

5.2.7 UNITED NATIONS OFFICE ON DRUGS AND CRIME

Given the ease with which communication and physical movement across different jurisdictions occurs, the security threat posed by violent extremist groups is increasingly prevalent. Consequently, the United Nations Office on Drugs and Crime (UNODC) has recently enhanced its role in providing advisory support for member states in managing violent extremist prisoners (VEP)⁹¹ with the aim of promoting de-radicalisation and thus deterring the propensity of recidivism. Additionally, the UNODC revised the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) in order to promote a universal standard for practices pertaining to the detention of VEPs. As such, the UNODC aims to divert the focus on punishment to establishing alternatives based on an individualised system of assessment, clarification and treatment of prisoners. This was manifest in its Sahel Programme which, with the support from Denmark, provided reintegration support for what it considered high risk detainees.⁹² With 186 activities implemented so far, UNODC has reached more than 5,700 direct beneficiaries and generated concrete results across the region.⁹³

⁹¹ UNODC, *UNODC tackles radicalization to violence in prisons* (7 February 2016) United Nations Office on Drugs and Crime <<https://www.unodc.org/unodc/en/frontpage/2016/January/unodc-tackles-radicalization-to-violence-in-prisons.html>>.

⁹² UNODC, *UNODC promotes de-radicalisation and reintegration for high risk detainees and suspected terrorists* (2016) United Nations Office on Drugs and Crime <<https://www.unodc.org/westandcentralafrica/en/niger---prisoner-deradicalization-and-reintegration.html>>.

⁹³ UNODC, *Sahel strategy against crime and terrorism shows latest results* (3 February 2016) United Nations Office on Drugs and Crime <<https://www.unodc.org/unodc/en/frontpage/2016/February/sahel-strategy-against-crime-and-terrorism-shows-latest-results.html>>.

6.0 EFFECTIVENESS OF DE-RADICALISATION PROGRAMS

6.1 INSTITUTE FOR THE STUDY OF ASYMMETRIC CONFLICT

- Politicised notions of total victory, where adversaries suffer an unambiguous and comprehensive defeat, do not “readily apply to asymmetric conflicts involved in insurgencies and terrorism”⁹⁴
- Terrorism experts agree that terrorists represent a tip of an iceberg, “an apex of a pyramid at the base of which are the supporters, or co-subscribers to the ideology.”

6.2 PRISONS AND TERRORISM: ICSR REPORT

- Strategies of collective disengagement are not applicable to Australia due to the small number of radicalised individuals.

Key elements of effective individual de-radicalisation programs:

- i. A diverse range of programming (i.e. combining ideological/religious re-education and vocation training)
- ii. Credible interlocutors, who can relate to prisoners’ personal and psychological needs;
- iii. Emphasis on prisoners’ transition back into mainstream society, typically by providing them with the means for a new beginning and by establishing social networks away from extremism;
- iv. Locking prisoners into multiple commitments/obligations towards family, community and the state;
- v. Material inducements.

The report makes the important point that ‘individual de-radicalisation and disengagement programmes show that prisons are not just about locking people away, but, that they can make a real and positive contribution to tackling problems of radicalisation and terrorism in society as a whole.’⁹⁵ By providing these sort of programs within prison cells it turns them into a positive role in tackling the problems of radicalisation, as the support services are readily available and personals to each prisoner.

⁹⁴ Arie Kruglanski et al, ‘Aspects of Deradicalization’, *ISAC Institute for the Study of Asymmetric Conflict* <<http://www.asymmetricconflict.org/articles/aspects-of-deradicalization/>>.

⁹⁵ Peter Neumann, ‘Prison and Terrorism Radicalisation and De-radicalisation in 15 Countries’ [2010] *The International Centre for the Study of Radicalisation and Political Violence* 1.

6.3 EFFECTIVENESS OF NEW PRISM PROGRAM IN AUSTRALIA

The PRISM program, a federally funded initiative instituted in February 2016, is still in its infancy, and there is no good practice regarding the de-radicalisation of individuals. This program needs to be closely watched and reviewed to ensure that it is achieving the results that it seeks to.⁹⁶ It is mainly based on early identification and attempts to change the ideology of the prisoners, making it different to the Saudi Arabian approach, which emphasises behavioural change rather than a prisoner's perceived radical ideology.

6.3.1 PRISM IN RELATION TO INTERNATIONAL JURISDICTION PROGRAMS

The minimal clarity surrounding the concept and implementation of the PRISM program means that it is not as widely revered as those in some of the international jurisdictions mentioned. Furthermore, there is a need to look towards other de-radicalisation practices overseas and in other jurisdictions in order to ensure that the PRISM program is as effective as it can be.⁹⁷

⁹⁶ Parliament of New South Wales, above n 3.

⁹⁷ Parliament of New South Wales, above n 3.

7.0 CONCLUSION

The prison environment is fertile ground for radicalisation, where both mingling in overcrowded cells and solitary confinement produce the same frustration and negative emotion that feed extremist thinking. Existing Australian de-radicalisation programs, including PRISM, appear to focus exclusively on reforming an individual's beliefs, and neglect the social reasons, which lead them to support or join a terrorist organisation. More worryingly, recent legislative efforts by the government to indefinitely detain terrorist offenders even after serving their sentence suggests a national gravitation towards continued incarceration over improving rehabilitative efforts.

This is where we should look to and learn from international de-radicalisation programs. Among the lessons to be drawn from Denmark's Arhaus program is the clear fact that an individual's affective environment should be given equal weight to their beliefs in the de-radicalisation process. In reality, such a complex process cannot be reduced to a single factor, whether that be ideological retraining or behavioural change in the case of Islamist extremism. A *variety* of methods targeting the many social, political, and psychological factors in radicalisation has a greater chance of succeeding. Not only this, but as Pakistan's de-radicalisation program suggests, it is vital that offenders are exposed to positive and constructive influences in their community so that they may develop a strong sense of belonging to ensure long term disengagement.

Computers in cells could effectively provide many positive influences in one device, with potential to allow communication with trusted family members and friends, the use of online counselling, and the delivery of online courses that will equip offenders with the skills necessary to seek and gain stable employment post-release. Well-designed online programs can address multiple causes of radicalisation and assist in the overall rehabilitative philosophy around which prisons operate. They avoid "one size fits all" approaches such as solitary confinement, by mixing social contact and self-directed learning that better prepares an inmate for re-integration into society.

Any argument that the value of using computers in cells to provide online programs remains unproven is countered by programs in New Zealand and ACT prisons that provide selected online services to prisoners, demonstrating it is possible for inmates to have safe access to computers that allows them to make the most of what is an otherwise unproductive period in their lives. NSW prisons should take after the excellent examples set within the country and by our neighbours, and install computers in cells as soon as possible.