

# Australian Correctional Management Practices for Terrorist Prisoners

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## ABSTRACT

Management practices for incarcerated terrorists is an important counterterrorism policy consideration. Moreover, there is a misconception that once incarcerated, terrorists cease to be a risk. If correctional management regimes are implemented poorly, terrorist prisoners may be afforded the opportunity to remain active while incarcerated, including the recruitment of other prisoners, and the planning of future attacks. Equally, they may be viewed as role models or martyrs for sympathisers to aspire to. Despite the magnitude of the consequences, there is no agreed approach to managing Australian terrorist prisoners. As such, a dichotomy of dominant models has emerged; that is, to either segregate terrorist prisoners, or conversely, to disperse them throughout the wider prisoner population. Each strategy presents its own set of benefits and risks. This paper compares the management practices for terrorist prisoners in the states of New South Wales and Victoria to determine the strengths and vulnerabilities of each of these approaches. The paper concludes that policy-makers should consider reassessing current strategies. It suggests that a focus that extends the immediate containment considerations to encompass post-release factors would bring benefits for society.

**Keywords:** prison security, prisoner management, terrorism offences, Australia

## INTRODUCTION

Methods of effectively managing terrorist prisoners<sup>1</sup> is an area of continuous debate within corrections. Although incarcerated for their criminal acts, they differ from conventional criminals. While the focus for mainstream offenders was on addressing the criminogenic factors that contributed to their offending behaviour; the focus for terrorist offenders was on their ideological motivation which was often considered to be altruistic. Accordingly, imprisoned terrorists “...view themselves as political/religious activists rather than criminals” (Community Justice Coalition [CJC], 2016: 8). As such, it is argued that terrorist prisoners are managed, based on who they are rather than what they have done.

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This paper posits that conditions of confinement can influence the likelihood of continued commitment to, and further involvement in terrorist activity post-release. Consistent with the argument that "...a reduction of recidivism rates is the primary goal of all government policies relating to prisons" (CJC, 2016:10), focus must extend beyond the immediate security and containment considerations to encompass effective reintegration support following their release from custody. Therefore, correctional policies and practices in the Australian states of New South Wales and Victoria were analysed to compare each approach respectively. From this, a cause-and-effect assessment was developed that identified the areas of significance for each approach, along with the resultant behavioural outcomes.

### MANAGEMENT MODELS

Management practices for terrorist prisoners remain an important consideration in counterterrorism initiatives (Copley, 2002). In addition, there is a misconception that once incarcerated, terrorists ceased to present a risk (Warnes & Hannah, 2008). If management practices are implemented poorly, terrorist prisoners could be afforded the opportunity to remain active while incarcerated (Copley, 2002; Jones & Morales, 2012). Further, the mistreatment or victimisation of terrorist prisoners, whether perceived or actual, through overzealous management regimes may also act to support the internalised grievance or sense of injustice that had initially served to motivate these offenders (CJC, 2016; Department of Prime Minister and Cabinet, 2010; United Nations Office of Drugs and Crime [UNODC], 2016).

Likewise, imprisonment presented the potential to transform terrorists into "...iconographic symbols for followers on the outside" (Copley, 2002: 10). This could act to enhance the status of terrorist prisoners in the eyes of impressionable sympathisers (Porter & Kebbell, 2011; Silke, 2014; Veldhuis, 2016), which is now reportedly being observed among incarcerated terrorists in some Australian correctional facilities (Stewart & Maley, 2015; Toohey, 2014).

Despite the magnitude of the consequences, there was no agreed approach to managing terrorist prisoners (Jones & Morales, 2012; Veldhuis, 2016). Prison administrators have found it necessary to balance the risks of avoiding special treatment against impeding their ability to remain actively involved in terrorist activity (UNODC, 2016; Veldhuis, 2016; Warnes & Hannah, 2008). Current management practices, while diverse in their specific detail, constituted a well-

defined dichotomy, namely separation (also referred to as concentration) and dispersal (also referred to as integration) (Jones & Morales, 2012; Neumann, 2010; Penal Reform International, 2015; Veldhuis, 2016) and each approach presented its own set of risks and benefits.

### **Separation Regimes**

Separation entails the clustering of terrorist prisoners within the same facility and could be further divided into the sub-categories of segregation and isolation (Neumann, 2010; Silke, 2014; Veldhuis, 2016). Segregation refers to the removal from the mainstream prisoner population however a limited degree of interaction among the segregated population was permitted while isolation prevented all peer interaction (Neumann, 2010; Silke, 2014).

The objective of this approach is to create an interpersonal barrier between terrorist and non-terrorist prisoners (Veldhuis, 2016), and thus reduce the degree of influence that terrorist prisoners could exert over impressionable peers and sympathisers. Arguably, this comes at the expense of creating an environment that is conducive to peer reinforcement of their terrorist ideology (Copley, 2002; Kennedy, 2008; Veldhuis, 2016) and confirmation of the perceived status derived from their identity as a terrorist (Copley, 2002; Porter & Kebbell, 2011).

### **Dispersal Regimes**

Dispersion refers to the distribution of terrorist prisoners throughout the prison population (Jones & Morales, 2012; Neumann, 2010). Silke (2014: 246) identified the benefits of this approach as being to, "...encourage dissent within the terrorist organisation..." and diminish the influence that terrorist prisoners exert by making them a minority within the wider prisoner population (Bucci & Bachelard, 2015; Toohey, 2014; Veldhuis, 2016). However, this is achieved at the expense of free interaction between terrorist and non-terrorist prisoners and as such, offers greater opportunity for incarcerated terrorists to proselytise (Copley, 2002; Neumann, 2010; Stewart & Maley, 2015).

## **AUSTRALIAN PERSPECTIVES**

In Australia, the management of terrorist prisoners is primarily governed by the *National Custodial Management Guidelines for the Management of Inmates/Prisoners Deemed to Present a Special Risk to National Security* (NSW Parliament. Record of Proceedings, June 8, 2005: 16553) and the administration of those guidelines was delegated to each respective state. Alternately, the

benchmark policy, *The Standard Guidelines for Corrections in Australia*, made no specific reference to the management of terrorist prisoners. It did however, offer direction for the management of high risk inmates by stating:

There are occasions where the risk profiles of particular persons in custody require additional components for their effective management. Consequently, an appropriate management regime should be developed and implemented to ensure the ongoing management and good order of the prison is preserved (Australian Institute of Criminology, 2012: 36).

This recommendation aligns with findings by Veldhuis (2016: 2), which gave preference to "...a 'security first' approach which was geared toward achieving immediate control and risk management often at the expense of prisoner rights or longer-term considerations such as reintegration." It is consistent with evidence that some Australian jurisdictions had favoured such an approach with the objective of preventing the proliferation of extremist propaganda throughout the prison population (Jones & Morales, 2012; Stewart & Maley, 2015), and maintaining a high-degree of control over this prisoner group through the implementation of highly restrictive management regimes (Banks, 2016; Bashan & Silimalis, 2015).

Arguably, the security focus has driven the creation of specialised accommodation units (informally referred to as *Supermax*) such as the *Olearia Wing* at Barwon Prison in Victoria and the *High-Risk Management Correctional Centre (HRMCC)*<sup>2</sup> at Goulburn Prison in New South Wales (NSW Parliament, 2006, White., 2016). The assignment of a special status demanded the implementation of special management approaches for prisoners convicted of terrorism-related offences (Corrections Victoria, 2015a; Corrective Services NSW [CSNSW], 2015; Spaccavento, Dowel, & Quilkey, 2008).

Consideration was given to the legislative environment governing the management of terrorist offenders in Australia, which could be said to be in a perpetual state of enhancement. For example, the introduction of mandatory imprisonment for returning foreign fighters (see *Counter-Terrorism Legislation Amendment (Foreign Fighters) Act, 2014* (Cth)) will undoubtedly result in an elevated front-end demand for correctional administrators. The provision to indefinitely detain convicted terrorists who are considered to present a continued risk to national security will further contribute to administrative system pressure (see *Criminal Code Amendment (High Risk Terrorist Offenders) Act, 2016* (Cth)).

To demonstrate, it was reported that this legislation would initially likely apply to nine inmates in New South Wales and four in Victoria who were convicted of Commonwealth terrorism offences. However, with time, it may be applied to a further twenty-three current prisoners in New South Wales, eleven in Victoria, and two in Queensland (Hutchens, 2016). Accordingly, Community Justice Coalition (2016: 30) asserted that “...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,” which demonstrated a preference for a punitive approach over one that featured rehabilitation.

Notwithstanding these legislative, operational, and administrative considerations, correctional administrators in New South Wales and Victoria have implemented contrasting management strategies (Jones, 2016). New South Wales favoured segregation, which observed the clustering of terrorist prisoners in special facilities (NSW Parliament, 2016). Victoria preferred a dispersal strategy whereby terrorists were distributed across the prison system and only segregated if they represented a specific risk (Bucci & Bachelard, 2015; Jones, 2016).

### **Administrative Approaches**

The primary administrative consideration in prisoner management was the prisoner classification system. During a 2006 Parliamentary inquiry, the then-NSW Commissioner Woodham explained the significance as “...the security of a prison is not barb, tape and towers: It is the classification system. If you get that right you are as good as you are ever going to be” (NSW Parliament, 2006: 29), and it was ultimately concluded during that enquiry that “...an effective classification system is fundamental to the security of a correctional system” (NSW Parliament, 2006: 29). Corrections Victoria reported that, “...the assessment and classification of prisoners is critical for the security, safety and well-being of prisoners and a pivotal process in the smooth operation of the prison system” (Victorian Ombudsman, 2006: 73).

#### *New South Wales*

In New South Wales, the classification of terrorist inmates was informed through application of the *Violent Extremist Risk Assessment—Version 2* (VERA 2), which was applied in conjunction with generic offender assessment methods (NSW Department of Justice, 2014; Silke, 2014). This assessment graded the inmate against thirty-one criteria; twenty-five being risk factors and six protective factors.

These factors were separated into the categories of *Beliefs and Attitudes, Context and Intent, History and Capability* and *Commitment and Motivation* (Pressman & Flockton, 2012). Globally, the reliance on risk assessments in prisoner classification was increasing and served to “...impact sentencing, correctional classification, placements, program interventions and release determinations” (Silke, 2014: 144).

Notwithstanding the guidance provided by VERA 2, administrative practice evidently favoured segregation. This was observed through the assignment of *Category AA* (for males) and *Category 5* (for females) security ratings, which were specifically created for terrorism-related offenders and defined as:

...the category of inmates who, in the opinion of the Commissioner of CSNSW represent a special risk to national security (for example, because of a perceived risk that they may engage in, or incite other persons to engage in, terrorist activities) and should at all times be confined in special facilities within a secure physical barrier that includes towers or electronic surveillance equipment (CSNSW, 2015, Section 12.3.2).

The Category AA and five security classifications were unique insomuch that they were arguably assigned based on the nature of the offence rather than on the identified level of risk. This contrasted with the remaining security classifications, which were risk-based and encompassed a variety of offence types (NSW Parliament, 2006, NSW Parliament, 2016).

Correctional administrators in New South Wales exercised the capacity to assign an additional security designation. Although independent, when defining the relationship between the security classification and security designation it was concluded that “... it is not possible to understand the management of high risk offenders by the Department without considering classification and designations together” (NSW Parliament, 2006: 27). As such, the combination could be argued to have enabled greater specification of the nature of risk presented by high-risk inmates.

Of relevance was that of the *National Security Interest Inmate* designation, which was created solely for terrorist offenders. This designation was assigned in circumstances that represented:

...[a] risk that the inmate may engage in, or incite other persons to engage in, activities that constitute a serious threat to the peace, order or good government of the State or any other place (Reg 15, Crimes (Administration of Sentences) Amendment (National Security Interest Inmates) Regulation, 2015 (NSW)).

Alternately, additional security designations, such as *Extreme High Security* and *Extreme High Risk Restricted* were assigned based on the level of risk to others or the threat posed to the “good order and security” of the correctional facility and could be imposed on any inmate who satisfied these criteria, including those convicted of terrorism related offences (CSNSW, 2015, Section 18.3.2).

This classification framework attracted criticism for being overly complex and confusing (NSW Parliament, 2006). The existing practice, which specifically defined terrorist offenders as a unique entity indicated that terrorist inmates were administratively segregated within the classification system. This arguably contributed to the development of the *terrorist identity* among inmates in New South Wales correctional facilities (Rubinsztein-Dunlop & Dredge, 2016). The existence of this identity was further detailed by Spaccavento et al. (2008) who reported that there was a reluctance to downgrade the security classification of a terrorist inmate due to safety concerns and asserted that:

...there is a real risk that a Category AA inmate, once so classified, will remain so classified regardless of his *actual* “special risk to national security”, contrary to the policy of applying the least restrictive security level appropriate to an inmate’s level of risk (Spaccavento et al., 2008: 1)

Notwithstanding these concerns, it was concluded that, “...persons charged with terrorist offences are regarded as representing a new and special risk to the security of the State, justifying a special security rating within the correctional system” (NSW Parliament, 2006: 50).

### *Victoria*

In contrast, the Victorian approach offered less distinction in its classification of terrorist prisoners and instead integrated this offender group into the existing prisoner classification process. Terrorism offences were assigned the highest score (7) on the offence severity scale which predisposed this prisoner group to being assigned the *A1* security rating (Corrections Victoria, 2016). This rating was defined as *High Security* (the highest security rating in the Victorian system).

Still, this rating was not exclusive to terrorist prisoners, but rather, was universally applied in circumstances “...where the prisoner poses a major threat to the physical safety of other prisoners or staff, or the good order and security of the prison” (Corrections Victoria, 2016: 3).

Consistent with New South Wales, Corrections Victoria also exercised the capacity to assign a risk-based designation in conjunction with the security rating, namely *Special Category Status* (Corrections Victoria, 2015a). Again, this designation was not exclusive to incarcerated terrorists. However, terrorist offenders were predisposed to Special Category status due to the definitional criteria for its assignment. This included cases where the prisoner “...has been sentenced to a minimum effective sentence of 10 years or more, or has been in custody for 10 years or more,” or where the case “...may be of special community interest,” or in instances where “...[the prisoner] requires special attention due to his/her need for intensive program support or high levels of supervision” (Corrections Victoria, 2015a: 3).

The Victorian approach favoured the principle of treating terrorist prisoners like any other serious offender. Furthermore, classification decisions resulted from actual levels of risk rather than the nature of the offences. In doing so, the opportunity was reduced for incarcerated terrorists to assume a terrorist identity because of their classification. The outcome was diminished status and even discredit within the prisoner population. This was considered an essential condition when viewed in conjunction with the operational practices that allowed for a greater level of interaction (when compared with New South Wales) between terrorist and non-terrorist prisoners.

## **Operational Practices**

### *New South Wales*

Category AA and Category 5 prisoners were predisposed to segregation by virtue of the requirement for such inmates to “...be confined in special facilities” (CSNSW, 2015, Section 12.3.2). Nevertheless, the nature of these facilities was not defined (Spaccavento et al., 2008). In practice, the segregation of Category AA inmates in the HRMCC was favoured (El-Said, 2015; NSW Parliament, 2016). This unit was designed to safely and securely house inmates:

...who have been assessed as posing a high risk to the safety of the community, correctional centre staff and/or other correctional centre inmates or present a serious threat to the security and good order of a



correctional centre and a serious threat of escape (NSW Parliament., 2006: 71).

Consistent with the ‘security first’ approach detailed by Veldhuis (2016), New South Wales posited that “The primary goals of the HRMU are security related, and the unit achieves its security objectives very well. It should also be made clear that this unit is not primarily a therapeutic unit...” (NSW Parliament, 2006: 67).

Inmates housed in the HRMCC were subjected to a tiered management regime whereby privileges were granted and withdrawn based on inmate behaviour (Banks, 2016; NSW Parliament, 2006). Association with other inmates was one such privilege and some tiers of the hierarchal management regime imposed a condition of complete social isolation whereby all peer association was disallowed. Other tiers allowed limited interaction with specified peers, however in all cases, free association with the general inmate population was prevented (NSW Parliament, 2006).

Arguably, parallels can be drawn between the objectives of the HRMCC and the *Terrorist Wing* concept presented by Veldhuis (2016). Then again, while the Terrorist Wing Model imposed an impermeable barrier between terrorist and non-terrorist prisoners (Veldhuis, 2016), the barrier within the HRMCC more aptly resembled that of semi-permeable. This was due to the placement of other high-risk non-terrorist inmates (such as escapees and gang leaders) in that same facility (NSW Parliament, 2016; Rubinsztein-Dunlop & Dredge, 2016; Sutton, 2017). This practice allowed for a degree of association between HRMCC inmates (NSW Parliament, 2006; Sutton, 2017) and presented the opportunity for non-terrorist inmates to become indoctrinated by their highly concentrated terrorist peers (Rubinsztein-Dunlop & Dredge, 2016; Sutton, 2017).

To rectify this vulnerability, a revised management approach was announced by CSNSW whereby terrorist inmates would be segregated from non-terrorist inmates through the creation of a dedicated terrorist wing within the HRMCC (O’Sullivan, 2017).

In practice, the most important benefit of segregation was observed in the removal of the most influential terrorist proselytisers from the general prison population (NSW Parliament, 2006, NSW Parliament, 2016). This restricted the ability of these inmates to use their terrorist identity to freely influence and recruit. Notwithstanding this, two convicted terrorists were progressed from the HRMCC

to the mainstream prisoner population after having their security classifications downgraded in early 2016 (Harris & Phelps, 2016). This supported the assertion that a predisposition to segregated confinement was not absolute and challenged the concerns expressed by Spaccavento et al. (2008) that Category AA inmates would remain so classified regardless. It was compliant with the human rights practice of applying the least restrictive security classification commensurate with the identified level of risk (UNODC, 2016).

Consistent with the subject literature, the segregation of terrorists in the HRMCC was reported to create conditions conducive to peer reinforcement of terrorist ideologies among the segregated cohort (Banks, 2016; Rubinsztein-Dunlop & Dredge, 2016; Sutton, 2017). This enabled a strengthening of their terrorist identity (Rubinsztein-Dunlop & Dredge, 2016), and reports of the indoctrination of non-terrorist inmates (Harris & Phelps, 2016; Schliebs, 2016).

Internationally, this approach attracted criticism because “...the concentration policy, probably as a result of fear-based pressures in the decision-making context, is based on exaggerated risk assessments and flawed assumptions about the nature and degree of prisoner radicalization and how it can be countered” (Veldhuis, 2016: 6), and was described in the Australian context as “...problematic and probably counter-productive” (Jones, 2016: Para 1).

Arguably, the shortcomings of segregation were evidenced in the cases involving Khaled Sharrouf and Guy Staines who, following their release from prison, were reported to have travelled to Syria to become foreign terrorist fighters with *Islamic State* (IS) (Info Ops HQ, 2016; Schliebs, 2016).

### *Victoria*

Management strategies in Victoria mirrored that of New South Wales with *Operation Pendennis* defendants being segregated in the high security *Acacia Unit* at Barwon Prison (Carlton & McCulloch, 2008). This practice attracted criticism from the judiciary and resulted in a benchmark ruling by Victorian Supreme Court Justice Bongiorno (see *R v Benbrika and Ors*, Ruling No. 20), who defined the relationship between highly restrictive conditions of confinement and the defendant’s diminished ability to receive a fair trial. This resulted in all the accused being transferred to an alternate facility for the duration of their proceedings (Carlton & McCulloch, 2008).

More recently, and in contrast with earlier practice, Corrections Victoria adopted a dispersal model where terrorist prisoners were distributed across several prisons (El-Said, 2015; Jones, 2016). An objective of this strategy was to reduce their collective influence (Bucci & Bachelard, 2015). The benefit was observed in the diminished standing that terrorist prisoners had in the general prisoner population (Bucci & Bachelard, 2015; Stewart & Maley, 2015). This included "...weakening the narrative...that Muslims had to rise-up against a justice system that was inherently against them" (Bucci & Bachelard, 2015: Para 10).

While provision existed to segregate problematic prisoners, this was not considered a long-term option and focus remained on management strategies to facilitate the prisoners' return to a mainstream placement (Corrections Victoria, 2014). National guidelines recommended that "...restrictions placed on high risk prisoners should be no more than are necessary to maintain safety and security based on an individual assessment of the prisoners' risk(s)" (AIC, 2012: 36). Consistent with this recommendation, Corrections Victoria (2015b: 14) asserted "...the effective management of this group of [segregated] prisoners is an ongoing process of negotiating a balance between competing requirements – control and necessary restrictions versus rehabilitation and meaningful activity."

In practice, Abdul Nacer Benbrika was identified as being one of the most visited prisoners in Victoria (Stewart & Maley, 2015). Furthermore, several Benbrika's visitors were considered to have travelled to foreign conflict zones and engaged as foreign fighters after visiting and being inspired by him (Dowsley, 2016; Info Ops HQ, 2016). This reportedly resulted in Benbrika's transfer from Port Phillip Prison to Barwon Prison's Acacia Unit in late 2015 to disrupt his influence and followed further reports that he was proselytising within the prison (Bucci & Bachelard, 2015; Dowsley, 2016; Info Ops HQ, 2016). This demonstrated a key vulnerability of the dispersion strategy. That being, that higher levels of peer contact enabled influential figures, such as Benbrika, to freely act as a propagandist.

### **De-Radicalisation Programs**

Therapeutic programs were, arguably, at the forefront of de-radicalisation initiatives, both in prisons and in the community and were considered to be a significant component in offender rehabilitation (AIC, 2012, Victorian Ombudsman, 2015). Notwithstanding the potential long-term benefit of such programs, Australian de-radicalisation initiatives were described as modest (El-

Said, 2015), and the Community Justice Coalition (2016: 21) reported that "...targeted de-radicalisation programs, however, in Australian prisons appear rare," with a systemic preference for punitive options that "...may simply serve to entrench anti-authoritarian and extremist belief" (CJC, 2016: 22). This supported the proposition that the "safety first" approach was favoured despite Veldhuis (2016) having cautioned against it, and arguably, demonstrated a predisposition in favour of punitive responses while long-term rehabilitation appeared to be secondary.

### *New South Wales*

Initial responses by New South Wales were informal and included initiatives such as the *Muslim Chaplaincy Program* which aimed to "...contain radicalisation and [ascertain] how to engage with partner organisations to assist with the transition from custody to community" (Khoury, 2014: 1) and further "...to engage prisoners and reinforce acceptable beliefs and values" (Khoury, 2014: 2).

New South Wales implemented a more structured federally funded program (NSW Parliament, 2016). Namely the *Proactive Integrated Support Model* (PRISM), which was directed at prisoners who were identified as being at risk of radicalisation (CJC, 2016; Markson, 2016, NSW Parliament, 2016). This program focused on a combination of life skills and religious moderation (Andersen, 2016; NSW Parliament, 2016). This program reportedly did not encompass inmates who were charged or convicted of terrorist offences, nor was there an alternative program specifically for terrorist prisoners (Andersen, 2016; Markson, 2016). At the time of writing, no statistics pertaining to PRISM were available.

### *Victoria*

Corrections Victoria demonstrated an early interest in de-radicalisation programs (Akbarzadeh, 2013; El-Said, 2015; Brown, 2015; Dowsley, 2016), which evidently favoured offender rehabilitation over punitive responses (UNODC, 2016). The motivation to de-radicalise Victorian prisoners resulted in the implementation of the *Community Integration Support Programme* (CISP) (Akbarzadeh, 2013; El-Said, 2015). It was summarised that this initiative:

...is directed at Victorian-based Muslim offenders for terrorism related offences. The program provides Islamic awareness sessions to prisoners; re-integration support for those who are nearing release from prison; religious support and mentoring; and post release, re-integration

individual and group social support including family support where appropriate. Continued participation in the program is mandated as part of released prisoners' parole conditions (Victoria Police, 2010 as cited in Akbarzadeh, 2013: 459).

The objective of this program was "...challenging radical ideas and correcting distorted views on jihad among convicted terrorists" (Akbarzadeh, 2013: 459). This approach extended beyond the period of incarceration to encompass community and family support post-release which is was specifically aimed at preventing a relapse to terrorism (Brown, 2015). Mid-2017 reports indicated that twenty-two current and former Victorian prisoners were engaged in this program (Houston & Donnelly, 2017). However, the future of CISP is uncertain with reports that the Islamic leadership has withdrawn its support for the program citing concerns that an over emphasis has been placed on Islamic radicalisation while neglecting right wing extremism (Le Grand & Urban, 2017).

In practice, the level of success experienced by de-radicalisation programs in Australian prisons was unclear (CJC, 2016; Khoury, 2014). The Victorian Ombudsman (2015: 5) concurred reporting more generally that "...although much research supports the proposition that programs can be effective in reducing recidivism, it is not possible to confidently state how effective any individual program is."

Prison de-radicalisation programs were broadly criticised for being incapable of achieving their objectives due to "...dealing with highly radicalised individuals..." who are "...in a confined environment where they are together and are reinforcing each other's views" (Andersen, 2016, Para 3,4). Akbarzadeh, (2013: 452) concurred reporting that "...the success of this approach, however, has been limited because it fails to take into account the full array of factors that contribute to radicalisation." The Community Justice Coalition echoed these concerns and asserted that the current approach "...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 a terrorist organisation" (CJC, 2016:19).

El-Said (2015) was critical of Australian de-radicalisation programs and argued that the role and influence of the offender's family in the de-radicalisation process had been completely neglected. This contrasted with the Saudi Arabian program that was reportedly yielding success rate of between eighty and ninety-eight percent (El-Said, 2015; Silke, 2014), although it was also argued that this

high success rate was due to cultural factors that were specific to the Saudi Arabian context (El-Said, 2015). Notwithstanding this, it was proposed that the Saudi approach represented a possible model for other countries' de-radicalisation programs. Though these adapting countries would have to embrace the Saudi cultural context to expect similar results (CJC, 2016; El-Said, 2015). For this to occur in Australia, the current predisposition for punitive management practices over rehabilitation would have to be reassessed.

## CONCLUSION

Management practices for incarcerated terrorists represent a dichotomy; namely to segregate from other prisoners or to disperse throughout the prison population. This paper investigated the contrasting approaches implemented in New South Wales and Victoria, which encompassed administrative procedures, operational practices and therapeutic programs within the custodial environment.

The prisoner classification system was identified as being potentially the most important factor in effective offender management for terrorists. This was observed through the potential to develop a terrorist identity, which afforded inflated status, and consequently, the ability to influence those who were vulnerable to terrorist propaganda.

New South Wales favoured a segregated approach, clustering terrorists in the state's high-risk management centre. But, the segregation of terrorists was potentially counterproductive to the goal of rehabilitation. This was further exacerbated by the cohabitation of high-risk terrorist and non-terrorist offenders. Conversely, Victoria preferred a dispersal model were terrorists were distributed across several prisons. The fears of widespread proselytising were arguably unfounded with such behaviour being limited primarily to one influential individual.

With reports that released terrorist prisoners, and those inspired by them, continue to seek to travel to foreign conflict zones to engage in terrorists training and activities, the objectives of offender rehabilitation are not being achieved. In view of this, policy-makers should consider reassessing current strategies. Focus should extend beyond the immediate containment considerations to encompass post-release factors. By doing so, the benefits for society would increase.

## NOTES

1. In New South Wales those incarcerated are referred to as *inmates*, while Victoria refers to them as *prisoners*. Therefore, the terms inmate and prisoner are used interchangeably in this paper.
2. The High-Risk Management Correctional Centre (HRMCC) was formerly named the High-Risk Management Unit (HRMU), and as such may be referred to as either dependent on the era of that reference.

## ACKNOWLEDGEMENT

I offer my sincere gratitude to Dr Clarke Jones for his valued feedback during the development of this paper.

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