

# The Counter-Terrorism and Security Act: Implications for Members working in the Prison and Probation System

## The Act

The Counter-Terrorism and Security Act 2015 has seven parts, of which Part 5 is of relevance to members of BACP.

Part 5 puts the Prevent strategy on a statutory footing, by placing a duty on specified authorities, in England, Wales and Scotland, to have due regard, when exercising their functions, to the need to prevent people from being radicalised and drawn into terrorism. The Prevent strategy, published by the government in 2011, is part of the UK's overall counter-terrorism strategy, CONTEST.

The Prevent strategy has three specific strategic objectives:

1. Respond to the ideological challenge of terrorism and the threat faced from those who promote it;
2. Prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support; and
3. Work with sectors and institutions where there are risks of radicalisation that need to be addressed.

All specified authorities identified within the Act also need to demonstrate an awareness and understanding of the risks of radicalisation within their area, institution or body. The three key themes identified by the government are:

1. Leadership
2. Working in Partnership
3. Staff Capabilities

## The seven Things to Know About the Prevent Duty (Times Education Supplement, 2015)

1. **Start with a risk assessment:** *Understanding how and why young people can be put at risk of radicalisation and extremism is crucial to accurate risk assessments.*
2. **Ensure robust policies and procedures are in place:** *As with any safeguarding area, systems and processes need to be robustly established, regularly reviewed and communicated so that staff know how to respond to identified risks.*
3. **Staff must be appropriately trained:** *Staff should be empowered through training to have an awareness of the Prevent strategy, how to identify someone at risk of radicalisation, how to respond to identified risks and what support is available.*
4. **IT access must be safe:** *Appropriate IT policies and safeguards must be implemented to protect freedom of speech and freedom to access online information, whilst protecting young people from extremist material.*
5. **Effort and compliance will be monitored**

6. **Knowledge is the key:** *Good communication of knowledge between staff, leadership and external agencies is crucial to the successful implementation of Prevent duty systems.*
7. **Support is available:** *Support is available, by building links with Local Prevent Coordinators, police counter-terrorism units, safeguarding boards and training providers, it will assist institutions in accessing the support they need.*

## **Specified Criminal Justice Authorities**

- Prison and Young Offender Institutions (YOI), including those contracted out
- The under-18 secure estate (under-18 YOI, secure training centres and secure care homes)
- Secure training centres
- National probation service
- Community rehabilitation companies

## **Prisons**

### **Preliminary Risk Assessment**

Upon entering a secure estate and within the initial risk assessment there should be an induction interview to establish any concerns there may be in relation to extremism. Additionally prisoners should have regular contact with trained staff who are capable of understanding the risk factors for radicalisation and being drawn into terrorism.

Information and intelligence sharing mechanisms should be established across the secure estate and partner agencies to assist in identifying whether extremism is an issue and to manage any behaviours of concern.

### **Ongoing Risk Assessment and Interventions**

Within a secure estate there should be ongoing assessment and evaluation of risk and identification and referral of appropriate interventions. If staff have concerns about someone being radicalised or drawn into terrorism, prison staff should report it through the intelligence reporting system, with all such reports being regularly assessed by specialist staff in conjunction with the police.

If concerns of radicalisation or terrorism are identified, then a secure estate should firstly look to support the individual by referring them to support programmes available, such as the Channel programme. This could also include mentoring from a relevant prison chaplain providing religious classes or guidance. Further actions to manage the risk could include reductions in privilege level, anti-bullying interventions, adjudication or segregation from the prison population, or it may be more appropriate to offer theological, motivational and behavioural interventions.

## **Staff Training**

All staff working within the secure estate should receive Prevent awareness training appropriate to their role and which has been tailored to the criminal justice environment.

## **Monitoring and Enforcement for Prisons**

Within the secure estate the Government expects compliance with the Prevent duty to be monitored and enforced internally through:

- Mandatory compliance with Prison Service Instructions and Orders, which define policy and best practice
- Regular internal assessment of the level of risk for radicalisation, extremism and being drawn into terrorism, via regional counter-terrorism co-ordinators.

## **Probation**

### **Partnerships**

All probation services are expected to comply with the Prevent duty.

### **Staff Training**

In recent years staff working within the probation service have received Prevent training, and in complying with the statutory duty moving forward it is expected that the probation service keep the existing training programmes for new staff and as a refresher for existing staff. Additionally, where new training programmes become available it is expected that the training programmes will be updated and expanded as appropriate.

Moving forward Prevent training should now be included within the Probation Qualification Framework, which is completed by all newly qualified probation staff.

### **Key Resources:**

*Prevent Duty Guidance for England and Wales -*

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/417943/Prevent\\_Duty\\_Guidance\\_England\\_Wales.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/417943/Prevent_Duty_Guidance_England_Wales.pdf) (Link accessed 12 August 2015)

Times Education Supplement - <https://www.tes.com/teaching-resource/7-things-schools-need-to-know-about-the-new-prevent-duty-11032731> (Link accessed 16th October 2015)