

How external factors drive organizational change. The Belgium experience



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The Belgian context: Houses of Justice

Before I go into the recent developments in Belgium on violent extremism, first a few words about the probation services in Belgium.

In 1999, the probation services in Belgium were reformed as part of the solution to restore faith in the Belgium Justice System after the Dutroux-crisis. These new probation services from then on were called Houses of Justice (Justitiehuisen / Maisons de justice / Justizhaus) and fell under the authority and structure of the Ministry of Justice (a federal matter). Beside the reform of the organizational structure, these 'houses of justice' were also created to introduce and maintain a human and scientific approach within the judicial landscape. The Houses of Justice focus on innovation and co-operation, act as a meeting place, a crossroad for ideas, and a guide for professionals and citizens who come in contact with the law.

The core tasks that were assigned to these houses of justice were (and still are): offender management, victim support and social studies in matters of family law. And next to bringing all of these different tasks together in one organization another innovative aspect was that they also had to provide information and frontline legal services to citizens, aiming at reducing the gap between the justice system and the people it serves.

To assure all of these different tasks, the Houses of Justice cooperate with several service providers to assure offender programmes, community work programmes, victim offender mediation etcetera.

In 2015, due to the sixth state reform of the Belgium state structure, the Houses of Justice became a regional instead of a federal matter. This means that the Flemish, the French and the German community each became responsible for their own probation service (Houses of Justice).

But violent extremists and foreign terrorist fighters don't care about state reforms, which minister is competent for what and how we call probation services in our three official state languages so let us take a look at how things evolved in Belgium when it comes to the current wave of violent extremism.

– BELGIAN CONTEXT

In 2012, Belgium was first confronted with individuals (Belgians and foreigners) leaving Belgium to fight against the regime of Bashar al-Assad. This wasn't immediately conceived as a major problem and was sometimes even regarded as a moral justifiable cause considering the increasing brutalities of the Assad regime against its own population.

But the rebellion against the Assad regime became more and more complex when a number of Islamic militant groups joined the battlefield. By the time the atrocities committed by Islamic State (IS) started reaching Europe via all kind of multimedia a relative large number of Belgian civilians had already left for Syria and were being recruited by IS or similar militant groups.

Since 2014 Europe was targeted by a number of IS-inspired or coordinated attacks. Since 2014 terrorist attacks took place in France, Germany, United Kingdom, Denmark, Sweden and Belgium.

On 24 May 2014 a former Syria-fighter, Mehdi Nemmouche (French national of Algerian origin) opened fire at the Jewish Museum of Belgium in Brussels, killing four people.

In January 2015 the increasing impact of the IS-ideology returning to Europe became clear after the Charlie Hebdo Shooting (7 January 2015).

A week after the Charlie Hedbo shooting the Belgian police rounded-up a terrorist cel in the South of Belgium (Verviers) planning an attack on a police station in Brussels. During the raid, two returned Syria-fighters opened fire and were killed by the police.

The sudden number of terrorist events linked to European civilians that returned from Syria made it very clear to European governments that civilians leaving to Syria were now becoming a threat for their home countries, bringing the terror to our front door.

The deadliest attacks were carried out by former Syria-fighters in France and Belgium took place on the 13th November 2015 in Paris (130 people died, 350 wounded) and on the 22nd March 2016 in Brussels (32 people died, 270 wounded).

- TIMELINE

In 2015 the Belgian government took a range of measure against terrorism, one of them was adding several terrorist offences in the penal code, for example the incrimination of attempts to leave Belgium to commit terrorist offences abroad (such as joining a terrorist movement abroad). Next to these legislative measures a lot of efforts were made by government institutions and local authorities to stop and to prevent people to leave for Syria. The numbers of Belgian civilians leaving for Syria show us that these efforts were successful.

Since 2015 the number of people leaving for Syria dropped significantly. We can see the numbers on the slide :

Belgian civilians leaving for Syria (numbers from our intelligence services):

- 2012: 50 (fifty)
- 2013: 159 (one hundred fifty nine)
- 2014: 142 (one hundred forty two)
- 2015: 74 (seventy four)
- 2016: 7 (seven)
- 2017: 5 (five)

– evolution Jihadi arrests and convictions

A recent Europol report shows that in 2016 about 65 arrests relating Jihadi terrorism were made in Belgium (72 arrests in 2014 and 61 arrests in 2015).

Member State	2014	2015	2016
Austria	2	29	26
Belgium	46	120	136
Denmark	13	1	8
Estonia	0	0	2
Finland	4	0	4
France	36	14	66
Germany	11	17	30
Greece	10	38	3
Hungary	0	0	2
Italy	4	0	11
Lithuania	4	1	1
Netherlands	5	18	42
Portugal	0	0	1
Slovenia	0	1	1
Spain	191	166	154
Sweden	0	2	4
United Kingdom	115	106	89*
Total	441	513	580

* The figures included in the UK submission to the TEOSAT differ from those reported by Eurojust. The UK submission included a figure of 68, consisting of 56 convictions and 12 acquittals. The TEOSAT is using the Eurojust figures for consistency.

Evolution of concluded court proceedings relating terrorist crimes

– IMPACT ON THE PROBATION SERVICES

Within our probation system we also experienced a growing number of cases relating terrorist crimes since 2015. In 2014 there was no question of cases relating to terrorist crimes, whereas in 2015 about 20 cases relating terrorist crimes were reported in the Flemish Houses of

Justice. In 2016¹ this number increased to 37 cases, 90 % of these cases were situated in the pre-trial stage. Since 2015, several large terrorism trials took place leading to numerous convictions for terrorist crimes. Most of these convicts are still in detention but will be liberated in the future leading to new cases for the probation services.

– COOPERATION

If the attacks made one thing very clear it is that there is a need to have an aligned approach among professionals.

A lesson that we learned very quick was that it's impossible for only one or two public services to prevent, manage and integrate extremist offenders.

This is the responsibility of numerous agencies and organizations such as police, probations services, intelligence services, housing associations, local authorities, employment agencies, social work agencies etcetera. The same remark was already made in the guidelines on radicalization by the Council of Europe. In the Council of Europe Handbook for prison and probation services regarding radicalization and violent extremism the multi-agency cooperation is also put forward in the chapter on managing rehabilitation.

– CO-OPERATION (VICTIM)

Our houses of justice are already experienced in working with partners when it comes to victim support and offender management. In cases relating to terrorist offences we see the need to expand and strengthen our network.

Our Judicial Victim Support services for example shared close collaborations with the Belgian Ministry of Foreign Affairs and foreign Embassies after the attacks because several victims had foreign nationalities.

¹ The registration system of the probation services was adapted in 2016 to be able to register case files related to terrorist offences.

An important advantage of our Judicial Victim Support services is that they have a public service status which allowed us to create a particular and privileged relationship with the judicial authorities. This also gives our probation officer the opportunity to play a connecting role, to be an intermediary between the victims and the authorities. This way the contacts between the victims and the judges are granted with an added value. The status of public service also facilitates information exchange with other public services and with judicial authorities.

Another important aspect for victims is compensation. The attacks created massive medical charges for a lot of victims. Compensation of these costs and damages recognize the harm that has been done and can be crucial to find some stability again. It isn't always clear for victims to whom they have to turn to be compensated. Our Victim Support services helped victims initiating contacts with compensation-specialised organisations and refers to the most appropriate services.

– CO-OPERATION (OFFENDER)

When it comes to offender management the importance of co-operation with other services has become even more obvious than before the attacks.

- One of the first new partnerships for our probation services was with the intelligence services. Before the attacks we didn't or rarely received a demand for information from our intelligence services. But after the attacks in Paris and Brussels it soon became clear that several terrorists had a criminal past and some of them also passed our probation services. The legal framework for this kind of information exchange was already present in our legal system but because of the growing demand we created a Protocol-agreement between the services on how information would be exchanged in the future.
- Also new legal frameworks on information-exchange with security and intelligence services were created after the Brussels attacks. For example the development of a joint database that collects information on foreign terrorist fighters. Innovative about this database is that next to police and intelligence services, prison and probation services were also given access to this database to assure a swift and complete

information exchange on foreign terrorist fighters. Access to the database is confidential so not every probation worker will have access to the database only employees with a security clearance. It shows a new mindset in the willingness to cooperate and exchange sensitive information.

- The prison system has always been a key partner for our probation services. Besides probation, the 3 communities are also competent and responsible for social aid and services during detention. Additional initiatives were taken to reinforce the work in prison. For example, in 2016 additional experts were recruited to work with radicalized inmates during detention. At this moment they are working with inmates who are suspected of terrorist offences or inmates who were already convicted for terrorist crimes. The experts reach out to them individually and try to make a connection again in order to set up a course (= trajet) giving them perspective during detention or aiming at their reintegration after detention. In order to ensure a swift handover during and after detention our department together with the prison system is working on a specific screenplay for radicalized inmates.
- As I mentioned before : prevention, management and reintegration of violent extremists isn't the responsibility of one or two agencies. It is a joint effort of numerous partners. The role of the local community cannot be underestimated in this regard. We cannot close our eyes for the reality that individuals attracted to extremist ideology have grown up in our local communities. They lost connection with their social environment and with the society they grew up in. If we want to get them back on board we must find and use hooks in their local reality to do this. Radicalization is a complex process with different push and pull factors for each individual. Therefore a tailor made approach is necessary to give a proper (= correct) response in each case.
- To achieve this, social preventive actors, security services, local authorities, probation services all have to work together. A policy letter send out to all local authorities in 2015 empowered a multi-agency approach at a local level. Gradually we see these kind of multi-agency meetings regarding radicalized individuals taking place in our local communities. This implies that these services at a certain point need to sit down

and talk to each other on who is doing what and how it's been done. During these meetings two large concerns of the participants that influence one another came on the radar: professional secrecy and information exchange. Most social services have a professional secrecy and are not comfortable sharing information about a client with people outside their organization as this violates their relationship of trust with the client. It is important to create a legal framework that makes this kind of multi-agency meetings and sharing of information possible without infringement of the identity of the different partners. Recently, Belgian legislation created a framework to legalize multi-agency work and the exchange of information in this field. The future development of this framework will clear the way for our probation services to work closer together with other partners.

- Finally, the tailor made approach has also been ratified in politics. A multi-ministerial committee has agreed to use a common definition to define the course that will be followed for those who are being considered as violent extremists. In the development of this course different areas of life have to be taken into account. For example psychological wellbeing, addiction care, education and employment, trauma- or specialized psychological care, addressing ideology ... Probation services are working to fill in this definition of "disengagement-process". This requires strengthening existing partnerships and exploring new co-operations with services that can assist in the divers areas of life aimed at. Addressing the violent extremist Islamic ideology is a good example where our probation services had to look for a new partner that can deliver these kind of interventions. To fill in this gap our department is now setting up a project with reliable islam-experts. We are eager to start up this cooperation and to find out the effects on our offender management.

In this kind of multi-agency setting it is important that every partner is aware of its particular role and the role of the other partners. The common goal should be security and re-integration, we believe that a multi-agency approach is the way to ensure a balanced follow-up where both concerns are tuned. We can say this multi-agency approach is still under construction, trust between different services is being build up gradually and the necessary legal framework is being adapted to make things work. We are confident that in the future

these developments can benefit our work not only in the field of responding to violent extremist offenders but in general when it comes to delivering a tailor made approach.

