

Council for Penological Co-operation (PC-CP)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods

Terms of Reference valid from: **1 January 2012 until 31 December 2013**

Main tasks	
<p>Under the supervision of the European Committee on Crime Problems (CDPC) and in relation with the implementation of the Programme of Activities concerning prisons and probation for 2012-2013, the PC-CP is instructed to:</p>	
<ul style="list-style-type: none">(i) follow the development of European prison systems and of the services concerned with the implementation of community sanctions and measures;(ii) assess the functioning and implementation of the European Prison Rules¹, the European Rules on community sanctions and measures², the European Rules for juvenile offenders subject to sanctions or measures³, the Council of Europe Probation Rules⁴ as well as of other relevant Committee of Ministers recommendations, and make proposals for improving their practical application and, if necessary, for their updating with a view to achieving coherence and comprehensiveness of the standards in the area;(iii) prepare binding and non-binding instruments and reports on penological matters;(iv) formulate opinions on penological matters at the request of the CDPC, of member states or on its own initiative;(v) prepare the Conferences of Directors of Prison Administration (CDAP) and Conferences of Directors of Probation Services and ensures their follow-up as instructed by the Committee of Ministers, and following proposals made by the CDPC;(vi) provide guidance and assistance with regard to the collection and publication of the Annual Penal Statistics of the Council of Europe SPACE I and SPACE II.	
Pillar / Sector / Programme	
Pillar:	Rule of Law
Sector:	Justice
Programme:	Prisons and Police
Expected results	
<ul style="list-style-type: none">(i) Assistance is provided to the national authorities to improve the conditions of detention and to more efficiently use probation sanctions and measures by following up on the implementation of the Council of Europe standards and by creating a platform for exchange of good practices;(ii) assistance is provided to the national authorities in the treatment of foreign offenders and in facilitation of the transfer of prisoners between states by agreeing on common minimum standards of treatment (adoption by the CM of the Recommendation on foreign prisoners and ensuring follow-up of its implementation);(iii) organising the 2012 and 2013 Conferences of Directors of Prison Administration (CDAP) and of Directors of Probation Services in order to improve the knowledge of the latest Council of Europe standards (European Code of Ethics for Prison Staff, to be examined and adopted by the Committee of Ministers in 2012) ;	

¹ CM Recommendation Rec(2006)2.

² CM Recommendation No. R (92)16.

³ CM Recommendation Rec(2008)11.

⁴ CM Recommendation Rec(2010)1.

- (iv) assisting prison and probation services in establishing and maintaining dialogue and co-operation with the judiciary and the legislative authorities in their respective countries on issues relating to the execution of sanctions and measures.

Composition

Members:

The PC-CP shall be composed of one representative per member state, designated by the Government of that state from among officials of the highest possible rank in the relevant field.

The PC-CP Working Group shall be composed of 9 members, elected by the CDPC in their personal capacity for a period of two years (renewable), with the following desirable qualifications: high-level representatives of prison administrations, of probation services and of juvenile justice agencies, researchers or other experts having a thorough knowledge of penological questions.

The Council of Europe will bear the travel and subsistence expenses of PC-CP and PC-CP Working Group members.

Member states may also send representatives to the meetings of the PC-CP Working Group without the right to vote or defrayal of expenses.

Participants:

The following may send representatives without the right to vote and at the charge of their corresponding administrative budgets:

- Parliamentary Assembly of the Council of Europe;
- Congress of Local and Regional Authorities of the Council of Europe;
- European Court of Human Rights;
- Council of Europe Commissioner for Human Rights;
- Conference of INGOs of the Council of Europe;
- European Committee on Crime Problems (CDPC);
- other Council of Europe intergovernmental committees as appropriate;
- European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT);
- other Council of Europe intergovernmental committees as appropriate.

The following may send representatives without the right to vote and without defrayal of expenses:

- European Union;
- United Nations Subcommittee on Prevention of Torture (SPT);
- United Nations Children's Fund (UNICEF).

Observers:

The following may send representatives without the right to vote and without defrayal of expenses:

- European Organisation for Probation (CEP);
- International Centre for Prison Studies ;
- Penal Reform International (PRI);
- International Association of Juvenile and Family Court Magistrates (IAJFCM).

External consultants:

In its work, the PC-CP shall be assisted, within the limits of its budgetary appropriations, by four scientific experts, two of whom collect SPACE statistics, with specific knowledge of relevant

legislation and legal practice, of international norms and conventions relating to penitentiary issues and community sanctions and measures, as well as of the European Convention on Human Rights and the ensuing case law and of recent developments in research and practice in the different European member states.

The Council of Europe budget will bear their travel and subsistence expenses.

Working methods

Working Group meetings:

9 members, 3 meetings in 2012, 3 days

9 members, 3 meetings in 2013, 3 days

Plenary meetings:

47 members, 1 meeting in 2012, 3 days

47 members, 1 meeting in 2013, 3 days

The Committee will also appoint a Gender Equality Rapporteur from amongst its members.

The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.