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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Council for Penological Co-operation
(PC-CP)

13th Meeting of the Working Group

Strasbourg, 26-28 September 2016

SUMMARY MEETING REPORT

**Document prepared by the Directorate General
Human Rights and Rule of Law**

EXECUTIVE SUMMARY

The PC-CP Working Group:

- Took note the opening address made by Jan Kleijssen, Director, Information Society and Action against Crime Directorate, DG Human Rights and Rule of Law. It took note in particular of the decision taken by the European Committee on Crime Problems (CDPC) after the 21st Conference of Directors of Prison and Probation Services (June 2016, Zaandam, the Netherlands) to entrust the PC-CP with the drafting of Guidelines for prison services related to children of imprisoned parents, as well as of the need to start work on restorative justice. It further took note of the holding of a meeting on radicalisation in November 2016. It also took note of the fact that CDPC and CODEXTER will start working on Guidelines on victims of terrorism;
- Took into consideration the information provided by Carlo Chiaromonte, Head of the Criminal Law division regarding the rest of the decisions taken at the last plenary meeting of the CDPC in June 2016 and in particular regarding the prison overcrowding, namely to set up a temporary sub-group of the CDPC in order to develop proposals for practical measures to be taken to ensure the implementation of the recommendations contained in the White Paper on prison overcrowding;
- Agreed with the proposal one or more of its members to take part in the work of the above sub-group;
- Took note of the fact that the CDPC plenary requested the PC-CP to speed up the drafting of the Handbook on Radicalisation and violent extremism so that it is adopted at the CDPC plenary in December 2016 and that before the start of the present meeting no written comments or proposals for amendments of the text were sent to the Secretariat by the CDPC national delegations;
- Took note of the presentation made by FARAPEJ (Federation of over 60 French Associations working in prisons called "Fédération des Associations Reflexion, Action, Prison et Justice") and of their Colloquium to be held in Paris under the auspices of the Secretary General of the Council of Europe to mark the 10th anniversary of the European Prison Rules and to take stock of their implementation in practice and agreed that a PC-CP representative will attend the meeting;
- Considered the revised draft Handbook on radicalisation and made further proposals for additions and amendments;
- Considered the revised draft Recommendation on the European Rules (ER) on community sanctions and measures and its commentary and made further proposals for changes to the two texts. Agreed with the proposal made by Rob Canton, scientific expert to prepare for the PC-CP plenary meeting a document containing the text of each rule followed by the respective commentary to it and after the adoption of the Recommendation by the Committee of Ministers to publish in the same manner the recommendation and the commentary to facilitate practitioners when consulting the adopted standards;
- Revised and updated the table of the Council of Europe Recommendations in the penitentiary field and took decisions regarding the priorities in its work related to the suggested tasks contained in the table;
- Decided in relation to the above to request approval by the CDPC of its priority tasks for 2017, namely: revision and updating of the commentary to the European Prison Rules; drafting of a Committee of Ministers recommendation regarding children of imprisoned parents and examination of the issue of restorative justice;
- Took note of the presentations made by the representatives of EPAS and in particular in relation to the publication "Sport in prisons" in the preparation of the activities for which the PC-CP was associated in the past years;
- Considered the contents, format and expected outcome of the meeting on radicalisation scheduled for November 2016 and made specific proposals regarding topics for discussion at the workshops, moderators and overall organisation of this event;

- Considered the outcome of the 21st CDPPS (Zaandam, 2016) and took note of the very positive observations made by the EuroPris members regarding the fact that this event improves its quality and importance every year;
- In relation to the proposal made by the Pompidou Secretariat to include the topic related to drugs in prisons in the agenda of the 22nd CDPPS (Norway, 2017) was of the opinion that this topic was already presented as a side event at the CDPPS in Zaandam. The topic of the next year's Conference, as decided already in June 2016 between the Council of Europe and the Norwegian authorities, will be related to staff education and training. This is a very important and vast topic and therefore there will be no possibility to include drugs in prisons in addition to it in particular bearing in mind that half of the participants are Directors of the probation services.
- Discussed the topic, the sub-topics, the format and structure of the 22nd CDPPS and made some preliminary proposals in relation to this (to be further discussed at its plenary meeting in the presence of the Norwegian hosts);
- Took note of the EU 18 months financial contribution to the Council of Europe Annual Penal Statistics (SPACE) for the period October 2016 - March 2018;
- Urged its members to promote more visibly the PC-CP work and its outcomes on the websites of their respective national agencies and decided to reiterate the same request to all national delegations at its plenary meeting in October 2016. Further decided to use more actively the Council of Europe Facebook and Twitter accounts for the same purpose;
- Was satisfied with the gender balanced aspect of the texts drafted and of its overall work at the meeting;
- Decided to hold its next WG meetings on 30 January - 1 February 2017; on 10-12 April 2017 and on 20-22 September 2017. Its next year's plenary meeting will be held on 6-8 November 2017.

1. The Working Group of the Council for Penological Co-operation (PC-CP) held its 13th meeting in Strasbourg on 26-28 September 2016 with Mr Vivian Geiran in the Chair and Mr Jörg Jesse as Vice-Chair. The list of participants is appended to this report (Appendix II).

I. Opening of the meeting and adoption of the agenda and the order of business

2. The agenda was adopted (see Appendix I). The order of business was also approved.

3. Mr Jan Kleijssen, Director, Information Society and Action against Crime Directorate, DG Human Rights and Rule of Law informed the participants of the latest activities carried out by the Directorate and in particular of the decision taken by the European Committee on Crime Problems (CDPC) after the 21st Conference of Directors of Prison and Probation Services (June 2016, Zaandam, the Netherlands) to entrust the PC-CP with the drafting of Guidelines for prison services related to children of imprisoned parents, as well as of the need to start work on restorative justice. He also informed that CDPC and CODEXTER will start working on Guidelines on victims of terrorism.

4. Mr Carlo Chiaromonte, Head of the Criminal Law division informed the participants of the decisions taken at the last plenary meeting of the CDPC in June 2016 and in particular regarding the prison overcrowding, namely to set up a temporary sub-group of the CDPC in order to develop proposals for practical measures to be taken to ensure the implementation of the recommendations contained in the White Paper on prison overcrowding. It was agreed that when such a sub-group will be created, the PC-CP will be invited to appoint its representative(s) to take part in its work.

5. Mr Chiaromonte further informed that the CDPC plenary requested the PC-CP to speed up its work on the text of the draft Handbook for prison and probation services regarding radicalisation and violent extremism so that at the CDPC plenary meeting in December 2016 two draft texts will be considered for approval, namely the Handbook and the draft Recommendation on the ER on community sanctions and measures and its commentary. He also noted that no written comments to the draft Handbook on radicalisation and violent extremism have been sent so far by the national delegations to the CDPC as requested at the plenary meeting (the deadline was 31 August 2016 with one delegation requesting a prolongation).

II. Summary report of the 12th Working Group meeting of the PC-CP [document PC-CP (2016) 5]

6. The PC-CP WG considered the summary meeting report of the above meeting and had no comments to make.

III. Items for information

7. The participants took note of the presentation made by FARAPEJ (Federation of over 60 French Associations working in prisons called "Fédération des Associations Reflexion, Action, Prison et Justice") and in particular of the assistance and information activities provided to detainees and the manner in which the associations which are their members are working. It further took note of the Colloquium to be held in Paris (4-5 November 2016) under the auspices of the Secretary General of the Council of Europe to mark the 10th anniversary of the European Prison Rules and to take stock of their implementation in practice. It was agreed that a PC CP representative will attend and speak at the meeting.
8. The PC-CP WG took note of the presentations made by the representatives of the Enlarged Partial Agreement on Sports (EPAS) and in particular in relation to the publication "Sport in prisons". This publication was the result of a Conference held two years ago in Paris and of a questionnaire sent to the prison services of the Council of Europe member states. The PC-CP WG was involved in both these activities and was pleased to be informed of their outcome. The publication is in French and English and the English version is expected to be ready in the coming weeks. It will be promoted by EPAS and a link to the document will be posted also on the PC-CP web site.
9. The participants took note of the EU 18 months financial contribution to the Council of Europe Annual Penal Statistics (SPACE) for the period October 2016 - March 2018 and of the planned two meetings of the SPACE national correspondents (early 2017 and early 2018), as well as of the research to be carried out by the University of Lausanne on foreign prisoners and on pre-trial detention based on the statistical data for the last ten years.

IV. Handbook for prison and probation services regarding radicalisation and violent extremism (VE)

10. The participants thanked the scientific experts and the Secretariat for the work carried out between the meetings in order to further revise and improve the Handbook following the comments made at the previous PC-CP WG meeting and at the CDPC plenary meeting in June.
11. They considered the revised draft which had improved significantly in structure and contents, made some further proposals for amendments and additions and agreed that the revised text will be finalised by the scientific experts after the meeting in good time for the PC-CP plenary meeting in October. The Secretariat informed that the text had been sent for translation into French and will be ready at the end of September (in view of the late decision to speed up the work on the text, the redrafting being done during the summer months as well as due to the length and complexity of terminology it was not possible to have the text earlier). The current revisions and additions to the English version will further delay the French version of the text but the Secretariat was confident that the two linguistic versions of the text will be ready for the PC-CP plenary.

V. Meeting of the prison and probation services on radicalisation and violent extremism

12. The participants discussed the preparation and the contents of the meeting to be held in November 2016. The format will be a plenary opening and closing sessions and workshops on six topics. It was agreed that the members of the PC-CP WG and the three scientific experts will facilitate the discussions in the workshops and that the Guidelines and the Handbook on radicalisation and VE will serve as a basis for stirring the debates. The examples provided at the meeting on good practices will be published together with the Handbook and the Guidelines in a separate publication, once the Handbook is approved by the CDPC and the Committee of Ministers (expected at the beginning of 2017).

VI. 21st Council of Europe Conference of Directors of Prison and Probation Services (CDPPS) (14-15 June 2016, Zaandam, The Netherlands)

13. The participants discussed the overall organisation and the outcome of the Conference. They were pleased to be informed by Kirsten Hawlitschek, EuroPris, Executive Secretary that Directors of the European Prison Services who are their members (more than 20) were very satisfied with the quality of organisation and contents of these Conferences, noting that the same are becoming better every year.

14. The participants discussed the issue of drafting Guidelines for prison administration related to children of imprisoned parents and agreed that the same should be drafted in the form of a Committee of Ministers recommendation as the topic is very important and there should be no differences in dealing with this group of children among the member states. Therefore Guidelines not in the form of a recommendation would seem to send a weaker message to the member states. They further agreed that work on this subject will start next year.

VII. Draft European Rules on community sanctions and measures

15. The PC-CP WG members thanked Mr Rob Canton, scientific expert for the revision of the text following comments and proposals made at the 21st CDPPS and those made at the CDPC plenary meeting. They also considered the comments sent to the CEP by their UK members. The draft Recommendation and its commentary were further revised. They approved Mr Canton's proposal to prepare a document combining both texts for discussion at the PC-CP plenary and for publication on the web site. Mr Canton's arguments were that such a presentation (every rule followed by its commentary) would facilitate the reading and understanding of each rule.
16. The draft Recommendation will be considered for approval by the CDPC at their plenary meeting in December 2016, as scheduled, and is expected to be adopted by the Committee of Ministers at the beginning of 2017.

VIII. White Paper on prison overcrowding

17. The participants were informed that the White paper was before the Committee of Ministers for approval (approved on 28 September 2016). The Secretariat drew the attention of the participants that they should be more active in promoting the Council of Europe standards in the penitentiary area at their national level by using the official web sites of their agencies and their social networks and by further informing their superiors of these texts. EuroPris and CEP informed that they post regularly information related to the Council of Europe relevant activities and documents on their web sites. The participants thanked them for promoting the Council of Europe work.
18. It was agreed that the attention of the national delegations to this issue will be drawn at the PC-CP plenary meeting in October 2016 in order to avoid situations where in the national media issues related to prison and probation and the criminal justice system are discussed based only on the national legislation and practices without any mention of the existing international standards in this area.

IX. 22nd CDPPS, 20-21 June 2017, Norway

19. The participants had some preliminary discussions regarding the structure and contents of the next year's CDPPS. In relation to this the proposal made by the Pompidou Secretariat to include the topic related to drugs in prisons in the agenda of the 22nd CDPPS (Norway, 2017) the PC-CP WG noted that this topic was already presented as a side event at the CDPPS in Zaandam. The topic of the next year's Conference, as decided already in June 2016 between the Council of Europe and the Norwegian authorities, will be related to staff education and training. This is a very important and vast topic and therefore there will be no possibility to include drugs in prisons in addition to it in particular bearing in mind that half of the participants are Directors of the probation services.
20. It was decided to continue the discussions regarding the structure and format of the Conference at the plenary meeting in the presence of the Norwegian hosts.

X. Review of the Recommendations and Resolutions in prison and probation fields

21. The participants revised document PC CP (2014) 16 rev 2 and agreed that their priority tasks for 2017 will be the revision and updating of the commentary to the European Prison Rules (EPR), the drafting of a Committee of Ministers recommendation regarding children of imprisoned parents and the examination of the issue of restorative justice.
22. They took note of the fact that Professor Dirk van Zyl Smith, one of the scientific experts who drafted the EPR, will be ready to undertake the task of revision of their commentary as of May 2017. They also noted that, when revising the commentary (in order to reflect the latest relevant pilot judgements of the European Court and the CPT reports and standards, as well as the Nelson Mandela Standard Minimum Rules for the treatment of prisoners) he would also analyse the rules themselves in the light of the latest developments and will put for discussion before the PC-CP any proposals for updating, complementing or improving some of the rules, if necessary.

XI. Gender aspects

23. Among the nine PC-CP WG members three are women (more balanced than the previous composition of the committee with only one elected woman). Among the four scientific experts attending the meeting two are women. Among the other participants: FARAPEJ (1 man and one woman), CEP - 1 man, EuroPris - 1 woman, 2 representatives of the Romanian prison and probation service (1 man + 1 woman, 1 man representing the Moldovan probation service. The Secretary to the Committee and the two assistants are also women, as well as the representatives of CPT, EPAS and the Children's Rights Division. Out of the total of 30 participants 16 are women (ref. Annex II).
24. Regarding the discussed topics during the meeting: the draft Handbook for prison and probation services regarding radicalisation and violent extremism contains a special part dedicated to women offenders who are radicalised or are VE. There is little knowledge regarding their profile and their motivations due to their very low numbers, but such knowledge and information needs to be collected. The general principles regarding the specific issues in dealing with women offenders are applicable in their case as well and need further development and refinement in the part related to working with their families and partners in order to achieve successful deradicalisation. The part in the Handbook related to women did not necessitate any further discussions during the meeting.
25. The draft Recommendation on the community sanctions and measures did not initiate either any discussion related to women.

XII. Any other business

26. The PC-CP WG took note of the information provided by EuroPris and the CEP regarding their recent past and future activities, related to radicalisation, to the management of foreign prisoners, of female prisoners, alternatives to detention and the expected signing an agreement with EPTA (European Network of Prison Training Academies). In relation to this it was agreed that EuroPris and CEP will report back at the next meeting about any possible ideas related to the contents of the 22nd CDPPS in 2017.

XIII. Dates of the next meetings

27. The PC-CP WG decided to hold its next WG meetings on 30 January -1 February 2017; on 10-12 April 2017 and on 20-22 September 2017. The next year PC-CP plenary meeting will be held on 6-8 November 2017.

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APPENDIX I

AGENDA / ORDRE DU JOUR

1. Opening of the meeting / Ouverture de la réunion

2. Adoption of the agenda and the order of business / Adoption de l'ordre du jour et de l'ordre des travaux

3. Adoption of the summary report of the last meeting / Adoption du rapport sommaire de la dernière réunion

PC-CP (2016) 5
[*English / Français*](#)

4. Information provided by the Secretariat / Informations fournies par le Secrétariat

CDPC (2016) 8
[*English / Français*](#)

5. Handbook on radicalisation in prisons / Guide sur la radicalisation dans les prisons

PC-CP (2016) 2 rev
[*English / Français*](#)

6. Review of the Recommendations and Resolutions in prison and probation fields / Examen des Recommandations et des Résolutions dans les domaines des prisons et de la probation

PC-CP (2014) 16 rev 2
[*English / Français*](#)

7. Follow-up to the 21st Council of Europe Conference of Directors of Prison and Probation Services (2016, the Netherlands) / Suites à donner à la 21e Conférence du Conseil de l'Europe des Directeurs des services pénitentiaires et de probation (2016, Pays-Bas)

[Link](#)

8. Draft Recommendation on the European Rules on community sanctions and measures / Projet de Recommandation sur les Règles européennes concernant les sanctions et mesures appliquées dans la communauté

PC-CP (2016) 4 rev 3
[*English / Français*](#)

PC-CP (2016) 8
[*English / Français*](#)

9. Sport in prisons / Le sport dans les prisons

[Link](#)

[Presentation](#)

[Intervention d'introduction](#)

10. Presentation of the FARAPEJ activities / Présentation des activités FARAPEJ

[Link](#)

11. Any other business / Questions diverses

PC-CP (2016) 9
[English / Français](#)

12. Dates of the next meetings / Dates des prochaines réunions

LIST OF PARTICIPANTS/ LISTE DES PARTICIPANTS

MEMBER STATES / ETATS MEMBRES

MOLDOVA

Vladimir POPA
Head, Central Probation Office, Chisinau

ROMANIA / ROUMANIE

Dan HALCHIN
Sub-commissioner PhD, Deputy Director General of the National Administration of Penitentiaries, Bucharest

Evelina OUESLATI
Conseiller juridique
Direction Nationale de la Probation, Siège central du Ministère de la Justice, Bucarest

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Peter KRIŠKA (*Apologised / Excusé*)
Dr. PhD., General Secretariat of Corps of prison and court guards, Bratislava

**WORKING GROUP OF THE COUNCIL FOR PENOLOGICAL CO-OPERATION / GROUPE DE TRAVAIL DU
CONSEIL DE COOPERATION PENOLOGIQUE
(PC-CP)**

Nathalie BOISSOU
Directrice des services pénitentiaires, Responsable du pôle relations internationales, Cabinet de la Directrice de l'administration pénitentiaire, Ministère de la Justice, Direction de l'administration pénitentiaire, Cabinet Pôle relations internationales, Paris, France

Annie DEVOS
Administratrice générale des Maisons de Justice, Fédération Wallonie-Bruxelles, Bruxelles, Belgique

Vivian GEIRAN
Chair of the PC-CP
Director, Probation Service HQ, Dublin, Ireland

Antanas JATKEVIČIUS
Senior Adviser, Legal Department, Chancellery of the Seimas (Parliament) of the Republic of Lithuania, Vilnius, Lithuania
Research fellow, Lithuanian Institute of Law, Vilnius, Lithuania

Joerg JESSE
Vice-Chair of the PC-CP
Director General
Prison and Probation Administration, Acts of Clemency, Ministry of Justice, Mecklenburg - Western Pomerania, Schwerin, Germany

Attila JUHÁSZ
Prison Governor, Senior member, Heves County Remand Prison, Eger, Hungary

Nikolaos KOULOURIS
Assistant Professor in Social Policy and Offenders' Custodial and Non-Custodial Treatment, Department of Social Administration and Political Science, Democritus University of Thrace, Komotini, Greece

Dominik LEHNER (Dr.)

President, Expert Committee on Offender Risk Assessment Northwest & Central Switzerland, Basel, Switzerland

Nadya RADKOVSKA

Head of the Department for International Relations and Training of Staff, General Directorate Execution of Sentences, Ministry of Justice, Sofia, Bulgaria

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SCIENTIFIC EXPERTS / EXPERTS SCIENTIFIQUES

Robert CANTON

Community and Criminal Justice, De Monfort University Leicester, Nottinghamshire, United Kingdom

Christopher DEAN

Director, Identify Psychological Services Ltd, Cheshire, United Kingdom

Merel MOLENKAMP

Senior adviseur, RadarAdvies, Amsterdam, The Netherlands

D. Elaine PRESSMAN, Ph. D.

Associate Fellow, International Centre for Counter-Terrorism (ICCT), Sliema, Malta

* * * * *

OTHER PARTICIPANTS/ AUTRES PARTICIPANTS

CONFEDERATION OF EUROPEAN PROBATION / CONFEDERATION DE LA PROBATION EUROPÉENNE (CEP)

Willem VAN DER BRUGGE

Secretary General CEP, Confederation of European Probation, Utrecht, Netherlands

EUROPEAN ORGANISATION OF PRISON AND CORRECTIONAL SERVICES (EuroPris)

Kirsten HAWLITSCHKE

Executive Director, The Hague, Netherlands

FEDERATION OF ASSOCIATIONS "REFLEXION, ACTION, PRISON AND JUSTICE" (FARAPEJ) / FEDERATION DES ASSOCIATIONS « REFLEXION-ACTION, PRISON ET JUSTICE » (FARAPEJ)

Alexis SAURIN

President of FARAPEJ / Président de la FARAPEJ

Élise DUCHIRON

General delegate / Déléguée générale

SECRETARIAT OF THE COUNCIL OF EUROPE / SECRETARIAT DU CONSEIL DE L'EUROPE

EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CPT) / COMITÉ EUROPÉEN POUR LA PRÉVENTION DE LA TORTURE ET DES PEINES OU TRAITEMENTS INHUMAINS OU DÉGRADANTS (CPT)

Francesca GORDON

Administrator CPT Secretariat, Division 3 / Administratrice au Secrétariat du CPT - Division 3

DG II – HUMAN DIGNITY AND EQUALITY DIRECTORATE
DIRECTION DE LA DIGNITE HUMAINE ET DE L'EGALITE

Enlarged Partial Agreement on Sports (EPAS) / Accord Partiel élargi sur le sport (APES)

Gaëlle SEMPE
Consultant / consultante
Lecturer, University of Rennes 2 / Maître de Conférences, Université de Rennes 2

Clarisse BONJEAN
EPAS Secretariat / Secrétariat de l'APES
Programme Manager / Responsable de programme

Children's Right Division / Secrétariat Droits des enfants

Alexandra YORDANOVA
Children's Rights Division / Secrétariat Droits des enfants

DIRECTORATE GENERAL I / DIRECTION GÉNÉRALE I

HUMAN RIGHTS AND RULE OF LAW / INFORMATION SOCIETY AND ACTION AGAINST CRIME
DIRECTORATE

DROITS DE L'HOMME ET ETAT DE DROIT / DIRECTION DE LA SOCIÉTÉ DE L'INFORMATION ET DE LA
LUTTE CONTRE LA CRIMINALITÉ

Jan KLEIJSEN
Director / Directeur

Criminal Law Division / Division du droit pénal

Carlo CHIAROMONTE
Head of Division / Chef de Division
Secretary to the CDPC / Secrétaire du CDPC

Iliana TANEVA
Secretary to the PC-CP / Secrétaire du PC-CP

Raluca IVAN
Project manager / Responsable de projet

Christine COLEUR
Assistant to the PC-CP / Assistante auprès du PC-CP

Sylvie ELTER
Assistant / Assistante

INTERPRETERS / INTERPRÈTES

Luke TILDEN
Lucie DE BURLET
Isabelle MARCHINI