

## 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.

**Type of committee:** Subordinate body

Terms of reference valid from: **1 January 2016 until 31 December 2017**

### MAIN TASKS

Under the authority of the Committee of Ministers and under the supervision of the European Committee on Crime Problems (CDPC), the PC-CP is instructed to:

- (i) follow the developments related to the national policies and practices in the field of execution of penal sanctions and measures in the Council of Europe member States;
- (ii) follow the development of European prison systems and of the services entrusted with the implementation of alternatives to pre-trial detention and with the implementation of community sanctions and measures with special attention being paid to avoiding situations leading to prison overcrowding;
- (iii) assess the functioning and implementation of the European Prison Rules, the European Rules on community sanctions and measures, the European Rules for juvenile offenders subject to sanctions or measures, the Council of Europe Probation Rules 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;
- (iv) prepare binding and non-binding instruments, studies and reports on penological matters;
- (v) formulate opinions on penological matters at the request of the CDPC, of member States or on its own initiative;
- (vi) prepare the Council of Europe Conferences of Directors of Prison and Probation Services and ensures their follow-up as instructed by the Committee of Ministers, and following proposals made by the CDPC;
- (vii) 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 :** Ensuring Justice

**Programme :** Prisons, Probation and Police

### SPECIFIC TASKS

- (i) Revise of the European Rules on community sanctions and measures (Recommendation R(92)16 and Recommendation Rec(2000)22 and their explanatory memorandum);
- (ii) Revise and update the commentary to the European Prison Rules (Recommendation CM/Rec(2006)2);
- (iii) Organise in 2016 and in 2017 the Council of Europe Conference of Directors of Prison and Probation Services;
- (iv) Finalise the White Paper on prison overcrowding;
- (v) Ensure the collection and publication of SPACE I and SPACE II statistics in due time in 2016 and in 2017;
- (vi) In the framework of the Council of Europe Action Plan on the fight against violent extremism and radicalisation leading to terrorism (a) assist the national authorities in implementing the Guidelines for the prison and probation services facing radicalisation and violent extremism<sup>1</sup> and (b) draft a manual containing indicators of radicalisation of prisoners to violent extremism and good practices regarding prevention of and dealing with this phenomenon.

<sup>1</sup> Currently being drafted by the PC-CP and expected to be submitted to the Committee of Ministers in December 2015

## 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 one representative per Council of Europe member State at the plenary meeting of the PC-CP as well as the travel and subsistence expenses of the nine members of the 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.

Each member of the PC-CP shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.

In accordance with decisions CM/Del/Dec(2013)1168/10.2 of the Committee of Ministers, in cases where there is no convention-based body including all the Parties, non-member States are invited to take part, with a right to vote, in the committee meetings pertaining to the conventions to which they are Parties.

### 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;
- European Court of Human Rights;
- Council of Europe Commissioner for Human Rights;
- European Committee on Crime Problems (CDPC);
- European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT);
- Consultative Council of European Prosecutors (CCPE);
- Consultative Council of European Judges (CCJE);
- 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;
- Observer States to the Council of Europe: Canada, Holy See, Japan, Mexico, United States of America;
- United Nations Subcommittee on Prevention of Torture (SPT);
- United Nations Office on Drugs and Crime (UNODC);
- United Nations Children's Fund (UNICEF).

### Observers:

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

- Non-member States with which the Council of Europe has a Neighbourhood Partnership including relevant cooperation activities;
- Confederation of European Probation (CEP);
- International Centre for Prison Studies;
- Penal Reform International (PRI);
- International Association of Juvenile and Family Court Magistrates (IAJFCM);
- EuroPris.

### 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 standards 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 and 4 consultants, 3 meetings in 2016, 3 days

9 members and 4 consultants, 3 meetings in 2017, 3 days

**Plenary meetings:**

48 national representatives, 9 members of the PC-CP Working Group, 4 consultants, 1 meeting in 2016, 3 days

48 national representatives, 9 members of the PC-CP Working Group, 4 consultants, 1 meeting in 2017, 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.

**BUDGETARY INFORMATION\*****2016**

Meetings per year	Number of days	Members	Plenary €	Bureau €	Subordinate structures / Working groups	Secretariat (A, B)
1	3	48	50 000	-	65 000	1 A ; 1 B

**2017**

Meetings per year	Number of days	Members	Plenary €	Bureau €	Subordinate structures / Working groups	Secretariat (A, B)
1	3	48	50 000	-	65 000	1 A ; 1 B

\*The costs presented above take into consideration the per diem, travel, interpretation, translation and document printing. Costs calculated on the basis of the per diem and recharged services costs at their 2016 level.