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**EUROPEAN COMMITTEE ON CRIME PROBLEMS**  
**(CDPC)**

**Bureau**  
**(CDPC-BU)**

**DRAFT TERMS OF REFERENCE**  
**OF A RESTRICTED GROUP OF EXPERTS ON DANGEROUS OFFENDERS**  
**(PC-R-DO)**

prepared by  
the Directorate General of Human Rights and Legal Affairs (DG-HL)

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## Terms of reference of a restricted group of experts on dangerous offenders (PC-R-DO)

1. **Name of Committee:** Restricted group of experts on dangerous offender (PC-R-DO)
2. **Type of Committee:** Group of experts
3. **Source of terms of reference:** Committee of Ministers
4. **Terms of reference:**

*Having regard to:*

- the Declaration and Action Plan adopted by the Third Summit of Heads of State and Government of the Council of Europe (Warsaw, 16-17 May 2005), in particular concerning the issue related to the security of citizens;

- Resolution Res(2005)47 on committees and subordinate bodies, their terms of reference and working methods;

and based on the Council of Europe's and other international standards and having regard to the latest developments in the penal field of in Europe.

Under the authority of the European Committee on Crime Problems (CDPC), and within the framework of the Programme "Development of common standards and policies" (Rule of Law, Strengthening the Rule of Law and Developing Common Standards) of the Programme of Activities, the Group of experts is instructed to:

- i. examine the sentencing laws and practices in the Council of Europe member States related to dealing with offenders who have caused very serious personal physical or psychological harm and who present a high probability of re-offending and of causing similar harm;
- ii. study the methods used (clinical, actuarial and others) to assess the risk of re-offending, as well as other factors and indicators (including positive factors and indicators) taken into consideration when dealing with offenders considered to be dangerous;
- iii. examine the sanctioning practices in Europe (imprisonment, secure preventive detention, detention of mentally disordered offenders, probation and surveillance techniques used in the community, etc.);
- iv. study the laws and practices in Europe related to preparation for release and social reintegration of dangerous offenders, including programmes and measures aimed at helping offenders improve self-control and behaviour management and, where possible, repairing the harm done to victims;
- v. examine best practices in Europe in assisting, protecting and compensating victims and improving the prevention and protection of society in general while respecting the rights of offenders.
- vi. On the basis of the above prepare a preliminary draft standard setting text which would replace Recommendation R(82)17 on the custody and treatment of dangerous offenders and its commentary to be examined and finalised by an expert committee composed of representatives of all Council of Europe member States.

**5. Composition of the PC-R-DO:**

The PC-R-DO shall be composed of 9 national experts from the Council of Europe member States, selected by the CDPC, with the following qualifications: experts, practitioners or researchers having a thorough knowledge of the management and treatment laws and practices related to dangerous offenders in their respective countries and if possible in Europe.

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

**Participants:**

**6.**

The following bodies may each send a representative to meetings of the Group, without the right to vote and at the charge of the corresponding Council of Europe budget sub-heads:

- The Parliamentary Assembly
- The Council of Europe Commissioner for Human Rights
- European Committee on Crime Problems (CDPC)
- Steering Committee for Human Rights (CDDH)
- European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)
- Council for Penological Co-operation (PC-CP).

**7. Working methods and structures:**

In its work, the PC-R-DO will need the assistance of two scientific experts, appointed by the Secretary General of the Council of Europe for their specific knowledge of relevant legislation and legal practice, including international standards relating to the management and treatment of dangerous offenders.

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

The PC-R-DO will work in close consultation with the PC-CP in order to ensure the same level of standards of treatment of dangerous offenders as contained in the relevant Committee of Ministers recommendations, notably the European Prison Rules, the European Rules on community sanctions and measures and the Council of Europe Probation Rules.

The PC-R-DO will also work in close consultation with the CDPC and its Bureau so that full account is taken of possible views expressed by the CDPC delegations.

**8. Duration:**

These terms of reference will expire on 31 December 2011.