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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Bureau
(CDPC-BU)

DRAFT TERMS OF REFERENCE
OF A RESTRICTED GROUP OF EXPERTS ON POLICE MATTERS
(PC-R-PQ)

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 police matters (PC-R-PQ)

- 1. Name of Committee:** Restricted group of experts on police matters (PC-R-PQ)
- 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 in Europe.

Under the authority of the European Committee of 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 Recommendation Rec(2001)10 on the European Code of Police Ethics and, where necessary, make proposals to the CDPC as to a possible updating thereof;
- ii. examine the issue of detention of persons in police custody and report to the CDPC on what further steps could be taken to improve standards on the rights of persons detained in police custody and conditions of detention in police establishments;
- iii. examine any other issue related to investigative activities carried out by police within the criminal procedural aspects relevant to the current CDPC's fields of expertise, particularly with regard to juvenile delinquency and gender based violence.

5. Composition of the Committee:

The Committee shall be composed of 9 national experts from the Council of Europe member states selected by the CDPC, with the following desirable qualifications: legal experts and senior police officers having a thorough knowledge of the tasks of police, the treatment of persons in police custody and the management of police establishments in their respective countries and, if possible, in Europe.

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

6. Participants:

The following bodies may each send a representative to meetings of the Committee, 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)
- Group of States against Corruption (GRECO).

7. Working methods and structures:

In its work, the group of experts 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 police ethics, treatment of detainees in police custody and conditions of detention in police establishments.

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

The Committee will work in close consultation with other relevant committees and expert groups to ensure compatibility and avoid overlapping with existing standards relevant for police ethics, treatment of detainees in police custody and conditions of detention in police establishments.

8. Duration:

These terms of reference will expire on 31 December 2011.