

**Draft Terms of Reference of subordinate bodies proposed by  
Steering committees/Ad hoc committees**

Name of Committee:	<b>Group of Experts on Dangerous Offenders (PC-DD)</b>
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Category: **Subordinate body**

*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*

Duration: **[Date of approval by the Deputies 2012] - 31 December 2013**

**Main tasks**

Under the authority of the European Committee on Crime Problems (CDPC), the PC-DD shall prepare a non-binding legal instrument on dangerous offenders.

The PC-DD shall, in particular, examine the following issues:

- risk and threat assessment of dangerous offenders in criminal proceedings which could result in detention due to the danger posed by the offenders;
- treatment and conditions of detention of dangerous offenders;
- measures for the prevention of re-offending by dangerous offenders to the extent that such measures are covered by the criminal justice system.

The PC-DD shall limit its work to offenders deemed to represent a threat to society, notably because of their personality, the violent character of the criminal offence(s) which they have committed, and the risk of re-offending.

Other issues related to dangerous offenders, in particular with regard to offenders whose dangerousness is determined by their involvement in organised crime and/or terrorism, should not be examined as a matter of priority by PC-DD, but shall be the subject of future work by the CDPC.

In its work, the PC-DD should take into account the relevant jurisprudence of the European Court of Human Rights and best practices of member States. The experts may also consult the report by Professor Nicola Padfield entitled "sentencing, management and treatment of "dangerous" offenders" commissioned by the CDPC.

The PC-DD shall report to the Bureau of the CDPC on a regular basis. The Bureau of the CDPC may issue instructions to the PC-DD with regard to its work.

**Pillar / Sector / Programme**

**Pillar:** Rule of Law

**Sector:** Common standards and policies

**Programme:** Development and implementation of common standards and policies

**Expected results**

Drafting of a non-binding legal instrument concerning dangerous offenders.

**Composition**

**Members:**

The Committee shall be composed of 16 representatives of member States of the highest possible rank in the field of criminal law and treatment of dangerous offenders, designated by the CDPC, and 1 scientific expert with established experience in the same field, appointed by the Secretary General.

The composition of the Committee will reflect an equitable geographic distribution amongst the member States and will take account of the gender equality dimension.

The Council of Europe will bear the travel and subsistence expenses of each member.

The scientific expert shall not have the right to vote.

Other member States may designate representatives without defrayal of expenses.

**Participants:**

Without prejudice to the provisions of Section III.B.a. of Resolution CM/Res(2011)24, the following may send representatives, without the right to vote and at the charge of their corresponding administrative budgets:

- European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT);
- Council for Penological Co-operation (PC-CP).

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

- European Union;
- States with observer status with the Council of Europe (Canada, Holy See, Japan, Mexico, United States of America);
- United Nations Office for Drugs and Crime (UNODC).

**Observers:**

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

- Relevant international organisations;
- Representatives of civil society, professional and academic communities.

**Working methods**

17 members, 2 meetings in 2012, 3 days  
17 members, 1 meeting in 2013, 3 days

The PC-DD shall report to the Bureau of the CDPC on a regular basis. The Bureau of the CDPC may issue instructions to the PC-DD with regard to its work.

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.

**Financial information**

Meetings per year	N°of days	Members	Plenary	Secretariat (A B)
2 (2012)	3	17	46 000	0.5 A ; 0.5 B
1 (2013)	3	17	23 000	0.5 A ; 0.5 B