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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Council for Penological Co-operation
(PC-CP)

10th Meeting of the Working Group

Strasbourg, 14-16 September 2015

SUMMARY MEETING REPORT

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

EXECUTIVE SUMMARY

The PC-CP Working Group:

- Approved its agenda, its order of business and the summary meeting report of its 9th meeting;
- Took into account the information provided by Ivan Koedjikov, Head of the Action against Crime Department, DG Human Rights and Rule of Law regarding the recent activities of the Council of Europe in the criminal justice field;
- Welcomed the national delegations of the Russian Federation, Japan and the USA, the representatives of the European Union, CODEXTER, CPT, CEP and EuroPris, as well as the scientific experts;
- Took note of the information provided by the representatives of the EU Delegation to the Council of Europe regarding the work carried out or planned to be carried out in relation to combating radicalisation;
- Considered the revised draft Guidelines for prison and probation services regarding radicalisation and violent extremism and the preliminary draft commentary to it; approved its revised structure and contents, as well as its list of definitions and made comments and proposals. It was agreed that as long as the Guidelines will not be adopted in the form of a Committee of Ministers recommendation there will be no need for a draft a commentary to the text. Instead the scientific expert will draft and present at the PC-CP plenary (17-19 November 2015) a report regarding the current developments on the international scene related to combating radicalisation and violent extremism and regarding the choice of definitions and scope of the Guidelines;
- Considered the revised draft text of the Recommendation replacing Recommendation Rec (2000) 22 and Recommendation (92) 16 on the European Rules on community sanctions and measures (documents PC-CP (2015) 9 and PC-CP (2015) 10). The members made a number of proposals and instructed Rob Canton, scientific expert, to continue the revision and fusion of the two recommendations and of their explanatory memorandums and to align the draft Recommendation with Recommendation (2014) 4 on electronic monitoring and Recommendation (2010) 1 on the Council of Europe Probation Rules;
- Considered the draft White Paper on prison overcrowding (document PC-CP (2015) 6) and took note of the fact that the third meeting of the Drafting Committee will take place on 26-27 October 2015 and that the White paper will be ready for approval by the CDPC plenary in June 2016;
- Welcomed Professor Marcelo Aebi and his new team from the University of Lausanne, which collect SPACE I and SPACE II statistics, took note of the fact that some further improvements will be made to the data collection in relation to analysing trends and data on European scale, supported the request made in this respect to hold a second meeting of the SPACE national correspondents and decided to request in turn the CDPC to approve this proposal;
- Considered the outcome of the 20th Council of Europe Conference of Directors of Prison and Probation Services (Bucharest, 9-10 June 2015) and welcomed the information regarding the holding of the 21st Council of Europe Conference of Directors of Prison and Probation Services in the Netherlands in June 2016;
- Discussed document PC-CP (2015) 13 regarding the forthcoming elections of new members of the PC-CP Working Group and decided to elect Mr Vivian Geiran (Ireland) as its Chair for the period 2016-2017 and Mr Jörg Jesse as its Vice-Chair for the same period. As a result four new members need to be elected at the forthcoming CDPC plenary meeting in December 2015.
- Decided to hold its plenary meeting on 17-19 November 2015 and the next meeting of the Working Group on 11-13 January 2016.

The Working Group of the Council for Penological Co-operation (PC-CP) held its 10th meeting in Strasbourg on 14-16 September 2015 with Mr Mauro Palma in the Chair and Ms Alina Barbu 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

1. The agenda was adopted (see Appendix I). The order of business was also approved.
2. Mr Ivan Koedjikov, Head of the Action against Crime Department, DG Human Rights and Rule of Law, welcomed the participants and provided information regarding the recent activities of the Council of Europe in the criminal justice field. In addition he thanked the members of the PC-CP Working Group for the successful organisation and holding of the 20th Council of Europe Conference of Directors of Prison and Probation Services and underlined that the format of discussion in small groups was particularly appreciated by the participants. He therefore suggested to keep this format during future such events and more particularly when finalising the new Recommendation on the European Rules on community sanctions and measures.

II. Summary report of the last meeting of the PC-CP Working Group [document PC-CP (2015) 5]

3. The PC-CP Working Group considered the summary meeting report of its last meeting and had no comments to make.

III. Items for information

4. The participants took note of the information provided by the representatives of the EU Delegation to the Council of Europe in relation to combating terrorism. In particular: "De-radicalisation can be described as the cognitive process where a fundamental change in beliefs takes place with the objective to decrease the level of hostility towards society. Disengagement on the other hand is understood to be a process of behavioural change in which individuals increasingly cease their violent activities and distance themselves more and more from extremist environments. In other words disengagement does not automatically involve de-radicalisation. Also the opposite can be true: the psychological process of mitigating radical beliefs and attitudes does not necessarily result in leaving an extremist environment." It was also stated that to the DG Justice's knowledge there does not exist an EU agreed definition of these terms so far. The forthcoming High Level Ministerial Conference on Radicalisation (Brussels, 19 October 2015) was also discussed as well as the possible Council of Europe participation in it.
5. Mr Willem Van Der Brugge, CEP informed of the forthcoming Forum co-organised by the CEP and EuroPris on radicalisation (14 October 2015, Barcelona, Spain) and the planned Council of Europe participation in it.

IV. Guidelines for prison and probation services regarding radicalisation and violent extremism

6. The PC-CP Working Group members were informed of the fact that Mr Steve Gorman has desisted as scientific expert due to his heavy workload and thanked Mr Francesco Ragazzi, scientific expert for having re-drafted the document in the light of the comments and proposals made at the 20th CDPPS in Bucharest.
7. They considered and approved the new structure of the document and made some additional changes to it. The role of probation services was promoted more in the text and the principle of using imprisonment as a last resort was further underscored. The importance of good prison management was further promoted in the basic principles and the importance of data protection in inter-agency co-operation and dealing with radicalised offenders was underlined.
8. Significant attention was allocated to the issue of dynamic security and its definition was substantially reworded in order to underline the fact that this working method should be seen as part of the overall process of ensuring security in prison settings.
9. It was further decided that as long as there is no international agreement regarding the exact meaning of the terms "de-radicalisation" and "disengagement" these terms will not be used in the Guidelines.
10. It was decided that there would be no need to draft separate commentary to the text as it will not be adopted in the form of a Recommendation. Instead Mr Ragazzi will draft a report stating his view as scientific expert of the current developments in Europe and worldwide regarding dealing with radicalisation and violent extremism, explaining the choices made when drafting the Guidelines regarding terminology, definitions and scope and situating the text in reference to other texts adopted internationally. The report will be presented

at the PC-CP plenary before the discussion of the draft Guidelines in order to set the scene and help the participants better situate the text from a Council of Europe perspective.

V. Follow-up to the 20th Council of Europe Conference of Directors of Prison and Probation Services (CDPPS) (9-10 June 2015, Bucharest, Romania)

11. The participants discussed the organisation of the 20th CDPPS and the possible follow-up to be given to it.
12. It was agreed that the format used during the Conference of working in small groups when texts of common interest and concern are discussed, namely the draft Guidelines on radicalisation, seemed very good and should be used in the future as far as practicable.
13. It was decided therefore to use the same working method at the 21st Conference when discussing the draft Recommendation on the European Rules on community sanctions and measures. It was also decided to have fewer interventions at the plenary sessions and panels in order to leave more space and time for questions and discussions and to use as far as possible video materials and other means of communication allowing for more interaction with the audience. The use of webcast was largely approved as it allowed 30 000 persons to watch live the opening session and about 10 000 the closing session of the Conference which promotes significantly its importance.
14. It was further agreed that the issue of children of imprisoned parents was of importance and should be among the topics of the next Conference.

VI. Fusion of Recommendations n° R (92) 16 and Rec (2000) 22, revision of their glossary and updating of their explanatory memoranda

15. The PC-CP Working Group members considered documents PC-CP (2015) 9 and PC-CP (2015) 10 and agreed on the proposals made by Mr Rob Canton, scientific expert regarding the fusion and updating of Recommendation Rec (2000) 22 and Recommendation (92) 16 on the European Rules on community sanctions and measures.
16. The members made some additional proposals and instructed Mr Canton to continue the revision and fusion of the two recommendations and the fusion and updating of their explanatory memorandums and in particular to align the terminology with the terminology used in Recommendation (2010) 1 on the Council of Europe Probation Rules and Recommendation (2014) 4 on electronic monitoring.
17. As Mr Canton will not be able to attend the PC-CP plenary meeting in November they further agreed that the national delegations will still be requested to examine the draft as stands. All proposals for amendments and additions will be recorded and Mr Canton will revise the text in the light of these. The draft Recommendation and its commentary should be ready for discussion at the next CDPPS in June 2016.

VII. 21st Council of Europe Conference of Directors of Prison and Probation Services

18. The participants took note of the proposals made by the Dutch Ministry of Justice (presented in their absence by Ms Kirsten Hawlitschek, EuroPris) regarding the place and dates of the Conference. It was agreed to confirm these once the Secretariat verifies the issue internally.
19. Regarding the possible contents and title of the Conference several proposals were made. A proposal for a possible topic was made "Community Involvement in Prison and Probation" under which could be discussed issues like involvement of the families; children of imprisoned parents; work with volunteers and with former offenders to enhance desistance from crime. Projects like the one developed by the Irish Red Cross "Volunteer Inmates in a prison setting" was mentioned among others as well as the issue of empowering offenders to deal with their offending. Others were of the opinion that the issue of use of new technologies in prison (pros and cons) as well as the use of high-security prisons should also be among the topics.
20. As stated earlier in this report the participants will consider in small groups the draft Recommendation on the European Rules on community sanctions and measures.
21. It was decided to come back to the contents and structure of the next year's Conference at the PC-CP plenary in November 2015.

VIII. SPACE statistics

22. Professor Aebi presented his new team of researchers involved in the collection and the analysis of the data sent by the national SPACE correspondents. In this respect he underlined that there are still countries which have not sent their replies on time. The Secretariat was requested to help getting the missing replies as has been done in previous years. The issue will further be raised at the PC-CP plenary.
23. Professor Aebi raised yet another issue related to the changing of the methodology of analysing trends over long periods of time (ranging from several years to several decades). In relation to this the use of data coming from small countries significantly alters the weighted average in the tables and scales and therefore he suggested to discard from such charts showing tendencies countries with a population of below 1 million (about 7 European countries) in order to have a more balanced chart of the average European trends over long periods of time. It was decided to approve provisionally this proposal and to raise the question also at the PC-CP plenary.
24. Professor Aebi also requested the holding of a new meeting of the SPACE national correspondents as the first and only such meeting held so far a couple of years ago had proven to be very useful for the national participants and for the SPACE team and there is a further need to discuss methodology, terminology and other outstanding issues related to data gathering and analysis. The PC-CP Working Group supported this proposal and undertook to inform the PC-CP plenary and the CDPC plenary and to request the latter's approval of this proposal.

IX. Elections

25. The PC-CP Working Group considered document PC-CP (2015) 13 regarding the forthcoming elections of new members. It decided to elect Mr Vivian Geiran as its Chair for one year (2016-2017) and Mr Jörg Jesse its Vice-Chair for the same period. This would mean that Mr Jesse's term of office will be prolonged by one additional year.
26. The members underlined the importance of having balanced geographical, professional and gender representation on the group and requested its current Chair to insist on this issue at the next CDPC plenary in December when the new four members need to be elected.

X. Dates of the next meetings

27. The next PC-CP plenary meeting is scheduled to be held on 17-19 November 2015. The 11th meeting of the PC-CP Working Group is scheduled for 11-13 January 2016.

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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 (2015) 5
English / Français***

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

5. Radicalisation in prisons / Radicalisation dans les prisons

***PC-CP (2015) 2 rev 2
English / Français***

***PC-CP (2015) 12
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. Revision of the European Rules on community sanctions and measures Recommendation R (92)16 and Recommendation Rec (2000)22 and their explanatory memorandum/ Révision des Règles européennes sur les sanctions et mesures appliquées dans la communauté Recommendation R (92)16 et Recommendation Rec (2000)22 et leur rapport explicatif

***PC-CP (2015) 9
English / Français***

***PC-CP (2015) 10
English / Français***

8. Follow-up to be given to the 20th Council of Europe Conference of Directors of Prison and Probation Services / Suites à donner à la 20e Conférence du Conseil de l'Europe des Directeurs des services pénitentiaires et de probation

www.coe.int/cdpps2015

9. SPACE Statistics / Statistiques SPACE

<http://wp.unil.ch/space/>

Powerpoint Presentation

10. Draft White paper on prison overcrowding / Projet de Livre blanc concernant le surpeuplement carcéral

***PC-CP (2015) 6 rev
English / Français***

11. Any other business / Questions diverses

APPENDIX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

MEMBER STATES / ETATS MEMBRES

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**INTERNATIONAL GOVERNMENTAL ORGANISATIONS / ORGANISATIONS INTERNATIONALES
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**UNITED NATIONS OFFICE ON DRUGS AND CRIME / OFFICE DES NATIONS UNIES CONTRE LA
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Apologised/Excusé

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Apologised/Excusé

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