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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Council for Penological Co-operation
(PC-CP)

12th Meeting of the Working Group

Strasbourg, 11-13 May 2016

SUMMARY MEETING REPORT

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

EXECUTIVE SUMMARY

The PC-CP Working Group:

- Took note the information provided by Ivan Koedjikov, Head of the Action against Crime Department, DG Human Rights and Rule of Law regarding the latest developments in the Council of Europe activities in the criminal justice field and more specifically related to refugees, migration, foreign terrorist fighters returnees and radicalisation;
- Took into consideration the information provided by Carlo Chiaromonte, Head of the Criminal Law division regarding the recently held meeting of the Bureau of the European Committee on Crime Problems (CDPC) and in particular the comments made on the draft structure of the Handbook on radicalisation and violent extremism;
- Took note of the information provided by Carlo Chiaromonte regarding the agenda of the forthcoming meeting of CODEXTER, the work planned on a new Convention on offences related to cultural property, as well as regarding the decisions to be taken at the 126th session of the Committee of Ministers (18 May 2016, Sofia) and in particular the decision to invite the member states to disseminate widely the Guidelines to prison and probation services regarding radicalisation and violent extremism);
- Welcomed the work carried out by the scientific experts between the last and the present meeting of the PC-CP Working Group, considered the draft Handbook for prison and probation services regarding radicalisation and violent extremism and made some comments and proposals for amendments and additions to the text;
- Welcomed the work carried out by the scientific expert, considered the revised draft text of the Recommendation on the European Rules on community sanctions and measures (CSM) and made some further amendments and proposals;
- Welcomed the work done by the Drafting Committee, considered the draft White paper on prison overcrowding and had no comments and proposals for specific amendments of the text. The discussion of the document revealed the importance of sufficient funding for prison administrations and the need to make more use of parole in order to prepare better for release and avoid the negative effects of long prison terms in this respect;
- Considered the programme and organisation of the 21st Conference of Directors of Prison and Probation Services (CDPPS) (June, Zaandam, The Netherlands) and took decisions regarding the organisation of the plenary sessions and the workshops and the distribution of tasks among its members in relation to this, as well as in relation to preparing the conclusions of the Conference and its follow-up and agreed that Rob Canton, scientific expert should take also part in the Conference in order to take stock of the comments and proposals made by its participants in relation to the draft European Rules on CSM;
- Took note of the information provided by Givi Mikanadze regarding a recent study on prison overcrowding carried in four countries of the Eastern Partnership within the framework of the EU/Council of Europe Programmatic Framework Regional project "Promoting penitentiary reforms (from a punitive to a rehabilitative approach)";
- Appointed one of its members, Nathalie Boissou as gender rapporteur;
- Approved the proposal made by one of its members, Nikolaos Koulouris to conduct a research related to the work carried out by the PC-CP and decided to come back to this issue at its next meeting in September 2016;
- Took decisions regarding the draft agenda of its meeting in September, namely to discuss sports in prison and the treatment of sex offenders in prisons and in the community;
- Took note of the dates of a meeting of the SPACE national correspondents (7-8 November 2016, Strasbourg);
- Reminded its members of the dates of its next meetings in 2016, namely of its Working Group meeting on 26-28 September 2016 and of its plenary meeting on 19-21 October 2016.

The Working Group of the Council for Penological Co-operation (PC-CP) held its 12th meeting in Strasbourg on 11-13 May 2016 with Mr Vivian Geiran in the Chair and Mr Jörg Jesse 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 informed the participants regarding the latest developments in the Council of Europe activities in the criminal justice field and more specifically related to refugees, migration, foreign terrorist fighters returnees and radicalisation.
3. Mr Carlo Chiaromonte, Head of the Criminal Law division informed the participants of the recently held meeting of the Bureau of the European Committee on Crime Problems (CDPC) and in particular of the comments made on the draft structure of the Handbook on radicalisation and violent extremism.
4. Mr Chiaromonte further informed of the agenda of the forthcoming meeting of CODEXTER, the work planned on a new Convention on crimes related to cultural property, as well as the decisions to be taken at the 126th session of the Committee of Ministers (18 May 2016, Sofia) and in particular the decision to invite the member states to disseminate widely the Guidelines to prison and probation services regarding radicalisation and violent extremism).

II. Summary report of the 11th plenary meeting of the PC-CP [document PC-CP (2016) 1]

5. The PC-CP considered the summary meeting report of the above meeting and had no comments to make.

III. Items for information

6. The participants took note of the information provided by the Secretariat regarding the expected time line for drafting the Handbook on radicalisation, finalising the draft Recommendation on the European Rules on CSM and approval of the draft White paper on prison overcrowding.

IV. Handbook for prison and probation services regarding radicalisation and violent extremism (VE)

7. The participants praised the quality and the amount of the work carried out by the three scientific experts and the Secretariat between its past and its present meetings and took note of the revised structure of the document and of its contents.
8. The members suggested that more attention is accorded in the document to the role and work of the probation services. One of its members raised the question of insufficient training of staff in some countries where the initial training of front line prison staff lasts only a few weeks while as the expectations are high that frontline staff ensures security, good order, rehabilitation, identification of vulnerable and radicalised prisoners, etc. It was therefore suggested to underline the importance of training of prison staff. Probation staff are as a general rule required to have an academic qualification up to and often including a master's degree which is not the case for prison staff where often persons without the necessary education and training are recruited and entrusted with difficult tasks.
9. A proposal was also made to expand the part on screening of VE and radicalised offenders.
10. One of the members underlined that so far there are no clear rules and guidance regarding the work of probation services with VE and radicalised offenders even when it comes to home visits and regarding meetings with them as well as how to work with their families which are often extended families where the role of cousins, uncles, grandparents can be influential in a positive or a negative way.
11. It was suggested to explain dynamic security in the introductory part of the document as well as the structure of the text and its logic, to add in case studies and either to link the different chapters by an appropriate sentence or take out the links altogether as such sentences do not exist between all parts of the text.
12. It was decided that after some minor linguistic amendments to the text it will be sent in its current version to the CDPC plenary in June 2016 and its thorough revision will start in the autumn (in view that its adoption by the CDPC is planned for June 2017).

V. 21st Council of Europe Conference of Directors of Prison and Probation Services (CDPPS) (14-15 June 2016, Zaandam, The Netherlands)

13. The participants considered the draft programme of the Conference, took note of the information provided by the Secretariat regarding the stage of its organisation and discussed the distribution of their tasks during the Conference and afterwards.
14. It was decided that the members who will not moderate specific workshops will help out their colleagues in taking notes and in summing up of the discussions in order to prepare the concluding speech of their Chair at the closing session.
15. It was decided that the distribution of the work during the discussion in small groups of the draft European Rules on CSM will be decided at a later stage when there is a clear picture of the number of participants and their division among the groups by language and by country. It was also considered necessary that Rob Canton attends the Conference in order to have first hand information of the comments and proposals made by the participants for revision of the document.
16. The draft Recommendation on CSM will be translated for the needs of the Conference in its other two working languages, namely in French and Russian (its commentary will be available only in English).
17. It was decided that all moderators will contact the speakers in their workshops in good time before the Conference to organise better the discussions.

VI. Draft European Rules on community sanctions and measures

18. The PC-CP Working Group members thanked Mr Rob Canton, scientific expert for the quality of his work and for the commentary under each rule which he had drafted before the meeting which facilitated the reading and understanding of the text.
19. The PC-CP Working Group members considered the draft text and its commentary and made some additional suggestions for amendments. It was decided that the revised draft should be ready for the Conference in English within one week after the meeting.

VII. Draft White Paper on prison overcrowding

20. The participants considered the revised draft White paper. They approved the good quality of the document and the follow-up actions suggested at its end to be taken to ensure the widest possible dissemination of the text in the Council of Europe member states.
21. No specific drafting suggestions for amendments were made but some members underlined that more could be said in the document about the importance of the use of parole. Recent research has shown that prison sentences longer than 4 years contribute only to incapacitation but can have a negative effect on rehabilitation and reintegration prospects.
22. It was also stated in relation to the calculation of prison space that standards commonly accepted by all, institutions (preventive, judicial and human rights monitoring bodies) should be set to avoid ambiguities. In this respect it was noted that in one and the same country it may happen that prison space is calculated in a different manner in different prisons which complicates even further comparability of data.
23. It was also stated that no suggested action or measure to combat prison overcrowding would be possible unless sufficient funding is ensured and it was proposed to send the White paper also to the European Commission.
24. The participants received a copy and took note of the information provided by Givi Mikanadze regarding a recent study on prison overcrowding carried in four countries of the Eastern Partnership within the framework of the EU/Council of Europe Programmatic Framework Regional project "Promoting penitentiary reforms (from a punitive to a rehabilitative approach)".

VIII. Gender aspects

25. The PC-CP WG is composed of 9 elected members, including 3 women. Out of the four scientific experts present, two were women. The Secretary to the PC-CP is also a woman. In total out of the 20 participants in the meeting 9 were women.

26. Regarding the discussed topics during the meeting: in relation to the draft European Rules on CSM two questions were raised, namely whether to mention specifically the special needs women may have in relation to the execution of their CSM in order to take into consideration the care for their infant children and it was also mentioned that the majority of probation staff are women while most probationers are men. One of the Rules (currently Rule 79) specifically insists on non-discrimination regarding staff recruitment and selection which refers also to gender balance. This might pose problems as in some countries recruitment is based on anonymous entry written exams.
27. The draft Handbook on radicalisation as well as the draft White paper did not raise specific gender related issues but in the draft Handbook the specific needs of women are mentioned briefly.

IX. Any other business

28. The PC-CP WG approved the proposal made by one of its members, Nikolaos Koulouris to conduct a research related to the work carried out by the PC-CP. Several possible topics of interest were suggested: restorative justice; sex offenders, foreign prisoners. Due to lack of time it was decided to come back to this issue at the next meeting in September 2016 and select a topic at that point.
29. The PC-CP decided to include in its draft agenda of for the meeting in September the following topics: sports in prison and the treatment of sex offenders in prisons and in the community.
30. The PC-CP WG also took note of the information provided by the Secretariat regarding a possible small funding from the European Commission for developing further SPACE statistics and took note that the dates of a meeting of the SPACE national correspondents are planned to be 7-8 November 2016 in Strasbourg. It was decided that one of its members, Nikolaos Koulouris, will represent the PC-CP at this meeting.

X. Dates of the next meetings

31. The PC-CP recalled the dates of its next Working Group meeting, namely 26-28 September 2016 and of its plenary meeting (19-21 October 2016).

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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 (2016) 1
[*English / Français*](#)

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

CDPC-BU (2016) 2
[*English / Français*](#)

5. Handbook on radicalisation in prisons / Guide sur la radicalisation dans les prisons

PC-CP (2016) 2
English / Français

[*PRI Roundtable December 2015*](#)
(English only)

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*](#)

8. Organisation of the 21st Council of Europe Conference of Directors of Prison and Probation Services (2016, the Netherlands) / Organisation de la 21e Conférence du Conseil de l'Europe des Directeurs des services pénitentiaires et de probation (2016, Pays-Bas)

[*Draft programme*](#)

9. Draft Recommendation on the European Rules on community sanctions and measures / Projet de Recommandation sur les Règles européennes concernant les sanctions et mesures appliquées dans la communauté

PC-CP (2015) 10 rev 3
[*English / Français*](#)

PC-CP (2016) 4
English / Français

10. White Paper on prison overcrowding / Livre blanc sur le surpeuplement carcéral

PC-CP (2015) 6 rev 5
[*English / Français*](#)

11. Any other business / Questions diverses

12. Dates of the next meetings / Dates des prochaines réunions

LIST OF PARTICIPANTS/ LISTE DES PARTICIPANTS

MEMBER STATES / ETATS MEMBRES

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Valery BOYARINEV
Deputy Head, Legal Division of the Federal Penitentiary Service, Russian Federation

Artem KULINTSOV
Expert, Division of International Co-operation, Federal Penitentiary Service, Russian Federation

**WORKING GROUP OF THE COUNCIL FOR PENOLOGICAL CO-OPERATION / GROUPE DE TRAVAIL DU
CONSEIL DE COOPERATION PENOLOGIQUE
(PC-CP)**

Nathalie BOISSOU
Directrice des services pénitentiaires, Responsable du pôle relations internationales, Cabinet de la Directrice de l'administration pénitentiaire, Ministère de la Justice, Direction de l'administration pénitentiaire, France

Annie DEVOS
Administratrice générale des Maisons de Justice, Fédération Wallonie-Bruxelles, Belgique

Vivian GEIRAN
Chair of the PC-CP
Director, Probation Service HQ, Ireland

Antanas JATKEVIČIUS
Senior Adviser, Legal Department, Chancellery of the Seimas (Parliament), Lithuania
Research fellow, Lithuanian Institute of Law

Joerg JESSE
Vice-Chair of the PC-CP
Director General, Prison and Probation Administration, Acts of Clemency, Ministry of Justice, Mecklenburg - Western Pomerania, Germany

Attila JUHÁSZ
Prison Governor, Senior member, Heves County Remand Prison, Hungary

Nikolaos KOULOURIS
Assistant Professor in Social Policy and Offenders' Custodial and Non-Custodial Treatment, Department of Social Administration and Political Science, Democritus University of Thrace, Greece

Dominik LEHNER (Dr.)
President, Expert Committee on Offender Risk Assessment Northwest & Central Switzerland, Switzerland

Nadya RADKOVSKA
Head of the Department for International Relations and Training of Staff, General Directorate Execution of Sentences, Ministry of Justice, Bulgaria

SCIENTIFIC EXPERTS / EXPERTS SCIENTIFIQUES

Robert CANTON
Community and Criminal Justice, De Monfort University Leicester, United Kingdom

Christopher DEAN
Director, Identify Psychological Services Ltd, United Kingdom

Merel MOLENKAMP
Senior adviseur, RadarAdvies, The Netherlands

D. Elaine PRESSMAN, Ph. D.
Associate Fellow, International Centre for Counter-Terrorism (ICCT), The Netherlands

COMMITTEE OF EXPERTS ON TERRORISM / COMITÉ D'EXPERTS SUR LE TERRORISME (CODEXTER)

Mats BENESTAD (*Apologised / Excusé*)
Adviser, Legal Affairs Department, Norwegian Ministry of Foreign Affairs

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OBSERVERS WITH THE COUNCIL OF EUROPE / OBSERVATEURS AUPRES DU CONSEIL DE L'EUROPE

JAPAN / JAPON

Apologised/Excusé

MEXICO / MEXIQUE

Apologised/Excusé

UNITED STATES OF AMERICA / ÉTATS-UNIS D'AMÉRIQUE

Apologised/Excusé

**INTERNATIONAL GOVERNMENTAL ORGANISATIONS / ORGANISATIONS INTERNATIONALES
GOUVERNEMENTALES**

**UNITED NATIONS OFFICE ON DRUGS AND CRIME / OFFICE DES NATIONS UNIES CONTRE LA
DROGUE ET LE CRIME (UNODC)**

Apologised/Excusé

UNITED NATIONS CHILDREN'S FUND (UNICEF)

Apologised/Excusé

INTERNATIONAL CENTRE FOR PRISON STUDIES

Apologised/Excusé

EUROPEAN UNION / UNION EUROPÉENNE

Lida KUUSRAINEN
Legal Advisor, EU Delegation to the Council of Europe, Strasbourg

OTHER PARTICIPANTS/ AUTRES PARTICIPANTS

**CONFEDERATION OF EUROPEAN PROBATION / CONFEDERATION DE LA PROBATION EUROPÉENNE
(CEP)**

Willem VAN DER BRUGGE
Secretary General CEP, The Netherlands

PENAL REFORM INTERNATIONAL (PRI)

Alison HANNAH
Executive Director

EUROPEAN ORGANISATION OF PRISON AND CORRECTIONAL SERVICES (EuroPris)

Kirsten HAWLITSCHKEK
Executive Director, P.O.Box 13635, 2501 EP The Netherlands

RAN P&P WORKING GROUP / GROUPE DE TRAVAIL PRISON & PROBATION RAN

Finn GRAV
Senior Advisor, Chair of the Prison and Probation Working Group (RAN P&P), Norway

SECRETARIAT OF THE COUNCIL OF EUROPE / SECRETARIAT DU CONSEIL DE L'EUROPE

EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CPT) / COMITÉ EUROPÉEN POUR LA PRÉVENTION DE LA TORTURE ET DES PEINES OU TRAITEMENTS INHUMAINS OU DÉGRADANTS (CPT)

Almut SCHRÖDER
Administrator/ Administratrice

EUROPEAN COURT OF HUMAN RIGHTS (ECHR) / COUR EUROPEENNE DES DROITS DE L'HOMME (CEDH)

Apologised/Excusé

PARLIAMENTARY ASSEMBLY

Apologised/Excusé

DIRECTORATE GENERAL I / DIRECTION GÉNÉRALE I

**HUMAN RIGHTS AND RULE OF LAW / INFORMATION SOCIETY AND ACTION AGAINST CRIME
DIRECTORATE**

**DROITS DE L'HOMME ET ETAT DE DROIT / DIRECTION DE LA SOCIÉTÉ DE L'INFORMATION ET DE LA
LUTTE CONTRE LA CRIMINALITÉ**

Action against Crime Department / Service de la Lutte contre la Criminalité

Ivan KOEDJIKOV
Head of Department / Chef de Service

Criminal Law Division / Division du droit pénal

Carlo CHIAROMONTE
Head of Division / Chef de Division
Secretary to the CDPC / Secrétaire du CDPC

Irina TANEVA
Secretary to the PC-CP / Secrétaire du PC-CP

Givi MIKANADZE
Programme Manager, Criminal Law Co-operation Unit / Responsable de Projet, Unité de coopération droit pénal

Christine COLEUR
Assistant to the PC-CP / Assistante auprès du PC-CP

INTERPRETERS / INTERPRÈTES

Corinne McGEORGE
Chloé CHENETIER
Bettina LUDEWIG