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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Council for Penological Co-operation
(PC-CP)

11th Meeting of the Working Group

Strasbourg, 11-13 January 2016

SUMMARY MEETING REPORT

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

EXECUTIVE SUMMARY

The PC-CP Working Group:

- Welcomed its four new elected members from Belgium, Bulgaria, France and Greece and approved its agenda, its order of business and the summary meeting report of its last plenary meeting;
- Took into account the information provided by Jan Kleijssen, Director, Information Society and Action against Crime Department, DG Human Rights and Rule of Law regarding the state of adoption of the Guidelines on radicalisation and the other recent activities of the Directorate in the criminal justice field;
- Welcomed the national delegations of Romania 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 Carlo Chiaromonte, Head of the Criminal Law Division regarding the last meeting of the CDPC and the decisions taken which are relevant to the PC-CP work;
- Took note of the presentations made by the three scientific experts on radicalisation in prisons, considered the issue of drafting a Handbook on radicalisation containing practical advice and information for prison and probation services and approved its preliminary structure;
- 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 and made some further amendments and proposals;
- Considered the draft programme and overall organisation of the 21st Council of Europe Conference of Directors of Prison and Probation Services (Zaandam, 14-15 June 2016) and made a few suggestions regarding format, speakers, general organisation and expected outcome;
- Considered its mandate and its tasks for 2016-2017 and in relation to this took note of document PC-CP (2014) 16 rev 2;
- Decided to proceed with the revision of the commentary to the European Prison Rules towards the end of the current year or early 2017;
- Further decided that the CDPPS in 2017 should have among its principal topics education in prison and probation as a means for better reintegration into society;
- Decided also that there is a need to consider in greater details in the future the issue of mental healthcare both in prisons and for offenders under probation;
- Was of the opinion that there is a need to do more work in the field of restorative justice as it is used more and more often in prisons and by the probation services;
- Agreed that the three scientific experts, the Chair and the Secretariat will meet on 5-6 April 2016 in order to draft the preliminary version of the Handbook in good time for the next meeting of the Working Group;
- Approved the dates of its next Working Group meetings, namely 11-13 May 2016 and 26-28 September 2016 and decided to hold its plenary meeting on 19-21 October 2016.

The Working Group of the Council for Penological Co-operation (PC-CP) held its 11th meeting in Strasbourg on 11-13 January 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 Jan Kleijssen, Director, Information Society and Action against Crime Directorate, DG Human Rights and Rule of Law welcomed all participants and the new Chair and Vice-Chair of the PC-CP. He expressed satisfaction with the presence of the relevant organisations and bodies working in the field of radicalisation and terrorism and underlined the importance of ensuring coordination between the different actors in this topical field. He also informed that the draft Guidelines for prison and probation services regarding radicalisation and violent extremism are expected to be adopted by the Committee of Ministers in early February 2016. He then welcomed the work starting on a Handbook which should provide practical advice and to the prison and probation services regarding identifying and dealing with radicalisation and violent extremism.
3. Mr Carlo Chiaromonte informed that the Committee of Ministers is expected to adopt an Action Plan on transnational organised crime, drafted by the CDPC and to entrust the CDPC with the drafting of a Convention on crimes related to cultural property.

II. Summary report of the 5th plenary meeting of the PC-CP [document PC-CP (2015) 15]

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

III. Items for information

5. The participants took note of the information provided by the Secretariat regarding the expected time line for drafting the Handbook, revising the commentary to the European Prison Rules and finalising the draft Recommendation on the European Rules on community sanctions and measures (CSM) as well as regarding the remaining tasks contained in the terms of reference of the PC-CP for 2016-2017.

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

6. The participants took note of the very useful presentations made by the three scientific experts, which gave an overview of the existing risk assessment instruments and the modalities of their use. The participants debated some of the issues presented and decided that the draft text will bear the title "Handbook" and not "Manual" as it will not enter into very technical details, which is the role of a manual. The reasons are that some of the techniques used by the member states cannot be included in such a public document; the cultures, legal and administrative systems differ; and it is not feasible to give very specific guidance without evaluating its relevance and usefulness for a given prison and probation administration. The practices and methods used are not verified and researched to an extent allowing solid conclusions and this is because some aspects of radicalisation are rather new and concern very limited number of offenders to be representative and therefore are not statistically significant enough to be evaluated.
7. Philipp Meissner, UNODC, informed that the UN Secretary General had just approved a new Plan of Action to prevent violent extremism. He then informed of the recent work started (in December 2015) on an UNODC Handbook on managing VE offenders and preventing radicalisation to violence in prisons. He gave a short overview of the work done so far and of the time line for finalising the document. He informed in particular that during the next meeting of the expert group in April 2016 some good practices will be discussed with the intention not to specifically promote them but to give only some possible examples to be adapted to the national traditions and needs.
8. All participants agreed that there is a need for coordination between all relevant players of their work and of the messages sent to the member states in order to have credibility and achieve tangible results in fighting violent extremism (VE).
9. The Secretariat informed that the RAN P&P Working Group representative who was invited to attend could not do so for this meeting but that he will attend the meeting in May. It was agreed that reference will be made in the CoE Handbook to the work carried out by UNODC and RAN in this area and that the RAN's

compilation of good practices will be further examined in order to identify recommendable practices and include these in the Handbook.

10. The representative of CODEXTER underlined that the threat posed by VE prisoners inside prisons is different from the threat they pose when released. He stressed that while in prison they represent a communication threat, threat of links with organised crime groups threat linked to their ability to influence other prisoners. Information regarding any such prisoners needs to be communicated to the relevant services before the persons are released from prison in order to help prevent any threat to society they may pose.
11. During the discussions the importance of developing special training for prison and probation staff was underlined and it was suggested to contact CEPOL (European Police College) and EPTA (European Prison Training Academies Network) for that purpose.

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

12. The participants welcomed the representative of the Dutch Ministry of Justice and took note of the information provided by him and by the Secretariat regarding the organisation of the next CDPPS.
13. The participants examined the draft programme of the Conference and made a number of proposals and additions to it. It was decided that community involvement and the issue of children and family of the offenders will be the centre of attention for the Conference participants. They will also have the opportunity to discuss in small groups the draft recommendation on community sanctions and measures. Overcrowding will be introduced as a topic at the plenary and will then be discussed during the workshops where it can also be linked to radicalisation. One or two presentations related to community involvement may also touch upon radicalisation. In parallel to discussing overcrowding in the other workshop will be discussed electronic monitoring, including the outcome of the study carried out by the CEP on the implementation of Recommendation CM/Rec (2014) 4 on electronic monitoring.
14. Proposals regarding speakers, moderators, associations working with offenders and others were also made during the meeting.

VI. Draft Recommendation on community sanctions and measures

15. Mr Rob Canton informed that he had sent out to a few experts the draft text asking for comments but had got few replies. He had revised further the text in the light of the comments received.
16. The PC-CP Working Group members considered document PC-CP (2015) 10 rev 2 and made some additional proposals for amendments. They agreed that there is a need to have a glossary in which to keep some of the existing definitions and to leave out those which are covered by the Council of Europe Probation Rules. The scientific expert will further compare and align the text with the text of the Probation Rules and will include also rules related to victims and to the need to support and fund targeted research (impact of CSM on women, on juveniles, on minority groups, etc.)
17. It was further suggested to incorporate Rule 50 of the European Prison Rules in the Recommendation on CSM. It was also agreed that the scientific expert will draft a commentary to the text which will be discussed at the meeting in May. The draft Recommendation needs to be translated into French before that meeting in view of finalising the translation and sending out the text to all participants in good time for the CDPPS. The translation into Russian will be done after the meeting in May.
18. Regarding the planned discussion in small groups during the CDPPS, it was agreed that the PC-CP Working Group members will guide the different groups, will take note of the proposals made and will provide feedback at the end of the Conference to the scientific expert. The draft recommendation will then be revised and finalised for the PC-CP plenary meeting in October 2016.

VII. Review of the Recommendations and Resolutions in prison and probation fields and revision and updating of the commentary to the European Prison Rules

19. The participants considered the proposals made in document PC-CP (2014) 16 rev 2 and decided to proceed with the revision of the commentary to the European Prison Rules towards the end of the current year or early 2017.

20. Regarding the proposals made in the document related to education in prison the PC-CP WG decided that this topic will be one of the main topics of the 22nd CDPPS in 2017 and that contacts need to be established with EPTA (European Prison Training Academies Network).
21. The PC-CP further was of the opinion that there is a need in the near future to consider in greater details the issue of mental healthcare both in prisons and for offenders under probation and that this should be done in co-operation with the CPT, the European Court of Human Rights and the Department for execution of judgements.
22. The PC-CP discussed also Recommendation (99)19 on mediation in penal matters and was of the opinion that there is a need to do more work in the field of restorative justice as it is used more and more often in prisons and by probation services.

VIII. Gender aspects

23. The meeting was attended by 18 men and 8 women. The gender balance between the elected PC-CP members has improved with the election of three new women members and is currently 6 men and 3 women.
24. Gender aspects were discussed when dealing with the different points on the agenda, namely draft Recommendation on CSM and the 21st CDPPS and the one of the two main topics of the Conference will be related to the role of families of offenders respectively of women as on average more than 95% of offenders are men.

IX. Dates of the next meetings

25. The PC-CP approved the dates of its next Working Group meetings, namely 11-13 May 2016 and 26-28 September 2016 and decided to hold its plenary meeting on 19-21 October 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) 15
English / Français***

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

***CDPC (2015) 26
English / Français***

5. Handbook on radicalisation in prisons / Manuel concernant la radicalisation dans les prisons

***Presentation E. Pressman
Presentation J. Burger
Presentation C. Dean***

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)

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 2
English / Français***

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

10. Revision and updating of the commentary to the European Prison Rules/ Révision et mise à jour du commentaire des Règles pénitentiaires européennes

11. Any other business / Questions diverses

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

APPENDIX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

MEMBER STATES / ETATS MEMBRES

MOLDOVA

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(PC-CP)**

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