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**AD HOC DRAFTING GROUP ON DANGEROUS OFFENDERS
(PC-GR-DD)**

**PURPOSE OF THE AD HOC DRAFTING GROUP
ON DANGEROUS OFFENDERS (PC-GR-DD)**

Document prepared by the Secretariat of
the Directorate General Human Rights and Rule of Law (DG1)

In 1982, the Committee of Ministers of the Council of Europe adopted the Recommendation No. R (82)17 concerning *custody and treatment of dangerous prisoners*. Taking into account the latest Council of Europe standards regarding the treatment of offenders in custody, there is a clear need to replace this recommendation with a new text in line with new international/Council of Europe standards, including the European Prison Rules.

The text of the new recommendation should build upon and further broaden the scope of Recommendation No. R (82)17 and aim at giving practical advice and policy guidance to national authorities on the main rules to follow when dealing with dangerous offenders. In this way the right balance between the protection of the public safety and of the rights of offenders would be ensured.

Under the authority of the European Committee on Crime Problems (CDPC), the Ad hoc drafting Group on Dangerous Offenders (PC-GR-DD) is instructed to prepare **a non-binding legal instrument on dangerous offenders** by examining the following issues:

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

Bearing this in mind, and with a view to preparing the forthcoming meetings, the members of the Ad hoc drafting Group on Dangerous Offenders are requested to:

- make a presentation identifying the main concerns in the field of dangerous offenders in his/her country of origin;
- provide information about the current legal framework (legislative provisions/measures) of his/her country of origin in the field of dangerous offenders;
- participate in the discussion by providing elements for basic principles, scope and definitions concerning dangerous offenders;
- consider possible legal measures/consequences applicable to dangerous offenders in Council of Europe member states.

In particular, and with a view to drafting a non-binding legal instrument on dangerous offenders, the members of the Ad hoc drafting Group are invited to:

- a) In respect of *risk and threat assessment of dangerous offenders in criminal proceedings*:
 - a. define risk threat assessment;
 - b. discern what practices are used in his/her country of origin regarding risk and threat assessment.
- b) In respect of *treatment and conditions of dangerous offenders*:
 - a. envisage the possibility of creating common standards regarding the detention conditions of dangerous offenders;

- b. provide elements for the discussion on the treatment and conditions of dangerous offenders and provide elements for the drafting of specific provisions to be included in the future recommendation.
- c) In respect of *measures for the prevention of re-offending by dangerous offenders*:
 - a. outline what measures for the prevention of re-offending by dangerous offenders already exist in his/her country of origin;
 - b. propose any other feasible common standards regarding these measures.

In addition, the relevant jurisprudence of the European Court of Human Rights (ECtHR) and the best practices of member states should be taken into account.

It should be recalled that those offenders whose level of danger is determined by their involvement in organised crime and/or terrorism will **not** be covered by the PC-GR-DD.