

20TH CONFERENCE OF THE HEADS OF PRISON AND PROBATION SERVICES

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Summing up and Conclusions

Mauro Palma
PC-CP Chair

Dear colleagues and distinguished participants, dear Jan Kleijssen, dear Jesper Hjortenberg, we have come to the end of these two busy and very interesting days of debate, discussions and exchange of possible solutions to the challenges all of us are facing in present times. Allow me to express the Council for Penological Co-operation's gratitude to everybody, but in particular, to those who presented their experience, research or study so enriching the exchange of views that is at the heart of these annual Conferences. Special thanks to the Romanian authorities that efficiently and fairly hosted the Conference this year and a very friendly thank you to Catalin Bejan and Iuliana Carbonaru who not only were deeply involved in the preparation of the Conference but even offered us a stimulating picture of the challenges and the potentials of Prison and Probation Services whenever they work together looking for solutions and motivating staff even in the present difficult period of economic crisis.

It's not easy to summarise in a short intervention the richness of the presentations and the discussions we had in plenary, subgroups and panels. However we are very happy to see that there was a general interest to the discussion and a real participation of all of you in the subgroups. I thank you for that because it will be very helping for us in the drafting exercise of the Guidelines on radicalisation.

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Indeed as you are aware, following the tragic events that put also Europe as a theatre of terrorist attacks based on radical views of supposed religious beliefs, the programme of the Annual Conference of the Directors of Prison and Probation Services, was drafted within the context of the Action Plan adopted by the Council of Europe.

Different strategies were recently put in place to detect signs of radicalisation and to deal with this phenomenon. In particular, they focussed in two areas: the attention to be paid to movements and travels in the globalised world and the dynamics with the special context of the closed environment of a prison and the strategies of resettlement of prisoners.

So, dealing with radicalisation – in terms of prevention, detection of signs indicative of this process, implementation of strategies of de-radicalisation – has become more and more significant as part of the global strategy of the fight to international terrorism.

From this perspective, the PC-CP started its work on the Guidelines you examined yesterday. I can here only present you the general outcome of the discussion but I can ensure you that all your proposals and contribution will be deeply considered in September when the Working Group will review the Guidelines.

Everybody in the subgroups agreed that although prisoners and probationers at risk of being radicalised or of becoming violent extremists represent a small minority in the Council of Europe member states, it is nevertheless important to put sufficient resources and efforts into dealing with this problem efficiently given the potential danger it represents for society. Therefore there was a general agreement that Guidelines will be an additional useful tool at the level of the Council of Europe as they recommend measures to be taken by the prison and probation services in order to prevent persons under their responsibility from being radicalised to accepting violent extremist views which may lead to terrorist acts.

Any practical measures regarding identification, prevention, dealing with extremism in prison and probation could be included in a separate document, based on the existing tools and manuals developed nationally and internationally and evaluated and best practices already existing at national level in some countries.

Prison and probation staff are the primary actors to implement the guiding principles listed in the Guidelines. However representatives of other agencies as well as legal counsel, family members, religious representatives and peer groups may also be concerned by these guiding principles. As radicalisation is not only a problem of our Agencies and Services: it is a problem of society .

The Guidelines were welcomed by the subgroups and we can say that at European level they are seen as useful no matter that in some countries there is a specific need for them or others are just expressing solidarity.

Although some Council of Europe principles and rules are already present in other documents, they were considered useful to be reflected in the Guidelines: we'll add to the next new version valuable ideas that came from the exchange of views we had yesterday, in particular about the role of probation. Measures in the community for those who do not enter prison be more developed in the document as the necessity not only for those who are released and should be resettled.

From another perspective, education in a wider sense still needs to be added and emphasised because the key message from the Council of Europe in this area – as well whenever crimes and sanctions are concerned - is prevention.

Special attention will be given in the redrafting process on the role that can be paid by Prison and Probation Services in designing and implementing de-radicalisation programmes for those entering our Services with radicalised ideas and attitudes. Multi-disciplinary teams are needed to assess risk and needs and programme interventions, separate rule have to be given to family intervention with special attention on gender aspects.

On this occasion, in the context of our discussion, we also received the opinion of the CPT on the matter. We are very pleased to receive hints and opinions from all the important bodies of our Organisation. CPT stated that as such it has neither mandate nor experience to suggest the ways to combat radicalisation in prisons. However, its mandate and experience are relevant for this

topic as it deals extensively with various aspects of the functioning of prisons with the aim to prevent and combat any forms of ill-treatment of persons deprived of their liberty.

In a final note delivered by this Committee it was underlined that the topic of radicalisation in prisons is no doubt a complex one, and apparently for the time being there is no clear consensus as to which strategies are efficient in dealing with it. The Committee therefore invited the drafters to consider a modest, step-by-step approach. From the CPT's point of view, the application of the existing standards – ECHR and jurisprudence of ECtHR, the European Prison Rules and other recommendations of the Committee of Ministers, CPT standards – should be the priority.

As the first step, in the CPT's opinion it could be useful to limit the Guidelines to the explanation of how the application of the existing standards will prevent the risk of radicalisation. Once further evidence becomes available, for example the risk indicators, a more practical guide for the prison (and probation) services could be developed. Regardless of whether this step-by-step approach will be chosen or not, the new Guidelines should be seen as furthering the existing instruments in the particular context of radicalisation in prisons.

However on substance, in the CPT's opinion the policy of isolation of prisoners is not an acceptable and simply not a working solution to the challenge of radicalisation. The Committee is firm in the opinion that this challenge by no means undermines the applicability of the existing standards on isolation, solitary confinement and so forth. As to the procedure, when the draft reaches a more advanced stage of its preparation, the CPT itself will be ready and willing to contribute to the discussion.

We will consider in our drafting exercise all these useful elements coming from the important exchange of view we had during the past two days here in Bucharest. We will also consult the CODEXTER that, as you know, is the steering Committee dealing with terrorism.

However one thing was underlined by all the subgroups; and it was already mentioned by the yesterday speakers. It is a basic principle that reads as follows: good prison management, appropriate detention conditions and adequate human and financial resources are a pre-requisite for any intervention in this area because nothing can be done properly without having it. Moreover they are the first step in implementing any policy or strategy aimed at handling this difficult challenge.

Starting from the need of good prison and probation management we opened the second part of our meeting.

A crucial question, put by William Rentzmann on the basis of his long experience in the prison and probation service work, introduced this second part. The question was: How do we connect the estimated and noble principles with the tough and demanding everyday life in our prisons and probation units? Put differently: How do we transform ideals into reality; and how do we ensure that reality is reflected in the ideals? The research presented by the "De Monfort University" in Leicester, concerning the impact of the Council of Europe Probation Rules – and not only the compliance with them – put the same question.

As William Rentzmann affirmed, unfortunately the answer is not as simple as the question. However we totally agree with him that it is crucial to look for answers. In line with this principle, we tried to approach a possible answer by considering three structural topics: the development of proper training and proper recruitment of staff, the significance of partnerships in managing the complexity of a prison and the development of a European curriculum for probation work based on the lifelong approach. I would like to underline some elements coming from these presentations.

Sue McAllister reflected on the importance for a positive return of the offender to the society of proper accommodation, social support and employment for desistance from crime.

None of these three pre-conditions is easy to be achieved – we know this – but we should always remember that what is important for our mandate is not the price of what we want to do, but the value that it represents for the society. Therefore the investment in training is crucial and should be supported regardless to its financial impact. Training should be seen as an ongoing process, giving instruments and abilities to learn more and more during the whole time of the career – and, in general, the life, as it was underlined by Bas Vogelvang.

In addition, two specific challenges were examined in the second day of the Conference.

First, the importance of supporting a good quality relation between a prisoner and his/her children, by reducing the difficulties inherent to the situation of deprivation of liberty, by alleviating the impact that a child has with the closed environment of a prison and that could be detrimental for his/her psychological growth; and by training staff in such a direction. The various aspects of the difficult experience a very high number of European children have every day in their relation with one or two imprisoned parents could be alleviated giving more attention to very small but crucial things and procedures. For instance the provision of a special space within the prison where a child can spend time with his/her father or mother, the inclusion in the staff training of a specific module concerning the safeguard the children's rights whenever they come in contact with the prisons and the subsequent provision of a unit of staff specifically trained for such a purpose.

The second challenge we considered relates to the change that is implied in all the institutions where human interaction is concerned – prison and probation services are such institutions – by the development of the information and communication technology. We should be well aware that the new generation has a direct and natural relation with digital devices and with the communication forms they imply: what we call “digital revolution” is natural life for the “digital natives” and the “digital immigrants”.

Keeping good contacts with outside world, keeping the prison life as far as possible similar to the external life are principles very often recommended by the Council of Europe. It is not possible to comply with these principles without changing the organisation itself of the prison life on the basis of the chances and challenges posed by the ICT. Positive experience of using a platform in the daily routine of prison life was presented by the Belgian authorities. The idea of a “prison cloud” where to keep information and give access to services, so facilitating the operation and communicative fluxes, should be taken into account and examine under two opposite perspectives: the positive

use of technologies in training staff, providing access to lectures, giving access to information, reducing the burden of direct security, introducing telemedicine so ensuring therapeutic continuity; and – the opposite side – the risk of reducing personal interaction between prisoner and staff.

Dear Participants, we wanted to make a clear reference in the title of the Conference to the strategic challenges. No doubt that the presentations on these two topics put in front of us a long standing and never fully resolved challenge – the family relations under the perspective of the wellbeing of children – and a new one posed by the development of new powerful information and communication technologies changing our daily life and even conceptual approach to problems.

We continue our research on how to keep together more aspects – protection, sanction, rights, dignity, utility – and to find the right balance among them.

Thank you for your participation, for your contribution and your patience even paying attention to this my lengthy summary . We look forward to meeting you next year.

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