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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Council for Penological Co-operation
(PC-CP)

8th Meeting of the Working Group

Strasbourg, 4-6 February 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 and the summary meeting report of the 4th Plenary Meeting;
- Took into account the information provided by Mr Jan Kleijssen, Director, Information Society and Action against Crime Directorate, DG Human Rights and Rule of Law and in particular the need to accelerate the work related to radicalisation in prisons;
- Took further into account the information provided by Mr Carlo Chiaromonte, Secretary to the European Committee on Crime Problems (CDPC) regarding the outcome of its last plenary meeting (December 2014) and in particular its decisions related to the execution of penal sanctions and measures as well as of the fact that a Drafting Committee on prison overcrowding set by the CDPC held its first meeting on 8-9 December 2014;
- Took note of the presentation made by Mr Finn Grav, scientific expert related to the activities carried out so far by the Radicalisation Awareness Network (RAN) in the field of radicalisation in prisons;
- Took note of the presentation made by Mr Francesco Ragazzi, scientific expert on the notion of radicalisation and its analysis from the point of view of social science and the ensuing counter-terrorism policies;
- Discussed the general contents, structure and terminology to be used when developing Guidelines to prison and probation services and gave instructions to the scientific experts in relation to this. It was decided to use the term “violent extremism and radicalisation leading to terrorism”. It was also agreed that the scientific experts will draft a text based on the agreed structure and general contents in good time before the meeting in April and that the same text will be discussed and re-drafted after it in order to be presented for discussion at the 20th Conference of Directors of Prison and Probation Services (CDPPS) on 9-10 June 2015;
- Took note of the feedback provided by several members of the PC-CP and of its Secretariat regarding their participation as PC-CP representatives in events held outside the Council of Europe framework;
- Discussed in details the organisation, topics, contents, format and possible speakers at the 20th CDPPS (9-10 June 2015) and approved its draft programme;
- Took note of the forthcoming press release organised in Strasbourg and in Brussels to present the publication of the SPACE I and SPACE II reports for 2013;
- Considered again the issue of ensuring better visibility of the latest Committee of Ministers recommendations in the penitentiary field and planned its future activities related to it;
- Took note of the Multilateral seminar on electronic monitoring (1-4 November 2014) organised within the framework of the technical cooperation activities and were of the opinion that the PC-CP should be associated closer with the holding of such events which promote the standards elaborated by it;
- Re-elected Mr Mauro Palma as their Chair and Ms Alina Barbu as their Vice-Chair for a second consecutive term and took decisions regarding the organisation of the next PC-CP meetings;
- Decided to hold its September meeting on 14-16 September 2015.

The Working Group of the Council for Penological Co-operation (PC-CP) held its 8th meeting in Strasbourg on 4-6 February 2015 with Mr Mauro Palma in the Chair. The list of participants is appended to this report (Appendix II).

I. Opening of the meeting and adoption of the agenda

1. The agenda was adopted (see Appendix I).
2. Mr Jan Kleijssen, Director of the Information Society and Action against Crime Directorate, DG Human Rights and Rule of Law welcomed the members of the Working Group, the representatives of the member states and the observers and underlined that the rate of attendance at the last PC-CP plenary meeting was high which was important for the overall outcome of its work. He then stressed the need to accelerate the work related to radicalisation in prisons as the Committee of Ministers would need to adopt Guidelines in this respect as soon as possible and eventually by the end of 2015.
3. Mr Kleijssen also informed that a new Committee (Committee on Foreign Terrorist Fighters and Related Issues) was set up with the task to draft a Protocol to the Convention for the Prevention of Terrorism regarding foreign fighters. It is expected to be approved by CODEXTER in April and to be on the Committee of Ministers agenda in June 2015.

II. Summary report of the last plenary meeting of the PC-CP [Document PC-CP (2014) 19]

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

III. Items for information

5. Mr Ivan Koedjikov, Head of the Action against Crime Department and Counter-terrorism coordinator underlined that the work on radicalisation and on dealing with violent extremism is among the priorities of the Secretary General and that this topic should be high also on the PC-CP agenda and should in addition be discussed at the forthcoming Conference of Directors of Prison and Probation Services. During the Belgian presidency of the Committee of Ministers a high level Conference will be held in Brussels in May 2015 and it would be important that for this occasion the Secretary General informs on the progress of the work on radicalisation in prisons.
6. Mr Carlo Chiaromonte, Head of the Criminal Law Division and Secretary to the European Committee on Crime Problems (CDPC) informed the PC-CP of the outcome of the last CDPC plenary meeting (December 2014) and of the decisions taken at it. He informed of the current revision of the Criminal law Conventions and of the White paper on Organised Crime the Action Plan for which will be finalised in 2015.
7. He informed that the three reports drafted by the PC-CP were approved by the CDPC and sent to the Committee of Ministers for information. He also informed of the outcome of the first meeting of the Drafting Committee on prison overcrowding. It was set up following the proposals made at the last Conference of the Directors of Prison and Probation Services (CDPPS). The first outline structure and contents of the draft White Paper reflecting the situation in Europe and providing guidelines to the national authorities for reduction of the prison density was agreed and a preliminary draft text will be discussed at the next meeting on 30-31 March 2015.
8. Mr Palma informed of his participation as PC-CP Chair in the plenary meeting of RAN Prison and Probation Group which took place in Rome on 11-12 December 2014.
9. Mr Jatkevičius reported regarding his participation as PC-CP representative in the 6th International Conference "Making Deprivation of Children's Liberty a Last Resort: Toward Evidence-based Policies on Alternatives", organised by the International Juvenile Justice Observatory's (IJJO) in Brussels on 3-4 December 2014, where he presented the topic "Recommendations of the Council of Europe and National Legislation and Practice: a Mutual Impact" at the plenary session and at the institutional panel "EU Activities in the Area of Juvenile Justice: How to Impact National Practices and Realities?". He also made a welcome speech before the 4th meeting of the European Council for Juvenile Justice.
10. Mr Juhász reported regarding his participation as PC-CP representative in a regional workshop "Promoting the International Standards on the Treatment of Women Prisoners in South Eastern Europe", organised by the UNODC in Vienna on 15-16 December 2014. It was attended by senior level prison

administration experts, officers in charge of prison staff training and gender-related matters and other relevant national authorities from Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia. The workshop covered issues, such as treatment of women in prison, including admission and registration; specific health related issues; children in prison; special group of female prisoners and female prison staff. A proposal was made co-operation to be established on the above topics between the Council of Europe and UNODC.

11. Ms Rakusic-Hadzic, Head of the Criminal Law Co-operation Unit, Criminal Law Division informed that a study of the situation with healthcare in prisons is currently underway and that a questionnaire addressed to the prison administrations was drafted to that effect.

IV. Violence in detention institutions for juvenile offenders

12. Ms Iliana Taneva, Secretary to the PC-CP informed of the World Congress on Juvenile Justice (Geneva, 26-30 January 2015) and of the fact that the report on violence drafted by Prof Ton Liefwaard was presented before this important forum together with the rest of the work carried out by the Council of Europe in the field of juvenile justice (five presentations in total were made at the World Congress). The report was also publicised via Twitter, on the PC-CP web site and also at the 6th International Conference, organised by the International Juvenile Justice Observatory's (IJJO) (Brussels, 3-4 December 2014).

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

13. Ms Taneva informed of the progress with the practical organisation of the Conference in Bucharest. Following the latest events the topic of radicalisation should be included in its agenda. The PC-CP members considered the overall organisation of the plenary sessions and of the panels. It was decided that the topics related to the strategic challenges should be discussed during the first day of the Conference and that radicalisation should be discussed during its second day. Ms Kirsten Hawlitschek, Executive Director of EuroPris informed that radicalisation will also be discussed during the EuroPris meeting and seminar on 8 June 2015.
14. It was decided to organise the first day in the form of two plenary sessions and followed each by two parallel panels. During the second day the work will be organised in the form of a plenary session followed by work in groups on the draft Guidelines on the role prison and probation services can play in dealing with violent extremism and radicalisation which may lead to terrorist acts. The Conference will end with a plenary closing session. The names of possible speakers were agreed and the draft programme was approved.

VI. Radicalisation in prisons

15. Mr Finn Grav, Senior Adviser, Norwegian Prison Administration and member of the RAN Sub-group on prisons and probation informed of the latter's work in this field since its creation, as well as of its last meeting in December 2014 in Rome, Italy. He explained the membership and the working methods of RAN and its different subgroups and informed that a policy Declaration will be adopted by September 2015. He also discussed, based on the Norwegian experience, some practical measures which could be used to deal with this problem while stating that there are different types of radicalised groups in prison like right-wing gangs, radicalised Islamic followers, etc. He explained in greater details the mentoring schemes which give positive results in preparing better for release and social reintegration former prisoners at risk of being radicalised. On the other hand he underlined that facts prove that radicalisation happens more often in free society and that only a small number of persons are radicalised in prison. It is sometimes difficult to estimate the risk because between radicalisation and passing to the act several years may go by. Mr Grav also underlined that radicalised persons have different profiles and it is difficult to set up measures successful in all circumstances and in all countries. Therefore individual work and individual risk and needs assessment are very important. Some countries focus more on disengagement others on de-radicalisation and it all may depend on the overall number of radicalised prisoners who may range from very few to several hundreds, depending on the countries. Work with the religious representatives also differs from country to country and while in some they are prison employees in others they are not (and therefore it is often difficult to find imams who enter prisons).
16. Mr Francesco Ragazzi gave an overview of the issue of radicalisation from a social science point of view arguing that the term started to be used after the 9/11 events and as a result very simplistic theories were created which tried to find a term to explain home-grown terrorism. He discussed the difficulties in using

agreeable to all countries terminology and the risks security policies bring to society like vigilantism, reduction of political space for debating the issues, etc. He also confirmed that very few persons are assessed as radicalised in prison (less than 1% of the total prison population) and that other issues pose more problems to prison authorities like state of mental health of prisoners (more than one third of prisoners in many countries have mental health problems). Prisons are overcrowded and staff are in insufficient numbers in many prisons and are not trained to recognise and deal with radicalisation issues. Therefore it is difficult to understand and deal in a well-structured manner with the problem of radicalisation. He also insisted that imams should not be associated with de-radicalisation programmes because this might undermine their legitimacy in the eyes of prisoners and may have very negative impact on their work in prison.

17. Ms Jesca Bender, Legal Officer, European Commission informed of the EU Security Agenda, expected to be adopted soon. She also updated the PC-CP on the Informal Meeting of Ministers for Justice and Home Affairs (JHA) (Riga, February 2015) where counter-terrorism issues were discussed and Ms Věra Jourová, EU Commissioner for Justice, Consumers and Gender Equality defined several priority areas for the coming years like enforcing the FD on racism and xenophobia, coordination between the law-enforcement actors and in the first place the prosecutors, reinforcing of the system for exchange of criminal records; reinforcement of Eurojust and Europol, RAN, prevention of radicalisation, including in prisons, freezing of suspicious assets and money transfers which might finance terrorism, etc.
18. The PC-CP turned its attention to its standard-setting work in the field of radicalisation. The CPT representative informed that there are no specific rules in this field elaborated by the CPT and that the recommendations and observations made in relation to solitary confinement could be relevant to some extent to this work.
19. The PC-CP agreed that the text should be called "Guidelines on the role prison and probation services can play in dealing with violent extremism and radicalisation which may lead to terrorism". They further agreed that in order to be efficient the interventions need to be structured and continued and should involve both prison and probation services. They also agreed that "violent extremism and radicalisation" is a self-proclaimed process and may happen because of different motivations: ideological, political, religious, social, economic, personal, etc. The overall working contents and structure of the document were agreed. It should deal with the general policy of prevention; the development and use of well-structured community sanctions and alternatives to imprisonment; the general policy inside prisons; detection with the purpose of prevention and dealing with violent extremism and radicalisation which may lead to terrorism; preparation for release and throughcare; and post-release work.
20. It was decided that the scientific experts will meet on 26-27 March in order to edit a first draft of the Guidelines which should be considered at the next meeting of the PC-CP in April 2015 with a view of revising the text in good time before the 20th Conference of Directors of Prison and Probation Services (9-10 June 2015).

VII. Measures to be taken for better visibility and implementation of Recommendation (2014) 3 concerning dangerous offenders and regarding Recommendation (2014) 4 on electronic monitoring

21. Ms Tanja Rakuzic-Hadzic informed of the outcome of the Multilateral meeting to promote Recommendation CM/Rec (20014) 4 on electronic monitoring (November 2014, Strasbourg). She informed that 50 participants from 31 countries took part in it and that a comparative report on the situation in Europe, drafted by Mike Nellis will soon be published. The PC-CP members expressed satisfaction with this information but underlined that they would wish the PC-CP to be involved better in future such activities related to its standard-setting work.

VIII. Review of the Recommendations and Resolutions in prison and probation fields

22. The PC-CP considered doc. PC-CP (2014) 6 rev 2 and agreed that the next work on their agenda, once the Guidelines are finalised, will be putting together Rec (2000) 22 with Rec R (92) 16 and revision and updating of their commentaries, as well as revision and updating of the commentary to the European Prison Rules.

IX. Any other business

23. The members of the PC-CP Working Group re-elected Mr Mauro Palma as their Chair for a second term of office of one year and Ms Alina Barbu as their Vice-Chair for a second term of office of one year. They

also discussed the forthcoming end of the terms of office (in December 2015) of five of their members and their working methods at their next meetings.

24. The members took note of the forthcoming press release organised in Strasbourg on 10 February and in Brussels on 11 February to present the publication of the SPACE I and SPACE II reports for 2013 and the expected interest and media coverage of this event.
25. Regarding the gender balance it was noted that out of 26 participants 7 were women (27%). There was a balanced number of men and women among the selected speakers for the 20th Conference of Directors of Prison and Probation Services.

X. Dates of the next meetings

26. The next meetings of the PC-CP Working Group are scheduled to be held on 22-24 April 2015 and on 14-16 September 2015. The next PC-CP plenary meeting is scheduled to be held on 17-19 November 2015. The meeting of the scientific experts is scheduled on 26-27 March 2015.

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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 (2014) 19
English / Français***

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

***www.jj2015.ch/en
www.jj2015.ch/fr***

5. Radicalisation in prisons / Radicalisation dans les prisons

RAN Update 18

***Programme RAN Prison &
Probation Rome
11-12 December***

***Mark S. Hamm
Presentation***

***Alison Liebling
Presentation***

Sarah Lewis Presentation

List of participants

***United Nations
Resolution 2178 (2014)***

***Declaration by the
Committee of Ministers on
the recent attacks in Paris***

***Council of Europe
Decision - Action against
radicalisation leading to
terrorism***

6. Measures to be taken for better visibility and implementation of Recommendation (2014) 3 concerning dangerous offenders and regarding Recommendation (2014) 4 on electronic monitoring and *tour de table* regarding the use of electronic monitoring in the member states / Mesures à prendre pour une meilleure visibilité et la mise en œuvre de la Recommandation (2014) 3 relative aux délinquants dangereux et concernant la Recommandation (2014) 4 relative à la surveillance électronique et *tour de table* concernant l'utilisation de la surveillance électronique dans les Etats membres

7. 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 20th Council of Europe Conference of Directors of Prison and Probation Services / Organisation de la 20^e Conférence du Conseil de l'Europe des Directeurs des services pénitentiaires et de probation

9. Follow-up to be given to the report on violence in detention institutions for juvenile offenders / Suites à donner au rapport sur la violence dans les établissements de détention pour délinquants mineurs

***PC-CP (2014) 13 rev 2
English / Français***

10. Any other business / Questions diverses

***CDPC (2014) 29 final
English / Français***

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

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APPENDIX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

MEMBER STATES / ETATS MEMBRES

GERMANY / ALLEMAGNE

Almuth HAENSCH

Staatsanwältin, Counsel, Division for Law governing the Prison Service; Probation Service, Bundesministerium der Justiz und für Verbraucherschutz, (Federal Ministry of Justice and Consumer Protection), Berlin

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Leonid KLIMAKOV

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**WORKING GROUP OF THE COUNCIL FOR PENOLOGICAL CO-OPERATION / GROUPE DE TRAVAIL
DU CONSEIL DE COOPERATION PENOLOGIQUE
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Antanas JATKEVIČIUS

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Francesco RAGAZZI

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Finn GRAV

Senior advisor, Lillestrøm, Norway

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INTERNATIONAL GOVERNMENTAL ORGANISATIONS / ORGANISATIONS INTERNATIONALES GOUVERNEMENTALES

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Apologised/Excusé

UNITED NATIONS CHILDREN'S FUND (UNICEF)

Apologised/Excusé

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Apologised/Excusé

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Apologised/Excusé

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Kirsten HAWLITSCHKEK
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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)

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Apologised/Excusé

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Apologised/Excusé

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