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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Council for Penological Co-operation
(PC-CP)

8th Plenary meeting

Strasbourg, 6-8 November 2018

SUMMARY MEETING REPORT

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

EXECUTIVE SUMMARY

The PC-CP:

- Took note of the opening address made by Mr Ivan Koedjikov, Head of the Action against Crime Department, DG I, Council of Europe, regarding the work carried out in the criminal law field since the previous PC-CP plenary meeting in November 2017;
- Took also note of the information provided by Mr Carlo Chiaromonte, Head of the Criminal Law Division, DG I, regarding the decisions taken at the last CDPC plenary meeting in June 2018 and at the CDPC Bureau meeting in October 2018 concerning the PC-CP current work as well as the activities planned to be carried out by the CDPC in the coming months;
- Took note of the summary meeting reports of the PC-CP WG of their meetings in January, April and September 2018;
- Considered the draft and updated European Prison Rules and their revised and updated Commentary and made specific comments on both texts. It further took note of the fact that at the next CDPC plenary meeting on 27-29 November 2018 the national delegations will make general comments and proposals regarding these drafts and that they will be further worked on by the PC-CP WG and the scientific experts with a view to their approval by the CDPC in 2019;
- Considered the draft Guidelines regarding the recruitment, selection, training and development of prison and probation staff, made specific comments and suggestions and took note of the fact that at the next CDPC plenary meeting on 27-29 November 2018 the national delegations will make general comments and proposals regarding the draft Guidelines which will be further worked on by the PC-CP WG and the scientific experts with a view to their adoption by the CDPC in 2019;
- Considered the outcome of the 23rd CDPPS (Estonia, June 2018), took note of the information provided by the Secretariat and by the Cypriot delegate regarding the state of preparation of the 24th CDPPS (Cyprus, May 2019), considered its draft programme and made specific proposals regarding the contents and titles of the workshops and possible speakers;
- Took note of the presentations made by:
 - Professor Marcelo Aebi, University of Lausanne (Switzerland) regarding the results of the longitudinal researches carried out under the joint European Union/Council of Europe SPACE Project;
 - Ms Dominique Antony from Euro-CIDES (France) regarding a project on radicalisation;
 - Mr Yannick Meneceur, Policy advisor on digital transformation and artificial intelligence DG I, regarding the ethical and organisational aspects of the digital transformation;
 - Ms Eva Pastrana, Head of Unit, DG I, regarding the HELP e-learning tool on radicalisation;
 - Ms Raluca Ivan, Ms Luljeta Kasa and Mr Ilias Kalamaras, Criminal Law Co-operation Unit, DG I, regarding the co-operation activities in the prison and probation field in 2018.
- Considered its possible future activities related to sex offenders and to offenders with mental and physical disabilities;
- Considered the aspects of gender mainstreaming in its work;
- Agreed that the dates of the next PC-CP plenary meeting will be 5-7 November 2019.

I. OPENING OF THE MEETING

1. Mr Ivan Koedjikov, Head of the Action against Crime Department, DG I, Council of Europe opened the meeting. He welcomed all participants and thanked the PC-CP for the important outcome of its work in the period between the two plenary meetings, namely the adoption by the Committee of Ministers of Recommendation CM/Rec(2018)5 concerning children with imprisoned parents and of CM/Rec(2018)18 Recommendation concerning restorative justice in criminal matters. He once again urged the national delegations to translate these standard-setting texts and to help them reach the relevant national authorities, services and professionals in order to turn the standards into sustainable practice. He then informed of two multilateral meetings on radicalisation and violent extremism organised in 2018, namely a Regional Conference on Sharing experiences on deradicalisation, management and rehabilitation of prisoners in Western Balkans (Skopje, 3-4 October) and a Conference on training of prison professionals to detect and combat radicalisation and encourage disengagement from violence (Toulouse, 16-17 October).

II. ADOPTION OF THE DRAFT AGENDA AND THE DRAFT ORDER OF BUSINESS

2. The delegates adopted the agenda and the order of business as drafted.

III. REPORT OF PREVIOUS MEETINGS

3. The participants took note of the PC-CP Working Group meeting reports for 2018 and had no comments to make.

IV. INFORMATION PROVIDED BY THE SECRETARIAT

4. Mr Carlo Chiaromonte, Head of Division and Secretary to the CDPC informed of the decisions taken at the last CDPC plenary meeting in June 2018 regarding the PC-CP work, namely to entrust the PC-CP with the revision and updating of certain rules of the European Prison Rules (EPR). He also informed of the decision taken at the last CDPC Bureau meeting to consider the suggested proposals for amendments and additions to the EPR and the respective text of the Commentary at the CDPC plenary meeting on 27-29 November 2018 and to make general comments and observations, which should then be taken up by the PC-CP in its further work on the draft texts (to be approved by the CDPC in 2019).
5. The same time-line and approach was agreed regarding the draft Guidelines for the recruitment, selection, training and development of prison and probation staff because the work on the EPR and the Guidelines is at its initial phase at this point (the PC-CP WG started examining these texts in September 2018).
6. Mr Chiaromonte then continued by reminding the delegations that the decision of the CDPC to have PC-CP plenary meetings once a year was taken in order to allow the national experts in the prison and probation fields to examine and finalise draft texts before their examination and approval by the CDPC itself. It is therefore important that the participants liaise with their representatives at the CDPC plenary meeting in order to coordinate their position on the draft texts and facilitate their finalisation and adoption.
7. Mr Chiaromonte also informed that the CDPC has decided to dedicate one day of its plenary sessions, if possible, to thematic conferences, the next one being scheduled to take place on 28 November 2018 on artificial intelligence. In the same vein one of the CDPC plenary meetings' budget will be used to cover the expenses of the CDPC national delegates to attend the High Level Conference on prison overcrowding in April 2019.

IV. REVISION OF THE EUROPEAN PRISON RULES

8. The PC-CP plenary considered the draft EPR and their Commentary and made comments and drafting suggestions which were reflected in the revised draft text (document PC-CP (2018) 15 Rev 4). The Rules agreed to be amended at the CDPC plenary meeting in June 2018 are: Rule 15; Rule 16; Rule 34; Rule 37; Rule 53; Rule 60; Rule 68; Rule 70; Rule 83; Rule 93. The participants considered the suggested amendments to the above rules as follows.
9. Regarding Rule 15: Rule 15.1.a. to the information on the prisoner's identity to be collected at admission was added the wording "including the prisoner's self-perceived gender". The Commentary

was also amended to reflect this change. Regarding the two new sub-points which were added to Rule 15.2. (sub-points g. and h.), it was suggested to amend slightly the new sub-point h. and the accompanying Commentary in line with the newly adopted CM/Rec (2018) 5 (ref. supra under point 1).

10. In Rule 16 a small editing change was made to p. d. The newly added Rule 16A was slightly redrafted (two new sub-points f. and h. were added in).
11. To Rule 34 regarding women, which was broadened, were suggested some further additions and changes related to the Rule itself and also to the Commentary in order to better reflect the current Council of Europe standards.
12. Additional drafting suggestions were made regarding Rule 37 on foreign national prisoners, which was also broadened in line with CM/Rec (2012) 12.
13. Five new rules regarding solitary confinement were added, namely Rule 53.A (the general rule); 53.B. regarding solitary confinement as a result of court decision; 53.C. regarding solitary confinement for administrative purposes of good order; 53.D. regarding solitary confinement for protection purposes and 60.6. regarding solitary confinement as a disciplinary punishment. The first three rules raised a lot of discussions and a number of opinions were expressed and drafting suggestions were made, which were reflected in the revised version of the same, as well as in the accompanying Commentary. In Rule 60.6 the word "children" was added in.
14. Rules 68, 70, 83 and 93 did not raise any observations apart from a change in the Commentary to Rule 70 to align the text to CM/Rec (2018)18 (ref. supra under point 1.).

V. DRAFT GUIDELINES REGARDING RECRUITMENT, SELECTION, TRAINING AND PROFESSIONAL DEVELOPMENT OF PRISON AND PROBATION STAFF

15. Mr Torben Adams, scientific expert, presented the work on the Guidelines and stressed that it becomes currently more and more difficult to find suitable candidates for working in prisons as the new generation does not wish to commit themselves to working for years ahead in a service like a prison administration. In addition, the recruitment, selection and training criteria in the different Member States differ significantly regarding duration (ranging from 240 hours in some countries to 2 years in others) as well as regarding contents and quality, which makes it difficult to find the compromise in the text of the Guidelines between the current situation in some countries and the required level and quality of training of prison staff, whose tasks and responsibilities rise constantly. The situation with probation staff is not identical as their entry level into the service is a bachelor or an university degree. Therefore it was considered necessary to separate the requirements for prison and probation staff in some parts of the text and to remain at the level of general recommendations in some cases in order to help the countries adapt accordingly the Guidelines to their systems.
16. The PC CP plenary considered document PC-CP (2018) 14 Rev and made specific comments and drafting suggestions which were reflected in the revised version (document. PC-CP (2018) 14 Rev 2).
17. As Appendix A containing key elements of the curriculum for initial training of prison staff had not been discussed by the PC-CP WG itself but was added by the scientific expert after the meeting in September 2018, the similar Appendix regarding probation staff will be ready only in December 2018, following a meeting organised by the Confederation of European Probation (CEP), it was suggested after the end of the plenary meeting, not to append the current version of Appendix A to document. PC-CP (2018) 14 Rev 2.

VI. OUTCOME OF THE 23RD COUNCIL OF EUROPE CONFERENCE OF DIRECTORS OF PRISON AND PROBATION SERVICES (2018, ESTONIA)

18. The PC-CP Plenary took note of the oral information provided by the Secretariat regarding the holding of the 23rd CDPPS and the very positive feedback the participants provided regarding its organisation, topics and speakers. It was underlined that it served as a very good occasion to learn about prison and probation legislation, structures and practices in Europe and compare one's own system with that of other countries bringing back home some positive experiences and lessons drawn.

VII. ORGANISATION OF THE 24TH COUNCIL OF EUROPE CONFERENCE OF DIRECTORS OF PRISON AND PROBATION SERVICES "OFFENDER MANAGEMENT: TRADITION AND TECHNOLOGY" (21-22 MAY 2019, CYPRUS)

19. The participants took note with great interest of the very helpful presentation made by Mr Yannick Meneceur, Policy advisor on digital transformation and artificial intelligence DG I, regarding the ethical and organisational aspects of the digital transformation. They learned about the latest developments in the criminal justice area in this regard, the positive aspects and the precautions to be taken in using AI. This presentation was found very useful in preparing the consideration of the topic and contents of the next CDPSS.
20. The Secretariat informed of the state of preparation of the Conference, including of the results of the pre-mission to Cyprus during which the place and overall logistics were discussed and the draft programme was revised with the Cypriot prison administration.
21. The participants took note of the dates and place, considered the draft programme and made some further suggestions regarding the titles of some of the workshops and the possible speakers.

VIII. HIGH LEVEL CONFERENCE ON PRISON OVERCROWDING (24-25 APRIL 2019, STRASBOURG)

22. The delegates took note of the information provided by the Secretariat regarding the holding of the above Conference and also of the fact that the European Commission will co-fund the event, which will be held during the Finnish Presidency of the Committee of Ministers. They also took note of the suggested draft programme and of the request to help identify suitable criminal law judges and prosecutors, as necessary, who could be invited to this important event. Its aim is to initiate a dialogue and interaction among the key stakeholders nationally and internationally like judges, prosecutors, prison and probation services and Ministries of Justice in order to take concrete practical steps to reduce the use of imprisonment and to make better use of alternative sanctions and measures. Its other aim is, if possible, to prepare and present the outcome of the Conference at a meeting at political level (Ministers of Justice).

IX. EUROPEAN UNION/COUNCIL OF EUROPE CO-FUNDED PROJECT BASED ON SPACE STATISTICS AND THE WORK WITH THE NATIONAL CORRESPONDENTS

23. The delegates took note of the presentation made by Professor Marcelo Aebi, Deputy Director of the School of Criminal Sciences, University of Lausanne (Switzerland) regarding the results of the two longitudinal studies carried out under the joint European Union/Council of Europe SPACE Project (which lasted 18 months: from October 2016 to March 2018). He presented the prison trends in Europe in the course of the last 10 years; the country profiles developed; the situation with foreign offenders and informed that the two meetings held with the national correspondents in the framework of the project (one with those who collect prison statistics and one with those who collect statistics related to community sanctions and measures) were found to be very useful both by the national representatives as well as by the Council of Europe and the team of experts from the University of Lausanne.
24. Professor Aebi further informed that the reference date for collecting statistics has been changed from September the previous year to January the next year and that these four months difference will allow producing data for the previous calendar year at the beginning of the following year, which would make the data more recent. He also informed that the annual press conferences held since several years already prove to be very positive in attracting the attention of the national media and authorities to the results of the SPACE surveys and that it is now time to separate the press conferences and present SPACE I and SPACE II data separately in order to boost the media interest and attention regarding data on community sanctions and measures.
25. Professor Aebi further explained the aim of the new jointly funded European Union/Council of Europe project, called LINC'S (April 2018 - October 2019), namely to compare crime rates with prison rates in Europe and whether there is a correlation in each country between the two and to what extent and also to study the differences and similarities regarding the national definitions of the major types of crime and how these definitions influence the collected data regarding crime, sentences and imprisonment.

26. Mr Hans Meurisse, representative of EuroPris, informed that a Memorandum of understanding is concluded between EuroPris and the team of experts collecting SPACE data in order to identify and incorporate some of the indicators in the EuroPris online information system EPIS.

X. RADICALISATION

27. The delegates took note of the presentation made by Ms Dominique Antony from Euro-CIDES (France) regarding an EU funded project on training of prison staff to identify and deal with radicalisation in prison. The participating countries are Belgium, France, Malta, Spain and Turkey and the training tool is available online free-of-charge. Euro-CIDES is ready to assist the national administration in its use. It is already used on a pilot basis in some of the participating countries and not only in prisons but also in juvenile institutions and schools.
28. Ms Eva Pastrana, Head of Unit, DG I, made a presentation regarding the HELP e-learning tool on radicalisation which is currently being developed and will be used by judges, prosecutors, prison and probation staff. It is also free-of-charge and available online and can be used by trainers working with these categories of professionals and by the professionals themselves.

XI. CO-OPERATION ACTIVITIES IN THE PRISON AND PROBATION FIELD

29. The delegates took note of the presentation made by Ms Raluca Ivan, Ms Luljeta Kasa and Mr Ilias Kalamaras, Criminal Law Co-operation Unit, DG I, regarding the co-operation activities in the prison and probation field in 2018. The presentation covered bilateral, regional and multilateral activities in different areas (prison, probation, police, healthcare in places of detention, radicalisation, etc). in the Western Balkans, Turkey, Armenia, Azerbaijan, Georgia, Moldova and Ukraine, covering the latest standard-setting work of the Council of Europe and findings and recommendations made by the monitoring bodies.
30. Some delegations wished to have a more clear vision of the different activities organised or carried out by the Council of Europe and presented during the meeting (see also item X above), how they are conceived, are the national authorities consulted on this, how their results and their long-term effects are evaluated, is there a coordination and links between them.

XII. GENDER MAINSTREAMING

31. Out of the 63 participants taking part in the meeting 32 were women, including one of the scientific experts, one of the outside consultants, five elected members of the PC-CP WG and the Secretary to the Committee.
32. Ms Caterina Bolognese, Head of the Gender Equality Division, DG II and Ms Cécile Greboval, Programme Manager in the same Division, attended the meeting and took part in the discussions under the different items, notably items IV, V, VII, IX and X.
33. The draft revised EPR and Commentary contain a broader Rule 34 regarding women in prison, as well as in Rule 15 and 16A information regarding the self-perceived gender as well as regarding the spouses and children of prisoners is now requested to be collected and regularly updated. This is in line with the latest developments, including the Mandela Rules and the CPT standards (10th Annual General Report and the 2018 Factsheet on Women prisoners).
34. Training on working with women offenders was specifically mentioned in the draft Guidelines (item V above) and also the principle of non-discrimination in the recruitment, selection, training and development of staff, including no discrimination based on gender was spelled out in the Guidelines.
35. Under item IX, statistical data regarding women offenders are collected within the SPACE project and country profiles are elaborated, which contain such data country by country (between 2005 and 2015).

XIII. CONSIDERATION OF FUTURE ACTIVITIES RELATED TO SEX OFFENDERS AND TO OFFENDERS WITH MENTAL AND PHYSICAL DISABILITIES

36. The CEP representative, Mr Willem Van der Brugge, informed of a forthcoming meeting organised by the CEP in Riga, Latvia at the end of November 2018 on sex offenders and of the intention to hold jointly with EuroPris a meeting on offenders with mental and intellectual disabilities.

37. The Secretariat informed that a past attempt at the Council of Europe level some ten years ago did not succeed in drafting standards regarding the treatment and management of sex offenders in prison but that meanwhile many developments in this field have taken place, which might require examining again this issue. This task is part of the PC-CP mandate for 2018-2019.
38. After some discussion it was agreed that despite the fact that some sex offenders might also have mental or intellectual disabilities these two groups should be considered separately. It was therefore decided that before starting any standard-setting work related to these two groups of offenders, external consultants, knowledgeable of these areas, should be invited to one of the next PC-CP meetings to make presentations with a view to taking a decision how to proceed with work in this area at the PC-CO level.

XIV. ANY OTHER BUSINESS

39. Several participants shared information regarding past and forthcoming meetings related to prison and probation issues, including dates, agendas, speakers and expected outcomes.

XV. DATES OF THE NEXT PLENARY MEETING

40. The delegates agreed that the dates of the next PC-CP plenary meeting will be 5-7 November 2019.

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AGENDA

	1. Opening of the meeting
	2. Adoption of the agenda and the order of business
	3. Summary reports of the last meetings of the PC-CP Working Group
PC-CP(2018)17 PC-CP(2018)8 PC-CP(2018)2	Summary Meeting Report of the 19th Working Group Meeting Summary Meeting Report of the 18th Working Group Meeting Summary Meeting Report of the 17th Working Group Meeting
CDPC(2018)11 CDPC-BU(2018)4	4. Information provided by the Secretariat
PC-CP(2018)15Rev3	5. Revision of the European Prison Rules
CDPC(2018)7	6. High Level Conference on prison overcrowding (24-25 April 2019)
	7. Follow-up to the 23rd Council of Europe Conference of Directors of Prison and Probation Services (19-20 June 2018, Estonia) <ul style="list-style-type: none"> • Conference website
	8. Draft Guidelines regarding recruitment, selection, training and professional development of prison and probation staff
PC-CP(2018)14Rev	Draft Guidelines <ul style="list-style-type: none"> • Information about the training of the Prison and Probation Staff in some Council of Europe Member States provided by the National Prison and Probation Services • Presentation by Torben Adams
	9. Radicalisation <p>SERA - European intensive multidisciplinary pedagogical programme to prevent and tackle extreme violence</p> <ul style="list-style-type: none"> • Presentation by Dominique Anthony
	10. EU/Council of Europe funded project SPACE statistics and the work with the national correspondents <ul style="list-style-type: none"> • Link to the latest publications • Link to the page on the Prisons' website

	<p>11. Ethical and organisational aspects of the digital transformation in the work of prison and probation services</p> <ul style="list-style-type: none"> • Presentation by Yannick Meneceur (DGI - Council of Europe)
	<p>12. Consideration of future activities related to sex offenders and to offenders with mental and physical disabilities</p> <p>Round table discussion</p>
Draft programme	<p>13. 24th CDPPS “Offender Management: Tradition and Technology” (Cyprus, 21-22 May 2019)</p>
	<p>14. Co-operation activities in the prison and probation fields in 2018</p> <ul style="list-style-type: none"> • Presentation by Raluca Ivan (DGI - Council of Europe) • Presentation by Eva Pastrana (DGI - Council of Europe)
	<p>15. Gender mainstreaming</p>
	<p>16. Any other business</p>
	<p>17. Dates of the next meetings</p>

APPENDIX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

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