



Strasbourg, 5 April 2019
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EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

Council for Penological Co-operation
(PC-CP)

21st meeting of the Working Group
Strasbourg, 1-3 April 2019

SUMMARY MEETING REPORT

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

EXECUTIVE SUMMARY

The PC-CP Working Group (WG):

- Welcomed the representatives of Azerbaijan, Cyprus, Luxembourg, Poland, the Netherlands, the Russian Federation, Japan and Mexico, as well as of EuroPris, CEP, CPT, ECtHR and the scientific experts;
- Took note of the opening words of Mr Jan Kleijssen, Director, Information Society and Action against Crime Directorate, Council of Europe who informed of the latest developments, namely: the two candidates for the forthcoming election of the next Council of Europe Secretary General; the financial situation of the Organisation which will require, if no changes occur, to reduce staff and activities in the near future; the High-Level Conference on artificial intelligence (Helsinki, 26-27 February 2019);
- Mr Kleijssen thanked the PC-CP for their work and praised in particular the importance of the collection of the Council of Europe Annual Penal Statistics (SPACE) which attracts enormous amount of media coverage during the press conferences held in Strasbourg and in Brussels on the occasion of their publication. On the very same day and at the very same hour of the current meeting is held the press conference in Strasbourg and it is expected that it will again be in the focus of media attention;
- Took note of the presentation made by Ms Marianne Fulgstved, scientific expert regarding sex offending and management of persons who have committed such crimes and considered document PC-CP (2019) 3, developed by Professor Kieran McCartan, scientific expert and containing the outline of the scope and contents of a draft Committee of Ministers recommendation on the assessment, management and integration back into the community of individuals who have committed sexual offences;
- Decided to hold a drafting meeting of its Chair, the two scientific experts and the Secretariat in order to develop further the draft text in good time before the next PC-CP WG meeting;
- Thanked Mr Torben Adams and Dr Nicola Carr, scientific experts for their work, considered document PC-CP (2018) 14 Rev 5 containing the draft Guidelines on the recruitment, selection, education, training and professional development of prison and probation staff and made further changes to the text. Took also note that the Guidelines will be adopted by the CDPC at their plenary meeting on 25-26 April and will be sent to the Committee of Ministers for information and dissemination among the national authorities of the member States;
- Took also note of the state of preparation of the High-Level Conference “Responses to Prison Overcrowding” (24-25 April 2019, Strasbourg) and of the possible follow-up to it, namely the holding of a Conference of the European Ministers of Justice;
- Took note of the information provided by Ms Athena Demetriou, Cyprus Prisons Department regarding the state of preparation of the 24th Council of Europe Conference of Directors of Prison and Probation Services (“Offender Management: Tradition and Technology”, 21-22 May 2019, Ayia Napa, Cyprus) and made some additional proposals regarding possible speakers;
- Following the adoption of the Parliamentary Assembly Recommendation 2147 (2019) “Protecting human rights during transfers of prisoners”, considered and approved the additional text introduced to the commentary of the revised European Prison Rules [Doc. PC-CP (2018) 15 Rev 6];
- Considered and approved its draft terms of reference for 2020-2021.

1. The Council for Penological Co-operation WG held its 21st meeting in Strasbourg on 1-3 April 2019 with Mr Dominik Lehner in the Chair and Mr Attila Juhász 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. Summary report of the last meeting. Information provided by the Secretariat**
2. The Agenda (see Appendix I) and the order of business were adopted. The meeting report of the PC-CP plenary meeting (document PC-CP (2019) 1) was approved.
3. The participants took note of the opening address made by Mr Jan Kleijssen, Director, Information Society and Action against Crime Directorate, Council of Europe regarding the latest developments, namely: the two candidates for the forthcoming election of the next Council of Europe Secretary General; the financial situation of the Organisation which will require, if no changes occur, to reduce staff and activities in the near future; the High-Level Conference on artificial intelligence (Helsinki, 26-27 February 2019). They also took note that Mr Kleijssen will attend the 24th Conference of Directors of Prison and Probation Services in Cyprus and that he suggests sharing the conclusions of the Helsinki Conference with the Cyprus Conference participants. He underlined that he is expecting very interesting discussions and exchanges related to the use of new technologies and their impact on the work of prison and probation services.
- II. **Management of sex offenders in prison and under probation**
4. The participants took note of the presentation made by Ms Marianne Fulgstved, scientific expert, psychologist, Directorate of Prison and Probation Services, Denmark regarding sex offending and management of persons who have committed such crimes. They then considered document PC-CP (2019) 3, developed by Professor Kieran McCartan, scientific expert, University of the West of England, which contains a suggested outline of the scope and contents of a draft Committee of Ministers recommendation on the assessment, management and integration back into the community of individuals who have committed sexual offences. A number of comments and proposals were made regarding the scope and definitions.
5. It was agreed that sex offending behaviour does not have only criminal justice implications and that like addictions it needs a life-long control and management. It should also be noted that there is research suggesting that some sex offences show lower recidivism rates than other types of offending behaviour but that measuring recidivism rates only does not give a clear picture of any behavioural change. It was agreed to use the term “persons who are suspected of or who have committed sexual offences” and not the term “sex offenders”. It was also agreed that the Chair, the two scientific experts and the Secretariat will meet to draft a more developed text for the next PC-CP meeting.
- III. **Guidelines regarding recruitment, selection, training and professional development of prison and probation staff**
6. The participants thanked Mr Torben Adams and Dr Nicola Carr, scientific experts for their work, considered document PC-CP (2018) 14 Rev 5 containing the draft Guidelines on the recruitment, selection, education, training and professional development of prison and probation staff. Appendix I related to prison staff training matrix was developed in March this year and therefore a number of amendments and additions were suggested to it. Some additional minor changes were introduced to the main text and to Appendix II containing the matrix for probation staff training.
- IV. **24th Council of Europe Conference of Directors of Prison and Probation Services (21-22 May 2019, Cyprus)**
7. The participants took note of the information provided by Ms Athena Demetriou, representing the Cyprus Prisons Department regarding the state of preparation of the 24th Council of Europe Conference of Directors of Prison and Probation Services (“Offender Management: Tradition and Technology”, 21-22 May 2019, Ayia Napa, Cyprus), including the organisation of the prison visit. They also made some additional proposals regarding possible speakers.
- V. **Revision of the European Prison Rules**
8. The participants took note of the adoption of the Parliamentary Assembly Recommendation 2147 (2019) “Protecting human rights during transfers of prisoners” (adopted on 1 March 2019), which urges the Committee of Ministers to “... take concrete steps to enhance the protection of human rights during transfers of prisoners, in particular by including appropriately detailed provisions in its work on revising the European Prison Rules”.

9. All participants agreed that Rule 32 of the EPR deals with this issue already. In addition the scientific expert, Professor Dirk Van Zyl Smit has suggested some more references to the PACE report and Resolution on the same subject as well as to the CPT 2018 Factsheet on the transport of detainees (in the commentary to Rules 32; 52; 68 and 93). The newly added text to the commentary was approved by the participants.

VI. Draft terms of reference for 2020-2021

10. The PC-CP WG considered and approved its draft terms of reference for the next two years and forwarded these to the CDPC.

VII. Gender mainstreaming

11. In the meeting took part 13 women and 17 men of whom the PC-CP WG members were 4 women and 4 men. The Secretary to the committee as well as two of the scientific experts are women.
12. In the course of the discussions issues related to gender mainstreaming and non-discriminatory treatment were discussed under the following points: (a) the Guidelines regarding recruitment, selection, education, training and professional development of prison and probation staff; (b) the 24th CDPPC in Cyprus and (c) the management of sex offenders.

VIII. Any other business

13. The participants informed of a number of other meetings in which they had taken part between February and April 2019 at which they had promoted the PC-CP work and the Council of Europe standards or which could be of interest for its future work.

IX. Dates of the next meetings

14. The dates of the next PC-CP meetings in 2019 are as follows: drafting meeting of the Chair and the scientific experts on 9-10 May; meeting of the PC-CP WG on 25-27 September. The PC-CP plenary meeting will be held on 5-7 November.

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AGENDA

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| | 1. Opening of the meeting |
| | 2. Adoption of the agenda and the order of business |
| | 3. Summary report of the last meeting |
| PC-CP(2019)1 | Summary Meeting Report of the 20th PC-CP Working Group meeting, 4-6 February 2019 |
| | 4. Information provided by the Secretariat |
| PC-CP(2019)3 | 5. Management of sex offenders in prison and under probation <ul style="list-style-type: none"> • Presentation by Ms Marianne Flugestved |
| | 6. 24th CDPPS “Offender Management: Tradition and Technology” (Cyprus, 21-22 May 2019) <ul style="list-style-type: none"> • Draft Programme |
| PC-CP(2018)14rev5 | 7. Draft Guidelines regarding recruitment, selection, training and development of prison and probation staff |
| | 8. Feedback from participation in other meetings |
| | 9. Gender mainstreaming |
| Parliamentary Assembly Recommendation 2147 (2019) Resolution 2266 (2019) PC-CP (2018)15rev6 | 10. Any other business |
| | 11. Dates of the next meetings |

LIST OF PARTICIPANTS

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