COUNCIL FOR PENOLOGICAL CO-OPERATION

(PC-CP)

27th (hybrid) Working Group Meeting
Strasbourg, 11-12 May 2021

SUMMARY MEETING REPORT

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

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The PC-CP WG:

- Adopted its agenda and its order of business and took note of the summary meeting report of their previous meeting, Document PC-CP(2021)1;

- Took note of the opening words by Ms Hanne Juncher, Executive Secretary of GRECO and Head of the Action against Crime Department, Council of Europe who thanked the PC-CP Chair and Vice-Chair for their presence in Strasbourg and welcomed the high number of participants following the meeting on line (62 participants in total, 18 member States and 2 observer States represented). She informed that it is expected to be able in the autumn to have hybrid meetings at the Council of Europe premises with higher number of participants as the vaccinations against COVID-19 are advancing and there is moderate optimism that more participants will attend in person which will facilitate the discussions and the taking of decisions;

- Ms Juncher thanked the PC-CP for their work on the draft Committee of Ministers (CM) Recommendation regarding the assessment, management and reintegration of persons accused or convicted of a sexual offence and informed that the texts will be on the agenda of the next CDPC plenary meeting at the end of June 2021 and might be adopted by the Committee of Ministers in good time for the 26th Conference of Directors of Prison and Probation Services (CDPPS).

- Ms Juncher also thanked Professor Aebi and his team for the excellent collection SPACE and welcomed the expected publication in the coming weeks of the probation related data for 2020;

- Took note of the decisions taken at the last CDPC Bureau meeting [CDPC-BU(2021)3] and of Document PC-CP(2021)2 requested by the Bureau which contains possible criteria for granting an observer status with the PC-CP;

- Took note that all tasks contained in their current terms of reference (2020/2021) have been fulfilled despite the COVID-19 pandemic and the related to this new online or hybrid working methods, which do not specifically facilitate the debates and thanked the Secretariat for the efforts and assistance provided in this respect;

- Took note of their draft terms of reference for 2022-2025 and the planned tasks and had no comments to make;

- Discussed the title, contents and possible speakers at the 26th CDPPS (20-21 September, Portugal) and agreed that the title would be “Gaining an Edge over the Pandemic” and that the Conference will be organised in an opening and closing plenary sessions and in four workshops: on mental health, including the impact of COVID-19 on mental health of offenders and staff; on AI, including the enhanced use of new technologies during the pandemic; on COVID-19 data collected by the SPACE team and by CEP and EuroPris; and on managing persons accused or convicted of a sexual offence and the new CM Recommendation. The majority of the speakers and moderators were also identified;

- Took note of the presentation made by Professor Marcelo Aebi related to SPACE II data for 2020 (on probation) as well as of the information provided regarding the past Conference “Three Decades of Crime and Criminal Justice Statistics in Europe: Methods, Trends and the Impact on Policy Making” (22-23 March 2021) and its expected outcome;

- Took note of the replies to the two questionnaires on mental health (sent respectively to the prison and probation services), thanked the delegations for the very high number of replies and took note of the very useful and informative presentation of the preliminary analysis of the collected information and data, made by the two scientific experts Professor Charlie Brooker (United Kingdom) and Mr Jorge Monteiro (Portugal);

- Agreed to send a reminder to those delegations which have not yet sent their replies to the questionnaires in order to have a more exhaustive picture of the situation in Europe regarding the management of offenders with mental health disabilities and disorders and decided that the scientific experts will present a more advanced analysis of the replies at the PC-CP plenary meeting in November 2021 with a view to taking a decision regarding the scope and type of standard-setting text to be elaborated on this basis. In relation to this took note that in accordance with their draft terms of reference the work on a standard-setting text on mental health should be finalised before the end of 2023;
• Took note of the presentation made by Håkan Klarin (Sweden), one of the scientific experts on AI and of the presentation made by Robert Michael Nellis (United Kingdom), the second expert, thanked both for the extremely interesting and thought-provoking presentations and agreed that apart from the ethical aspects, also the strategic and organisational aspects of the use of AI by the prison and probation services, including the human factor should be considered and that the Council of Europe work in the area and the standards elaborated by the European Union will also be taken into consideration. Agreed further that the standards should be elaborated with a view to being used not only by the prison and probation services and the juvenile justice agencies, but also by the private companies and other agencies acting on their behalf;

• Took note that in accordance with their draft terms of reference the work on a standard-setting text on AI should be finalised before the end of 2022 and in relation to this considered Document PC-CP(2021)3 - a preliminary scoping document of a possible Committee of Ministers Recommendation on AI and agreed that the scientific experts will further develop this text, which will then be examined at the PC-CP plenary in November 2021;

• Took note of the feedback provided by the PC-CP members and by EuroPris and CEP regarding meetings held by other bodies where Council of Europe standards were promoted or where PC-CP members took part. Took also note of the creation of the International Criminal Justice Network as well as of the CEP initiative to collect interviews from probation professionals on their experience with COVID-19 which will be soon posted on their web site;

• Noted that altogether there were 63 participants, out of whom 30 were women. The Chair, Vice-Chair as well as other 4 out of the 9 elected members of the PC-CP are women. Representatives of 18 member States, of 2 observer States and of 2 international organisations took part in the meeting. During the whole meeting and under each point on the agenda, due account was taken of the gender mainstreaming and non-discriminatory aspects of the topics;

• Took note that their next plenary meeting will be held on 22-23 November 2021 (in a hybrid form but hopefully with higher number of physical attendees) and that before the start of the meeting a half-day Conference commemorating the 40th anniversary of existence of PC-CP will be held to which will be invited its previous Chairs and Vice-Chairs. Took also note that the CEP will also celebrate in Paris on 24-25 November 2021 their 40th anniversary (both the PC-CP and the CEP were established in November 1981).
AGENDA

1. Opening of the meeting

2. Adoption of the agenda and the order of business

3. Summary report of the last meeting
   
4. Information provided by the Secretariat
   
5. Organisation of the 26th CDPPS (20-21 September 2021, Portugal)

6. Artificial Intelligence and its use by the prison and probation services

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AI presentation Håkan Klarin, Sweden
Guidelines on facial recognition
Artificial intelligence and Human Rights
CM Declaration on AI
PC-CP(2021)3
7. Dealing with offenders with mental health disabilities and disorders in prisons and under probation

Replies to the questionnaire
prisons
PC-CP(2021)4

Original replies in French to the questionnaire prisons
PC-CP(2021)Misc2

Reply from Germany (original language German) to the questionnaire prisons
PC-CP(2021)Misc3

Replies to the questionnaire
probation
PC-CP(2021)5

Original replies in French to the questionnaire probation
PC-CP(2021)Misc1

Preliminary Analysis of data collated from the Questionnaires on Mental Health
PC-CP(2021)8

Presentation by Charlie Brooker

8. SPACE/NPM EU/CoE Joint Project activities

Website

Presentation Marcelo Aebi

9. Conference commemorating the 40th anniversary of existence of the PC-CP (22 November 2021)

10. Feedback from participation in other meetings

11. Gender mainstreaming

12. Any other business

13. Dates of the next meetings
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