COUNCIL OF EUROPE



PC-CP (2021) 15

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## COUNCIL FOR PENOLOGICAL CO-OPERATION

## (PC-CP)

## Conference commemorating the PC-CP 40th anniversary and 11th (hybrid) Plenary Meeting Strasbourg, 22-23 November 2021

## SUMMARY MEETING REPORT

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

The documents of the meeting are available on the website: www.coe.int/prison

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The PC-CP Plenary:

- I. Held a half-day Conference to commemorate its 40th Anniversary of existence at which were invited to take part also its previous Chairs and Vice-Chairs (ref. attached list of participants Appendix II) during which:
  - a. Took note of the opening words made by Mr Jan Kleijssen, Director, Information Society Action against Crime Directorate, Council of Europe who welcomed the participants (97 in total of whom 31 in the meeting room), congratulated the PC-CP for its 40th anniversary and for its remarkable work done in the course of the past decades, namely the impressive and well known standard-setting texts, in the first place the European Prison Rules, the Probation Rules, the Rules for juvenile offenders and the standards related to community sanctions and measures, to children with imprisoned parents and others; underlined the importance of the annual Council of Europe Conferences of Directors of Prison and Probation Services (CDPPS); the impact worldwide of the Council of Europe Annual Penal Statistics (SPACE). He also thanked the organisations having an observer status with the PC-CP for the very good co-operation and for helping with their field work to better promote and implement the standards by the national authorities;
  - b. Took note with great interest of the presentations made by the first woman and researcher Chair of the PC-CP, Sonja Snacken and by its current Chair, Annie Devos regarding their opinion on what the Council of Europe and the PC-CP has brought to their professional life and career and what they have brought to the Committee;
  - c. Took note also with great attention of the very informative and philosophic overview of the past years made by another former Chair, Mauro Palma, who also discussed the role of PC-CP and of CPT in his position of former President in influencing positive changes in the penitentiary world in Europe;
  - Took further attentive note of the summary of the history behind the collection of penal statistics data (SPACE) and also of the data collected I the framework of the European Sourcebook of Criminal Justice Statistics, presented via the personal perspective of Professor Marcelo Aebi;

## II. Held its 11th plenary meetings at which the following points were discussed and decisions were taken accordingly:

- a. Adopted its Agenda and Order of Business;
- b. Took note of the summary meeting reports of the PC-CP WG meetings (February and May 2021) and had no comments to make;
- c. Took note of the decisions taken at the last CDPC plenary meeting (June 2021) and at the last CDPC-Bureau meeting (November 2021) as well as of the dates and agenda of the forthcoming CDPC Plenary meeting (7-9 December 2021);
- d. Considered its terms of reference (ToR) for 2020-2021 and the activities planned under these and noted that all activities were carried out despite the difficulties the COVID-19 pandemic created, with the exception of two activities related to terrorism which were dependent on the CDCT workplan in this area, as it is the leading committee to the wok of which the PC-CP should contribute;

- e. Took note that the Committee of Ministers (CM) adopted Recommendation CM/Rec (2021)6 regarding the assessment, management and reintegration of persons accused or convicted of a sexual offence on 22 October 2021 and took into consideration the need to translate this text into the national languages, widely promote it and assist in its implementation;
- f. Noted that the CM has decided that the planning of the budget and of the programme of activities in the future will be done on a four-years basis and that therefore the new terms of reference (ToR) of the governmental committees will cover the period 2022-2025 with a possibility after the first wo years to adjust these to any possible change of priorities or to budget allocations;
- g. Took also note that the adoption of the new ToRs for 2022-2025 of the CDPC and the PC-CP is expected to be done by the CM by the end of November 2021;
- h. Took note that at the PC-CP WG meeting held in Madeira on 18-19 September 2021 in preparation of the CDPPS were discussed the forthcoming elections of five or three new members by the CDPC Plenary in December 2021. The PC-CP WG members reached an agreement that in order to maintain the continuity of the work in progress and its high quality, the PC-CP Chair and Vice-Chair would switch places in order to continue their mandate on the Committee for the next two year. It was noted further that due to the COVID-19 pandemic the PC-CP WG has had only one face-to-face meeting during their chairmanship (in January 2020) which did not allow the Chair and Vice-Chair to work with the other elected members in their full capacity and also did not allow the four new members (who started their mandate in January 2020) to fully contribute to the work;
- Noted that therefore there are three vacancies to be filled in [Doc. PC-CP(2021)13] as the mandates of Ms Martina Barić (Croatia), Ms Anna Ferrari (Italy) and Mr Robert Friškovec (Slovenia) will expire at the end of 2021 and invited the rest of the delegations to propose suitable candidates for election at the CDPC plenary meeting in December 2021;
- j. Thanked the Portuguese authorities for the excellent organisation of the 26th CDPPS (20-21 September 2021), took note that an information document [Doc. PC-CP(2021)14] regarding the Conference will be attached to the CDPC list of decisions and sent to the CM for information and decided that there might be a need to issue a new COVID-19 related statement as the pandemic has not yet given any signs of ending and issues related to mental health of offenders and prison and probation staff and to the enhanced use of digital technologies during the pandemic might need to be addressed;
- k. Took note of the information presented by the Spanish delegation regarding the state of preparation of the 27th CDPPS in 2022 and of the fact that the PC-CP WG will discuss at their next meeting possible topics to address at it;
- I. Took note of the presentation made by Pia Puolakka, scientific expert on artificial intelligence (AI) as well as of the revised report on the same topic prepared by Mike Nellis, scientific expert [Doc. PC-CP(2021)9rev] and were very satisfied with of the quality of the work and the richness of the debate. Took also note of Doc. PC-CP (2021)16] containing the written replies to the letter addressed to them by the PC-CP Chair, Annie Devos, which was collated a day before the meeting and also took note of the information that the experts, Pia Puolakka and Håkan Klarin will examine the replies as well as the outcome of the discussions at the meeting and will present a preliminary structure of a possible CM Recommendation;
- m. Took note of the information provided by Kristian Bartholin, Secretary of CAHAI, regarding the state of play, namely the drafting of possible elements of a legal framework on AI, based on the Council of Europe's standards on human rights, democracy and the rule of law;

- n. Took note that at the PC-CP WG meeting in Madeira agreement was reached that the work on the White Paper on mental health should be finalised at the end of 2022 and the work on a CM Recommendation will be finalised by the end of 2023 thus leaving more time to agree on possible standards in this new and rather complex area; Agreed as well that digital technologies should also be addressed by this Recommendation;
- o. Took note of the presentations made by Charlie Brooker and Jorge Monteiro, scientific experts on mental health and thanked them for the draft text of a White Paper on mental health, considered the text and made a number of comments and suggestions to be considered by the scientific experts and by the PC-CP WG at their next meeting, agreed that the work will be done by the end of 2022;
- p. Took note of the information provided by Professor Marcelo Aebi regarding the collection of the Annual Council of Europe Penal Statistics (SPACE), the contacts and feedback from the national correspondents and the future steps in this respect, namely the holding of a meeting in 2022 of the national correspondents collecting criminal justice statistics;
- q. Took note of the presentation made by Tanja Rakusic-Hadzic, Head of the Criminal Law Co-operation Unit, DG I regarding the activities carried out in 2021, including the ones related to the Medicrime Convention;
- r. All together 97 participants took part in the meeting and Conference, of whom 66 were on-line, 45 of them were women. Representatives of 36 member States took part, as well as of observers and members of the Council of Europe Secretariat. The Chair, Vice-Chair and 4 out of the 9 elected members of the PC-CP WG as well as the Secretary to the Committee are women. During the Conference and during the 11th Plenary Meeting during the discussions under all points on the agenda, the PC-CP delegations were fully aware of the sensitivity related to the gender mainstreaming and to non-discriminatory treatment.
- s. Noted that the next PC-CP WG meetings will be held on 23-25 February and on 12-14 April 2022.

## AGENDA

	1. Opening of the meeting
	2. Adoption of the agenda and the order of business
Summary Meeting Report of the 26th PC-CP Working Group (3-4 February 2021) PC-CP(2021)1	3. Summary reports of the PC-CP WG meetings in 2021
Summary Meeting Report of the 27th PC-CP Working Group (11-12 May 2021) PC-CP(2021)10	
CDPC-BU(2021)5	4. Information provided by the Secretariat
CDPC(2021)8	
PC-CP Terms of Reference 2020-2021	
PC-CP Draft Terms of reference 2022-2025	
PC-CP(2021)13	
Conference Website	5. Outcomes and follow-up to the 26th CDPPS (20-21
PC-CP(2021)14	September 2021, Portugal)
CM Declaration on AI	6. Artificial Intelligence and its use by the prison and probation services
Article by Pia Puolakka and Steven Van De Steene	
Presentation by Pia Puolakka PC-CP(2021)9Rev	
Replies to the Questionnaire and Survey PC-CP(2021)16	

Replies to the questionnaire prisons PC-CP(2021)4	7. Dealing with offenders with mental health disabilities and disorders in prisons and under probation
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	
Analysis of data collated from the Questionnaires on Mental Health PC-CP(2021)8Rev2	
Mental Health Joint Thematic Report	
MHC Report - Access to Mental Health Services for People in the Criminal Justice System	
SPACE Website	8. SPACE Statistics and SPACE /NPM EU/CoE Joint Project activities
Project Website	
	9. Round table discussion regarding steps taken by the prison services to implement CM Recommendation (2018)5 concerning children with imprisoned parents, in particular during the COVID-19 sanitary restrictions
	10. Co-operation activities
	11. Feedback from participation in other meetings
	12. Gender mainstreaming
	13. Any other business
	14. Dates of the next meetings

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