

Strasbourg, 11 February 2025

PC-CP (2025) 4

COUNCIL FOR PENOLOGICAL CO-OPERATION

(PC-CP)

**37th Working Group Meeting
Valletta (Malta), 4-6 February 2025**

SUMMARY MEETING REPORT

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

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EXECUTIVE SUMMARY AND DECISIONS TAKEN

The PC-CP WG:

- Welcomed Ms Joyce Dimech, Permanent Secretary of the Ministry for Home Affairs, Security and Employment of Malta, took note of her presentation and thanked her and her team for the excellent organisation of the 37th PC-CP WG meeting.
- Welcomed the representatives of France, Malta, the Netherlands and Poland as well as of the observers from EuroPris and CEP and the Scientific Experts.
- Approved their Agenda and Order of Business and had no comments to make on the Summary Meeting Reports of the last PC-CP meetings in 2024 [Doc. PC-CP(2024)6 and PC-CP(2024)10].
- Took note of the information provided by Ms Eva Pastrana, Head of Division and Secretary to the CDPC regarding the outcome of the last CDPC Plenary Meeting and also took note of the List of Decisions [Doc. CDPC(2024)10]. The participants took note more specifically that the draft CM Recommendation regarding the Promotion of the Mental Health of Prisoners and Probationers and the Management of their Mental Disorders and its Explanatory Memorandum will be considered on 11 February 2025 by the GR-J of the Committee of Ministers (CM) and the Recommendation is expected to be adopted by the CM shortly after that date.
- Thanked the Scientific Experts for having revised the draft CM Recommendation on Education in Prison and for having drafted its Explanatory Memorandum and considered the two texts [Docs. PC-CP(2025)1Rev8 and PC-CP(2025)1].
- Thanked one of the Scientific Experts, Mr Harvey Slade for producing two documents, namely on the CPT standards in this area as well as on the ECtHR case law [Docs PC-CP(2025)2 and PC-CP(2025)3].
- Made a number of comments and suggestions related to the draft CM Recommendation on Education in Prison and decided that due to the lack of sufficient time at the meeting, comments related to the Explanatory Report will be sent by the participants to the Scientific Experts not later than 15 April 2025 in order to be taken into consideration when revising the text for their meeting in Madrid at the end of May 2025.
- Took note of the presentation made by Ms Róisín Mulgrew, supported by the oral intervention of Mr Michael Sorger and Mr Daniel Danglades (Scientific Experts), related to the revision and updating of CM Recommendation CM/Rec(2012)12 concerning Foreign Prisoners and of its Explanatory Memorandum.
- Had a round table discussion on their suggestions and agreed that the revised Recommendation should cover both non-national and foreign nationals with a resident status, who are in prison for legal reasons as suspects or offenders and that irregular immigrants should not be covered. The definition of “prisoner” should refer back to the European Prison Rules.
- Agreed that there is a difference between foreign nationals who are from EU member States and non-EU nationals, especially non-European countries in treatment and facilitation of transfers and that these differences should be reflected and covered by the text.
- The Recommendation should not cover State responsibilities for nationals detained abroad.
- Discussed whether the Recommendation should cover juveniles who are foreign nationals and decided to come back to that issue at a later stage but agreed that it should cover young adults.

- Agreed that probation should also be covered but in a separate section of the Recommendation as there are a number of differences between countries and also different cases with residents, non-residents, transfers, pre-sentence reports, resettlement, etc.
- Agreed that staff competences and training of prison and probation should be in the same section (specifically dealing with training of staff on cross-cultural psychiatry, ethnic/cultural sensitivity, linguistic capacities, etc.).
- The specific case of community service for foreign nationals was discussed and particularly the personal insurance in case of accidents in such cases, examples were given how transborder probation measures were regulated when a foreign national has committed a crime in a neighbouring country and is executing the community service there.
- Agreed that transfers from one country to another should be expanded: namely the need for providing timely information to the prisoner, transport in dignified manner, etc.
- Agreed that AI and new digital technologies should also be included.
- It was agreed also that a preliminary draft of the Recommendation needs to be sent to the Secretariat not later than 15 April 2025.
- Thanked the Polish representatives for hosting the 30th Council of Europe Conference of Directors of Prison and Probation Services (CDPPS) in September 2025, took note of the information they provided regarding the venue and the state of preparation for the Conference and discussed the title, the possible workshops, topics and speakers.
- It was agreed that the title of the Conference will be: “CAN WE MOVE AWAY FROM THE OVERUSE OF PENAL SANCTIONS?”, that there will be four workshops, namely on (a) SPACE data on overcrowding/net widening in prison and probation and data on foreign national offenders by Mr Marcelo Aebi (Switzerland) and on a risk assessment tool related to reoffending (Poland); (b) Promotion of positive health and trauma informed care: Jorge Monteiro (Portugal), Ronald Gramigna (Switzerland) and (Scotland); (c) Children with imprisoned parents (and in this respect partnerships between prison, probation and NGOs) (Poland, Italy, Spain); (d) Strategic approach by prison and probation services to crisis management : Marry Rogan (Ireland) (Croatia) (Ukraine).
- Agreed that after the Keynote Speech at the Open Plenary Session there will be a Panel discussion and that during the Closing Plenary Session a presentation will be made on neurodiversity and on the CPT view on prison hierarchies.
- Took note of the information provided by their gender rapporteur that altogether there are 33 participants according to the list of participants. Out of these 17 are women. Regarding the PC-CP WG, 6 out of 9 elected members are women, regarding the Secretariat, 3 are women. Considering Scientific Experts, 2 are women out of 5.
- During the meeting it was agreed that in the current PC-CP WG work, the gender aspect is included in the following items: the updating Recommendation (89)12 on Education in Prison; the updating CM Recommendation (2012)12 regarding Foreign Prisoners and its Explanatory Memorandum and the Programme and Speakers at the forthcoming 30th CDPPS.
- The PC-CP Chair, Ms Laura Negredo, informed of the suggestion to have an online thematic exchange between GREVIO and the PC-CP on the issue of the use of restorative justice in gender-based violence cases in which she will take part and invited other participants to join if they wish to. Several participants indicated their interest in taking part in this exchange of views, namely Ms Carla Ciavarella, Ms Carmen Borg and Ms Jana Špero-Kamenjarin.

- Discussed the future work plan of the PC-CP and the possible need to include in the next mandate the revision of the European Rules for Juvenile Offenders [CM/Rec(2008)11] decided to postpone this issue until their next meeting.
- The PC-CP WG members and Secretariat who attended the Second Open-ended intergovernmental expert group on model strategies on reducing reoffending (UNODC) (27-31 January 2025, Vienna) provided feedback on their participation.
- Noted that the dates of the next PC-CP meetings in 2025 are as follows: 38th PC-CP WG (20-22 May 2025, Madrid); 39th PC-CP WG (7-9 October 2025, Strasbourg); 15th PC-CP Plenary meeting (18-20 November 2025, Strasbourg).
- On the last day of the meeting the participants visited the Prison of Malta and took note of the information provided by its Governor, Mr Christopher Siegersma, and his staff. The prison which was constructed back in the 18th century holds currently 700 prisoners, out of whom 55 women and 14 juveniles. It has a forensic wing and a training centre. The refurbishment of such an old building is a challenge but it was evident that a lot of efforts are being made and are planned to be made to improve the material conditions and the treatment of prisoners.
- The Maltese hosts indicated orally their readiness to host the 2026 CDPPS and the PC-CP WG thanked them for this proposal.
- The Agenda of the next meeting of the PC-CP WG was discussed and it was agreed that apart from discussing education in prison and foreign nationals also three useful presentations should be made: on a project related to the treatment of transgender offenders in Malta; on the current reform of the penal sanctions and measures in United Kingdom which led to a significant reduction of the number of prisoners and on gender-based violence programme in Spain.
- On 7 February 2025 Ms Carla Ciavarella and Ms Iliana Taneva lectured the trainees in their new and modern training centre and discussed treatment of prisoners and relations among prison staff members.

APPENDIX I**AGENDA**

	1. Opening of the meeting
	2. Adoption of the agenda and the order of business
CDPC(2024)10 CDPC-BU(2024)05	3. Latest CDPC meetings and decisions
PC-CP(2024)6 PC-CP(2024)10	4. Summary meeting report of the last PC-CP Working Group meeting and of the PC-CP plenary meeting
	5. Information provided by the Secretariat
PC-CP(2025)1Rev8 PC-CP(2025)1 PC-CP(2025)2 PC-CP(2025)3	6. Draft CM Recommendation on education in prison and its draft Explanatory Memorandum
	7. Revision of CM Recommendation CM/Rec(2012)12 concerning foreign prisoners and of its Explanatory Memorandum
	8. Round table discussion regarding the contents and presenters at the 30th CDPPS Conference (24-25 September 2025, Krakow, Poland)
	9. Round table discussion regarding the promotion and implementation of the latest Council of Europe standard-setting texts in the penitentiary field
	10. Forthcoming work plan of the PC-CP in conformity with its mandate until 2027 and future elections of new PC-CP WG Members
	11. Gender mainstreaming
	12. Feedback from participation in other meetings
	13. Any other business
	14. Prison visit
	15. Dates and agendas of the next PC-CP meetings

APPENDIX II**LIST OF PARTICIPANTS****MEMBER STATES / ÉTATS MEMBRES****FRANCE / FRANCE**

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