



Agenda
CEP& EuroPris FNPP Expert Group Meeting
Online
11th September 2023, 11:00 CET

Present: Jochem Wildeman (The Netherlands), Roisin Mulgrew (Ireland & UK), Osman Nazir (England & Wales, UK), Daniel Danglades (France), Audre Miseikiene (Lithuania), Mirka Jakesova (CEP, The Netherlands), Petra Pavlas (EuroPris, Austria)

Apologies: Karen Delespaul (Belgium), Luisa Ravagnani (Italy), Tijs Bagchus (The Netherlands)

1. Welcome/ Opening remarks – Petra

Petra opened the meeting and informed about the new Chairperson of the Group, Daniel Danglades. Due to technical difficulties, he could only enter the meeting a little later.

2. News about FNPPs from the respective countries – Petra

After introducing the agenda of the day, Petra asked members to present news and hot topics of the respective countries after the summer break concerning FNPPs.

- England & Wales, Osman Nazir: reported that Probation and Home Office are collaborating to ensure the safe release of FNOs into the community. There are increasing pressures for FNO capacity within the immigration removal centres. They installed a process within the Hub: every single address check for any FNO. The response rate was 76% in good time, which supported safer release of FNOs with public protection elements in mind.

There are still challenges in supporting the process to approve Home Office funded accommodation. Individuals who source home office founded accommodations (normally for asylum seekers only) have collaborated directly with criminal justice to explore which accommodation was most suitable for FNOs needs. There is greater collaboration with Home Office safeguarding teams and a better information flow is being developed. They have had panels where complex cases were being discussed. The vast majority of FNOs are still released into the community (even if initially immigration detained). Osman has started a dialogue with the Immigration judiciary to reassure them of the work Probation are undertaking to be responsive to FNO cases.

Petra reported in Austria the majority of FNOs who have not been granted permanent residence are sent directly to detention centers. However, for a maximum period of 18 months, then they have to be released and there is no guarantee where they will go a/o live. In Austria, there still exists that kind of gap.

- Lithuania (Audre Miseikiene): In total the prison population in Lithuania is slightly decreasing with 5000 inmates, sentenced approx. 88%, pre-trial: approx. 13%. There are currently 139 FNPs in Lithuanian prisons (sentenced: 66%, pre-trial: 33%), 3% of the total prison population, mostly from Russia, Ukraine, Latvia, Belorussia. NEWS: together with the Red Cross they carried out a survey in all eight prison, 72 FNPs were interviewed to find out what are the needs of FNPs in Prison. The Red Cross prepared the questionnaire and interviewed FNPs (language barrier, lack of general info, activities, professional training courses, etc.); representatives of the Red Cross plus translators took part in the survey. After a meeting with prison directors and resocialization units and the Red Cross they were preparing to set off a info for FNPs with daily general information in English and Russian to improve situation for FNPs in the Lithuanian penal system, which is financed by Norwegians, (delivering Program for FNPs). They were financing the program since April in two Lithuanian prisons for FNPs in Prison and it's still going on.

Petra asked Audre to get the survey for the group. Audre stated that she would ask the Red Cross for it and then bring it for translation as the survey is in Lithuanian. This will take some time, but she will make it available.

- The Netherlands (Jochum Wildeman): They are working on FNPs abroad (Dutch ppl. abroad in prison), but 50% of the inmates do have a different cultural background in the NL (8000 prisoners in total). They support Dutch prisoners abroad (800 Dutch's abroad in prison) also by a close collab with embassies. A small increase of the number of Dutch's prisoners after pandemic had been realized. Besides that, they are busy with FDs, to make it more easier to implement them, but still there was a bureaucratic hassle in NL, which is very challenging. Some positive movements outside Europe were seen, especially for Dutch people being imprisoned in South East Asia, accompanied by fierce discussions, but positive movements in the right direction. Moreover, they are in the process and busy on working on the World Congress on Probation on Parole next year, where Jochum is the chairperson of this congress. Besides the fact they support Dutch detainees abroad they help other countries to set up new probation systems in other countries (worldwide), which was going incredibly well. Best practice: when it comes to after-care (when people were released in a foreign prison) the relationship with municipalities and city councils to make sure that people can land well, is going very well with a new policy with all big municipalities to work together (info about housing, financial matters, etc.) they are working on a declaration for that as well. Top 5 countries with Dutch nationals in prison: Germany, Belgium, France, GB, and Spain.

Jochum invited the group to the World Congress on Probation on Parole next year on 16th April to 18th April 2024, [Save the Date - 6th World Congress: The future of probation and parole - CEP Probation \(cep-probation.org\)](https://www.cep-probation.org)

There will be space to talk about FNPs, program will be about the future of probation and in two weeks there will be a call on papers (webpage will be open to register). What they want is to connect global north and global south, and with countries who don't have any probation service yet,

Roisin asked Jochum on success with transfers from non-MS countries to NL and if there were any special agreements or ad hoc arrangements? Where does he see the success coming from? Jochum replied that when there a probation projects in the respective countries he could use that connection to easily talk to ministers. Of course in a very diplomatic way, but it is certainly an advantage if he can also talk about the transfer of through these contacts.

- Ireland (Roisin Mulgrew): There was a report on FNPs experiences (together with Penal Reform charities and universities in IRL). The Irish Prison System struggled with FDs as many prisoners are imprisoned in the UK, since BREXIT it is much more complicated, concerning the transfer legislation. They are trying to get a workable law on transfers, but the contract draft seemed quite complex and it is not clear if it would work in practice. Still it is very challenging and diplomatic discussions are ongoing trying to keep the connection between the countries and checking on prison conditions, if standards are not high enough, that they also will not be transferred.

- France (Daniel Danglades): Regarding FD there is a European project called J-CAP(Judicial cooperation for the enhancement of mutual recognition regarding probation measures and alternative sanctions) J-CAP - Home (jcap-probation.eu) co-funded by the European Union (Belgium, Portugal, Austria, Romania, Netherlands, Italy and France)bringing practitioners, prosecutors, judges, defense lawyers together. Foreigners is still a sensitive and hot topic in France, 2 weeks ago, they met head of unit for diplomatic solutions at the MoJ in F and she was very keen of improving the transfer of prisoners. The Government is working on a new piece of legislation working on a law in F parliament regarding how to deport FN, but in the process, they forget to overlook the rehabilitation part. The FD is a very powerful tool that can also be used on decreasing the FN population in France.

After a round of introduction to present news about FNPPs Petra officially welcomed Daniel as a new chairperson for the FNPP Expert Group. Daniel then gave an overview of the upcoming topics in the second session of the meeting after a 10 min. break.

3. Feedback from EUROCRIM 2023 – 23th Annual Conference of the European Society of Criminology (ESC) – Daniel

Daniel reported on the recent ESC conference held in Florence, Italy, from 6th to 9th September [Eurocrim 2023 – 23rd Annual Conference of the European Society of Criminology](#).

Mainly academics, researchers from Africa, US and Europe took part. Overall, there were over 2400 participants. The opportunity was given to bring a platform papers and results of research done all over

the world, discuss mutual interest on networking. They got academics expert groups too e.g. working on community measure sanctions. Miranda Boone, NL, asked Luisa and Daniel to be experts on FNPs on a round table with colleagues from NL and BEL to talk about FNPs and about overrepresentation of FNPs in prison and underrepresentation in community sanction and measure, to give an insight into a decision making process when it comes to citizenship and residence permit concerning FNPs, etc. Daniel presented on community sanctions in behalf of FNPs, Luisa talked about FD909 in a sample of Italy, BEL reported on double punishment as FNP, Daniel put in a French probational service perspective. With a table of approx. 50 participants it has been good to see the exchange between the professions. Daniel outlined that it was important to have a room to bring all those professionals together, to have a professional exchange.

Daniel moved on to the next item on the agenda.

4. Revision of CoE CM Recs (2012)12 deadline 31th Dec. 2026 – Daniel, Roisin

Concerning Council policy making a revision of CoE Recs 2012(12) on FN in prison is on their agenda, but not official yet. Daniel handed over to Roisin as she had been very involved in drafting the Recs 2012(12), to give some feedback on the Recs after the FNPP Expert group should be involved in submitting proposals. Roisin explained that she herself did not see anything official yet, but Daniel confirmed that there will be a deadline for the proposals in December 2026. There will be a plenary session in October 2023 where the revision of the CoE Recs 2012(12) should be on the agenda. A lot of topics that the FNPP Expert Group should feed in and draft a submission in the working group. Roisin would be happy to coordinate the submission, put together and represent at Strasbourg and help the Group provide something. There are now 5 working groups at the PC-CP [Council for Penological Co-operation \(PC-CP\) - Prisons and Community Sanctions and Measures \(coe.int\)](https://www.coe.int/en/web/pc-cp). Currently they are working on a draft CM Recommendation on Ethical and Organisational Aspects of the Use of Artificial Intelligence and related Digital Technologies by Prison and Probation Services as well as a White Paper on the management of offenders with mental health disorders by the prison and probation services. After the plenary it will be clearer what is planned concerning the CoE Recs 2012(12), so the FNPP expert group awaiting the plenary. As the Recs on FNPs are very extensive, the group should have prepared its proposals by the end of 2025. After the plenary and when there is more concrete information about the revision, the group will become active.

5. Call for nominations of the FNPP Expert Group for a new 2 year term for CEP and EuroPris Members – Petra, Mirka

Petra started by mentioning there had been a “*panedemic-caused*” extended 2-year term for members in this Group and that this term has now ended. She explained the process of the new call and that EuroPris can advertise one additional post for an expert, so there will be 5 posts/positions for EuroPris the following 2 year term of 2024 to 2026. The call will start on October 23rd and there will be a three week deadline to apply by November 13th. Depending on how many applications there will be, the announcement will be in early/mid December. After that, a welcome “*meet&great*” online meeting with all new members is planned in January/February. Date to be announced. These requirements apply to

CEP and EuroPris members. The regime for standing members is a little different since we are a little bit special and are a mixed group so Petra handed over to Mirka to speak for CEP members.

Mirka explained that CEP will follow up in line with EuroPris and open the call the same day and will go out with the CEP Newsletter. As at the same time there will be the DG Conference they will advertise it there as well. The criteria for the selection for CEP is the same as for EuroPris, so CEP can also open up five positions for CEP members, but as CEP already got three members they will open up for two new members in this call.

Petra added that the current members are welcome to re-apply for a re-nomination.

Daniel had a question of understanding and wanted to know how many positions would be advertised by CEP. Mirka then explained that two positions would be advertised by CEP for the new call as Daniel's position has been extended for another term, Osman has been nominated instead of Carina Heckroodt for the new term; Karen Delespaul is going on maternity leave but will be back next year so her position will be kept.

6. Preview/outlook - Petra

Petra gave an outlook on other ongoing and planned topics and emphasised that there will continue to be two streams of work in the FNPP Expert Group, namely Prisons and Probation (Agenda 2024-2026). The role of academics/researchers/founders as standing members of the FNPP Expert Group will be a supportive one, as already discussed in the last meetings, advising the two groups.

7. Closing – Agenda and Date of next meeting - Petra

Petra closed the meeting and said goodbye, as it was also a farewell to the current term of the Expert Group, with all the inconveniences of the pandemic. She concluded by thanking the group for the warm welcome she had received as group coordinator.

The date of the next meeting will be announced with the results of the call. She again thanked all the members for their support and Daniel for taking over as new chair.

PP, VIE 25/09/23