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UK MUST STRENGTHEN WORK TO PREVENT ILL-TREATMENT IN DETENTION IN CRUCIAL YEAR OF INTERNATIONAL SCRUTINY

The UK's National Preventive Mechanism (NPM) – established to scrutinise State detention in all its forms – has called in its annual report for ever greater efforts to monitor conditions and treatment in line with international best practice.

On the eve of the NPM's 10th anniversary, its Chair John Wadham used its 9th annual report to warn that 2019 is a year in which the NPM and UK Government will receive unprecedented scrutiny by two United Nations committees.

The NPM was established in 2009 by the UK Government to meet its UN treaty obligations under the United Nations' Optional Protocol to the Convention against Torture (OPCAT).

The NPM's 21 independent bodies have powers to inspect or monitor all places of detention across the UK including prisons, police custody, immigration centres, secure settings for children and young adults and mental health settings. Through the regular, independent monitoring of places of detention, the NPM plays a key role in preventing ill-treatment in detention.

For the first time, in the 2017–2018 report, the NPM has been able to calculate the number of visits and inspections its members carry out every year. It found:

- Dedicated volunteers made over 66,000 monitoring visits throughout the year to prisons, young offender institutions, immigration detention facilities, police custody, court custody and to observe escorts;
- There were over 1,500 inspections carried out across the UK.

During these visits and inspections, NPM members regularly highlighted a range of concerns about detainees not being held in safe and decent conditions. They also identified excessive or improper use of restraints on vulnerable detainees – children, those in mental health detention and those detained pending deportation.

However, Mr Wadham stressed the need to enhance the penetration and impact of monitoring by NPM members. “The strength of our NPM model in the UK allows professional inspectors and members of the community to check on what is happening behind closed doors and to try to prevent ill-treatment.

“Unfortunately, there is much more to be done to prevent ill-treatment and improve conditions for detainees and we look forward to more support from the government to make this happen.”

This is particularly important because in the coming year the record of the NPM and the UK Government will be forensically examined by the UN Committee against Torture (CAT), and then by the UN Subcommittee on Prevention of Torture (SPT), during its first ever visit to the UK.

Mr Wadham added: “The NPM still lacks essential guarantees of its independence and continues with inadequate funding. We know that the failure to make progress hinders our ability to prevent ill-treatment, and will expose us to criticism by both the CAT and the SPT.”

ENDS

Notes to Editors:

1. The NPM’s Ninth Annual Report gives an overview of its work monitoring detention across the UK from 1 April 2017 to 31 March 2018. A copy of the Annual Report can be found on the NPM website: <https://www.nationalpreventivemechanism.org.uk/>.
2. The NPM Annual Report was laid before Parliament by the Lord Chancellor and Secretary of State for Justice with an accompanying Written Ministerial Statement. The Statement can be found at <https://www.parliament.uk/writtenstatements> when published.

3. The NPM was established in March 2009 under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). A United Nations treaty, OPCAT was ratified by the UK in 2003. OPCAT requires the UK to have in place a 'national preventive mechanism' to visit all places of detention and monitor the treatment of and conditions for detainees.
4. Correspondence with the UN SPT highlighting their concern with the NPM's informal status can be found here: <https://www.nationalpreventivemechanism.org.uk/publications-resources/>.
5. In its 14th Report of 2016–17 "Part 1 of the Prisons and Courts Bill", the Justice Select Committee recommended the UK Government "place the NPM on a definitive statutory basis, in accordance with the UK's international obligations." (paragraph 36)
6. The NPM consists of 21 independent bodies throughout the UK, which have powers to regularly inspect or monitor places of detention and share the aim of preventing ill-treatment of anyone deprived of their liberty. It is coordinated by HM Inspectorate of Prisons.
7. The 21 bodies who make up the NPM are:
 - England and Wales***
 - Care Inspectorate Wales
 - Care Quality Commission
 - The Children's Commissioner for England
 - Her Majesty's Inspectorate of Prisons
 - Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services
 - Healthcare Inspectorate Wales
 - Independent Monitoring Boards
 - Independent Custody Visiting Association
 - Lay Observers
 - Ofsted (Office for Standards in Education, Children's Service and Skills)
 - Northern Ireland***
 - Criminal Justice Inspection Northern Ireland
 - Independent Monitoring Boards (Northern Ireland)
 - Northern Ireland Policing Board Independent Custody Visiting Scheme
 - The Regulation and Quality Improvement Authority
 - Scotland***
 - Care Inspectorate
 - Her Majesty's Inspectorate of Constabulary in Scotland
 - Her Majesty's Inspectorate of Prisons for Scotland
 - Independent Custody Visitors Scotland
 - Mental Welfare Commission for Scotland
 - Scottish Human Rights Commission
 - United Kingdom***
 - Independent Reviewer of Terrorism Legislation
8. Please contact John Steele in HMI Prisons' press office on 020 33340357 or 07880 787452 if you would like more information.