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Dear Mr. Lake,

I have the honour to write to you on behalf of the United Nations Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT), established in accordance with the Optional Protocol to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (OPCAT), in my capacity as Head of SPT Regional Team for Europe.

First of all we would like to thank you and representative of Ministry of Justice for participating in the meeting of the SPT's European Regional Team it was helpful to hear more about your understanding of the OPCAT, the system of national preventive mechanism (NPM) and commitment to torture prevention overall.

Memorandum of Understanding that you proposed to conclude between the State and the NPM is rather important showing the will of all stakeholders to join their efforts for combating torture and ill-treatment. It is possible to list in the Memorandum the most important further developments needed to bring the NPM in line with the OPCAT requirements. Some of the aspects that the Memorandum could cover are following:

1. Creating specific comprehensive legal basis for functions of all 21 bodies in their work as the NPM. Describing clearly tasks that the NPM is mandated and should undertake;
2. Clear separation of tasks – NPM activities should be carried out by personnel dedicated solely for this function and keeping preventive approach in mind;
3. Sufficient financial and human resourcing for carrying out all NPM activities;
4. Independence, privileges and immunities;
5. Obligation for the state to enter into dialogue for implementation of recommendations. Consequences for obstructing the NPM work.
6. Basic guarantees (access, freedom to liaise, etc.) regarding visiting activities.

Clearly – there are many more issues that need careful thinking and regulating as regards the NPM work. Listing concrete ways for future cooperation, outcomes and setting clear deadlines is a major step for acknowledging further role of NPM in the United Kingdom.

Mr. Dominic Lake
Deputy Director, Human Rights & Intergovernmental Relations
Ministry of Justice
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I would like to assure you of the SPT's commitment to co-operating fully with the authorities of the United Kingdom of Great Britain and Northern Ireland in this matter as we work towards our common goal of strengthening the protection of all persons deprived of liberty against torture and ill-treatment.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mari Amos'.

Mari Amos
SPT Member and Head of Regional Team for Europe
Subcommittee on Prevention of Torture