



**Issued on behalf of the National Preventive Mechanism**

**19 September 2019**

**INTERNATIONAL DETENTION EXPERTS SCRUTINISE PRISONS, POLICE STATIONS, MENTAL HEALTH DETENTION AND IMMIGRATION CENTRES ON UK VISIT**

United Nations experts are preparing a report on detention across the United Kingdom after visiting a mental health unit, a police custody suite, an immigration removal centre and a young offenders institution.

Between 8 and 19 September, on their first visit to the UK, members of the influential the UN Subcommittee for the Prevention of Torture (SPT) went to:

- Bracton mental health centre, Kent, with the Care Quality Commission on a Mental Health Act review visit
- Heathrow Immigration Removal centre (formerly known as Harmondsworth and Colnbrook), accompanying the Independent Monitoring Board
- Cookham Wood Young Offenders' Institution, accompanying Her Majesty's Inspectorate of Prisons
- St Leonards police station in Edinburgh with Her Majesty's Inspectorate of Constabulary in Scotland

They also accompanied volunteer police and court custody visitors on their visits to check on the welfare of detainees, and undertook confidential, unannounced visits to other places of detention around England and Scotland.

Their visit followed concerns raised by the UK's national custody and detention watchdog network, the National Preventive Mechanism (NPM), made up of 21 independent statutory monitoring bodies in England, Wales, Scotland and Northern Ireland. The NPM has expressed concern about treatment and conditions in some areas of state detention and about the need for the network to be placed on a stronger statutory footing.

The SPT is expected to submit separate reports to the government and to the NPM in six months, and encourages both bodies to publish these. Such reports are internationally recognised as authoritative independent reviews of detention and efforts to stamp out abuse and ill treatment in nations visited. The SPT has not commented publicly at this stage on its findings in places of detention.

However, in [a news release today \(19 Sept\)](#) the head of the SPT delegation, Daniel Fink, said: “The visiting bodies (NPM members) do an impressive amount of good work, but a more robust legislative framework is needed to achieve full compliance with the Optional Protocol”.

UK NPM Chair John Wadham said: “The committee’s visit comes at a time when our members have repeatedly asked the Government to act on detention and custody failings.

“These include children being locked up for 22 hours a day, rising suicide and self-harm in prisons, abuse of people with learning disabilities and autism in care settings, and vulnerable adults in immigration detention not knowing when they are going to be released.

“We raised the lack of legal basis for the work of the NPM with the SPT and are pleased that they took all our concerns very seriously. I believe the committee will make some strong recommendations to the Government when they deliver their formal response in a few months’ time. We hope to be able to publish this as soon as we can.”

Statistics gathered by the NPM show that at least 8,000 people in state custody or detention (including under mental health laws) in the UK are in places rated as poor or inadequate for safety.

The UK’s state detention arrangements and the work of its independent monitoring bodies are under the spotlight from the for the first time in a decade, following the creation of the NPM in 2009.

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## **Notes to editors**

1. 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 Visiting Scotland; Mental Welfare Commission for Scotland; Scottish Human Rights Commission; United Kingdom; Independent Reviewer of Terrorism Legislation

2. The SPT is a committee set up under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), an international human rights treaty designed to strengthen the protection of people deprived of their liberty. OPCAT is mandated to carry out preventive visits to places of detention, and to advise and assist the establishment of NPMs in accordance with Articles 11, 12 and 13 of OPCAT. All members of the SPT serve in their individual capacity and are expected to act with independence and impartiality. The members come from all over the world and some work with NPMs in their own countries.

3. During their visit, the SPT will meet with government ministers and officials, members of the NPM, NGOs, academics and parliamentarians. They will make unannounced visits to places of detention and conduct some visits with NPM members.

4. The full SPT media release on 19 September can be found here - <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25023&LangID=E>

5. Last year, CQC rated 5% of mental health organisations that can detain patients under the Mental Health Act inadequate in relation to safety. There are in excess of 40,000 such detentions a year, so CQC estimate that perhaps 2,000 such detentions could be to hospitals rated to be unsafe. In 2018/19 there were a further 2,131 notifications to CQC of a Deprivation of Liberty Safeguards application outcome at locations that are currently (as of 22/08/2019) rated inadequate for safety. In HMIP figures show that in reports published in 2018/19 6,003 out of 29,361 prisoners in prisons that were inspected were living in establishments judged to be poor in safety. CQC and HMIP use different methodologies and assessment standards in their inspection reports. While CQC's lowest rating is 'inadequate', HMIP rate establishments from 1 – 4, 1 being a 'poor' in outcomes of their four healthy prison tests.

6. The NPM mapped detention population data from 2016-17 to identify how many people are detained across different settings in the United Kingdom. While a range of population data is published for specific detention settings, there was no collated data that provides an overview of detention across every setting in the four jurisdictions of the UK until the NPM conducted this work, which can be found at: [https://s3-eu-west-2.amazonaws.com/npm-prod-storage-19n0nag2nk8xk/uploads/2018/01/20180123\\_NPM-Data-mapping-2016\\_17\\_FINAL.pdf](https://s3-eu-west-2.amazonaws.com/npm-prod-storage-19n0nag2nk8xk/uploads/2018/01/20180123_NPM-Data-mapping-2016_17_FINAL.pdf)