

## **HELP Conference:**

### **HELP course on CPT standards**

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#### **Welcome to the HELP course on the CPT standards**

- I have pleasure to inform you that a HELP course on the CPT standards is under preparation; it will be launched very soon.
- Many of you will have heard about the CPT. Please allow me to just briefly recall what it is.
- The CPT organises visits to places of detention, in order to assess how persons deprived of their liberty are treated. These places include police stations, prisons, immigration detention facilities, psychiatric hospitals, and social care homes. Since its beginning in 1990, the CPT has visited thousands of such places of deprivation of liberty.
- CPT delegations have unlimited access to places of detention, and the right to move inside such places without restriction. They interview persons deprived of their liberty in private, and communicate freely with anyone who can provide information.
- After each visit, the CPT sends a detailed report to the State concerned. This report includes the CPT's findings, and its recommendations, comments and requests for information. Over decades, in its reports, the CPT has developed abundant standards in respect of detention places. As of today, 400 CPT reports have been published.
- The purpose of this HELP course is to familiarize users with the CPT's key standards in the five most important places of deprivation of liberty:
  - police stations,
  - prisons,
  - immigration detention facilities,
  - psychiatric establishments,
  - and social care homes.

#### **Why are the CPT standards so important?**

- In the CPT's experience, if torture and other forms of ill-treatment by public officials remain unchallenged by the criminal justice system, such conduct can easily become an accepted practice within the state services concerned. The CPT has developed extensive standards on combating impunity and the carrying out of investigations into alleged ill-treatment.
- Prison overcrowding affects many prisons in Europe. We all agree: prison overcrowding is toxic. It can turn a prison into a human warehouse and can quick lead to degrading conditions. It can also expose the most vulnerable prisoners to criminal subcultures and make prisons crime schools. But also prisons which are not overcrowded can be problematic: The CPT has for example seen very poor regimes, with prisoners being locked up almost all day in their cells, with nothing to do. The CPT has developed detailed standards on prison conditions.

- Immigration detention should be seen as a last resort. In some countries the CPT has seen appalling material conditions. The CPT assists states by establishing clear standards on issues such as material conditions, medical care and safeguards against ill-treatment.
- In psychiatric establishments and social care homes, the CPT has all too often met persons who should not be there in the first place, and it has therefore established standards to ensure that admission procedures are properly carried out. It has also set standards about the treatment and care of such patients and residents, for example on the use of means of restraint.

**Of course, standards need not only to be known, but also to be followed up.**

- Let me give you an example: The CPT has developed “standards” on conditions of detention in prisons. The standard of at least 4 m<sup>2</sup> of living space per prisoner in multi-occupancy cells (and of 6 m<sup>2</sup> in single cells) is one of them.
- This “standard” of 4 m<sup>2</sup> has been introduced in the national legislation of a number of countries. For example, shortly after the CPT’s visit in 2011, the Moldovan authorities drew up a detailed action plan which included a full review of living space per inmate in each prison, a compliance assessment and, where appropriate, a cost estimate when change was required.
- In 2016, the European Court of Human Rights issued a Grand Chamber judgment in the case of *Muršić v. Croatia*, in which it made it clear that living space falling under 4 m<sup>2</sup> in multi-occupancy cells could raise an issue – to various degrees – under Article 3 of the European Convention on Human Rights.
- The case of *Muršić v. Croatia* is only one of many examples: In fact, hundreds of judgments of the Strasbourg Court refer to the CPT’s “standards” and the Committee’s country-specific findings and recommendations on conditions of detention in prisons. Similarly, dozens of Committee of Ministers’ decisions and resolutions refer to the CPT.

**Who would know the CPT standards better than persons who participated in CPT visits?**

- The four experts who drafted this course have extensive knowledge about the CPT standards and worked with the CPT for many years. They cumulate participation in over 100 CPT visits and spent over 1000 days in the field – in police stations, in prisons, in immigration detention facilities, in psychiatric establishments and in social care homes.
- The course has been developed by these four experts, and with the help of the CPT Secretariat.
- I have the pleasure to hand over the floor to Johan Friestedt (Head of Division in the CPT Secretariat), who will give you more details on the target audience and the content of the course.