



What is Preventive Monitoring ?

The European NPM Project

Padua

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Outline

- **W**hat do we mean by a preventive approach to monitoring?
- **W**hat do we mean by preventive detention monitoring? **W**hat are some key elements?
- **W**hat is the value added of preventive monitoring?

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What do we mean by a preventive approach?

A preventive approach to ill-treatment seeks to:

- identify and analyse the **risk factors**
- mitigate or eliminate the risk factors **systemically** and reinforce or implement protective ones.

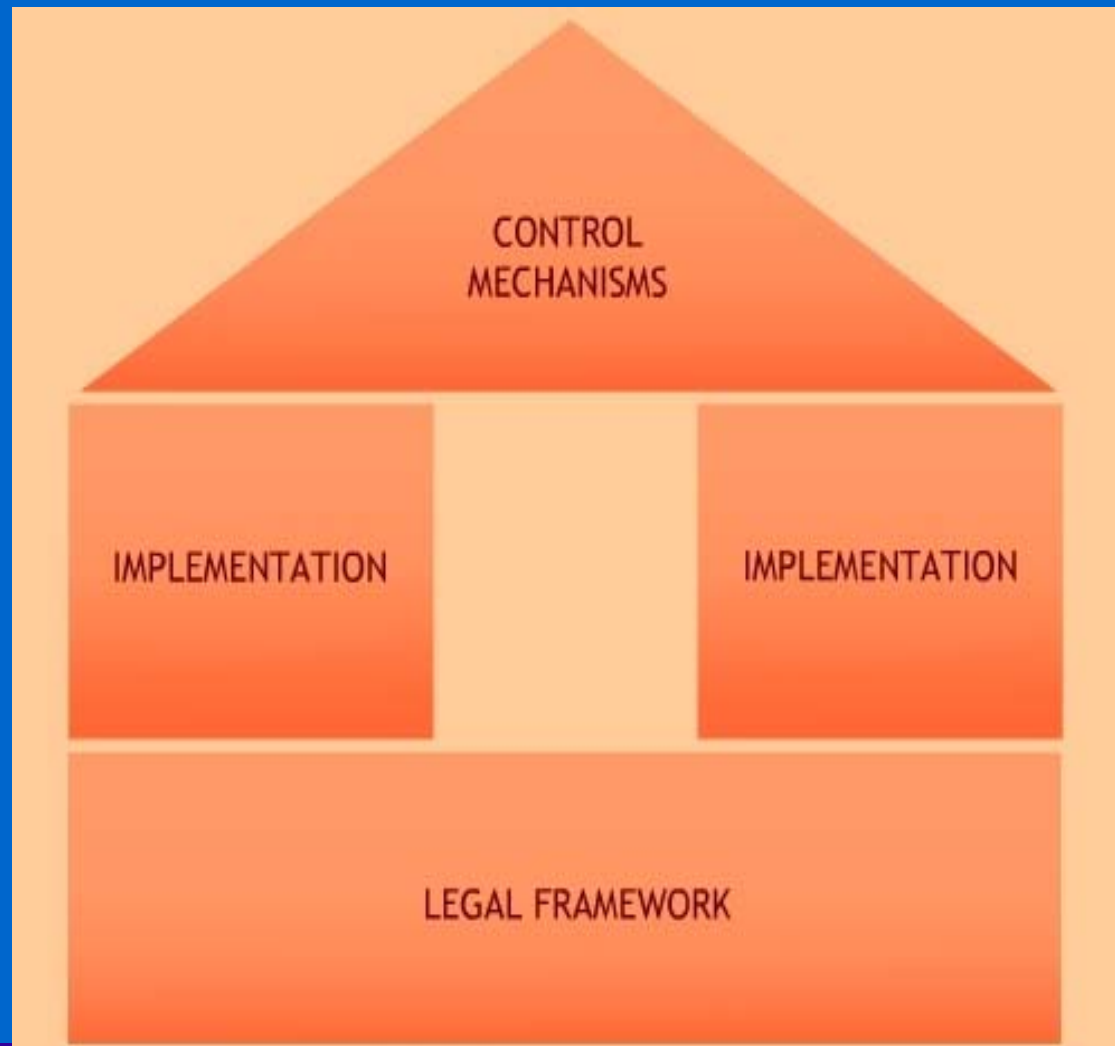
Prevention is an ongoing dynamic PROCESS

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« HOUSE OF PREVENTION »

An integrated global preventive strategy

- 3 levels – risk factors
- Monitoring is an element of a global strategy to prevent torture.
- Preventive monitoring goes beyond visits to places of detention. Visits are one part of the process.



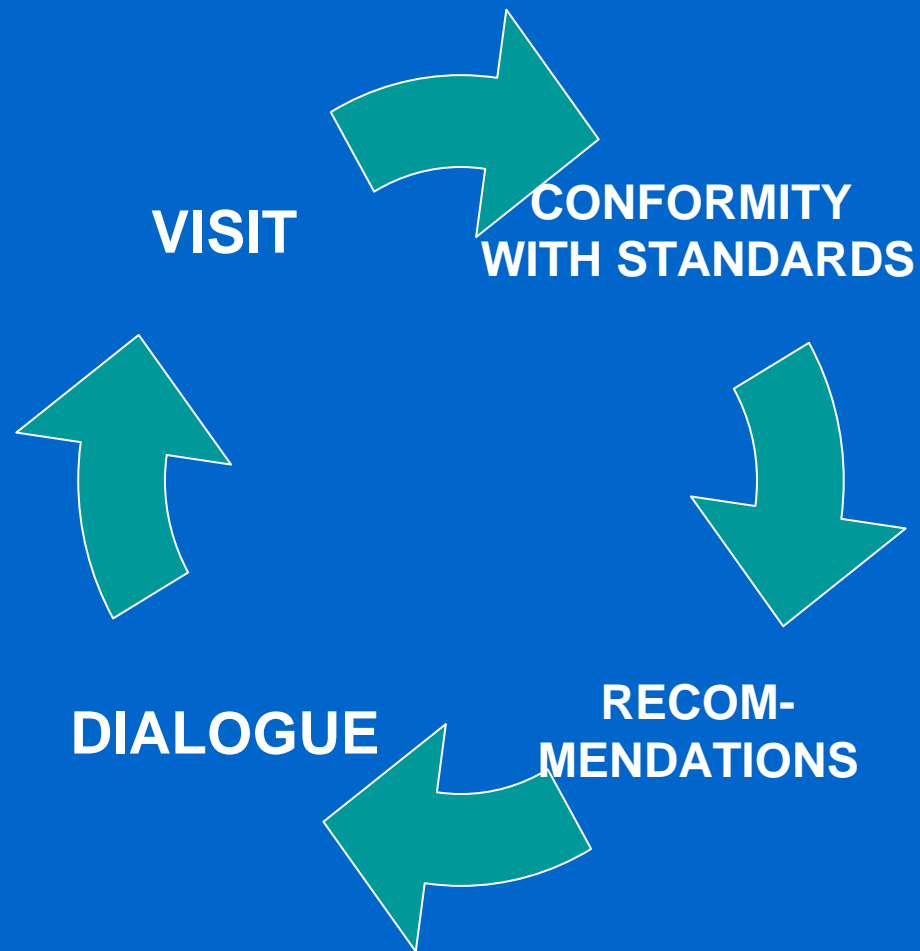
What do we mean by preventive detention monitoring?

- ✓ A **process** of regular and unannounced **visits** to all places of detention
- ✓ By **independent bodies**
- ✓ To examine and analyse all aspects of detention (**treatment, conditions and administration**)
- ✓ Follow up with **clear recommendations** to the authorities through a **constructive dialogue**
- ✓ **Systematic follow up** of implementation of these recommendations



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Monitoring: a process



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The elements of a Visit

- Talk with person (s) in charge
- Documents, registers and statistics
- Overview of premises
- Interviews in private
- Interviews with staff/others
- Final talk with person in charge



Key elements of preventive detention monitoring?

- Unannounced vs. announced visits
- Multidisciplinary team
- Frequency and length of visits
- Listening and speaking with detainees and others (prison and medical staff)
- Observation: vigilance and being open minded

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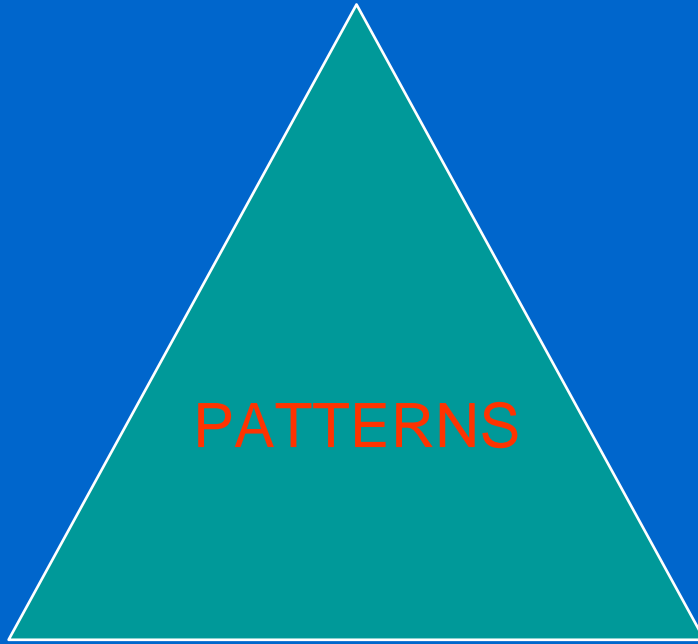
Key elements of preventive detention monitoring?

- Systematically gathering empirical information :
 - ✓ *Checking of registers and statistics*
 - ✓ *Observation on site*
 - ✓ *Interviewing detainees and staff in private (and groups)*
- Systematically cross-checking data across sources to:
 - ✓ *Establish findings*
 - ✓ *Identify patterns*

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Triangulation of Information from various sources

Own Observation



Interviews with detainees

Point of view of authorities and others

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Key elements of preventive detention monitoring?

- Building confidence through a constructive dialogue

We are visiting to cross check information, empirically observe and listen to the detainees.

Monitoring Principles

- Do no harm
- Respect
 - The authorities
 - Persons deprived of liberty
 - Security
- Confidentiality
- Objectivity and impartiality
- Sensitivity

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- **What is the value added of preventive detention monitoring?**

- Deterrent effect (repeated visits)
- Access to first hand information
- Never loose sight of the detainees and vulnerable groups
- Build confidence with authorities through a constructive dialogue



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PREVENTION ↔ REDRESS

- Aiming at deterring and improving the **system**
 - Aiming at **reinforcing safeguards**
 - **Dialogue with authorities**
 - **Forward looking**
 - **Proactive**
- Investigating **individual** violations
 - **Resolving complaints**
 - **Denunciation**
 - **Looking back**
 - **Reactive**

QUESTIONS?



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DISCUSSION

- As NPM, how do you do preventive detention monitoring in practice?
- As NPM what are the main challenges and risks you face? How could your institution overcome these challenges?
- In your view, what results can be reached through a preventive detention monitoring programme?
- What essential conditions are required for detention monitoring to be effective?
- When is detention monitoring not appropriate?