Addressing risk factors to prevent torture and ill-treatment

User guide

Welcome to the **Detention Monitoring Tool** developed by Penal Reform International and the Association for the Prevention of Torture.

This Tool provides analysis and practical guidance to support monitoring bodies, including National Preventive Mechanisms (NPMs), to fulfil their preventive mandate as effectively as possible when visiting police facilities or prisons.

This 2015 edition incorporates new guidance provided by the revision of the **UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)** in 2015.

The development of the Tool started with the mapping of factors that contribute to an environment where torture and ill-treatment arise, including at a cross-regional conference on torture prevention held by PRI in Tbilisi, Georgia, in June 2012

The Conference discussed the obligation of states to respect the absolute prohibition of torture and other ill-treatment and the distinction between measures in *reaction* to allegations of torture and ill-treatment and measures to *prevent* abusive practices. Monitoring bodies are most effective when they focus on a preventive approach, ie when they go beyond the primary documentation of individual cases, and comprehensively analyse situations of risk and recommend systemic changes.

This Detention Monitoring Tool therefore seeks to support monitoring bodies to address systemic risk factors contributing to torture or other ill-treatment, and to help them to refine both their analytical thinking and their monitoring methodology.

We hope that monitoring teams will find the Tool useful in a number of different ways, for example, in:

- developing their monitoring methodology;

- informing planning for their annual programme of work;

- helping to prepare for specific visits;

- informing their reports and recommendations.

Contents

THEMATIC PAPERS

- Balancing security and dignity in prisons: a framework for preventive monitoring
- Institutional culture in detention: a framework for preventive monitoring
- LGBTI persons deprived of their liberty: a framework for preventive monitoring
- Women in detention: a guide to gender-sensitive monitoring

FACTSHEETS

- Body searches
- Instruments of restraint
- Pre-trial detention
- Staff working conditions
- Video-recording in police custody

New resources may be added in the future. All of these resources are also available online at www.penalreform. org and www.apt.ch.

The Tool is available in English, French, Spanish and Russian. Check for other language versions online.

What the Tool contains

Thematic papers

The Thematic papers analyse broader themes that will benefit from a comprehensive monitoring approach, examining regulations and practices throughout the criminal justice process with a systemic lens, such as gender, sexual orientation and gender identity, or institutional culture.

Each paper:

- introduces the issue in the context of relevant international standards and human rights norms;

- examines in detail the risk factors for torture and ill-treatment;

- includes illustrative cases and country examples;

- makes recommendations on how monitoring bodies could start to, or more thoroughly, address this issue in their work.
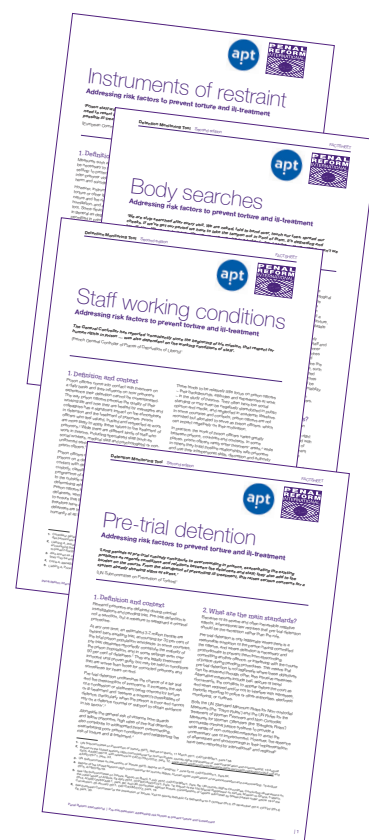
Factsheets

The Factsheets provide practical guidance on how monitoring bodies can focus on a number of systemic issues that are particularly high risk factors for torture or ill-treatment, such as body searches or the working conditions of prison staff.

Each Factsheet:

- lists the relevant international standards;

- identifies types and situations of risk for torture and ill-treatment;

- provides checklists of questions that monitoring bodies could enquire into for each risk factor explored;

- suggests what monitoring bodies can do.