



Introducing the UK's National Preventive Mechanism

What is a National Preventive Mechanism?

A National Preventive Mechanism (NPM) is one or more designated bodies that monitor the treatment and conditions of those people who have been deprived of their liberty. The aim of an NPM is to prevent torture and other cruel, inhuman or degrading treatment or punishment from taking place.

The mandate for an NPM comes from the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), a human rights treaty drafted by States who wanted to ensure stronger protections for detainees. Central to OPCAT is the idea that a system of regular, independent visits to places of detention can serve as an important safeguard against abuses, and prevent torture and ill-treatment in places that by their very nature fall outside the public gaze.

States that ratify OPCAT must establish an NPM. There are now 55 NPMs formally in existence around the world.

Specific requirements of an NPM

To comply with OPCAT, NPMs must have certain powers. These include the power to:

- inspect all places of detention
- access all information relating to detainees
- interview detainees in private
- choose where to visit and who to speak to
- make recommendations based on human rights norms to relevant authorities
- make proposals and observations on existing or draft legislation.

What does the UK NPM do?

The UK signed up to OPCAT in 2003 and in so doing, expressed its commitment to prevent torture and ill-treatment in places of detention.

The UK's National Preventive Mechanism was formally designated in 2009 and is now made up of 20 organisations whose official functions include monitoring and inspecting places of detention. Across the UK, different detention settings are visited or inspected by different NPM members. The UK NPM is coordinated by HM Inspectorate of Prisons and a steering group, made up of representatives from NPM members in the four nations, guides decision-making.

Membership of the UK NPM

| Detention Setting | Jurisdiction | | | |
|---|---|---|---|--|
| | England | Wales | Scotland | Northern Ireland |
| Prisons | HM Inspectorate of Prisons (HMIP) with Care Quality Commission (CQC) and Ofsted | HMIP with Healthcare Inspectorate Wales (HIW) | HM Inspectorate of Prisons for Scotland (HMIPS) | Criminal Justice Inspectorate Northern Ireland (CJINI) and HMIP with Regulation and Quality Improvement Authority (RQIA) |
| | Independent Monitoring Boards (IMB) | IMB | | IMB Northern Ireland |
| Police Custody | HM Inspectorate of Constabulary (HMIC) and HMIP | | HM Inspectorate of Constabulary for Scotland | CJINI with RQIA |
| | Independent Custody Visiting Association (ICVA) | | Independent Custody Visitors Scotland | Northern Ireland Policing Board Independent Custody Visiting Scheme |
| Court Custody | HMIP and Lay Observers | | HMIPS | CJINI |
| Children in Secure Accommodation | Ofsted (jointly with HMIP in relation to secure training centres) | Care and Social Services Inspectorate Wales (CSSIW) | Care Inspectorate (CI) | RQIA |
| | | | | CJINI |
| Detention Under Mental Health Law | CQC | HIW | Mental Welfare Commission for Scotland (MWCS) | RQIA |
| Deprivation of Liberty and other Safeguards in Health and Social Care | CQC | HIW | CI and MWCS | RQIA |
| | | CSSIW | | |
| Immigration Detention | HMIP | | | |
| | IMB | | | |
| Military detention | HMIP and ICVA | | | |
| Customs Custody Facilities | HMIC and HMIP and HMICS | | | |

What difference does being part of the NPM make?

Being part of the NPM brings both recognition and responsibilities. NPM members' powers to inspect, monitor and visit places of detention are formally recognised as part of the UK's efforts to prevent torture and ill-treatment. At the same time, NPM members have the responsibility to ensure that their working practices are consistent with standards for preventive monitoring established by OPCAT.

In addition to individual members' preventive monitoring, the UK NPM as a coordinated body focuses attention on crucial detention-related issues, promoting coherent analysis and responses to them. The NPM produces an annual report of its activities. It is scrutinised by official UN human rights bodies and non-governmental organisations to ensure that it is fulfilling its OPCAT mandate.

For more information please contact:

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