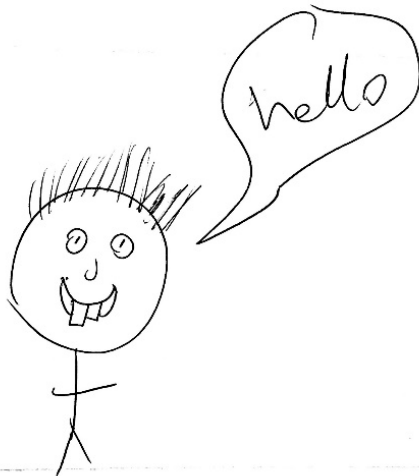




Trinity College Dublin
Coláiste na Tríonóide, Baile Átha Cliath
The University of Dublin



International Oversight: Lessons from a CPT Visit to an Irish Prison

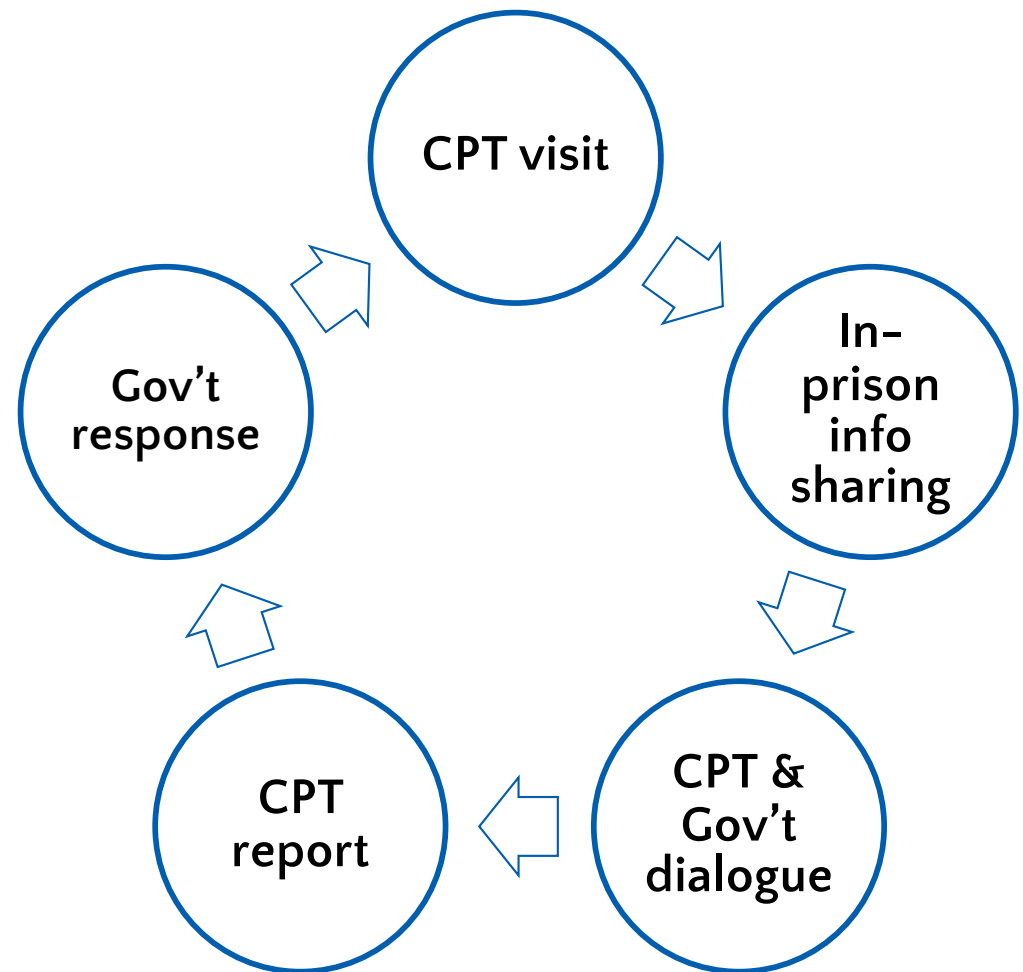


*Artist Unknown
An Irish Prison, 2019*

Ciara O'Connell, Mary Rogan,
Sarah Curristan & Sophie van der Valk
PRILA, Trinity College Dublin, Ireland

The European Committee for the Prevention of Torture

- ✓ a Council of Europe human rights monitoring body
- ✓ that examines the treatment and conditions of persons deprived of their liberty
- ✓ by conducting in-country visits on a periodic and ad hoc basis



Researching the CPT



Objective

Explore the experience of a visit from the CPT from the perspective of people living & working in prison



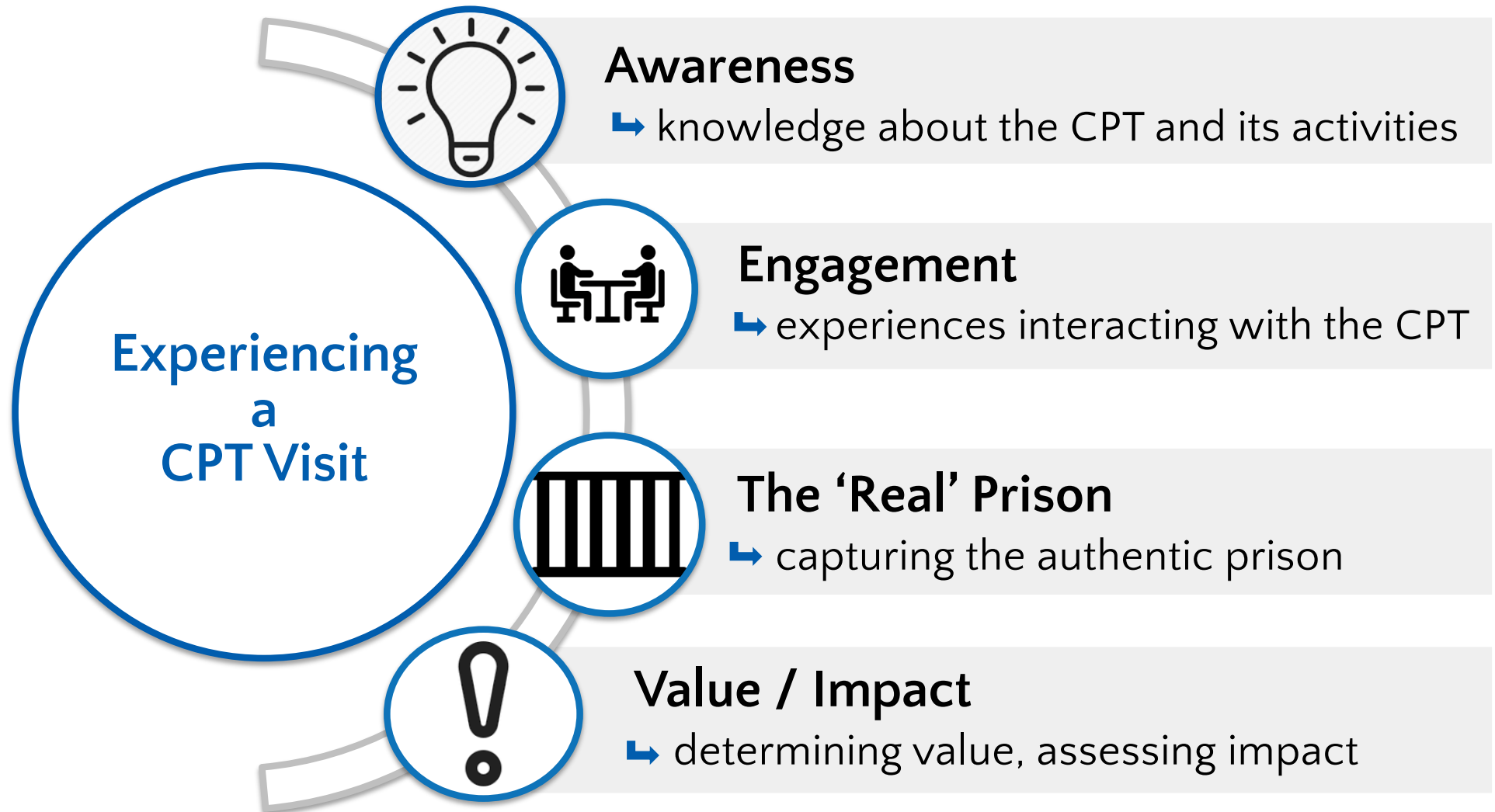
An Irish Prison

- CPT visit:
23 – 26 September 2019
- Research:
16 – 27 September 2019 &
21 – 25 October 2019

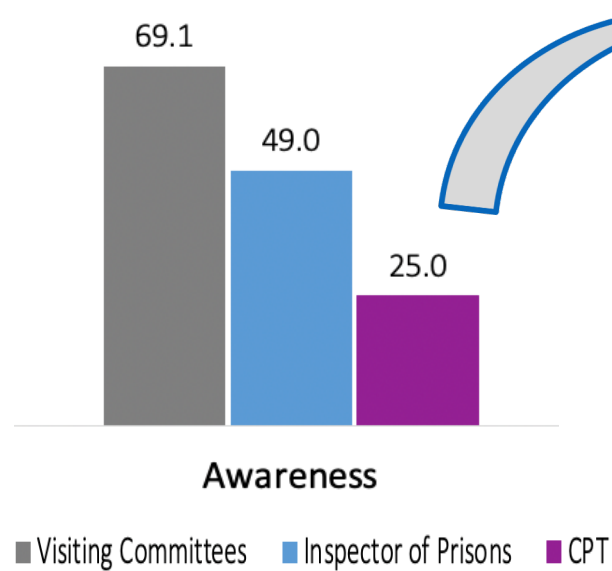


Methods

- 4-person research team
- 140+ observation hours
- Surveys: 450 respondents
- Interviews: 23 prisoners, 25 staff, Government officials, CPT delegates



Awareness of CPT Oversight



**Low
Awareness**

**Role
Confusion**

Preparation



Role Confusion: Prisoners

- Low info environment
- Unclear expectations
- Misleading information
- How to engage?

I hadn't met them face to face. But I heard that there's some people coming, and inspecting, they can be checking stuff and like that. (...) Um, is this (the research) the same thing, or?

- 033 Prisoner

*I'd like to know what we're in for, like, what could they do? Help prisoners? Ya know? **It's nice to know these these things, but see, no one tells you nothing in here sure.** You're just left. And they don't want you to know anything like that because it's trouble on their behalf. - 023 Prisoner*

You do need to get the information out there that they're coming, and what they're about, so both staff and prisoners aren't afraid to engage with them.

- 050 Staff

Different Experiences: Preparation

Staff

- ✓ Knowledge about oversight
- ✓ One-week notice of visit
- ✓ Time to prepare

*At least this time in fairness we have been given a little bit of time to gather up the information. And, it gave us time to get on to IT to give us the, to gather that information quicker. (...) And that means we're **probably able to present that information probably in a better way.** – 071 Staff*

Prisoners

- ✓ Posters on landings
- ✓ On-the-spot engagement
- ✓ No time to prepare

*Yeah, everything is just deep down for so long that you just don't want to talk about anything, (...) when they do come in you're just not ready to talk. If you had more notice of people coming in you might have **time to think about what you want to talk about.** – 028 Prisoner*

Staff Engagement with CPT



Willing to Engage

*I hesitated initially and then I felt that **if I didn't say it, that I would probably regret it** and feel a bit guilty that I didn't say it. So, I was compelled to say it.*
– 062 Staff

*If I thought there was something underhand going on, **I would say it to them and mention it to them.*** – 056 Staff

Unsure Where They Fit

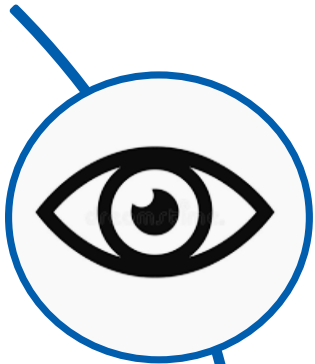
*They're coming in and interviewing prisoners, prisoners, prisoners. But I **don't think they take into (account) how working here has an affect on prison staff.*** – 057 Staff

Routine Prevails

*They have their job to do and we still have our job to do so it doesn't really impact on us, **we are still going to do our job.*** – 072 Staff

***I didn't change** anything I was doing because they were here.* – 052 Staff

Prisoner Engagement with CPT



Visibility \Rightarrow Trust

*If I don't talk to them straight away I'd say look, 'I've seen you before and I kind of was **around when you were speaking** and then in the hallway coming around and asking,' and like, I thought about it and I was like I **maybe can trust this person**.* – 022 Prisoner



Confidentiality

*They put me at ease, saying that they don't talk to the officers and the **officers can't hear outside the door**. So that kind of put me at ease and I felt comfortable talking to them.* – 035 Prisoner



More Information

*Like to explain first. I didn't have a clue, like I can't really read properly, you know, I can't. To explain it first like the way you explained to me. **I would have thought ahead and told her better things**, you know? I didn't really know, all I knew was, **all I seen was 'torture'**, so I said, **'it's not me!'***

– 029 Prisoner

The 'Real' Prison



✓ Context Familiarity

*My biggest disappointment with them was that they allowed themselves to be cleverly manipulated. I could see it here. I was absolutely aghast to see them spend huge amounts of their time with the very people who are the biggest threats to prisoners. (...) They should do their homework. (...) **Understand the culture of where you're about to visit or investigate.*** – 010Staff

✓ Element of Surprise

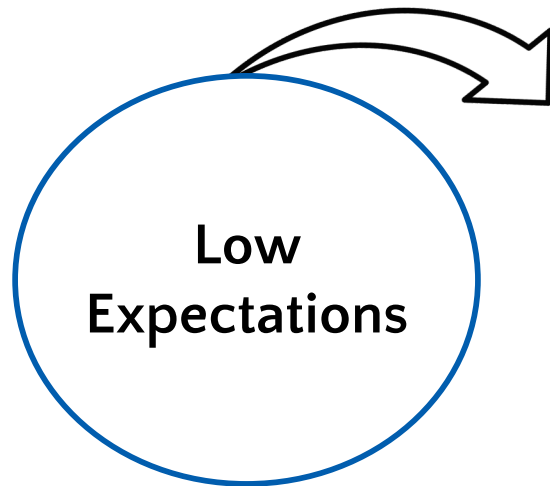
*Just **surprising them and then you'd see something that's real** rather than what they want you to see.* – 034 Prisoner

✓ Transparency – Recruitment Methods

I think she picked her prisoners for a purpose. She was picking quiet prisoners that have backgrounds in well to do society. (...) She interviewed very few people who were coming off the streets or who were homeless on the outside. – 057 Staff

*But they have to go and **see all people, pick 2 or 3 people off each landing**, and sitting down and talking to them. But don't pick the ones that the governors want you to pick or the chiefs.* – 023 Prisoner

Prisoners: Value/Impact



Low
Expectations

I don't think it is going to make big change because as I said, I have seen these bodies come in before in my time in prison and I think the issue is, as I said, the powers that be in the prison.

– 031 Prisoner

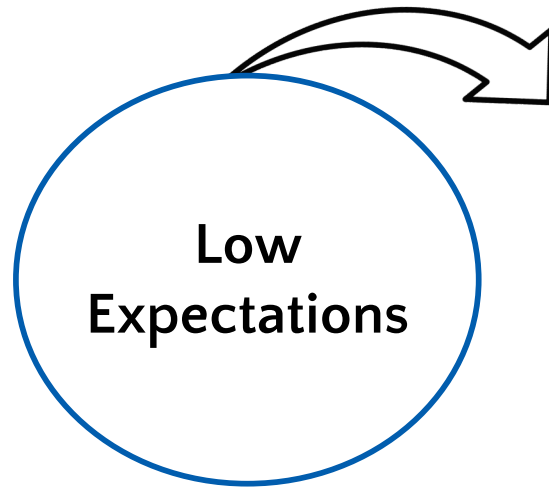
*It was interesting to think that **someone out there** is concerned at what is going on behind closed doors. It is nice to feel that someone wants to know that everything is done correctly.* – 026 Prisoner

Generally, do value CPT oversight:

- ✓ Value of the visit itself
- ✓ Power to persuade
- ✓ Connection to the outside world

*I think they are fairly good. Because when they came in here, when we heard they were coming in, there was people that were sleeping on the floor and that was all done away with. (...) So all **that stopped when they got word that they were coming.*** – 037 Prisoner

Staff: Value/Impact



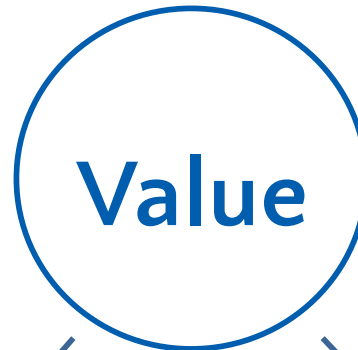
Scepticism – Powers of Enforcement

*Ya know, like is it a **nice box-ticking exercise**? They've come, they've looked. Everyone gets a clap on the back that everything looks really well. - 053 Staff*

*There's **no sanction for us for not following up** on it. (...) How much weight does it actually have? - 067 Staff*

*I think they are all good. I think we need to keep our house in order because if we are self-governed, it leads to chaos. So, it is **good that somebody from the outside can look in and say, 'no that is wrong.'***

- 062 Staff



*If they can influence that then that's a good thing, because obviously my nagging isn't working. **If an international body can help me influence that then that's great.***

- 051 Staff

Accountability

Leverage



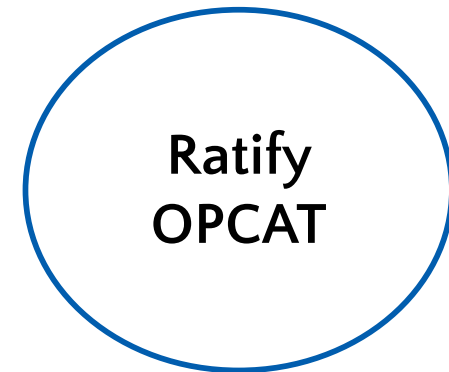
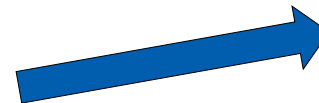
The Inspection Framework

Inform Inspection

- ✓ Raise awareness / provide information
- ✓ Engagement process: visibility, trust, confidentiality
- ✓ Value of the visit

Addresses Challenges

- ✓ Transparency of methods
- ✓ Staff engagement: surveys (Appendix C)
- ✓ Implementation: work towards live, public monitoring (3.3.17)





Trinity College Dublin
Coláiste na Tríonóide, Baile Átha Cliath
The University of Dublin



This project has received funding from the European Research Council (ERC) under the European Union's Horizon 2020 research and innovation programme (grant agreement No [679362]).

Thank You



ciara.oconnell@tcd.ie