

# Rights and Recommendations: Prison Perspectives on the Committee for the Prevention of Torture

## Research Findings from Ullersmo Prison (Norway) and HMP Edinburgh (Scotland)

In 2018, Ullersmo Prison in Norway and HMP Edinburgh in Scotland were visited by a European inspection body, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). Approximately 250 male prisoners live in Ullersmo Prison, and 900 prisoners, including about 100 women, live in HMP Edinburgh. After the CPT visited these prisons they prepared a report with recommendations for the prison service to make changes in the prison. The government responded to the CPT to let them know what they thought about the recommendations. In 2019, a researcher visited each of these prisons to ask staff and men living in Ullersmo Prison and women living in HMP Edinburgh - Ratho Hall what they think about the CPT recommendations. This is the first time prisoners and staff have been asked about CPT recommendations since the CPT started visiting prisons thirty years ago. The research project explored what staff and prisoners think about the CPT's recommendations, and discovered that they do not always agree with the CPT, or with the government. This research project will be shared with the CPT so they can learn what prisoners and staff think about their work, and how they can improve it. This handout is a summary of the research, and also provides more information about the CPT.

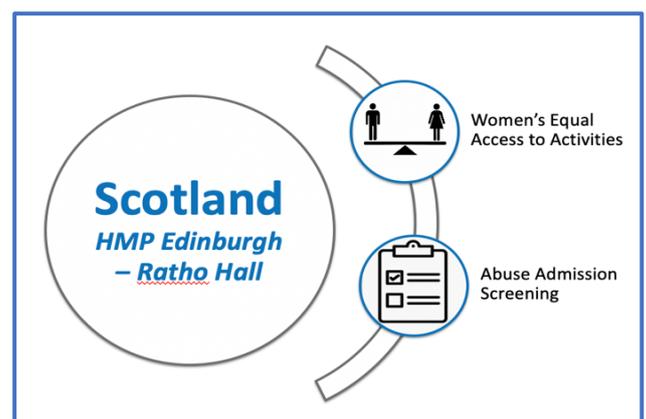
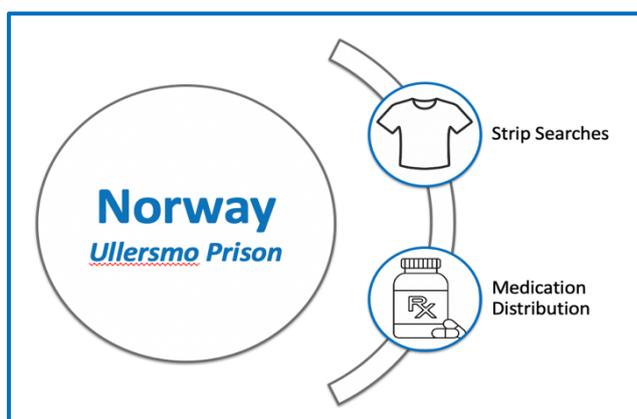
### What is the CPT?

The CPT is an independent prison monitoring group. It examines the treatment and conditions of people deprived of their liberty by visiting prisons either every 4 or 5 years, or as a surprise. The CPT looks at big issues in prisons rather than individual complaints. The CPT has 47 members, one person from each country in the Council of Europe. Each year the CPT visits about 15-20 countries to examine how people in prisons, and other places like psychiatric hospitals and immigrant detention, are treated. Following their visit, the CPT gives the government specific recommendations, and the government has to respond and tell the CPT what they are going to do to fix the problems. Even when the CPT is not visiting a country, prisoners can write to them. While the CPT cannot resolve individual issues, these letters can bring attention to matters of concern in the prison.



### The Research

The CPT was in Ullersmo Prison in May 2018 and in HMP Edinburgh in October 2018. About a year later, in May 2019 and December 2019, a researcher, Dr. Ciara O'Connell, visited these prisons to interview staff and prisoners. She interviewed **19** prisoners and **11** staff in Norway and **11** prisoners and **10** staff in Scotland. Prisoners invited to interview were in the prison when the CPT visited in 2018. The researcher asked people what they think about CPT visits to prisons, and also asked them about specific recommendations made by the CPT. **While the CPT made many recommendations, this handout shares information about two recommendations for each prison:**

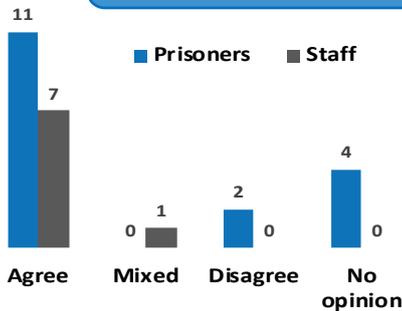


# CPT Recommendations to Norway - Ullersmo Prison

## Norway Recommendation 1: Strip Searches



**The CPT recommends:** Prisoners must be informed in advance about the possibility to undress in stages.



This recommendation would require the prison to allow prisoners to undress in two stages, first shirt and then trousers. The **prison staff interviewed by the researcher mostly agreed** with the CPT recommendation to undress in stages. And, the two prisoners who did not agree with the recommendation disagreed with the entire idea that people should be strip searched. The **government mostly agreed with the CPT**, but said that in some prisons this practice would not work because of security risks.

*I don't agree with anything. I mean, we are here for doing time and we are not here to be humiliated... And as long as you behave due to the regulation, it shouldn't be necessary.*

- 023Prisoner

*I totally agree, take first the upper body and then the underside. So, do it in a manner which are **more pleasant and not so invasive**.*

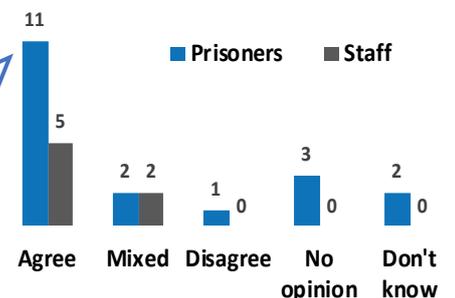
- 018Staff

**The CPT recommends:** Steps should be taken to ensure that whenever they are considered a necessity, strip searches are only performed by staff members of the same sex as the prisoner.

The CPT wants to make sure people are asked to undress by staff who are the same sex as the prisoner. This means, women officers should not work on strip searches for male prisoners. The graph shows that **most participants agreed** with the CPT. Some prisoners said they had never experienced this practice and others said they didn't really care about it.

*Sometimes they want women, because they have been maybe abused by men, or they don't like young men, or something like for their pride.*

- 031Staff



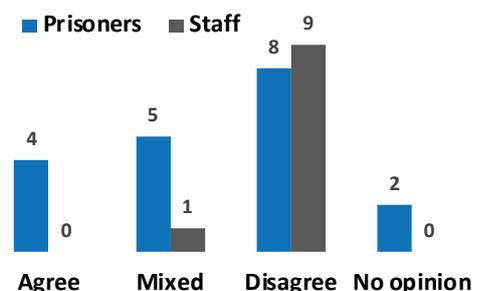
But there were some mixed opinions, one noted here from a staff member - sharing the idea **that it's not always so easy to decide who should perform a strip search**.

**The CPT recommends:** Strip searches be conducted only on the basis of an individual risk assessment.

The CPT recommends that the prison should only strip search people who are 'risky'. **But, a large number of participants disagreed** with the CPT. **Not one member of staff agreed with this recommendation**, mainly because they were concerned about pressure being put on other prisoners to bring things in to the prison.

**Prisoners also raised concerns about the problems this practice would create in the prison** - people would wonder why they are seen as "risky" when others are not.

The **Norwegian government also disagreed** with the CPT on this recommendation, and said, "routine and random strip search checks are a fundamental requirement for maintaining security in Norwegian prisons."



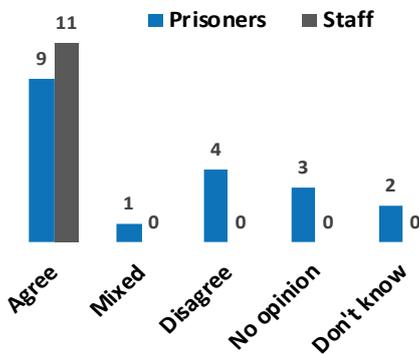
*Because people get frustrated, **why you going to (search me) and then not the other people, you know**. So, for that I don't think it's a good idea because you cannot... let one guy go and another stay.*

- 010Prisoner

# Norway Recommendation 2: Medication Distribution



The CPT recommends: Prescribed medicines should preferably be distributed in all prisons by qualified health-care staff.



The CPT recommended that prison officers should not give medication to prisoners, and that healthcare staff should always give out medication. While **all interviewed staff agreed** with this recommendation, the **government did not agree**: “the dispensing of medicines by prison officers is considered practical assistance rather than health care provision.”

And, **prisoners had mixed opinions**. Some thought it is a good idea for healthcare staff to give out medications, and others didn't really see a problem with officers handing out medication.

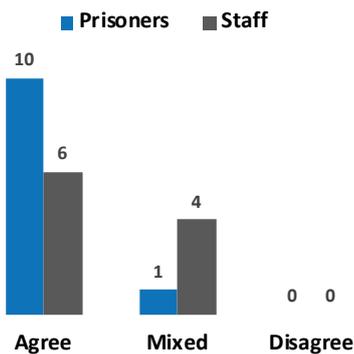
*Yeah I hate that practice. I get angry every time I work in the weekends and the morning shift and I have to give out medicine...*  
- 020Staff

*I think that's a good one, because I've seen first-hand that the guards are not helpful, I guess. If an inmate wants to or needs to change medication, they can't do that.*  
- 014Prisoner

# CPT Recommendations to Scotland - HMP Edinburgh

## Scotland Recommendation 1: Equal Access to Activities

The CPT recommends: Increase the places available for work and purposeful activities for all categories of women prisoners at Edinburgh Prison to ensure that all women prisoners can benefit from these on an equal basis to male prisoners.



Because HMP Edinburgh has a small population of women housed in a large men's prison, the CPT recommended that women prisoners get the same access to work and activities as men do in the prison. As seen in the graph, the **women prisoners interviewed in HMP Edinburgh agreed** with this CPT recommendation. One prisoner mentioned that it would be nice to have more activities, but it would also be a challenge to get people to participate.

Interestingly, **some staff members had mixed opinions** about the recommendation. This was because the prison doesn't have the resources for all the prisoners to participate in activities, so to be 'equal' this would mean that no one goes to activities - which is something the prison does not want to do.

*We can't get the males out to work that need to go out to work, let alone getting the females. So, the balance seems to be yeah, we'll all be the same, we'll all be locked up. That's the equality, yeah, which is not really where we want it to go. Yeah, you're all equal, you're all locked up.*  
- 003Staff

*It's not so much how many activities are on offer, it's how you get the women to go and get engaged, and that is something that **requires cultural change from the moment someone enters prison**.*  
- 011Prisoner

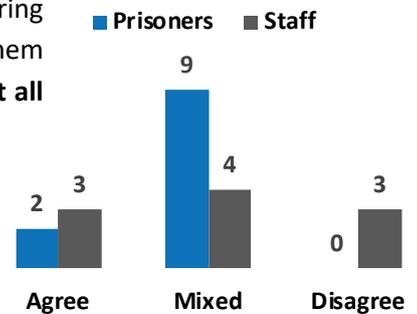
The **government agreed with this recommendation**: “Given the number of prisoner categories at HMP Edinburgh, it is difficult to provide equality in all aspects of the regime. The Unit Manager for Ratho Hall has been tasked with increasing provision using creative approaches.”

# Scotland Recommendation 2: Admission Screening for Abuse

The CPT recommends: Admission screening should include a history of any sexual abuse and other gender-based violence and that this should inform any care plan established for the woman to ensure appropriate care and prevent re-traumatisation.



With this recommendation, the CPT would like to see the prison ask women entering prison about their history of abuse and violence so that the prison can care for them properly. But, **while most people agreed with the recommendation, they were not all sure that it is a good idea** to ask these kind of questions when entering the prison.



*If I first came into prison and on reception they said, 'Have you been abused? Have you been in an abusive relationship?' I'd be like, 'Wait a minute, who are you? Why are you asking me that? Why? What's it got to do with you?'... But, it should be somewhere. I think it should be somewhere.*  
- 027Prisoner

*It's too early I would say. You're just new to prison, you've got a lot of things going on in your head, you're probably coming off drink or drugs, you start asking these questions, I'm not too sure if that's the right time.*  
- 007Staff

*Yes but I think it needs to be **someone in between an officer and a prisoner** because you don't want to be pouring your heart out to a prisoner but you also don't want to be pouring your heart out to an officer.*  
- 024Prisoner

**Some officers disagreed** with the CPT's recommendation, either because they didn't think they were the right person to ask these types of questions or because they think it is better to assume everyone has experienced violence or abuse rather than to ask each person.

*I think rather than screening as such for that sort of traumatisation, we should develop a process that just says **let's assume that everybody's had some sort of form of abuse in their past** and then that just sort of means that we're not re-traumatising people by some of that process.*  
- 005Staff

*Imagine if you've just come into prison, and I'm the first face that you see, and I go, **have you had any other previous sexual assaults?** Have you been... were you sexually assaulted when you were younger? Nah, sorry, but that's not for me.*  
- 008Staff

The **government agreed** with this recommendation: "The Admission Guideline includes a question on whether the patient has been a victim of discriminatory abuse. In response to the Committee's recommendation, steps will be taken to include 'sexual abuse' and 'gender based violence'.

## Conclusion

Interviews with staff and prisoners in Ullersmo Prison in Norway and HMP Edinburgh in Scotland revealed how people living and working in prison agree or disagree with recommendations made by a European prison monitoring body, the CPT. We saw that in Norway, most people agreed with the CPT's ideas about strip searches and giving out medication. But, there was a lot of disagreement about strip searching only those people who are seen to be 'risky' in the prison. And, in Scotland, we saw that most people want women in prison to have more access to activities, but that this is difficult when there isn't enough space for everyone in the prison. Also, in Scotland, we saw that most people are concerned about the admissions process including questions about abuse and violence. This is important to learn because the CPT has made this same recommendation to other countries, such as Spain. These findings will be shared with the CPT so that they can learn from people living and working in prison about the recommendations the CPT makes to governments. This will be the first time the CPT will receive feedback on their recommendations from the people who are affected by the recommendations - people living and working in prison.

# Thank you

The researcher, Dr. Ciara O'Connell, would like to thank all the people in Ullersmo Prison and HMP Edinburgh for making this research possible. The situation with Coronavirus made it impossible to return to the prison this year to share this information with you in person. But, if you have any questions, you can write to me at:

## Researcher Contact Information

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We know that life behind the prison walls is often forgotten about. And, I hope this research project will help to improve how prison inspection bodies do their work, so they can improve treatment and conditions in prison.

I wish you all the best, and thank you very much.

## How to Contact the CPT

You can write to the CPT confidentially. The CPT welcomes information on the treatment and conditions of detention of persons deprived of their liberty. But remember, the CPT is focused on big picture issues, and won't be able to address individual complaints.

### Address:

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