



Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

National preventive mechanism checklist on health-care issues relating to the monitoring of places of detention*

I. Introduction

1. The present document was prepared pursuant to a decision taken by the Subcommittee on Prevention of Torture at its thirty-second session, in accordance with its mandate as set forth in article 11 (b) of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
2. The availability and the quality of health care in prisons are crucial indicators in assessing the risk of cruel, inhuman and degrading treatment, and even torture.
3. National preventive mechanisms should ensure that they cover health-care issues comprehensively in order to fulfil their preventive mandate. The checklist annexed below is recommended as a self-assessment tool to remind national preventive mechanisms of the critical health issues that they should consider in their evaluations of places of deprivation of liberty. The checklist is expected to reveal a general pattern of health-care issues that are, or are not, being addressed in their visit reports. It is designed for internal use only and not as an instrument for assessing actual conditions in places of deprivation of liberty. National preventive mechanisms are encouraged to design their own health-care assessment tools for use in all their monitoring visits.

II. Objectives of the checklist

4. The objectives of the checklist are to:
 - (a) Remind national preventive mechanisms of the important health-care issues that need to be noted during their visits;
 - (b) Identify gaps in the capacity of national preventive mechanisms to monitor health aspects of torture prevention and, if necessary, strengthen their health expertise.

III. Design of the checklist

5. The checklist consists of six categories of health-care issues, which are based on the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and on the Istanbul Protocol (knowledge, sensitivity and professional ethics, and practice, included under the section on health staff). The comments

* Adopted by the Subcommittee at its thirty-third session (13–17 November 2017).



(problems/difficulties) column is meant to bring to the fore problems related to monitoring the particular issue.

IV. How to use the checklist

6. National preventive mechanisms should tick either the “Yes” or “No” box depending on the issues on the checklist that they have noted during their visit to a particular place of deprivation of liberty. It is important to enter remarks in the comments (problems/difficulties) column, such as lack of clarity, lack of expertise, administrative barriers, as well as recommendations on how to resolve them.

Annex

Checklist on health-care issues relating to the monitoring of places of detention¹

<i>Noted</i>	<i>Yes</i>	<i>No</i>	<i>Comments (problems/difficulties)</i>
Admission procedures			
1. Body search procedures	<input type="checkbox"/>	<input type="checkbox"/>	
2. Medical screening, including medication history, physical examination and review of physiological systems	<input type="checkbox"/>	<input type="checkbox"/>	
3. Documentation of all procedures done upon admission	<input type="checkbox"/>	<input type="checkbox"/>	
4. Access to health-care services (medical, dental and mental health services) without discrimination of any kind	<input type="checkbox"/>	<input type="checkbox"/>	
5. Information provided to detainees, for instance, on their rights or on the prison regime	<input type="checkbox"/>	<input type="checkbox"/>	
Files and records			
1. Prisoner file management system	<input type="checkbox"/>	<input type="checkbox"/>	
2. Consistency of general data between administrative records and medical records	<input type="checkbox"/>	<input type="checkbox"/>	
3. Recording of medical information and problems	<input type="checkbox"/>	<input type="checkbox"/>	
4. Documentation of injuries or medical complaints (including mental and psychological complaints)	<input type="checkbox"/>	<input type="checkbox"/>	
5. Mechanisms for reporting and documenting torture and ill-treatment	<input type="checkbox"/>	<input type="checkbox"/>	
6. Compilation and storage of records	<input type="checkbox"/>	<input type="checkbox"/>	

¹ Based on the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Istanbul Protocol and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

<i>Noted</i>	<i>Yes</i>	<i>No</i>	<i>Comments (problems/difficulties)</i>
General health services			
1. Classification system to specify and protect the needs of specific populations, considering age, culture, gender, religion	<input type="checkbox"/>	<input type="checkbox"/>	
2. Use of risk assessment tools	<input type="checkbox"/>	<input type="checkbox"/>	
3. Programmes for the special needs of different populations and ensuring equitable access to health care for mental illness, drug addiction and communicable diseases	<input type="checkbox"/>	<input type="checkbox"/>	
4. Dental and medical supplies (equipment and medication)	<input type="checkbox"/>	<input type="checkbox"/>	
5. Medical and dental referral system	<input type="checkbox"/>	<input type="checkbox"/>	
6. Budget for health services			
7. Interventions for the prevention and/or treatment of sexually transmitted diseases, communicable diseases, suicide, self-harm, substance abuse, etc.	<input type="checkbox"/>	<input type="checkbox"/>	
8. Rehabilitation/reintegration/resocialization programmes	<input type="checkbox"/>	<input type="checkbox"/>	
Mental health services			
1. Availability of mental health professionals	<input type="checkbox"/>	<input type="checkbox"/>	
2. Recording of mental and stress-related complaints, signs and symptoms	<input type="checkbox"/>	<input type="checkbox"/>	
3. Preventive mental health-care programmes	<input type="checkbox"/>	<input type="checkbox"/>	
4. Quality of mental health services	<input type="checkbox"/>	<input type="checkbox"/>	
Health staff			
Training			
1. Documenting torture	<input type="checkbox"/>	<input type="checkbox"/>	
2. Istanbul Protocol	<input type="checkbox"/>	<input type="checkbox"/>	

<i>Noted</i>	<i>Yes</i>	<i>No</i>	<i>Comments (problems/difficulties)</i>
3. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol	<input type="checkbox"/>	<input type="checkbox"/>	
4. Guidelines against Intimidation or Reprisals (“San Jose Guidelines”)	<input type="checkbox"/>	<input type="checkbox"/>	
5. United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)	<input type="checkbox"/>	<input type="checkbox"/>	
Sensitivity and professional ethics			
1. Sensitivity to different age-related, cultural, religious and gender aspects when rendering health services	<input type="checkbox"/>	<input type="checkbox"/>	
2. Availability of institutional support, training and protection	<input type="checkbox"/>	<input type="checkbox"/>	
3. Confidence in system for reporting torture/ill-treatment to the authorities	<input type="checkbox"/>	<input type="checkbox"/>	
4. Recognition of barriers to documenting and reporting cases of torture	<input type="checkbox"/>	<input type="checkbox"/>	
Practice			
1. Autonomy and independence	<input type="checkbox"/>	<input type="checkbox"/>	
2. Use of protocols and procedures in cases of incarceration, isolation and other disciplinary measures	<input type="checkbox"/>	<input type="checkbox"/>	
3. Use of protocols for referral and transport to external medical facilities	<input type="checkbox"/>	<input type="checkbox"/>	
4. Reporting of torture and ill-treatment	<input type="checkbox"/>	<input type="checkbox"/>	
5. Existence of anti-reprisal mechanisms	<input type="checkbox"/>	<input type="checkbox"/>	
6. Involvement of medical personnel in the application and/or monitoring of isolation, restraints and other disciplinary measures	<input type="checkbox"/>	<input type="checkbox"/>	
7. Adherence to the Nelson Mandela Rules	<input type="checkbox"/>	<input type="checkbox"/>	

<i>Noted</i>	<i>Yes</i>	<i>No</i>	<i>Comments (problems/difficulties)</i>
8. Use of the Istanbul Protocol to document torture	<input type="checkbox"/>	<input type="checkbox"/>	
9. Attendance of training for documentation and reporting on torture	<input type="checkbox"/>	<input type="checkbox"/>	
Prison health environment			
1. Food quality and quantity	<input type="checkbox"/>	<input type="checkbox"/>	
2. Water safety, general cleanliness, ventilation and sunlight	<input type="checkbox"/>	<input type="checkbox"/>	
3. Recreational and exercise facilities	<input type="checkbox"/>	<input type="checkbox"/>	