

Monitoring psychiatric institutions

3rd Jean-Jacques Gautier NPM Symposium

6-7 September 2016

Geneva, Switzerland

Overview

*"While the prohibition of torture may have originally applied primarily in the context of interrogation, punishment or intimidation of a detainee, the international community has begun to recognise that torture may also occur in other contexts."*¹ Psychiatric institutions fall within these "other contexts", where persons are at risk of abuses that can amount to torture or other forms of ill-treatment. The involuntary placement and the specific exposure to abuses in such institutions have received increased attention in the last decade, especially following the adoption of the UN Convention on the rights of persons with disabilities, which states that *"the existence of a disability shall in no case justify a deprivation of liberty."* (art. 14)

National Preventive Mechanisms (NPM) established under the Optional Protocol to the UN Convention Against Torture (OPCAT) have the mandate to monitor all places of deprivation of liberty, including public or private psychiatric institutions where persons are held and treated involuntarily.

This Symposium will therefore focus on psychiatric institutions, understood as any public or private health establishment providing medical treatment to persons with mental or intellectual impairments (e.g. psychiatric hospitals, psychiatric wards in general hospitals, secure units/hospitals or other places that are *de facto* psychiatric institutions).

¹ See Report of the UN Special Rapporteur on torture, Juan E. Méndez, UN Doc A/HCR/22/53, 1 February 2013.

Objectives

Part 1: NPMs and international experts

- ✓ Explore the risk factors and situations which contribute to abuse and ill-treatments of persons held in psychiatric institutions and ways to address them.
- ✓ Examine standards applicable to psychiatric institutions and identify NPM strategies to address challenges related to their implementation.
- ✓ Enable interaction between NPMs and other key actors to share and identify good practices and reinforce cooperation.

Part 2: NPMs and the SPT

- ✓ Discuss among peers about the main challenges for NPMs in carrying out their preventive mandate with regard to the issues addressed during Part 1.
- ✓ Exchange working methods to develop NPMs skills in monitoring psychiatric institutions.
- ✓ Strengthen cooperation among NPMs and with the SPT.

Outcomes and outputs

- ✓ Participants will have a clear understanding of risk situations faced by persons held in psychiatric institutions.
- ✓ NPMs will have identified strategies to address these issues in carrying out their preventive mandate.
- ✓ Contacts between participants will help build future collaboration.
- ✓ Working methods of NPMs will be adapted to address key issues in psychiatric institutions.
- ✓ The 3rd NPM Symposium outcome report will be made public.

Symposium Organisation

The September 2016 meeting is the third of a series of “**Jean-Jacques Gautier Symposiums**”. The Symposium is an international forum, unique in its kind, allowing the exchange of knowledge and practices between NPMs and other experts on the issue of vulnerabilities in detention. In 2014, the first symposium focused on the vulnerability of children in detention². The second edition looked at the situation of LGBT persons deprived of their liberty. This third edition will address the issues and challenges related to deprivation of liberty and human rights violations in psychiatric institutions.

Participants at this event will include around fifteen NPMs from all regions of the world, as well as representatives from regional and international monitoring bodies (including the Subcommittee on Prevention of Torture, SPT) and other international experts with extensive knowledge of the issue. The limited number of participants is intended to create an environment which enables exchange and discussion among participants.

Each session will begin with a few brief presentations addressing specific issues and will be followed by discussions in plenary among all participants, allowing them to share good practices as well as challenges. Simultaneous interpretation will be available in English, French and Spanish.

- **Part 1 (6 September and morning of 7 September)**

The first day and a half will gather all participants with multidisciplinary expertise and diverse backgrounds: NPM representatives, experts from regional and international monitoring bodies as well as NGOs specialised on disability rights. This first part will aim at exploring the main risk factors found in psychiatric institutions in different contexts and highlight ways of addressing them in order to identify strategies for NPMs and other monitoring bodies to effectively address these issues in their daily work. Finally, the meeting will be an opportunity for NPMs and other stakeholders to develop or strengthen existing cooperation.

- **Part 2 (afternoon of 7 September)**

The last afternoon of the Symposium will gather NPM representatives and the SPT member in a smaller setting to facilitate increased cooperation among NPMs and between NPMs and the SPT. The working meeting will focus on an exchange among peers on the issues identified during Part I. It will also allow participants to share working methods and further develop their skills and strategies with regard to NPMs’ role in monitoring psychiatric institutions.

² The outcome reports of the first and second Jean-Jacques Gautier Symposiums are available here: <http://www.apt.ch/en/jean-jacques-gautier-npm-symposium/>.