

IPRT

Irish Penal Reform Trust

Chairperson
Commission on the Future of Policing in Ireland
Second Floor
St. Stephen's Green House
Earlsfort Terrace
Dublin DO2PH42

Irish Penal Reform Trust

Macro Community Resource Centre,
1 Green Street (off North King Street),
Dublin 7, Ireland.

T: +353 1 874 1400

E: info@iprt.ie

W: www.iprt.ie

31 May 2018

Chair,

I write as Director of the Irish Penal Reform Trust, a non-governmental organisation committed to reducing imprisonment, respecting rights in the penal system, and progressive reform based on evidence-led policies. Although our main focus is on post-conviction matters (rather than policing matters) we note that the terms of reference of the Commission are to bring forward proposals to Government for the future of policing in Ireland, **including the existing oversight and accountability arrangements**. We endorse the Commission's position that it is imperative that policing operates within a clear framework of governance and accountability to the law and the community, that is supported by coherent structures.

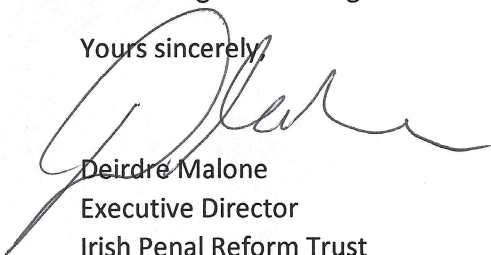
To this end, as the Commission will no doubt be aware, Ireland signed the Optional Protocol to the Convention Against Torture in 2007 and has yet to ratify it. Ratification would ensure that comprehensive inspection mechanisms are in place anywhere where people are deprived of their liberty in Ireland – **including Garda stations, court cells and police vans**. It is our firm view that these mechanisms would play a preventative role against torture and other cruel treatment.

We note that the UNCAT requested that Ireland provide, by 11 August 2018, information to follow-up on its recommendations following the examination of Ireland before UNCAT on 27 and 28 July 2017 in Geneva. We believe this presents an opportunity for the Department of Justice and Equality to demonstrate its full commitment to the protection of those who are reside in closed institutions by taking steps to ratify OPCAT at the soonest available opportunity, and certainly in advance of the scheduled visit of the European Committee for the Prevention of Torture to Ireland in 2019.

We urge the Commission to include in their Report a strong recommendation for the immediate ratification of OPCAT. As the Commission will be aware, it is possible - envisaged even – that States will utilize Article 24 of OPCAT prior to the designation of a National Preventative Mechanism (NPM). This mechanism enables the State to postpone the designation of the NPM for up to three years initially to give the government time to receive assistance and guidance from the *Subcommittee on the Prevention of Torture* and to consult further with civil society on operationalisation.

Many organisations have already pledged their support in calling for the creation of a National Preventative Mechanism (NPM) and the ratification of OPCAT including the ICCL, Centre for Disability Law and Policy, Empowering People in Care (EPIC), NASC, Jesuit Centre for Faith and Justice, Reclaiming Self and Sage.

Yours sincerely,



Deirdre Malone
Executive Director
Irish Penal Reform Trust

Received

01 JUN 2018

Commission on the Future of
Policing in Ireland

Patron of IPRT
Michael D Higgins,
President of Ireland

Reg Charity No: CHY 11091

Advocates of IPRT
Paula Meehan
Peter Sheridan
Senator Ivana Bacik
John Lonergan