

Convenor
Equalities, Human Rights and Civil Justice Committee
Scottish Parliament

By email to EHRCJ.committee@parliament.scot

25 July 2024

Dear Convenor

‘Review...Recommend...Repeat...’ An assessment of where human rights have stalled in places of detention

On behalf of the Scottish Human Rights Commission and the National Preventive Mechanism (NPM), I am pleased to enclose our report *Review...Recommend...Repeat... An assessment of where human rights have stalled in places of detention*, which was published today.

The report focuses on protection of two absolute human rights - the right to life, protected by Article 2 of the European Convention on Human Rights (ECHR), and the prohibition of ill-treatment, protected by Article 3 of the ECHR. It reviews recommendations made by international human rights bodies at the United Nations and the European Committee on the Prevention of Torture over a ten-year period, in respect of prisons and the forensic mental health estate. We have assessed whether the gaps in protection of human rights identified by those bodies have been remedied.

Having examined 29 specific recommendations made by human rights bodies we found that:

- 24 were making little or no progress.
- 5 were making significant progress.

Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS
0131 297 5750

hello@scottishhumanrights.com
www.scottishhumanrights.com

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These recommendations cover a broad range of issues including investigating deaths in custody, conditions of detention and overcrowding, use of force and restraint, use of solitary confinement, and mental health.

The Commission and the NPM are concerned to observe the lack of progress in providing fundamental human rights protections in these areas and we would welcome a meeting with you to discuss this.

We invite your team to liaise with us, using email address hello@scottishhumanrights.com, to find a suitable time to meet.

You can also [read the report](#) and [executive summary](#) on our website. Please let us know if you require an alternative format.

Yours sincerely,

Shelley Gray
**Member of the Commission
On behalf of the Commission**

Sam Gluckstein
**Head of UK National
Preventive Mechanism**

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