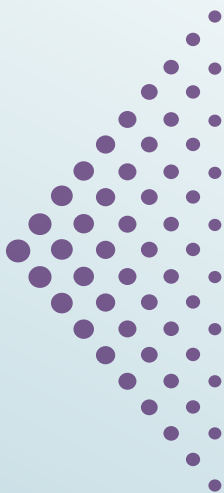




SIVILOMBUDSMANNEN
Norwegian Parliamentary Ombudsman

Visits to places where people are deprived of their liberty



**Prevention of torture
and other cruel, inhuman or degrading
treatment or punishment**

About the Parliamentary Ombudsman

The Storting has appointed the Parliamentary Ombudsman to safeguard the rights of individuals in their dealings with the public administration. The Ombudsman works to improve the public authorities and ensure that they respect and safeguard human rights.

The Parliamentary Ombudsman has two tasks:

- › To visit places where people are deprived of their liberty to investigate how their rights are safeguarded and to prevent torture and ill-treatment.
- › To consider complaints filed by individuals who believe they have suffered an injustice or error on the part of the public administration.

This brochure primarily concerns the Ombudsman's visits to places where people are deprived of their liberty.

What does the National Preventive Mechanism do?

Everyone shall be protected against torture and ill-treatment. People who are deprived of their liberty are in a particularly vulnerable situation.

In 2014, the Parliamentary Ombudsman was designated by the Storting to be the National Preventive Mechanism (NPM) in Norway.

As National Preventive Mechanism, the Ombudsman is tasked with visiting places to prevent torture and ill-treatment of people who are deprived of their liberty.

The Ombudsman has a right to visit all facilities where a person is deprived of their liberty. This includes police custody facilities, prisons, mental health care institutions, police immigration detention centres and child welfare institutions. The visits can be announced or unannounced.



When we visit

Before visiting

Each visit starts by us obtaining information about the place. The Ombudsman has right of access to all necessary information that is relevant to the conditions in places of detention.

During the visit

Confidential interviews with those who are deprived of their liberty are important in order to understand how they perceive their own situation and the place they are detained. These interviews are therefore given priority during the Ombudsman's visits. All conversations are kept private.

Interviews are also conducted with the staff, management, health services and other relevant parties.

Other activities during the visits include an inspection of the facilities and a review and analysis of documents.

After visiting

Each visit is summarised in a report that describes the findings and risk factors identified during the visit. The report also contains the Ombudsman's recommendations for what the institution should do to reduce the risk of subjecting detainees to torture and ill-treatment. All reports are published on the Ombudsman's website.

The reports are also printed and copies are sent to the institution in question.

All places visited are given a deadline to report back on their follow-up of the Ombudsman's recommendations. These letters are also published on the Ombudsman's website.



What is torture and ill-treatment?

The UN Convention against Torture states that torture and ill-treatment is prohibited. Norway has ratified the Convention, and the prohibition has been implemented in Norwegian law. According to the Convention:

- › **When a person is exposed to great physical or psychological pain or suffering, and the act is committed by a public servant, or by a private individual acting on behalf of a public servant, it constitutes *cruel, inhuman or degrading treatment*.**
- › **If, in addition, the act is committed in order to obtain information or a confession, or to punish, intimidate, threaten or force the subject into submission, it constitutes *torture*.**

People who have been deprived of their liberty are more vulnerable to violations of the prohibition against torture and ill-treatment. This is the background for the Optional Protocol to the UN Convention against Torture, and the Ombudsman's prevention mandate.

The goal of prevention is to reduce the risk of violations against people who are deprived of their liberty. The Ombudsman therefore investigates a number of conditions that can affect how they feel and how they are treated in detention.

Individual complaints

Individual complaints are not considered during a preventive visit. It is nonetheless possible to submit a complaint to the NPM during the visit, which we will bring back to the Ombudsman for consideration.


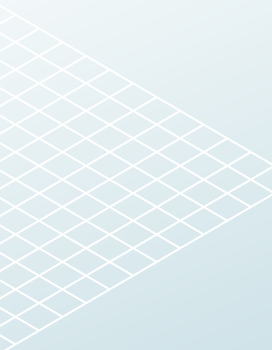
People who are deprived of their liberty are entitled to file complaints with the Ombudsman in sealed envelopes, without the letter being subjected to any form of censorship by the institution in question. Before you file a complaint with the Ombudsman, remember that you must first exhaust all appeal possibilities available in the public administration.



Do you want to know more about the Parliamentary Ombudsman?

At sivilombudsmannen.no, you can find the individual complaint form and details on how to file a complaint.

You can also read more about the Ombudsman's prevention mandate and find visit reports and recommendations for places of detention.



www.sivilombudsmannen.no
postmottak@sivilombudsmannen.no
Office address: Akersgata 8, Oslo
Postal address: P.O. Box 3 Sentrum,
NO-0101 Oslo
Tel.: (+47) 22 82 85 00
Green number: 800 80 039
(free of charge from landlines in Norway)