

To

The Secretariat of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)
Council of Europe
F-67075 Strasbourg Cedex
France

Zaanstad, 07-04-2022

Dear members of the CPT,

In relation to your upcoming visit to the Netherlands this spring, we would like to take the opportunity to draw your attention to the following:

In detention locations in the Netherlands, the isolation of inmates (i.e. solitary confinement) is standard detention practice, meant as punishment or order measurement. It is a punishment based on the deprivation of sensory stimuli, social interaction and the autonomy of the inmate. Detainees in solitary confinement are, for a shorter or longer amount of time, left to their own resources, and almost always experience negative physical and psychological effects. For years there has been an ongoing social and scientific debate on the reduction or abolition of solitary confinement in the system of penitentiary institutions in the Netherlands.

Recently (January 14th, 2022), on its own initiative, the Council for the Administration of Criminal Justice and Protection of Juveniles (Dutch: Raad voor Strafrechtstoepassing en Jeugdbescherming, hereafter: RSJ, see: www.rsj.nl) issued an advisory report on this matter, in which it re-examined the detention practice of isolation and advocated for a reduction and ultimately abolition of solitary confinement in detention locations. In its elaborate report, the RSJ notes a gap between national ambitions to design a person-oriented sanctions system and the practice of isolation, which is hidden from public view and based on obscure policy.

We, the Supervisory Committee of the Zaanstad Judicial Complex (Dutch: Commissie van Toezicht van Justitieel Complex Zaanstad), are also very concerned about solitary confinement as a response measure to incidents. It is imposed several hundred times a year in our institution, where on average about 900 detainees (including psychiatric patients) reside. In our regular contact with inmates, we see the negative consequences. For some time now, there has been a general harshening of the detention climate in the Netherlands.

We support the findings of the RSJ that in the event of incidents there is a culture which emphasizes control and deterrence too much over rehabilitation. Employees within the detention centres are insufficiently trained to bring about behavioural change in detainees, without having to resort to solitary confinement measures. We urge that the recommendations in the RSJ's advisory report be followed and we advocate a person-oriented and humane practice of sanctions in places of detention in the Netherlands, in which solitary confinement as a disciplinary measure is abolished as soon as possible.

We are more than happy to be available for further explanation of this letter.

On behalf of the Supervisory Committee of the Zaanstad Judicial Complex,

Maria van de Schepop, chair

Cc

- managing board Zaanstad Judicial Complex
- Raad voor Strafrechtstoepassing en Jeugdbescherming (RSJ)
- Klankbordgroep Commissies van Toezicht