

ONLINE CONFERENCE

ENFORCING RIGHTS AND ACCESSING JUSTICE FROM PRE-TRIAL DETENTION: EUROPEAN PERSPECTIVES

21 SEPTEMBER 2026

BRIDGING
VIEWS FOR
A RIGHTS-BASED
APPROACH
TO PRE-TRIAL
DETENTION



The recognition of prisoners' access to justice, under the influence of the case law of the European Court of Human Rights, has been a central achievement of the past two decades from the perspective of individual rights, and a key driver of domestic efforts to address systemic problems in prison systems. However, little attention has been paid to the practical conditions that enable prisoners to exercise that right and transform rights' violations into legally articulated claims capable of persuading a judge.

How do prisoners gain access to relevant legal information to identify rights violations, in a field where domestic, European and international legal frameworks overlap? How do they navigate multiple procedures, each with its own admissibility criteria and rules? How do prisoners secure evidence and deal in practice with the adversarial relationship created by legal proceedings against the prison administration?

Building on findings of the project DIGNITY conducted by the [Center for European and Constitutional Law](#), the [European Prison Litigation Network](#), the [Human Rights Center ZMINA](#) and [Forum Penal – Associação de Advogados Penalistas](#), the present event aims to answer these questions by highlighting the structural, procedural and financial barriers impeding prisoners' effective access to legal assistance across Europe and underscoring the crucial role played by external relays, in particular lawyers, in securing access to justice from within detention.

The discussions also aim to address the cornerstone role of lawyers in “upholding the rule of law, securing access to justice and ensuring the protection of human rights and fundamental freedoms”¹ in the current political context, where criminal justice issues tend to be instrumentalised for political gain at the cost of the fundamental principles of the rule of law.

While mobilisation at the national level is necessary, collective action to reinforce procedural rights through international instruments is equally essential to establish common safeguards. Several instruments aiming to guarantee prisoners' access to justice exist,² but either their scope is limited or their non-binding nature leaves a wide margin of appreciation to States. They also appear increasingly ill-suited to an evolving European criminal policy landscape.³

1 Council of Europe, [Convention for the Protection of the Profession of Lawyer](#), 2025, Preamble.

2 E.g., UNODC, [United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems](#), 2013; European Commission, [Recommendation on procedural rights of suspects and accused persons subject to pre-trial detention and on material detention conditions](#), 2022.

3 Penal policy experts analyse the recent upward trajectory of prison population rates, following a decade-long decline, as “the potential beginning of a new phase in European penal policy”; see Marcelo F. Aebi & Edoardo Cocco, [Prisons and Prisoners in Europe 2025: Key Findings of the SPACE I survey](#), 2026, p. 28.

PROGRAMME

Conference with simultaneous interpretation in English, French, Greek, Portuguese, Ukrainian, Italian and Spanish.

13:00 Opening

Speakers: **SIMON CREIGHTON** Solicitor and First-tier Tribunal Judge (Mental Health), Vice-President of the European Prison Litigation Network

MARIA KOUMIANAKI Senior Project Officer, Centre for European Constitutional Law

13:15 Panel 1

Obstacles and Facilitators to Prisoners' Access to Justice: Findings and Recommendations from Greece, Portugal and Ukraine

Chair: **IOULIETTA BISIOULI** Director of the European Implementation Network

Speakers: **MARINA DALIANI** Criminal and Human Rights Lawyer, Vice President of the Hellenic League for Human Rights | **Access to Justice for Persons in Pre-Trial Detention in Greece: Implementing European and International Standards in the National Framework**

DIANA SILVA PEREIRA Secretary-General of Forum Penal – Associação de Advogados Penalistas | **Beyond Formal Rights: Key Challenges to Prisoners' Effective Access to Justice in Portugal**

MARIA SAVINA Human Rights Centre ZMINA | **Prisoners access to justice in Ukraine**

14:30 Panel 2

Prisoners' Access to Justice: Counterbalancing Power Asymmetries through External Intermediation and Legal Mobilisation

Chair: **PASCAL MONTFORT** Judge at the French Court of Cassation, Board member of the European Prison Litigation Network

Speakers: **CORENTIN DURAND** Researcher at the French National Centre for Scientific Research | **The paradoxical effects of the increasing legal framing of prison issues**

HANNA SKRYPKA Lawyer and co-founder of Protection for Prisoners of Ukraine | **Combating Ill-Treatment in Prison: From Monitoring Visits to Litigation**

MARC NÈVE President of the Central Prison Monitoring Council, President of the European Prison Litigation Network | **The articulation between prison monitoring and prison litigation**

16:15 Panel 3

Prisoners' Access to Justice in a Context of Rule of Law Backsliding

Chair: **SALVADOR GUERRERO PALOMARES** Chair of the Criminal Law Committee of the Council of Bars and Law Societies of Europe / CCBE

Speakers: **BENOIT DAVID** Member of the Paris Bar Council | **Obstacles to the right of access to a lawyer in the "Prison Units for Combating Organised Crime" in France**

NANCY DEKENS Criminal defence lawyer at Dekens Aytemur Strafrechtadvocaten. Secretary of the Nederlandse Vereniging van Strafrechtadvocaten | **Lawyers' mobilisation against the surveillance of lawyers' meeting with their imprisoned client in high-security prisons in the Netherlands**

MARIAROSARIA GUGLIELMI President of European Judges for Democracy and Liberties / MEDEL | **Upholding judicial independence in prison litigation in an era of penal populism**

17:30 Panel 4

International Perspectives on Prisoners' Access to Justice

Chair: **VÂNIA COSTA RAMOS** Chair of the European Criminal Bar Association / ECBA, member of the European Committee for the Prevention of Torture

Speakers: **DMYTRO YAGUNOV** Member of the European Committee for the Prevention of Torture | **Effective Complaint Procedures and Inspection Bodies in Prisons: The Approach of the European Committee for the Prevention of Torture**

A representative of the French Bar | **Advocating at European level to strengthen the role of Bars in prison oversight**

BÉRANGER DOMINICI European Prison Litigation Network | **Enhancing prisoners' access to justice at EU level: perspectives offered by the revised Victims' Rights Directive**

18:45 Closure

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