



CPT/Inf (97) 5 [Part 1]

**Report to the Government of Cyprus
on the visit to Cyprus
carried out by the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment (CPT)**

from 2 to 9 November 1992

The Government of Cyprus has agreed to the publication of this report.

Strasbourg, 22 May 1997

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Copy of the letter transmitting the CPT's report

Strasbourg, 17 June 1993

Dear Mrs Kléopas,

In pursuance of Article 10, paragraph 1, of the European Convention for the prevention of torture and inhuman or degrading treatment or punishment, I have the honour to enclose herewith the report to the Government of Cyprus drawn up by the European Committee for the prevention of torture and inhuman or degrading treatment or punishment (CPT) after its visit to Cyprus from 2 to 9 November 1992. The report was adopted by the CPT at its seventeenth meeting, held from 24 to 27 May 1993.

I would draw your attention in particular to paragraph 177 of the report, in which the CPT requests the Cypriot authorities to provide an interim and a follow-up report on action taken upon its report. The CPT would be grateful if it were possible, in the event of the reports forwarded being in Greek, for them to be accompanied by an English or French translation.

More generally, the CPT is keen to establish an ongoing dialogue with the Cypriot authorities on matters of mutual interest, in the spirit of the principle of co-operation set out in Article 3 of the Convention. Consequently, any other communication that the Cypriot authorities might wish to make would also be most welcome.

I am at your entire disposal if you have any questions concerning either the CPT's report or the future procedure.

Finally, I would be grateful if you could acknowledge receipt of this letter.

Yours sincerely,

Antonio CASSESE
President of the European Committee for
the prevention of torture and inhuman
or degrading treatment or punishment

Mrs Myrna Y. KLEOPAS
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Preface

As the European Committee for the prevention of torture and inhuman or degrading treatment or punishment is a new institution, knowledge of its mandate and functions is inevitably limited. The CPT has therefore deemed it appropriate to begin the first of its reports to each Party by setting out some of the Committee's salient features. This should prove particularly helpful in differentiating the basis and aims of the CPT from those of two other Council of Europe supervisory bodies within the field of human rights: the European Commission and European Court of Human Rights.

Unlike the Commission and the Court, the CPT is not a judicial body empowered to settle legal disputes concerning alleged violations of treaty obligations (i.e. to determine claims ex post facto).

The CPT is first and foremost a mechanism designed to **prevent ill-treatment from occurring**, although it may also in special cases intervene after the event.

Consequently, whereas the Commission's and Court's activities aim at "conflict solution" on the legal level, the CPT's activities aim at "conflict avoidance" on the practical level.

This being so, the guiding maxim for the CPT when performing its obligations must be to "extend the widest possible protection against abuses, whether physical or mental" (quotation from the 1979 UN Code of conduct for law enforcement officials as well as from the 1988 Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment, both adopted by the General Assembly).

The CPT's activities are based on the concept of co-operation (Article 3 of the European Convention for the prevention of torture and inhuman or degrading treatment or punishment). The CPT's task is not to publicly criticise States, but rather to assist them in finding ways to strengthen the "cordon sanitaire" that separates acceptable and unacceptable treatment or behaviour. In fulfilling this task the CPT is guided by the following three principles:

- i) that the prohibition of ill-treatment of persons deprived of their liberty is absolute,
- ii) that ill-treatment is repugnant to the principles of civilised conduct, even if used in milder forms, and
- iii) that ill-treatment is not only harmful to the victim but also degrading for the official who inflicts or authorises it and ultimately harmful to the national authorities in general.

The CPT first of all explores the prevailing factual situation in the countries it visits. In particular it:

- i) examines the general conditions in establishments visited;
- ii) observes the attitude of law enforcement officials and other staff towards persons deprived of their liberty;
- iii) interviews persons deprived of their liberty in order to understand how they perceive (i) and (ii) and hear any specific grievances they may have;
- iv) examines the legal and administrative framework on which the deprivation of liberty is based.

Subsequently, the CPT reports to the State concerned, giving its assessment of all the information gathered and providing its observations. In this regard, it should be recalled that the CPT does not have the power to confront persons expressing opposing views or to take evidence under oath. If necessary, it recommends measures designed to prevent the possible occurrence of treatment that is contrary to what reasonably could be considered as acceptable standards for dealing with persons deprived of their liberty.

In carrying out its functions, the CPT has the right to avail itself of legal standards contained in not only the European Convention on Human Rights but also in a number of other relevant human rights instruments (and the interpretation of them by the human rights organs concerned). At the same time, it is not bound by the case law of judicial or quasi-judicial bodies acting in the same field, but may use it as a point of departure or reference when assessing the treatment of persons deprived of their liberty in individual countries.

To sum up, the principal differences between the CPT and the European Commission and European Court of Human Rights are:

- i) the Commission and the Court have as their primary goal ascertaining whether breaches of the European Convention of Human Rights have occurred. By contrast, the CPT's task is to prevent abuses, whether physical or mental, of persons deprived of their liberty from occurring; it has its eyes on the future rather than the past;
- ii) the Commission and Court have substantive treaty provisions to apply and interpret. The CPT is not bound by substantive treaty provisions, although it may refer to a number of treaties, other international instruments and the case law formulated thereunder;
- iii) given the nature of their functions, the Commission and the Court consist of lawyers specialising in the field of human rights. The CPT consists not only of such lawyers but also of medical doctors, experts in penitentiary questions, criminologists, etc;
- iv) the Commission and Court only intervene after having been petitioned through applications from individuals or States. The CPT intervenes ex officio through periodic or ad hoc visits;
- v) the activities of the Commission and Court culminate in a legally binding finding as to whether a State has breached its obligations under a treaty. The CPT's findings result in a report, and, if necessary, recommendations and other advice, on the basis of which a dialogue can develop; in the event of a State failing to comply with the CPT's recommendations, the CPT may issue a public statement on the matter.

I. INTRODUCTION

A. Dates of the visit and composition of the delegation

1. In accordance with Article 7 of the European Convention for the prevention of torture and inhuman or degrading treatment or punishment (hereafter referred to as "the Convention"), a delegation from the CPT visited Cyprus from 2 to 9 November 1992. The visit formed part of the Committee's programme of periodic visits for 1992.

2. The delegation consisted of the following members of the CPT:

- Mr Antonio CASSESE, President of the CPT (Head of the delegation)
- Mrs Nadia GEVERS LEUVEN-LACHINSKY
- Mr Love KELLBERG
- Mrs Nora STAELS-DOMPAS
- Mr Stefan TERLEZKI

The delegation was assisted by:

- Mr Marcus ENCKELL (Psychiatrist, Clinical Director of the University Institute of Forensic Medicine, Geneva);
- Mr James J McMANUS (Senior Lecturer in Law at the University of Dundee);
- Mrs Maria LOUCA-HOUVARDA (interpreter)
- Mrs Marie XIROYANNI (interpreter)

The delegation was also accompanied by Mrs Geneviève MAYER, a member of the CPT's Secretariat.

B. Establishments visited

3. The delegation visited the following establishments:

Famagusta District

- Ayia Napa Police Station
- Xylotymbou Police Station
- Xylophagou Police Station

Larnaca District

- Larnaca Airport Police Station and Transit Room
- Larnaca Town Police Station¹
- Kiti Police Station
- Kophinou Police Station
- Oroklini Police Station

Limassol District

- Limassol Town Police Station
- Yermasoyia Police Station

Nicosia District

- Athalassa Psychiatric Hospital¹
- Nea Eleoussa Home for Severely Mentally Retarded Persons (Athalassa area)
- Nicosia Central Prisons¹
- Nicosia Police Prison¹
- Ayios Dhometios Police Station
- Deftera Police Station
- Klirou Police Station
- Lykavitos Police Station
- Omorphita Police Station
- Strovolos Police Station
- Holding room at Nicosia Assize Court

Paphos District

- Kouklia Police Station
- Paphos Town Police Station¹

C. Consultations undertaken by the delegation

4. Apart from meetings at local level with officials at the establishments visited, the delegation consulted national authorities, representatives of non-governmental organisations and persons active in areas of concern to the CPT.

A list of national authorities, non-governmental organisations and other persons whom the delegation met is set out in Appendix II.

¹ These places were notified in advance of the visit to Cyprus.

D. Co-operation between the CPT and the national authorities

5. The delegation's meetings with the national authorities at both the start and the end of the visit took place in a spirit of close co-operation. There were fruitful exchanges of view with senior officials from the Ministries of Foreign Affairs, Justice, the Interior, Health and Labour.

Further, the CPT would like to stress the highly cooperative attitude of the Deputy Attorney-General of the Republic as well as that of the Legal Committee of the House of Representatives and the Ombudsman.

6. The delegation received satisfactory co-operation in all the establishments visited; the co-operation from officials and staff in the Nicosia Central Prisons and the Athalassa Psychiatric Hospital was excellent.

7. The delegation only once experienced difficulties in securing access to premises it wished to visit, namely at Limassol Town Police Station, where it had to wait twenty-five minutes before it could start the visit. The delay arose from the fact that the officer in charge of the station had received no information about the CPT. Moreover, it emerged from subsequent visits to other police stations that police officers only knew about the CPT through the press - following the visit to the Limassol Town Police Station, a newspaper article had appeared, under the headline "Surprise nocturnal inspection of Limassol police precinct by European Committee of Human Rights".

In this respect, **the CPT wishes to stress the need for Parties to the Convention to disseminate to all the relevant authorities, at the appropriate time, detailed information on the CPT's mandate and the obligations of the authorities concerned.** In this context reference might also be made to the decision adopted by the Committee of Ministers of the Council of Europe in June 1991 inviting those Parties to the Convention which had not yet done so, to inform, by appropriate means, the relevant national authorities and staff of the existence, powers and role of the CPT.

8. At the end of its visit to Cyprus, on 9 November 1992, the delegation met with the competent Cypriot authorities. On that occasion the delegation made immediate observations on two points (cf. Article 8 (5) of the Convention). The first concerned opportunities for outside exercise at Nicosia Police Prison, the other a detention area in the Nicosia Central Prisons. These points are considered later in the report (cf. paragraphs 33 and 80 et seq.). Nevertheless, the CPT wishes to stress here the constructive spirit with which the Cypriot authorities took account of, and then reacted to, the above-mentioned observations. On 24 November 1992, the Cypriot authorities informed the CPT by fax of the action taken by the Minister of Justice in response to the observation about Nicosia Central Prisons. In a letter dated 26 February 1993, they set out the action taken in respect of Nicosia Police Prison.

II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

A. Police establishments

1. General information

9. Any person arrested by the police (whether or not under an arrest warrant) must, as soon as is practicable after his arrest, and in any event not later than twenty-four hours after the arrest, be brought before a judge (Article 11, paragraph 5, of the Constitution). The Constitution also stipulates (Article 11, paragraph 4) that every person arrested must be informed of the reasons for his arrest, at the time of arrest and in a language which he understands, and must be allowed to have the services of a lawyer of his choice (see also Section 13 of the Criminal Procedure Law, Cap 155).

Not later than three days after the appearance of the person arrested, the judge must either release him or remand him in custody. An arrested person may be remanded in custody for renewable periods of eight days. However, the total period of remand in custody must not exceed three months (Article 11, paragraph 6, of the Constitution).

10. In principle, persons remanded in custody are placed in Nicosia Central Prisons. However, under Section 24 of the Criminal Procedure Law, a judge may lawfully remand a person in the custody of **the police** for renewable periods of up to eight days, if so requested by a police officer of at least the rank of inspector (on this question, cf. paragraphs 27 and 28 below).

It appears that, in terms of a recent reform, any application to a judge for the remand of an arrested person in police custody must be supported by substantial evidence. **The CPT would like to receive information on this subject.**

11. As noted above, the delegation visited Nicosia Police Prison and eighteen police stations.

An examination of the custody registers revealed that after the initial period of custody, it was quite normal for persons who had been arrested to remain in police custody for a period of eight days, on the decision of a judge. Periods of between twelve to twenty days were recorded in certain cases. Some prisoners whom the delegation spoke to in Nicosia Central Prisons claimed to have spent up to twenty-five days in police custody.

12. The police establishments visited (and in particular Nicosia Police Prison) also held foreign nationals awaiting deportation or extradition (Article 11.2f of the Constitution and Sections 13 and 14(1) of the Aliens and Immigration Law, Cap. 105). The delegation met several foreign nationals who had been detained in police establishments under these provisions for around a month and, in one case, for considerably longer.

2. Torture and other forms of severe ill-treatment

13. During the visit, the delegation heard numerous allegations of serious ill-treatment/torture by the police. The allegations came not only from prisoners whom the delegation met in the Nicosia Central Prisons and persons in police custody in certain of the police stations visited but also from a wide range of other sources. In many cases, the descriptions given of treatment by the police were concordant.

14. The allegations of recent (1990 to 1992) cases of serious ill-treatment/torture related mainly to the Limassol Town Police Station. The delegation also heard allegations of serious ill-treatment at the Larnaca Town Police Station and of blows inflicted in police stations in Nicosia. However, these latter allegations mainly referred to less recent periods.

It should be stressed that the delegation heard no allegations of ill-treatment of persons during their detention in Nicosia Police Prison. No other evidence of such treatment was received. Further, it did not receive any allegations of serious ill-treatment in small urban and suburban police stations; the few allegations heard concerned somewhat rough treatment.

15. Particular reference should be made to the allegations of a certain number of people whom the delegation met separately, who had been in police custody in Limassol Town Police Station between February and November 1992. Nearly all those concerned described in detail the same forms of ill-treatment, including:

- suspension by the legs with the head just a few centimetres above the ground;
- the application of electric shocks to various parts of the body (including the penis);
- the placing of a metal bucket on the head and then striking it with blows from wooden sticks;
- blows struck with truncheons or wooden clubs.

Certain persons claimed to have been struck blows on the soles of their feet with a bar. One person claimed to have had a truncheon introduced into his anus.

16. According to those making the allegations, the treatment described above was inflicted late in the evening, during interrogations which lasted through the night. The officers who were said to have inflicted such treatment had their faces covered. The detainees were said, at a certain stage, to have had their heads covered by a kind of cloth bag and to have been surrounded by people who shouted threats and insults.

17. Several of the people with whom the delegation spoke alleged that they had been hung from metal hooks fixed to the ceiling. They were able to see those hooks after the bags had been removed from their heads. During the visit to Limassol Town Police Station, the delegation saw the offices where the criminal investigation department conducted interrogations. In these offices, the delegation observed large metal hooks fixed to the ceiling approximately 10 cm from the door leading from one office to the other. Conflicting explanations were given by police officers for the existence of these hooks.

18. One of the delegation's medical members consulted the medical records of some of those who made the above-mentioned allegations, at the emergency unit of Limassol Hospital, to which they had been referred. The entries in the records were very brief. Nevertheless, some did indicate that injuries had been observed and contained statements made by patients which were consistent with the above allegations. In one case, the delegation received a copy of a medical certificate drawn up by a private practitioner. The certificate included a description of injuries which corroborated the allegations. Finally, the delegation's medical members were able to carry out a number of examinations. In certain cases, physical marks and/or conditions consistent with the allegations were observed.

19. More generally, the Cypriot authorities have supplied the CPT with information on cases in which an ad hoc complaints committee had been set up to investigate complaints of ill-treatment during police custody and the results of these inquiries².

In 1990, out of a total of nine such cases, the committees concluded that four involved ill-treatment.

In 1991, according to information received, the committees concluded that there had not been ill-treatment in any of the six cases considered. However, it did emerge that, in another case, police officers paid compensation to a victim on the advice of the Attorney General (cf. paragraph 25 below). Those officers also received severe warnings.

Of the four cases brought before complaints committees in 1992, two are still under investigation while a third has led to criminal proceedings against two officers of the Limassol Town Police Station Criminal Investigation Department.

20. Finally, it should be noted that in the course of the delegation's discussions with a number of groups, the ill-treatment of persons in custody was identified as a serious problem which should be accorded the highest priority. One of those groups was the Legal Committee of the House of Representatives.

² An ad hoc committee is set up under Section 57(1) of the Police (Disciplinary) Regulations of 1989 whenever a complaint of ill-treatment is lodged against a police officer. Under Section 57(2), the committee is composed of a legal officer appointed by the Attorney-General of the Republic, two civil servants appointed by the Minister of the Interior and a senior police officer appointed by the Minister, who does not belong to the same police division, unit or department in which the accused member serves. The Chairman of the Committee is appointed by the Minister of the Interior, who must choose the member with the highest salary grade (if several persons hold the same grade, the choice is based on seniority). The composition of these committees is different for each complaint examined.

21. In the light of the above, and bearing in mind certain weaknesses observed in the fundamental safeguards for persons deprived of their liberty (see paragraphs 45 et seq.), the CPT has been led to conclude **that persons held in certain police establishments in Cyprus -and, more particularly, in Limassol Town Police Station - run a serious risk of severe ill-treatment/torture.**

22. Article 8 of the Cypriot Constitution states that no person shall be subjected to torture or to inhuman or degrading punishment or treatment. Moreover, the Criminal Code contains a series of provisions making it an offence to place the life and health of persons at risk. In addition, under the provisions of the regulations relating specifically to the police (Force Standing Orders 5/3 and 5/4, Police (Disciplinary) Regulations 1989), police officers must ensure at all times that persons in police custody or who are under investigation receive humane and fair treatment. Ill-treatment and the use of force against such persons and attempts to pressurise them into making a statement or confession are prohibited.

The conclusion reached by the CPT would suggest that specific measures must be taken by the Cypriot authorities to ensure that these provisions are respected. **It recommends:**

- **that governmental authorities and senior police officers inform law enforcement officers unambiguously that ill-treatment is unacceptable and will be severely punished;**
- **that a body composed of independent persons be set up to conduct a thorough inquiry into the methods used by police officers at Limassol Town Police Station when holding and questioning suspects.**

23. In section 4 below, proposals will be made to strengthen the legal safeguards against ill-treatment. However, the question of the examination of complaints about ill-treatment must be considered here.

Independent machinery for investigating complaints about treatment received during police custody is clearly an essential safeguard.

It should be noted that at the time of the CPT's visit, there was intense public debate about the complaints committees referred to above (cf. paragraph 19), and more specifically about their independence and impartiality, fuelled partly by the resignation of the Chairman of the committee set up to investigate a recent complaint. Many of those to whom the delegation spoke expressed very serious reservations on the subject. In this context, the composition of such committees must be recalled: three members appointed by the Minister of the Interior (two civil servants and a police officer) and a legal officer appointed by the Attorney General of the Republic.

In order to strengthen public confidence in the complaints committees, **the CPT recommends that the Cypriot authorities review the composition of these committees with a view to guaranteeing their independence and impartiality.**

24. It is also important that complaints submitted to the prosecuting authorities are thoroughly investigated and that, where necessary, appropriate penalties are imposed by the courts.

The CPT therefore requests the Cypriot authorities to provide the following information for the period 1990 to the present day:

- **the number of cases of alleged ill-treatment by the police reported to the prosecuting authorities and the action taken by the latter in response (whether or not to prosecute or the entry of a *nolle prosequi*);**
- **in cases where the Attorney General decided not to prosecute or to discontinue the action, the reasons for the decision;**
- **in cases where there was a judgement, details of that judgement and, where appropriate, of any sanctions imposed.**

25. Reference has also been made (paragraph 19) to a case in which an out-of-court settlement was reached. The delegation heard from various sources that this was a quite common practice. **The CPT would also like to receive information for the above-mentioned period on the number of cases in which such settlements were reached and the criteria used to decide when compensation should be paid rather than initiating criminal proceedings.**

26. It goes without saying that appropriate professional training is a key element of any strategy to prevent ill-treatment. Properly trained law enforcement officers will be able to carry out their responsibilities effectively without the need to resort to ill-treatment, and to cope with the presence of fundamental safeguards for persons deprived of their liberty. Particular attention should be paid to training in the handling of - and more specifically talking to - persons in detention (in other words in interpersonal communication skills) as well as to training in modern investigation techniques.

The CPT recommends that the Cypriot authorities review police officers' initial and in-service training in the light of these considerations.

27. Finally, the CPT has strong reservations about the Cypriot system under which a person may be remanded in police custody after he has been brought before a judge (see paragraph 10). Prolonged periods of detention of accused persons in police premises may lead to high risk situations. It must also be pointed out that some of the persons referred to in paragraph 15 were alleged to have been ill-treated during interrogations while they were remanded in police custody.

28. In the context of the prevention of ill-treatment, it is far preferable for all those remanded in custody by a judge to be placed in establishments administered by the prison authorities and staffed by prison officers. Of course, such an approach would not necessarily preclude the police from carrying out further questioning of persons suspected of having committed a criminal offence.

The CPT therefore recommends that the Cypriot authorities review the power of judges to remand arrested persons in police custody, in the light of the above remarks.

3. Conditions of detention in the police establishments visited

a. introduction

29. All police cells should be of a reasonable size for the number of people they are used to accommodate, and should have adequate lighting (i.e. sufficient to read by, sleeping periods excluded) and ventilation. Further, cells should be equipped with a means of rest (eg. a fixed chair or bench) and persons required to stay overnight in custody should be provided with a mattress and clean blankets.

Detained persons should be allowed to comply with the needs of nature when necessary in clean and decent conditions, and be offered adequate washing facilities. They should be given food at appropriate times, including at least one full meal (i.e. something more substantial than a sandwich) every day. They should, as far as possible, be offered outdoor exercise every day.

b. situation in the police establishments visited

i. *the Police Prison*

30. The Police Prison, which is situated within the Nicosia Central Prisons complex, was in a generally dilapidated state. At the time of the delegation's visit, only the ground floor was in use as a cell area, the upper floor having been taken out of service. The cells, measuring approximately 7 m², were meant to accommodate two prisoners; this provided only a very confined living space. The cells enjoyed both natural and artificial light, although the latter was inadequate and did not always operate. The sanitary facilities (a WC and two showers) were on the same floor. Their standards of hygiene and cleanliness were of an unacceptable level. To summarise, the material conditions were poor.

31. The delegation was informed during its visit that a new police prison was under construction. According to the information it received, work was scheduled for completion in late December 1992.

The delegation visited the site of the new prison, which was located in the part of the Central Prisons complex initially reserved for women. The cell block of the future police prison was meant to contain seven individual cells and a dormitory-type cell for seven occupants. The individual cells would be approximately 7.5 m² in area, which is quite acceptable. On the other hand, the size of the dormitory cell - 20 m² - was insufficient for the level of occupancy envisaged. The planned natural and artificial lighting seemed to be adequate.

32. The CPT recommends that the Cypriot authorities give a high priority to commissioning the new prison and take account of the comments in paragraph 31 on the planned occupancy level of the dormitory cell.

33. During its visit to the Police Prison, the delegation found that the prisoners had no opportunities for outdoor exercise. They passed their days in the corridor of the cell area, a situation which could last for weeks or even months - one foreign national awaiting deportation had been detained since 26 September 1992 and seven had been there since late October 1992. The delegation indicated at the time that the situation was unacceptable and that steps should be taken forthwith to provide an opportunity for outdoor exercise. In this context, it should be noted that a suitable area was available.

In a letter dated 26 February 1993, the Cypriot authorities informed the CPT that steps had been taken to provide all those detained in the Police Prison with one hour of outdoor exercise per day.

The CPT welcomes the steps taken by the Cypriot authorities. It is also pleased to note that the new prison will be equipped with an outdoor exercise area of sufficient dimensions.

ii. police stations

34. The cells in the police stations visited were equipped with beds, each with a mattress and blankets. However, in many police stations, the condition and cleanliness of the cell areas left much to be desired. Moreover, the lighting and ventilation were often inadequate.

In most of the police stations visited, the sanitary arrangements were quite inadequate and unhealthy, and did not offer prisoners a satisfactory standard of hygiene. That said, the situation was better in certain police stations including, for example, at Oriklini Police Station and Larnaca Town Police Station.

It should be added that the delegation heard allegations that prisoners were often required to meet the needs of nature in their cells because there had been no response to their request to use a lavatory.

35. The dimensions of police station cells varied, mainly between 5 and 8 m², and they normally contained two beds. As in the Police Prison, this occupancy level makes for a very confined living space. It would be desirable to limit the occupancy level in those cells to one person. Certain cells were as small as 4 m². A cell of this size is not suitable for any period of detention exceeding a few hours. No one should be required to spend the night in such a cell.

36. The delegation heard widespread allegations, sometimes confirmed by staff, of prisoners who had spent up to three weeks in police cells with no outdoor exercise. Such a situation would not be acceptable. As already indicated above (paragraph 29), persons detained should be offered outdoor exercise every day.

37. **The CPT recommends that the Cypriot authorities :**

- **review the conditions of detention in the police stations visited in the light of the comments in paragraphs 29 and 34 to 36 above;**
- **take appropriate steps to ensure that conditions of detention in all police stations conform to the criteria set out in paragraph 29.**

iii. other issues

- *call systems*

38. Cells in the police prison and in the police stations visited were not equipped with call systems for summoning staff in case of need. Prisoners wishing to attract officers' attention were required to shout out or to knock on the door. Nor did there appear to be any plans to equip the cells in the new police prison with a call system.

It has to be stressed, in this context, that in many cases the cell area was at some distance, or even separate, from the staff quarters. **The CPT invites the Cypriot authorities to install call systems in police detention cells.**

- *food*

39. Persons in police custody were authorised to receive food from their family. In Nicosia Police Prison, meals were provided by the Central Prisons and the delegation heard no complaints on this subject. In contrast, it received numerous complaints about the existing arrangements in the police stations visited. Prisoners who could not be provided with food by their family apparently only received one small cold meal per day. **In this connection, the CPT recalls the comments made in paragraph 29 above.**

- *detention for extended periods*

40. As noted earlier (see paragraphs 11 and 12), people may be detained in police establishments for extended periods. It therefore has to be pointed out that none of the establishments visited offered the material conditions or the opportunities for activities that such prisoners are entitled to expect.

41. Those detained in the **Police Prison** spent the day, until approximately 10 pm, in the corridor of the cell area, which was dark and noisy. Their activities were essentially restricted to watching television and, for some, reading books or newspapers purchased at their own expense.

In most **police stations** visited, apart from any interrogation periods and visits to the lavatories, the prisoners were confined to their cells all day. In certain of the stations, prisoners indicated that officers were sometimes understanding enough to allow them to watch television in the evening in the area reserved for staff.

42. The CPT has already recommended that the powers of judges to remand arrested persons in police custody be reviewed (cf. paragraph 28).

Regarding those detained under aliens' legislation, **the CPT recommends that the Cypriot authorities take appropriate steps to improve their conditions of detention.** This should include provision for them to spend a reasonable part of the day outside their cells and they should be entitled to one hour, and preferably more, of exercise in the open air every day. They should have access to recreational areas, equipped with television and radio and reading material. They should also be able to receive visits (for example, from family and friends) in appropriate conditions.

- *cells certified for sentenced prisoners*

43. In terms of the Prison (General) Regulations of 1981 (hereafter "PGR"), police station cells may be certified as suitable for the detention of sentenced prisoners (14 days for men, 3 days for women).

44. The delegation visited several police stations where all or certain cells had been so certified (Limassol, Larnaca and Paphos Town Police Stations and Kophinou and Kouklia Police Stations). However, at the time of the visit, no sentenced prisoners were detained there.

The CPT wishes to receive clarification from the Cypriot authorities about the operation of this system and, in particular, on the powers of the Chief of Police to modify the provisions of the PGR in respect of their application to police station cells which have been certified for sentenced prisoners.

4. Fundamental safeguards against ill-treatment of persons detained by the police

45. The CPT attaches particular importance to three rights for persons detained by the police:

- the right of those concerned to inform a close relative or a third party of their choice of their detention,
- the right of access to a lawyer,
- the right to request a medical examination by a doctor of their choice.

The CPT considers that these rights constitute three fundamental safeguards against the ill-treatment of persons detained, which should apply from the very outset of custody (that is, as soon as those concerned are obliged to remain with the police).

46. The CPT also considers it to be fundamental that those concerned should be immediately informed of all their rights, including those referred to above, in a language which they understand.

- a. information to a close relative or a third party

47. According to the Administrative Directions accompanying the Judges' Rules³, "a person in custody should be allowed to speak on the telephone [...] to his friends provided that no hindrance is reasonably likely to be caused to the processes of investigation, or the administration of justice, by his so doing. He should be supplied on request with writing materials and his letters should be sent by post or otherwise with the least possible delay" The various regulations relating to the police (Police Disciplinary Regulations 1989, Force Standing Order 5/3) largely reiterate the principles laid down in the Judges' Rules, that is that anyone detained by the police must be allowed to communicate with or speak to his close relatives or a friend about any urgent family business relating to the detention or, more generally, his well-being. He must be supplied with the necessary material for sending a letter or telegram to the outside world. Similar provisions apply to foreign nationals as regards contact with a consular representative of their country. The regulations also require the police to inform the parent or guardian of any child or young person arrested, as soon as possible.

48. During its visit, the delegation heard allegations that police officers had refused to allow prisoners to inform a close relative or friend of their situation.

³ That is, the rules approved by Her Majesty's Judges of the Queen's Bench Division in England relating to the taking of statements by police officers. Section 8 of the Criminal Procedure Law, Cap 155 stipulates that these rules apply to the taking of statements by police officers in Cyprus.

49. The CPT recognises that certain exceptions might be made to the requirement to inform a close relative or friend of an arrested person, in order to protect the interests of justice. Such exceptions should, however, be clearly defined. The wording of existing provisions on this subject needs to be clarified.

The CPT recommends that any possibility exceptionally to delay the notification of a person's custody to a close relative or friend should be clearly circumscribed in law and made subject to appropriate safeguards (for example, any delay to be recorded in writing with the reasons for the decision, and the authorization of the prosecuting authorities or of a judge to be sought).

b. access to a lawyer

50. Article 11.4 of the Constitution provides for access to a lawyer in the following terms: "Every person arrested [...] shall be allowed to have the services of a lawyer of his choosing".

Article 12.5 states: "Every person charged with an offence has the following minimum rights: [...] (b) to have adequate time and facilities for the preparation of his defence; (c) to defend himself in person or through a lawyer of his own choosing or, if he has no sufficient means to pay for legal assistance, to be given free legal assistance when the interests of justice so require."

Section 13 of the Criminal Procedure Law, Cap 155 provides that: "Any [arrested] person while in custody shall be given reasonable facilities for obtaining legal advice for taking steps to obtain bail and otherwise for making arrangements for his defence or release."

According to the introductory statement to the Judges' Rules, "every person at any stage of an investigation should be able to communicate and to consult privately with a solicitor. This is so even if he is in custody provided that in such a case no unreasonable delay or hindrance is caused to the processes of investigation or the administration of justice by his doing so". The Administrative Directions accompanying the Judges' Rules state: "A person in custody should be allowed to speak on the telephone to his solicitor [...] provided that no hindrance is reasonably likely to be caused to the processes of investigation or the administration of justice by his doing so".

The rules are reiterated in police legislation, which specifies that conversations between a prisoner and his lawyer must take place out of the hearing of a police officer, but preferably so arranged that he can observe them at a distance.

According to the "notice to persons in custody", which should in principle be displayed in all police stations:

"A person detained in police custody is entitled to reasonable facilities for obtaining legal advice, for taking steps to obtain bail and otherwise for making arrangements for his defence or release. If you wish to communicate with your legal adviser you should make your request to the officer in charge of the police station and he will make the necessary arrangements for you to do so without delay. Any such communications will be treated as confidential and will be sent without inspection by the Police.

If you wish to interview your legal adviser at the police station and he agrees to do so, facilities will be given for the interview to be conducted in circumstances of privacy."

51. Notwithstanding these provisions, the delegation heard numerous allegations of prisoners' being refused access to a lawyer in the period between their arrest and their first appearance before a judge.

Further, the delegation received conflicting answers to its enquiries about the scope of the right of access to a lawyer. In particular, although the authorities indicated that permission for a lawyer to be present during interrogations had to be granted, many others to whom it spoke said that, in practice, the question had never arisen and that there were no legal precedents in this area.

In the CPT's opinion, the right of a person in police custody to have access to a lawyer is a fundamental safeguard against ill-treatment. As indicated above, this right should apply from the very outset of detention. Indeed, the period immediately following a person's deprivation of liberty is the one during which the risk of intimidation and ill-treatment is at its greatest.

The CPT recognises that in order to protect the interests of justice, it may be necessary in certain circumstances to delay the right of access to a particular lawyer chosen by the detainee. However, this need not necessarily result in the right of access to legal advice being totally denied during the period in question. In such cases, access to another independent lawyer who can be trusted not to jeopardise the legitimate interests of the police investigation should be arranged.

52. In the light of the preceding remarks, the CPT recommends that steps be taken to ensure that:

- **all persons arrested by the police have the right of access to an independent lawyer, from the outset of their detention;**
- **the right of access to a lawyer includes the right to contact and to be visited by him or her (in both cases in conditions guaranteeing the confidentiality of the discussions), as well as, in principle, the right of the person concerned to benefit from the presence of the lawyer during interrogation.**

c. access to a doctor

53. According to the various police regulations, an injured person who gives the impression or complains of being sick must immediately be given an opportunity to be examined by an "official" doctor (i.e. one employed by the public hospitals). It is also specified that anyone who wishes to see a particular doctor is entitled to be treated by that doctor.

According to the registers consulted in the police stations, prisoners were generally transferred to hospital. However, it was not possible to establish from the registers the reasons for individual transfers.

As already indicated (see paragraph 18), one of the delegation's medical members also consulted a certain number of medical records in the emergency department of Limassol Hospital, to which prisoners were transferred from police stations. The information recorded in those medical records was very brief and often omitted important details (for example the reasons for examinations carried out and the results of the examination).

54. The delegation heard numerous allegations that requests by prisoners to see a doctor of their choice were refused and that a considerable period of time often elapsed before they were transferred to the emergency unit of a public hospital or the police summoned a doctor.

There were also many allegations that medical examinations were carried out in the presence of police officers, with prisoners sometimes secured by handcuffs.

55. In the light of the above remarks, **the CPT recommends that the Cypriot authorities review the practical application of the right of persons in police custody to be examined by a doctor of their choice (in addition to any examination carried out by a doctor called by the police) and, if necessary, issue more explicit regulations on the subject.**

The CPT also recommends that it be expressly provided that:

- **all medical examinations of detainees be conducted out of the hearing and - unless the doctor concerned requests otherwise - out of the sight of police officers;**
- **the results of every medical examination, as well as any relevant statements by the detainee and the doctor's conclusions, be recorded in writing by the doctor and made available to the detainee and his lawyer.**

d. information on rights

56. Article 11.4 of the Constitution states that "every person arrested shall be informed at the time of his arrest in a language which he understands of the reasons for his arrest". Article 12.5 (a) requires a person charged with an offence "to be informed promptly and in a language which he understands and in detail of the nature and grounds of the charge preferred against him". He must also "have the free assistance of an interpreter if he cannot understand or speak the language used in court" (Article 12.5 (e)).

Section 13 of the Criminal Procedure Law stipulates that any person who is arrested must be informed of the charge against him without delay.

More detailed guidelines are to be found in the Administrative Directions accompanying the Judges' Rules (7b): "Persons in custody should not only be informed orally of the rights and facilities open to them, but in addition, notices describing them should be displayed at convenient and conspicuous places at police stations and the attention of persons in custody should be drawn to these notices."

According to the relevant police regulations (Force Standing Order 5/3), the information notice for persons in police custody should be available in all police stations. It must be given to persons in custody to read and must be read to them if they are unable to read. Explanations must be provided on request.

57. In a few of the police stations visited, the delegation saw the notice displayed. Sometimes it was displayed or handed out in English and Turkish, as well as in Greek. The notice briefly summarised, under six items, the rules relating to access to a lawyer, correspondence and visits from close relatives, friends and consular or diplomatic staff. It also set out the procedure to be followed in case of illness.

Nevertheless, the delegation was not convinced that the notice was handed out systematically to all prisoners. The prisoners whom the delegation met stated that they had received no information about their situation and, in particular, their rights.

58. In order to ensure that the relevant information is available, **the CPT recommends that at the outset of their custody persons arrested by the police be issued systematically with a document setting out their situation and all their rights (including those referred to in paragraphs 45 to 55). This document could be based on the existing notice to persons in custody, with appropriate additions and amendments. The document should be available in relevant languages. Those concerned should also certify that they have been informed of their rights in a language which they understand** (see also paragraph 63 below).

e. conduct of interrogations

59. Section 8 of the Criminal Procedure Law refers to the rules relating to the taking of statements by police officers, (the Judges' Rules). These are supplemented by a series of Administrative Directions on how interrogations should be conducted in practice. From its meetings with police officers responsible for conducting interrogations, the delegation did not gain the impression that these Administrative Directions were widely known, as compared to the Judges' Rules. In any case, the guidance provided by the Administrative Directions could usefully be supplemented.

60. In the view of the CPT, it would be appropriate to draw up a code of conduct for interrogations. The code should deal, inter alia, with the following: the systematic informing of detainees of the identity (name and/or number) of those present at the interrogation; the permissible length of an interrogation; rest periods between interrogations and breaks during an interrogation; the place(s) where an interrogation may take place; whether a detainee may be required to remain standing during questioning; the questioning of persons who are under the influence of drugs, alcohol or medicine or who are in a post-traumatic state. The code should also provide that a record be systematically kept of the time at which each interrogation starts and ends, the persons present during each interrogation and any request made by the detainee during the interrogation.

It therefore recommends that the Cypriot authorities draw up such a code of conduct for interrogations by police officers.

61. The CPT considers that the electronic recording of police interrogations represents another important safeguard for detainees, as well as offering advantages for the police. The delegation saw nothing to indicate that such a system is currently used in Cyprus.

The CPT recommends that the Cypriot authorities consider the possibility of introducing an electronic recording system for police interrogations. The system should offer all appropriate guarantees (for example, the detainee's consent; the use of two tapes, one of which would be sealed in the presence of the detainee and the other used as a working copy).

f. custody registers

62. The custody registers recorded only a few of the facts relating to detention: personal data about the detainee, date of the arrest, nature of the detention, date of release, type of offence, the detainee's personal effects and signature to show that the effects had been returned on release. These items were sometimes not properly completed and the registers displayed entries in pencil and erasures.

63. The CPT considers that the fundamental safeguards for persons detained by the police would be reinforced (and the work of police officers very probably facilitated) if a single and comprehensive custody record were to be kept for each person detained, in which would be recorded all aspects of his custody and action taken regarding them: time of and reason(s) for the arrest; when notified of rights; signs of injury, mental illness etc; when next of kin informed of the detention; contact with and/or visits by a lawyer, doctor or consular official; when offered food; when questioned; when brought before the competent judge, when released etc. For certain matters (for example, personal effects, the fact of being told of one's rights and of invoking or waiving them), the signature of the detainee should be obtained and, if necessary, the absence of a signature explained. The detainee's lawyer should have access to such a custody record.

The CPT recommends that the Cypriot authorities draw up such an individualised custody record.

g. supervision by the judicial authorities

64. The Constitution, the Criminal Procedure Law and police legislation provide for the judicial authorities - i.e. the Attorney-General's office - to supervise and direct the way in which those responsible for law enforcement exercise their police powers. In this context, the CPT considers that regular visits by the competent judicial authorities to places of detention for which the police are responsible could make a significant contribution to the prevention of ill-treatment. **The CPT would like to know whether the competent judicial authorities (in particular, public prosecutors) exercise such on-the-spot supervision of places of detention.**

h. the role of the Ombudsman

64. The delegation had the opportunity to meet Mr Nikos Charalambous, the Ombudsman. The Office of Ombudsman (Commissioner for Administration) was instituted by a law of 18 February 1991, which conferred a competence to investigate government action in the exercise of administrative powers. During the above-mentioned meeting, Mr Charalambous told the delegation that it had been proposed to amend the 1991 law, in order to give the Ombudsman a power to examine any act by a public authority which involved a violation of individual rights or which was contrary to law or good administrative practice. **The CPT would like to receive the comments of the Cypriot authorities on this proposal.**

B. Larnaca Airport Transit Room

1. Introduction

65. The detention facilities for foreigners not authorised to enter the country, or deported and awaiting their flight departure, were situated in the transit area for travellers. There was separate provision for men and women. The airport police were responsible for the detention area.

Detention was generally of short duration, ranging from a few hours to a few days, the time required to make the necessary arrangements for departure. However, one of the four foreign nationals detained there at the time of the CPT's visit had been held in the male detention area since 5 September 1992, i.e. for a period of two months.

Moreover, a study of the custody registers revealed that, in the recent past, the male detention area had been severely overcrowded.

66. The delegation heard no allegations of ill-treatment of persons detained in Larnaca Airport transit area. Nor did it receive any other evidence of such treatment.

2. Conditions of detention

67. The area for men was a part of the ordinary transit area which was simply separated off by a partition, the upper half of which was open-work. Otherwise, the facilities were identical to those in the ordinary transit area. The men had access to the toilet facilities used by ordinary passengers, to which they were escorted by police officers. At night, they slept in armchairs, without blankets. The surroundings were very noisy.

The room set aside for women and children (if any) was equipped with armchairs and separate sanitary facilities (toilets and showers). However, no special provision was made for children.

68. One meal a day was served at the expense of the police. Otherwise, the foreign nationals were authorised to visit the transit area shops to meet their requirements at their own expense. **In this connection, the CPT would recall its comments at paragraph 29 above.**

69. The conditions of detention were suitable for a stay of several hours; however, for longer periods of detention, they were quite inadequate. The CPT has noted that work was underway to equip a special area for this category of foreign national. The delegation visited the premises designated for this purpose, which were located in a new part of the Airport. It was shown two rooms, one of approximately 40 m², intended to serve as a male dormitory and one of approximately 30 m² for women. However, it was unable to establish their respective capacities. Sanitary facilities (toilets and showers) were provided in each dormitory.

The CPT recommends that the Cypriot authorities give a high priority to the completion of the new transit area for foreign nationals in Larnaca Airport.

Pending the completion of these works, the CPT recommends that:

- **persons required to spend the night in the transit area be supplied with appropriate equipment for sleeping (mattresses and blankets);**
- **persons detained for more than a few hours benefit from one hour of outdoor exercise per day.**

The Committee would also like to receive information on the planned capacity of the new dormitories as well as about the facilities for outdoor exercise which are envisaged.

70. Even if it is correctly equipped, an airport transit area is not an appropriate place to detain someone for a lengthy period. Such a location will rarely, if ever, offer the material conditions and opportunities for activities which a person detained for such a period is entitled to expect.

The CPT recommends that the Cypriot authorities take steps to ensure that a situation such as that described in paragraph 67 does not occur again.

C. Nicosia Central Prisons

1. Introduction

71. The Nicosia Central Prisons are the only prisons in Cyprus. They have an official capacity in the order of 300 prisoners. They are divided into three parts: the so-called closed central prison; the open regime prison; and the prisoners' guidance centre (a centre for prisoners with outside employment). Inmates of both sexes are detained. On the day of the visit, there were 231 prisoners in the establishment, 25 of whom were remanded in custody and seven of whom were women (all held in the closed central prison). There were 17 prisoners aged under 21, of whom six had been convicted of military offenses (objection to military service). The young people were detained in the open regime prison. Eighty-seven prisoners were foreign nationals.

2. Torture and other forms of ill-treatment

72. The CPT delegation heard no allegations of torture or other forms of ill-treatment by prison staff in the Nicosia Central Prisons. Nor did it receive any other evidence of such treatment. More generally, it noted that relations between prisoners and staff were relaxed.

73. Despite this positive finding, **the CPT would like to receive information on the number of complaints of ill-treatment lodged in 1991 and 1992 against prison officers in Nicosia Central Prisons and the number of disciplinary and/or criminal proceedings initiated, together with any sanctions imposed.**

3. Conditions of detention

a. material conditions of detention

74. With one exception (see paragraph 80), the material conditions of detention in the Central Prisons were, on the whole, acceptable, although certain improvements could be made. The buildings in which the great majority of prisoners were confined were relatively modern.

75. All of the cells were suitably equipped. The artificial and natural lighting were adequate. The individual cells and dormitories in the young people's and women's detention areas and the so-called "military section" were of appropriate dimensions, having regard to their occupancy levels. The cells in the men's detention areas located within the perimeter of the closed central prison were more confined. Cells intended to accommodate one or two prisoners were of the order of 6-7 m². The dormitories were very small for their potential capacity (approximately 20 m² for 12 beds). When the maximum occupancy level was reached, the living space would be quite unsatisfactory.

The CPT recommends that the Cypriot authorities:

- **restrict the use of the cells of approximately 6-7 m² to the detention of one person;**
- **reduce the occupancy levels of the 20 m² dormitories to four to five persons.**

76. In all the detention areas, the sanitary facilities (toilets, wash basins, showers/baths) were located outside the cells. In certain of the men's detention areas, these facilities were dirty, unhygienic and frequently out of order. During the daytime, there was no problem regarding access to the toilets as the cell doors were left open. At night, prisoners who did not wish to use the chamber pots placed at their disposal had to call a member of staff. The delegation heard complaints that at night there were long delays in the women's section before a member of staff would answer a request to use a lavatory.

In this connection, the CPT wishes to stress that it does not like the practice of prisoners' having to satisfy their natural needs in buckets or pots in their cells. Either lavatories should be installed in cellular accommodation (preferably in a partitioned sanitary annexa) or means should be established enabling prisoners who need to use a lavatory, to be released from their cells without undue delay at all times (including at night).

The CPT recommends that the Cypriot authorities take appropriate steps to ensure that prisoners have ready access to toilet facilities at all times. It also recommends that steps be taken to remedy the shortcomings observed with regard to the hygiene and functioning of the sanitary facilities.

77. In some detention areas, and particularly in the women's section, the delegation heard several complaints about low temperatures in the cells in winter. The delegation noted that heating was being installed in certain of the areas set aside for men, but not, apparently, in the women's section. **The CPT would welcome the comments of the Cypriot authorities on this subject.**

78. None of the cells in the sections for men were equipped with a system for calling staff in cases of need. Prisoners who required such assistance when locked in their cells had to either shout or knock on their door to attract a warder's attention. The risk of a prisoner in difficulty not receiving the necessary assistance would be significantly reduced if a call system existed. **The CPT recommends that all cells be equipped with a call system, preferably linked to a permanently staffed central monitoring point.**

79. Block 6 had been set aside for prisoners placed in solitary confinement for various reasons (disciplinary sanctions, medical reasons, etc.). It was an old building, the ground floor of which, comprising fourteen cells, had been allocated to the central prisons.

Except for the size of its cells, which were approximately 7 m², Block 6 was in all respects inappropriate for detention purposes, given its lack of hygiene and dilapidation, the poor state of its sanitary facilities and the furnishing of its cells.

80. At the time of the visit, this detention area was not in use. The delegation observed from the records that the building had last been used on 15 October 1992 and that in the months immediately preceding that date it had only been used for prisoners with transmittable diseases. This latter aspect will be considered in section 4. In his discussions with the CPT's delegation on this subject, the Director of the Central Prisons indicated that he no longer intended to use Block 6 and that it would not be brought back into service unless the building had been totally refurbished.

81. In a fax dated 24 November 1992, the Cypriot authorities informed the CPT that the Minister of Justice had ordered the withdrawal from service of Block 6, pending its complete renovation.

The CPT would be grateful to be informed of any recommissioning of the building and its intended use.

82. The delegation heard only a few complaints about food. Those which were heard concerned principally the fact that arrangements for special diets were not satisfactory. **The CPT invites the Cypriot authorities to review this matter.**

The conditions of hygiene under which food was prepared and stored were not satisfactory. The Governor stated that plans were underway to modernise the kitchen and build a new dining hall for prisoners.

83. Finally, it has to be pointed out that admissions take place in an office where several officials work and where there is a certain coming and going of other prisoners. As a result, newly arrived prisoners are required to complete registration formalities and answer questions in conditions which do not ensure a desirable level of confidentiality. **The CPT invites the Cypriot authorities to improve the physical conditions in which admission procedures are carried out.**

b. prison regime

84. It should be noted from the outset that a particular characteristic of the regime in the Central Prisons was the length of time which prisoners were able to spend out of their cells. With the exception of those confined to their cells for disciplinary reasons, prisoners could circulate outside their cells for some ten to eleven hours per day. As a result, they had numerous opportunities for exercise and association.

85. As far as organised activities were concerned, the Central Prisons offered a range of workshop activities for men, including metalwork, carpentry, book binding, shoe repairs and cloth making. A car repair workshop was opened in late October 1992. To this should be added cleaning activities, kitchen work and other small jobs in the Central Prisons.

A series of educational activities, such as courses in English, graphic art and computing, were also available, with some 180 prisoners apparently taking part.

Prisoners were also offered vocational education and training, including higher education, in conjunction with external agencies, thus enabling them to obtain the same qualifications as they could outside.

The establishment had a library, which included books in foreign languages - albeit very few - and a very limited number of educational works. **It would be appropriate to include more educational works and books for foreign prisoners.**

Various recreational activities (theatre, music, etc) were arranged, including occasional outside visits. Finally, the central prisons had a sports ground.

86. Overall, the delegation received a relatively positive impression of the activities for male prisoners. However, it was not clear whether the number of jobs available was sufficient in relation to the size of the prison population. **The CPT would like to receive information from the Cypriot authorities on this question.**

87. By contrast, the delegation's observations suggest that the situation of women prisoners is less satisfactory. As far it could gather, women could not be employed in the workshops. It was also informed by the prison authorities that the majority of the women were not interested in educational activities, because of their low level of education. As a result, according to those authorities, women prisoners did not participate in work activities and educational activities, but only in recreational activities.

The delegation noted on the spot that women only undertook activities such as knitting, sewing, embroidery and gardening. The delegation heard many complaints from these women about the lack of opportunities for sporting activities and the impossibility of visiting the library, which was situated within the men's area. Books were apparently delivered to the women's section on a regular basis but only a limited selection was offered. Certain women regretted the absence of educational facilities, other than the teaching of Greek and vocational training.

The CPT recommends that the Cypriot authorities develop the activities available to women (employment, education and sport) to a level comparable to that offered to male prisoners.

4. Medical services

a. general standard of medical care

88. Medical care is provided by a medical officer (a general practitioner), a dentist and a psychiatrist, all from the outside community. The medical officer holds surgeries three times a week, while the dentist and the psychiatrist each attend once a week. In addition, the medical officer is required in all cases to examine every prisoner at least once every six months (section 44(2) of the PGR).

Paramedical care is the responsibility of a team of seven prison officers who have received first aid training and who offer a round-the-clock emergency service. The Central Prisons only have limited medical facilities (a medical unit for those who are convalescing or who are in isolation because of a transmittable disease); prisoners who require specialist treatment or care are referred to the nearby Nicosia public hospital. In emergencies, an on-call doctor from the outside community is summoned.

89. For a prison with an official capacity of 300, the provision in terms of health staff was somewhat modest. However, given the possibility of calling on the public health service at any time, the general level of health care could be considered acceptable. Nevertheless, in view of the size of the establishment, it should have the services of one - if not several - qualified nurses at all times. **The CPT recommends that the Cypriot authorities take appropriate steps in this regard.**

b. medical examination on admission

90. According to section 44(1) of the PGR, "the Medical Officer shall see and examine every prisoner promptly after his admission with a view particularly to the discovery of physical or mental illness and the taking of all necessary measures and the determination of the capacity of every prisoner for work".

91. A general health questionnaire was completed in respect of each new arrival by the paramedical staff. New arrivals were seen by the doctor as soon as possible. However, the delegation heard allegations, particularly from women, that they were only seen by the doctor several days after their arrival, while some even claimed that they had not been seen at all.

The CPT recommends that every newly arrived prisoner be seen without delay by an appropriately qualified member of the establishment's health care service (i.e. at least a fully-qualified nurse) and, if necessary, physically examined by a medical doctor.

c. questions relating to transmissible diseases

92. According to information received on the spot, it appears that newly-arrived prisoners who fall into what are considered to be high-risk groups were encouraged to take an HIV test. If they were found to be seropositive, they could be placed in a medical isolation unit. At the time of the visit, two prisoners were so detained, one because he was HIV positive, the other because he was a carrier of the hepatitis B virus.

The CPT wishes to stress that there is no medical justification for the isolation of prisoners in respect of whom the result of an HIV or hepatitis B test has been positive, but who are well.

The CPT recommends that the Cypriot authorities actively pursue a policy of keeping prisoners who are seropositive (HIV or hepatitis B) on normal prison location. This policy should be accompanied by regular information on transmissible diseases (risks of transmission and means of protection) for both prisoners and staff.

With regard to HIV tests, the CPT wishes to draw attention to the importance of providing appropriate counselling both before and, if necessary, after a screening test and of keeping the results of the test confidential.

93. Clearly, it may be necessary in certain cases to isolate prisoners for medical reasons. In this regard, the delegation noted that **improvements could be made to the physical environment of the medical isolation unit.**

5. Other issues related to the CPT's mandate

a. discipline

94. Section 87 (108 in the case of unconvicted prisoners) of the PGR lists exhaustively the disciplinary sanctions which may be imposed. These included solitary confinement for a maximum of 4, 8 or 12 days, depending on the seriousness of the disciplinary offence. Section 88 prohibits corporal punishment, punishment by placing in a darkened cell and all cruel, inhuman or degrading punishments.

95. Section 89 describes the disciplinary procedure to be followed. In particular, sub-paragraph (4) states that "no prisoner shall be punished unless he has been informed of the offence alleged against him and given a proper opportunity of presenting his defence. The competent authority shall conduct a thorough examination of the case". Under sub-paragraph (5), "whenever necessary and practicable, the prisoner shall be allowed to make his defence through an interpreter". All hearings are chaired by the Director, assisted by four prison officers.

96. Section 136 of the PGR deals with the setting aside of disciplinary sanctions. It provides that: "the Prison Board⁴ may, when visiting the prison, [...] annul in whole or in part any disciplinary punishment imposed by the Director under Section 87, provided that upon such annulment the Chairman of the Prison Board shall submit a report to the Minister, stating the reasons for the annulment".

97. From what the delegation was able to establish in practice, there is little recourse to the formal disciplinary procedure. The record which is maintained on this subject showed that the most recent disciplinary hearings took place in June 1992, i.e. five months before the visit.

However, the delegation was informed that it was common practice for a prison officer to confine a prisoner to his cell for a brief period pending the Director's decision. It appears that in cases where the Director decides to take no further action, the matter is not recorded. The CPT considers that such a system could lend itself to abuse.

It therefore recommends that any disciplinary action by a prison officer should be duly recorded, with the reasons for the action.

b. separate detention of prisoners

98. The delegation saw one unit (Block 4) in the Central Prisons where prisoners were detained separately from their fellows for reasons linked to order or security, though their conditions in no way amounted to solitary confinement. Nevertheless, the legal basis on which these prisoners had been placed in Block 4 was not entirely clear to the delegation. **The CPT would like to receive information on the legal basis on which prisoners are placed in Block 4.**

99. With regard to solitary confinement proper, section 80 states: "Where it appears desirable, for the maintenance of good order or discipline or in the interests of the prisoners that a prisoner should not associate with other prisoners, the Director may arrange for the prisoner's removal from association accordingly. A prisoner shall be removed under this Regulation for such periods as the Director may think necessary, ...". However, at the time of the visit there were no prisoners in solitary confinement under these provisions.

100. It is not unusual for other procedures to exist, alongside the formal disciplinary procedure, under which prisoners may be involuntarily separated from other inmates, for disciplinary-related/security reasons.

However, such procedures must be subject to appropriate safeguards. The prisoner should be informed in writing of the steps being taken against him (unless there are compelling security reasons for not doing so) and be given the opportunity to present his views on the matter and to contest the measure before an appropriate authority.

In their present form, the Prison Regulations do not deal with these issues. **The CPT recommends that the Cypriot authorities amend the PGR accordingly.**

⁴ The functions of the Prison Board are discussed below (paragraph 105).

101. The mental and physical state of all prisoners placed in solitary confinement, for whatever reason, must be the subject of particular attention. The CPT considers that whenever the prisoner concerned asks for a doctor - or a prison officer asks for one on his behalf - the doctor should be called immediately to examine the prisoner. The results of the medical examination, including an assessment of the prisoner's mental and physical state and, if necessary, the likely consequences of continuing solitary confinement, should be included in a written report, to be sent to the relevant authorities.

The CPT recommends that the Cypriot authorities ensure that the practice in this area is in accordance with the requirements set out in this paragraph.

c. complaints and inspection procedures

102. Complaints and inspection procedures are basic safeguards against ill-treatment in prisons. Prisoners should have avenues of complaint open to them, both within and outside the prison system, and be entitled to confidential access to an appropriate authority.

The CPT attaches particular importance to regular visits to all prison establishments by an independent body (for example, a visiting committee) with authority to receive - and, if necessary, take action on - prisoners' complaints and to inspect the establishment's premises.

103. Prisoners' complaints were passed to prison staff in the different units, and the latter were then responsible for transmitting them to the Director. Although section 66 of the PGR provides for all letters to and from prisoners to be read by an officer appointed by the Director, who then forwards or retains them according to their contents, envelopes containing prisoners' complaints are supposed to reach the Director unopened.

The CPT would like to receive more detailed information on the way this system operates in practice.

In addition to internal complaints, provision is made in section 131 (d) of the PGR for the Prison Board to "hear and investigate any request or complaint which a prisoner desires to make to them". **The CPT would like to know whether prisoners may address complaints directly to the Board in a sealed envelope.**

Subject to specific conditions, there is also a right of complaint to the Attorney-General. Under section 74, "prisoners may petition the Attorney-General of the Republic once after conviction if they wish, but not again unless there are any special circumstances which the Director may consider should be brought to the notice of the Attorney-General of the Republic". It should be pointed out in this connection that it has been questioned whether section 74 is in conformity with Article 29 of the Constitution, according to which "every person has the right individually or jointly with others to address written requests or complaints to any competent public authority and to have them attended to and decided expeditiously". **The CPT would welcome the Cypriot authorities' comments on this subject.**

104. In the context of complaints and inspection procedures, the role of the Prison Board is of particular relevance. Under sections 131, 132 and 133 of the PGR, its functions include the following:

- drawing the attention of the Director to any matter which calls for his attention and bringing all abuses in connection with the Prison which come to their knowledge to the notice of the Minister;
- hearing and investigating any request or complaint which a prisoner desires to make to them and if necessary reporting it, with their opinion, to the Minister;
- co-operating with the Director in all matters in which their assistance and advice is likely to be of use;
- inquiring into the state of the prison buildings and the conditions of prison labour.

The Board is granted various powers by the PGR to enable it to carry out this task: free access to all parts of the Central Prisons and to all prisoners and the right to see prisoners out of sight and hearing of prison officers; authority to inspect any prison records; freedom of access for every member of the Board at any time to the Central Prisons and the authority to make any necessary enquiries or investigations.

105. The delegation had an opportunity to meet the Board and the CPT has received reports which it has drawn up. This has given the CPT a good insight into the commitment and competence which the Board has brought to its responsibilities in the fields of inspection and of assisting the Director of the Central Prisons.

The CPT has noted with interest several points raised by the Board in its reports, in particular: the need for more frequent visits to the prisons to establish closer contacts with the prisoners; the need to get across the message that the Board is a body which is independent of and distinct from the prison administration; and the pressing need to inform prisoners of the Board's existence. The CPT considers that these are fundamental to the Board's ability to fulfil its statutory responsibilities effectively. **The CPT would also like to stress the importance of appropriate training for the members of the Board to enable it to carry out its allotted tasks.**

106. Particular attention needs to be given to the Prison Board's composition. The members (12 in total) are appointed by the Council of Ministers from among those whom it deems fit. **As far as possible, the composition of the Board should reflect the different elements of the local community.**

107. Finally, in addition to its reports to the Minister for Justice, **it would be desirable for the Prison Board to publish an annual report on its activities**, in the interests of greater openness and with a view to stimulating public debate on the prison service. It goes without saying that the Board's findings in respect of certain matters could remain confidential.

d. information to prisoners

108. The information provided to prisoners on their arrival was fairly sparse. An information leaflet in Greek was, in theory, handed out. This mainly set out the types of conduct likely to lead to disciplinary sanctions and summarised the punishments which could be imposed. Apart from this, prisoners were given a brief oral explanation of the arrangements regarding visits and letters and of the possibility of securing a reduction in their sentence.

The delegation heard numerous complaints from prisoners, in particular from foreigners, that they had received no information on the prison regime and their rights and obligations.

109. According to information which the delegation received, a notice setting out the rights and obligations of prisoners was currently being drawn up and would be available in Greek, Arabic and English.

The CPT recommends that this measure be implemented rapidly and that the information notice be translated into those languages commonly spoken by prisoners.

e. contact with the outside world

110. In the CPT's view, it is very important for prisoners to be able to maintain good contact with the outside world. Above all, they must be given the opportunity to preserve their relationships with their families and friends. The guiding principle should be to promote contact with the outside world; any restrictions on such contacts should be based exclusively on security concerns of an appreciable nature or resource considerations.

111. The CPT's delegation found that the visiting arrangements were satisfactory: in principle, one hour was allowed every two weeks. However, in practice up to two, or even three, additional visits were authorised, as far as allowed by staffing and the space available in the visiting premises.

Nevertheless, the delegation heard numerous complaints from foreign prisoners to the effect that it was difficult for them to receive visits from their families living far away, particularly since they did not have the right to receive visits at weekends.

The CPT wishes to stress the need for a certain flexibility with regard to prisoners whose families live very far from the prison (making regular visits impracticable).

f. training of prison staff

112. The CPT places a high premium on the initial and in-service training of staff. There can be no better safeguard against ill-treatment than a properly trained prison officer who knows how to adopt the right attitude in his relations with prisoners.

113. From what the delegation was able to ascertain on the spot, there have been certain difficulties in recruiting suitably qualified prison staff. Prison officers are taken on as temporary staff and after two years can then sit an examination in order to become permanent. The delegation was not aware of any structured initial or in-service training programmes, although occasional lectures and seminars were organised to help prepare candidates for the permanent recruitment examinations.

The CPT recommends that the Cypriot authorities take steps to develop the training of prison staff.

g. armoury

114. The delegation examined the contents of the armoury situated at the main gate of the Central Prisons. Under the control of the Head of Security, who held the key, the armoury contained a large range of weapons (automatic rifles with bayonets, tear gas grenades, personal protection sprays and electric prods) and other equipment (gas masks, riot shields and helmets). It was explained that some of the arms and equipment held were for use in case of civil unrest or other disturbances outside the prisons.

The CPT wishes to know whether the weapons held in the armoury - and, in particular, the electric prods, tear gas grenades and personal protection sprays - may be used, in some cases, in the Central Prisons and, if so, to be informed of the precise circumstances in which they may be used.

D. Mental health institutions

1. General information

115. A few years ago, a major reform of the Cypriot national psychiatric service was undertaken, with the support of the World Health Organisation. This reform involves a gradual move away from traditional, mainly hospital-based, practice towards a new approach, termed community psychiatry, in which services are no longer focused on the psychiatric hospital. The new therapeutic approach is designed to avoid the breaking of social and family ties, the dependence and the often irreversible trend towards chronic care associated with the traditional approach.

The new arrangements include home visits by staff trained to work with families, an out-patient service (with some 900 patients being followed-up) and day treatment centres which frequently make it possible to avoid hospitalisation. New patients requiring hospital care are admitted to mental health centres - the main one being in Nicosia - attached to general hospitals. The length of stay (which is in an open environment) is approximately one to two months. A small number of patients whose condition cannot be managed within the new arrangements are transferred to the Athalassa Psychiatric Hospital.

Apart from the small number of new cases referred to above, the Athalassa establishment continues to care for chronic psychiatric patients and mentally handicapped patients first admitted before the above-mentioned reform was implemented, together with patients subject to a criminal warrant.

116. The placement of mentally-ill persons is currently governed by a law which dates from 1931, Cap 252: the Law relating to the Custody and Maintenance of Mental Patients, Criminal Mental Patients and Insane Prisoners and the Administration of the Property of Such Patients (hereafter referred to as Cap 252).

Under this law, civil patients are placed under a judicial decision, based on a medical certificate stating that the person concerned is mentally-ill and that he represents a danger to himself or others. The decision is valid for eight days, renewable up to a maximum of three months. The court may at any time, at the request of any person, revoke the patient's placement if there is evidence to show that he is not mentally-ill or has been cured.

If, at the end of the three month period, the patient still requires care, the court must certify him mentally ill. The patient concerned, or a third party acting on his behalf, may appeal against this decision to the Supreme Court. According to the management of Athalassa hospital, such appeals were rare. They knew of only one appeal which had succeeded. However, a patient certified by a court could be authorised to leave the hospital for specified periods or on parole.

As already stated, patients may be placed in Athalassa hospital under a criminal warrant. Once in hospital, their situation is governed by Cap 252. This law also provides for the care, for such time as their treatment requires, of prisoners who become mentally ill during their period of detention.

117. The CPT delegation was also informed that, alongside the reform of psychiatric care currently underway in Cyprus, work was in progress to amend the legislation relating to the placement of mentally-ill persons. **The CPT would like to receive information on this subject.**

118. Apart from the current reforms in the psychiatric domain, a series of changes was introduced in the late 1980s with regard to social welfare and the protection of adults, children and the mentally handicapped. As a result of the adoption of various laws (the Children's Act, Cap 352, the Mentally Retarded Persons Act 1989 and the Public Assistance and Services Act 8/1991), certain categories of patient such as mentally handicapped and elderly persons - in so far as their condition allows - are no longer placed in a psychiatric setting, following the establishment of a number of centres/homes and home support networks appropriate to their needs, under the auspices of the Ministry of Labour and Social Services.

2. Athalassa Psychiatric Hospital

119. It should be noted at the outset that the comments on Athalassa hospital must be seen in the light of the above-mentioned reform of psychiatric care, which is welcomed by the CPT. It is now widely accepted that large psychiatric establishments pose a significant risk of institutionalisation for both patients and staff, which can have a detrimental effect on patient treatment. It is much easier to provide care which draws on the full range of psychiatric resources in small units located close to the main urban centres.

a. introduction

120. Athalassa hospital is the largest psychiatric institution in Cyprus and cares for patients from the whole island. It dates from 1963/64 and is situated in the southern suburbs of Nicosia in a large wooded area. The hospital's original capacity of 860 beds has been reduced to 653. At the time of the visit, there were approximately 430 patients, the majority of them long-stay (15-20 years), whose admission predated the introduction of the recent reform. The occupancy rate, which has been steadily falling over the last ten or so years, was thus some two-thirds of the current total capacity. As part of the reform of psychiatric care, a plan for the gradual closure of parts of the hospital, accompanied by an annual upgrading programme for certain wards, was underway. Some wards had already been closed.

121. Patients were accommodated in 18 buildings. One group of buildings, the two admission wards for men and women and certain wards for less seriously disturbed chronically ill patients, were relatively modern, dating from 1970/75; another group, including in particular the units for the oldest and most chronic patients and for the mentally handicapped, was older, dating from the 1960s. The hospital also included a ward providing somatic care, with one section each for men and women, both with a capacity of 16 beds.

122. The staff comprised eight doctors (the Director and three senior doctors, assisted by four trainee doctors), two psychologists, 14 occupational therapists and 271 nurses. There were also 146 support staff.

123. Following a general visit, the delegation focused its attention on certain specific wards, the admission wards, the closed wards for men - including those placed under a criminal warrant - and women, two psychogeriatric wards for totally dependent men and women and three wards for mentally handicapped patients.

b. ill-treatment

124. The delegation heard no allegations of torture or other forms of ill-treatment of patients in the hospital. Nor did it receive any other evidence of such treatment. The general atmosphere, and the relations between patients and staff, were relaxed. The delegation particularly noted the motivation and commitment of the new management team, which was also clearly aware of the disadvantages and shortcomings of the hospital in its current state.

c. material conditions

125. The material conditions varied considerably between the wards visited. They could be described as good in certain cases (admissions, the closed units and the psychogeriatric ward for dependent women) and quite good in the case of ward 14 for mentally handicapped patients of both sexes. They were rather poor in other wards, such as the psychogeriatric ward for dependent men and ward 12 for mentally handicapped women, and very poor in the case of ward 13 for mentally handicapped men. This last-mentioned ward was dilapidated and in a poor state of repair.

126. In all the wards visited, other than the admission wards, the sanitary facilities were in a poor state of repair and were sometimes out of order. Moreover, there were no specially adapted sanitary facilities to meet the needs of patients, such as the elderly or mentally handicapped, with physical difficulties.

127. The CPT recommends that the Cypriot authorities immediately take steps either to improve the material conditions in ward 13 or to close it. Moreover, it invites those authorities to take into account the other comments set out above when drawing up the annual programme for upgrading wards.

128. In certain wards (admissions and ward 14 for mentally handicapped patients), patients were accommodated in rooms of 2, 4, 6 or 8 beds. In the men's closed ward, where criminal patients were placed, individual rooms were provided. Otherwise, patients were accommodated in large capacity dormitories with about thirty to forty beds.

The accommodation of patients in dormitory wards is difficult to reconcile with modern standards of treatment. The CPT has therefore noted with satisfaction that there appears to be a trend towards the closure of large dormitories and their replacement by smaller rooms.

The CPT can only encourage the Cypriot authorities to continue in this direction.

129. Each ward was equipped with a dining room and a recreation room in which there was usually a television. Nevertheless, the environment was generally fairly austere. In particular, the wards with large dormitories were anonymous and lacked privacy, although it was possible to observe certain initiatives to produce a more congenial atmosphere, such as the introduction of prints and flowers in the women's psychogeriatric ward. The beds were set out in long rows in an open area; there were only a small number of bedside tables. A few lockers were located at the entrance to each dormitory.

130. It is clear that, in so far as certain wards were likely to be closed, decoration or refurbishment work was given little priority. **However, the CPT invites the Cypriot authorities to take steps to establish a more stimulating environment in the wards which are likely to remain in service for a certain time.**

131. Numerous wards included individual rooms behind the dormitories, situated close to the toilets. The use to which they were put varied from ward to ward. As far as the delegation could gather, in some cases these rooms were allocated to patients who assisted staff with domestic tasks. Such rooms were suitably equipped. In other cases, the rooms were used to accommodate disruptive patients. The material conditions of these latter rooms were extremely poor and even, in one case (ward 13), unacceptable. It should also be noted that they were not equipped with a call system and were located a long way from the staff quarters.

In this regard, the CPT wishes to stress that, given their location and their state of maintenance and equipment at the time of the visit, the rooms referred to are hardly suitable for accommodating disruptive patients.

132. The quality and quantity of the food was satisfactory. The hospital also had a well equipped central kitchen.

d. treatment of patients

133. During the day, the majority of the patients were free to move about within the hospital perimeter, meet other patients and visit the cafeteria and the library. However, the situation was different for patients held under a criminal warrant who, for security reasons, were not authorised to circulate outside their ward.

No evidence emerged from the observations made, or from conversations with patients, discussions with staff and examination of certain medical records, of any over-medication of patients.

134. The hospital was equipped with a large, well-equipped occupational therapy workshop. This offered craft-type activities such as basket work, painting, graphic arts and knitting. However, the delegation received the clear impression that this facility was under-used; only some forty or so patients were active there. **The CPT would like to receive information on the reasons why only a small number of patients were engaged in activities in this workshop.**

There were very few other forms of organised activity such as, for example, psychological support activities, psychotherapy, group activities, other forms of social therapy and artistic activities. **The CPT would welcome the comments of the Cypriot authorities on this subject.**

135. The lack of activities was particularly noticeable in the ward for patients held under a criminal warrant who, as already noted, were not authorised to go outside, for security reasons. These patients had no work opportunities and their recreational activities were confined to playing backgammon. **The CPT recommends that the Cypriot authorities take steps to develop activities for patients held under a criminal warrant.**

e. seclusion / means of physical restraint

136. The delegation was informed by the doctors and care staff that seclusion measures were rarely used for patients (once, or perhaps twice, a year). The use of physical restraint -the straitjacket - was equally unusual; preference was usually given to the sedation of patients. The delegation received no allegations or evidence to the contrary.

137. Nevertheless, the formal safeguards in this area should be strengthened. According to the information received, the rare cases of seclusion or physical restraint of patients were not specially recorded, other than by an entry in the daily nursing report.

The CPT recommends that any use of seclusion or physical restraint in respect of a patient should be recorded in both the patient's file and in an appropriate register, with an indication of the times at which the measure began and ended as well as of the circumstances of the case and the reasons for resorting to such means.

It is axiomatic that the use of such methods should always be either expressly ordered by a medical doctor or immediately brought to the attention of such a doctor with a view to seeking his approval.

f. external complaints and inspection procedures

138. The CPT attaches particular importance to patients having access to formal machinery enabling them to lodge complaints with a clearly identified body.

In addition, it would also be desirable to have regular visits to psychiatric institutions by an independent external body with responsibility for examining the treatment received by patients and authority to discuss matters with them in confidence and make any appropriate recommendations.

139. According to the information received, no formal complaints procedures for patients exist. In practice, complaints may be sent to the nursing staff in the wards who, where appropriate, forward them to the relevant doctor and/or the Director. **The CPT recommends that a formal complaints procedure for patients be established.**

140. With regard to visits from an independent external body, the Mental Patients Rules (Cap 120) which accompany law Cap 252, provide for a Mental Hospital Board, whose members are appointed by the Council of Ministers and are authorised to visit the hospital at any time and hear and examine patients' complaints about their treatment and food. The number of visits fell from seven in 1990 to three in 1992. **The CPT considers that the Mental Hospital Board should be encouraged to undertake more frequent visits.**

g. discharge of patients

141. Persons admitted compulsorily should be entitled to an automatic review procedure on a regular basis, to establish whether the placement is still necessary. As far as the delegation could gather, no such procedure currently existed. It understood that such a procedure was envisaged in draft legislation on mentally ill persons, which was being drawn up. **The CPT would like to receive information on this subject.**

142. According to the hospital's medical staff, the condition of some sixty of the patients did not require them to remain in a psychiatric hospital; they could be looked after in establishments for elderly people run by the Social Welfare Services. **The CPT would welcome the comments of the Cypriot authorities on this subject.**

3. The Nea Eleoussa Home

143. The delegation payed a brief visit to the Nea Eleoussa Home, which is located in the grounds of the Athalassa hospital. The home is one of the institutions set up in the 1980s, following the adoption of legislation relating to child protection, social welfare and mentally handicapped persons (see paragraph 119).

It comprises two wings and has an official capacity of 70 places for children aged 5 to 18 and for adults with special needs (45 children and 25 adults). The children are placed under the Children's Act, Cap 352, and the adults under the Public Assistance and Services Act 8/1991. Their treatment and status are governed by the Mentally Retarded Persons Act 1989.

At the time of the visit, there were 58 residents, of whom three were day residents.

The staff comprised 2 psychiatrists, 1 psychologist, 4 physiotherapists, 10 nurses and 62 others.

144. The delegation heard no allegations of torture or other forms of ill-treatment of patients in this home. Nor did it receive any other evidence of such treatment. The staff appeared to be dynamic and motivated in their work.

145. The material conditions of patient care in the Nea Eleoussa Home were good. The premises were modern and pleasantly appointed. It comprised individual or two person bedrooms and small four to six bedded dormitory-type rooms. The rooms were suitably equipped. The home included games and recreation rooms.

146. Apart from the activities organised by the staff (therapy, group recreational activities, etc.), a teacher provided four hours of lessons per day and a music therapist took a group of patients twice a week. In addition, at the time of the visit, they were expecting to receive the services of a speech therapist.

147. To summarise, the delegation received a positive impression of both the material conditions in the home and of the range of activities which it offered.

III. RECAPITULATION AND CONCLUSIONS

A. Police establishments

148. The delegation heard numerous allegations of serious ill-treatment/torture of persons detained by the police. The recent allegations heard (1990-1992) related mainly to the Limassol Town Police Station. Allegations were also heard of serious ill-treatment at the Larnaca Town Police Station and of blows inflicted in police stations in Nicosia, but they mainly referred to less recent periods.

On the other hand, there were no allegations of serious ill-treatment in small urban and suburban police stations. The few allegations heard concerned somewhat rough treatment.

Similarly, no allegations were heard of ill-treatment of persons during their detention in Nicosia Police Prison, and the delegation received no other evidence of such treatment.

149. Particular reference should be made to the allegations of a certain number of people whom the delegation met separately, who had been in police custody in Limassol Town Police Station between February and November 1992. These allegations were strikingly consistent as regards both the particular types of ill-treatment in question (suspension by the legs; application of electric shocks to various parts of the body; placing of a metal bucket on the head and then striking it blows with wooden sticks; blows with truncheons or clubs) and the circumstances under which that ill-treatment was said to have been inflicted (interrogations during the night, police officers' faces covered, detainees' heads covered by a kind of cloth bag, presence of people who shouted threats and insults).

Certain on-site observations by the delegation and the consultation, at the emergency unit at Limassol Hospital, of the medical records of several of the persons referred to above tended to confirm rather than discredit the allegations of ill-treatment heard by the delegation. With regard more particularly to the medical records, the delegation noted that the entries made, though brief, sometimes indicated that physical injuries had been observed and contained statements by the patients which were consistent with their allegations. In one case, the delegation received a medical certificate drawn up by a private practitioner describing physical injuries which corroborated the person's allegations. It should be added that in certain cases, on examination by the delegation's medical members, physical marks and/or conditions consistent with the allegations were observed.

150. Furthermore, the information received about the complaints examined by ad hoc complaints committees and the discussions held with a number of groups, including the Legal Committee of the House of Representatives, also highlighted the seriousness of the problem of ill-treatment of persons held in police custody.

151. In the light of the above, and bearing in mind certain weaknesses observed in the fundamental safeguards for persons deprived of their liberty, the CPT has been led to conclude that persons held in certain police establishments in Cyprus - and more particularly in Limassol Town Police Station - run a serious risk of severe ill-treatment/torture.

152. Taking account of this conclusion, the CPT has recommended the adoption of certain specific measures; namely that governmental authorities and senior police officers unambiguously inform law enforcement officers that ill-treatment is unacceptable and will be severely punished, and that a body composed of independent persons be set up to conduct a detailed inquiry into the methods used by officers at Limassol Town Police Station during the detention and interrogation of suspects.

153. More generally, the CPT has stressed the importance of appropriate training for law enforcement officers in the art of handling - and more specifically talking to - persons in detention and in modern investigation techniques.

It has also recommended, with a view to enhancing public confidence in the ad hoc complaints committees, that the composition of these bodies be reviewed with a view to guaranteeing their independence and impartiality.

154. As regards formal safeguards against ill-treatment of persons deprived of their liberty, the CPT has made several recommendations relating to notification of a close relative or friend of someone's arrest; the right of persons arrested by the police to have access in all cases to an independent lawyer, from the outset of their detention; the substance of the right of access to a lawyer; the practical application of the detainee's right of access to a doctor of his choice; and information for arrested persons concerning their rights. In this context, the CPT has also advocated the drawing up of a code of conduct for interrogations by police officers.

155. It must be added that the CPT has expressed reservations about the current system whereby a person may be remanded in police custody after he has been brought before a judge. Prolonged periods of detention of accused persons in police premises may lead to high-risk situations. It is far preferable, from the point of view of prevention of ill-treatment, that all persons remanded in custody by a judge be placed in establishments administered by the prison authorities and staffed by prison officers. Of course, such an approach would not necessarily preclude the police from carrying out further questioning of persons suspected of having committed an offence.

156. As regards the material conditions of detention in the police establishments visited, the CPT has recommended that a high priority be given to commissioning the new police prison; conditions in the prison in use at the time of the visit were poor. Furthermore, at the time of the visit, the prisoners had no opportunities for outdoor exercise. The CPT welcomes the fact that, following the delegation's observations during the visit, those detained in the police prison now have one hour of outdoor exercise per day.

As regards police stations, the CPT has recommended in particular that certain aspects of the material conditions of detention be reviewed.

157. A number of other questions were raised, the most important being the situation of persons detained for extended periods in police establishments. None of the establishments visited offered either the material conditions or the opportunities for activities which such prisoners are entitled to expect.

The CPT has already recommended that the power of judges to remand arrested persons in police custody be reviewed. For the other category of persons concerned, i.e. foreign nationals detained under aliens' legislation, the CPT has recommended that appropriate measures be taken to improve the conditions of their detention (activities enabling them to spend a reasonable part of the day outside their cells; exercise in the open air; recreational areas, etc).

B. Larnaca Airport Transit Room

158. The delegation heard no allegations of ill-treatment of foreign nationals detained in the transit area. Nor did it receive any other evidence of such treatment.

159. The conditions of detention were suitable for a stay of several hours; however, for longer periods of detention they were quite inadequate. At the time of the visit a new detention area at Larnaca Airport was being equipped. The CPT has recommended that a high priority be given to the completion of that work and that, in the meantime, persons required to spend the night in the present detention area be supplied with appropriate equipment for sleeping (mattresses and blankets). Furthermore, persons detained for more than a few hours should benefit from one hour of outdoor exercise per day.

160. The CPT wishes to add that an airport transit area, even when properly equipped, is not an appropriate place to detain someone for a lengthy period. Such a location will rarely, if ever, offer the material conditions and opportunities for activities which a person detained for such a period is entitled to expect. At the time of the visit, a foreign national had been detained there for two months. The CPT has recommended that steps be taken to ensure that such a situation does not recur.

C. Nicosia Central Prisons

161. At no time did the delegation hear allegations of torture or other forms of ill-treatment by prison staff in the Central Prisons. Nor did it receive any other evidence of such treatment.

More generally, it noted that relations between prisoners and staff were relaxed.

162. With one exception the material conditions were, on the whole, acceptable, although certain improvements could be made (reduction of the permitted occupancy levels in the dormitories for men within the perimeter of the closed central prison; provision of ready access to toilet facilities at all times; improvement of sanitary facilities; installation of a call system in cells; improvement of the physical conditions in which admission procedures are carried out).

163. One detention area (Block 6), not in use at the time of the visit, was totally inappropriate for detention purposes given its lack of hygiene and dilapidation, the poor state of its sanitary facilities and the furnishing of its cells. The delegation indicated during the visit that the building ought no longer to be used in its current state. The CPT welcomes the Minister of Justice's decision to order the withdrawal of Block 6 from service, pending its complete renovation.

164. The CPT formed a relatively positive impression of the opportunities for activities (work, education, recreation, etc) offered to male prisoners. In contrast, it has been recommended that the activities for women be developed.

165. As regards medical services, the CPT has recommended that, in view of their official capacity, the Central Prisons should have the services of one - if not several - qualified nurses.

Furthermore, the CPT is concerned by the practice of placing prisoners who are seropositive (HIV or hepatitis B) in the medical isolation unit. It should be stressed that there is no medical justification for the isolation of such prisoners who are well. The CPT has recommended that the Cypriot authorities actively pursue a policy of keeping prisoners who are seropositive (HIV or hepatitis B) on normal prison location and, at the same time, provide regular information on transmissible diseases (risks of transmission and means of protection) to both prisoners and staff.

166. The CPT has also made recommendations/comments on a number of other issues relating to its mandate, including discipline, separate detention of prisoners, complaints and inspection procedures, information to prisoners, contact with the outside world, and training of prison staff.

D. Mental health institutions

167. The delegation heard no allegations of torture or other forms of ill-treatment of patients in either of the mental health institutions it visited. It noted the motivation and commitment of the medical and nursing staff in these institutions.

168. The CPT noted the major reform of the national psychiatric service in Cyprus involving a new approach, termed community psychiatry, in which treatment is no longer focused on the psychiatric hospital. The consequence of this approach -which the CPT welcomes - is a gradual reduction in the number of patients admitted to the Athalassa hospital. The current situation in the hospital was therefore assessed in the light of that process.

169. Material conditions in the Athalassa hospital varied according to the wards visited. Improvements are required in some of them. If such improvements are not made without delay to ward 13 - which accommodates mentally handicapped persons - it should be closed.

The CPT has noted with satisfaction the apparent trend away from large dormitories. It has also invited the authorities to create a more stimulating environment in the wards which are likely to remain in service for a certain time.

170. As regards the individual rooms situated behind the dormitories in most wards, the CPT has stressed that, given their location and the state of their maintenance and equipment at the time of the visit, they are hardly suitable for accommodating disruptive patients.

171. During the day, the majority of patients were free to move about within the hospital perimeter, meet other patients and go to the cafeteria and library. However, the CPT is concerned about the lack of activities available for patients, and especially about under-use of the large and well-equipped occupational therapy workshop.

The manifest lack of activities for patients held under a criminal warrant, who, moreover, were not authorised to go outside their wards, is a matter of particular concern. The CPT has recommended that activities be developed for such patients.

172. The use of seclusion and means of physical restraint was rare. Nonetheless, the CPT is of the view that formal safeguards in this area should be strengthened. It has recommended that any use of seclusion or physical restraint in respect of a patient should be recorded in both the patient's file and in an appropriate register, with an indication of the time at which the measure began and ended as well as of the circumstances of the case and of the reasons for resorting to such means. Further, it is axiomatic that such methods should be used only on the express instructions of a doctor or brought immediately to his attention with a view to seeking his approval.

173. In respect of complaints and inspection procedures, the CPT has in particular recommended the establishment of a formal complaints procedure for patients.

174. With regard to the Nea Eleoussa Home for mentally handicapped persons, the CPT's delegation gained a positive impression of both the material conditions in the home and the range of activities offered.

E. Action on the CPT's recommendations, comments and requests for information

175. The various recommendations, comments and requests for information formulated by the CPT are summarised in Appendix I.

176. As regards more particularly the CPT's recommendations, having regard to Article 10 of the Convention, the CPT requests the Cypriot authorities:

- i) to provide within six months an interim report giving details of how it is intended to implement the CPT's recommendations and, as the case may be, providing an account of action already taken (N.B. the CPT has indicated the urgency of certain of its recommendations);
- ii) to provide within twelve months a follow-up report providing a full account of action taken to implement the CPT's recommendations.

The CPT trusts that it will also be possible for the Cypriot authorities to provide in the above-mentioned interim report reactions to the comments formulated in this report which are summarised in Appendix I as well as replies to the requests for information made.

APPENDIX I

**SUMMARY OF THE CPT'S RECOMMENDATIONS, COMMENTS
AND REQUESTS FOR INFORMATION**

A. Police establishments

1. General information

requests for information

- information on the recent reform under which any application to a judge for the remand of an arrested person in police custody must be supported by substantial evidence (paragraph 10).

2. Torture and other forms of severe ill-treatment

a. recommendations

- governmental authorities and senior police officers to inform law enforcement officers unambiguously that ill-treatment is unacceptable and will be severely punished (paragraph 22);
- a body composed of independent persons to be set up to conduct a thorough inquiry into the methods used by police officers at Limassol Town Police Station when holding and questioning suspects (paragraph 22);
- the composition of complaints committees to be reviewed with a view to guaranteeing their independence and impartiality (paragraph 23);
- police officers' initial and in-service training to be reviewed in the light of the considerations set out in paragraph 26 (paragraph 26);
- the power of judges to remand arrested persons in police custody to be reviewed (paragraph 28).

b. requests for information

- in respect of the period 1990 to the present day:
 - the number of cases of alleged ill-treatment by the police reported to the prosecuting authorities and the action taken by the latter in response (whether or not to prosecute or the entry of a nolle prosequi) (paragraph 24);
 - in cases where the Attorney General decided not to prosecute or to discontinue the action, the reasons for the decision (paragraph 24);

- . in cases where there was a judgement, details of that judgement and, where appropriate, of any sanctions imposed (paragraph 24);
- . the number of cases of alleged ill-treatment in which out-of-court settlements were reached and the criteria used to decide when compensation should be paid rather than initiating criminal proceedings (paragraph 25).

3. Conditions of detention in the police establishments visited

a. recommendations

- a high priority to be given to commissioning the new police prison and account to be taken of the comments on the planned occupancy level of the dormitory cell (paragraph 32);
- the conditions of detention in the police stations visited to be reviewed in the light of the comments in paragraphs 29 and 34 to 36 of the report (paragraph 37);
- appropriate steps to be taken to ensure that conditions of detention in all police stations conform to the criteria set out in paragraph 29 of the report (paragraph 37);
- appropriate steps to be taken to improve the conditions of detention of persons detained under aliens' legislation (paragraph 42).

b. comments

- the Cypriot authorities are invited to consider the possibility of installing call systems in police detention cells (paragraph 38).

c. requests for information

- clarification about the operation of the system of certification of police station cells for the detention of sentenced persons and, in particular, on the powers of the Chief of Police to modify the provisions of the Prison (General) Regulations of 1981 in respect of their application to police station cells which have been so certified (paragraph 44).

4. Fundamental safeguards against ill-treatment of persons detained by the police

a. recommendations

- any possibility exceptionally to delay the notification of a person's custody to a close relative or friend to be clearly circumscribed in law and made subject to appropriate safeguards (for example, any such delay to be notified in writing with the reasons for the decision, and the authorization of the prosecuting authorities or of a judge to be sought) (paragraph 49);

- steps to be taken to ensure that:
 - . all persons arrested by the police have the right of access to an independent lawyer, from the outset of their detention;
 - . the right of access to a lawyer includes the right to contact and to be visited by him or her (in both cases in conditions guaranteeing the confidentiality of the discussions), as well as, in principle, the right of the person concerned to benefit from the presence of the lawyer during interrogation (paragraph 52);
- the practical application of the right of persons in police custody to be examined by a doctor of their choice (in addition to any examination carried out by a doctor called by the police) to be reviewed and, if necessary, more explicit regulations on the subject to be issued (paragraph 55);
- all medical examinations of detainees to be conducted out of the hearing and - unless the doctor concerned requests otherwise - out of the sight of police officers (paragraph 55);
- the results of every medical examination, as well as any relevant statements by the detainee and the doctor's conclusions, to be recorded in writing by the doctor and made available to the detainee and his lawyer (paragraph 55);
- a document setting out the situation and all the rights of persons arrested by the police to be issued systematically to such persons at the outset of their custody; this document to be available in relevant languages; further, those concerned to certify that they have been informed of their rights in a language which they understand (paragraph 58);
- a code of conduct for interrogations by police officers to be drawn up (paragraph 60);
- the possibility of introducing an electronic recording system for police interrogations to be examined, the system to be introduced to offer all appropriate guarantees (paragraph 61);
- an individualised custody record to be drawn up (paragraph 63).

b. comments

- the document informing detained persons of their situation and rights could be based on the existing notice to persons in custody, with appropriate additional and amendments (paragraph 58).

c. requests for information

- whether the competent judicial authorities (in particular, public prosecutors) exercise an on-the-spot supervision of places of detention for which the police are responsible (paragraph 64);
- the comments of the Cypriot authorities on the proposal to give the Ombudsman a power to examine any act by a public authority which involved a violation of individual rights or which was contrary to law or good administrative practice (paragraph 65).

B. Larnaca Airport Transit Room

1. Conditions of detention

a. recommendations

- a high priority to be given to the completion of the new transit area for foreign nationals in Larnaca Airport (paragraph 69);
- pending the completion of the new transit area:
 - . persons required to spend the night in the existing transit area to be supplied with appropriate equipment for sleeping (mattresses and blankets) (paragraph 69);
 - . persons detained for more than a few hours in that area to benefit from one hour of outdoor exercise per day (paragraph 69);
- steps to be taken to ensure that foreign nationals are not detained for lengthy periods in the airport transit area (paragraph 70).

b. requests for information

- the planned capacity of the dormitories in the new transit area and the envisaged facilities for outdoor exercise (paragraph 69).

C. Nicosia Central Prisons

1. Torture and other forms of ill-treatment

requests for information

- the number of complaints of ill-treatment lodged in 1991 and 1992 against prison officers in Nicosia Central Prisons and the number of disciplinary and/or criminal proceedings initiated together with any sanctions imposed (paragraph 73).

2. Conditions of detention

a. recommendations

- the cells of approximately 6 - 7 m² to be used for the detention of one person only (paragraph 75);
- the occupancy levels of the 20 m² dormitories to be reduced to four to five persons (paragraph 75);
- steps to be taken to ensure that prisoners have ready access to toilet facilities at all times (paragraph 76);

- steps to be taken to remedy the shortcomings observed with regard to the hygiene and functioning of the sanitary facilities (paragraph 76);
- all cells to be equipped with a call system, preferably linked to a permanently staffed central monitoring point (paragraph 78);
- the activities (employment, education and sport) available to women to be developed to a level comparable to that offered to male prisoners (paragraph 87).

b. comments

- the Cypriot authorities are invited to review the arrangements for special diets (paragraph 82);
- the conditions of hygiene under which food was prepared and stored were not satisfactory (paragraph 82);
- the Cypriot authorities are invited to improve the physical conditions in which admission procedures are carried out (paragraph 83);
- it would be appropriate to include more educational works and books for foreign prisoners in the library (paragraph 85).

c. requests for information

- the comments of the Cypriot authorities on the installation of heating in Nicosia Central Prisons (paragraph 77);
- information on any recommissioning of Block 6 and its intended use (paragraph 81);
- whether the number of jobs available was sufficient in relation to the size of the prison population (paragraph 86).

3. Medical Services

a. recommendations

- appropriate steps to be taken to ensure that the Nicosia Central Prisons benefit from the services of one - if not several - qualified nurses at all times (paragraph 89);
- every newly arrived prisoner to be seen without delay by an appropriately qualified member of the establishment's health care service (i.e. at least a fully qualified nurse) and, if necessary, to be physically examined by a medical doctor (paragraph 91);
- a policy of keeping prisoners who are seropositive (HIV or hepatitis B) on normal prison location to be actively pursued. That policy to be accompanied by regular information on transmissible diseases (risks of transmission and means of protection) for both prisoners and staff (paragraph 92).

b. comments

- importance of providing appropriate counselling both before and, if necessary, after an HIV screening test and of keeping the results of the test confidential (paragraph 92);
- improvements could be made to the physical environment of the medical isolation unit (paragraph 93).

4. Other issues related to the CPT's mandate

a. recommendations

- any disciplinary action by a prison officer to be duly recorded, with the reasons for the action (paragraph 97);
- the Prison (General) Regulations to be amended with a view to making procedures under which prisoners may be involuntarily separated from other inmates for disciplinary-related/security reasons subject to appropriate safeguards. (paragraph 100);
- whenever a prisoner placed in solitary confinement, for whatever reason, asks for a doctor - or a prison officer asks for one on his behalf - the doctor to be called immediately to examine the prisoner. The results of the medical examination, including an assessment of the prisoner's mental and physical state and, if necessary, the likely consequences of continuing solitary confinement, to be included in a written report to be sent to the relevant authorities (paragraph 101);
- a notice setting out the rights and obligations of prisoners to be issued rapidly and to be translated into the languages commonly spoken by prisoners (paragraph 109);
- steps to be taken to develop the training of prison staff (paragraph 113).

b. comments

- importance of providing appropriate training for members of the Prison Board (paragraph 105);
- the composition of the Prison Board should reflect, as far as possible, the different elements of the local community (paragraph 106);
- it would be desirable for the Prison Board to publish an annual report on its activities (paragraph 107);
- need for a certain flexibility when applying the rules on visits to prisoners whose families live very far from the prison (making regular visits impracticable) (paragraph 111).

c. requests for information

- the legal basis on which prisoners are placed in Block 4 (paragraph 98);
- more detailed information on the way in which the system of transmitting prisoners' complaints to the Director operates in practice (paragraph 103);
- whether prisoners may address complaints directly to the Board in a sealed envelope (paragraph 103);
- the comments of the Cypriot authorities on the question of whether section 74 of the Prison (General) Regulations is in accordance with Article 29 of the Constitution (paragraph 103);
- whether the weapons held in the armoury - and in particular, the electric prods, tear gas grenades and personal protection sprays - may be used, in some cases, in the Central Prisons and, if so, details of the precise circumstances in which they may be used (paragraph 114).

D. Mental health institutions

1. General information

requests for information

- work in progress to amend the legislation relating to the placement of mentally ill persons (paragraph 117).

2. Athalassa Psychiatric Hospital

a. recommendations

- steps to be taken immediately either to improve the material conditions in ward 13 or to close it (paragraph 127);
- steps to be taken to develop activities for patients held under a criminal warrant (paragraph 135);
- any use of seclusion or physical restraint in respect of a patient to be recorded in both the patient's file and in an appropriate register, with an indication of the times at which the measure began and ended as well as of the circumstances of the case and the reasons for resorting to such means (paragraph 137);
- the use of seclusion or physical restraint must always be either expressly ordered by a medical doctor or immediately brought to the attention of such a doctor with a view to seeking his approval (paragraph 137);
- a formal complaints procedure for patients to be established (paragraph 139).

b. comments

- the Cypriot authorities are invited to take into account the comments formulated in paragraphs 126 and 127 of the report, with regard to material conditions, when drawing up the annual programme for upgrading wards (paragraphs 127);
- the Cypriot authorities are encouraged to continue closing large dormitories and replacing them with smaller rooms (paragraph 128);
- the Cypriot authorities are invited to take steps to establish a more stimulating environment in the wards which are likely to remain in service for a certain time (paragraph 130);
- given their location and their state of maintenance and equipment at the time of the visit, the individual rooms situated behind the dormitories are hardly suitable for accommodating disruptive patients (paragraph 131);
- the Mental Hospital Board should be encouraged to undertake more frequent visits (paragraph 140).

c. requests for information

- the reasons why only a small number of patients were engaged in activities in the occupational therapy workshop (paragraph 134);
- the comments of the Cypriot authorities on why there were very few other forms of organised activities (paragraph 134);
- information on the automatic review procedure of compulsory placement which is envisaged in the draft legislation on mentally ill persons (paragraph 141);
- the comments of the Cypriot authorities on the view expressed by the hospital's medical staff that the condition of some sixty of the patients did not require them to remain in a psychiatric hospital (paragraph 142).

APPENDIX II

**LIST OF THE NATIONAL AUTHORITIES,
NON-GOVERNMENTAL ORGANISATIONS AND PERSONS
WITH WHICH THE DELEGATION HAD CONSULTATIONS**

A. National authorities

- Mr Alexandros N. VIKIS, Director, European Division, Ministry of Foreign Affairs;
(acting liaison officer of the CPT)
- Mr Antonis TOUMARIS, Counsellor, European Division, Ministry of Foreign
Affairs
- Mr Michalakis PACHITIS, Assistant Chief Constable, Police Headquarters, Ministry
of the Interior
- Mr Nicos ONISIFOROU, Divisional Police Commander, Nicosia Division, Ministry
of the Interior
- Mr George X. ANASTASSIADES, Director of the Prisons Department, Ministry of Justice
and Public Order
- Ms Anny CARIOLOU, Administrative Officer, Ministry of Justice and Public
Order
- Mr Panayides CHARALAMPOS, Major, National Guard, Ministry of Defence
- Mr Elis SHACALLIS, Second Lieutenant, National Guard, Ministry of Defence
- Mr Vladimiros ARISTODENOU, Department of Social Services, Ministry of Labour and
Social Insurance
- Ms Loulla THEODOROU, Principal Welfare Officer, Department of Social Services,
Ministry of Labour and Social Insurance
- Mr Vassos PYRGOS, D.P.M., Director of the Mental Health Services of Cyprus,
Ministry of Health
- Mr Christos CHARALAMBIDES, D.P.M., Psychiatrist, Athalassa Psychiatric Hospital

Office of the Attorney-General of the Republic

- Mr Loukis G. LOUKAIDES, Deputy Attorney-General of the Republic

Office of the Commissioner for Administration

- Mr Nikos CHARALAMBOUS, Commissioner for Administration (Ombudsman)

Legal Committee of the House of Representatives

- Mr E. EFSTATHIOU, Chairman
- Mr Ch. POURGOURIDES
- Mr A. ANTONIOU
- Mr J. AGAPIOU

and other representatives of the Legal Committee.

B. Non-governmental organisations

- International Association for the Protection of Human Rights in Cyprus
- Committee for the Restoration of Human Rights all over Cyprus
- Committee for the Protection of the Rights of Turkish Cypriots in Cyprus

C. Other persons

- Mr Patrikious PAVLOU, lawyer, former M.P.