

**Response of the Norwegian Government
to the report of the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment (CPT)
on its visit to Norway
from 17 to 21 March 1997**

This response was made public by the Norwegian Government on 8 January 1998. The CPT report on its visit to Norway in March 1997 was published on 4 September 1997 (CPT/Inf (97) 11).

Strasbourg, 22 January 1998

**RESPONSE OF THE NORWEGIAN GOVERNMENT
TO THE REPORT OF THE EUROPEAN COMMITTEE
FOR THE PREVENTION OF TORTURE AND INHUMAN
OR DEGRADING TREATMENT OR PUNISHMENT (CPT)
ON ITS VISIT TO NORWAY**

FROM 17 TO 21 MARCH 1997



ROYAL MINISTRY OF JUSTICE AND THE POLICE
MINISTER OF JUSTICE

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Mr. Claude Nicolay
President of the European Committee
for the prevention of torture and inhuman
or degrading treatment or punishment

Your ref.

Our ref

97/2970 D UMV/iw

Date

December 18, 1997

Dear Sirs,

THE RESPONSE OF THE NORWEGIAN AUTHORITIES TO THE
RECOMMENDATIONS IN THE CPT'S REPORT OF 4 JULY 1997

With reference to Article 10 of the European Convention for the prevention of torture and inhuman or degrading treatment or punishment, we have the honour of enclosing herewith the report of the Norwegian Government containing responses to the recommendations and comments presented by the CPT in its report of 4 July 1997 following its visit to Norway from 17 to 21 March 1997.

In presenting Norwegian views and measures, the report follows the same order as in the CPT's report. (The responses of the Norwegian authorities are written in bold print.)

The Norwegian authorities wish to begin by expressing their regret that in their interim report following the CPT's visit in 1993 they did not respond to the CPT's recommendation under CPT/Inf(94)11, paragraph 25, concerning the need for precise instructions regarding the use of "Pacto 500" toilets. The recommendation is discussed under point 17 of the enclosed report.

The Norwegian authorities have otherwise noted that during its last visit the CPT heard no allegations of torture or other forms of physical ill-treatment in the police or prison establishments it visited.

It is otherwise noted that the use of police cells - and in particular measures to reduce the period of detention in such cells - have been priority issues which have been followed up continuously by the Norwegian authorities since the CPT's visit in 1993. It is especially at the Bergen and Oslo Police Headquarters that the length of detention has at

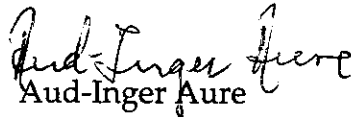
times exceeded five days. Since the CPT's last visit in March 1997, there has been a decline in the average number of days in detention, but persons may occasionally still be detained at the Bergen Police Headquarters for more than five days. Further measures have therefore been implemented by the prison service in coordination with police establishments to limit the period of detention in police cells.

It is now the goal of the Ministry of Justice to ensure that arrested persons are transferred from a police cell to a prison within 24 hours after a court orders their remand in custody. Further details are provided under point 13 of the report.

With regard to the treatment of remand prisoners in prison, the Central Prison Administration has issued detailed guidelines regarding ways of preventing or mitigating the harmful effects of isolation. These guidelines focus particularly on measures for remand prisoners subject to restrictions. Reference is made to further details under point 38 of the report.

The Norwegian authorities have noted that the CPT delegation was received in an entirely satisfactory manner during its visit, and look forward to future cooperation.

Yours faithfully,


Aud-Inger Aure

REPORT OF THE NORWEGIAN AUTHORITIES ON MEASURES THAT HAVE BEEN/WILL BE IMPLEMENTED AS A RESULT OF THE RECOMMENDATIONS OF THE EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE AND INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CPT) IN ITS REPORT OF 4 JULY 1997.

The Norwegian authorities' responses to the recommendations and comments of the CPT are presented in the same order as in the CPT's report of 4 July 1997. The responses of the Norwegian authorities are written in bold print.

A. Detention of persons remanded in custody in police establishments

2. Situation observed at the Oslo and Bergen Police Headquarters.

11. The CPT welcomes the improvements observed regarding the length of detention and the physical conditions for those remanded in custody at the Oslo Police Headquarters. Nevertheless, it recommends that steps be taken to ensure that remand prisoners are offered proper outdoor exercise every day.

Response: Since the contents of the CPT report focus primarily on conditions related to custody on remand, it may be commented in general that custody on remand is justified by considerations of the legal protection of citizens and of law enforcement. This applies in particular in cases involving dangerous and serious conduct where it is important to ensure that the case is solved and to prevent a recurrence. Custody on remand is also justified in cases where it is highly probable that the accused will revert to extensive criminal activity that will be very annoying or frightening for the aggrieved party.

As pointed out by the CPT, the facilities for outdoor exercise for arrestees at the Oslo Police Headquarters are unsatisfactory. This is due to the fact that the police cells were originally built for purposes other than remand in custody, i.e. the short-term detention of arrestees. In special cases, the arrestee may be taken outside for exercise in the rear courtyard of the headquarters. As an exception, the exercise yard of the Oslo Regional Prison may be used in cases where arrestees are detained in a police cell for a long period.

Under point 13, the Norwegian authorities give an account of the measures that have been/will be implemented to ensure that arrestees are transferred from police cells to a prison within 24 hours after a court has ordered their remand in custody. Pursuant to section 183 of the Criminal Procedure Act, an arrested person shall be brought before a court of examination and summary jurisdiction with an application for remand in custody as soon as possible and as far as possible on the day after the arrest. The measures will result in a further reduction in the length of stay (number of days) in police cells, which will involve less of a strain for the arrestee. Shortening the length of stay in a police cell will reduce the need for outdoor exercise/fresh air.

13. The CPT recommends that the Norwegian authorities take urgent steps to ensure that the policy defined by the Ministry of Justice not to keep a person in detention in police

establishments longer than five days be invariably applied in practice in the Bergen Police Headquarters and in all other police establishments in Norway.

Response: Problems related to the length of the period spent by arrestees in police cells have posed a challenge to the Ministry of Justice in recent years. A continuous effort has been made to consider steps that may be taken to improve conditions for arrested persons, and up to the present a rule limiting detention in a police cell to a maximum of five days has been practiced. The extent to which police cells are used has varied greatly. As the CPT is aware, it is Bergen and Oslo in particular which have had a problem of any appreciable magnitude.

Statistical reports for the last six months show that in almost all cases the prison service is able to provide a remand place on the same day as the order for remand in custody. In 1996, the average period of detention in a police cell in the Bergen police district was 8.1 days. In the first half of 1997, the average period of detention in the Bergen police district was 4.7 days.

The goal of the Ministry of Justice is to ensure that arrestees are transferred from a police cell to a prison within 24 hours after a court orders their remand in custody.

In a letter dated 2 December 1997 to prison directors, the Central Prison Administration specified the following measures as a means of achieving this goal:

- ***The prison director must further adjust the "balance" between convicted persons and persons remanded in custody when summoning convicted persons to serve their sentences.***
- ***A lower utilization of capacity may be accepted in order to have detention facilities available for persons remanded in custody.***
- ***Routines for cooperation with the police shall be improved.***

A letter will be sent to every police district with a similar list of measures to be implemented by the districts to ensure the best possible cooperation with the prison service.

Furthermore, the Director General of Public Prosecutions has stated that he is prepared to issue a directive to the effect that applications for a remand in custody shall always include a statement as to whether the accused person is assured of a place in an ordinary remand prison.

In addition, the CPT recommends that remand prisoners detained in the Bergen Police Headquarters:

- be placed in a cell measuring at least 6 m² which, as far as possible, has access to natural light;
- be offered the opportunity to engage in proper daily outdoor exercise.

Response: As mentioned at the outset, the Norwegian authorities will seek to solve the problems related to police cells by providing ordinary remand cells in a prison within 24

hours after the remand order was issued. The CPT's recommendations that remand prisoners shall as far as possible have access to natural light and be offered outdoor exercise will be acted on when the prisoners are transferred to a prison. In the light of this, it is not deemed to be expedient to initiate steps to convert or change detention cells in the various police districts, such as upgrading the cell block at the Bergen Police Headquarters. However, the Norwegian authorities will ask the Bergen Police Headquarters to prioritize and seek solutions for the provision of exercise/fresh air in individual cases when, exceptionally, a person has been detained in a police cell for more than 24 hours after a court has ordered his/her remand in custody.

15. The CPT would like to reiterate its recommendation, already made in paragraph 28, subparagraph 1, of the report on its first visit, that any person required to spend the night in police custody (Oslo Police Headquarters) be provided with a clean mattress and blankets.

Response: As the CPT knows, the internal regulations for the Oslo central police cells stipulate that inmates who, after being brought in, are likely to be detained for more than four hours shall be provided with a mattress and bedding. The Ministry of Justice has reminded the Oslo police district that the above-mentioned provision must be complied with. According to the regulations, however, it is permissible to postpone giving an inmate a mattress and bedding if the person concerned is intoxicated or violent or if such provision should be postponed for reasons of security.

16. Second, with regard to the Bergen Police Headquarters, the CPT would like to stress that because of their dimensions, the smallest cells in the cell block were at the limit of what can be considered as acceptable for overnight stays. In principle, those cells should only be used for periods of detention of a few hours.

Response: The Norwegian authorities have noted the CPT's recommendation and transmitted it to the police district, requesting that an effort be made to act on the recommendation when determining daily priorities.

17. Finally, the delegation would like to draw attention to the presence, in both police headquarters visited, of "Pacto 500" toilets, designed to recover drugs concealed *in corpore*.

In its report on the 1993 visit (cf CPT/Inf (94) 11, paragraph 25), the CPT had recommended that "precise instructions [with regard to the procedures to be adopted in respect of *in corpore* concealment of drugs] be issued to the police, in order to ensure that the necessary steps are taken solely under the responsibility of a medical authority, which should make a diagnosis and choose the appropriate treatment, staff and setting." The CPT regrets that in their interim report (cf CPT/iNF (94) 12, page 3), the Norwegian authorities gave no response to this recommendation.

In the CPT's opinion, in view of the risk posed to anyone who is suspected of *in corpore* concealment of drugs (danger of the container perforating, leading to acute poisoning, and danger of intestinal obstruction), such persons should be subject to close medical supervision,

preferably in a medical unit. The Committee therefore reiterates its recommendation made in 1994.

Response: The Norwegian authorities agree with the CPT that use of "Pacto 500" toilets should take place under proper medical supervision. It should be noted that the risk involved is largely self-inflicted and is only affected to a limited extent by whether or not the accused has been arrested. In the Bergen and Oslo police districts, the current practice is for arrested persons who are suspected of having swallowed narcotic substances - or concealed narcotics in body cavities - to be examined by a physician before any use is made of the "Pacto 500" toilet. The physician decides whether the arrested person may be taken back to the police cell or whether admission to a hospital is necessary. In cases where the arrestee is taken back to the police cell and placed on a Pacto toilet, the person in question is monitored by police officers who contact a physician if there is reason to do so. The medical precautions deemed necessary by the physician are complied with throughout the period that the arrestee spends on the toilet.

In circular G-69/97, the Ministry of Justice has requested that chiefs of police consider the necessity of establishing a form of permanent medical service or the like, charged especially with the supervision of persons in police cells. The Act relating to municipal health services applies to persons detained in police cells. This will ensure the best possible medical supervision of persons in police detention, including those who have been placed on "Pacto 500" toilets. However, the detailed organization of the service, based on an assessment of medical and health care needs, is a municipal responsibility.

In view of the above, it does not appear to be expedient or necessary for arrested persons to automatically be admitted to and monitored in hospital in every case in which the arrestee is suspected of having swallowed or concealed narcotics. In order to ensure medical supervision, the Norwegian authorities will request that police districts establish satisfactory instructions/routines for the use of "Pacto 500" toilets, with particular emphasis on the need for medical supervision prior to and during the treatment. In this connection, it is particularly important that a physician be contacted as soon as possible if it is suspected that an arrested person has swallowed or concealed narcotics in a body cavity.

B. Solitary confinement of remand prisoners by court order

4. Assessment and measures proposed

36. As regards the role to be played by the judicial authorities in this field, the CPT recommends that:

- any request for the imposition of restrictions be carefully scrutinized by the competent court, immediately after a decision to remand in custody the person concerned has been taken.

Response: Pursuant to section 184 of the Criminal Procedure Act, the court of examination and summary jurisdiction decides by court order whether an arrested person shall be

remanded in custody. As far as possible, the decision shall be made before the court concludes its sitting. Section 186, second paragraph, provides for the imposition of a ban on or screening of correspondence and visits. In practice, a decision is taken in the same court sitting as to whether the conditions for remand in custody have been fulfilled and whether restrictions on mail and visits shall be imposed pursuant to the second paragraph of section 186. First, the judge assesses whether the conditions for remand in custody have been fulfilled and, secondly, whether restrictions are to be imposed. A court order is then made. Pursuant to section 52 of the Criminal Procedure Act, reasons shall be given for the order. Pursuant to section 377 of the Criminal Procedure Act, an interlocutory appeal may be lodged against the order to a superior court.

It is the opinion of the Norwegian authorities that it is most practical, time-saving and advantageous in terms of resources that the court, as a general rule, decides both questions at the same sitting. However, it may be added that there is nothing to prevent the court from making the decision pursuant to section 186, second paragraph, in a separate order and in a separate sitting when the circumstances of the case so dictate. In practice, however, use is only made of this possibility in exceptional cases.

*According to the provisions currently in force, the court shall carefully assess whether there is reason to impose restrictions. Pursuant to section 186, second paragraph, of the Criminal Procedure Act, such restrictions may only be imposed "to the extent that due consideration for the investigation in the case so indicates". The judge shall therefore assess in each individual case whether it is necessary to impose restrictions in order to ensure the advancement of the investigation. Moreover, section 98, first paragraph, of the Criminal Procedure Act stipulates that the accused shall as far as possible have a defence counsel at the court sitting held to decide the question of a remand in custody. This system*UV ensures that the interests of the accused are safeguarded during the court sitting.*

The Director General of Public Prosecutions has stated that he will instruct subordinate prosecuting authorities not to apply for restrictions pursuant to section 186, second paragraph, of the Criminal Procedure Act for more than four weeks at a time.

The Ministry of Justice does not have the authority to issue instructions regarding the judicial activities of the courts. The Ministry of Justice will inform the courts about the report and its recommendations by providing a detailed account in "Rett og slett", a publication which is distributed to all courts. Furthermore, a copy of the report and this response to the CPT will be sent to all courts.

- courts make every effort to specify as precisely as possible the scope of the restrictions imposed (they should be tailored to the circumstances of each particular case)

Response: As mentioned earlier, the second paragraph of section 186 of the Criminal Procedure Act stipulates that the person remanded in custody shall not be subjected to restrictions of a greater scope than is necessary in the interests of the further investigation of the case. Imposition of a ban on or screening of correspondence and visits is authorized by section 186, second paragraph, first sentence. As mentioned above, the legislator has

included the phrase "to the extent that due consideration for the investigation in the case so indicates" in the text of the statute. At present, therefore, the court has the power and duty to limit the restriction - not just in time, but also in scope - at every court sitting. This gives the judge the possibility of "tailoring" restrictions to the circumstances of each particular case. When deciding the question of a remand in custody pursuant to section 174, the court shall always consider whether remand in custody will constitute a "disproportionate intervention" in respect of the accused. This "principle of proportionality" also applies when deciding whether restrictions on correspondence and visits are to be imposed or maintained. According to the principle of proportionality in the administration of penal law, the court shall limit itself to a partial ban if this is sufficient.

The Norwegian authorities concur in the recommendation of the CPT that the scope and form of restrictions should be adapted to the greatest possible extent to the specific, individual needs in each particular case. Under the Criminal Procedure Act, both the prosecuting authorities and the courts have a responsibility in this respect. The rules currently in force give courts every possibility of assessing restrictions in each individual case.

- a review of restrictions imposed be carried out at least every four weeks.

Response: Pursuant to section 185 of the Criminal Procedure Act, the court shall at the first court sitting fix a time-limit for custody that must be as short as possible and not exceed four weeks. If the nature of the investigation or other special circumstances indicate that a review of the order after four weeks will be pointless, the court may fix a time-limit that is longer than four weeks. It is a clear assumption that very limited use shall be made of the power to order remand in custody for more than four weeks. This is particularly relevant in connection with the investigation of homicide cases, serious drug cases or other criminal acts of a serious nature.

Apart from the above, the Criminal Procedure Act contains no provision stipulating how frequently the question of imposed restrictions must be reviewed by the court. Normally, such a review would take place upon expiry of the restriction period.

As mentioned above, the Director General of Public Prosecutions has stated that he will instruct subordinate prosecuting authorities that no applications shall be made pursuant to section 186, second paragraph, of the Criminal Procedure Act, for restrictions for more than four weeks at a time.

Otherwise, the prosecuting authority has the authority to lift or relax restrictions during the period after the remand order has been made. The court has the same authority at the request of the defense counsel. The Prison Board has now issued guidelines to ensure that the prosecuting authorities are contacted when circumstances arise that may be of significance for the question of the continuation of restrictions (cf. point 38).

- courts must be particularly attentive to the effects of restrictions on the mental and physical health of the remand prisoner concerned; where appropriate, a court should seek a medical opinion before imposing or renewing such restrictions.

Response: Section 9-4 of the Police Instructions stipulates that the health of the arrestee shall be specially monitored and that medical attention shall be provided when this is deemed necessary. In cases where there is a need for emergency medical care at a hospital, the arrestee is admitted with a police guard.

Courts shall always assess whether a remand in custody and/or restrictions constitute a "disproportionate intervention" for remand prisoners. This implies that the prosecuting authority is required to present any information that may be of importance for the court's assessment of this question, including relevant information on the health of the prisoner. The defence counsel of remand prisoners are also present during remand hearings. In connection with the question of "proportionality", the court is required to assess the effects the restrictions may have - or have had - on the remand prisoner in each individual case. The Prison Regulations contain provisions governing the supervision and follow-up of remand prisoners by a physician/medical personnel. The medical personnel shall alert the prison management if the prisoner's physical or mental health warrants a relaxation of restrictions and, in accordance with the guidelines, the prison shall immediately contact the prosecuting authorities in such cases (cf. point 38). In practice, the prison medical officer often provides opinions concerning the inmate's state of health for use in court in cases relating to the extension of custody.

- The CPT also recommends that the courts be given responsibility for the decision whether a prisoner subject to restrictions may associate with other prisoners.

Response: It is the task of the prison authorities to enforce the restrictions imposed by the courts. Chapter V of the Prison Act contains detailed provisions relating to prisoners other than convicted prisoners. Pursuant to section 49 of the Prison Act, remand prisoners must not be subjected to any restrictions other than those necessary to ensure the purpose of the remand in custody or to preserve peace and security in the institution. Chapter 80 of the Prison Regulations lays down provisions relating to prisoners other than convicted prisoners. Pursuant to section 82, second paragraph, of the Prison Regulations, prisoners for whom no court decision has been taken concerning a remand in custody shall only have the right to associate with other prisoners with the consent of the police. The same applies to a prisoner who is subject to restrictions on correspondence and visits pursuant to a specific decision of the court.

In the opinion of the Norwegian authorities, it is neither expedient nor practical for the courts to decide whether a remand prisoner who is subject to restrictions shall be allowed to associate with other inmates, because an assessment of this type may have to take into account a very large number of factors. The possibility that other inmates may act as an intermediary in passing information could prejudice the investigation. Many prisoners subject to restrictions for a long period of time have been charged with serious drug offences. Fellow prisoners may be tempted by financial reward. It may be very difficult for the court to assess such factors since this requires a knowledge of which other inmates are imprisoned at the same time. Even association with other remand prisoners subject to restrictions may be prejudicial to the investigation because these inmates may pass on information when their own restrictions terminate. In principle, in the interests of the

investigation, it is most expedient for the prosecuting authority to assess which inmates a prisoner may given the right to associate with.

37. The CPT welcomes the statement of the Norwegian authorities that it would be unacceptable to use restrictive measures to create psychological pressure on persons charged with an offence (cf CPT/iNF(94) 11, page 16). Nevertheless, the Committee has misgivings as regards the opinion of the same authorities that the police may legitimately invoke the possibility of imposing, relaxing or lifting restrictions when questioning suspects.

To advise someone that a failure to cooperate will lead to the imposition (or continuation) of restrictions or, conversely, that willingness to cooperate will lead to the relaxation or lifting of restrictions, would appear - at first sight at least - to correspond closely to the concepts of "coercion" or "promises" (cf section 92 of the Criminal Procedure Act).

Further, the distinction which the Norwegian authorities seek to make between information on the use of restrictions which is provided with - as opposed to information which is provided without - "procedural basis", opens the door to abuse. This approach could clearly encourage the police to seek to justify the imposition (or the continuation) of restrictions even in cases when they know that due consideration for the investigation does not require such a measure.

The CPT recommends that the Norwegian authorities review the Prosecution Instructions, in the light of these observations.

Response: There is no doubt that it would be contrary to existing provisions to threaten to remand an accused in custody, or impose a ban on correspondence and visits, in an interview situation. Section 8-2, fourth paragraph, of the Prosecution Instructions stipulates that no use of promises, incorrect information, threats or coercion must be made when conducting an interview.

Remand in custody and the imposition of restrictions on correspondence and visits are enforcement measures which may be used to shed light on criminal acts. The Criminal Procedure Act contains rules stipulating the conditions which must be fulfilled in order to be able to make use of such measures.

It is an undisputed fact that the ability and willingness of an accused person to contribute towards elucidating a case has a significant bearing on the necessity of using these enforcement measures. In cases where the accused refuses to help shed light on the case, it goes without saying that there is a greater need to use enforcement measures than in cases where the accused contributes towards its elucidation.

With reference to the above, the Norwegian authorities are of the opinion that it is permissible to inform the accused of the consequences of his/her cooperation or lack of the same. The Norwegian authorities consider that it is not only permissible to do so, but that it would be incorrect not to do so in cases where considerations related to the investigation might be decisive for the question of remand in custody. Of course, it is not difficult to see that such information might be perceived by the accused as placing him in a coercive

situation and under pressure to cooperate. But this is a situation that has often been brought about by the accused's own actions and dealings prior to arrest. The police are, of course, required to comply with existing provisions governing interviews, for example, that no attempt shall be made to force the accused to make a specific statement.

We cannot see that specific information provided by the police and the prosecuting authorities concerning the use of lawful enforcement measures in such a situation correspond closely to the concepts of "coercion" and "promises".

Given the above, the Norwegian authorities cannot see that there is a need to amend the Prosecution Instructions.

38. With regard to the treatment in prison of remand prisoners subject to restrictions, the CPT recommends that this be governed by detailed directives. These directives should ensure that coordinated efforts are made by staff with a view to offering the persons concerned access to purposeful activities and appropriate human contact. The general aim should be to protect prisoners from experiencing suffering or harm.

Response: The Norwegian authorities have noted the recommendation of the CPT. Since the CPT's visit in March 1997, the Central Prison Administration has drawn up a circular to the prison directors laying down guidelines for the "Treatment of remand prisoners - including special measures for remand prisoners subject to restrictions."

The guidelines focus in particular on possible measures to remedy or mitigate the harmful effects of isolation and lack of human contact suffered by remand prisoners who are subject to restrictions. The prison director is responsible for implementing the measures insofar as this is feasible within the given budgetary constraints. Measures for remand prisoners subject to restrictions shall be given high priority.

Chapter V of the Prison Act and chapter 80 of the Prison Regulations currently contain special provisions relating to remand prisoners. The circular lays down guidelines supplementing and elaborating on the existing provisions. In Point II of the circular, key provisions are reviewed briefly. In this connection, there is reason to mention in particular that remand prisoners who are not subject to restrictions shall be transferred to ordinary cells for convicted prisoners as soon as possible after they have been imprisoned and offered the same facilities as convicted prisoners in terms of association with other inmates, employment, outdoor exercise, activities, etc. (if they so desire). Remand prisoners subject to restrictions are only entitled to associate with other inmates with the consent of the prosecuting authorities.

Under Point III, special guidelines/measures are provided to relieve the harmful consequences of remand in custody, particularly for prisoners subject to restrictions. The following guidelines and measures are set out under Point III:

- *Reception at the prison: To uncover acute problems resulting from imprisonment, as soon as possible after imprisonment the remand prisoner shall be given an opportunity to talk to a member of the prison staff. The director is asked to consider establishing a*

"staff contact scheme", whereby one staff member is responsible for maintaining contact with and following up inmates. Messages to and from the prosecuting authorities shall be transmitted as quickly as possible. Prisoners shall be given information on the prison and the rules and routines in force, including their right to contact the prison chaplain, the medical service and the social welfare service.

- *Extended outdoor exercise: The director is asked to consider extending the period of outdoor exercise to more than one hour per day for remand prisoners. Priority shall be given to prisoners who are not entitled to associate with other inmates.*
- *Human contact: Prison officers shall be sympathetic to the needs of prisoners and offer practical assistance. The prison chaplain, social welfare service and medical personnel should constantly devote special attention to these prisoners.*
- *Communication with the prosecuting authorities: Prison officers or other employees shall report to the prison management if there are special circumstances which warrant lifting or relaxing imposed restrictions. The director shall establish routines to ensure communication with the prosecuting authorities. In cases where the investigation is taking a long time, there may be reason to take the issue up with the prosecuting authorities even if there are no special circumstances that necessitate doing so.*
- *Escorted leave: The prison shall submit the question of whether to grant escorted leaves to the prosecuting authorities when prisoners indicate a legitimate need for such leave, or when a leave appears expedient or liable to reduce the harmful effects (particularly psychological) on prisoners.*
- *Supervision by prison officers and medical personnel (e.g. physician): Remand prisoners who are not entitled to associate with other inmates shall be looked in on by prison officials several times a day. Special attention shall be paid to those who there is reason to fear may injure themselves while in solitary confinement. The prison doctor shall be informed without undue delay of the imprisonment of remand prisoners subject to a ban on or surveillance of correspondence or visits. The doctor shall attend to a prisoner as soon as possible if there is information indicating that the person in question is ill or if a prison officer so requests. Prisoners shall be monitored by medical personnel as long as the restrictions on association with other inmates are in force. The prison management shall be alerted immediately if a prisoner's mental or physical health warrants the lifting or relaxation of restrictions or the implementation of other measures. The prison management shall then immediately inform the prosecuting authorities of the harmful effects of the restrictions on the health of the prisoner and request that consideration be given to lifting/relaxing restrictions. The director shall establish reliable follow-up routines in cooperation with the medical service.*
- *Employment: The director is asked to take steps to facilitate the offer of employment to prisoners who are not entitled to associate with other inmates. High priority shall be given to the provision of employment opportunities.*
- *Activities/studies/reading matter: The director shall take steps to enable prison officers or other employees (e.g. recreation officer, sports coordinator) to include prisoners*

subject to restrictions in various kinds of activity (keep-fit sessions, games, etc.). Prisoners shall be motivated to take self-tuition courses and shall be offered reading matter. The prison should ask the prosecuting authority whether the activity may be carried out in association - possibly limited association - with other prisoners who are not remanded in custody in the same case. In cases where the prisoner expresses a particular need for human contact, an inquiry shall be made to the prosecuting authorities. The director is also requested to assess the possibility of allowing remand prisoners to participate in programmes which they might need and benefit from (conversation groups, crime-related programmes, etc.)

- ***Telephone calls:*** *The Prison Regulations contain provisions which stipulate control measures and limit the duration of conversations. These provisions do not apply to telephone conversations between remand prisoners and their defence counsel. The prison shall adopt a flexible attitude with regard to telephone calls from remand prisoners so that they may contact their defence counsel outside ordinary office hours. In cases where a prisoner has very little money, the prison should cover the cost of necessary telephone conversations with the defence counsel.*
- ***Correspondence/visits:*** *Letters to and from remand prisoners subject to restrictions shall always be submitted to the prosecuting authorities for decision as to whether or not they are to be delivered or sent. This also applies to prisoners subject to a ban on correspondence. The director shall ensure that the letter is sent to the prosecuting authority as soon as possible after its receipt. In cases where the remand prisoner is subject to surveillance of visits, the prison shall as soon as possible after receiving a request for a visit contact the prosecuting authority in order to make detailed arrangements for the visit. In cases where a remand prisoner is subject to a ban on visits, the prison should ask the prosecuting authority if he/she may nevertheless receive visits when this is strongly recommended due to health-related or other reasons (e.g. contact with spouse/child). The prison shall remind the prosecuting authority when inquiries concerning letters and visits have not been replied to within a reasonable time.*
- ***Prison visitors:*** *The directors are requested - in consultation with the prosecuting authorities - to consider the possibility of also making the prison visitor service available to remand prisoners, especially those subject to restrictions. This may only be done if the prosecuting authority has no objection and if the prisoners wish to receive such visits.*