



CPT/Inf (2001) 14

**Follow-up report of the Portuguese
Government
in response to the report of the European
Committee for the Prevention of Torture and
Inhuman or Degrading Treatment or
Punishment (CPT) on its visit to Portugal
from 19 to 30 April 1999**

The Portuguese Government has requested the publication of the CPT's report on the visit to Portugal from 19 to 30 April 1999 (cf. CPT/Inf (2001) 12) and of its interim and follow-up responses. The Government's follow-up response is reproduced in this document (for the interim response, cf. CPT/Inf (2001) 13).

Strasbourg, 26 July 2001

INTRODUCTION

In accordance with the stipulations made in article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatments or Punishment (CPT) undertook their third periodic visit to Portugal, which occurred from 19 to 30 April 1999.

In compliance with article 10, No. 1 of the Convention, the Committee dispatched the report on the visit to the Government of Portugal, which was adopted in the 40th session of the Committee and which was held from 15 to 18 November 1999.

After the dissemination of the Report from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatments or Punishment to all the entities directly involved, the response «*Interim Report*» was timely elaborated by taking into consideration the comments provided by those in charge of the services and organizations, which were visited by the Delegation of the Committee during the above-mentioned third visit.

In similarity with what happened after the two previous visits, the «*Report from the Committee*» and the response «*Interim Report*» from the Portuguese Government have not yet been subject to joint publication. This is certainly because the respective issue has not hitherto been raised at the appropriate headquarters.

The programmes either in progress or to be developed, including some changes introduced as a result of the main concerns expressed by the Committee as well as the dialogue which the latter established with the Portuguese authorities, considering the common interest in strengthening mechanisms of protection for people deprived of liberty, were pointed out in detail in the above-mentioned interim Report.

The present «*Follow-Up*» Report is intended to complement the information, which has already been provided by referencing the main changes carried out in the meantime. Furthermore, it is important to reiterate, once again, that the Portuguese authorities continue to be available to provide the European Committee for the Prevention of Torture and Inhuman or Degrading Treatments or Punishment with all the elements and complementary enlightening explanations that are deemed necessary.

THE CO-ORDINATOR, ON BEHALF OF
THE MINISTRY OF INTERNAL
ADMINISTRATION

(Illegible Signature)

(M. Gomes Dias)

THE CO-ORDINATOR, ON BEHALF OF
THE MINISTRY OF JUSTICE

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(Maria José Matos)

POLICE FORCES

1. Preliminary Observations (paragraphs 9 to 11 and No. 1 of APPENDIX I)

Reiterating all that has been stipulated in sheets 4 and 5 of the *Interim Report*, one must add that the Regulations on the Material Conditions of Detention at Police Establishments, namely, «*Regulamento das Condições Materiais de Detenção em Estabelecimentos Policiais*», which was approved by Order from the Minister of Internal Administration, namely, *Despacho* No. 8 684 /99 (*Diário da República*, II Series, No. 102, of 3 May), is being strictly obeyed with the exception of the issues concerning the characteristics and the physical conditions of the cells (dimensions, layout, construction materials, etc ...) which either require remodelling construction work or large scale reconstruction, for whose purpose the mobilisation of sufficient financial means have not been possible. Furthermore, the complex situations of the Metropolitan Commandos of Lisbon and Porto persist without any alteration thereto.

The same occurs with respect to the recommendation stipulated in Proposal No. 16/97 of the Inspectorate-General for Internal Administration (IGAI – *Inspecção-Geral da Administração Interna*) in as much as the time of retention of a suspect held for identification, which was received by the Minister of Internal Administration and was circulated amongst commanders and persons in charge of the police forces.

This has been observed *in loco* through inspecting actions carried out without prior notice, which have normally been fulfilled by the Inspectorate-General for Internal Administration (*Inspecção Geral da Administração Interna*) throughout year 2000. Moreover, this was verified by means of an action of inspection carried out by surprise by the same entity already in February 2001.

2. Torture and other forms of ill treatments (paragraph 12 to 16 and No. 2 of APPENDIX I)

During the actions of inspection carried out without prior warning and fulfilled by the Inspectorate-General for Internal Administration at police posts and police

stations of the Public Security Police (PSP – *Polícia de Segurança Pública*) and at the units and sub-units of the Republican National Guard (GNR – *Guarda Nacional Republicana*), no circumstances of either physical ill treatments, illegal detentions or other forms of abuse of police powers were detected.

Nevertheless, as far as the grievances lodged to the Inspectorate-General for Internal Administration are concerned and the serious occurrences which this entity either investigated or is busy investigating during year 2000 with respect to the activity of the Republican National Guard, Public Security Police and Aliens and Frontiers Service (SEF – *Serviços de Estrangeiros e Fronteiras*) and associated to the violation of fundamental rights of citizens, the following must be mentioned, namely:

⇒ 3 cases involving death, two of which allegedly occurred either during or as a result of an intervention by members of the Public Security Police in situations involving serious alterations to public order, namely:

- In the first case, which occurred during the night in a residential area of the city of Porto considered as problematic, a criminal case was lodged against the agents involved, whom were held in preventative detention. Nevertheless, it was later observed that during the course of investigations those agents were set free and were cleared of guilt by the competent judiciary authorities through a decision against which an appeal was lodged. Moreover, the '*Tribunal da Relação*' (i.e. a court of appeal) has not reached a decision on the matter.

A disciplinary procedure was brought against the same agents, whose evolution has been on a par and similar to a criminal process since at this moment in time there is with regards to either procedures the presumption of non-culpability of the agents;

- In the second case, which also occurred during the night in an area of the city where drug addicts and drug traffickers usually hang around, criminal proceedings and disciplinary investigations were brought against nine police agents. Elements of proof collected up to the present

date are not conclusive and the respective processes are still within the phase of investigation and in camera proceedings;

- In the third case, which involves the death of a citizen whom had gone to the Coimbra police station where he was allegedly assaulted by the Public Security Police, there is a suspicion that the former died a few days later due to those aggressions. Investigations in terms of both the criminal process and the disciplinary inquiry carried out by the Inspectorate-General for Internal Administration are practically concluded but no decision has however been reached;
- ⇒ 2 cases involving the suicide of persons whom were subjected to either police guard or under police control. The respective processes of investigation conducted by the Inspectorate-General for Internal Administration were archived because of the lack of indices of either criminal or disciplinary responsibility of the Public Security Police;
- ⇒ 82 cases involving corporal aggression and abuse of power, which have nearly always occurred during operations concerning the detention of citizens;
- These 82 incidences are imputable to agents of the Republican National Guard (27), Public Security Police (53) and to the Aliens and Frontiers Service (2);
 - Only 10 cases were deemed to be of major seriousness and were therefore investigated by the Inspectorate-General for Internal Administration, 5 of which concerned the Republican National Guard and 5 concerned the Public Security Police, 7 of which were archived because no type of responsibility, neither criminal nor disciplinary, was found on the agents involved. For the remaining 3 cases the following results were observed, namely, in the first, sanctions involving the suspension of functions for 25 to 125 days were applied to the two agents involved. In the second case, application of the

sanction involving a suspension of functions was proposed with regards to the 6 agents involved, namely, for 20 days (1 agent), 125 days (1 agent) and 75 days (4 agents) respectively. Moreover, the final decision has not been reached yet. As for the third case, the investigation has not yet been concluded;

- Out of the total number of 82 incidences mentioned above, approximately 20 situations occurred in 1999 but these were only reported and investigated in 2000;
- By comparing the number of incidences which occurred in 1999 with those occurring in 2000, a significant reduction in cases regarding ill treatment and abuse of powers imputable to police agents is observed.

3. Material conditions of detention (paragraphs 17 to 25 and No. 3 of APPENDIX I)

As mentioned above in 1., the Inspectorate-General for Internal Administration carried out a surprise action of inspection during mid February in order to verify the evolutions which have in the meantime occurred, by encompassing detention cells of the following police premises, namely, the Metropolitan Commando of Lisbon (Civil Government), Metropolitan Commando of Porto (Bela Vista), Police Commando of Aveiro, Police Commando of Coimbra, Centre of Temporary Premises of the Aliens and Frontiers Service (Airport) and Territorial Group of the National Republican Guard of Aveiro.

The results of the observations highlight the following:

- Some shortcomings concerning artificial illumination were detected, especially in the detention cells of the Commando of Aveiro, Coimbra and Porto, which the respective persons in charge agreed to correct within the shortest possible period of time;

- The procedure pursued by those in charge of the Metropolitan Commando of Lisbon regarding the non-supply of mattresses to detainees continues to be deemed as an entirely justified measure for reasons involving safety and hygiene, considering the successive incidences which have already taken place (fire being set to mattresses if these were manufactured out of inflammable materials and deliberate defecation on mattresses whenever these were manufactured out of non-flammable materials). The option justifiably pursued, was to place wooden platforms over the cement slabs and to supply blankets to detainees;
- A highly positive development was observed at the Centre of Temporary Premises of the Aliens and Frontiers Service (CIT/SEF – *Centro de Instalação Temporária dos Serviço de Estrangeiros e Fronteiras*) at Lisbon Airport. The premises mentioned in the Interim Report (cf. sheet 11 of the French version and Appendix 3) are already being used and fully satisfy the material conditions of space, hygiene and comfort and are endowed with outdoor areas for recreation, leisure and conviviality. Persons detained at the Centre of Temporary Premises of the Aliens and Frontiers Service may use the telephone. Nevertheless, some limitations and restrictions are maintained, which are justified by safety reasons and by requirements from transport companies regarding access to the respective stowage baggage. Moreover, a survival KIT containing towels, bed sheets, items of personal hygiene and a telephone card, is handed out to every person detained by the Centre of Temporary Premises of the Aliens and Frontiers Service. There is also a room at the Centre of Temporary Premises of the Aliens and Frontiers Service endowed with all the necessary conditions so that detained persons may meet with their respective attorneys in private;
- A highly positive development will very shortly also occur at the Police Commando of Aveiro, which is about to move to new premises where the cells are endowed with all the conditions stipulated by the

Regulation approved by Order, namely, *Despacho* No. 8 684/99 (cf. Appendix 1, to the previous Report);

- All the cells inspected were found in a reasonable state of maintenance and kept neat and tidy;
- The General-Commando of the Republican National Guard informed that not a single grievance or complaint associated to the conditions of detention cells at all the units and sub-units of its operational premises was lodged during year 2000 by individuals whom were held in custody within these. Nevertheless, in the face of the Regulation approved by the above-mentioned Order, namely, *Despacho* No. 8 684/99, a survey has already been carried out on all the adaptations and remodelling that will be required to be embarked on so as to strictly comply with the stipulations of that regulation;
- The National Board of Public Security Police (*Direcção Nacional da Polícia de Segurança Pública*) has introduced the Book of Grievances, namely «*Livro de Reclamações*», which is to be used at all the police posts and police stations falling under its operational premises and which must be made available to any person wishing to either lodge a grievance or to criticise the service or even the treatment received by the police agents.

4. Measures and guarantees of protection against ill treatments to detained persons

a. Notification of detention (paragraphs 27 and 28)

The above-mentioned action of inspection unleashed in February of the current year by the Inspectorate-General for Internal Administration permitted the verification that those in charge of police units and sub-units and their respective agents are well aware of the Regulation approved by the Order, namely, *Despacho* No. 8 684/99 (cf. Appendix 1 of the Interim

Report), namely, stipulations in Nos. 14.1 to 14.3. Furthermore, the latter is being adequately obeyed and no grievances or complaints based on either anomalies or deficiencies in complying with the regulatory provisions have been lodged.

b. **Access to an attorney** (paragraphs 29 to 31)

Reiterating what is stipulated on this issue in the Interim Report, the following must be highlighted:

Both those in charge of police units and sub-units and the respective agents reveal that they are most aware of the duties arising from the Orders, namely, *Despacho* No. 8 684/99 and *Despacho* No. 10 717/00 (cf. Appendix 1 and 4 of the Interim Report).

No grievances or complaints were lodged on anomalies or deficiencies regarding compliance with the duty to facilitate the detainee in enjoying direct contact carried out in private with the latter's attorney of record.

Some difficulties associated with the physical conditions of the premises were detected in similarity with the service rendered to persons at police posts and police stations that have not yet been able to be remodelled.

Whenever the detainee does not have an attorney of record, those in charge have performed all the required diligences in conjunction with either the Bar Association (*Ordem dos Advogados*) or its representatives in order for a defence attorney to be appointed.

In the meantime, as a result of the contacts established between the Ministry of Justice (*Ministério da Justiça*) and the Bar Association, the Ordinance, namely, *Portaria* No. 1200 – C/2000 was published (*Diário da República*, I Series B, No. 292, 4th Supplement, of 20 December 2000, which established the fees as well as the responsibilities regarding the respective payment to

attorneys whom are appointed to render legal aid to detainees at police premises (cf. Appendix 1)).

c. **Access to a doctor** (paragraphs 32 and 33)

Available data permits reaching the conclusion that the stipulations in Nos. 21.1 to 21.3 of the Regulation approved by the above-mentioned Order, namely, *Despacho* No. 8684/99, are being honoured.

d. **Information on the rights of the detainee** (paragraph 34)

Available data permits reaching the conclusion that the stipulations in Nos. 21.1 to 21.3 of the above-mentioned Regulation are being obeyed.

e. **Registration of detainees** (paragraph 36)

Available data permits stating that the procedures provided for in Nos. 16.1 and 16.2 of the above-mentioned Regulation are being honoured.

B) PRISON ESTABLISHMENTS

2. **Ill treatments (paragraphs 42 to 51)**

Paragraph 45 – The Auditing and Inspection Services of the Directorate-General of Prison Services (*Serviço de Auditoria e Inspeção (SAI) da Direcção-Geral dos Serviços Prisionais*) continued to develop its activity, be it of its own initiative or on the basis of grievances lodged by prisoners, their families or news from the news media which always results in a process of inquiry being opened. In addition, the Department of Justice (*Ministério Público*) is always informed thereof as long as this is a crime of a public nature.

By complementing the information provided in the interim Report on years 1998 and 1999, **data concerning year 2000**, which result from the activities carried out by the **Auditing and Inspection Services** will now be referred to.

Furthermore, out of a total number of 510 processes submitted at the three nuclei of the Auditing and Inspection Services of the Directorate-General of Prison Services, 54 concerned situations involving physical and / or psychological aggression and 32 have already been concluded.

Five sanctions involving suspension of activity, 4 fines and 2 written warnings were applied owing to the procedural activity.

Out of the 54 processes, 17 have a corresponding criminal proceeding, whose results will be transmitted to the Committee as soon as these are known.

As far as the case disclosed in **paragraph 44** is concerned, the disciplinary process has been concluded. The respective prison guards were handed out 3 sanctions involving effective suspensions.

As far as the criminal process is concerned, prosecution was deduced with the accused having requested the opening of the inquiry, which is in progress.

In the Interim Report information was provided regarding the aim to create a work group to elaborate a document containing the **Principals of Ethics and the Code of Conduct of the Prison Guards Corps** (*Princípios Éticos e o Código de Conduta do Corpo da Guarda Prisional*).

By means of the order (*despacho*) of 9 November 2000 from the Directorate-General of Prison Services, a group was created which is presided by a Deputy Attorney-General (*Procurador-Geral Adjunto*) and made up of a representative from the Office of the Ombudsman (*Provedoria de Justiça*), a representative from the Commission of Human Rights of the Bar Association (*Comissão de Direitos Humanos da Ordem dos Advogados*), a Deputy Director-General of the Prison Services, namely, *Subdirector-Geral dos Serviços Prisionais* (a Judge at Law, on secondment to the Directorate-General of Prison Services where the latter superintends the Auditing and Inspection Services), a female inspector co-ordinator of the Auditing and Inspection Services, two services directors from the Headquarters of the Directorate-General of Prison Services (*Serviços Centrais da*

Direcção-Geral dos Serviços Prisionais), the director of the Penitentiary Training Centre (*Centro de Formação Penitenciária*), a director of a main prison establishment and two prison guards members appointed by the National Trade Union for the Prison Guards Corps, namely, *Sindicato Nacional do Corpo da Guarda Prisional*.

The first meeting was held on 24 November 2000 and the work for the elaboration of the referred document was pursued.

Lastly and in terms of the measures which aim at strengthening the guarantees of persons deprived of liberty, the publication of **Circular No. 3/GDG/2000**, of 1 June regarding **visits of Attorneys** must be referred to.

Amongst other aspects established in conjunction with the Bar Association, it has been determined that **detainees in prison establishments situated in Judicial Police buildings (PJ – Polícia Judiciária)** may be visited by their attorneys as well as may enter into telephone contact with the latter **at any time whatsoever of the day or night** (Appendix 2).

Paragraphs 46 and 47 – As a result of what was previously mentioned insofar as the importance of **staff training** to promote an adequate relationship with the imprisoned population, the Penitentiary Training Centre of the Directorate-General of Prison Services has continued to develop initiatives amongst which the organisation of courses designated as **Intervene in order to Change – Course for Health Mediators, namely, «Intervir para Mudar – Curso de Mediadores de Saúde»**, must be highlighted for year 2000 (Appendix 3).

These courses mobilised different socio-professional strata from the same prison establishment with a view to create functional groups of health mediators, which locally dynamize projects of information and awareness so as to promote health in a prison environment with special emphasis on the prevention of infectious diseases.

In order to optimise these actions, three pilot projects involving in-house training of surveillance personnel designated as **Forewarning with opportunity: The**

Prison Guard intervener on the field, namely, "*Prevenindo com oportunidade: O Guarda Prisional interventor no terreno*", whose programme is hereby submitted and will begin during next April (Appendix 4).

On the other hand, in order to provide continuity to the actions developed in the classroom, the Penitentiary Training Centre views the use of distance learning through the interactive "e-learning" method after all the prison establishments have implemented the computer network, which is forecasted to occur soon.

Paragraphs 49 to 51 – Both the Report elaborated in accordance with the terms of article 8, No. 5 of the Convention and the interim Report furnished the Committee detailed information on the measures adopted and programmed in order to face up to the main problems of the **Police Establishment of Porto** (*Estabelecimento Prisional do Porto*).

In summary and as a result of these measures, information on the decrease in the number of prisoners and the more systematic intervention of surveillance personnel on the inside of pavilions was therefore provided, nevertheless with the understanding that there is a continued need to pay particular attention to this prison establishment.

The surveillance personnel was therefore once again reinforced by making the internal circuit of cameras adjustable to corridors, patios and other common areas totally operational, spreading the programmes of treatment with methadone and antagonists / inhibitors and by searching and seizing drugs.

As far as the surveillance personnel are concerned, the prison administration has privileged this establishment during movements of guard distribution throughout the various prison establishments.

At the time of the visit of the delegation of the Committee in April 1999, the Prison Establishment of Porto had 1 chief guard, 5 deputy chiefs and 196 prison guards.

In the interim report, information was furnished on the existence of 13 deputy chiefs and an additional 10 members of the prison guard corps.

Presently, there are 15 deputy chiefs and 220 prison guards.

On 16 February last, a meeting of assessment was held in which the Deputy Directorate-General of Prison Services, namely, a Judge at Law, whom superintends the Auditing and Inspection Service, as well as the director, chief guard and clinical personnel participated.

Even though the results were positive, it nevertheless is still deemed that the resolution of the entire problem regarding this establishment implies an even greater reduction of the overcrowding.

In this sense and by updating the information provided, one hereby elucidates that the first phase of the construction work on the complementary pavilions at the Prison Establishment of Paços de Ferreira (situated approximately 25 km from Porto) has been concluded and awaits the conclusion of the bid for the acquisition of furniture in order to start operating.

This complementary capacity will be awarded in order to distribute the imprisoned population of the Prison Establishment of Porto.

3. Management of the drug related problems (paragraphs 52 to 66)

Paragraphs 52 to 55 - As far as the measures to prevent drug trafficking are concerned and in order to complement the information furnished in these paragraphs, one hereby refers that the Directorate-General of Prison Services carried out 335 detentions during year 2000. This was achieved due to searches carried out at the prisons using different means of detection.

As previously mentioned, the Auditing and Inspection Services participates in the suppression of drug trafficking whenever this involves members of staff.

As far as the data provided in the interim Report is concerned, an additional disciplinary process on a member of staff must be mentioned, whom is being held in preventative custody and facing a criminal proceeding.

Out of all the actions at law that have been mentioned (8), three criminal convictions with a prison sentence were also pronounced.

Paragraphs 56 to 59 – As far as the area of treatment is concerned, the programmes that the Committee is already aware of have been intensified.

The availability of the treatment with **methadone** has been extended to 33 prison establishments in accordance with the recommendations (paragraph 59). This has been carried out in association with the local Service Centres to Drug Addicts (CAT – *Centros de Atendimento a Toxicodependentes*).

Treatment with antagonists / inhibitors is also possible.

As an example and since the **Prison Establishment of Porto** is one of the prison establishments where the drug problem is particularly expressed, it is hereby mentioned that 126 of its prisoners are presently on the methadone programme (as opposed to 45 at the time of the visit of the delegation of the Committee) and 27 are on the antagonist / inhibitor programme.

The programmes are monitored by 4 psychologists who carry out psychotherapy.

Paragraph 64 – The observation the committee made in this paragraph deserved utmost attention seeing that over and above the pamphlets dispatched with appendix 7 of the interim Report, what must be mentioned concerns the recent distribution of a video on the prevention of Aids and Hepatitis to all the prison establishments, which is to be used in actions of information to prisoners.

Owing to the actions of awareness that have been carried out, the distribution of bleach to prisoners has been significantly intensified.

Furthermore, the articulation between the Directorate-General of Prison Services and the **National Commission for the Struggle against Aids** (*Comissão Nacional de Luta contra a Sida*) in various fields must be stressed. From amongst these, the creation of isolation rooms for infectious diseases, distribution of informative material, training of penitentiary personnel and training of pairs, which is rendered to prisoners so that in conjunction with the remaining prison population at each establishment, they may serve as a channel of information.

Lastly, the good collaboration achieved by other outside entities, particularly the **Narcotics Anonymous** (*Narcóticos Anónimos*) in supporting drug-addicted prisoners must be highlighted.

4. Conditions of detention (paragraphs 67 to 83)

Paragraphs 78 to 79 – As far as the Committee recommendations contained in this paragraph are concerned, what must be stressed is that the Portuguese authorities continue to be profoundly dedicated to resolving the problem of overcrowding by pursuing the adoption of measures of a legislative nature, including remodelling construction work and increasing the capacity of prison establishments, whose measures have already been explained in detail in previous reports to the Committee as well as during the visit.

In terms of the measures regarding the creation of mechanisms to stimulate the use of alternatives to preventative custody, what must be mentioned is that **Law No. 122/99, of 20 August** was published, which started regulating the use of technical means of electrical control used to inspect whether the obligation to remain at home, provided for in article 201 of the Code of Criminal Procedure, is being obeyed.

Use of these **means of electronic surveillance** will be carried out during a trial period, whose duration will not exceed three years.

By means of the **Resolution of the Council of Ministers No. 1/2001** (*Resolução do Conselho de Ministros n°1/2001*) published on 6 January, the structure of a mission was created with the aim of developing strategies on the implementation of the system of electronic monitoring, establishing conditions for its application as well as monitoring the experimental execution of this method of criminal control.

On the other hand, the **construction work** carried out by the Directorate-General of Prison Services has been pursued in accordance with the plans already submitted to the Committee.

Moreover, as a follow up to the information furnished in the interim Report, the following must be highlighted:

- Beginning of the construction work at another pavilion of the Prison Establishment of Leiria (visited by the Committee in 1999);
- Conclusion of the remodelling and the introduction of sanitation in the cells of one of the sectors belonging to one of the Wings of the Prison establishment of Linhó (visited by the Committee in 1992 and 1995);
- Conclusion of the construction work at one of the Wings of the Prison Establishment of Sintra (in the Lisbon area) and start of these at the only Wing where no work had been carried out, including the remodelling of the clinical services;
- Conclusion of the building construction of the Home for Mothers, namely, «*Casa das Mães*» at the Prison Establishment of Tires (main female establishment in the Lisbon area), which is intended to accommodate female prisoners with children in premises separated from the prison pavilions;
- Conclusion of the security section at the Prison Establishment of Pinheiro da Cruz (in the Alentejo);

- Conclusion of the total remodelling of the Prison Establishment of Olhão (in the Algarve);
- Conclusion of Wing F of the Prison Establishment of Lisbon (visited by the Committee in 1999);
- Final phase of the building construction of the new Prison Establishment of Carregueira (in the Lisbon area);
- Building construction of a new Female Prison Establishment in the North is in its phase of award.

In accordance with what has previously been mentioned, the construction work carried out not only aims at improving the material conditions of detention, namely by renovating cells and common areas and by introducing individual sanitation but also aims at increasing capacity.

In this manner, it was once again possible to increase the capacity of the prison establishments, which presently accommodates 11,371 places.

We remind you that the capacity was 8,999 when the major construction works were started at the prison system in 1996. Due to the enormous investment that has been carried out, overcrowding could be reduced from 57.5% as at 31 December 1996 to 12.5% on 31 December 2000.

The recommendation stipulated in **paragraph 83** continues to deserve the utmost attention from the Portuguese authorities by pursuing the actions already mentioned previously.

As far as professional training is concerned, what must now be stressed concerns the recent articulation by the Ministries of Finance and Justice to soon start the **actions regarding training, information and awareness of the Euro**, which are meant for staff and prisoners.

5. Health Services (paragraph 84 to 98)

What must especially be mentioned with respect to this sector is that work on the revision of the Organic Law of the Directorate-General of Prison Services is currently being pursued specially in the areas of education and health.

This last area involves altering entirely the organics of the Headquarters of the Prison Establishments as well as creating incentives to facilitate the recruitment of clinical staff.

As far as the recommendations in **paragraph 96** are concerned, what must be mentioned is that the situation in the Prison Establishment of Leiria has already been overcome. This was achieved by contracting a medical psychiatrist.

6. Additional information

Circular No. 2/GDG/2000 was published on 10 May 2000, which monitored the distribution of the **English version of the law on execution of sanctions**. Furthermore, it determined that an information pamphlet must be elaborated for establishments, which must to be handed out to prisoners and as far as foreign prisoners are concerned, they must at least be handed an English pamphlet (Appendix 5 and 6).