

EXECUTIVE SUMMARY

The main objective of the sixth periodic visit to Sweden was to review the measures taken by the Swedish authorities in response to the recommendations made by the Committee after previous visits. In this connection, particular attention was paid to the safeguards against ill-treatment of persons in police custody and the material conditions, regime and health care service in prisons and immigration detention. The delegation also examined the treatment, conditions and legal safeguards offered to psychiatric patients and residents of homes for young persons.

Police establishments

The Committee is pleased to report that the conclusion reached by the CPT after the 2015 visit – namely that persons deprived of their liberty by the Swedish police run little risk of being physically ill-treated – remains fully valid.

However, as regards the fundamental legal safeguards against ill-treatment by the police, namely the right of detained persons to inform a close relative or another third party of their situation (notification of custody), to have access to a lawyer, and to have access to a doctor, the Committee is concerned to observe remaining shortcomings regarding their implementation.

As on previous visits, the delegation found conditions of detention in all the police establishments to be on the whole fully adequate for the maximum periods of police custody (respectively, 96 and 8 hours).

Establishments for foreign nationals deprived of their liberty under aliens legislation

The delegation visited, for the first time, two closed migration detention centres run by the Swedish Migration Agency, in Åstorp and Ljungbyhed. The delegation did not receive any allegations of ill-treatment by staff; most of the foreign nationals interviewed indicated that the overall atmosphere in both centres was relaxed.

Material conditions in the two detention centres visited were of a high standard, including well-furnished and equipped day/recreational areas. The Committee recommends to further develop the offer of activities for foreign nationals who spend prolonged periods in detention centres. In particular, they should be offered some work and education/vocational training, preferably allowing them to acquire skills that may prepare them for reintegration in their countries of origin upon return.

As regards health care, the Committee calls upon the Swedish authorities to take measures to improve significantly the provision of health care to foreign nationals detained at Åstorp and Ljungbyhed Detention Centres (and, as applicable, in other detention centres), including ensuring adequate access to psychiatric care and psychological assistance.

The Committee is concerned by the fact that, despite its long-standing recommendation, foreign nationals detained pursuant to aliens legislation could still be held in prisons. The CPT must stress once again that, in those cases where it is considered necessary to deprive persons of their liberty under the aliens legislation, they should be accommodated in centres specifically designed for that purpose, offering material conditions and a regime appropriate to their legal situation.

Prisons

During the 2021 periodic visit the CPT's delegation focussed its attention on remand imprisonment and especially on the issue of restrictions. The delegation visited, for the first time, three remand prisons, in Helsingborg, Trelleborg and Ystad.

The CPT's delegation received virtually no recent and/or credible allegations of deliberate physical ill-treatment of prisoners by staff in any of the prisons visited. Most of the inmates interviewed spoke positively about the staff, the general atmosphere was relaxed, and prison officers appeared to be generally professional and well-trained.

The Committee regrets to note that there is still no substantive improvement on the entire approach to restrictions for remand prisoners in Sweden and once again calls upon the Swedish authorities to take decisive steps to ensure that restrictions on remand prisoners are only imposed in exceptional circumstances which are strictly limited to the actual requirements of the case and last no longer than is absolutely necessary.

The regime for prisoners subjected to restrictions remained very impoverished. The regime for remand prisoners not subjected to restrictions was somewhat better, the main difference being that they had more work opportunities. The Committee reiterates its call upon the Swedish authorities to radically improve the offer of activities for remand prisoners. The aim should be to ensure that all such prisoners are able to spend at least 8 hours per day outside their cells, engaged in purposeful activities of a varied nature: work, preferably with vocational value; education; sport, recreation/association.

The Committee notes problems with securing an adequate access to medical consultations (both by general practitioners and by specialists, including psychiatrists and dentists) in the prisons visited and is also concerned that, despite the Committee's long-standing recommendations on this subject, medical screening on arrival was still often delayed by up to 72 hours.

Psychiatric establishments

The delegation carried out first-time visits to the North Stockholm Psychiatric Clinic, the Regional Forensic Psychiatric Clinic in Karsudden, and the Regional Forensic Psychiatric Clinic in Sala.

The delegation received no allegations of any form of ill-treatment by staff in the psychiatric hospitals visited. On the contrary, most of the patients interviewed spoke positively of the staff, especially ward-based staff.

Living conditions in the hospitals visited were generally of a very good or excellent standard and provided a positive therapeutic environment. Staffing levels on the wards were sufficient to provide the necessary treatment and care.

The treatment available was based on an individualised approach, involving the drawing up of a written treatment plan for each patient (with the participation of the patient concerned) and its regular review.

The recourse to means of restraint (including seclusion) did not appear excessive in the hospitals visited and was well documented. However, the Committee is concerned to note that the practice of doctors authorising (or confirming) recourse to means of restraint by telephone, without actually seeing and examining the patient, has not stopped, despite the Committee's recommendation on the matter following the 2015 visit.

As regards safeguards in the context of involuntary hospitalisation, the Committee reiterates its serious misgivings that in Sweden involuntary hospitalisation of a psychiatric patient continues to be construed as automatically authorising treatment without his/her consent. Despite the Committee's repeated recommendations, the Swedish authorities have not taken measures to introduce a procedure whereby all psychiatric patients are placed in a position to give their free and informed consent to medical treatment and, if they require to be treated against their will, appropriate safeguards are put in place.

Homes for young persons

The CPT's delegation visited, for the first time, the Sundbo Home for Young Persons in Fagersta and revisited the Bärby Home for Young Persons in Uppsala, first visited by the CPT in 2003.

The majority of the young persons interviewed by the delegation spoke positively about the staff. However, the delegation received a single allegation of physical ill-treatment, in Sundbo Home, where a staff member had allegedly punched a young person in the face and kicked him in the ribs.

Material conditions varied between the different units of the Homes but were generally of a good standard and offered a positive environment, despite the specific secure arrangements.

Staffing levels at both Homes appeared to be satisfactory to provide the care required; furthermore, the delegation gained a generally positive impression of the daily regime offered to young persons.

Based on the interviews with young persons, the staff, and the examination of records, the delegation gained the impression that the use of seclusion and separate care was not excessive in either of the Homes visited.