

CPT/Inf (2026) 22

Response

**of the Spanish 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 Spain**

from 28 April to 9 May 2025

The Government of Spain has requested the publication of this response*.
The CPT's report on the 2025 visit to Spain is set out in document CPT/Inf (2026) 22.

Strasbourg, 28 July 2026

**Annexes may be obtained upon request from the Secretariat.*

Comments on the final report of the Committee for the Prevention of Torture, drawn up following its periodic visit to Spain from 28 April to 9 May 2025

This report has been drawn up with input from the relevant departments of the Ministry of the Presidency, Justice and Relations with Parliament, the Ministry of the Interior and the Ministry of Youth and Children.

A. Law Enforcement Agencies

1. Preliminary Observations

10. Further, criminal suspects may be detained under the incommunicado detention regime in the exceptional cases outlined by the legislation. According to data provided to the delegation by the Ministry of the Interior, between 2020 and 2024, the incommunicado detention regime was applied to 120 persons held by the National Police and to 92 persons held by the Guardia Civil.

Nevertheless, the Committee remains concerned about its very existence in the legislation because it undermines the effectiveness of the guarantees provided for by Article 520 of the CCP and it heightens the risk of ill-treatment.

The CPT reiterates its longstanding recommendation that the Spanish authorities abolish the use of incommunicado detention and amend the legislation accordingly.

The use of incommunicado detention in Spain is exceptional and infrequent, as the data acknowledged in the report show. Spanish regulation on this subject is in accordance with the Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty. As the Directive 2013/48/EU demands, Spanish regulation clearly sets out the grounds and criteria for any temporary derogations from the rights granted and makes restricted use of those temporary derogations, which are proportional and strictly limited in time and do not prejudice the overall fairness of the proceedings.

According to art. 509.1 of the Spanish Ley de Enjuiciamiento Criminal, i.e., Code of Criminal Procedure (hereinafter, CCP), incommunicado detention can only be allowed by the investigating judge or the court through a reasoned resolution: (a) where there is an urgent need to avert serious adverse consequences for the life, liberty or physical integrity of a person; (b) where there is an urgent need to prevent a situation where criminal proceedings could be substantially jeopardised.



Therefore, incommunicado detention can only take place when it is justified, in the light of the particular circumstances of the case, by a compelling reason specified in the legislation and appreciated by the investigating judge or the court through a reasoned resolution.

Besides, incommunicado detention can last only as long as it is strictly necessary to prevent the risks mentioned above. It cannot last more than a maximum of 5 days, extendable by another 5 days only in specific cases like terrorism offenses or other crimes committed in an organized manner by two or more people.

Beyond that, incommunicado detention does not mean an automatic suspension of the rights of the detainee. Art. 527 of the CCP establishes the optional nature of the temporary derogations from each of the rights affected. Therefore, and only when the circumstances of the case justify so, it may be agreed some of the following temporary derogations: (a) that their lawyer be appointed ex officio; (b) that they do not communicate with all or some of the people with whom they have the right to do so, except with the judicial authority, the public prosecutor and the doctor; (c) that they do not have a private interview with their lawyer; (d) that they or their lawyer do not have access to the case files, including the police report, except for the essential elements to challenge the detention.

Regarding the concerns expressed by the CPT about the effectiveness of the guarantees provided for by Article 520 of the CCP and the risk of ill-treatment on these cases, it should be highlighted that any temporary derogation needs to be allowed by the investigating judge or the court, who must justify the reasons to adopt any of them. Furthermore, the judge shall effectively check the conditions under which incommunicado detention is carried out and may request information to ascertain the state of the detainee and the respect for their rights. And when there is a temporary derogation on the right of a detainee to communicate with any of the persons with whom they have the right to do so, medical examinations shall be carried out at least twice every twenty-four hours, according to medical criteria.

To sum up, Spanish regulation on incommunicado detention is restricted to very specific cases where a compelling reason justifies it, it is always under judicial supervision, any temporary derogations from the rights must be proportional and strictly limited in time and the law establishes additional safeguards to guarantee the state of the detainee and the respect for their rights.

Any arrests and incommunicado detention carried out by the State Security Forces (hereinafter, FCSE) are conducted in accordance with the provisions of Title VI of Book 2 of the CCP, and are considered an exceptional measure. Thus, Article 509 of that law establishes the following regarding incommunicado detention:

- *The investigating judge or court may, in exceptional cases, order detention or incommunicado detention by means of a reasoned decision where any of the following circumstances apply:*
 - *there is an urgent need to prevent serious consequences that could endanger a person's life, liberty or physical integrity, or*
 - *an urgent need for immediate action by the investigating judges to avoid seriously compromising the criminal proceedings.*
- *Detention in solitary confinement shall last for the time strictly necessary to carry out urgent proceedings aimed at averting the dangers referred to in the preceding paragraph.*



Detention in solitary confinement may not exceed five days. In cases where detention is ordered in proceedings relating to any of the offences referred to in Article 384 bis or other offences committed in concert and in an organized manner by two or more persons, solitary confinement may be extended for a further period not exceeding five days.

- *The order in which solitary confinement or, where applicable, its extension is ordered must state the reasons for which the measure has been adopted.*
- *Under no circumstances may persons under the age of sixteen be held in solitary confinement.*

In accordance with current legislation, the regulatory framework applicable to the FCSE is supplemented by Instruction 10/2025 of the Secretary of State for Security, which updates the comprehensive procedure for police custody, specifying the procedure to be followed in cases of solitary confinement, with the necessary legal safeguards.

The need for incommunicado detention stems from the special nature or seriousness of certain crimes, as well as the circumstances surrounding them, which may make it essential for the investigation to be conducted with the utmost discretion in order to ensure its success.

The decision to place a detainee in incommunicado detention is taken by the judicial authority and, under no circumstances, may it be imposed on minors under the age of 16.

As established in Article 520 Bis of the CCP, the situation of the detained person is at all times under the control of the judicial authority, since the judicial body may, at any time, request information and ascertain the situation of the person deprived of liberty, either personally or through delegation to the head of the Investigating Court of the district or area where the person is being held.

The guarantees introduced to control situations of incommunicado detention express the State's commitment to respect human rights. The investigation of the most serious crimes, such as the fight against organised crime or terrorism, requires investigative tools that compensate for the clear disadvantage faced by the victim, society and the State itself.

In Spain, incommunicado detention is an exceptional precautionary measure that can only be ordered by a judge and that limits, but does not eliminate, certain rights of the detainee, especially those of communication and legal assistance.

Even under incommunicado detention, basic constitutional guarantees remain in place (information on rights, judicial review, legal assistance, medical care, temporary review of detention).

The applicable legal regime is determined by the provisions of:

A. Spanish Constitution (CE):

i. Art. 17 CE:

"1. Everyone has the right to liberty and security. No one may be deprived of their liberty except in accordance with the provisions of this article and in the cases and in the manner provided by law.

2. Preventive detention may not last longer than the time strictly necessary to carry out the investigations aimed at clarifying the facts and, in any case, within a maximum



period of seventy-two hours, the detainee must be released or brought before the judicial authority.

3. Every detained person must be informed immediately, and in a manner that is understandable to them, of their rights and of the reasons for their detention, and may not be compelled to make a statement. The assistance of a lawyer to the detainee in police and judicial proceedings is guaranteed under the terms established by law.

4. The law shall regulate a habeas corpus procedure to ensure the immediate availability before a judge of any person unlawfully detained. Likewise, the maximum duration of provisional imprisonment shall be determined by law."

B. Code of Criminal Procedure (CCP):

- i. Art. 520 CCP: regulates the rights of the detainee (information on rights, right to remain silent, lawyer, doctor, communication with relatives, interpreter, etc.).
- ii. Art. 509 CCP: regulates judicial incommunicado detention of detainees and prisoners as an exceptional measure, including its requirements, duration, and justification.
- iii. Art. 520 bis CCP and special provisions: provide for extended time limits in terrorism-related offenses (detention up to 5 days, extendable in certain cases).

1. Concept and cases in which incommunicado detention is appropriate:

Incommunicado detention is a form of deprivation of liberty in which the detainee or prisoner is restricted in their contact with the outside world (family members, other close associates and confidential interviews with their solicitor), with the aim of protecting the criminal investigation or particularly sensitive legal rights.

2. It can only be agreed upon when one of the following legal circumstances applies:

- Urgent need to avoid serious consequences that endanger the life, liberty or physical integrity of a person.
- Urgent need for immediate action by investigating judges to avoid seriously compromising the criminal proceedings (e.g. destruction of evidence, alerting third parties, serious obstruction).

It is typically applied in investigations of terrorism, organized crime or particularly serious crimes where there is a specific risk to individuals or to the success of the investigation.

The measure is therefore considered extraordinary, subsidiary (only when there is no other equally effective measure) and subject to restrictive interpretation.

3. Who can order it and how:

Only the judicial authority (investigating judge or competent court) can formally order incommunicado detention by means of a reasoned order. The police and the Public Prosecutor's Office cannot order it independently; they can only request it from the judge, although in urgent cases they can place the detainee in a de facto situation of provisional incommunicado detention, which must be immediately submitted for judicial ratification.



4. The order granting incommunicado detention or its extension must:

- Be reasoned, setting out the specific grounds justifying the measure.
- Specify the duration and, where appropriate, the extension within the legal limits.
- Assess the suitability, necessity and proportionality of incommunicado detention compared to other less harmful measures.
- The absence of sufficient grounds may lead to the nullity of the measure and of the procedural acts derived from it if they result in a lack of defense.

5. Maximum duration of incommunicado detention

The general time limit is a maximum of five days of incommunicado detention. In cases of terrorism or armed gangs, this may be extended for a further five days, subject to a new reasoned court order, reaching up to ten days of incommunicado detention.

These periods are part of the general regime of detention and, where applicable, pre-trial detention, which have their own limits (maximum police detention of 72 hours, extendable to 5 days in terrorism cases with judicial authorization).

6. Material content of incommunicado detention

Incommunicado detention does not mean depriving the detainee of their rights, but rather restricting certain rights of communication and defense, while maintaining others.

Restrictions during judicial incommunicado detention:

- You may not communicate with family members or other persons, except with the judicial authority, the Public Prosecutor's Office and the forensic doctor.
- You may not communicate by telephone with third parties of your choice, nor may you directly inform family members of your place of custody.
- The right to appoint a lawyer of your choice is restricted, with a specialized duty lawyer being imposed, with restrictions on private interviews.
- Access to proceedings is restricted, with access only to elements essential for challenging the legality of the detention.
- These restrictions particularly affect the right to defense, which is why the legislator requires strong justification and very strict judicial control of the measure.

7. Rights and guarantees of detainees held incommunicado

Even under incommunicado detention, a series of guarantees derived from the Constitution, the CCP and international human rights standards remain in force.

7.1. Rights that remain in force

Right to be informed immediately, clearly and comprehensively:

- Of the charges against you, the reasons for your detention and your rights.
- Right to remain silent: You may refuse to make a statement, refuse to answer certain questions, or only make a statement before a judge.
- Right not to testify against yourself and not to confess guilt.



- Right to legal assistance: A solicitor must be present during police and judicial proceedings, although incommunicado detention usually limits private interviews with the solicitor.
- Right to medical assistance: The detainee may be examined by a forensic doctor and, in the case of incommunicado detention, even by a second forensic doctor appointed by the judge if requested.
- Right to an interpreter: If the detainee does not know the language or has a hearing impairment, a free interpreter is guaranteed.
- Right to challenge the arrest: Access (by the detainee or their lawyer) to the essential elements of the proceedings in order to challenge the legality of the deprivation of liberty.
- Possibility of filing a habeas corpus petition when appropriate and, subsequently, ordinary appeals, constitutional protection and, if necessary, a complaint before the European Court of Human Rights.

7.2. Limited or suspended rights

- Communication with family members or trusted persons: In ordinary detention, the detainee has the right to have a family member informed of the arrest and place of custody and to make one telephone call; in incommunicado detention, these communications are suspended for the duration of the measure, unless a court decides otherwise.
- Free choice of solicitor: Under ordinary detention, the detainee may appoint a solicitor of their choice; in incommunicado detention, a specialized court-appointed solicitor is usually imposed, with no possibility of free choice during that time.
- Prior confidential interview with the solicitor: In ordinary detention, the detainee may meet confidentially with their solicitor; in incommunicado detention, the interview may not be prior or may be highly restricted so as not to frustrate the purpose of the measure.
- Written communications or visits: Prisoners in solitary confinement cannot receive visits or correspond, except in cases authorized by the judge that do not frustrate the purpose of solitary confinement.
- Judicial control, appeals and responsibility: The regulation of solitary confinement is accompanied by control mechanisms and channels for responding to abuses or irregularities.
- Permanent judicial control: The judge may at any time lift the incommunicado detention if the reasons justifying it cease to exist.
- Challenging the measure: The detainee or their defense may appeal the order granting or extending the incommunicado detention, although in practice, full challenges often occur once the measure has been lifted.
- The nullity of investigative acts carried out during incommunicado detention may be requested if a violation of procedural rules and effective defenselessness is demonstrated (e.g. confessions under pressure, lack of effective legal assistance).
- Habeas corpus: Applicable in cases of unlawful detention, including detention ordered or carried out irregularly; however, its practical application in cases of judicially ordered



incommunicado detention is very limited, being mainly reserved for cases of de facto incommunicado detention ordered by the police without adequate judicial oversight.

8. Responsibility of the State and its agents.

Unlawful incommunicado detention may give rise to disciplinary, criminal or financial liability on the part of the officials involved and the State itself, as well as to reparations at the domestic level and before the European Court of Human Rights.

2. Ill-treatment

16. In light of the delegation's findings during the 2025 visit, the Committee considers that the Spanish authorities should remain vigilant to any signs of ill-treatment and excessive use of force by police officers.

The CPT recommends that the Minister of the Interior and the Heads of the National Police and the Guardia Civil continue to deliver a strong message to all police officers at regular intervals on zero tolerance regarding ill-treatment, stressing that no more force than is strictly necessary should be used when carrying out an apprehension and that there can be no justification for striking apprehended persons who have been brought under control.

While the commitment of the Spanish authorities to build the capacity of police officers on a broad range of human rights related topics is positive, the CPT recommends enhancing the skills of police officers involved in apprehending criminal suspects through regular on the job trainings, including on conflict de-escalation and manual control techniques.

Further, where it is deemed essential to handcuff a person at the time of apprehension or during police custody, the CPT recommends that handcuffs are under no circumstances excessively tight and are applied only for as long as is strictly necessary on the basis of an individual risk assessment. Handcuffing arrested suspects during their transportation should therefore also be subject to a risk assessment given the potential to cause unnecessary pain to the person concerned and the risk of injuries in case of an accident.

Further, the Spanish authorities need to ensure in this context that transfer vehicles are equipped with safety belts, so as to guarantee the safety of detainees during transfers.

As set out in Organic Law 2/1986 of 13 March on Law Enforcement Agencies, these agencies enable the public authorities to exercise a monopoly over the institutionalized use of legal coercion; and therefore, police protocols would allow, in certain cases where the safety of persons or the integrity of property is seriously compromised, the use of force where necessary.

Similarly, Instruction 10/2025 of the Secretary of State for Security, which updates the comprehensive procedure for police arrest, establishes the following regarding the use of force during arrest:



3.- THE USE OF FORCE DURING ARREST

3.1.- *When carrying out an arrest, the officer shall act decisively and maintain control of the situation, in order to avoid, as far as possible, the use of techniques or instruments of restraint or direct coercion and, if this is not possible, to ensure the minimum harm to both the person being arrested and the officers involved, taking into account in all cases any special and/or vulnerable characteristics of the person that have been observed by the officers involved.*

3.2.- *Where a person resists arrest, if circumstances permit, the officer shall first require them to desist from any potentially violent behavior.*

Should the person continue to behave in this manner, the officer must assess the intensity, aggressiveness and potential for harm of the resistance, and use force proportionately in accordance with these circumstances.

3.3.- *Police officers are authorized to use the necessary force during an arrest where there is resistance to the arrest or where it is carried out in circumstances that may pose a serious risk to public safety, as well as in cases where there is a reasonably serious risk to the life of the officers, their physical integrity or that of third parties.*

3.4.- *Whenever the use of force is required to effect an arrest, officers must ensure that the intensity and means employed are the most suitable and appropriate, and to this end they shall act in accordance with the principles of appropriateness, consistency and proportionality.*

Furthermore, with regard to police training in the use of force, this ISES stipulates:

14. POLICE TRAINING

In the various training programs of the Directorate-General of the Police and the Directorate-General of the Civil Guard, priority shall be given to training measures relating to human rights and the use of force during arrest, with the aim of ensuring that the training provided complies with criteria of integrity, dignity and effectiveness, and prevents any abusive, arbitrary or discriminatory practices.

In line with the above, the Ministry of the Interior is firmly committed to promoting respect for human rights, upholding a policy of 'zero tolerance' towards any conduct that might undermine them. The legal and de facto protection of these rights is a key priority for the work of the Ministry of the Interior, the Secretary of State for Security (SES) and its subordinate bodies, for whom the promotion and respect of these rights guide their professional conduct.

Due to the very nature of their functions, the law enforcement agencies play a leading role in this protection and respect for human rights, a task of enormous complexity.

Consequently, through Instruction 1/2022 of the Secretary of State for Security, the National Office for the Guarantee of Human Rights (Oficina Nacional de Garantía de los Derechos Humanos - ONGADH) was established, operating as a mechanism for monitoring, coordination and evaluation that helps to highlight and promote the commitment of the law enforcement agencies to respecting human rights, thus complementing the conduct of thorough and effective investigations into incidents that may infringe fundamental rights during police



operations. Currently, the ONGADH is integrated into the organizational structure of the Staff Screening and Security Services (Inspección de Personal y Servicios de Seguridad - IPSS), carrying out the analysis, monitoring and oversight of any incident that may constitute a violation of citizens' fundamental rights by the FCSE in the exercise of their powers.

The aforementioned Instruction 10/2025 of the SES, which updates the Comprehensive Procedure for Police Arrests, states in its preamble that this procedure is in line with international human rights standards, which promote policing based on the principles of equality and non-discrimination. It also provides that, in the various training programs of the Directorate-General of the Police and the Directorate-General of the Civil Guard, priority attention shall be given to training measures relating to human rights and the use of force during detention, with the aim of ensuring that the training provided meets criteria of integrity, dignity and effectiveness, and prevents any abusive, arbitrary or discriminatory practices.

Furthermore, this IPSS, in relation to the activities and functions of the ONGADH, in accordance with the provisions of ISES 1/2022, and with a view to fulfilling one of the functions assigned to it, regularly organizes training initiatives on human rights protection aimed at members of the FCSE. As a result, specific training has been provided to more than 500 members of the FCSE.

Furthermore, within the respective spheres of the forces, the following are noteworthy:

- Within the Directorate-General of the Civil Guard, General Order 1/2018 of 18 January, amended by General Order No. 8/2025 of 20 June, on the Operational Intervention System (SIO).
- Within the General Directorate of the Police, where the National Shooting Plan defines the training to be undertaken by members of the National Police. Circular of 10 July 1989.

Finally, this IPSS, in relation to the activities and functions of the NGO for Human Rights (ONGADH), in accordance with the provisions of ISES 1/2022, and in order to fulfil one of the functions assigned to it, regularly organizes training sessions on the protection of human rights aimed at members of the law enforcement agencies (FCSE). In this way, specific training has been provided to more than 500 members of the FCSE.

The use of shackles during detention is set out in Instruction 10/2025 of the SES, which updates the Comprehensive Procedure for Police Detention, in accordance with the provisions thereof and taking into account the principles of consistency, appropriateness and proportionality. In this regard, the aforementioned SES Instruction states:

4. RESTRAINT OF THE DETAINEE, PERSONAL SEARCH AND THE USE OF SHACKLES.

4.2. The following guidelines shall be observed regarding the use of leg irons:

1. The use of leg irons during arrest is considered to be one of the security measures that may be adopted in the circumstances provided for in Article 525 of the CCP, unless otherwise ordered by the judicial authority and recorded in writing in the police report.

However, the officer carrying out the arrest or escort, taking into account factors such as the nature of the offence, the personal circumstances of the arrested



person, such as age, physical limitations or attitude, and the circumstances of their arrest, may assess the appropriateness of applying this measure or not, with the aim of exercising discretion and not damaging the reputation of the arrested person.

2. As a general rule, handcuffs shall be applied with the hands behind the back, without prejudice to exceptional situations where it is advisable to apply them in front. In the case of transport by vehicle, their use shall be adapted to the characteristics and safety conditions of the vehicle, the dangerousness of the detained person and their physical characteristics, avoiding attachment to fixed parts of the vehicle.

3. Standard wrist restraint systems, in any form, shall be used as a matter of priority; however, in exceptional emergency circumstances or due to the nature of the operation in question, and always on a temporary basis, the use of plastic handcuffs, safety ties or similar devices shall be permitted.

4. Officers must be aware at all times that immobilization using any restraint may impair the physical abilities of the detained person; therefore, it must be carried out in such a way as to avoid unnecessary suffering in all cases.

5. Notwithstanding the general rule described above, account shall be taken of exceptional circumstances that warrant reducing or adapting this measure, such as in the case of pregnant women, minors or other persons with special needs for care and protection, in accordance with the content of the protocol attached as Appendix III.

Furthermore, within the remit of the Ministry of the Interior, with regard to the transport of detainees and prisoners, Order INT/2573/2015 of 30 November, which sets out the technical specifications to be met by vehicles used for the transport of detainees, prisoners and convicted offenders, the minimum technical and safety requirements are defined for vehicles used for the urban and inter-urban transport of detainees, prisoners and convicted offenders, with a capacity of up to nine seats, including the driver and escort.

Similarly, within the law enforcement agencies, there are regulatory standards that guarantee the safety of detainees and prisoners, such as:

- Technical Standard for the Transport and Custody of Detainees, Prisoners and Convicted Offenders, issued by the Deputy Directorate-General for Operations of the Directorate General of the Civil Guard, dated 7 May 2004.
- Circular 4/2019, protocol for the transport of detainees in public security vehicles, issued by the Deputy Directorate for Operations of the Directorate-General of the Police.

All of the above must always take into account the Guidelines on the Transport of Detainees issued by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). June 2018.

Nevertheless, it should be emphasized that article 520.1 of the CCP establishes that arrests must be carried out in a manner that causes the least possible damage to the reputation and property of the arrested person and establishes the obligation for the police personnel responsible for carrying out the arrest to ensure 'the constitutional rights to honor, privacy and image of those arrested, with respect for the fundamental right to freedom of information'.



Therefore, the use of physical means of restraint during police custody is discretionary, depending on the circumstances of the specific case, and may be adopted in the cases provided for in Article 525 of the CCP, unless otherwise ordered by the judicial authority in writing in the police report.

The correct and appropriate treatment of detainees is a matter of constant reminder and updating for all Civil Guard officers involved in these tasks.

In this regard, within the framework of the Civil Guard's Operational Intervention Plan and through the Patio workshops of the continuous training system, officers are trained in different techniques and procedures, including the subduing and control of suspects, as well as the use of tasers and defense techniques.

All these issues are addressed in order to guarantee the safety of the acting force, the detained person and to respect the rights of all.

18. The CPT recommends that the information included in the medical record should contain:

- i. an account of the statements made by detained persons which are relevant to the medical examination (including the description of their state of health and any allegations of ill-treatment made by them);***
- ii. a full account of objective medical findings based on a thorough medical examination;***
- iii. the healthcare professional's observation in light of i) and ii), indicating the consistency between any allegations made and the objective medical findings;***
- iv. the results of additional examinations performed, detailed conclusions of the specialized consultations carried out, and treatment given for the injuries, or any further procedures conducted; and***
- v. "body charts" for marking injuries and colour photographs, to be filed in the medical record of the person concerned. In addition, all documents should be compiled systematically in a special trauma register.***

The Spanish authorities should also pursue their efforts to build the capacity of healthcare staff involved in examining and treating detained persons (including initial and on the job training activities), on how to record and report in a timely manner detained persons' injuries in line with the precepts mentioned above. Further, a copy of the injury report should be made available to the detainee concerned.

19. The delegation noticed once again the lack of confidentiality of the medical examinations of detained persons at clinics, hospitals, police stations and at the time of their admission to prisons. In most instances examined by the delegation, police officers or prison staff remained by the examination room door or were present within. However, detained persons were reportedly only handcuffed in several instances at the request of the healthcare staff, if assessed to be at high-risk due to their agitated behaviour.¹⁸ (See recommendation in paragraph 16 above).



20. In light of the above, the Committee takes the view that, as a general rule, all medical examinations should be conducted out of the sight and hearing of police officers and prison staff, under conditions fully guaranteeing medical confidentiality. However, the Committee recognizes that the presence of non-medical staff at the request of the healthcare professional may be warranted in exceptional cases, as may the maintenance of handcuffing.

Law 41/2002 of 14 November, the basic law regulating patient autonomy and rights and obligations regarding clinical information and documentation, sets out in Article 15 the minimum content of each patient's medical record. The autonomous communities, in the exercise of their powers regarding healthcare management, have been implementing different models and solutions for medical records or health records for the internal use of their respective centers and services, which, in recent years, have replaced traditional paper-based records with digital or electronic ones.

Furthermore, Law 11/2007 of 22 June on citizens' electronic access to public services and its implementing regulations address those aspects where regulatory provisions must be common, such as interoperability, which, as the capacity of information systems and the procedures they support to share data and enable the exchange of information and knowledge between them, is necessary for cooperation, development, integration and the provision of joint services by public administrations.

Thus, by Royal Decree 1093/2010 of 3 September, which approves the minimum set of data for clinical reports within the National Health System, as a regulation having the status of a basic law within the meaning of Article 149.1.1 and 16. of the Constitution, which confers upon the State the powers to establish the basic conditions guaranteeing the equality of all Spaniards in the exercise of their rights and the fulfilment of their constitutional duties, and the foundations and general coordination of healthcare, respectively, is issued in accordance with the powers conferred by the third additional provision of Law 41/2002 of 14 November, and Article 56 of Law 16/2003 of 28 May. Thus, this Royal Decree sets out in Annex VII the minimum content of the summary medical record.

In addition to the above, it should be borne in mind that all information relating to medical data is subject to special protection with regard to the processing of such information, in accordance with the provisions of Organic Law 3/2018 of 5 December on the Protection of Personal Data and the Guarantee of Digital Rights.

It should also be noted in this regard that the comprehensive procedure for police detention (Instruction 10/2025 of the SES) states that:

...Healthcare and relevant medical examinations shall be carried out with due regard for the detainee's privacy, whilst ensuring that the necessary security measures are in place at all times. A written record shall be kept of such examinations, describing all the circumstances in which they took place...

...The necessary measures shall be taken to guarantee the detainee's right to be examined by the forensic doctor, their legal substitute or, failing that, by the doctor of the institution in which they are held, or by any other doctor employed by the State or other public authorities...



Furthermore, with regard to the Detainee Custody Register (SES Instruction 10/2025), it stipulates that:

...it is necessary to indicate whether the detainee has undergone a medical examination following their detention, suffers from any illness, has special care and protection needs, or is undergoing duly prescribed pharmacological treatment.

Thus, the medical examinations and doctors involved, as well as the prescription and administration of medication, shall be recorded in the chain of custody and incidents section provided for in the register of detainees.

As regards the Digital Medical Record (HCD-OMI) for prison healthcare incorporates a specific protocol for issuing injury reports, designed in accordance with the provisions of the Istanbul Protocol. This report:

- Must be completed in its entirety, preventing the process from moving forward until all sections have been completed.
- Includes the information necessary to facilitate the investigation of allegations of ill-treatment, collecting the statements of the person and the objective medical findings.
- Allows healthcare professionals to record their observations on the consistency between allegations and findings, as well as the results of medical examinations, consultations and treatments applied.
- Once completed, the system generates three printed copies, which are sent to the Duty Court, the Prison Supervision Court and the person concerned, thus fulfilling the obligation to provide a copy to the person deprived of liberty.
- The completion and processing of the report are regulated by instructions and service orders, and there is also a Protocol User Manual available in the digital medical record.
- Healthcare personnel receive specific initial training on medico-legal issues and how to complete the report, in accordance with the principles of the Istanbul Protocol (sections 83 and 84).
- Medical examinations are carried out in accordance with current healthcare protocol and applicable regulations, guaranteeing the principles of confidentiality and patient autonomy, within the framework of the legal and ethical obligations governing medical practice in Spain.
- The HCD-OMI system has a specific section called 'Injuries', which includes:
 - Body map with numbered legend (1 to 64) to locate injuries in different parts of the body.
 - Fields for type of injury, detailed characteristics (dimensions, secretion, pain, signs of infection, necrotic tissue, drainage, etc.) and treatment applied.
 - Date and professional performing the registration. This resource allows compliance with the requirement to incorporate body charts to mark injuries.



- In addition, the system allows reports to be exported by date range, including all persons who have been issued injury reports during that period and by prison establishment, thus ensuring the existence of a systematic record within the prison health system.

Therefore, the recommendation is already being implemented in practice, given that the HCD-OMI system guarantees the comprehensiveness, systematic nature and traceability of injury reports, including the possibility of recording the location on a body map, the characteristics of the injuries, the treatment applied and the export of reports by date range, which allows for systematic recording.

Medical staff receive specific initial training, both when joining the Prison Medical Corps and when joining as temporary staff. This training includes content on conducting medical examinations for the purpose of identifying injuries, correctly completing injury reports and the obligation to guarantee, as far as possible, the confidentiality of care.

Likewise, all professionals have access to a repository of procedures and manuals on the corporate intranet, which detail how to act in different clinical situations, specifically those in which injuries are identified.

It should be noted that medical personnel in the prison system are subject to the Medical Code of Ethics, Law 41/2002, which regulates patient autonomy and rights and obligations regarding clinical information and documentation, as well as regulations on personal data protection (LOPDGDD and GDPR), and that persons deprived of their liberty retain all their rights, except those expressly limited by the sentence imposed, and therefore the confidentiality of healthcare and the protection of privacy must be guaranteed at all times.

However, it should also be noted that healthcare in a prison is provided in an environment with risks inherent to the characteristics of the setting and that, for reasons of healthcare personnel safety and depending on the clinical and behavioral status of the person being assessed, on occasions and for duly justified reasons, the presence of security personnel on site or in the vicinity may be necessary, always maintaining the minimum possible interference in the clinical act and in confidentiality. This measure does not restrict professional autonomy or the quality of the assessment and is adopted exclusively to ensure the safety of all those involved.

21. The CPT calls upon the Spanish authorities to ensure that, as a general rule, all medical examinations of persons in police custody should be conducted out of the sight and hearing of police officers and custodial staff, under conditions fully guaranteeing medical confidentiality, unless exceptionally the healthcare professional concerned expressly requests otherwise in a given case.

In this regard, it should be noted that the right to a medical examination for persons in police custody is enshrined in the Royal Decree of 14 September 1882 approving the CCP, specifically in Article 520, which provides as follows:

1. Arrest and pre-trial detention must be carried out in the manner least prejudicial to the arrested or detained person's person, reputation and property. Those who order the measure and those responsible for carrying it out, as well as for subsequent



transfers, shall ensure the constitutional rights to honor, privacy and image of those concerned, whilst respecting the fundamental right to freedom of information.

2. Every person who is arrested or detained shall be informed in writing, in simple and accessible language, in a language they understand and without delay, of the facts attributed to them and the reasons for their deprivation of liberty, as well as of the rights to which they are entitled, and in particular the following:

i) The right to be examined by a forensic doctor or their legal substitute and, failing that, by a doctor from the institution in which they are held, or by any other doctor employed by the State or other public authorities.

6. Legal assistance by counsel shall consist of: a) Requesting, where appropriate, that the detained or imprisoned person be informed of the rights set out in paragraph 2 and that, if necessary, the medical examination referred to in subparagraph (i) be carried out.

In support of the foregoing, Article 523 of the aforementioned CCP provides that:

Where the detained or imprisoned person wishes to be visited by a minister of their religion, by a physician, by their relatives or by persons with whom they maintain relations of interest, or by those who may give them advice, such visits shall be permitted, under the conditions prescribed in the Prison Regulations, provided that they do not affect the secrecy and success of the investigation. Communication with defense counsel may not be prevented while the person remains incommunicado.

3. Safeguards against ill-treatment

22. i) The right to be examined by a forensic medical examiner or his or her legal substitute, and, if unavailable, by a physician attached to the institution where the person is held, or by any other physician serving under the State or other Public Authorities.

In this regard, the aforementioned ISES 10/2025 stipulates in section 6.8, with regard to medical examinations:

6.8.- The necessary measures shall be taken to guarantee the right of the detained person to be examined by the forensic doctor, their legal substitute or, failing that, by the doctor of the institution in which they are held, or by any other doctor employed by the State or other public administrations.

Such an examination shall be carried out in accordance with the provisions of the third subparagraph of section 2.4, and a record of this shall be made in writing in the register and custody record of detainees.

The aforementioned section 2.4 states:

In the case of the detention of persons who, by their outward behavior, show that they are seriously affected by the consumption of alcohol, narcotics or other substances, or affected by some form of mental disorder, including a temporary one, their healthcare



must be guaranteed with the urgency that the case requires. The same procedure shall apply where the detainee has injuries, whether or not resulting from the detention itself, as well as in the case of pregnant women, in accordance with the provisions of the protocol attached as Appendix III.

Healthcare and relevant medical examinations shall be carried out with due regard for the detainee's privacy, whilst ensuring that the necessary safety measures are in place at all times. A written record shall be kept of such examinations, detailing all the circumstances in which they took place.

In this way, the police officer must balance the privacy of the person in police custody with the security measures necessary for both the police medical staff and the detainee themselves. Thus, any decision taken in this regard, provided it is justified, shall be in the interests of the safety of the person in police custody.

It should be emphasized that medical examination is a right of the detained person, which consists of the right to be examined by the forensic doctor or his legal substitute and, failing that, by the doctor of the institution where he is being held, or by any other doctor employed by the State or other public administrations.

The purpose of this right is to protect the integrity of the detained person. From the moment the police arrest a person until they are brought before a judge or released, they become guarantors of their safety and personal integrity, including during the period of time in which the detained person undergoes the appropriate medical examination. This protection must be extended to the healthcare personnel who carry out this procedure.

Instruction 10/2025 stipulates that healthcare and relevant medical examinations shall be carried out with respect for the privacy of the detained person, ensuring the necessary security measures in all cases. A written record shall be made of such examinations, describing all the circumstances in which they took place.

23. Most peoples interviewed by the delegation stated that they had been informed of their rights, orally upon apprehension, and in writing shortly after their arrival at the police station (as confirmed by signing a written information sheet setting out their rights). Interpretation services were also available, including by telephone.¹⁹ Moreover, some of the establishments visited had written information sheets with simplified language for people with intellectual disabilities and illiterate people.

However, as had been the case in the past, several people, in particular foreign nationals and illiterate people, stated that they had signed the information sheets but did not understand the implications of their rights. They were consequently unable to avail themselves of the safeguards provided for in the legislation to ensure their protection. Further, at the Cadiz Guardia Civil Headquarters information sheets on the fundamental rights of persons in police custody were only available in Spanish.

The delegation met some detainees who had not been permitted to keep a copy of the information sheet in their cells.



In relation to this section, although, as already indicated, no ACUDE Centre of the Algeciras Command was visited, it is reported that in all ACUDE centers, detainees are informed of all their rights both orally and in writing, with rights reading sheets available in all languages. Likewise, all detainees are informed of their rights to be assisted by an interpreter.

At the ACUDE center of the Cadiz Command, visited by members of the CPT, there is a form to be given to detainees upon their arrival at the ACUDE center, as well as for the removal and return of personal belongings, as established by Instruction No. 10/2025 of the Secretary of State for Security, which updates the 'Comprehensive Police Detention Procedure'.

The necessary measures are being taken to ensure that the Civil Guard Headquarters in Cadiz, as well as the rest of the Corps' units, have the information sheet on fundamental rights for detainees available in several languages.

With regard to detainees who claim that they are not allowed to keep a copy of the information sheet in their cells, it should be noted that this Command does not provide such copies for security reasons, as the document could be used as a sharp object capable of causing self-harm.

As for allowing detainees to keep a copy of the information sheet on fundamental rights, we act in accordance with approved and established procedures in order to guarantee the safety of the individual. These measures include the removal of any objects and belongings that could be used to threaten the safety and health of the detainee or those who have to interact with them.

However, the arrest and reading of rights records for detainees, suspects, etc. are available, translated into 11 languages, at the following link on the corporate intranet:

[https://web.intranet.gc.es/portalGuardia/interesProfesional/Vocabulario Policial/En varios idiomas/Diligencia de lectura de derechos en varios idiomas /](https://web.intranet.gc.es/portalGuardia/interesProfesional/Vocabulario_Policia/En_varios_idiomas/Diligencia_de_lectura_de_derechos_en_varios_idiomas/)

24. The CPT reiterates its recommendation that the Spanish authorities pursue their efforts to ensure that police officers fulfil their obligation to inform all detained persons on their rights in simple and accessible language and in a manner which they understand.

Detained persons who are unable to read should receive appropriate assistance including, where necessary, by using alternative modes, means and formats of communication. In the case of foreign nationals, they should be provided with an information sheet in a language they understand or, alternatively, be assisted by interpretation services. Further, the information sheets should be available in the most common languages, also at the Guardia Civil detention facilities, and detained persons should be allowed to keep a copy inside their cells.

The CCP, specifically in Article 520, provides as follows:

2. Any person who is arrested or detained shall be informed in writing, in plain and accessible language, in a language they understand and without delay, of the charges



against them and the reasons for their detention, as well as of their rights, and in particular the following...

Within this framework, the aforementioned ISES 10/2025 stipulates, amongst other things, in section 6 of its annex:

6. RIGHTS OF THE DETAINEE

Pursuant to the provisions of Article 520 of the CCP, members of the FCSE shall take into account the following details:

6.1.- Once the arrest has been made, the arrested person shall be immediately informed of their rights as set out in Article 520.2 of the CCP, of the offences with which they are charged and of the reasons for their deprivation of liberty. To this end, a document setting out these rights shall be drawn up, with a copy remaining at the disposal of the detained person throughout the period of detention, in accordance with the model established for this purpose by the Directorates-General of the Police and the Civil Guard.

This information shall be provided in language that is understandable and accessible to the recipient, taking into account their age, level of maturity, disability and any other personal circumstances that may limit their ability to understand the scope of the information provided. To this end, the information shall be provided in easy-to-read text, pictograms, Braille, sign language, or any other method of communication in accordance with the models agreed by the National Commission for the Coordination of the Judicial Police, accessible via the computer applications of the Directorate-General of the Police and the Directorate-General of the Civil Guard.

Where necessary, information on rights shall be provided translated into the language of the detained person or another language they understand; and if forms are not available in such languages, initial information on the content shall be provided via a telephone call to the relevant interpreting service.

That is to say, in Spain, law enforcement agencies have a legal obligation to ensure that all detainees effectively understand their rights, adapting the way they are read or explained when the person cannot read, does not understand the language or has a disability.

Applicable legal regime:

The Constitution (Articles 24 and 104) requires the police to protect fundamental rights and ensure due process, including the right to defense and to be informed of the charges.

Organic Law 2/1986 on Security Forces and Corps establishes respect for the Constitution and the rest of the legal system as a basic principle of action, with special attention to fundamental rights.

The UN Convention on the Rights of Persons with Disabilities, ratified by Spain, requires effective access to justice to be ensured, with procedural adjustments and specific training for police personnel.



In the area of intellectual disability, police intervention guidelines (National Police, Civil Guard, regional and local police forces) have been approved, specifying how to inform people of their rights in an understandable and accessible manner.

1. People who cannot read

When the person is illiterate or has significant reading difficulties, police action should focus on ensuring that they actually understand their rights orally.

- Standard and legally required measures:
- Read the document setting out their rights clearly and slowly, using simple sentences, avoiding technical terms or explaining them with understandable examples.
- Record in the official report that the person cannot read and the adaptations used (reading in full, adapted explanation, checking comprehension, presence of a family member or support person if appropriate).
- Use of easy-to-read materials or pictograms where available (e.g. adapted versions of rights produced in collaboration with disability associations).

Example: if the detainee cannot read, it is not enough to simply hand them a document; it must be read to them, explained in simple terms and verified that they truly understand what it means to request a solicitor and what it means to remain silent.

2. Persons who do not understand the language

In the case of persons who do not speak Spanish (or the co-official language used), they have the right to an interpreter and to translation of their rights, which is part of the right to due process and defense.

3. Resources and obligations:

The right to be assisted free of charge by a competent interpreter during detention and questioning (oral), comparable to the interpreter used before judges and courts.

Provision of written information on rights in a language that the person understands, when official forms have been translated (e.g. multilingual versions of detainee rights).

If no form is available in that language, reading by an interpreter, recording the interpreter's intervention and the explanation in an understandable language.

Adaptation of language even with an interpreter: short sentences, avoiding complex legal terms or, if used, explaining them by paraphrasing ('you have the right not to answer any questions if you do not want to').

Record in the proceedings the language of the person, the interpreter used and that the rights have been explained in a language they understand, to ensure the validity of the proceedings.

If the person also has a disability (e.g. intellectual) and a language barrier, it will be necessary to combine a language interpreter and, where appropriate, a facilitator or cognitive support.

4. Persons with intellectual or developmental disabilities

For persons with intellectual or developmental disabilities, the legal focus is on equal access to justice through reasonable adjustments and support.



a. Regulatory and support resources:

Specific guidelines for police intervention with persons with intellectual disabilities developed by the Ministry of the Interior, National Police and the Civil Guard

Collaboration protocols between the Ministry of the Interior and organizations such as *Plena Inclusión España* to ensure adequate care and easy-to-read versions of police materials, including rights.

Mandatory or recommended training in intellectual disability and accessible communication for officers, as required by the UN Convention and the guidelines themselves.

b. Specific adaptations when reading rights:

- Use of easy-to-read language: very simple sentences, one idea per sentence, avoiding subordinate clauses and technical terms.
- Visual aids: pictograms, drawings, diagrams or texts with icons accompanying the explanations ('lawyer', 'telephone', 'silence').
- Alternative formats according to needs: Braille or audio for blind people, sign language for deaf people with intellectual disabilities, augmentative and alternative communication devices (AAC).
- Presence of a communication facilitator or support professional, whose role goes beyond that of a mere interpreter and focuses on helping the person understand and express themselves without influencing the content of their statement.
- Extended time: more time to understand, ask questions and answer, avoiding undue pressure that could invalidate the statement.
- Possibility of also informing the support person (guardian, curator or support figure in the exercise of legal capacity), where applicable, about the rights and the progress of the proceedings.

5. Persons with sensory or communication disabilities

Many barriers exist for people who are deaf, blind or have severe speech difficulties, with or without intellectual disabilities.

5.1. Available and required resources:

Sign language interpreter for deaf people who use sign language, comparable to a language interpreter, with intervention during the reading of rights and the statement.

Augmentative and alternative communication systems (AAC): pictogram boards, electronic communicators, writing, agreed gestures, etc., first identifying which system the person uses.

Adapted information formats: Braille or reading aloud documents for blind people, large print or high-contrast text for people with low vision. Guidelines for agents: speak directly to the person, at a moderate speed, without covering your mouth, ensure that they can hear or see well, and check their understanding with questions using the communication system they use.

In the case of speech impairment, allow more time, avoid interrupting, and, if the person prefers, allow them to respond in writing or with technical aids.



Equal access to information means that if the person cannot understand their rights without adaptation, the police must seek and provide the most appropriate resource and make a record of this.

6. Training, protocols and responsibility

The obligation to adapt the reading of rights is not only a matter of good practice, but also a legal duty that is reinforced in vulnerable groups.

Key elements:

Training: the Convention on the Rights of Persons with Disabilities requires specific training for police personnel in dealing with persons with disabilities; the Interior Ministry guidelines were drawn up precisely to comply with this mandate.

Protocols and agreements: the General Protocol of Action between the Secretary of State for Security and Plena inclusión España provides for easy-to-read versions of police materials and reinforced assistance for persons with intellectual disabilities.

Documentation: proceedings must record the adaptations made; failure to do so may lead to the nullity of statements or the assessment of a violation of fundamental rights.

Responsibility: if understanding of rights is not guaranteed, a violation of the right to defense and the right to a fair trial may be declared, with procedural consequences (nullity of proceedings) and, in serious cases, disciplinary or criminal consequences for the officers.

25. The vast majority of persons met by the delegation stated that they had been able to notify a third party of their detention shortly after their deprivation of liberty. That said, some foreign nationals claimed that they had not been able to notify their families (living abroad) about their detention.

In addition, most persons interviewed by the delegation had made an additional phone call to a person of their choice monitored by police staff or a public servant designated by the Prosecutor/Judge in the case of accused persons, who shall not interfere except in cases where the content of the communication may constitute a crime or to protect the rights of victims.

The CPT invites the Spanish authorities to take the necessary steps to ensure that all detained persons effectively benefit from the right of notification of custody to a close relative or a third person of their choice from the very outset of their deprivation of liberty, also by making a free-of-charge international phone call if these persons live abroad.

The CCP, specifically Article 520, as well as ISES 10/2025, set out the guidelines for the exercise of this right by the detained person, as well as certain circumstances:

The detained person shall be informed that they have the right to communicate by telephone with a third party of their choice. This communication shall take place in the presence of an officer of the FCSE, who shall provide them with the use of an official telephone belonging to the police station.



With regard to this right, the following must be taken into account:

a. It shall be carried out without undue delay. A delay is considered justified where there are grounds to believe, having regard to the identity of the person being called, the destination of the call or other aspects of the call or the investigation, that it may adversely affect the course of the investigation by hindering the securing of evidence of the offence that is liable to disappear, the collection of evidence leading to its verification and the identification of other persons involved in the offence, the arrest, where applicable, of other persons suspected of the offence, and the protection of the victims or persons harmed by the offence, their relatives or other persons, as well as the lack of an interpreter.

Where the aforementioned circumstances apply, this must be recorded in the police report by means of a specific entry setting out the specific reasons that have led to the delay in the exercise of this right.

b. This may be carried out with a third party of the detainee's choice, subject to the provisions of the Statute on Victims of Crime.

c. The detained person must identify the person they wish to speak to, state their place of residence and provide the telephone number of the person with whom they wish to communicate.

d. The call shall be made by the law enforcement officer, who shall inform the person on the other end of the line from where the call is being made, the identity of the person wishing to speak to them, and shall ask whether they wish to take the call, during which the police officer shall be present.

e. The call shall last for a maximum of five minutes.

f. If the police station is unable to make the call abroad, this must be recorded in the relevant official report.

g. In the event that the language must necessarily be a foreign language, and if an interpreter is required, the services of an interpreter must be requested, recording, where applicable, in the official report any delay and/or lack of availability of an interpreter that prevents the exercise of this right.

h. The detained person and the chosen contact person shall be informed that the officer may cut off the communication, recording in writing the reasons for doing so, if it becomes apparent that the communication is being used to give instructions to destroy or conceal evidence, or to commit or incite the commission of further offences.

That is to say that the CCP recognizes the right of a detained person to "inform a family member or person of their choice, without undue delay, of their deprivation of liberty and the place of custody where they are being held at any given time' and, in the presence of police personnel or an official designated by the judicial or prosecuting authority, to 'communicate by telephone, without undue delay, with a third party of their choice", without prejudice to cases in which solitary confinement has been agreed upon.



The aforementioned ISES 10/2025 details how this call should be made:

- Without undue delay.
- Ensuring the protection of the victim, after identifying the person receiving the communication.
- Documenting the manner in which it is made and its duration.
- With the assistance of an interpretation service, where appropriate.
- The possibility of interrupting the communication shall be reported if instructions are given to destroy or conceal evidence, or to perpetrate or induce the commission of new crimes.

If police stations are unable to make international calls, this must be noted in the police report.

On 29 November 2016, the Deputy Directorate-General for Logistics and Innovation of the National Police established guidelines to ensure that international calls could be made from police stations, so that detainees could exercise their right to communicate with the person of their choice.

28. The CPT recommends that detained persons are always able to meet with their lawyer in a confidential setting in light of Article 520 paragraph 7 of the CCP.

Failure to exercise or permit the exercise of this right could constitute an offence under the current Criminal Code, specifically Title XXI, Offences against the Constitution, Chapter V: Offences committed by public officials against constitutional guarantees, Section 3: Offences committed by public officials against other individual rights, Article 537:

Any public authority or official who prevents or obstructs a detainee's or prisoner's right to legal assistance, induces or encourages the detainee or prisoner to waive such assistance, or fails to inform them immediately and in a manner they can understand of their rights and of the reasons for their detention, shall be punished with a fine of four to ten months' imprisonment and special disqualification from public office or employment for a period of two to four years.

Furthermore, ISES 10/2025 is clear regarding the rights of the detainee in this regard:

*To meet in private with the detainee, either before and/or after taking a statement from them. If the detainee or their lawyer so requests, **this private meeting shall be arranged**. The meeting shall take place regardless of whether or not the detainee is due to give a statement.*

That is, the CCP, as also set out in Instruction 10/2025, provides for the right of the detained person to meet with their legal counsel in private.

This private meeting may take place even before a statement is taken by the police officers conducting the proceedings. The interview between the detained person and their legal counsel is a right recognized in current legislation that can be invoked, regardless of whether or not the person in police custody is going to make a statement.



This confidential interview will be conducted in accordance with the architectural characteristics of the police station and always observing the integrity of the persons participating in the proceedings.

29. The CPT recommends that the Spanish authorities continue their efforts to ensure, including through the provision of regular on the job training to police officers, that they do not reject requests made by persons deprived of their liberty to be provided with medical assistance.

We refer to the answer provided above.

30. In terms of confidentiality, the delegation received allegations that at the Cadiz Guardia Civil Headquarters medical examinations of detained persons by healthcare staff took place systematically in the presence of police officers. (See recommendation in paragraph 21 above.)

f. CCTV coverage and the use of body worn cameras

The delegation found that at the establishments visited indicate there was CCTV coverage throughout the common areas, other than in the sanitary facilities. In accordance with the relevant legislation, the recordings were kept for 30 days, unless an incident occurred, in which case they would be transferred to the investigative authorities and kept for as long as necessary.

In addition, body worn cameras (automatically activated when using electrical discharge weapons) were used by the National Police and the Guardia Civil. The Spanish authorities informed the delegation at the outset of the visit that they intend to gradually expand the use of body worn cameras, which constitutes an additional safeguard against detained persons' ill-treatment and protects police officers against related unfounded allegations. If used properly, this is positive.

We agree with the description and approach in this section regarding CCTV and body cameras, adding that the use of cameras linked to electric guns strictly complies with current regulations and the rules of use set out in the operating manuals.

4. Conditions of detention

34. The overall state of repair and hygiene of the cells visited was satisfactory except for the detention areas at Madrid (Leganitos, Huelva, Tetuan national police stations and Plaza of Castilla duty court detention facilities), which were in a poor state of repair and cleanliness.

The delegation was particularly concerned about the severe state of disrepair of the custody detention area in the National Police detention facility for minors National Police detention facility for minors in the Autonomous Community of Madrid (G.R.U.M.E.), which also had poor ventilation, lacked call bells and access to natural



light and had poor access to artificial lighting. It is nevertheless positive that the Spanish authorities have meanwhile improved the material conditions in the reception area.

Considering minors' special needs and vulnerabilities, the CPT considers that the conditions at the G.R.U.M.E. detention facilities do not comply with the minimum requirements to hold detained people, as mentioned above, and are therefore totally inappropriate for accommodating minors.

Regarding the refurbishment of the facilities of the Juvenile Group (GRUME) and the Custody and Detention Area (ACUDE) at the Plaza de Castilla Duty Courts, both facilities are physically located in buildings outside police premises; therefore, the National Police has no authority to carry out renovations on them and cannot provide information in this regard.

Specifically, with respect to the detention facilities for minors of the National Police in the Autonomous Community of Madrid (GRUME), the corresponding improvements have been requested from the competent regional authority.

The benches in the detainee reception area that had been subject to vandalism have been replaced with new ones. Likewise, security at the entrance to the Juvenile Group (GRUME) offices has been improved by installing a closed-circuit television system, entry buzzers to the building lobby, and enhancements to the climate control system.

With regard to the facilities used for the detention of individuals at the Plaza de Castilla Courts, staff from the General Secretariat of Penitentiary Institutions carry out custody and detention functions there, and the regional authority is responsible for their maintenance and upkeep.

36. The CPT calls upon the Ministry of the Interior to make greater efforts to address the above-mentioned structural shortcomings at existing and newly built police detention facilities.

Detention custody areas (ACUDE) within the framework of the State Security Secretariat (SES) are governed by Instruction 11/2015, which approves the technical guidelines for the design and construction of detention areas. The purpose of this document is to establish uniform criteria to be considered for the configuration of the different rooms that make up detention areas, as well as the technical characteristics that their infrastructure and facilities must meet. Its scope of application is limited to police centers of the State Security Forces and Corps (FCSE). Efforts by the General Directorates of the National Police and the Civil Guard continue in order to adapt ACUDE facilities to these standards. However, in some cases, the implementation of corrective actions to comply with SES Instruction 11/2015 cannot be carried out in the short term, as they are directly linked to budget availability, which requires prioritization. Likewise, for all of this, the technical feasibility of the existing infrastructure must also be taken into account.

This ISSES sets out the technical requirements for the infrastructure in police detention facilities, but not in other premises where protective measures must also be put in place to prioritise the safety of officers and prevent or minimise both escapes and suicidal behavior and self-harm. It should be noted that detention facilities in court buildings and hospital wards are housed in



infrastructure not belonging to the Ministry of the Interior; their design and construction are the responsibility of the Ministry of the Presidency, Justice and Relations with the Courts and the autonomous communities, respectively. Also falling outside this regulatory framework are the municipal detention centers established in the fifth final provision of Law 7/1985 of 2 April, regulating the bases of the local government system, in which police custody of detained persons may be carried out.

With regard to the structural deficiencies described by the CPT concerning police facilities, the relevant reforms will be promoted that can be adapted to Instruction 11/2015 of the Secretary of State for Security, which approves the Technical Instruction for the design and construction of detention areas.

As regards the G.R.U.M.E. detention facility for minors, the Committee reiterates the urgent need to overhaul the material conditions in the custodial detention area with due regard to the vulnerabilities and special needs of minors in detention. The CPT's longstanding recommendations to provide access to natural light, adequate ventilation and install call bells in the cells, should also be taken into account when building the new detention facility for minors, currently under construction in Madrid Autonomous Community.

With regard to GRUME and the new juvenile detention center, the Committee reiterates the urgent need to modernise the physical conditions of the pre-trial detention area, taking due account of the vulnerabilities and special needs of detained minors. The CPT's long-standing recommendations to provide access to natural light, adequate ventilation and to install call bells in the cells must also be taken into account in the construction of the new juvenile detention center, currently under construction in the Community of Madrid. The IPSS has carried out an inspection of this facility as part of the 2025 Annual Action Plan, noting that it is a facility located at Avenida de la Institución Libre de Enseñanza 37-B in Madrid, built in 2002 and refurbished in 2022. These facilities house the courts and the Juvenile Prosecutor's Office. Responsibility for the facility lies with the Regional Ministry of the Presidency, Justice and Government Spokesperson of the Autonomous Community of Madrid. Juvenile detainees arrested by the National Police, the Civil Guard and the local police forces are transferred to these facilities.

During 2026, the IPSS will carry out a follow-up to assess whether the identified deficiencies have been rectified.

5. Other issues

38. The CPT considers that, when searched, detained persons should not normally be required to remove all their clothes at the same time, for example, a person should be allowed to remove clothing above the waist and get dressed again before removing further clothing. Further, the Committee recalls that the resort to full strip searches should be based on an individual risk assessment and be carried out in a manner respectful of human dignity.



The CPT recommends that the Spanish authorities pursue their efforts to ensure that resort to a full strip-search is always based on an individual risk assessment and that detained persons who are searched are not required to remove all their clothes at the same time; that is, a person should be allowed to remove clothing above the waist and get dressed again before removing further clothing. Further, body searches must be conducted in a manner respectful of human dignity. Police officers should be instructed accordingly.

The aforementioned ISES 10/2025 regulates and sets out how these procedures are to be carried out by police officers. Section 9 of the annex to the instruction states:

9 PERSONAL SEARCHES.

9.1.- General considerations.

a) A personal search consists of a superficial external examination of the body, clothing and personal effects, including personal items or hand luggage, with the aim of discovering prohibited or dangerous objects, evidence of a crime or means of proof concealed amongst the suspect's clothing or on their person. It shall always be carried out whilst respecting and protecting the dignity of the person. To this end, when police officers are obliged to carry out personal searches on persons detained in public places, they must do so in the most suitable and discreet location.

b) It is mandatory in the case of arrests, as well as in the case of potentially dangerous suspects.

c) To ensure the safety of the officers involved and of the arrested person themselves, all objects and personal effects likely to endanger such safety must be removed; to this end, a security search of the arrested person shall be carried out, which shall be completed in a more thorough manner once they are at police premises.

d) If, at the time of the search, the staff conducting it observe any injury or if the detained person states that they are suffering from one, they shall ensure that the person receives the necessary medical care immediately.

e) Personal searches shall be carried out, except in urgent cases, by staff of the same sex as the person being searched, and equipped with appropriate protective equipment, particularly where there is a risk of transmission of infectious diseases.

The guiding principle in this procedure must always be the utmost respect for the sexual identity, gender expression and sexual characteristics of the person being searched, which must be taken into account particularly in the case of transgender people. In order to provide legal certainty for the police officers carrying out the search and for the person being searched, in cases where there is a contradiction between statements regarding gender identity and external sexual physiology, with respect to the identity documentation of the detained person, written record shall be made of the affected person's consent for the search to be carried out by police officers of one sex or the other, with all circumstances and events that occur being recorded.



f) For security reasons, it is mandatory to carry out a personal search of the detained person prior to their entry into a detention area; this shall involve searching for and removing all items they may be carrying, including, but not limited to, those in pockets, linings or folds of fabric. Chains, belts, scarves, laces, watches, rings, lighters, matches, cash, bank cards or other objects that could be used by the detained person to harm themselves, cause injury or facilitate their escape shall be removed.

The removal of personal belongings that could impair the detainee's physical abilities or their moral integrity and dignity, such as prescription glasses, hearing aids, underwear, etc., must be exceptional and justified on security grounds by means of a corresponding entry in the 'incidents' section of the relevant detainee register.

g) Such a personal search shall be carried out whilst taking the necessary preventive measures to avoid the spread of any type of disease. To this end, gloves and face masks shall be provided. The personnel involved shall carry out security duties.

Furthermore, with regard to the practice of full-body strip searches, the procedure is set out in section 9.2, and **this is an exceptional measure**, adopted by the person in charge of custody and in accordance with the provisions of the existing regulatory framework:

Taking into account, in any event, the general considerations applicable to this procedure, the practice of full strip-searching during personal searches, for the purpose of ascertaining whether the person is carrying any dangerous objects or incriminating evidence in the folds of their clothing, on other parts of their body, or amongst their clothes, shall only be carried out on a person who has been arrested or placed in a police cell, and must comply with the following conditions and requirements:

a) Full strip search is understood to mean the police procedure consisting of exposing a person's private parts, as well as the type of body search involving direct contact with those parts using hands or other objects.

b) A full strip search of a detained person may only be carried out **when, due to the circumstances of the arrest, the person's behavior or other duly assessed and justified factors, there is a reasonable suspicion that they may be concealing, within their clothing or private parts, objects or instruments that could endanger their own life, their physical integrity, that of other persons or that of the police officers in custody; or where there are sufficient grounds to believe that they are concealing an object that may constitute evidence serving as a basis for holding them responsible for the commission of the offence, provided that it is not possible to use any other technique, means or instrument that would achieve the same result whilst causing a lesser infringement of their fundamental rights.**

c) In order to carry out a full strip search, such a measure must be authorized by the person responsible for the investigation of the relevant police report, and must be **recorded in the official record**, which shall state that it has been carried out, as well as **the justification for the reasons or circumstances warranting it**, which may be none other than those set out in the previous paragraph, and shall be duly noted in the register and custody record of detainees. Failing that, **it shall be authorized by the officer responsible for the custody** of the detainee in the cells, who must immediately



inform the person responsible for the investigation, and it shall be recorded in the relevant official register of detainees, including, in the remarks section, the causes or reasons justifying its performance.

d) This procedure shall be carried out **on an individual basis**, in the presence of the police officers or officials responsible for the custody of the detained person (if possible, in the presence of the officers who carried out the arrest) and with due respect at all times for the identity, gender expression or sexual characteristics of the person being searched. This search shall be carried out in rooms adjacent to the cells and in a manner that causes the least possible intrusion on the detainee's privacy; for this purpose, the detainee shall be **provided with a gown, towel, blanket or other garment to cover themselves**.

For all these reasons, it is emphasized that Instruction 10/2025 limits the use of full-frontal nudity searches on detainees when, due to the circumstances of the arrest, the attitude of the detainee or other duly assessed and justified circumstances, there is a reasonable possibility that the detainee may be concealing objects or instruments among their clothing or private parts that could endanger their own life, their physical integrity, that of other persons or that of the custody personnel themselves. This procedure is also appropriate when there is sufficient evidence that the detainee is concealing an object that could be used as evidence to hold them responsible for the commission of the offence, and provided that it is not possible to use another type of technique, means or instrument that would achieve the same result and produce a lesser violation of their fundamental rights.

This Instruction stipulates that the search shall be carried out 'in rooms adjacent to the cells and in a manner that least infringes on the privacy of the detained person, for which purpose they shall be provided with a robe, towel, blanket or other garment to cover themselves'.

B. Prison establishments

1. Preliminary remarks

39. During the 2025 periodic visit to Spain, the CPT delegation conducted an examination of the treatment and conditions of detention of persons held in five prison establishments. Four of these were located in the autonomous community of Andalusia, and one was in the community of Madrid. During the most recent CPT visit, the prison population under the jurisdiction of the Spanish Secretary General for Penitentiary Institutions of the Ministry of the Interior (Secretaría General de Instituciones Penitenciarias - SGIP) was found to be 49,950 prisoners for an overall capacity of 64,626 places, resulting in an occupancy rate of 77%, only marginally more than the figures for 2024 and 2023. In contrast, other indicators, including the percentage of female prisoners (7.2%) and the rate of foreign national prisoners (29.2%), have remained stable over recent years.

The legal framework for the execution of criminal sentences is still regulated by the 1979 Organic Penitentiary Law (Ley Organica Penitenciaria - LOGP) and 2006 Penitentiary Regulations (Reglamento Penitenciario - RP). Various thematic circulars or instructions issued by the SGIP regulate different aspects of the regime of prisoners.



At the outset of the visit the delegation was informed that the recently adopted reform of the Spanish judiciary through the Organic Law 01/2025 would provoke the substantial acceleration of criminal proceedings in the pre-trial phase, which could lead to a better modulation of the population on remand detention.

The Committee invites the Spanish authorities to exercise oversight over the increase of the prison population, notably of the remand population, in particular as regards prison establishments of Andalusia. In this respect, it would like to receive information on the impact of the Organic Law 01/2025 on the increase of the pre-trial population and access to alternative detention measures.

Regarding the legal framework for the execution of custodial sentences, it should be noted that the Penitentiary Regulations date from 1996, not 2006 as the Committee indicates.

The public policies implemented at the end of the last century and the beginning of this one to reduce the prison population have been effective, leading to a considerable reduction in the number of inmates since 2010. However, this downward trend is breaking, and from 2023 onwards there will be an increase which, in addition to other factors, is due to the high rate of incarceration in Spain (124 people per 100,000 inhabitants, above the European Union average of 113 per 100,000). Thus, although the crime rate is low, the length of sentences in the Spanish Criminal Code is longer than in other countries, which contributes to convicted persons remaining in the system for longer.

As of 31 December 2025, there were 62,398 people in prison, 51,474 of whom were under the jurisdiction of the General Secretariat of Penitentiary Institutions (SGIP), with just over 17% in preventive detention; a proportion in which no substantial change has been observed since the entry into force on 3 April of the aforementioned Organic Law 01/2025 on measures relating to the efficiency of the Public Justice Service.

In this regard, it should be noted that of the 29,179 people who entered prison in 2024 within the jurisdiction of the SGIP, 50.5% were in preventive detention (14,727), while of the 30,008 who entered in 2025, 49.3% (14,789) were in preventive detention.

According to Spanish CCP, pre-trial detention shall only be imposed when it is objectively necessary, there are no effective alternative detention measures, and the requirements stipulated in Art. 503 of the CCP are fulfilled. The judge or court shall take into account the impact that this measure may have on the defendant, considering their circumstances and those of the act under investigation, as well as the severity of the penalty that could be imposed. Pre-trial detention can last only as long as it is necessary and solely while the reasons that justified its imposition continue to exist, and it must always respect the legal maximum established in the law. Spanish Constitutional Court has consistently held the principle of *favor libertatis* or *in dubio pro libertate*. In accordance with this principle, the rules governing pre-trial detention must be interpreted and applied restrictively.

Regarding the impact of the Organic Law 01/2025 (Ley Orgánica 1/2025, de 2 de enero, de medidas en materia de eficiencia del Servicio Público de Justicia) on the pre-trial population, one of the main purposes of the Law is to streamline court proceedings. Among other aspects, LO 01/2025 increases resort to plea bargaining and to restorative justice models, avoids the reiteration of some proceedings and sets a preliminary hearing to address certain aspects



before the trial and to simplify it. All these measures, combined with a more efficient judicial organization that is also established by LO 01/2025, will contribute to accelerate criminal proceedings and reduce the population on remand detention. However, it is still too soon to have data that allow an evaluation of the impact of the Law on this matter as most of its provisions did not enter into force until 3 April 2025 and some of the changes regarding the judicial organization did not occur until 31 December 2025.

41. All five prison establishments visited by the delegation shared the same design, as they all belonged to the so-called “modelo prisons” introduced in the Spanish penitentiary system since 1991. These are characterised by 15-17 residential modules distributed around a common social rehabilitation and a sporting facility (...)

The CPT recommends that the Spanish authorities make every effort to ensure that the standard “modelo” prisons (with 1,008 cells) have an occupancy level of one person per cell pursuant to Article 19.1 of the LOGP, unless there are specific requests or reasons for a cell to be shared by two prisoners. When numbers of cells used as for double-occupancy on a module increase significantly the conditions of detention are impacted adversely.

With regard to the concept of ‘model prisons’ used by the Committee in its report, it should be noted that the concept of ‘model prison’ refers to a principle of prison philosophy and policy that began in the 19th century, following Bentham’s Panopticon prison design, and which was consolidated during the first third of the 20th century, constituting at the time an advance in the architectural design of prisons. This model was used in the Carabanchel prisons in Madrid and the Model prisons in Barcelona and Valencia, which no longer exist or no longer serve this purpose.

Currently, the existing architectural and penitentiary philosophy concept, in accordance with the development of Organic Law 1/1979 on General Penitentiary Matters (LOGP), is based on the construction of various centers throughout Spain that allow for the individualized treatment of inmates from a multidisciplinary perspective, adapting the space to the specific circumstances of the person deprived of liberty. This is known as the “Centro Tipo”. The first of these were implemented in the early 1990s, and the most recent ones with this design are as recent as those opened in 2018, the Penitentiary Centres of Málaga II, Ceuta and Pamplona.

It is a prison architecture specifically designed to facilitate the reintegration process of inmates, promoting coexistence among them and participation in all kinds of activities (educational, sporting, cultural, work-related, etc.), with the architectural layout of the different facilities similar to that of any community in free society. The cells measure approximately 13 square metres and are designed and equipped to accommodate two people in adequate living conditions. Although Article 19.1 of the LOGP establishes that each cell should be occupied by one person, in general, prison regulations only provide for single cell accommodation as a form of isolation for exceptional cases of dangerousness, maladjustment or serious disruption of coexistence.



However, despite the increase in the prison population over the last three years, the current occupancy level of prisons still allows anyone who wishes to do so and who does not have specific circumstances or treatment reasons that make it inadvisable to remain alone in a cell, either in the center where they are located if there are vacant cells available or, failing that, in another nearby facility that has them available.

In this regard, it should be noted that the distribution of the prison population among the different centers and among the different modules within them goes beyond mere quantitative criteria. Factors such as the profile of the individual, the development of specific treatment programmes, etc. may be decisive in determining the optimal number of people to be housed in a department or cell.

2. Ill-treatment

45. The following cases of physical ill-treatment are described as they illustrate the pattern described above. It is important to note that the delegation received a considerable number of similar, consistent and credible allegations of physical ill-treatment as those set out below. However, the quality of corroborating medical documentation was compromised by the fact that healthcare staff conducted only superficial, cursory medical examinations, systematically in the presence of prison officers.

With regard to the cases of ill-treatment described, which, as indicated, illustrate a definite pattern, they have been identified and reviewed by the Prison Analysis and Inspection Unit of this General Secretariat, which has carried out the relevant inquiries and actions to properly investigate those cases that raise doubts as to their management and, where appropriate, to correct any malfunctions that are found. In this regard, it should be noted that some of the incidents cited were not known to the aforementioned unit until the Committee's report was received, at which point they were reviewed and an investigation was opened. It should also be noted that, with the aim of sending a clear message to all staff of zero tolerance for ill-treatment and in order to ensure the proper management of cases in the future, appropriate measures have already been taken to this end with the management teams of these centers.

The information for each case is broken down below:

i. CP Algeciras, events of 14 January 2025

A serious disciplinary incident involving an inmate took place at approximately 8:30 p.m. in the infirmary; when he was caught near the gate of the area designated for female inmates and, after being reprimanded by the officer, responded inappropriately and reacted violently when told that a disciplinary report would be issued for his conduct, attacking prison staff, spitting in their faces and threatening to kill them. Restrained by physical force, he was handcuffed until his provisional isolation, and examined by the medical service, which issued a report of injuries including bruising on his right ear and right side of his back, injuries assessed as minor and consistent with the events. The use of coercive measures was reported to the Juzgado de Vigilancia Penitenciaria, i.e., Prison Surveillance Court (hereinafter, JVP) on the same date and the inmate was punished for two offences, a very serious and a serious offence, which were not appealed.



There is no record of any complaint of ill-treatment by the inmate and, on review of the case files, there is no evidence of any such ill-treatment.

ii. C.P. Algeciras, events of 22 April 2025.

A serious disciplinary incident involving an inmate was reported, who at around 1 p.m. got into a fight with a fellow inmate in the day room of module 4, hitting his head against the bars of one of the windows and causing a laceration to the back of his head. He was subdued using physical force and handcuffed until he was placed in temporary isolation. Once in the isolation module, he continued to behave aggressively and threateningly towards the staff, struggling violently with them and making it necessary to use physical force again to subdue him. Examined by the medical service, the injury report refers to abrasions and bruising on the right elbow, injuries that are considered consistent with the events. The use of coercive measures was reported to the JVP the following day, and he was punished for committing three serious offences, which were not appealed.

There is no record of a complaint of ill-treatment of the inmate, and its existence can be inferred from the documentation on the matter.

iii. C.P. Algeciras, events of 8 December 2024

An incident involving an inmate was reported when, at approximately 11:40 p.m., she began shouting and banging loudly, disturbing the rest of the inmates. The head of services arrived and found her in a highly agitated state, with her cell flooded with water and all her belongings thrown on the floor. Given the impossibility of communicating with her normally, the incoherence of her speech and the aggressiveness with which she confronted him, he decided to intervene using physical force and rubber batons until she was transferred to the infirmary. Given her psychiatric history and her inclusion in the programme for the care of inmates with mental illness (PAIEM), the medical service administered parental medication and agreed that she should remain in the infirmary under supervision, issuing a report of injuries which noted the existence of linear bruises on her legs, consistent with the means used. The use of coercive measures was reported to the JVP the following day and, on medical advice, the inmate did not serve any punishment.

There is no record of a complaint of ill-treatment by the inmate, nor can its existence be inferred from the documentation on file.

iv. CP Puerto III, events of 13 April 2025

An incident involving an inmate was reported. At 14:04, while in the day room of module 6, he took a mop handle from the cleaning supervisor, broke it in two and, brandishing one of them threateningly in the form of a spike, he approached the table occupied by five other inmates with the clear intention of stabbing them, who tried to protect themselves from the possible attack; however, one of them hit him twice on the head with a chair and the rest joined in by throwing chairs and other objects at him. It was necessary to use coercive measures, physical force, rubber batons and his temporary isolation. After being examined by a doctor, he was transferred to the emergency room at the hospital, where the medical report noted several injuries. The use of coercive measures was reported to the JVP and, due to the seriousness of the incident, which also resulted in injuries to three of the officers involved, the facts were also reported to the Duty Court.



This case is being monitored by the administration pending the decision of the judicial authority.

v. CP Puerto III, events of 4 March 2025

At approximately 6:10 p.m., an inmate, classified as first degree, art. 91.2 R.P., banged on his cell door and attempted to open it, managing to force the opening system despite orders from officials to stop. Very agitated and violent, he insults and seriously threatens them, so the use of force is ordered, at which point he throws a bucket full of water and bleach at them, as well as kicking and punching them. In view of this situation, in addition to the use of force, the use of rubber batons and handcuffs is agreed upon. As he continued to be aggressive and violent, he was mechanically restrained with approved straps from 7 p.m. to 9 p.m., at which time they were removed and he was placed in temporary isolation. The injuries found by the doctor were: superficial erosion on the right ankle, external malleolus with preserved passive mobility, erythema and superficial erosion on the face and right ear, with no evidence of bleeding from the right ear canal and bilateral conjunctival injection, as noted in the Committee's report. There is also no evidence of blows to the soles of the feet (falaka). During the incident, one of the officers involved was injured. The use of coercive measures was reported to the JVP and the incident to the inspection service on duty.

There is no record of any complaint of ill-treatment by the person concerned, nor is there any indication of such ill-treatment in the review of the proceedings. Furthermore, in June 2025, during an inspection visit to the center, the inmate was interviewed by an SGIP inspector and stated that, in the specific case of the events of 4 March 2025, the officers had acted correctly.

With regard to the term 'falaka' used by the Committee, a form of torture involving corporal punishment, first immobilizing a person, then removing their shoes to strike the soles of their feet, as already mentioned in the previous report issued in 2020, it should be noted that since then, special attention has been paid to detecting any signs of this type of practice in the centers under the authority of this General Secretariat, without

any of the many confidential statements made in recent years by inmates after the application of coercive measures containing the slightest reference to the practice of 'falaka'.

In the specific case that occurred on 4 March 2025 at CP Puerto III, it should be noted that the review of the images recorded by the recording system in the cell used for the application of restraints does not show any such practice of punishment consisting of striking bare feet.

vi. Huelva Police Station, events of 22 February 2025.

On this day, two separate incidents occurred, one at 04:45 and the other at 17:50, of which these central services were unaware until the CPT report was received. In both cases, coercive measures such as rubber batons and temporary isolation were used, and the injury reports issued in both cases refer to injuries consistent with their use without recording the statements of the person treated. However, the injuries recorded in the inmate's medical report hardly fit with the account of events contained in the report submitted by the Head of Services, which states that the inmate punched and headbutted the wall. Despite the use of rubber defenses on two separate occasions in less than 24 hours, the information gathered indicates that the cameras were not viewed and any recordings that may have existed were not extracted, and that no investigation was carried out, which makes it difficult, even though there were clear



signs of malfunctioning in the centre's actions due to the failure to follow established protocols, there is insufficient evidence to prove irregular behavior on the part of the staff.

The full strip search that is carried out also raises doubts, as it is performed in the cell itself and there is insufficient justification for it, given that the inmate is not moved to another cell afterwards nor is he subjected to a search, making it difficult to uphold the alleged reason of removing any dangerous items he may have in his cell. Furthermore, the search is not recorded in the Prison Computer System (SIP) and, although it is stated that it was carried out in a gown, there is no reference in the documentation to one being brought from the search room. What happened was reported several days later, on 25 February 2025, to the JVP and the Duty Court.

This action is currently under investigation, with no conclusions having been reached to date.

vii. Huelva Prison. Events on the night of 11 to 12 April de 2025.

Incident that began as a result of calls on the intercom and shouting by two inmates from their cell. Officers report that the fire alarm sounded repeatedly and that when they went up to see what was happening, the cell was in perfect condition but the inmates continued to shout, encouraging other inmates to join in the protest, so it is possible that they were deliberately setting off the alarm. The report from the head of Services states that when the cell was opened, the inmates threw a television at the officers and kicked and punched them, forcing them to use physical force, rubber batons and handcuffs, and to transfer one to the infirmary and the other to solitary confinement. The injuries described in the medical report are consistent with the use of rubber batons and physical restraint, although the tangential contusion wound on the tail of the left eyebrow, approximately one centimeter in length, may raise doubts. However, the centre's management reports to the Analysis and Inspection Unit that it has investigated the incident, reviewing the images, without noticing any malfunction. The incident was reported to the JVP a few days later, on 16 April.

This case, which was not known at the time, is currently under investigation by the prison inspection unit.

viii. C.P. Huelva, events of 4 May 2025.

Suspecting that an inmate was hiding prohibited items in his cell, a search was carried out and, among other things, a rusty rod measuring approximately 30 cm was found. The officers report that the inmate verbally provoked them and, without saying a word, violently pushed one of them, throwing him against the shelves, which led to the use of physical force and handcuffs to remove him from the cell and place him in temporary isolation, after a full strip search had been carried out. The medical report on his injuries, which does not include the inmate's allegations, reflects injuries that had been developing for several days and erythema on both wrists related to the handcuffs, as well as 'his head having been banged against the wall. Abrasion in the central frontal area'. For his part, the CPT delegation doctor, upon examining him a few days later, noted the existence of other injuries: marks on the arm that could be consistent with fingers having been held tightly and a contusion on the lower back from a blow with a hard object (the inmate reports that it was with the end of a rubber baton).

After reviewing the documentation on file, there are doubts about some of the statements made by staff, such as that "without saying a word, he violently pushes a staff member, throwing him



against the shelf” given that there is no record of medical assistance being provided to the assaulted officer, no record of injuries, and no report of such an assault to the Analysis and Inspection Unit. It is considered possible that the headbutt against the wall was not self-inflicted by the inmate and that the injury to his back was caused, as the victim claims, by the hard end of a rubber baton, a coercive measure that there is no record of having been used. In any case, any possible investigation that could be carried out is hampered by the fact that the centre's management did not retrieve the images from the video surveillance system.

The incident was reported several days later, on 8 May 2025, to the Prison Surveillance Court and the Duty Court. The case is currently being monitored by the prison inspection unit, pending the judicial authority's decision.

ix. Huelva Prison, events of 20 April 2025.

Having reviewed the incidents that occurred on that date, the account given by that Committee seems to refer to what happened on 19 April, rather than 20 April, with an inmate when, according to the officers' reports, at around 11:15 a.m. the inmate was trying to put his head through the bars and wrapping part of the sheets (which he had torn) around his head, they were removed. Later, upon noticing that he was once again tearing the rest of the sheets and part of the blanket, the head of Services arrived with another officer and, equipped with the regulation protective gear, proceeded to open the cell. Upon entering, the inmate lunged at the officers and tried to hit them without success. They managed to subdue him, and he pretended to faint. Once he appears to be calm, as the officers are leaving the cell, the inmate lunges at them again, and they have to subdue him once more, whereupon he feigns fainting again. For the third time, once the inmate had calmed down, they left the cell, but again they heard screams. When they looked in, they saw that the inmate had wrapped his trousers around his neck, so they re-entered the cell and the inmate tried to attack them again, without success. However, on this occasion, the inmate continued to fight against the officers, and the head of services ordered that he be handcuffed and transferred to the infirmary to be placed in an observation cell. The injuries reflected in the medical report are consistent with the use of rubber batons and handcuffs, although the inmate's statements are not included.

The facts were reported to the Prison Surveillance Court and the Duty Court several days later, on 22 April. They are currently being monitored by the analysis and inspection unit pending legal proceedings.

x. Huelva Prison. Events of 4 August 2024

According to the officers' report, when an inmate is in the search room where he is to be searched, he appears nervous and resists the search, talking incessantly in Arabic while refusing to remove his clothing and the belt with metal buckles he is wearing. He was ordered to cooperate, but remained defiant, struggling with the officers and raising his fists several times, threatening to hit them. In order to remove it, they used physical force and rubber batons, pinning him to the ground for a few minutes.

The injury report reflects injuries consistent with the coercive measures used, but does not include the inmate's statements. The full body search was unsuccessful. Several days after the incident, on 12 August 2024, the facts were reported to the JVP and the Duty Court. The review of the centre's actions by the Analysis and Inspection Unit indicates that it was not



aware of this until it received the report from that Committee and that the full strip search was not duly justified, as its motivation was generic and not specific to the case in question, and it should be assessed whether it is appropriate to carry it out systematically whenever a person is admitted to the isolation department. Therefore, this case is also being monitored by the administration, pending legal proceedings.

xi. C.P. Madrid VII. Events of 16 September 2024.

While in module 6 of CP Madrid IV, an inmate caused a serious disciplinary incident by preventing officers from entering his cell and threatening to assault them. Although he initially obeyed the order to cease his behavior, when he went out into the corridor he began running, requiring officers to use force to neutralize him, as he confronted them with kicks and punches. He was finally subdued and placed in temporary isolation, requiring the use of physical force, rubber batons and handcuffs to transfer him to isolation. The injury report reflects the following injuries: punctiform erythema on the trapezius and right arm, inflammation of the right wrist, hematoma on the left side and contusion in the occipital area, estimated to be minor and consistent with the alleged events. Of interest in this case is the inmate's refusal to be treated, demanding the presence of the forensic doctor. The medical report considers the injuries to be consistent with the inmate's allegations of having been assaulted by an officer and the use of coercive measures (rubber batons). The use of coercive measures was reported to the JVP on the same date. Two of the officers involved were injured in the incident.

In accordance with the provisions of this administration's protocol for dealing with cases of abuse, this case has been under review by the analysis and inspection unit since last December, when the documentation relating to the incident was sent to the Criminal Court of Móstoles, Summary Proceedings 606/2024.

47. Further, the way in which mechanical fixation for regimental purposes was applied in certain cases, such as seven-point straps, and improper manual control techniques were potentially dangerous and could be considered as ill-treatment (see also paragraph 89). For instance, the CCTV footage of the mechanical fixation of a prisoner carried out on 4 April 2025 at Algeciras Prison demonstrated that he had been subjected to a seven-point fixation for a duration of three hours, with the prisoner being attached to a bed with cloth straps. In addition to the four limbs and the thorax, the cloth-straps also passed across both shoulders, converging at the neck.

With regard to the way mechanical restraints are applied, and the case cited at Algeciras Prison, supervisory measures over the use of this coercive method have generally been reinforced. At the same time, changes have been made to the management team at this facility, ensuring the proper conduct and prevention of such situations in the future.

In this regard, by Service Order 1/2026, dated January 13, issued by the General Directorate for the Enforcement of Sentences, all prison governors have been informed that only mechanical restraint measures equipped exclusively with the necessary elements for restraining the abdominal area and the upper and lower limbs may be used. Any elements that could be used to restrain any other part of the person's body (shoulders, neck, head, torso), if present, must be removed.



48. At Sevilla II Prison the delegation was informed during its visit that three prisoners from the closed regime Module 13 had been transferred to other prison establishments on the first day of the visit to the establishment (7 May 2025). Specifically, there were allegations that two of them had been subjected to the use physical force on 3 and 6 May 2025 respectively following regimental incidents, and that they had subsequently been inflicted physical ill-treatment by staff. The delegation encountered challenges in verifying the allegations due to the unavailability of their medical files, which rendered the production of pertinent documentation upon admission by the receiving prison establishments impracticable.

Regarding the transfers carried out at Sevilla II Prison on the first day of the visit by the staff of that Committee, on May 7, involving inmates from the closed-regime unit (Module 13), the review indicates that an incident had occurred in only one of the three cases mentioned.

As for the other two inmates who were in the closed-regime department and were transferred to Puerto III Prison, with no recorded incidents involving them, their medical records have been reviewed and show no entries indicating any possible injuries during the mandatory medical examination carried out on May 6 in connection with the transfer.

50. The CPT recommends that the Spanish authorities develop a strategy which should consist of the following steps:

- A message of zero-tolerance of physical ill-treatment, excessive use of force and verbal abuse of prisoners should be delivered by the SGIP and Ministry of Interior at the highest political level to custodial and managerial staff. Such a message should also reiterate to prison staff and the relevant heads of services (duty managers) that any such violations will be effectively investigated by the relevant judicial authorities and subject to appropriate sanctions (see paragraph 56).**
- Action should be taken to ensure that reports on the use of force transmitted to the relevant supervisory judge are drawn up promptly and accurately; further, the assessment of the compliance of such force with the principles of necessity, proportionality and legality should be conducted, with a thorough analysis of all relevant information and particular reference to the relevant injuries suffered by the prisoner in question. Allegations of ill-treatment as well as any other credible information indicative of ill-treatment should be immediately referred to the relevant duty court and be the subject of an effective investigation in light of the precepts outlined in paragraph 56.**

This prison administration reiterates its commitment to zero tolerance for ill-treatment, which is never permitted and, on the contrary, is dealt with through disciplinary and criminal proceedings, as appropriate, until it is eradicated. For this reason, the management of the centers is repeatedly reminded of its obligation to ensure the proper treatment of prisoners, to promote the training of its staff as a preventive measure, to exercise closer supervision of their actions in the event of incidents, to monitor the proper completion of documentation relating to the use of coercive measures, reports of ill-treatment, injury reports, etc. They are also



reminded to ensure that such incidents are referred to the appropriate judicial authorities and that all complaints are effectively investigated.

We categorically reject any physical or verbal abuse to which persons deprived of liberty may be subjected, which was reinforced by the protocol implemented in 2021 to prevent and act in this area. This protocol has proven its effectiveness, managing since its entry into force to collect and address cases that previously went unnoticed or were not considered sufficiently relevant. The actions of the centers in this area are constantly monitored, reminding them of the principles that should inform reporting and investigation from a prison perspective - thoroughness, effectiveness and speed - as well as conveying to management the need to pay attention to all statements made by persons deprived of their liberty, however implausible they may seem at first glance, in order to keep a reliable record of them.

To improve the effectiveness of the protocol, work continues in the following areas:

- Review and accreditation not only of documents but also of video recordings, with review at the center, the Inspection Unit and by judicial authority (according to the criteria of Instruction 4/2022). Work continues on the extraction, storage and recording of images and their analysis, which is reported to the judicial authorities.
- Increased frequency of confidential interviews with prison service inspectors, both in person and via videoconference, with the installation and continued operation of two rooms located in the central services.
- Possibility of confidential interviews, developed in such a way that inmates have the opportunity of making their complaints without the intervention and knowledge of the prison staff.
- Traditional channels for complaints remain in operation, without the need to go through the specific prison center, both by post and via the electronic mailbox in the Inspection Unit.

In accordance with current legislation, communications to the Prison Supervision Court regarding the use of coercive measures are generally made immediately and promptly. Therefore, although it is not considered necessary to incorporate new measures to ensure that all centers act in this way, specific measures have been adopted with regard to the centers mentioned, where this malpractice has been detected in specific cases.

The instructions in this area are clear and concise and also emphasize the need for the facts to be communicated immediately or, failing that, as soon as possible. Aware of the fundamental role played by prison management teams in proactively combating and eradicating all types of abuse in prisons, their action in this area is encouraged by emphasizing the importance of immediately analyzing the situation to assess the reliability of the information and of carrying out an adequate investigation, preserving in all cases the possible means of evidence and the safety of the victim.

In this regard, the current protocol for dealing with reports of ill-treatment provides for the immediate investigation of the case and the referral of the conclusions, evidence and documentation to the Prison Supervision and Investigation Court (Magistrates' Court) as soon as possible.



- Appropriate measures should be taken to upgrade the skills of prison staff in handling high-risk situations without using unnecessary force, in particular by providing training in de-escalation techniques and in the use of safe methods of control and restraint, notably in relation to prisoners with suicidal or self-harming tendencies. Further, prison staff should be placed under closer supervision by the management.

With regard to staff training, it is important to emphasize the idea expressed in previous visits about the importance and efforts that this administration is making to train prison staff with the tools they need to do their job. Thus, the initial training for entry into any prison service includes activities and procedures for personal interaction with the prison population, through subjects such as: human rights and international standards on the treatment of the prison population, interpersonal relations and social communication skills, prison code of ethics, equal opportunities and gender-based violence prevention policies, procedures for dealing with violent actions at work and occupational risk prevention.

This is complemented by ongoing staff training in two specific areas: social communication skills and peaceful conflict resolution, where de-escalation and restraint procedures are addressed in practice through the correct and exceptional use of the coercive measures provided for in legislation. In the latter area, it should be noted that all the recommendations made in the CPT report on 'manual control and de-escalation techniques' are incorporated into the current training programme: communication skills, empathy, peaceful conflict resolution and de-escalation procedures, prison intelligence and proactive prevention. In addition, actions with a differential perspective have also been included that favors detection, identification and interaction, taking into account the individuality of each situation. One of the axioms in the planning of the courses is that these subjects are present in all jobs where personal interaction is the norm, both in security and treatment activities.

It is worth noting the net increase in recent years in both the training activities carried out and the number of hours and staff attending them. This increase is expected to continue in the coming years.

- Medical certificates and injury reports drawn up by healthcare staff following the application of a security measure and means of restraint pursuant to Article 72 of the RP should strictly comply with the precepts outlined in paragraph 59. Further, there is no justification for examination of prisoners by healthcare staff taking place behind bars and/or in the presence of custodial staff. Apart from being a clear violation of medical confidentiality, this undermines the independence and impartiality of healthcare staff, with clear effects on their dual loyalty as well as the doctor-patient relationship.

The procedures to be followed for the proper completion and processing of injury reports are the subject of continuous reminders to both medical services and center management. However, aware of the importance of including in these reports what the person treated says about the origin of the injuries, rather than a generic reference to the context of the situation or what is verbalized by prison staff, we will once again urge that they be completed properly.

In general, injury reports issued as a result of the use of coercive measures, Article 72 of the Prison Regulations, comply with the criteria set out in point 59 of the CPT Report, including the



statements of the person concerned, a description of the injuries found, or the absence thereof, the treatment provided and the assessment of the professional who carried it out, and the compatibility of the injuries found with the statements made by the person concerned. The results of this and all previous examinations or specialist consultations are reflected and recorded in their medical records.

In these cases where coercive measures are applied, the condition of the person/patient may require the presence of civil servants to ensure the safety and integrity of healthcare personnel. It is obvious that after a serious disciplinary incident, the medical examination may involve a risk for the doctor and/or nursing staff, who have to attend to the person deprived of liberty in a situation that is exceptional and can be considered extreme, given the aggressiveness and dangerousness that is evident.

Therefore, as previously noted, although in general the communication or meeting between the doctor and the patient does not take place in the presence of any official and is carried out in an environment of confidentiality and respect, there are exceptional cases in which such presence is necessary to guarantee the safety and integrity of healthcare personnel, who may sometimes need and request the presence of officials to safeguard their safety and be able to guarantee medical assistance in these exceptional circumstances.

The Committee would like to receive information on the introduction of body-worn cameras recording prison officers' interventions in detention areas.

Work is currently underway in this area within the framework of the provisions on the use of personal cameras set out in Instruction 4/2022, assessing its implementation as a pilot scheme in a prison with all the guarantees required for the protection of the rights of persons deprived of their liberty and the processing of their data.

56. The CPT considers that the efforts invested by the SGIP in ensuring a better management of complaints of ill-treatment through the adoption of Service Order 06/2021 clearly demonstrates its commitment to ensuring accountability for allegations of ill-treatment. However, further action is required to address the deficiencies identified by the delegation in the course of the visit and to comply with the CPT's longstanding recommendations as well as with the recent decisions of the Constitutional Court.

Therefore, the CPT recommends that the Spanish authorities take the following steps to ensure effective investigations are carried out into cases of physical ill-treatment in a prison setting:

- ***Eliminating obstacles to the detection and identification of cases of alleged ill-treatment by the prison staff through an improved system of recording and reporting injuries (as outlined in paragraph 59) and the effective coverage of all relevant areas by CCTV cameras (such as search rooms⁶⁵ and security corridors known as "rastrillos").***
- ***Taking swift action to investigate cases of alleged ill-treatment, in particular with regard to interviewing the alleged victim, promptly securing key evidence, and***



ensuring, through the General Council of the Judiciary (Consejo General del Poder Judicial or CGPJ), that JVPs and duty judges are informed of their duty to conduct such investigative actions in person and not delegate them to prison staff.

- ***Applying appropriate investigative techniques such as adopting procedures to prevent coordinated statements by prison officers (notably by conducting separate interviews with the same), ordering forensic examinations, and ensuring that alleged victims of ill-treatment are always interviewed by the duty judge.***
- ***Ensuring that the JVP and duty judge's decisions on whether to dismiss a complaint or to open a formal investigation are duly reasoned and always based on a rigorous examination of the evidence gathered and, in particular, the consistency of the injuries sustained by the detained persons and the credibility of their allegations with the concordant statements of prison staff.***

The Committee requests that the above recommendation be transmitted to the Consejo General del Poder Judicial or CGPJ for dissemination to all relevant JVPs and duty judges, with particular emphasis on those responsible for the oversight of Algeciras, Puerto III and Huelva Prisons.

The investigation being carried out by the prison administration following complaints filed by inmates regarding mistreatment is in accordance with a clearly defined protocol that was sent by the Deputy Directorate General for Prison Analysis and Inspection to all prison facilities on March 17, 2021. This protocol ensures effective compliance with the rulings of the Constitutional Court in this area and is unrelated to Service Order 06/2021, which the Committee cites concerning the promotion of a gender perspective in prison administration.

With regard to the shortcomings pointed out in the CPT report in some investigations carried out in response to complaints of ill-treatment, which, it is noted, compromise the effectiveness of subsequent investigations by not being sufficiently independent or exhaustive, it should be noted that a review of the cases cited shows that none of these complaints were dismissed due to a lack of medical documentation, as they were recognized by the specialist who drafted the corresponding report. Reports reflecting excessive use of force.

Incorporating CCTV footage into the investigation is not a problem, but as pointed out, there are cases in which CCTV recordings are not conclusive in determining the presence of ill-treatment, given that the events take place in areas or facilities that do not have recording cameras. To remedy this situation, and as provided for in Instruction 4/2022, video surveillance systems are currently being installed in the search rooms of prisons. One example is the Zaragoza (Zuera) prison, where, following an inspection visit, three cameras were installed in the areas where most of the incidents had been detected: at the entrance to the isolation unit and at the entrance to two specific units. These measures are being carried out with the administration's own resources, in accordance with the budgetary authorization to carry out all those required by the entry into force of the aforementioned Instruction 4/2022.

When incidents occur inside cells, it is clear that the need to safeguard inmates' rights prevents the installation of recording systems. For this reason, the prison administration's analysis and



inspection unit takes special care to meticulously review incidents that occur in places where there are no cameras, and is considering the possibility of using personal cameras to record specific exceptional risk situations.

Some considerations must also be made regarding the greater or lesser credibility of prison staff. In any case, this must be weighed in relation to the facts investigated and the conclusions reached, and not solely on the basis of the complaint made by the individual, since complaints made by persons deprived of their liberty obviously do not always correspond to reality.

In any case, it is the judicial authority that determines how it conducts its own investigation, a procedure in which the prison administration is not involved and whose decisions it cannot influence. Therefore, the conclusion of judicial proceedings is solely in its interest and if, as indicated, it is true that they lack adequate motivation and grounds, it is a matter within its competence in which this administration can do nothing except abide by the outcome. All of this is without prejudice to the continuation of disciplinary proceedings in those cases where, even if the judicial authority has not considered there to be criminal significance, there has been a breach of prison regulations.

It should also be noted that ordering forensic examinations in investigations into possible ill-treatment is a power that, at least for the moment, the prison administration does not have. Currently, this is only possible if the judicial authority to whom the conclusions of the investigation are forwarded deems it appropriate. The same applies to the suggestion or recommendation made regarding ensuring that persons reporting ill-treatment are always interviewed by the duty judge.

On the other hand, it should be noted that the CPT report has been forwarded to the CGPJ, that will promptly disseminate to supervisory judges CPT's recommendations on the jurisdictional control of the administrative activity of the prison administration.

59. The CPT reiterates its recommendation that steps be taken to ensure that the healthcare staff of all prison establishments visited and nationwide fully play their role in preventing ill-treatment, by ensuring that every prisoner subject to a security measure under Article 72 of the RP undergoes a thorough medical examination, in a confidential setting and out of the sight and hearing of custodial staff, following which a detailed record should be established. The record should contain:

(i) an account of statements made by the person which are relevant to the medical examination (including the description of their state of health and any allegations of ill-treatment made by them);

(ii) a full account of objective medical findings based on a thorough examination;

(iii) the healthcare professional's observation in light of i) and ii), indicating the consistency between any allegations made and the objective medical findings.

The record should also contain the results of additional examinations performed, detailed conclusions of the specialized consultations carried out, and treatment given for the injuries, or any further procedures conducted.



Recording of the medical examination in the event of injuries should be made on a special form provided for this purpose, with "body charts" for marking injuries, to be kept in the medical file of the prisoner.

Injuries should be photographed, and the photographs in colour filed in the medical record of the person concerned. In addition, documents should be compiled systematically in a special trauma register, in which all types of injuries should be recorded.

The existing procedures should be reviewed in order to ensure that whenever injuries are recorded by a healthcare professional which are consistent with allegations of ill-treatment made by a prisoner (or which, even in the absence of allegations, are indicative of ill-treatment), the report is immediately and systematically brought to the attention of the relevant investigative authority. Further, the report on the medical examination should be made available to the prisoner concerned.

In addition to reiterating the above in relation to points 18 and 19 of the CPT report, it should be noted that a repository of procedures and manuals detailing how to act in different clinical situations, and specifically medical examinations in situations of disciplinary isolation, including both isolation penalties (Art. 254 of Royal Decree 190/1996 of 9 February approving the Prison Regulations (hereinafter, RP) and provisional isolation (Art. 72 RP) as a coercive measure.

Specifically, the current protocol for action in this area states:

- The doctor must be notified immediately to carry out the first examination as soon as possible after the coercive measure has been applied.
- The specific report 'Application of isolation under Art. 254/72 of the RP' is completed in the HCD-OMI, which determines whether there are any medical objections to the measure being carried out.
- The inmate's health is monitored daily in this situation, and the Director is informed of their physical and mental state and of the need to suspend or modify the measure if necessary.
- All visits are recorded in the Digital Medical Record (HCD-OMI), which remains active at all times, even during transfers.
- In the event of injury, the injury report form is completed in accordance with the established protocol, which includes mandatory fields for a detailed description, type, characteristics and treatment applied, as well as the location on a body diagram (section 'Injuries' of the HCD-OMI). This has been described in more detail above.
- The system allows reports to be exported by date range, ensuring that a systematic record is kept.

With regard to the possibility of incorporating graphic documentation into medical examinations, this would require substantial modifications to the HCD-OMI in order to include images while ensuring their registration, archiving and processing with full guarantees of confidentiality, traceability and authenticity, which are essential conditions in the medical-legal field that cannot currently be assured. Therefore, at present, it is neither possible nor planned to have the technical resources and means necessary to incorporate photographs of injuries. It is estimated that injuries can be adequately documented through their detailed description in the medico-legal document provided for this purpose in the HCD-OMI (injury report), which



includes mandatory fields such as the location, type and characteristics of the injuries, statements made by the person treated, plausibility assessment, and the treatment applied. This system guarantees the immediate performance of the medical examination, its detailed recording and the traceability of clinical information without the need for photographic support, fulfilling its healthcare and medico-legal purpose in terms of preventing abuse in accordance with current standards.

With regard to the confidentiality of medical examinations and check-ups, it should be reiterated that, as a general rule and except in duly justified cases and, in any event, always in accordance with the requirements of the medical staff, these procedures are carried out out of sight and earshot of prison staff, under conditions that guarantee confidentiality.

60. The situation with regard to inter-prisoner violence and intimidation in the establishments visited varied according to the modules and the regime in force. In particular, the situation with respect to the 'respect', UTE and PAIEM modules was very calm, and episodes of inter-prisoner violence were rare, if not virtually non-existent. However, in the so-called 'conflictual' modules, inter-prisoner violence was more prevalent, as evidenced by the relevant documentation (for example, disciplinary registers, incident reports on the application of security measures and means of restraint, injury reports, etc.).

Such episodes primarily occurred in the communal areas of the relevant modules but also in double-occupancy cells. In the view of the delegation the primary contributing factors to these predisposition towards conflict, and a range of other issues, including their intoxication and the subsequent agitation, accumulated debts, and conflict surrounding the trafficking of illicit substances.

The principle underlying the actions of prison staff was to intervene promptly in order to separate the prisoners and escort them to the closed-regime module for provisional isolation. Further, the provision of medical assistance and the recording of injuries sustained by the prisoners were swiftly ensured. The delegation was under the distinct impression that the management in the prisons visited were aware of the levels of inter-prisoner violence and intimidation, and were striving to confine it to the so-called 'conflictual' modules.

The CPT reiterates its recommendation that a specialized strategy to prevent and effectively address inter-prisoner violence be devised, notably by assigning more prison staff (particularly custodial staff) to those conflictual modules and promoting a more substantial regime of activities in the same modules as outlined in paragraph 80.

The Job Position Register (in Spanish "Relación de Puestos de Trabajo", i.e., RPT) for prisons is generally oversized in relation to the inmate population to be served; the reason for this is that it was developed at a time when occupancy was much higher than it is today.

Despite this, in certain centers there may be a shortage of staff for some positions, either due to circumstances such as retirements, transfers to secondary duties (assignment of a job that does not involve direct contact with inmates to security staff who, meeting certain



requirements, have reached the age of 57), or remoteness from urban centers, which means that in the periods between competitions there may be fewer staff than desired.

Currently, the two means of filling positions established by law, selection processes and general competitions, are in full swing and, as a result, it is expected that the following will be incorporated:

- With regard to selection processes, the 2025 Public Employment Offer will allow for the incorporation of a total of 1,149 civil servants (1,054 through the general open access system and 95 through internal promotion) in the various prison services, all of which have been announced and are in the process of being implemented.
- With regard to general competitions, the need to incorporate new promotions of civil servants currently in training; these competitions and their corollary of appointing those who are currently trainees as career civil servants, once the merit-based competitions have been resolved, will facilitate the movement of staff between prisons in accordance with the vacant positions offered based on those existing in the respective RPTs, allowing them to be filled and thus meeting the needs of the different functional areas of the establishments.

Likewise, the implementation of the competition for the provision of jobs, levels 16-22, announced by Resolution of the Secretariat of 27 October 2025, for the Prison Assistant and Special Corps, to which most of the jobs are assigned (Surveillance, Offices, Treatment) and in which a total of 1,637 vacancies have been offered, will allow existing needs to be covered and met.

Therefore, with sufficient human resources in general to deal with the care and intervention of persons deprived of liberty in the different departments of the prisons, the management of each prison distributes and assigns services according to the specific needs that have been identified. Thus, special attention is given to those individuals who have greater adjustment deficits and, therefore, to those departments where there is a greater risk of conflict.

In this context, aware that productive use of time in prison is the basis for good coexistence and working on the reintegration programme planned for each person, bearing in mind that participation in all activities is voluntary, special emphasis is placed on promoting an offer that is attractive to them while seeking to encourage active participation, allocating, as far as possible, greater human resources to this task.

3. Conditions of detention in closed-regime modules

64. The CPT recommends that the cells and communal facilities in the closed-regime modules visited be kept in an adequate level of repair and hygiene. To this end, urgent steps should be taken to whitewash the cells at Module 16 of Huelva Prison and Module 19 of Madrid VII Prison; to remove the double metal grilles on the windows in cells in order to enable increased access to natural light in the cells of all closed-regime modules; to ensure that cells occupied by prisoners with a particular mental profile be adequately equipped in terms of furniture and subject to periodic cleaning.



65. The design of the outdoor facilities in the closed-regime modules of the prisons visited remains unsatisfactory.⁷¹ The courtyards were rectangular in shape and surrounded by five-metre-high concrete walls, covered with a metal mesh,⁷² and visual stimuli (with the notable exception of Module 15 of Puerto III Prison and Module 13 of Sevilla II Prison, where the concrete walls were covered in graffiti artworks of various landscapes). These facilities did not provide any opportunities for rest, exercise, or shelter in case of inclement weather and there was no greenery which is particularly notable in light of the abundance of decorative vegetation at all the prisons visited and in Spanish prisons in general.

The CPT recommends that all the concrete exercise yards in closed regime and special department modules be equipped with a means of rest, exercise equipment such as pull-up bars and provided with some visual stimuli, such as the decorative graffiti present at Puerto III Prison as well as greenery. Further, the metal mesh covering the courtyard should be removed.

The specific profile of the prison population housed in these departments, with violent and aggressive behavior and a failure to adapt to the rules governing orderly coexistence, makes it necessary to have physical containment measures in place to prevent acts that threaten the security of the center. In this regard, it is not considered appropriate to comply with the recommendation to remove, in general, the metal structures, such as 'trámex', from the windows of the cells in the closed regime departments in some centers, nor the metal mesh or structures installed at the top of some of the closed regime courtyards. Both of these elements have no effect whatsoever on the ventilation and lighting conditions in these areas and are justified by the need to meet the following objectives:

- Ensure the detention and custody of prisoners, preventing their escape over walls and roofs of buildings, a hypothesis supported by actions taken for this purpose in buildings that did not have such physical means of containment.
- Ensure the life, integrity and health of inmates, preventing or reducing the possibility of them gaining access to prohibited items passed to them from other wings or by means of drones or unmanned aircraft, with the consequent risk to staff and the security of the center.

The conditions of conservation and hygiene of the centre's facilities are subject to continuous attention by the centre's management and specific supervision by these central services, which does not prevent deficiencies from existing, but once detected, they are remedied as soon as possible.

The recommendation to provide visual stimuli to the courtyards of these departments is shared, through the painting of decorative murals on the courtyard walls, as well as the possibility of installing a fixed element for sports practice, provided that it cannot be used or serve as a support to facilitate climbing the walls or be manipulated or used as a blunt object to harm the physical integrity of persons deprived of liberty or the professionals who work in these departments. All these actions are promoted by the central services of this prison administration and are being studied by the management teams of the centers.

Specifically, with regard to the material conditions of the modules visited, it should be noted that all cells must have adequate furniture, including a chair, to ensure decent living conditions.



The provision of televisions in cells by the administration is not generally envisaged, with shared television service always being provided in the living room of each department. Televisions are purchased by inmates at an affordable price through the commissary service. However, given that some inmates do not take their televisions with them when they are released, these are provided to inmates who lack resources and do not misuse them.

Regarding specific actions carried out or planned, indicate:

- Module 16 of the Huelva Prison. Improvements have been made to the cells, consisting of painting the ceilings and walls, removing any traces of mold, repairing damaged floors and replacing damaged furniture. Likewise, with regard to the common facilities, the classrooms and gyms have been refurbished and furnished. In the courtyards, there are plans to create murals and provide equipment for sports activities. visual.
- Module 19 of CP Madrid VII. There are plans to paint the cells and common areas of the department and, specifically, to carry out the painting course that will be held at the center in this module, which will not only improve the aesthetics but also have a therapeutic effect by promoting the active participation of individuals in improving their own environment. Initiatives are also being considered to decorate the courtyards to provide visual stimulation. These initiatives, coordinated by the module's team of professionals, will be open to all inmates, combining material improvements to the environment with the therapeutic value of constructive occupation. In this context, the possibility of gradually incorporating ornamental vegetation without compromising safety is also being studied.

72. The Committee takes note of the efforts invested by the SGIP in building on the provisions of Instruction 12/2011 by allocating to each closed regime and special department module a full-time dedicated multi-disciplinary team composed of educators, psychologists and social workers, and rolling out PRC programmes. However, too few prisoners remained involved in these valuable programmes to facilitate their re-integration and the argument that the inclusion is voluntary and prisoners were refusing such interventions was not convincing in light of the delegation's observations.

The CPT reiterates its recommendation that the following steps be adopted in order to improve the regime on offer at all closed-regime modules:

- ***The PRC to be more forcefully promoted at all closed-regime modules and proactively offered to prisoners under Articles 91.2. and 91.3 of the RP. The relevant "equipos tecnicos" should develop more detailed individual treatment plans for each prisoner and should increase their direct interaction with them through motivational interviews. There should also be increased engagement by a sports instructor.***
- ***Prisoners under Article 10.2 of the LOGP and informally classified as FIES to be included in specialized programmes such as DALIL and other treatment activities. The Committee would like to receive confirmation of their inclusion.***



- ***Prisoners classified under Article 75.1 of the RP to be the object of reinforced psychological interventions and informed of their status and possible transfer to other prison establishments in light of the provisions of Article 79 of the LOGP. Further, they should be offered the statutory five hours of outdoor exercise per day.***
- ***All formal interactions in consultation rooms and classrooms between staff and prisoners in the closed regime and special departments to be conducted directly, and not through metal bars or screens. Where concerns for safety exist, it would be preferable for an additional member of staff to be present in the consultation room. Steps should be taken to ensure that such a risk assessment, together with a plan for addressing the risk factors, exists for prisoners deemed to be dangerous within prison.***
- ***Given the profile of the prisoner population, the healthcare team and, in particular, psychiatrists, should assess more carefully the mental health status of each prisoner placed in a closed regime and special department module (notably those under Article 91.3 of the RP) in order to lead to enhanced psychological care.***

The Committee would also appreciate the comments of the Spanish authorities on the introduction of a personal officer scheme for first-degree prisoners; this would provide an additional means of communication and, if done well, enable challenges to be identified and addressed before they result in conflict.

Although there has been a reduction in the number of people in closed prisons, the most restrictive and exceptional regime in the Spanish prison system, with only 362 men and 13 women, 1% and 0.5% respectively (AGE statistics, December 2025), it is a priority objective for this administration to provide all those in this regime with sufficient skills and strategies to enable them to adapt their behavior to the rules and live together in an orderly manner, without violence, during their imprisonment, in the knowledge that this is the only way to work towards their social reintegration.

In this regard, and with the means and human resources available, emphasis is being placed on promoting the work of the multidisciplinary technical teams in all closed-regime centers to involve as many people as possible in a programme aimed at designing an implementation model and adjusting general treatment programmes to the needs of their situation in order to achieve their gradual adaptation to the ordinary regime and encourage progression through the levels. for example, by promoting incentive systems or making activity schedules more flexible to avoid interference with free time or yard time.

During 2025, 232 men and 18 women participated in the closed regime programme. To continue promoting it, the Central Services of this administration have implemented a periodic monitoring system via videoconference with the technical teams at the centers in order to directly assess and coordinate possible intervention strategies and the application of the programme. This monitoring makes special reference to the CPT's recommendations:

- Use of motivational interviewing to increase direct interaction between the technical team and the people residing in these departments, thereby increasing the number of participants.



- Promoting the inclusion of persons under Article 10, as well as the implementation of specific programmes such as DALIL or PICOVI.
- Developing psychological intervention with those who are subject to measures involving regimented restrictions for reasons of order and security (Article 75.1 of the RP).
- The need to prioritise, as far as possible, direct 'barrier-free' contact between technical staff and inmates.
- Encourage security staff to get involved in mentoring activities so that they can act as mentors.

All of these strategies are currently being implemented but, depending on the prison (its staff and the inmates it houses), there are noticeable differences in their implementation and development.

All persons in closed custody, including those in the living arrangements provided for in Article 91.3 of the Prison Regulations, are offered and may participate in the closed custody programme. However, on an individual basis, the number of persons who may carry out the activities at the same time may be limited, as provided for in the regulations.

With regard to the application of measures that may involve regulatory restrictions, as provided for in Article 75, paragraphs 1 and 2 of the Prison Regulations, it should be noted that under no circumstances does this administration endorse such restrictions to the extent that they become a form of isolation or covert closed regime, and that the person must be given access to the activities of their treatment programme. In this regard, the management teams of the centers have been repeatedly instructed to apply such measures within the legal framework of the regime corresponding to the classification of the individual, while at the same time emphasizing the supervision of their application by the central services in order to promote their proper use and reduce their duration.

With regard to the Committee's considerations on the actions taken in this area in the centers that were visited, we report the following:

Huelva Prison.

This center has a technical team that, from the very first interview with all those who enter the department, first degrees art. 91.3 of the R.P., provides them with information about the programme and encourages them to join it, which almost 90% of them agree to do. Within the framework of the programme, the catalogue of activities is varied and sufficient to meet their needs and concerns (school; PICOVI; crafts workshop; relapse prevention with Proyecto Hombre; mural workshop; video forum on constitutional principles; trips to the sports center and TACA). Outside the framework of the programme, the small percentage of inmates who, for various reasons, do not participate in it can take part in sports activities in the department's gym, attend school and receive individualized attention from the technical team's professionals.

With regard to the inmate's living conditions, which are expressly mentioned, is a unique and highly complex case. He entered this center on 16/05/2023, classified as 1st degree under Article 91.3 RP, serving a sentence of more than 97 years in prison for two counts of murder, one count of manslaughter, one count of bodily harm, three counts of robbery with violence



and one count of illegal possession of weapons, having been sentenced to life imprisonment with the possibility of review for another murder. In addition to the danger he demonstrated in committing the crimes, this inmate has been involved in multiple serious disciplinary incidents in prison, assaulting officials at the various centers where he has been held (for which he has been convicted). Beyond the limitations and restrictions inherent in the regime and lifestyle imposed by his classification, his situation has been conditioned by his constant refusal to interact with other inmates, to participate in any activities and even to communicate with his partner, despite the fact that she had travelled from Valladolid to the center for this purpose. However, since his arrival at the center, an individual approach has been taken with this person until, in September 2025, he agreed for the first time to participate in an activity with the educator, a mural workshop on the wall of the gallery where the inmate resided. Noting the change in his behavior, he has been moved to a different living arrangement, with the expectation of continuing to promote small changes that will stabilise his behavior at the regimental level and promote a change in attitude that will enable him to coexist with other people.

C.P. Madrid VII.

Inmates in the closed regime department are offered a range of activities that increases depending on their behavioral progress. Physical exercise and sports activities are encouraged, either in the department's gym, in the sports center or through disciplines that do not require specific equipment, such as calisthenics, which facilitates the participation of all inmates. The department's technical team seeks to encourage participation in the specific closed regime programme. Professionals work in a coordinated manner, offering individualized attention and ensuring that inmates have access to activities and programmes that are suited to their profile and meet their needs. Participation is voluntary and will also depend on their behavioral progress. In any case, those who do not wish to participate and are subject to Article 91.3 of the R.P. have the possibility of accessing sports activities in the module and individualized attention from professionals in the various areas of intervention.

The DALIL programme, aimed at inmates linked to jihadist terrorism, has been successfully implemented and developed at the center. The programme is currently in the 'intercultural' phase, promoting positive interaction between inmates from different departments and the development of intercultural skills. In order to make the most of the programme, the inmates participating in it have been granted greater flexibility in their daily routine through Article 100.2 RP. The prison continuously coordinates with treatment teams to identify new opportunities for meaningful occupation and activities, understanding that the offer must be varied and adapted to the different profiles and needs of inmates, always within the necessary security margins required by this type of department.

4. Conditions of detention in ordinary modules (including conflictual modules)

74. The state of repair and maintenance as well as the hygiene and decoration was of a particularly high standard at Puerto III Prison in all modules and communal areas. In the other prisons visited, the cells and communal areas were satisfactory in the “módulos de respeto”, PAIEM and UTE modules and the standard cells (measuring 10 m2 in principle for single- or double-occupancy and equipped with bunk bed, concrete



shelving units and semi-partitioned sanitary annex with toilet, washbasin and shower). That said, at Module.17 of Algeciras Prison the delegation observed serious water infiltration notably in corridors where there were large accumulations of water.

On the other hand, the conditions of detention in so called 'conflictual' modules, were less good, notably as regard the communal rooms, refectories, workshops, classrooms and gyms. In particular, modules Nos. 3,4 and 6 at Algeciras; 1,4 and 6 at Puerto III; 3,4 and 6 at Huelva; 2,6 and 16 at Madrid VII and 1,2,3 and 4 at Sevilla II Prisons were in a poor state of hygiene and repair and less well equipped and decorated than the other modules in their respective prison establishments. The state of neglect of these areas was well exemplified by the fact that workshops and classrooms were in a dilapidated, abandoned and inoperative state, with broken plastic chairs and damaged boards, and gyms were extremely poorly equipped (featuring only basic benches, and dilapidated exercise bikes or worn weightlifting material).

The CPT recommends that the Spanish authorities take action to ensure that all the modules in the prisons visited are kept in a decent state of repair and hygiene and the equipment is well-maintained. Further, gyms and workshops should be properly outfitted and broken furniture replaced. Further, the SGIP should have an increased oversight of the conditions prevailing in the prisons and intervene more expeditiously when the state of repair deteriorates. Finally, the problem with water infiltration at Module 17 of Algeciras Prison should be addressed and resolved.

The General Secretariat of Penitentiary Institutions pays constant attention to maintaining prisons in adequate conditions of conservation and hygiene, as well as ensuring they are adequately equipped. Thus, it should be noted that in the last three years, procurement files have been processed for the acquisition of interior furniture for the residential units of prisons for the following amounts:

- 2023: 625.303,80 €
- 2024: 451.225,48 €
- 2025: 531.163,71 €

Among the items purchased are chairs for inmates, tables for common rooms, cell-type tables, dining tables, metal benches, etc.

Likewise, during the last three financial years, sports equipment has been purchased for prison gyms for the following amounts:

- 2023: 233.941,78 €
- 2024: 198.111,80 €
- 2025: 147.225,89 €

Notable among the items purchased were magnetic bikes, treadmills, weightlifting benches, weightlifting bars, rubber discs, ping-pong tables, foosball tables, weightlifting sets, etc.



For information purposes, in the last financial year 2025, in a context of budgetary extension, equipment worth €5,022,216.18 was purchased, providing the centers with kitchen, laundry, clinical, security and furniture equipment, etc.

However, aware of the need to continue to focus on these actions on an ongoing basis and in view of the shortcomings highlighted by the Committee in its report, the central services have urged the prisons concerned to send a communication regarding their equipment needs in order to respond to them in a timely manner. In this regard, it should be noted that the processing of files for the procurement of equipment for the centers (kitchen, laundry, furniture, sanitary, security, maintenance, etc.) is carried out by the central services on the basis of the needs expressed and the urgency or priority they have for normal operations.

The centers have permanent preventive and corrective maintenance programmes, which include periodic technical inspections of workshops, classrooms and other common areas. These tasks enable the early detection of any incidents that may affect the functionality, safety or conservation of the spaces and the immediate activation of corrective measures or partial or comprehensive renovations, depending on the nature of the damage detected.

As a result of these systematic actions, work has been carried out in various prisons, such as:

- Painting, refurbishment of walls and improvement of lighting.
- Replacement of radiators, improvement of air conditioning systems and plumbing work.
- Comprehensive refurbishment of workshops and teaching spaces, including functional reorganization and intensive cleaning.
- Adaptation and structural maintenance of gyms.
- Conversion of existing spaces for educational use, such as the transformation of old showers into libraries.
- Repair of the roofing and plumbing systems to fix water leaks, as well as maintenance and adjustment work on locks and hinges, with the aim of ensuring the watertightness, safety and proper functioning of the facilities.

These actions are carried out as part of a continuous maintenance strategy aimed at ensuring that the workshops and classrooms in the conflictive modules remain operational, in adequate conditions of conservation, hygiene and safety, ensuring the immediate resolution of any incident that could compromise their proper functioning.

In general, maintaining the condition, hygiene, equipment and decoration of the misused and stigmatizing term 'conflictive modules', which are in fact ordinary modules where no specific intervention programme is carried out, requires greater attention and constant dedication, given that the prison population they house is not usually willing to collaborate or participate in these tasks and, in addition, as there are a greater number of disciplinary incidents in them, they often require a greater investment in replacing and substituting furniture, glass, etc. For this reason, the management of the centers has once again been urged to implement effective supervisory measures to ensure, in all cases, adequate hygiene and habitability conditions in these facilities.

With regard specifically to the area of conservation and maintenance work in the centers visited, the following information is provided:



Puerto III Prison.

To improve the living conditions in modules 1, 4 and 6, painting work has been carried out in the gym, school and workshops in order to restore and maintain the integrity of the facilities, ensuring that the common areas are in optimal condition for use and conservation; providing fans for the day rooms and taking steps to install them in the dining rooms as well; replacing or repairing the televisions in the day rooms; providing sports equipment for the gyms, installing curtains on the windows and showers in the modules; carrying out renovation work on the metalwork of the cells, with improvements to the decoration of these modules currently under consideration.

C.P. Seville II.

Modules 1, 2, 3 and 4 have the basic equipment and furniture found in all departments: rigid plastic chairs and tables, television and chairs or benches in the day room, notice board and specific equipment in the gym area. The following improvements and refurbishments have been carried out: replacement of chairs and tables with newly purchased items; painting of common areas, with materials provided by the administration and supervised by the technical team of each module, which proposes the inmates who are responsible for this task; review and replacement of gym equipment, although subject to certain safety measures (daily count, attachment to the wall or welding to another structure) to prevent misuse; provision of consumable sports equipment (football and/or basketballs, tennis balls, etc.); provision of equipment for games and productive leisure activities (dominoes, chess, etc.); landscape painting on walls in common areas and promotion of activities such as making puzzles that can then be used to decorate the walls. Actions coordinated by technical teams that encourage inmates to participate in order to also influence the conservation and maintenance of spaces and equipment.

Huelva Prison.

In modules 3, 4 and 6, significant efforts are being made to improve the appearance and facilities of common rooms, dining rooms, workshops, classrooms and gyms. The Maintenance Department is establishing a schedule of actions that includes improving the paintwork and facilities in common areas, while at the same time forming a group of inmates responsible for cleaning to ensure satisfactory hygiene conditions.

Madrid VII Prison.

In residential units 2, 6 and 16, work has begun in the common areas, specifically repair and painting work in the gym to remedy the deterioration detected.

Algeciras Prison

In Module 15, painting work has been carried out in the gym and classrooms, improving the general condition of these spaces. The inmates themselves plan to update the walls of the courtyards, adding more colour and drawings.

With regard to Module 17, and in relation to the water leaks that have been reported, in December a contract was awarded for the 'Repair of skylights in the admissions module', with a budget of €30,383.10. The work was completed at the end of December 2025, with the roof



being completely repaired by installing new polyurethane panels and sealing the existing screws in the metal sheets, thus eliminating the leaks caused by deterioration over time.

It should be noted that the painting work that has begun is expected to cover all the departments and cells in the center, and sports equipment has also been requested to equip the gyms in all the modules.

75. At Huelva and Madrid VII Prisons the delegation received complaints in relation to the poor quality of food in terms of poor preparation and lack of variety. The prison director of Huelva Prison blamed the decreased funding for food for the deterioration in quality.

The CPT recommends that the SGIP invest efforts, including of a financial nature, in order to ensure that at Huelva and Madrid VII Prisons a wide variety of foods be made available in the right proportions and remain vigilant in relation to the offer of an adequately nutritious, sufficiently calorific and well-balanced diet to prisoners.

Note that there has been no budget reduction in the item dedicated to food, providing persons deprived of liberty in all prisons with sufficient, calorie-rich and nutritionally balanced food, supervised by medical services.

Specifically, with regard to the centers mentioned, Huelva and Madrid VII, it should be noted that the amount of the Food Allowance has been increasing annually, as shown in the following table:

CENTROS	2023	2024	2025
HUELVA	1.510.646,51	1.623.690,28	1.768.459,42
MADRID VII	1.584.272,61	1.790.623,85	1.912.119,35

For the feeding of the prison population, the General Secretariat of Penitentiary Institutions has signed an agreement with the *Encargo con la Entidad Estatal Trabajo Penitenciario y Formación para el Empleo* (EETPFE) for the partial management of kitchen services under the productive workshop formula; the current agreement covers the period from 1 October 2023 to 30 September 2026.

Under this management formula, the EETPFE is responsible for the following tasks:

1. The procurement of the necessary foodstuffs for the preparation of rations.
2. The preparation of rations.

The planning of daily menus is the responsibility of the EETPFE, which guarantees that every person deprived of liberty in each of the centers under the authority of this General Secretariat receives a suitably prepared diet that meets the dietary requirements of the prison population and the specific characteristics of age, health, work, climate, customs and, as far as possible,



personal and religious beliefs, covering three types of rations: healthy inmates, young inmates and nursing rations.

The EETPFE is responsible for and guarantees the quality and safety of the food, providing a monthly microbiological analysis of the rations at its own expense. Every day, at the time of distribution, a sample of a quantity similar to an individual ration is collected in a sterile container or bag, which is identified with the date, name of the dish and type of menu for each of the different rations prepared, and delivered to the centre's management for the prevention and control of food poisoning.

The *Encargo* assigns values to food rations per day and per place, depending on the population they are intended for: healthy people, young people and nursing rations, as established in the Resolution of the General Secretariat of IIPP of 17 August 2023. Specifically, with regard to the centers mentioned by the Committee in its report, the value of the daily ration is set at €3.99, as they have a population of more than 500 people. This value is currently being reviewed for increase.

As part of EETPFE's firm commitment to user welfare, in light of the results of the latest satisfaction surveys at the Huelva Correctional Facility (below average), it decided to assume an additional cost above the official rates stipulated by the General Secretariat in an attempt to seek real improvement in raw materials and service. Although the internal analysis identified that the deficiencies were due to a temporary shortage of professional kitchen staff, which had directly affected the preparation of the menus, this situation has been corrected, and the required technical quality has been restored.

In addition to maintaining a fortnightly rotation that guarantees variety in the diet, the EETPFE is leading a project to create a Single Menu for Western Andalusia. This strategic project aims to:

- Standardise quality: ensuring that all centers in the Autonomous Community receive the same level of service.
- Optimise management: improving operational efficiency so that the impact of the investment translates into better nutrition for all.

As for C.P. Madrid VII, an extraordinary effort has also been made to cover the additional costs above the allocation from the General Secretariat, ensuring a wide variety in the procurement of raw materials and strictly complying with all established technical requirements.

The center operates with a fortnightly menu rotation (14 days), a structure that ensures sufficient diversity of dishes to meet the needs and expectations of users in an effective manner.

A key indicator of quality is the comparison with the services provided by the EETPFE to canteens in certain non-prison social centers. As they share the same rationing system, the full compliance of these external centers acts as a guarantee of the high quality and variety of the menus served. The satisfaction results are considered acceptable and positive within the prison context. Currently, 57% of users rate the food on a scale from "normal to very good", reflecting the efficiency, effort and accuracy of the technical skills in the kitchen.



80. The Committee is once again appreciative of the extensive range of targeted treatment activities, innovative specialized programmes, the provision of remunerated work, and the receptiveness of prison establishments to civil society. It is important to note that the aforementioned commitments and investments were at risk of being undermined by two key factors. Firstly, there was a shortage of staff members specializing in certain categories of treatment. Secondly, there was a lack of success in attracting workers to isolated and secluded areas, such as Estremera (Madrid VII). Furthermore, although the creation and categorization of modules for prisoners with a specific profile, such as those prone to conflict, is in accordance with the provisions of Article 76.2 of the RP,⁹⁰ there are also concrete risks of creating an informal segregation. This is notably the case if it results in significantly worse conditions of detention, more frequent disturbances, and an unfavorable environment for custodial staff.

To address the deficiencies in ordinary regime modules, the CPT recommends that the SGIP undertakes the following measures:

- **Recruit additional staff and fill the vacancies of treatment staff, notably for social workers and educators at all prisons visited.**
- **Ensure that more targeted individualized activities are drawn up for prisoners in “conflictual” modules at all establishments visited, in order to address their needs, notably the root causes of their violent and recalcitrant behavior.**
- **Refurbish and upgrade workshops and classrooms in “conflictual” modules and ensure that they become operational and are kept in a proper state of repair.**

The staffing assigned to each prison facility is set out in its Job Position Register (RPT), calculated on the basis of 100% occupancy capacity. The facilities visited by that Committee are not fully occupied and therefore, in principle, do not require full staffing coverage as provided for in the RPT. Accordingly, the number of educators and psychologists complies with the established ratio of one per every 100 inmates.

The data set out below demonstrates an adequate availability of human resources, in both professional profiles, to meet the needs of the prison population and to achieve treatment objectives.

CENTRES	TEACHER			PSYCHOLOGIST		
	RPT	STAFF	% COVERAGE	RPT	STAFF	% COVERAGE
PUERTO II	10	8	80,00	5	5	100,00
PUERTO III	21	13	61,90	7	8	114,29
ALGECIRAS	16	14	87,50	6	7	116,67
SEVILLA II	19	16	84,21	8	8	100,00
HUELVA	15	12	80,00	7	8	114,29
MADRID VII	18	13	72,22	6	6	100,00



Finally, with regard to the position of educator, it should be added that the competition for job vacancies, levels 16-22 of the Peripheral Services of the General Secretariat, pending resolution, has offered a total of 134 positions, 18 of which are for these establishments.

Taking a comprehensive approach to managing the so-called 'conflict units' is a priority for the Prison Service, which has issued explicit instructions not to refer to them as 'residential units' in order to avoid stigmatisation, thereby distinguishing them from 'respect units' or therapeutic units/UTE.

The importance of paying special attention and allocating sufficient resources to these departments is reiterated to the management and executive teams of the centers at the meetings held periodically with them by the central services. In this regard, they are urged to increase the range of activities, workshops and programmes on offer by implementing them through the technical teams, as well as by seeking the collaboration of NGOs or associations on local social councils.

In this context, it should be noted that a new programme, "Espacio Acuerdo" (Agreement Space), has been launched and is being implemented in some centers in collaboration with the CONCAES organization. This programme focuses on conflict resolution, the proper use of free time, the importance of maintaining and caring for spaces, etc.

5. The situation of female prisoners in ordinary modules

85. The CPT recommends that the Spanish authorities develop the range of activities on offer to women prisoners with a view to offering them paid work and vocational programmes which will assist their reintegration into the community. In this respect female prisoners from ordinary modules, such as Modules 1 of Algeciras and Puerto III Prisons and Module 16 of Madrid VII Prisons, should be offered more targeted activities and remunerated work of a vocational value, and their past victimization should be addressed more promptly and consistently in terms of psychological care and a targeted approach.

Further, female prisoners should be proactively encouraged by treatment staff to take part to the offered activities. Finally, the allotted quantity of sanitary pads should be consistently increased at all of the prison establishments visited accommodating females and, as appropriate, at the national level.

In order to address the fact that greater attention has been paid to the male population in prisons (only 7% of the prison population are women), the General Secretariat for Prison Institutions has been working to incorporate a gender perspective into all its activities, striving for effective equality of opportunity between women and men in prison and focusing on identifying and addressing the specific needs that women may have. With this aim in mind, it promotes activities and programmes to facilitate their reintegration into life outside prison.

This framework includes initiatives such as the creation of an Equality Department within the General Secretariat for Prison Institutions on 26 May 2021. Furthermore, Service Order 6/2021, on the Principles for the Implementation of a Gender Perspective in the Enforcement of Sentences, provides for the establishment in all centres of a cross-functional working group



to assess the situation of women in their centre on a quarterly basis and to formulate proposals for action. A post of Equality Coordinator has also been created within the Secretary General's Support Unit with the aim of supervising and promoting the work of the various departments of the prison service in this area.

In general, in all prisons, men and women have access to all activities, programmes and workshops on offer, with the exception of those aimed exclusively at one sex (such as programmes on gender violence or the Ser Mujer.es programme). However, we are aware that this formal equality of opportunity must sometimes be preceded by a change in the "social climate" at the center to facilitate women's access to these opportunities, as well as individual work with women, involving them in the purpose and objectives to be achieved through their participation, emphasizing their motivation and encouraging their integration into mixed activities or those that they do not find attractive.

With regard to hygiene products, since March 2025 all prisoners have been provided with a monthly 'hygiene pack' which, in the case of women, includes a pack of 20 sanitary towels; however, this does not prevent any woman who needs and requests them from asking for more, which will be provided at the centre's expense. It should also be noted that Service Order 2/2025, on free access to menstrual care products, reminded the management of all prisons that, in accordance with the provisions of Article 5(4) of Organic Law 1/2023 of 28 February on sexual and reproductive health and the voluntary termination of pregnancy, the Prison Service must respond to requests made by prisoners regarding their choice of menstrual management products, such as sanitary towels, tampons or menstrual cups, without any specific brand name, and provide the necessary means and items for their proper use. A copy of the aforementioned Order is attached; compliance with it will be reiterated and subject to supervision. (ANNEX I)

With regard to the situation of women in the centres visited and mentioned in the report, the services and activities aimed at women have been monitored and assessed, and work is currently underway with the centres' management teams to improve the following areas:

- Gender biases that persist in the delivery of certain training programmes and work activities: courses for women are being scheduled that do not enhance their employability (beauty therapy), their participation in others (such as painting or building maintenance) is not being encouraged, or they are over-represented in certain work activities, such as cleaning.
- The elimination of workshops or work activities traditionally associated with a particular gender—those that are advertised as such or which, in practice, are attended only by men or women—by promoting access regardless of gender and based on other factors, such as training and the ability to perform the role.
- No limitation or restriction on women's access to activities under the standard regime, regardless of the department in which they are based. Being assigned to one module or another must not, in itself, result in a lack of access or a reduction in opportunities for access.
- The need for technical staff within the teams to be trained and aware of how to identify and pay particular attention to the issues of victimisation faced by women upon their



admission to prison, in order to ensure an intersectional approach to their diverse needs.

- The need to focus on individual work to motivate and encourage women during their imprisonment to apply for and participate in training activities which, whilst they may not find them appealing at first, will have a positive impact on their integration into the labour market. To this end, it is essential to inform them of and involve them in the objectives to be achieved through the activities that make up their treatment programme, motivating them to participate and feel that they are taking the lead in their reintegration process.

6. Security and coercive measures (mechanical fixation of prisoners, searches)

90. The Committee welcomes the drastic decrease in the resort and application of the measure of mechanical fixation of prisoners for regimental purposes at the visited establishments. However, in respect of the instances in which it was still implemented, the same deficiencies were observed as during past visits.

Therefore, the CPT reiterates its recommendation that the Spanish authorities end the practice of mechanical fixation to a bed of prisoners for regime (security) reasons.

91. The CPT recommends that supervisory judges exercising an oversight over the application of mechanical restraint of prisoners for regimental purposes apply prompt, meticulous control of all circumstances leading to its application with a specific focus on its proportionality. In this respect, the recommendation outlined in paragraph 136 in relation to the immediate control of the JVP rather than a posteriori is also valid in this context.

As has been noted on previous occasions, mechanical restraint is provided for on an exceptional basis in Spanish prison legislation within the framework of the use of coercive measures, under Article 45 of Organic Law 1/1979 on the General Prison System and Article 72 of the Prison Regulations. This measure was regulated by the Prison Administration in Instruction 3/2018, in accordance with the recommendations made by the National Mechanism for the Prevention of Torture.

Within this regulatory framework, which treats such measures as exceptional and a last resort, and mindful of the serious intrusion that their use represents on an individual's privacy and freedom, the General Secretariat for Prison Institutions has been working to minimise the number of instances in which they are applied, both by training staff in strategies to de-escalate violence or aggression and by encouraging the use of other, less intrusive means,

Thus, mechanical restraint is applied only when there are no other options available, its use being limited to episodes of extreme agitation or aggression in order to safeguard the life and physical integrity of the individual, third parties or other property. Consequently, the difference between disciplinary and medical mechanical restraint does not lie in their rationale, which is the same (to preserve life and physical integrity), but in the person who authorises their use: prison staff or medical staff. In this context, situations may arise in the prison environment which, due to their urgency, require immediate action by prison staff, who must address and,



where appropriate, apply the mechanical restraint measure, without prejudice to the medical staff subsequently assessing, monitoring and proposing, if they deem it appropriate, the lifting of the measure.

It should be noted that, in recent years, specific training programmes have been implemented—tailored for training officers—on the use of mechanical restraint with straps, placing particular emphasis on de-escalation methods, necessity and proportionality, as this is a measure to be used only as a last resort. This type of training has, in turn, been accompanied by a substantial decrease in the use of this coercive measure, as reflected in the annual monitoring of cases:

<i>Year</i>	<i>Nº of applications</i>	<i>Decrease compared with the previous year</i>	<i>Decrease compared with 2020</i>
2020	486		
2021	399	-17,9	-17,9
2022	371	-7,0	-23,7
2023	335	-9,7	-31,1
2024	225	-32,8	-53,7
2025	185	-17,8	-61,9

With regard to the monitoring of this measure, as set out in Instruction 4/2022, all cells designated for the application of this measure are equipped with an audio and video recording system that must enable both the prison management and the central inspection services to monitor its implementation, providing appropriate guidance to improve or rectify any shortcomings.

Furthermore, efforts will be made to ensure and monitor that notifications regarding the use of coercive measures are forwarded to the Prison Supervision Court as soon as possible, with particular attention being paid to the promptness of such notifications in cases involving the use of mechanical restraints. In this regard, it should be noted that the malfunctions or delays observed in some centres following the Committee's report have been rectified, with clear instructions having been issued and measures adopted in conjunction with the relevant management teams to prevent their recurrence in the future.

92. The Committee recommends that prisoners subject to the measure of provisional isolation under Article 72 of the RP are always provided with adequate bedding (rip-proof sheets and blankets) and never have their clothes removed. Further, in respect of the oversight of the application of coercive measures, the supervisory judges should



apply meticulous control of the circumstances leading to the application and be attentive to the use of standardised phrases such as “minimum necessary force”.

The coercive measure of temporary isolation is an exceptional measure that lasts for the minimum time necessary until the person ceases to be aggressive or violent and order is restored. In this regard, the person is usually stripped of items that could be used to harm themselves, such as a belt, but is not stripped of their clothing. If the isolation is prolonged and the person has to spend the night in the cell, they are provided with suitable bedding. The possibility of providing these facilities with suitable tear-resistant clothing will be assessed.

93. The CPT recommends that the Spanish authorities ensure that the criteria of expediency and proportionality for strip-searches be reviewed, with the aim of ensuring respect for personal dignity. Detained persons who are searched should not normally be required to remove all their clothes at the same time, for example, a person should be allowed to remove their clothing above the waist and then put their clothes back on, before removing further clothing. Further, there is no justification for prison staff to request from prisoners any degrading actions such as spreading the buttocks or lifting the testicles and pulling back the foreskin of the penis. Alternative screening methods, for example, through the use of ultrasound examinations, should be developed.

With regard to police activities, the provisions of paragraph 38 apply in this case.

In accordance with the exceptional nature of the provision set out in Article 68 of the Prison Regulations, the management teams of the institutions and all prison staff are reminded that full-body strip searches must not be carried out on a systematic basis. In fact, this practice is subject to scrutiny during routine inspection visits, and whenever any irregularities are noted, measures are taken promptly, with disciplinary action being taken where appropriate.

As the Committee notes, under no circumstances is it justifiable to require movements or actions that are degrading to the individual; in this regard, all centres have been provided with appropriate equipment to prevent such searches from being disrespectful or excessively intrusive, with particular emphasis placed on the fundamental role of centre managers in preventing the systematic use of these searches and ensuring they are carried out in accordance with the regulations. Currently, the practice of these body searches is regulated by a protocol dated 9 March 2005, which sets out both the grounds or justification for carrying them out and the procedure for their execution, providing that a gown or similar garment be provided to the person concerned to prevent them from being continuously exposed. However, as this protocol is currently under review, the recommendation made will be taken into account.

Finally, it should be noted that the management of the centers has been urged to review, together with the Heads of Department during daily meetings, any orders for full body searches that may be in place, identifying and rectifying any shortcomings that may exist.

94. The CPT recommends that the Spanish authorities ensure that the measure of provisional isolation for the purpose of monitoring the expulsion of body-packs of prisoners be implemented only in the infirmary, under the supervision of a member of



the healthcare staff, who performs regular and frequent checks. Healthcare staff should be trained to monitor for and recognise clinical signs of drug toxicity and bowel perforation or obstruction in prisoners suspected of body packing (such as sedation, seizures, rapid heart rate, altered mental state and acute abdominal pain), and should arrange immediate transfer to hospital by ambulance in the event of any of these. Further, prisoners placed in observation cells for the expulsion of body-packs should always be provided with the possibility of changing their clothes and adequate access to recreation in terms of television sets and reading material.

The use of facilities designed for the expulsion of objects is currently being studied and reviewed by the prison authorities. In principle, where there are serious suspicions that a person may be carrying toxic substances inside their body, their consent or judicial authorization is sought for a radiological examination, and only if a foreign body is detected is its expulsion supervised by the medical service, either within the center or externally.

The placement of a person in such a facility is reported to the Prison Supervision Court and, as noted, whenever the centre's medical staff detect any clinical signs deemed relevant, their transfer to the appropriate hospital is arranged.

As regards the provision of clothing, books and other leisure items, unless individual circumstances make this inadvisable, there is no objection to their provision and instructions will be given to ensure they are made available.

7. Healthcare services

95. The CPT calls upon the Spanish authorities to take active steps to execute the transfer of prison healthcare to the national health service as envisaged by Law 16/2003. In this respect, the CPT would like to receive, in due course, a copy of the Action Plan drawn up for the transfer.

The transfer of prison healthcare to the Autonomous Communities (CCAA) is provided for in Law 16/2003 on the Cohesion and Quality of the National Health System. In this context, the Prison Administration is working both at the regulatory and operational levels to complete this transfer.

To date, transfers of prison healthcare have only been formalized in facilities in the Basque Country (July 2011) and in Navarre (June 2021). Since July 2019, work has been underway to carry out this transfer to the remaining Autonomous Communities.

Moreover, cooperation agreements in the field of healthcare have been signed with many Autonomous Communities to ensure technological interoperability and continuity of care, including access to electronic health records, the implementation of telemedicine, and the training of professionals. Examples include agreements with Aragón (September 2021, extended in August 2025), Galicia (January 2022, extended in January 2026), Castilla-La Mancha (October 2023), the Balearic Islands (July 2023), and Asturias (July 2024). Agreements are currently being prepared in the Autonomous Communities of Andalusia, the Canary Islands, Castile and León, and the Community of Madrid.



Even without formal agreements, interoperability and access to electronic health records and telemedicine are already in place in the Autonomous Communities of Cantabria, Extremadura, the Region of Murcia, and Valencia, and are in the process of being implemented in La Rioja.

97. The CPT calls upon the Spanish authorities to take urgent steps to fill the vacant posts of doctors at the prisons visited and at the level of the SGIP, pending the transfer of the stewardship for prison healthcare to the relevant healthcare authorities at the level of the autonomous communities. In this regard, the Ministry of Interior should consider implementing relevant financial and professional incentives (for example, salary increases and funding opportunities for medical specialties) to attract suitable candidates for the vacant positions. Further, healthcare staffing levels for general practitioners, dentists, nurses (including mental health nurses) and other healthcare professionals should be tailored to the prisoners' specific healthcare needs.

As previously noted in relation to treatment area staff (point 80), the healthcare staff at each centre are listed in the centre's Staffing Plan (RPT) on the basis of 100% capacity; it should be noted, however, that the centres visited by the Committee are not operating at full capacity.

Centers	Medical		
	RPT	Staff	% Coverage
PUERTO II	8	3	37,50
PUERTO III	8	4	50,00
ALGECIRAS	9	4	44,44
SEVILLA II	8	4	50,00
HUELVA	8	2	25,00
MADRID VII	8	2	25,00

Furthermore, it is worth emphasising the enormous difficulty faced by the Prison Service in filling vacancies for medical professionals, despite the continuous and successive measures taken with the aim of increasing the number of professionals in this field. All this is taking place against a backdrop of shortages of healthcare staff and recruitment difficulties within the general public health service.

Thus, to alleviate the shortage of doctors, organizational and functional measures have been adopted, such as the optimisation of available resources, the implementation of telemedicine systems and interoperability with the Digital Health Record of regional health services, which ensures continuity of care and access to specialist consultations. Furthermore, agreements have been promoted with various autonomous communities to strengthen healthcare coordination and facilitate the gradual integration of prison services into the National Health System.



In addition, and in order to fill vacant posts, numerous selection procedures for recruiting professional staff have been published, including:

- Resolution of the Undersecretariat of the Ministry of the Interior dated July 25, 2023, announcing a selection process for the recruitment and appointment of interim civil servants in the Professional Corps to fill a total of 40 posts for a duration of three years, extendable.
- Resolution of the Undersecretariat dated September 27, 2023, announcing a selection process for the recruitment and appointment of interim Professional Corps staff to fill a total of 24 posts.
- Proposal to the Directorate General of the Civil Service for authorization of a selection process for the recruitment and appointment of interim Professional Corps staff under a specific programme to fill 50 posts, although only 20 applications were received.
- Resolution of November 30, 2023, of the Undersecretariat of the Ministry of the Interior, announcing a selection process for entry, through the general open access system, into the Prison Healthcare Professional Corps, with a total of 106 posts.
- Resolution of the Undersecretariat dated January 3, 2024, announcing a selection process for the recruitment and appointment of interim civil servants in the Prison Healthcare Professional Corps, with a total of 20 posts.
- Resolution of June 3, 2024, of the Undersecretariat, announcing a selection process for the recruitment and appointment of interim civil servants in the Prison Healthcare Professional Corps.

Furthermore, selection processes have been announced with the aim of establishing a list of candidates for the Prison Healthcare Professional Corps to address situations of excess or accumulation of tasks, in accordance with Article 10.1(d) of Royal Legislative Decree 5/2015 of October 30, approving the revised text of the Basic Statute of Public Employees.

- Resolution of 20 July 2024, of the Undersecretariat, announcing a selection process for the selection and appointment of temporary civil servants to the Prison Health Service.
- Resolution of 9 October 2024 of the Undersecretariat announcing a selection process for entry, via the general open-access system, into the Prison Health Service Medical Corps to fill 89 posts.
- Resolution of 29 January 2025 of the Undersecretary announcing a selection process for the selection and appointment of temporary civil servants to the Prison Health Service Medical Corps to fill 13 posts.
- The Resolution of 28 October 2025 of the Undersecretariat, announcing a selection process for the selection and appointment of 5 posts for temporary civil servants in the Prison Health Service Medical Corps, is currently pending the allocation of posts.
- Resolution of the Undersecretariat dated 27 October 2025, concerning a selection process for entry via the open competition system, offering a total of 64 posts in the Prison Health Service Medical Corps; this selection process is currently underway and, should the posts be filled, would alleviate to some extent the current shortcomings,

As for the proposal to introduce financial and professional incentives, this would undoubtedly be a positive step, both for medical staff and for other healthcare professionals, in terms of



moving towards bringing their conditions into line with those enjoyed by such professionals abroad.

99. The CPT reiterates its recommendation that steps be taken at the prison establishments visited as well as at all other Spanish prisons to enable prisoners to contact the healthcare service on a confidential basis, for example, by means of a message in a sealed envelope and in dedicated boxes exclusively managed by healthcare staff (or through the introduction of an electronic request system). Further, prison officers should not seek to screen requests to consult a doctor.

The implementation of a system for submitting healthcare requests via sealed envelopes, dedicated postboxes or online platforms must take into account the specific nature of the prison environment and the characteristics of the population served. Firstly, the diversity in literacy levels, reading comprehension and language proficiency among prisoners means that a system based exclusively on written communication or digital tools does not guarantee equitable access to healthcare.

On the other hand, the introduction of personalised electronic mechanisms for directly requesting medical care requires specific technological infrastructure, personal identification systems and secure communication channels that are not currently available in prisons, and whose implementation would necessitate technical developments not planned for the short term.

Currently, requests for healthcare are channelled through pre-established operational procedures without any initial assessment by security staff, who simply refer them to healthcare staff for registration and scheduling; this enables healthcare provision to be organised and emergencies to be dealt with immediately when a priority need is identified. Within this framework, confidentiality is reinforced by the guidelines already established for healthcare management and individual care.

102. The Committee recommends that the practices of support prisoners distributing medications at PAIEM and other therapeutic modules be stopped and instead always be carried out by nursing staff.

As set out in Instruction 16/2007, the dispensing of prescribed medicines must comply with the provisions of health programmes and current legislation. Consequently, the dispensing of medicines must be carried out by the health services.

103. The Committee recommends that the systematic visual check of newly admitted prisoners, assuming the consent of the prisoner has been gained, in view of seeking injuries possibly originating from violence be introduced as mandatory for all the prison establishments under the responsibility of the SGIP.

The CPT also recommends that the Spanish further develop the admission process at the prisons visited and throughout the SGIP where relevant in order to take into account



the gender-specific needs of female prisoners. This should include screening for sexual abuse and other forms of gender-based violence inflicted prior to entry to prison and ensuring that such information is considered in the drawing up of a care plan for the woman in question. This should be conducted in a way that is sensitive and trauma-informed, that is, not necessarily using a questionnaire during the initial interview, but should nevertheless make it possible to identify needs shortly after admission.

This recommendation is already being complied with. Prison regulations stipulate that all prisoners must be assessed by healthcare staff upon admission, in accordance with a set protocol. This assessment involves a full physical examination and a systematic visual examination, and there is a form available for detailed recording in the HCD OMI system. This includes:

- The 'Medical History' section and specific fields for the physical examination (CNS, musculoskeletal system, skin and mucous membranes, eyes, etc.), where objective findings are documented.
- 'Relevant Information' section → Assessment of injuries, which requires an indication of whether the person has any injuries. If so, the injury report protocol is activated in accordance with the protocol set out in section 18.
- The examination is carried out with the patient's informed consent, whilst respecting their confidentiality and autonomy.
- Healthcare staff receive specific training on medico-legal issues and the completion of injury reports, in accordance with the principles of the Istanbul Protocol.
- Furthermore, the admission form includes a specific section on 'Gender-based violence' which allows for the recording of whether the person has suffered violence, the date it began and a descriptive history, enabling qualitative and trauma-sensitive detection.

Furthermore, professionals in psychology or social work also receive training in gender issues in order to identify the specific needs of women and to take into account any experiences of violence or abuse they may have suffered prior to entering prison when planning their reintegration pathway. These needs and issues may not be detected at the time of admission; however, as the inmate becomes better known and develops a relationship with the technical staff, such information can emerge, allowing the appropriate care and attention to be provided.

105. The recommendation outlined in paragraph 18 is also valid in this context. Moreover, the same procedure should be followed after a violent incident within a prison establishment, or whenever a prisoner is brought back to prison by the police, after having participated in investigative activities. Further, the Committee reiterates its recommendation to set up a dedicated injury register at the prisons visited and throughout the SGIP.

The information set out in paragraph 18 is deemed to be reproduced here.

As regards the establishment of a specific injury register in all prisons, this is not considered necessary, as injury reports are already duly recorded both in the HCD-OMI medical record and in the personal file of the individual concerned within the prison information system (SIP), with a copy being filed in both.



106. The CPT recommends that the Spanish authorities take measures to ensure that the above-mentioned precepts are fully implemented in practice.

This matter has already been addressed in point 19. However, it should be reiterated that, as noted, barring duly justified exceptions and at the request or with the consent of medical staff, medical examinations are carried out out of sight and earshot of prison staff, under conditions that guarantee confidentiality.

107. The CPT recommends that the Spanish authorities take action to increase significantly the mental health care in each prison visited in light of the remarks outlined above. Each of these prisons should have the FTE of at least one psychiatrist. Further, each of these prisons should have at least one full-time clinical psychologist working with prisoners with a mental disorder (notably on suicide prevention).

Prison legislation provides, in Article 36.1 of Organic Law 1/1979, the General Penitentiary Law, and Article 209 of the Prison Regulations (Royal Decree 190/1996), for the presence of a general practitioner with knowledge of psychiatry, with the remaining specialized care to be covered by community services on an equivalent basis to that provided to the general population.

As previously indicated, the Prison Administration maintains ongoing communication with the health departments of the different Autonomous Communities, proactively seeking appropriate coordination to ensure the best possible care and its continuity while individuals are deprived of liberty.

Psychiatric care for persons deprived of liberty is guaranteed in all facilities through different mechanisms: psychiatrists from the Autonomous Health Services, either via telemedicine or in-person care (whether at mental health centers or within the prison itself), or through psychiatrists directly contracted by the prison facilities.

The work carried out by specialist psychiatrists from community services facilitates the patient's linkage to the mental health services they will need to attend during prison leave and after release, thereby helping to prevent re-entry into prison due to a lack of follow-up after the period of deprivation of liberty.

Care for individuals with mental health problems is provided from a multidisciplinary perspective, involving different professionals from the treatment area of each prison facility.

With regard to the availability of clinical psychology professionals in prison facilities, there are currently no plans to incorporate such professionals into the Prison Administration. However, all facilities have psychology professionals who participate in mental health care programmes.

108. The CPT recommends that the Spanish authorities ensure that modules accommodating PAIEM prisoners provide these persons with the appropriate care and treatment required. To this end, the Spanish authorities must increase the staffing resources for the PAIEM programme, notably as concerns clinical psychological treatment and psychiatric therapeutic care provided by multidisciplinary mental



healthcare teams, and offer a structured programme of psychosocial care beneficial to the prisoners and motivate them to participate to the same, as highlighted in the above remarks.

Providing care for people with mental health problems within the prison system is one of the key priorities for the General Secretariat for Prison Institutions.

The Comprehensive Mental Health Care Programme (PAIEM) began to be rolled out across prisons in 2008 and is now in place in all institutions. Its launch marked a milestone in raising awareness of mental health issues within the prison system and in adapting the prison regime for those individuals who, due to their clinical condition, were unable to integrate properly into the centre's daily routine.

Since its inception, the PAIEM has been a strong example of the importance of multidisciplinary work. The coordinated involvement of professionals from all areas—healthcare, psychological, educational, social, and security—has been essential in advancing care and improving the quality of life of persons deprived of liberty with a mental illness.

The experience gained during its implementation has highlighted the need to expand and redefine the priority areas for action, as well as to improve the precision of interventions, with a view to establishing uniform minimum standards that ensure the continuity, quality and consolidation of the work carried out in the various centers.

In 2022, the Ministry of Health published the Third National Mental Health Strategy, which assigns a central role to the care of vulnerable populations, particularly relevant in the prison context. This strategy reinforces the promotion of mental health, the prevention of illness and a community-based approach to care, incorporating the recovery model as its conceptual framework. This model focuses on individual potential, autonomy and each person's ability to fully exercise their rights as a citizen.

The PAIEM is currently undergoing a review process to incorporate these principles and adapt them to the prison context, with the aim of updating the programme, strengthening its internal coherence and ensuring that mental health care is aligned with contemporary standards of quality, human rights and social inclusion.

The improvements currently being worked on fall into several categories. These include:

- A shift in approach: from 'managing symptoms' to 'promoting recovery'. The PAIEM moves away from an approach focused solely on symptoms and clinical stabilisation, in which the individual played a passive role. The new programme adopts the recovery model, which is already in use within public health systems.
- A support-based model: more effective and tailored interventions. The aim is to introduce a support-based model that identifies what each individual needs to cope with daily life, with a view to improving the programme's effectiveness and facilitating integration into life within the prison.
- Alignment with the National Mental Health Strategy (2022–2026). In practice, this means that care in prison is aligned with the same criteria as care in the community.



- A comprehensive and rights-based approach. Incorporating a gender perspective, the fight against stigma and social inclusion as part of treatment.

109. A thorough examination of the medical charts of prisoners at all prison establishments revealed that between 50 and 60% were being treated with psychotropic medications, as well as a combination of psychotherapeutic interventions.¹²⁶ A significant proportion of these prescriptions had not been reviewed for extended periods, often spanning several months, due to the limited availability of psychiatric care within the prison environment. In light of the extremely rare supervision by psychiatrists for the majority of prisoners, the long-term prescription of therapy and the high addictive potential of the most commonly prescribed drugs such as gabapentinoides (Pregabalin and Gabapentin, methylphenidate and benzodiazepines) and their secondary effects, the Committee has serious concerns and believes that this practice must be rectified urgently. The CPT recommends that the SGIP take effective steps to address the above-mentioned situation at all prison establishments visited and at the level of the prison administration in light of the remarks above.

The Sub-Directorate General for Prison Healthcare, particularly since 2018, has shown a heightened awareness of the problem of polypharmacy and the prescription of psychotropic drugs in the prison setting, adopting all available measures in this regard.

Accordingly, and as a way to prevent iatrogenesis, various actions have been developed aimed at improving the rational use of medicines, promoting measures such as Instruction 5/2019 on the dispensing of pharmaceutical products in prison facilities. Case analyses have been carried out, awareness campaigns targeting families, persons deprived of liberty, and professionals have been conducted, and emphasis has been placed on training prison staff in the prevention of RASUPSI (acute reaction to psychoactive substances).

Training in RASUPSI has been provided annually since 2018, reaching its 10th edition in 2026. Participants include professionals holding Sub-Director or Head of Medical Services positions, as well as nursing and pharmacy staff from all prison facilities. To date, a total of 893 healthcare professionals have been trained. All of this is culminating in the implementation of the so-called REDUCES PLAN, whose purpose is to focus efforts on improving healthcare and to foster a cultural shift that ensures pharmacological treatment when necessary while promoting alternative therapeutic measures when it is not required.

The REDUCES Plan consists of a series of steps aimed at the clinical reassessment of the patient in order to achieve the simplification, reduction, or discontinuation of psychotropic medications that are not indicated for the patient's condition or that, although initially prescribed, should be considered for withdrawal.

The objectives of the programme include:

- Reviewing the current clinical situation.
- Avoiding therapeutic inertia and drug interactions.
- Gradually reducing treatment, simplifying it and informing the patient.
- Ensuring appropriate use in accordance with clinical indications and agreeing on evidence-based therapeutic goals.



- Coordinating actions with the multidisciplinary team and proposing alternative treatments.
- Establishing a monitoring plan for side effects and adverse reactions.
- Following up through a care plan.

This programme forms part of the broader effort to prevent overdoses and RASUPSI, both fatal and non-fatal.

111. The CPT recommends that, in light of the longstanding experience of the Spanish authorities in the prevention, management and treatment of prisoners with substance use disorders, a strategy be drawn up for effectively addressing the predominant presence, introduction and trafficking of illicit substances in prisons in light of the above remarks, as well as relevant publications by renowned international bodies.

Preventing the introduction, trafficking and consumption of illicit substances in prisons is a constant concern for the Prison Service, both because of the health risks this poses to prisoners and because of the disruption it causes to order and security. In this regard, the Prison Service deploys all the preventive measures at its disposal, focusing on the establishment of dynamic security networks to gather relevant information, the use of dog units as a deterrent and for detection purposes, the reinforcement of standard security measures (searches, body searches) and the use of technological means, always within the framework of current legislation and, where applicable, with judicial authorization.

With regard to the progressive spread and use of impregnated paper as reported, on January 30, 2024, a protocol developed by the Occupational Risk Prevention Coordination Unit of the Sub-Directorate General for Human Resources was circulated to all prison facilities. This protocol set out protective measures for staff in the event of the possible detection of fentanyl in prison establishments, with the aim of providing information to all personnel. The protocol outlines the risks and the specific operational preventive measures that must be observed by prison staff in situations where the presence of such substances is suspected.

Furthermore, during the training sessions provided to the Deputy Directors of Treatment at the various prisons, they were informed of the need to design information campaigns aimed primarily at the prison population to provide them with information and raise their awareness of the effects and the serious risk to their physical well-being posed by the consumption of synthetic cannabinoids impregnated in paper, and were provided with the document entitled "Synthetic Cannabinoids" produced by the Government Delegation for the National Plan on Drugs.

It should be noted that the measures adopted by this General Secretariat to prevent the entry of this and other types of substances are those provided for in current legislation, specifically in Article 65 of the Prison Regulations (observation, body searches, searches of personal belongings, searches of cells, etc.), as well as checks on correspondence and parcels received by prisoners.

Instructions have been issued to prisons regarding the use of reagents to detect materials that may be impregnated with toxic substances. Similarly, in every case where the consumption of



such substances is suspected, immediate action and follow-up are undertaken, in coordination with the security, health and inspection departments.

Furthermore, contacts have been maintained with various heads of European prison administrations facing similar challenges to exchange information on this matter and better guide prison operations.

112. The CPT recommends that the distribution of liquid methadone in the context of MOUD be introduced at all prison establishments visited and at the level of the SGIP as appropriate.

In most prisons, methadone is supplied in liquid form, which facilitates the preparation and administration of the treatment. In those facilities where, for logistical or supply reasons, methadone is supplied in tablet or capsule form, these are diluted by the healthcare team in accordance with established procedures. In all cases, administration to prisoners is carried out exclusively in liquid form, regardless of the form in which the medication was received

113. As outlined in paragraph 108 regarding the requirement for enhanced treatment and therapeutic support for prisoners in PAIEM modules, this recommendation also applies in this context with regard to UTE prisoners.

As noted in relation to the PAIEM, the prison health and treatment units of the General Secretariat have been promoting joint participation – within the scope of each professional's remit – in multidisciplinary work on interventions of major therapeutic significance, such as the UTE modules, where aspects such as health education are particularly relevant. For their part, treatment professionals working in these settings are being trained in new intervention techniques in order to enhance and expand their role within the centers.

To supervise and continue to promote these intervention modules, an online follow-up via videoconference has been scheduled for this year.

116. The CPT reiterates its recommendation that the Spanish authorities no longer task prisoners to act as permanent observers of other prisoners at risk of committing an act of self-harm or suicide and that such a task be given to trained members of staff. Further, there is no justification to coerce an interno de apoyo to perform such support task against his/her will.

The CPT recommends that these efforts be complemented by an increased mental health care with regard to prisoners held in closed-regime modules and after their reintegration into the ordinary regime. In addition, the modalities of permanent monitoring of prisoners placed under the suicide protocol, as described above, should be reviewed and an appropriate regime of purposeful activities should be offered for the entire duration of the measure.

Finally, the Committee takes positive note of Instruction 09/2022 and also recommends that the situation of female prisoners with a history of self-harm, abandonment and



abuse be offered a multifaceted trauma informed approach, involving clinical psychologists in the design of individual programmes, including psycho-social support, counselling and treatment.

117. The CPT takes positive note of the multidisciplinary efforts adopted at Huelva Prison in the analysis of episodes of self-harm from a therapeutic point of view. The Committee recommends that such efforts be replicated at all prison establishments visited and be further strengthened by the introduction of dedicated registers on self-harm.

Moreover, in light of the prevalence of incidents of self-harm by women prisoners, staff working with women prisoners should be provided with specific training on identifying and interacting with women at risk of self-harm or attempting suicide, with an emphasis on de-escalation and rapport-building rather than restraint and isolation.

This Administration and its staff have been making a constant effort to prevent, manage and reduce the number of suicidal incidents in prison. In the last year, 2025, there have been 29 deaths by suicide, of which 26 occurred inside prisons and 3 outside them, representing a 35.5% reduction in the number of deaths compared to 2024. Nevertheless, given that this is a phenomenon involving multiple variables and with fatal consequences, we are determined to continue these efforts.

Each year, an analysis is carried out of the data routinely collected in relation to cases of completed suicides and suicide attempts. These evaluations identify the variables and risk factors most frequently observed in such situations and these findings are communicated to prison facilities and their staff. Recommendations for implementation from that point onward are also provided.

Since 2020, prison management teams have been reminded that, as set out in Instruction 5/2014 of 7 March, the Management Board, having gathered the necessary information from the various officials and departments involved, must assess any attempted, completed or thwarted incidents that may have occurred during the month, critically evaluating the implementation of the programme at the facility and, where appropriate, adopting the measures recommended by experience to enhance the programme's strength and effectiveness.

In 2020, a new requirement was introduced for all prisons stipulating that incidents resulting in self-harm would be included on an individual basis among the matters to be discussed at the regular meetings of the various technical teams, for the purposes of understanding the case, studying and assessing the situation. This requirement has been reiterated in all evaluations carried out since then.

Furthermore, support for a person included in the suicide prevention programme is, like all such support, voluntary. Recognising the emotional strain this entails, this activity is taken into account for remuneration or promotion, and arrangements are made to ensure it can be reconciled with participation in other activities.

With regard to the recommendation concerning the role of inmates as monitors of other prisoners at risk of self-harm or suicide, there is no record of any inmate having been forced to perform this role against their will. In any event, clear instructions will be issued to prison



management to ensure that appropriate measures are taken to safeguard the health and safety of prisoners.

With regard to persons held in closed-regime units, the Administration is fully aware that certain individuals, due to their profile, require greater support and monitoring of their mental health during their stay under this restrictive regime. To this end, efforts are made to ensure that all staff working in these units participate in and are engaged in the monitoring and intervention processes concerning the individuals accommodated there, particularly psychology professionals and the treatment team. In this regard, a procedure is currently being developed at central services that will specifically address this situation, with the aim of increasing the level of intervention provided to persons held in these units, given that they constitute a particularly vulnerable group.

Furthermore, training courses for psychology professionals within the prison service have been updated to include content on psychological intervention addressing the therapeutic needs of women in prison, including suicide, trauma, previous victimization and other mental health issues. Furthermore, a specific module on suicide and self-harm has been included to raise awareness among these professionals of the need to adopt a therapeutic approach to these issues.

119. The CPT reiterates its recommendation that a record of the clinical causes of prisoners' deaths be made and, if an autopsy is performed, its conclusions be systematically communicated to the relevant prison establishment by the competent judicial authorities. Further, the management of every prison establishment should undertake an analysis of each death in prison in order to consider what lessons may be learned for the prison establishment. Finally, this recommendation should also be transmitted to the CGPJ for dissemination to the relevant judicial authorities. In particular, the Committee would like to be kept informed of the steps taken to implement the valuable recommendation in the 2023 Guide on Good Practice for the Forensic Medical Recognition of Deaths in Custody, which aligns with the CPT's recommendation.

In line with the CPT's recommendations, and with a view to obtaining positive conclusions that may improve current indicators, prison management and the General Secretariat of Penitentiary Institutions carry out a thorough and independent analysis of each death occurring in prison.

In the investigation of a death in custody and for the determination of any possible criminal or financial liability, various institutions are involved:

- The Prison Administration itself conducts an internal investigation in cases involving potential administrative misconduct and financial liability, with the involvement of the State Legal Service and the Council of State.
- In the criminal sphere, the Judicial Authority is responsible for the investigation.

This is without prejudice to any external audits of the investigations carried out, such as that of the National Mechanism for the Prevention of Torture itself which, for example, during the period 2024–2025, requested 25 cases of deaths in prison for further review.



In this regard, in 2024 the Prison Analysis and Inspection Unit drew up a guide to best practice for investigating deaths within the prison service; this guide follows the criteria set out in the Minnesota Protocol on the Investigation of Potentially Unlawful Deaths (2016) to ensure independent, impartial and transparent investigations, as well as seeking to identify whether any reasonable measures were not taken that might have led to a real possibility of preventing the death.

In this context, the aforementioned Analysis and Inspection Unit of the General Secretariat is responsible for conducting investigations into deaths in prisons and non-prison hospitals, as well as for providing the judicial authorities and the Ombudsman with any information they request regarding the incident and the investigation. This specific protocol sets out guidelines for investigators, covering five main scenarios and addressing the investigation specifically in each case: deaths in non-prison hospitals, from natural causes, from poisoning, from violent causes and by suicide.

It should also be noted that the HCD-OMI medical record contains a systematic and traceable record of deaths, which allows for the comprehensive documentation of the date and place of death, the treatment regimen, relevant medical history, and the underlying, intermediate and immediate causes of death, as well as the nature of the death and, where applicable, the circumstances in cases of suicide. Furthermore, it provides for the incorporation of external documentation (hospital reports, autopsy reports and toxicology reports) which, once received, are included in the deceased person's medical record, ensuring the complete integration of medico-legal information.

To ensure a comprehensive analysis, the General Secretariat has a Mortality Commission, comprising the Deputy Directorate-General for Prison Healthcare, the Department of Internal Security, the Deputy Directorate-General for Analysis and Inspection, and the Prison Observation Centre, which is responsible for the individualized study of cases, compiling health and non-health information relating to deaths.

In relation to the above, there is a specific protocol for requesting and managing autopsies and toxicological analyses, involving the Sub-Directorate General for Analysis and Inspection and the Sub-Directorate General for Prison Healthcare. This protocol regulates the coordination of the necessary actions and communication with the competent courts.

In line with the Guide to Good Practice for Forensic Medical Procedures in Cases of Death in Custody (Ministry of Justice, 2023), the Deputy Directorate-General for Prison Healthcare is promoting various measures to facilitate coordination with the Institutes of Legal Medicine and Forensic Sciences (IMLyCF) and to encourage the systematic submission of full autopsy and toxicology reports to this Deputy Directorate. To this end, the template for the official letter sent to the courts has been amended to incorporate the recommendations of the Guide, and contact has been established with the Forensic Medical Council and its Scientific and Technical Committee, requesting their support in conveying this requirement to the directors of the IMLyCFs at their regular meetings and in promoting uniform application throughout the country, as well as dialogue with the investigating courts.

Consequently, proactive measures have been put in place to facilitate inter-agency coordination in order to overcome the obstacles (outside the healthcare sector) that delay the



receipt of forensic documentation, thereby strengthening coordination and prevention in the health sector.

With regard to the remit of the Ministry of the Presidency, Justice and Relations with the Courts, please refer to the earlier comment on paragraph 56.

8. Other issues

121. The CPT recommends that the SGIP take effective steps in order to fill the vacant posts of prison officers at Madrid VII Prison. Further, it would like to be informed about the steps being taken to ensure that all prisons have a full complement both of prison officers and treatment staff.

Madrid VII Prison currently has a total of 492 staff members for a Job Position Register (RPT) comprising 506 posts across the مختلف job roles, representing a coverage rate of 97.23%. Given that the overall average across the 80 facilities under the General Secretariat of Penitentiary Institutions is 94.01%, this facility is 3 percentage points above the average.

Selection processes and open competitions are currently being held to fill vacancies:

- a) With regard to recruitment processes, the 2025 Public Employment Offer provided for 1,149 new civil service posts (1,054 through the general open competition system and 95 through internal promotion) across the various Prison Services, all of which have been announced and are currently underway.
- b) The open competitions currently underway will facilitate the movement of staff between prisons, enabling the needs of the various functional areas to be met.

The implementation of the job posting competition for the Assistant Corps and the Special Corps of Penitentiary Institutions, announced by Resolution of October 27, 2025, offering 1,637 posts, is at a very advanced stage. Of these, 81 posts are allocated to Madrid VII (Estremera). Meanwhile, competitions for the Prison Healthcare Professional Corps, the Senior Technical Corps, and Nursing Staff of Penitentiary Institutions are currently in the preparation and planning phase.

122. The CPT recommends that the Spanish authorities take the necessary steps to further develop tailored training activities for prison staff in the newly established training center of Cuenca in light of the above remarks.

The table below provides a summary of the training activities relating to the issues highlighted in the Committee's report for the period 2021 to 2025.

Data showing an increase in training activities compared with the report issued following the previous visit, covering the period from 2017 to 2020.



			SELECTED		CERTIFICATES	
	Nº of editions	Nº hours	Men	Women	Men	Women
<i>Initial Training (all prison services)</i>	99	183.780(*)	1.821	2.794	1.724	2.670
<i>Self-defense and the correct use of coercive measures</i>	167	4.175	2.246	1.599	1.787	1.157
<i>Social skills, interpersonal interaction and peaceful conflict resolution</i>	141	2.820	2.350	2.421	1.725	1.752
<i>Basic level for the prevention of and response to aggressive behavior in the workplace (PEAFA)</i>	277	1.939	4.375	2.091	2.763	1.350
<i>Prevention of and response to conflict situations. PEAFA intermediate level. Protocols for dealing with incidents within the regiment</i>	45	675	887	233	526	137
<i>Mental health education</i>	110	809	1.866	1.340	1.524	1.149
<i>Training of trainers in procedures for dealing with incidents within the regiment and safety protocols (PEAFA intermediate level)</i>	3	65	56	11	53	11
TOTAL	842	194.263	13.601	10.489	10.102	8.226

(*) Change to the structure of the initial training programme for the Corps of Assistants, with all practical training hours completed as part of their training now being counted.

Initial training, which all new civil servants undergo upon entering the prison administration, includes the following subjects: Human Rights; interpersonal relations and social communication skills; the Code of Ethics of the Prison Administration; public policies on equal opportunities and the prevention of gender-based violence; procedures for responding to violent actions in the workplace; and occupational risk prevention.

European Prison Rules and the Nelson Mandela Rules are also provided, together with European ethical guidelines in the prison context.

Training also includes courses on social communication skills, the peaceful resolution of conflicts, de-escalation procedures, and the appropriate use of coercive measures.

It should be noted that there has been a net increase in all indicators compared with the previously provided data for the 2017–2020 period, including the number of training activities carried out, the total training hours, and the number of staff selected and participating in training. This trend is expected to continue in the coming years, although other variables—such as public employment offers and the resources available to the Prison Administration—will influence its final assessment.

All recommendations regarding “Manual Control and De-escalation Techniques” have been incorporated into current training activities included in training plans, along with other measures adopting a differentiated approach that supports detection, identification, and



interaction according to each situation. One of the guiding principles in course planning is that these subjects are included across all roles where interpersonal interaction is central, both in security and treatment-related activities:

- ✓ communication skills,
- ✓ assertive communication,
- ✓ empathy,
- ✓ peaceful conflict resolution and de-escalation procedures,
- ✓ prison intelligence,
- ✓ proactive prevention.

These principles, together with the incorporation of any considerations that enhance this Administration's performance in terms of legal compliance, will be upheld and further developed at the future Centre for Prison Studies in the city of Cuenca.

123. The CPT recommends that, in view of the reduction of the imposition of disciplinary sanctions, the SGIP reinvest efforts in the introduction and implementation of a fully-fledged system of restorative justice principles and approaches by reducing and transforming conflictive relational dynamics between prisoners and staff towards peaceful conflict resolution mechanisms through the learning of social skills of communication and respect. This should consist in the training of mediators and the active promotion of alternative measures of conflict resolution in the prison context in the line of Recommendation CM/Rec(2018)8 of the Committee of Ministers to member States concerning restorative justice in criminal matters.

125. The Committee reiterates its recommendation that the Spanish authorities act to ensure that no prisoner is held continuously in solitary confinement as a disciplinary punishment for longer than 14 days. If the prisoner has been sentenced to solitary confinement for a total of more than 14 days, there should be an interruption of several days in the solitary confinement at the 14-day stage, during which time the prisoner should have the possibility to associate with other persons and to participate in activities.

Further, supervisory judges should be made aware of the harmful effects that may result from placing a prisoner in solitary confinement as a disciplinary punishment for longer than 14 days.

More generally, the CPT also considers that a single incident should not result in more than one disciplinary punishment of solitary confinement, and that any offences committed by a prisoner which might call for more severe sanctions should be dealt with through the criminal justice system.

Work is currently underway to introduce programmes aimed at transforming the dynamics of conflict among prisoners so that, through the acquisition of social skills and communication tools, such conflicts can be resolved peacefully and with respect. In this regard, efforts are



being made to promote the implementation of alternative measures that will help maintain order within prisons.

With regard to the imposition of multiple sanctions for a single incident, consideration is being given to promoting specific measures to ensure a rational and proportionate application of the disciplinary regime, in order to avoid situations such as those noted in the report: the imposition of six very serious offences and four serious offences arising from a single incident.

As for the sanction of confinement in a cell, whose duration should not, in principle, exceed 14 days but may exceptionally, due to the concurrence of offences, reach up to 42 consecutive days where several offences exist (Article 42 of the General Penitentiary Law and Article 236 of the Prison Regulations), prior authorization from the Prison Supervisory Court (hereinafter, JVP) is required in such cases, unless the person concerned does not wish it. In practice, the serving of the sanction is interrupted after 14 days, allowing a period of one to three days to elapse before resuming the remainder, with the aim of giving the individual the opportunity to maintain meaningful contact with the outside world.

Likewise, we would also reiterate that the prison administration remains committed to promoting the reform of the General Prison Act so that, almost 50 years after its entry into force, it may reflect the new reality of Spanish society and improve certain aspects thereof, including this matter.

That is, the sanction of solitary confinement has a legal maximum duration of 14 days. Where a prisoner commits multiple offences punished with solitary confinement the number of days for each sanction are added – up to some limits – and the total sum can exceed these 14 days, but in this case all the sanctions need to be approved by JVP.

In any case, if the acts committed might be a criminal offence, they would be notified to the correspondent judicial authorities and dealt with through the criminal justice system.

Beyond that, solitary confinement regulation is very restrictive, as prisoners can only be sentenced to solitary confinement as a disciplinary punishment where they commit serious or very serious offences and, along with that, they show clear aggressiveness or violence, or they repeatedly and severely disrupt the cohabitation. Besides, there is a series of guarantees to avoid harmful effects, among those: the doctor will control the prisoner daily and inform the director about their physical and mental health status and, if necessary, about the need to suspend or modify the imposed sanction; in cases of illness and whenever circumstances advise to do so the sanction will be suspended, and solitary confinement will be usually served in the cell of the prisoner.

126. The CPT recommends that the Spanish authorities review the timelines for hearing alleged disciplinary offences and for the application of disciplinary sanctions with a view to ensuring that the link between the offence and the punishment is maintained, and that it serves the maintenance of good order in the prison. Further, when prisoners are transferred to another prison establishment following an alleged disciplinary offence and no disciplinary punishment is imposed for several months, there should be procedures in place to review the application of any disciplinary sanction in light of the behavior of the prisoner.



The disciplinary procedure within the Spanish prison system places particular emphasis on safeguarding the rights of prisoners; consequently, it sets strict time limits for the processing of cases, which, quite often, results in the process taking longer than is desirable, but, in any case, always ensuring that there is a proportionate relationship between the offence committed and the penalty imposed, in order to fulfil the objective of the disciplinary regime: the maintenance of order within the prison.

To ensure that the link between offence and penalty is maintained, which is essential for the offender to realise the reproach entailed by their misconduct, as well as to contribute to the good order of the institution.

To this end, the possibility of reducing sanctions is generally regulated under Article 42.6 of the LOGP and Article 256 of the RP, or the suspension of the enforcement of solitary confinement sanctions under Article 43.2 of the LOGP and Article 255 of the RP, 'whenever circumstances so warrant'.

Consequently, the current regulatory framework appropriately ensures that the link between the offence and the sanction is maintained, whilst providing for a procedure to rectify any malfunctions that may arise through the reduction and suspension of sanctions.

127. The healthcare staff in any prison is potentially at risk of dual-loyalty conflicts. This risk is higher in those systems where healthcare staff work under the authority of the prison management. Their duty to care for their patients (sick prisoners) may often lead to conflict over considerations of the prison's management and security. This can give rise to difficult ethical questions and choices. Prison doctors act as a prisoner's personal doctor. Consequently, in the interests of safeguarding the doctor/patient relationship, they should not be asked to certify that a prisoner is fit to undergo punishment and/or may be safely subjected to mechanical fixation. This, essentially non-medical, task can affect the therapeutic relationship between healthcare staff and patients.

The CPT recommends that the Spanish authorities take immediate steps to bring existing practice into compliance with these principles and to ensure their implementation in all prison establishments.

The Prison Service acknowledges the concerns raised regarding the role of healthcare staff and, in accordance with the provisions of the Nelson Mandela Rules, which exclude any role for healthcare staff in the imposition of sanctions or restrictive measures (Rule 46), with the United Nations Principles of Medical Ethics or the CPT/Council of Europe standards on clinical independence and the prevention of conflicts of loyalty in the prison setting, the involvement of medical staff in the application of coercive measures may compromise the care relationship in an environment where it is a vital tool.

However, prison legislation expressly provides for the doctor to visit the person subject to provisional solitary confinement on a daily basis, and presupposes the doctor's report when it stipulates that coercive measures may not be applied to patients convalescing from serious illness or to pregnant women, women up to six months postpartum, breastfeeding women, or women with children in prison (Article 72 of the Prison Regulations), and regulates the



enforcement of isolation sanctions subject to a prior medical report and examination, establishing daily supervision (Article 254 of the Prison Regulations).

Therefore, within the current regulatory framework and with full respect for the professional judgement of medical staff, their report will continue to be sought for the purposes indicated.

129. The recommendations outlined in paragraphs 108 and 111 in respect of the necessity to increase healthcare staffing and psychological support to prisoners at the prison establishments visited are also valid in this context.

As noted by the Committee, delays in providing the specific healthcare required by transgender persons in prison do not differ from those affecting the general population. The Prison Administration will continue working, to the extent permitted by the human resources available in the facilities, to provide individualized psychological care to those who require it.

130. The CPT reiterates its recommendation that the Spanish authorities allow all visits to take place as a rule in open conditions, and that visits in closed booths be restricted to those cases when they are justified for security-related reasons. Further, the Spanish authorities should arrange such visits, ideally during weekends, with consideration for the challenges associated with facilitating the transportation of relevant visitors, as outlined in Articles 42.1 and 42.4 of the RP.

The facilities and premises available to prisons do not allow for all currently authorized and conducted visits to take place in open spaces (in rooms or areas with no physical partition between visitors).

It is not for security reasons, but rather the number of communication rooms available, as well as the timetable and the time required between one communication and the next, that make it impossible to implement this recommendation.

As regards facilitating communications at weekends, the oral communications (via visiting rooms, with physical separation between parties) referred to in Articles 42.1 and 42.4 are already held, in accordance with Instruction 4/2005, on Saturdays and Sundays, and may be extended to Fridays if necessary.

131. The CPT recommends that access to Voice over Internet Protocol (VoIP) technologies continue to be offered to foreign national prisoners and other women whose families live a great distance from the prison in which they are located, in particular in the spirit of Service Order 6/2021 and Article 42.4 of the RP.

132. The CPT would like to receive the comments of the Spanish authorities on the above-mentioned precepts.

The Prison Service is fully aware of, and has first-hand knowledge of, the importance of telephone communications for prisoners; for this reason, we are committed to the continuous improvement and expansion, as far as possible, of this service, as demonstrated by the



measures taken in recent years, including an increase in the number of authorized calls, the duration of these calls, and the installation of 'kiosks' for making video calls.

The current rates were amended on 24 December 2023, when discounts were reintroduced on both voice and video calls.

The rates for the VAT zone are as follows:

SERVICIO	1 min. (con IVA)	2 min. (con IVA)	3 min. (con IVA)	4 min. (con IVA)	5 min. (con IVA)	6 min. (con IVA)	7 min. (con IVA)	8 min. (con IVA)
Metropolitanas(**)	0.12 €	0.12 €	0.14 €	0.17 €	0.20 €	0.22 €	0.25 €	0.28 €
Provinciales(**)	0.12 €	0.12 €	0.14 €	0.17 €	0.20 €	0.22 €	0.25 €	0.28 €
Fijo Nacional	0.12 €	0.19 €	0.26 €	0.33 €	0.43 € 47%	0.48 €	0.55 €	0.62 €
a móvil (hor. normal*)	0.30 €	0.49 €	0.67 €	0.86 €	1.10 € 11%	1.23 €	1.41 €	1.60 €
A móvil (hor. reducido*)	0.30 €	0.47 €	0.65 €	0.83 €	1.06 € 12%	1.19 €	1.37 €	1.55 €
Video llamadas	0.41 €	0.70 €	0.99 €	1.28 €	1.65 € 16%	1.92 € 15%	2.15 € 13%	2.44 € 11%

(*) Tarifa Normal lunes a viernes 8-22 h. & sábados 8-14 h.no festivos . Horario reducido: tarde de sábados, domingos y festivos

The rates for the IPSI zone are as follows:

SERVICIO	1 min. (con IVA)	2 min. (con IVA)	3 min. (con IVA)	4 min. (con IVA)	5 min. (con IVA)	6 min. (con IVA)	7 min. (con IVA)	8 min. (con IVA)
Metropolitanas(**)	0.11 €	0.11 €	0.13 €	0.15 €	0.18 €	0.20 €	0.23 €	0.25 €
Provinciales(**)	0.11 €	0.11 €	0.13 €	0.15 €	0.18 €	0.20 €	0.23 €	0.25 €
Fijo Nacional	0.11 €	0.17 €	0.24 €	0.30 €	0.37 € 47%	0.43 €	0.50 €	0.56 €
a móvil (hor. normal*)	0.27 €	0.44 €	0.61 €	0.78 €	0.95 € 11%	1.12 €	1.28 €	1.45 €
A móvil (hor. reducido*)	0.27 €	0.43 €	0.59 €	0.76 €	0.92 € 12%	1.08 €	1.25 €	1.41 €
Video llamadas	0.37 €	0.63 €	0.90 €	1.16 €	1.43 € 16%	1.74 € 15%	1.95 € 13%	2.22 € 11%

(*) Tarifa Normal lunes a viernes 8-22 h. & sábados 8-14 h.no festivos . Horario reducido: tarde de sábados, domingos y festivos



The rates for the IGIC zone are as follows:

SERVICIO	1 min. (con IVA)	2 min. (con IVA)	3 min. (con IVA)	4 min. (con IVA)	5 min. (con IVA)	6 min. (con IVA)	7 min. (con IVA)	8 min. (con IVA)
Metropolitanas(**)	0.10 €	0.10 €	0.13 €	0.15 €	0.17 €	0.20 €	0.22 €	0.25 €
Provinciales(**)	0.10 €	0.10 €	0.13 €	0.15 €	0.17 €	0.20 €	0.22 €	0.25 €
Fijo Nacional	0.10 €	0.17 €	0.23 €	0.29 €	0.36 € ^{47%}	0.42 €	0.48 €	0.55 €
a móvil (hor. normal*)	0.27 €	0.43 €	0.59 €	0.76 €	0.92 € ^{11%}	1.09 €	1.25 €	1.41 €
A móvil (hor. reducido*)	0.26 €	0.42 €	0.58 €	0.74 €	0.90 € ^{12%}	1.05 €	1.21 €	1.37 €
Video llamadas	0.36 €	0.62 €	0.87 €	1.13 €	1.39 € ^{16%}	1.70 € ^{15%}	1.90 € ^{13%}	2.16 € ^{11%}
(*) Tarifa Normal lunes a viernes 8-22 h. & sábados 8-14 h.no festivos . Horario reducido: tarde de sábados, domingos y festivos								

134. The CPT recommends that prison staff receive the clear message that any kind of threats or intimidating action against a prisoner who has complained of ill-treatment, or attempts to prevent complaints or requests from reaching the relevant supervisory bodies, will not be tolerated and will be sanctioned accordingly. The Committee also recommends that all staff should be trained in the importance of the complaints' system and their role within this system. In addition, prisoners should be fully informed about their right to complain and the method by which to complain.

Further, the recommendations outlined in paragraph 56 on the need to improve the efficiency of investigations into allegations of ill-treatment and on the proactive and timely oversight of JVPs into the decisions of the prison management are also applicable in this context, as they may contribute to reinforcing the trust of prisoners in the complaint system.

All prison staff are aware that any threat or act of intimidation against a prisoner simply for lodging a complaint or report of ill-treatment, or for preventing such complaints from reaching the relevant authorities, will not be tolerated and will result in disciplinary action.

No malfunction has been observed in the established complaints system; to date, there is no indication of inadequate or defective operation. On the contrary, as can be seen from the records of the SIP computer system, it has proved to be efficient and adequate

As is the case with investigations into possible ill-treatment, it is also important in this instance for the Prison Supervision Court to oversee any type of complaint, as has been the practice for a long time. This approach is considered an effective way of strengthening inmates' confidence in the system.

136. The Committee acknowledges the CGPJ's dissemination of its prior recommendations to all JVPs, a measure that has prompted debate and analysis, leading to enhanced oversight activities in prisons. However, in light of the findings of the CPT during the 2025 visit, the CPT reiterates its recommendation that the Spanish



authorities, through the intermediary of the State Judicial Council (Consejo General del Poder Judicial - CGPJ), should remind the supervisory judges of the importance of their proactive role in independently supervising the execution of custodial sentences and safeguarding prisoners' rights, in particular by closely monitoring the treatment of prisoners in closed-regime modules and the use of restraints and solitary confinement. In particular, the competent JVP should pay regular periodic visits to Madrid VII Prison.

Furthermore, the Committee would be grateful to receive the results of the aforementioned study promoted by the CGPJ, following a recommendation by the NPM, regarding the immediate and prompt supervision of JVPs over the actions of the prison administration.

With regard to the remit of the Ministry of the Presidency, Justice and Relations with the Courts, please refer to the earlier comment on paragraph 56.

C. Juvenile Detention Centre "Vicente Marcelo Nessi" in Badajoz

2. Ill-treatment

149. The CPT reiterates its recommendation that the Spanish authorities should increase their oversight over the selection and performance of private security staff working in juvenile detention centres to ensure that they are able to apply effectively both preventive de-escalation measures and manual control techniques. Further, the private security staff should be reminded, including through regular training activities and oversight, that any form of ill-treatment or excessive use of force is unacceptable and will be prosecuted and punished accordingly.

The private security company provides training to security guards on intervention with minors and young people subject to custodial measures, as well as on violence prevention strategies for young people under judicial measures, in addition to practical self-protection and restraint techniques.

151. The CPT recommends that the Spanish authorities ensure that, whenever injuries are recorded which are consistent with allegations of ill-treatment or excessive use of force made by the person concerned (or which, even in the absence of an allegation, are indicative of ill-treatment or excessive use of force), in addition to informing the competent investigative authorities, the center systematically conducts ex officio a comprehensive inquiry into the origin of such injuries.

The Committee would like to receive information on (administrative/criminal) investigations into any form of alleged ill treatment conducted from 2020 to 2024 and their outcome.

There is oversight by the centre's management regarding the use of force by security personnel. All video footage (without audio) recorded by the surveillance system during the use of officially authorised restraint measures (physical and mechanical restraint (handcuffs),



rubber baton, and isolation) is systematically reviewed, after which a report is issued and subsequently reviewed by the Juvenile Prosecutor's Office during its periodic visits.

In any case, where indications of improper practice by the aforementioned personnel are identified, a more detailed report is produced and submitted to the competent Juvenile Prosecutor's Office. In the most evident cases, the contracted security company is urged to investigate the facts and, where appropriate, adopt preventive measures. Furthermore, the young person is always offered the possibility to report the facts to the National Police.

Furthermore, the Inspectorate of Security Personnel and Services (IPSS) forms part of the Secretary of State for Security, which encompasses the National Office for the Guarantee of Human Rights (ONGADH), the body responsible for ensuring that the State's security forces and bodies comply with national and international standards against torture and other cruel, inhuman or degrading treatment or punishment, thereby guaranteeing respect for individuals' fundamental rights.

The ONGADH was established to complement the conduct of thorough and effective investigations into incidents that may infringe fundamental rights during police operations, with the aim of supporting the decision-making process and, where appropriate, taking the necessary corrective measures. Its functions include:

- Verifying and assessing compliance with the obligations set out in instructions or other provisions regarding police actions that may affect the exercise of fundamental rights.
- Monitoring, supervising and analyzing incidents resulting in death, suicide, attempted suicide or injury to persons during the actions of law enforcement personnel, in their capacity as officers of the authority.
- Responding to requests for information on human rights matters addressed to it by the competent national bodies and institutions, as well as cooperating with the Directorate-General for International Relations and Immigration (DGRIE) in the Ministry's institutional response to requests from international organizations.
- Disseminating guidelines on good practice for the protection and guarantee of human rights amongst law enforcement agencies.

The ONGADH monitoring activities are complemented by the appointment of specific contact points to be established within the National Police and the Civil Guard.

To ensure the proper coordination of actions and exchange of information with the ONGADH, on 29 July 2022, the National Police designated the Human Rights and Equality Unit of the Technical Office Deputy Directorate-General as the central contact point.

As the central contact point, it is responsible for day-to-day communication with the ONGADH, as well as the following functions:

- Verifying and assessing compliance with the obligations set out in instructions or other provisions regarding police actions that may affect the exercise of fundamental rights.



- To monitor, oversee and analyse incidents resulting in death, suicide, attempted suicide or injury to persons during the actions of State Security Forces and Corps personnel, in their capacity as law enforcement officers.
- To monitor, control, evaluate and analyse the data recorded in the National Human Rights Plan's IT application.

Finally, Instruction 10/2025 of the Secretary of State for Security, which regulates the comprehensive procedure for police detention, sets out in detail all the data that must be collected and documented in the event of a police intervention involving the restriction of a person's freedom of movement through their arrest, custody or compulsory stay at police premises.

3. Material conditions

155. The CPT urges the Spanish authorities to install call bells in juveniles' cells as a matter of priority. The Committee further recommends that the Spanish authorities ensure that there is a sufficient number of staff available to escort juveniles to the toilet and attend to any other needs that they may have without undue delay, including at nighttime.

157. The CPT recommends that the Spanish authorities ensure that the environment in the Centre Vicente Marcelo Nessi is rendered more personalised and child friendly, including by allowing juveniles to have a table and a chair in their cells to provide them with the opportunity to decorate their rooms.

With regard to room equipment, for safety reasons both for the young people and the professionals, efforts are made to ensure that they do not have objects with which they could harm themselves or others. In any case, procurement procedures are underway for the installation of desks and call bells in the rooms.

The General Secretariat for Social Services, Inclusion, Children and Families continues to work on improving all possible conditions, always prioritizing the safety of individuals, both the young people serving a measure in this centre and the staff working there.

6. Disciplinary measures

174. The CPT recommends that the Spanish authorities take the necessary measures, including by amending the applicable legislation, to end the application of the sanction of separation from the group for juveniles under the age of 18 years. Further, steps should be taken to significantly reduce the isolation of juveniles 18 years and older as a disciplinary punishment. The recommendation outlined in paragraph 123 on the resort to restorative justice principles and approaches in order to reduce the resort to disciplinary sanctions is also valid in this context.

The Committee further invites the management of the Centre Vicente Marcelo Nessi to amend the centre's internal regulations in order to immediately discontinue the



segregation of juveniles under the age of 18 years old as a disciplinary punishment, pending the amendment of the applicable legislation.

Regarding the imposition of disciplinary sanctions involving separation from the group, as established in Article 66 of Royal Decree 1774/2004 of 30 July, which approves the Regulation of Organic Law 5/2000 of 12 January regulating the criminal responsibility of minors, during their enforcement, young people are entitled to two hours outdoors.

Those who are engaged in work activities, pre-employment training or formal education, both inside and outside the Centre, continue to participate in them during this period, except where precautionary measures are adopted, depending on the purpose of such measures.

Likewise, when it is considered beneficial for the young person's progress, they take part in some of the scheduled activities.

They also hold interviews with members of the technical team and are visited by a psychologist to assess their physical or mental health, in both morning and afternoon shifts; in the absence of this professional, they are seen by a doctor at least once a day, with the Centre's management being informed in both cases.

Young people also receive scheduled visits from their families.

Moreover, the sanction of separation from the group is exceptional and can only be applied in cases where juveniles under the age of 18 years commit serious or very serious offences and, along with that, they show clear aggressiveness or violence, or they repeatedly and severely disrupt the cohabitation.

It cannot last longer than seven days and it must take place in the room of the juvenile or in another of similar characteristics. As the report acknowledges, while separated juveniles are granted access to daily outdoor activity, they are in regular contact with an educator, and they continue to receive visits and communicate with their families.

Regarding the concerns on the wellbeing of juveniles, the regulation of the sanction of separation precisely states that whenever it is noticed that the separation has a detrimental effect on the physical and/or mental wellbeing of a juvenile it must be lifted. As the CPT reports, during the separation either a medical doctor or a psychologist must daily assess the juvenile's physical/mental health condition and inform the centre's director about it and, if necessary, about the need to suspend, modify or lift the sanction.

Therefore, the sanction of separation can only be applied in very specific circumstances and the law establishes conditions and safeguards to guarantee the wellbeing of juveniles.

9. Other issues

194. The CPT recommends that the Spanish authorities ensure that whenever juveniles are searched they be allowed to partially keep their clothes, for example, a person should be allowed to remove clothing above the waist and put the clothes back on before removing further clothing, or to cover themselves with a bathrobe or a towel in case full body searches, which shall fully respect the juvenile's dignity and intimacy, in accordance with the applicable legislation.



In this regard, ISES 10/2025 sets out, in section 10.2 of the Annex, specific guidelines for the detention of minors. It stipulates, amongst other things, that the personal search of detained minors, including full strip searches where duly justified circumstances make this necessary, shall be carried out with absolute respect for their fundamental rights and always as a safety measure for the minor themselves and those involved, removing any object that could endanger their physical integrity, their safety, that of third parties or that of their custodians. This practice shall comply with the provisions of point 9 of this annex and any other regulations issued in this regard.

This conclusion applies to all sections relating to the State Security Forces and Corps (FCSE).

It should be noted that Royal Decree 207/2024 of 27 February, which sets out the basic organizational structure of the Ministry of the Interior, assigns to the Inspectorate of Service and Security Personnel (IPSS) the role of directing the National Office for the Guarantee of Human Rights (ONGADH), as the body responsible for ensuring compliance by the State Security Forces and Corps with national and international standards against torture and other cruel, inhuman or degrading treatment or punishment, in order to guarantee respect for individuals' fundamental rights. Instruction 1/2022 of the Secretary of State for Security (ISES 1/2022), establishing the ONGADH, sets out a mechanism for **monitoring, coordination and evaluation, designed to highlight and promote the commitment of the State Security Forces and Corps (FCSE)** to respect for human rights.

It also regulates the criteria and procedure for the collection and recording of the necessary data on incidents and actions that may indicate an alleged violation of fundamental rights during police operations, the implementation of which is verified through the National Human Rights Plan Computer Application (AIPNDH).